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OF THE

STATE OF TENNESSEE,

PASSED AT THE SECOND SESSION OF

THE THIRTY-FOURTH GENERAL ASSEMBLY,

FOR THE YEARS 1865–66.

PUBLISHED BY AUTHORITY.

NASHVILLE, TENN.:

S. C. MERCER,.....PRINTER TO THE STATE.

1866.

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PUBLIC ACTS

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF TENNESSEE.

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

CHAPTER I.

AN ACT in regard to the Recorder of the City of Columbia.

Be it enacted by the General Assembly of the State of Tennessee, That the Recorder of the City of Columbia, Maury County, Tennessee, be, and he is hereby, invested with concurrent jurisdiction with Justices of the Peace, in all cases of violation of the Criminal Law of the State, or of the Ordinances of the Mayor and Aldermen of the City of Columbia, within the limits of said city. Jurisdiction.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed October 20, 1865.

CHAPTER II.

AN ACT for the benefit of the Supreme Court of the State of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Clerk of the Supreme Court at Nashville, and the Attorney General of the State, cause the Supreme Court room in this Capitol, to be refitted and furnished for the use of the Court, in a style and manner equal to its former condition, and that the expenses thereof be audited by the Comptroller and be paid out of the State Treasury.

Court room.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed October 25, 1865.

CHAPTER III.

AN ACT to Encourage the Production of Wool in the State of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That in order to protect sheep from the predatory attacks of dogs, it shall be a misdemeanor for any person to keep in his possession any dog or dogs, after he shall have received notice that said dog or dogs have attacked, chased, or bit and wounded, or killed any one or more sheep, the property of himself or any one else, and upon conviction thereof, either before a Justice of the Peace, as in the case of small offences, or before the Circuit Court of the county in which he resides, shall be fined in a sum not less than five dollars, or more than twenty-five dollars, and may be imprisoned at the discretion of the Court, till he give security for the fine and costs.

Keeping sheep killing dogs to be punished.

SEC. 2. *Be it further enacted*, That a written notice, by affidavit, shall be necessary, in order to a conviction of the offence specified in the foregoing section, and it shall be sufficient to show, on trial, that the party charged had had notice of the fact that his dog or dogs did either chase, wound, bite or kill the sheep in question, and that he had

Trial.

had notice and still retained the dog or dogs in his possession, and failed or refused to kill them, or permit any one else to do so.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed November 3, 1865.

CHAPTER IV.

AN ACT to Amend the Laws controlling the Asylum for the Insane.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 1547 of the Code be so amended that the Board of Trustees may hereafter receive all pauper patients in the State, without regard to Senatorial Districts: *Provided*, that in the reception of pauper patients, if it shall appear that the capacity of the Asylum is not sufficient to properly take care of all the pauper lunatics in the State that may apply, then the Board of Trustees are required to properly apportion them among the Several Senatorial Districts in the State as now provided by law. Pauper patients.

SEC. 2. *Be it further enacted*, That the Board of Trustees shall have power, and are hereby authorized, to prepare on the farm belonging to the Institution, suitable buildings for the reception of the colored insane of the State, so as to keep them secure and safe, and yet separate and apart from the white patients, and for this purpose, they are authorized, through the President of the Board, to draw upon the Treasurer of the State a sum of money, not exceeding ten thousand dollars, and said sum is hereby appropriated out of the funds in the Treasury of the State not otherwise appropriated. Colored patients.

SEC. 3. *Be it further enacted*, That the Board of Trustees shall have power, and are hereby authorized, as soon as such suitable buildings are prepared, to admit into said Institution colored insane, in the same manner and upon the same conditions as now prescribed by law. To be admitted.

SEC. 4. *Be it further enacted*, That the Board of Trustees shall have power to make any contract with County Courts for the admission of indigent patients of each Co'ty Courts

county over and above the number as prescribed now by law.

SEC. 5. *Be it further enacted*, That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed November 6, 1865.

CHAPTER V.

AN ACT to Compensate Clerks for Services rendered in the Adjutant General's Office, etc.

Appropriation.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the sum of two thousand and fifty dollars be appropriated to compensate Clerks for services rendered in the office of the Adjutant General of the State, as authorized by House Joint Resolution, No. 68, adopted the 29th of May, 1865.

Clerk.

SEC. 2. *Be it further enacted*, That the Adjutant General of the State be, and he is hereby, authorized to employ a competent clerk to continue and perfect said record of Tennessee soldiers as required in said Resolution, and be allowed such compensation as may be agreed upon, not to exceed one hundred and fifty dollars per month, for which the Comptroller of the State is hereby authorized to issue his warrant upon such evidence as may satisfy him that the service has been rendered.

Book.

SEC. 3. *Be it further enacted*, That it shall be the duty of the Adjutant General of the State to have published in a well bound book a complete record of all Tennessee soldiers who have belonged to the United States service, during the present rebellion, with such historical remarks as will enable them or their families to obtain such bounty, arrears of pay, etc., as may be due them, or of interest to the public.

How distributed.

SEC. 4. *Be it further enacted*, That a copy of each annual report shall be sent to the respective County Court Clerks of this State for the benefit of the public, one hundred copies to be retained in the State Library, and for exchange for like documents, five copies for the State

Agency at Washington City, and five copies to be sent to the office of the Adjutant General of the United States, and one copy for each member of this General Assembly.

SEC. 5. *Be it further enacted*, That the Adjutant General shall superintend the printing and distribution of said reports, to be paid for out of the Treasury of the State, as for other public documents. Printing.

SEC. 6. *Be it further enacted*, That colored soldiers of the State of Tennessee are embraced in this act.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed November 7, 1865.

CHAPTER VI.

AN ACT directing the Attorney General of the Criminal Court in the Nashville Circuit to enter a *nolle prosequi* in certain cases.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Attorney General of the Nashville Judicial Circuit, and of the Criminal Court of Davidson county, be, and he is hereby, required to enter, upon payment of costs by the defendant or defendants, a *nolle prosequi* in each and every case in which a true bill or bills of indictment or presentment has or have been found by the Grand Jury of the Criminal Court of Davidson county, against each and every free person of color for a violation of sections 2728 or 2729 of the Code of Tennessee: *Provided*, that the person or persons so indicted or presented, have obtained license or permission therefor from the Military Governor of the State, a Military Commander, or the County Clerk. *Provided*, that the provisions of this Act shall apply to all Judicial Districts in this State. Free persons of color.

SEC. 2. *Be it further enacted*, That this Act shall take effect from and after its passage..

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed November 9, 1865.

CHAPTER VII.

AN ACT to dispose of the Records of the Land Offices of the State, and for other purposes.

Consolidated with Entry Taker's office.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Land Offices at Knoxville, Athens, Sparta, and Jackson be, and they are hereby, consolidated with the Entry Taker's Office of the respective counties whercin they are located, and the Entry Taker shall give bond and security of twenty thousand dollars ($20,000) and they may issue certified copies of grants, which shall be good and valid copies as though issued by the Register, as now provided.

SEC. 2. *Be it further enacted*, That whoever may now have the books and papers belonging to said offices, shall deliver them to their successors as soon as they qualify as required by the first section of this Act.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed November 17, 1865.

CHAPTER VIII.

AN ACT to establish a Seventeenth Judicial Circuit of Tennessee, and for other purposes.

17th Circuit.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That a Seventeenth Judicial Circuit be, and is hereby, established in the State of Tennessee, composed of the counties of Campbell, Anderson, Morgan, Scott, Fentress and Cumberland.

SEC. 2. *Be it further enacted*, That the Circuit Court Judge elected pursuant to the provisions of this Act, shall hold the Courts in the several counties composing said Circuit as follows, viz:

Anderson. At Clinton, in Anderson county, on the second Mondays in March, July, and November.

Morgan. At Montgomery, Morgan county, on the third Mondays in March, July and November.

Cumberland. At Crossville, Cumberland county, on the fourth Mondays in March, July and November.

Fentress. At Jamestown, Fentress county, on the first Mondays after the fourth Mondays in March, July and November.

Scott. At Huntsville, in Scott county, the Courts shall be holden on the second Mondays of April, August and December.

At Jackson, in Campbell county, on the first Mondays in January, May and September. Campbell.

And said Judge shall have all the power and emoluments given to other Circuit Court Judges of this State, subject to the same laws; and until such Judge shall be appointed or elected, it shall be the duty of Judges now presiding in their respective counties—counties embraced in the Seventeenth Circuit—to hold Courts as heretofore, until a Judge shall be qualified to preside in said Seventeenth Circuit. Judges.

SEC. 3. *Be it further enacted*, That the Fourteenth Judicial Circuit, composed of the counties of Henderson, Madison, and Haywood, be, and the same is hereby, revived; and that the Courts be held in said counties, as heretofore prescribed by law. 14th Circuit revived.

SEC. 4. *Be it further enacted*, That the County of Hardeman be added to the fourteenth Judicial Circuit, and that the Courts in said county be held on the first Mondays of March, July and November. Hardeman.

SEC. 5. *Be it further enacted*, That the county of Van Buren be taken from the Eighth Judicial District, and be added to the Fifth Judicial District. Van Buren. 8th Circuit.

SEC. 6. *Be it further enacted*, That the Chancery Courts at Harrison, in Hamilton County, Tennessee, shall hereafter be holden on the third Mondays of November in each and every year, instead of the second Monday of December, as now provided by law; but the first Court hereafter to be holden, shall be holden on the second Monday in September, as heretofore, but forever thereafter, said Chancery Courts at Harrison shall be holden, commencing on the second Monday of June, as it is now holden, and on the third Monday of November, as herein provided. Ch. Court at Harrison.

SEC. 7. *Be it further enacted*, That the Circuit Courts at Decatur, in Meigs county, Tennessee, shall hereafter be holden on the first Mondays of April, August and December each and every year; but the first Court hereafter to be holden at Decatur, shall be held on the fourth Monday of December next, as heretofore; but for ever thereafter, said Courts at Decatur, Meigs county, Tennessee, shall be holden on the first Mondays of April, August and December, as provided in this Act. Meigs.

SEC. 8. *Be it further enacted*, That all processes shall be made returnable to the Courts at the times and places mentioned in this Act after said first Courts provided for in the last two sections of this Act, and that this Act take effect from its passage. Process.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed November 20, 1865.

CHAPTER IX.

AN ACT to amend on Act entitled "An Act to establish a System of Internal Improvement in the State," passed the 11th of February, 1862.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Act aforesaid be so amended that the Governor of this State be authorized and instructed to issue the six per cent. coupon Bonds of the State, similar in character in every respect to the Bonds issued under the Act that this is intended to amend, and maturing at the same time, to an amount sufficient to pay off all the Bonds and interest past due, as well as that to fall due January 1st, 1866, or on any Bonds that may fall due during the year 1867 issued or endorsed by the State, that were issued or endorsed previous to the so-called Act of Secession, passed the 6th day of May, 1861.

Bonds to issue.

SEC. 2. *Be it enacted*, That said Bonds shall be dated the 1st day of January, 1866, and be payable on the 1st day of January, 1892.

Date, &c.

SEC. 3. *Be it enacted*, That said Bonds shall in no event be sold, exchanged, or negotiated at less than their par value; but they may be exchanged for the interest coupon Bonds hereby provided to be paid, estimating each at their par value.

How sold.

SEC. 4. *Be it enacted*, That the amount of interest now due, or that may become due by January 1st, 1866, by any railroad company, to the State on Bonds issued to or endorsed for said company, shall be charged up to said company, on the same terms and conditions of the original loan under the law this is intended to amend, and the State shall have the liens upon each of said roads, their franchises and property, for the prompt and faithful payment of the principal and interest of the Bonds hereby authorized to be issued to pay the interest on the Bonds said company should have paid interest on, or it has under the law this is intended to amend, for the Bonds issued under that law.

How secured.

SEC. 5. *Be it enacted*, That the several railroad companies receiving aid under this Act, shall pay the interest on said Bonds, as it matures in the same manner and under the same rules, regulations and restrictions as they are now required to pay on the Bonds issued or endorsed for them under the Act this is intended to amend, commencing the payment of said interest on the 15th day of June, 1866.

Interest to be paid by R. R.

SEC. 6. *Be it enacted*, That, the law now requiring all railroad companies in this State to pay into the Treasury 2½ per cent. per annum, as a sinking fund, on the amount of their indebtedness to the State, be, and the same is

Sinking fund.

hereby suspended until January 1st, 1867, and said companies are relieved from the payment of the sinking fund now past due under said law. Suspended.

SEC. 7. *Be it enacted*, That each and every railroad company in this State, who have or may receive aid under this Act, or the Act this is intended to amend, or any amendment thereto, shall pay to the Treasurer of the State during the year 1867, four per cent. on the amount of its indebtedness to the State, as a sinking fund on said debt, to be paid in the Bonds of the State in a like character to those issued or endorsed for said company with the coupons on the same that have not matured, said payment to be made semi-annually on the first of April and October, and a like amount every year thereafter until the whole of their indebtedness is discharged. 4 per cent. in 1867.

SEC. 8. *Be it enacted*, That the Governor of the State shall, through the proper State officers, or by himself, or through such other agent or agents as he may appoint for the purpose, have the Bonds hereby provided to be issued, negotiated and the proceeds of the same applied to the payment of the interest now due, or to fall due January 1st, 1866, on all Bonds issued or endorsed by the State, hereinbefore provided, or exchange said Bonds with the holders of said coupons, so as to pay and liquidate said interest. How negotiated.

SEC. 9. *Be it further enacted*, That the expense of issuing and negotiating said Bonds shall be paid out of any money now in the Treasury not otherwise appropriated, and the same shall be collected from the amount issued for the benefit of said companies pro rata. Expenses.

SEC. 10. *Be it enacted*, That any railroad company receiving aid under this Act or the Act this is intended to amend, or any amendment thereto, who shall discriminate in their freight or passenger tariff against the business of any city or town or place in this State, or carry freight lower in one direction than another, or refuse to give the citizens of this State equal facilities for transporting their freight to or from any point they may desire to ship to or from with the citizens of any other State, whether the act be commited within the limits of this State or not, shall, upon conviction, be fined in the sum of not less than one thousand dollars nor over five thousand dollars for each and every offence, the same to be collected as other fines and forfeitures are collected, one half of the same to go to the State, and the other half to the party aggrieved. Not to discriminate. Punishment.

SEC. 11. *Be it enacted*, That when the principal officers of the company do not reside in and have a permanent office in this State, it shall be competent and lawful to serve notice on any agent of said company who does reside in

the State, in any suit brought under the provisions of this Act.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed November 23, 1865.

CHAPTER X.

AN ACT to change the Time of Holding the Circuit Courts for the Thirteenth Judicial Circuit.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Circuit Courts for the Thirteenth Judicial Circuit shall be holden as follows:

Carroll. For the county of Carroll, first Mondays in January, May and September.

Henry. For the county of Henry, third Mondays in January, May and September.

Weakley. For the county of Weakley, second Mondays in February, June and October.

Benton. For the county of Benton, first Mondays in March, July and November.

Humphreys For the county of Humphreys, second Mondays in March, July and November.

SEC. 2. *Be it further enacted*, That this Act take effect from the first day of March next, 1866.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed November 23, 1865.

CHAPTER XI.

AN ACT to Restrict the Navigation of the Big Hatchie River.

M. & O. R. R SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all laws declaring the Big Hatchie River navigable above the point on said river crossed by the Memphis and Ohio Railroad, be, and the same are hereby, repealed.

SEC. 2. *Be it further enacted*, That this Act take effect from the date of its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed November 25, 1865.

CHAPTER XII.

AN ACT to provide for the removal of the County Seat of Sullivan County, from Blountville to Bristol, in said County, and for the establishment of a special Court at Kingsport, having Common Law Criminal and Chancery jurisdiction over the 13th, 14th, 15th, 7th, 10th, 11th and 12th Civil Districts, of Sullivan County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county-seat of Sullivan county, in said State, is hereby removed from Blountville to Bristol, in said county, together with all offices of the County, Circuit and Chancery Courts of said county, and the books and papers belonging to the same, and all offices of the county, required to be kept at the county seat, with the books and papers belonging to the same, and the said town of Bristol from this time forth be, and the same is hereby, declared to be the county seat of Sullivan county for all purposes, and to the same extent that Blountville heretofore was, and that hereafter the Courts of said county and the transaction of county business shall be held and performed at Bristol instead of Blountville, at all times, and in the manner pointed out by law for the same at Blountville.

Books and papers.

SEC. 2. *Be it further enacted*, That the County Court of said county shall take possession of such buildings at Bristol as may be necessary for holding the court of said county, and for other county purposes at Bristol, as may be tendered to the county for said purpose by the citizens of Bristol, or any number thereof, and that the County Court of said county may make any provision necessary for procuring a sufficient quantity of ground and for the erection of any county buildings, or for repairing the same at Bristol, as may in their opinion be necessary for the use of the county—the cost of the same to be paid, as far as possible, by private subscription. And the County Court of said county is furthermore empowered to make such disposition, either by public or private sale or other-

Buildings.

Grounds.

wise of the brick, lumber, site and other property belonging to the county at Blountville, as will be most for the interest of the county, and apply the proceeds thereof towards defraying the expenses of erecting new buildings at Bistol.

Old buildings

SEC. 3. *Be it further enacted*, That a special Court is hereby established at Kingsport, in Sullivan county, Tennessee, having general common law, chancery and criminal jurisdiction over the 13th, 14th, 15th, 7th, 10th, 11th, and 12th Civil Districts of said county, exclusive of the Circuit and Chanccry Courts of said county, and to the same extent, and under the same rules and regulations as heretofore exercised by the Circuit and Chancery Courts of said county, to be styled the "Common Law Criminal and Chancery Court of Kingsport." *Provided*, that the common law and criminal side of said court shall be held in the same manner and under the same rules and regulations under which the Circuit Court of said county is now held, and that said Special Court be attached to the first Judicial Circuit of Tennessee.

Special Court at Kingsport.

Common Law

SEC. 4. *Be it further enacted*, That the common law and criminal side of said court shall have exclusive original jurisdiction over all cases of common law and criminal nature arising within the said 13th, 14th, 15th, 7th, 10th, 11th and 12th Civil Districts of Sullivan county, in the same manner, and to the same extent, and under the same rules and regulations heretofore exercised in like cases by the Circuit Court of said county, and shall have exclusive appellate jurisdiction over all cases of common law and criminal nature arising in said District from Justices of the Peace or others to the same extent and under the same rules and regulations heretofore exercised in like cases by the Circuit Court in said county in like cases.

Jurisdiction.

SEC. 5. *Be it further enacted*, That the chancery side of said court shall have original jurisdiction of all cases of an equitable nature arising in said civil districts of said county, to the same extent and under the same rules and regulations as heretofore exercised by the Chancery Court of said county in like cases.

Chancery side

SEC. 6. *Be it further enacted*, That it shall be the duty of the Circuit Court Judge elected for the first Judicial Circuit of Tennessee, to hold three terms of the common law and criminal side of said court, commencing on the first Monday in April, August and December, in each and every year, and shall have full power to dispose of all cases, both of a criminal and common law nature coming before him in said court, in the same manner and under the same rules and regulations governing like cases in the Circuit Courts of the State.

Circuit Judge

SEC. 7. *Be it further enacted*, That it shall be the duty

of said Judge to select at each preceding term of said court, from said civil districts, the jurors necessary to act as grand and petit jurors, for transacting the business of said court, for the succeeding term, who shall be summoned by the Deputy Sheriff in said districts, to attend said succeeding term in the same manner as jurors are now summoned by the Sheriff of Sullivan county to attend the Circuit Court thereof. But when, from public excitement or otherwise, the Judge deems it necesary, he may order the summons of competent persons to serve as jurors in said court, from the body of Sullivan county. Jurors.

SEC. 8. *Be it further enacted*, That the Clerk of the Circuit Court of Sullivan county shall be Clerk of the common law and criminal side of said court, and shall keep an office by himself or deputy at Kingsport, which *shall be constantly* open for the transaction of business. Clerk.

SEC. 9. *Be it further enacted*, That the Chancellor elected for the First Chancery District of Tennessee shall hold two terms of the chancery side of said court, commencing the third Mondays in January and August, in each and every year, and shall hear and determine all cases therein, in the same manner, and under the same rules and regulations governing like cases in the Chancery Courts of the State. Terms.

SEC. 10. *Be it further enacted*, That the Clerk of the chancery side of said court shall be appointed by the Chancellor of said court, as clerks and masters of chancery are appointed, and he shall give bond, qualify and discharge his duties, and receive compensation as other clerks and masters with like privileges, and subject to like penalties, and shall keep an office at Kingsport, which shall constantly be open for the transaction of business. Cl'k & Master.

SEC. 11. *Be it further enacted*, That the Sheriff of Sullivan county shall appoint at least one of his deputies, who shall reside within the bounds of said districts, and execute all process from said special court, wait upon said court, and perform all the duties in relation to said court now imposed by law on the Sheriff of said county, in reference to the Circuit Court of said county: *Provided*, that at any time whenever the same may become necessary, said deputy sheriff may appoint one or more constables within said civil districts, to assist him in the performance of said duties, said services to be paid for by the Trustees of Sullivan county, on production of the certificate of the clerk of the common law and criminal side, or the clerk and master of the chancery side of said court, as the case may be, that said services have been performed, which certificate shall constitute a sufficient voucher to the said Trustees for the payment of said moneys on a settlement of his accounts. Sheriff. Constables.

Court-house and jail.

SEC. 12. *Be it further enacted*, That a court-house and jail may be erected at Kingsport, for the purpose of holding said "Special Court," and for the safe keeping of persons arrested for a violation of the criminal laws of Tennessee; and it shall be the duty of the County Court of Sullivan county, at their next term after the passage of this Act, or as soon thereafter as possible, to appoint three

Commissioners.

freeholders, as commissioners, residing within the limits of said civil districts, whose duty it shall be, after taking an oath before any Justice of the Peace for said county, to discharge their duties as commissioners, faithfully, to the county of Sullivan, and to the said civil districts, without fear, favor or affection, to purchase a suitable lot of ground at, or within two miles of Kingsport, and make the necessary contracts for obtaining the necessary materials, and for the erection thereon of a court-house and jail for said

May buy land

"Special Court." *Provided*, that said commissioners may, if they deem it best, purchase any amount of ground, not exceeding two hundred acres, and after reserving out of the same a sufficiency for said court-house and jail, may lay off

Town lots.

the rest into town lots of such size as they may think best, and sell said lots, single or as many together as they may choose, either at public or private sale, and apply the proceeds thereof to the payment of said land and the costs of said buildings, and such other expenses as they may have necessarily incurred, and the remainder thereof, if any, to be divided equally among said commissioners for their services, and make their reports when said works shall have been completed and said lots sold, to the County Court of Sullivan county.

SEC. 13. *Be it further enacted*, That the sheriff of Sullivan county shall have the custody and charge of said jail, and of all prisoners committed thereto, and may appoint a jailor for the same, whose residence shall be within said districts, and for whose acts said sheriff shall be

Prisoners.

civilly responsible. *Provided*, that until said jail shall be completed all prisoners arrested in said civil districts for a breach of the criminal laws of said State requiring confinement in said jail, shall be handed over by said deputy sheriff to the sheriff of said county, to be by him safely kept in the jail of Sullivan county, or wherever else he is authorized to keep prisoners in like cases by law, to answer the charges which may be preferred against them, or either of them, in said special court. *Provided also*, that in all cases wherein bail is now allowed by law, bail may be received.

Co'ty Court.

SEC. 14. *Be it further enacted*, That the County Court of Sullivan county shall have such charge of said court-house and jail at Kingsport, as will be necessary to keep the same in repair, and shall take all steps necessary for

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law and criminal side of the common law, Criminal and Chancery Court of Kingsport, or to the chancery side of the common law, Criminal and Chancery Court of Kingsport, according as the process may issue from either side of said court.

Appeals, &c.

SEC. 21. *Be it further enacted*, That writs of error, appeals in the nature of writs of error, and appeals, may be taken from said "Special Court" to the Supreme Court of the State in all cases, and under the same rules and regulations now allowed by law in like cases in the Circuit or Chancery Courts of the State.

Appeals, &c., from County Court.

SEC. 22. *Be it further enacted*, That in all cases determined in the County Court of said county, originating within the limits of said civil districts, and for which appeals in the nature of writs of error and writs of *certiorari* are now allowed by law, shall, from the passage of this act, be taken to said "Special Court" at Kingsport instead of to the Circuit Court, as heretofore allowed; and that in all cases of contested wills originating within the limits of said civil districts, the issue *devisavit vel non* shall be certified by the county court of said county to said "Special Court" at Kingsport, to be there determined instead of the Circuit Court of said county, as heretofore.

Transfer of cases.

SEC. 23. *Be it further enacted*, That as soon as possible after the passage of this Act, and before the first term of the chancery side of said court, to be held at Kingsport on the third Monday in January, 1866, it shall be the duty of the Clerk and Master of the Chancery Court of Sullivan county to transfer to the Clerk and Master of the chancery side of said court at Kingsport, all the cases now pending in the Chancery Court of Sullivan county originating within the limits of said civil districts, and the jurisdiction of which, if the same had been instituted after the passage of this Act, would have belonged to said "Special Court," together with all papers and certified copies of entrees and proceedings had in and belonging to the same respectively, which said causes so transferred, shall be proceeded with, heard and determined in the same manner and under the same rules and regulations in the chancery side of said "Special Court," as if the same had been continued, heard, and determined by the Chancery Court of Sullivan county from which they were transferred.

Same!

SEC. 24. *Be it further enacted*, That as soon as possible after the passage of this act, and before the first term of the common law and criminal side of said Special Court at Kingsport, to be held on the first Monday in April, 1866, it shall be the duty of the Clerk of the Circuit Court of Sullivan county, to transfer from the office of Clerk of the Circuit Court of Sullivan county at Bristol, to the office of the Clerk of the common law and criminal side of

said "Special Court" at Kingsport, all the suits and cases, both of a common law, criminal and equitable nature now pending in the Circuit Court of Sullivan county, originating within the limits of said civil districts, and the jurisdiction of which, if the same had been instituted after the passage of this act, would have belonged to said "Special Court," together with all papers and certified copies of all entries and proceedings had in and belonging to the same respectively, which said suits and cases so transferred, shall be proceeded with, heard and determined in the same manner and under the same rules and regulations in the common law and criminal side of said "Special Court" as though the same had been continued, heard and determined by the Circuit Court of Sullivan county from which they were transferred.

SEC. 25. *Be it further enacted*, That this act be referred to the legal voters of Sullivan county, for their ratification or rejection, and if a majority vote for ratification, it shall become a law, but not otherwise. The election for that purpose shall be held on the first Monday in January, 1866. Referred to voters.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed December 5, 1865.

CHAPTER XIII.

AN ACT to Change the County Site of Shelby County, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all the acts of the County Court of Shelby county, since the same has been held in Memphis, shall be deemed as valid and proper as if the said court had been held at Raleigh; and all the acts of the Judge, and other officers of said county, are hereby declared valid as if said Judge and other officers had been regularly elected by the people of said county. Acts made valid.

SEC. 2. *Be it further enacted*, That all the acts of the

county officers of Shelby county, who have kept their offices in Memphis, be deemed and held as valid as if said offices had been kept in Raleigh.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed December 8, 1865.

CHAPTER XIV.

AN ACT to alter and amend the second Section of an Act, passed June 10, 1865, entitled "An Act to Change the Eleventh, Twelfth, and Fourteenth Judicial Circuits of this State, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the second section of the above recited Act be, and the same is hereby, so amended as to read as follows: that hereafter the Circuit Courts for the Twelfth Circuit shall be holden as follows:

In McNairy county, the first Mondays in March, July and November.

Hardin county, the second Mondays in March, July and November.

Wayne county, the third Mondays in March, July and November.

Hickman county, the fourth Mondays in March, July and November.

Perry county, first Mondays in April, August and December.

Decatur county, the second Mondays in April, August and December.

SEC. 2. *Be it further enacted*, That the Chancery Courts shall be held in Decaturville on the first Mondays in June and December.

And in Linden on the second Mondays in June and December.

And in Bolvar on the third Mondays in March and September.

SEC. 3. *Be it further enacted*, That hereafter, the Circuit

Courts for the Fourteenth Circuit shall be holden as follows:

In Madison county on the fourth Mondays in January, May and September.

In Haywood county on the first Mondays in January, May and September.

In Henderson county on the fourth Mondays in March, July and November.

And in the county of Hardeman on the fourth Mondays in February, June and October.

SEC. 4. *Be it further enacted*, That there shall be a Special Court for the county of Perry, at Linden, on the first Monday in January, 1866.

SEC. 5. *Be it further enacted*, That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed December 12, 1865.

CHAPTER XV.

AN ACT to compel Ticket Agents of Railroad Companies to do their duty, and for other purposes.

SEC. 1. *Be it enacted by the General Assembly of the State of State of Tennessee*, That from and after the passage of this Act, it shall be the duty of every person who shall sell or be authorized to sell Tickets to Passengers to travel on any Railroad in this State, at any Station or Depot within this State, shall open his office for the sale of said Tickets, at least one hour before the time for the departure of each passenger train from said Station or Depot, and keep the same open during said space of one hour, and until the departure of each passenger train, and be always ready during said time to sell Tickets to passengers as they may, during said hour, apply for them. Any failure to comply strictly with the provisions of this Act, shall subject the delinquent to indictment or presentment, and upon conviction, to be fined not less than twenty nor more than fifty dollars.

Ticket Office to be kept open one hour.

SEC. 2. *Be it further enacted*, That it shall be the duty

Conductor's duty.

of each Conductor or other employee on any Railroad in this State, to announce in loud, distinct words, for each passenger car, the stopping place, station, or depot, or town at which each car or passenger train stops, or shall be detained for any purpose, and also the time such car or passenger train will stop or be detained.

SEC. 3. *Be it further enacted*, That every Railroad Company shall cause such passenger car to be well supplied with pure and wholesome water, and in cool weather, have each passenger car provided with comfortable fires, and at night, furnished with sufficient light for the use, comfort and convenience of the passengers.

Water.

SEC. 4. *Be it further enacted*, That upon the failure of any Railroad Company, during any trip of the passenger cars, to comply strictly with any of the provisions of the two preceding sections of this Act, then such Railroad Company shall forfeit and pay the sum of one hundred dollars, recoverable before any court having jurisdiction thereof, one half to be paid to the person suing, and the other half to go to Common School Fund of the State.

Penalty.

SEC. 5. *Be it further enacted*, That it shall be the duty of the conductor to see that no passenger occupies more room than he pays for, and that each passenger is provided with a seat as long as one remains vacant on his train.

Seats.

SEC. 6. *Be it further enacted*, That Judges of the Circuit or Criminal Courts of this State shall give this Act in charge to their Grand Juries.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed January 23, 1866.

CHAPTER XVI.

AN ACT to Repeal Sections 2728 and 2729 Article 4, Chapter 7, of the Code of Tennessee.

Repeal.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Sections 2728 and 2729, Article 4, Chapter 7, of the Code of Tennessee be and the same are hereby repealed.

SEC. 2. *Be it further enacted*, That the Attorneys General of the different districts of Tennessee are hereby directed to enter a *nolle prosequi* in all cases pending in the Criminal or Circuit Courts of this State where prosecutions by indictment or presentment under sections 2728 and 2729 of the Code are pending and undetermined in said court.

Nol. pros in all cases.

SEC. 3. *Be it further enacted*, That free persons of color may exercise and pursue all or any business not in violation of law, when they may obtain such license under the laws of this State as is applicable to the exercise of such privileges by free white persons.

License to free persons of color.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed January 25, 1866.

CHAPTER XVII.

AN ACT to reduce the rate of Interest from twelve and a half per cent. to six per cent., in cases of Appeal.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That judgments or decrees when affirmed in a higher court, shall be for the judgment or decree of the inferior tribunal, and interest thereon at the rate of six per cent. per annum, instead of twelve and a half per cent., as now allowed by law.

SEC. 2. *Be it further enacted*, That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed January 25, 1865.

CHAPTER XVIII.

AN ACT to do Justice and render persons of African and Indian descent Competent Witnesses in the Courts of this State.

Be it enacted by the General Assembly of the State of Tennessee, That persons of African and Indian descent are hereby declared to be competent witnesses in all the courts of this State, in as full a manner as such persons are by an Act of Congress competent witnesses in all the courts of the United States, and all laws and parts of laws of the State excluding such persons from competency are hereby repealed.

Provided, however, that this Act shall not be so construed as to give colored persons the right to vote, hold office or sit on juries in this State. And that this provision is inserted by virtue of the provision of the ninth section of the Amended Constitution, ratified February 22, 1865.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed January 25, 1866.

CHAPTER XIX.

SPECIAL ACT to be entitled An Act to Remove the County Site of Wayne County, &c.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county site of Wayne county be removed from Waynesboro, the present county site of said county, to a place on Indian Creek, in said county, known as Harbour Cave Spring—said spring being at or near the centre of said county. *Provided*, The Sheriff of said county shall open and hold an election in the same, after having previously given notice for one month of said election, by advertising the same in each civil district in said county. *Provided, further*, That on the day of said election two places shall be in nomination, viz: Waynesboro and Harbour Cave Spring; and at said election those

Election.

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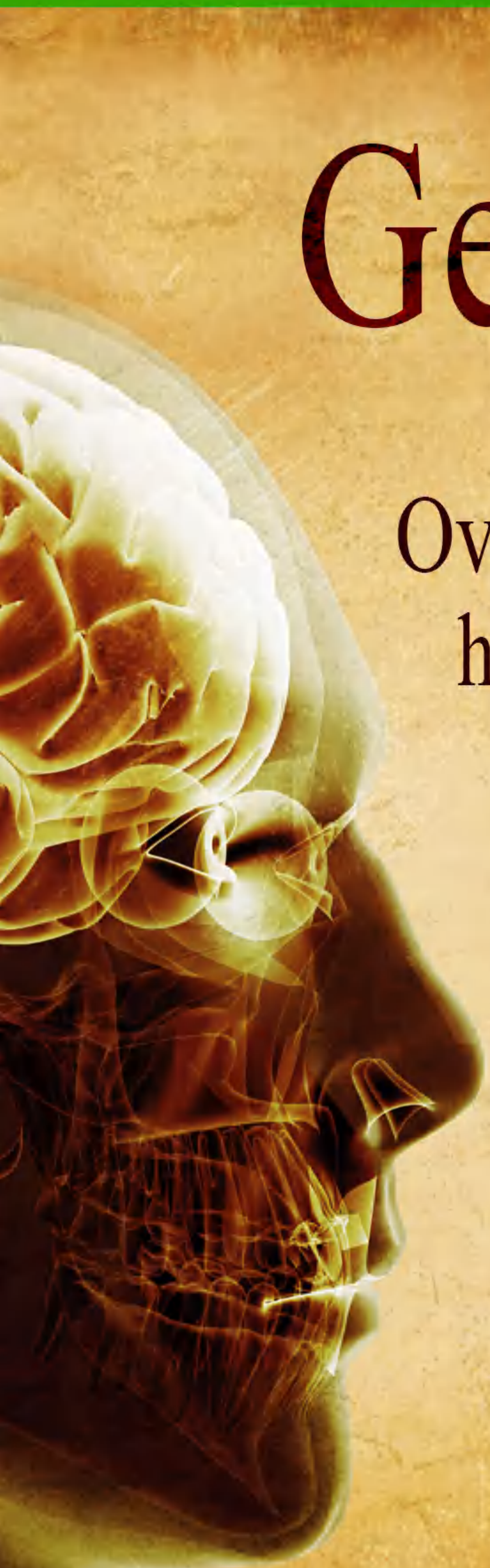

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miles, $\frac{1}{3}$ of a pole; thence N. W. $73\frac{3}{4}°$, 2 miles and 48 poles to two black oaks, near Chipman's fence, bearing N. E. 60°, 22′, 30″, 12.01 miles from Brownsville. Thence N. W. 32°, 320 P. to an elm; thence N. W. $36\frac{3}{4}°$, 320 P. to a white oak, standing on the bank of the south fork of said river; thence N. W. $41\frac{1}{2}°$, 320 P. to a stake in Thomasfield; thence N. W. $46\frac{1}{4}°$, 320 P. to a black oak; thence N. W. 51°, 320 P. to a forked poplar; thence N. W. $55\frac{3}{4}°$, 320 P. to two poplars, near E. J. Road's plantation; thence N. W. $60\frac{1}{2}°$, 320 P. to two small hickorys; thence N. W. $65\frac{1}{4}°$, 320 P. to a stake in Esq. Fife's field; thence N. W. 70°, 320 P. to a peach tree in Randle Johnson's field; thence N. W. $74\frac{3}{4}°$, 320 P. to a white oak; thence N. W. $79\frac{1}{2}°$, 320 P. to a sassafras and pointers; thence N. W. $84\frac{1}{4}°$, 320 P. to a dogwood; thence N. W. 89°, 320 P. to an elm and gum near White's fence; thence S. W. $86\frac{1}{4}°$, 320 P. to a maple, beyond the river; thence S. W. $81\frac{1}{2}°$, 320 P. to two Tupelo gums; thence S. W. $76\frac{3}{4}°$, to a small white oak; thence S. W. 72°, 320 P. to a maple; thence S. W. $67\frac{1}{2}°$, 120 P. to a small poplar at the edge of the high grounds; thence along the edge of the highland N. W. $35\frac{1}{2}°$, 340 P. to a small elm; thence N. E. 6°, 240 P. to a maple; thence N. W. 35°, 569 3-25 of a pole to a sweet-gum; thence N. W. 55°, 90 P. to an elm; thence N. E. 16°, 518 P. to an elm; thence N. E. 40°, 176 7-25 P. to a stake; thence N. E. $8\frac{1}{4}°$ 1201 1-5 poles to the south fork of said river; thence down said river with the meanderings of the same 21 miles, to a stake on the N. E. bank of said river; thence N. E. 41°, to a stake on south bank of the north fork of the Forked Deer River; thence up the said river, with the meanderings thereof, to the mouth of the Little North Fork of the Forked Deer River; thence N. E. $85\frac{1}{4}°$, 2 miles and 182 10-25 P. to a point bearing 79° N. W., 12.01 miles from Trenton. Thence S. W. 8°, 320 P.; thence S. W. $3\frac{1}{4}°$, 320 P.; thence S. E. $\frac{1}{2}°$, 320 poles; thence S. E. $6\frac{1}{4}°$, 320 P.; thence S. E. 11°, 320 poles; thence S. E. $15\frac{3}{4}°$, 320 poles; thence S. E. $20\frac{1}{2}°$, 320 poles; thence S. E. $25\frac{1}{4}°$, 320 poles; thence S. E. 30°, 320 poles; thence S. E. $34\frac{3}{4}°$, 320 poles; thence S. E. $39\frac{1}{2}°$, 320 poles; thence S. E. $44\frac{1}{4}°$ 320 poles; thence S. E. 49°, 320 poles; thence S. E. $53\frac{3}{4}°$, 320 poles; thence S. E. $58\frac{1}{2}°$, 320 poles; thence S. E. $63\frac{1}{4}°$, 320 poles; thence S. E. 68°, 320 poles; thence S. E. $72\frac{3}{4}°$, 320 poles; thence S. E. $77\frac{1}{2}°$, 320 poles; thence S. E. $82\frac{1}{4}°$, 320 poles; thence S. E. 87°, 320 poles; thence N. E. $88\frac{1}{4}°$, 320 poles; thence N. E. $83\frac{1}{2}°$, 320 poles, to a point bearing S. E. 8°, 52′, 30″, 12 miles from Trenton; thence S. E. 34°, 633 3-5 poles to the beginning, containing by estimation three hundred and fifty square miles.

Boundary.

Same.

Commis'ners.

SEC. 4. *Be it further enacted*, That for the purpose of organizing the county of "Crockett," William A. Johnson, John L. Poston, H. R. Hall, Alfred Connelly, William Emmerson, William J. McFarland, William Poston and William Scales shall be, and they are hereby, appointed Commissioners on the part of the several fractions in which they reside, who shall, before entering upon the duties herein specified, take an oath before some Justice of the Peace, faithfully to discharge all the duties incumbent on them in this Act; and in all cases of vacancies which may occur among said Commissioners previous to the organization of the county court of said county of "Crockett," the same shall be filled by other Commissioners, and all vacancies occurring after the organization of such court, the vacancies so occurring shall be filled by the said county court. A majority of said Commissioners shall constitute a Board competent to do all things herein enjoined on them. They shall keep a regular record of all their proceedings as Commissioners, which shall be returned to the county court of said county of "Crockett" at its first session and the same shall be recorded by the clerk thereof on the records of said court, and they shall make such returns after the organization of said court as shall be directed thereby.

Oath.

Record of proceedings.

SEC. 5. *Be it enacted, for the due administration of justice*, That the county site of said county of "Crockett" shall be established and located at such place as the Commissioners may select, where suitable lots upon which to erect public buildings shall have been donated for that purpose. In making such selection said Commissioners shall have a due regard to the convenience of a majority of the citizens of said county. The different courts for said county shall be held at such place in said town as said Commissioners may designate until a Court-house shall have been erected; and all writs and other process issuing from such courts shall be returnable to said place, and the courts for the said county of "Crockett" shall be under the same rules, regulations and restrictions, shall have, hold, exercise and possess the same powers and jurisdiction as prescribed by law for holding courts in other counties. Said county shall be attached to the 16th Judicial Circuit, and the circuit court shall be held by the Judge of said circuit on the second Mondays of January, May and September, in each and every year, and the said county shall be attached to the 6th Chancery District, and the chancery courts for said county shall be held twice in each year, on the first Monday of February and August.

County Site.

Courts.

10th Circuit.

SEC. 6. *Be it further enacted*, That all officers, civil and military, now holding office in said county, shall continue to hold their offices and exercise all powers and functions

Offic'rs to continue.

thereof until others are elected, as hereinafter provided. *Provided*, that nothing in this Act contained shall deprive the counties from which the fractions have been taken from having, exercising and holding jurisdiction over the county of "Crockett," and the citizens thereof in as full and as ample a manner as they now have, until the election of county officers takes place as hereinafter provided. *Provided, further*, that nothing herein contained shall prevent the above named counties from entering up judgments or the Sheriffs of said counties from selling under said judgments, any lands within the bounds of said county of "Crockett" for taxes, costs and charges until the county of "Crockett" is fully organized.

Fractions.

Sheriff's sales.

SEC. 7. *Be it further enacted*, That the Commissioners appointed by this Act shall appoint such persons as they may think proper to open and hold the election for county officers for the said county of "Crockett," and such persons so appointed, shall have power to appoint deputies, clerks and judges, and by himself and deputies to administer all the necessary oaths, and do and perform all other duties now made the duty of other sheriffs, or officers holding similar elections, and it shall be the duty of such person so appointed together with his deputies to open and hold an election for county officers at such time as may be designated by the Commissioners, which election shall be held in each civil district in said county; and the officers so elected shall hold their offices until the next regular election for county officers in the other counties of the State.

Election for county officers.

SEC. 8. *Be it further enacted*, That the citizens of "Crockett" county in all elections for Governor, Members of the General Assembly, Representatives in Congress and Electors for President and Vice President, shall vote with the counties from which they have been respectively stricken off until the next apportionment, agreeably to the provisions of the fifth section of the tenth Article of the Constitution.

General elections.

SEC. 9. *Bi it further enacted*, That said Commissioners shall have power, and it shall be their duty, to appoint *five* suitable and well qualified individuals to divide said county in civil districts and designate the places for holding elections in said districts, and perform all the duties relative thereunto, which by the laws of the State such Commissioners are required to do.

Civil Distr'ts.

SEC. 10. *Be it further enacted*, That the Commissioners of "Crockett" county be, and they are hereby authorized to exercise all the powers conferred in this Act and such further powers as may be necessary and proper for the complete organization of said county.

Further powers.

SEC. 11. *Be it further enacted*, That an Academy is

Academy.

hereby established in the said town of Cageville, or at the county seat of the said county of "Crockett," with all the rights and emoluments of other county Academies of the State, and the county court shall appoint Trustees as in other counties, and shall name the same.

SEC. 12. *Be it further enacted*, That all laws in conflict with this Act be, and the same are hereby repealed. Repealing clause.

SEC. 13. *Be it further enacted*, That if the voters of Wayne county, at said election, held under the provisions of this Act, determine that the county seat of said county shall be removed to Harbor Cave Spring, then the name of said county seat so removed, shall continue be to called Waynesboro. Name of county seat.

SEC. 14. *Be it further enacted*, That the county seat of Cocke county be removed from Newport to a place known as the Mouth of Sweewater, about five and a half miles distant from the present county seat. *Provided*, said removal shall not change the name of the county seat. County seat of Cocke Co.

SEC. 15. *Be it further enacted*, That that part of this Act contemplating the removal of the county seat of Cocke county be referred to the legal voters of Cocke county for their ratification or rejection, and if a majority vote for ratification, it shall become a law, but not otherwise. The election for that purpose shall be held on the first Saturday in June, 1866. Referred to vote.

SEC. 16. *Be it further enacted*, That the county seat of Monroe county be changed from Madisonville to a place known as Kimbrough's, about four miles distant from the present county seat. Monroe.

SEC. 17. *Be it further enacted*, That that part of this Act contemplating a change of the county seat of Monroe, be referred to the legal voters of Monroe county for their ratification or rejection, and if a majority vote for ratification, it shall become a law, but not otherwise. The election for that purpose shall be held on the first Saturday in June, 1866. Referred to vote.

SEC. 18. *Be it further enacted*, That this Act take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed January 25, 1866.

CHAPTER XX.

AN ACT to establish a Ninth Chancery District of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That a Ninth Chancery District be, and is hereby, established in the State of Tennessee, to be composed of the counties of Henry, Weakley, Obion, Dyer, Gibson, Carroll and Benton.

SEC. 2. *Be it further enacted*, That the Chancellor, pursuant to the provisions of this Act, shall hold the courts in the several counties composing said District at the times and places in said counties now designated by law, and said Chancellor shall have all the powers and emoluments given to other Chancellors of this State; and until a Chancellor shall be appointed or selected for said district, it shall be the duty of the present Chancellor to hold the courts in said counties as heretofore.

SEC. 3. *Be it further enacted*, That the chancery courts shall be holden as follows:

Terms of courts.

For the county of Obion, first Mondays in January and July.

For the county of Dyer, second Mondays in January and July.

For the county of Gibson, third Mondays in January and July.

For the County of Weakley, fourth Mondays in January and July.

For the county of Henry, second Mondays in March and September.

For the county of Carroll, first Mondays in February and August.

For the county of Benton, fourth Mondays in February and August.

SEC. 4. *Be it further enacted*, That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed February 5, 1866.

CHAPTER XXI.

AN ACT to Amend the Road Laws of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Section 1197, Article 2, Chapter 5, of the Code be so amended that the fine for failure or refusal to work on Public Roads shall be two dollars, instead of seventy-five cents.

SEC. 2. *Be it further enacted*, That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed February 6, 1866.

CHAPTER XXII.

AN ACT to Amend the Attachment Laws of this State, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That in all actions for torts, which may be hereafter brought in any of the courts of this State, or before any Justice of the Peace having jurisdiction thereof, where the defendant or defendants are non-residents of this State, or fall within any of the provisions of existing laws of this State, authorizing attachments to issue, it shall be lawful in such case, for the plaintiff or plaintiffs to commence such suit by attachment in the same way and manner as suits are commenced upon contracts by existing laws. *Provided*, the plaintiff, his, her or their agent or attorney, shall first make affidavit before the Judge, Clerk, or Justice of the Peace issuing the attachment that the damages sued for are justly due the plaintiff or plaintiffs, as affiant believes, but that the true amount of such damages are not ascertained, and that one or more of the causes exists for the issuance of said attachment; and *provided, further*, that the plaintiff, his, her, or their agent, or attorney shall give bond with one or more approved securities in double the supposed amount of said damages

Actions for torts.

Affidavit.

claimed, payable to the defendant or defendants, and conditioned as now provided by law in attachment cases.

SEC. 2. *Be it further enacted*, That upon said affidavit being made and bond given, as provided in the first section of this Act, it shall be the duty of the Judge, Clerk or Justice of the Peace, before whom the affidavit is made and bond given, to issue said attachment, returnable as in other attachment cases upon contracts.

Process.

SEC. 3. *Be it further enacted*, That this Act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed February 9, 1866.

CHAPTER XXIII.

AN ACT to Change the mode of Electing the Jailor for the County of Davidson.

Be it enacted by the General Assembly of the State of Tennessee, That the Jail of the county of Davidson shall, from and after the first Monday in April, 1866, be in the possession and under the control of the county court of said county, and that said court shall, at its April term, 1866, proceed to elect a Jailor, who shall hold his office at the pleasure of the county court, and shall be otherwise subject to all the pains and penalties of the several jailors of the State, and that he shall give a bond with two good securities, approved by the County Judge, or said court, in the penal sum of ten thousand dollars, on condition that he will faithfully perform all the duties imposed upon jailors now by the laws of this State.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FREIRSON,
Speaker of the Senate.

Passed February 9, 1866.

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SEC. 3. *Be it further enacted*, That the proceeds of said bonds shall alone be used in building the bridges and repairing said roads, and putting them in running order.

SEC. 4. *Be it further enacted*, That each of said Railroads to which relief is granted by this act, shall pay to the Treasurer of the State, as a sinkidg fund, four per cent. on the amount of its indebtedness under this act, as also the interest on said bonds. The sinking fund to com-

Sinking fund.

mence the first of January, 1867, which shall constitute a fund for the payment of the bonds granted by this act to said roads, and the said payment shall be made on the first of January of each and every year, and the State hereby reserves a lien on all the profits of said roads for the money hereby advanced for the repairing of the same, which the State shall have the right to enforce, if the said companies should fail to pay the four per cent. and interest as provided by this act, and which shall be enforced as now provided by law in the Internal Improvement act of this State, and which this act is intended to amend.

SEC. 5. *Be it further enacted*, That bonds of the amount of one hundred and twenty-five thousand dollars be issued

N. & C. R. R.

to the Nashville and Chattanooga Railroad Company, for the completion of the branch road from Bridgeport, Alabama, to Jasper, Tennessee, upon the same terms as provided by the foregoing act.

SEC. 6. *Be it it further enacted*, That the time of ten

Time extended.

years be extended to all railroad companies chartered and organized in this State, to complete their roads, and the said roads shall have all the privileges and immunities guaranteed by their respective charters, and the Internal Improvement laws of this State.

SEC. 7. *Be it further enacted*, That the sum of $75,000

S. C. R. R.

be, and the same is hereby, appropriated to the Southern Central Railroad, for the purpose of assisting in paying for their bridge.

SEC. 8. *Be it further enacted*, That the lien retained or declared in the fourth section of this act, is hereby declared

Lien.

cumulative of and in addition to the lien declared in the act of 1852, which this is intended to amend, which lien is hereby declared to extend to, and cover the money or bonds to be advanced to said roads under this act.

SEC. 9. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed January 18, 1866.

CHAPTER XXV.

AN ACT to authorize the Speaker of the Senate and the Speaker of House of Representatives to administer the oath of office in certain cases.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Speaker of the Senate may administer the official oath to any Senator or Senators elect, in the presence of the Senate, who come forward to be sworn in after the regular orgainazition of the Senate, at the commencement of a session. Speaker of Senate.

SEC. 2. *Be it further enacted*, That the Speaker of the House of Representatives may administer the official oath to any member or members elect of the House of Representatives in the presence of the House, who come forward to be sworn in after the regular organization of the House, at the commencement of a session. Speaker of House.

SEC. 3. *Be it further enacted*, That the Speaker of the Senate and the Speaker of the House of Representives may also administer the oath of office to the Clerks and Door-Keepers of their respective Houses ; and that this act shall take effect from and after its passage. To Clerks, &c

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed February 9, 1866.

CHAPTER XXVI.

AN ACT to furnish the Hall of Representatives with the Portrait of His Excellency, Andrew Johnson.

WHEREAS, The Legislature of Tennessee at its present session, has appropriated the sum of two hundred and twenty-five dollars for the noble and patriotic purpose of placing in the Hall of the House of Representatives the portrait of that great and good man, Abraham Lincoln, which portrait now adorns said Hall ; and, Preamble.

WHEREAS, By reason of the intimacy that existed, socially and politically, between Abraham Lincoln and Andrew Johnson, it is regarded by the Legislature of Tennessee as being eminently fit and proper that a portrait of

his Excellency, Andrew Johnson, similar in size, cost and finish, to that of His Excellency, Abraham Lincoln, above referred to, be likewise placed in said Hall.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That two hundred and twenty-five dollars be appropriated out of the Treasury of the State for the purpose of furnishing the Hall of the House of Representatives with the portrait of his Excellency, Andrew Johnson, in accordance with the preamble to this act.

Appropriation.

SEC. 2. *Be it further enacted*, That the Honorable Speaker of the House of Representatives is hereby empowered to superintend and carry out this act, by procuring and placing in said Hall of Representatives, as soon as practicable, the portrait referred to in section 1st of this act.

Duty of Speaker.

SEC. 3. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed February 12, 1866.

CHAPTER XXVII.

AN ACT to increase Jailors' Fees.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter all Jailors in this State shall be entitled to receive sixty cents per day for keeping and feeding each prisoner in his jail, instead of forty cents, as now provided by law. And that this act shall take its effect from its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed February 15, 1866.

CHAPTER XXVIII.

AN ACT to wind up and settle the business of the Bank of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Bank of Tennessee shall no longer carry on or do banking business, and shall be and is hereby placed in liquidation, and its business and affairs shall be settled at as early a day as practicable; and for this purpose and end, the Governor of the State shall nominate to the Senate, for its confirmation, six Directors, who, when confirmed, shall be qualified, and shall elect from their number a President, and take charge and custody of said bank, and all its assets, property, books and papers of every kind; shall have power to appoint a Cashier and other such officers, Agents and Attorney's, as are necessary and proper; prescribe and pay such salaries for the President, Cashier and other officers and agents as may be reasonable, under the supervision and with the consent and approval of the Governor; take bond and security from said officers in such sums as shall be proper for the faithful performance of their duties, and shall have power to do any other acts necessary and proper to accomplish the object of this act.

Duty of Governor.

Duty of Directors.

SEC. 2. That the President and Directors aforesaid, may have possession of the Banking House at Nashville as a place of business, and for the purpose of keeping safely the assets, books, papers, and property of said bank, including the branches, and shall make out and file with the Governor, a complete schedule of all the assets, and of all debts due to or by said bank and branches, and of all property of said Bank and branches, of every kind. That said President and Directors take steps and proceed with all dispatch in the collection of the debts due to said bank and branches, and receive in payment the United States currency or notes of the said Bank of Tennessee, which were issued prior to the 6th day of May, 1861, and studiously refusing and excluding all issues or re-issues after that date; also all issues signed by G. C. Torbett; also all re-issues made after the 6th day of May, 1861, by G. C. Torbett, or any of the officers of the principal bank, or any of its branches, as utterly void. All notes of the bank of Tennessee which shall come into their possession shall be cancelled with a hammer, and filed away and kept for inspection.

Schedule.

Currency receivable.

SEC. 3. That all property found among the assets, and property of the bank belonging to other persons—such as special deposits of jewelry, bonds, notes and packages of papers of value, when the same has value of pecuniary

Special deposits.

nature, may, on full and satisfactory proof of the ownership thereof, be delivered over to such owner, provided said owner is not indebted to the bank, or on payment of all demands and claims due said bank. In each case, such applicant and claimant shall file an affidavit, describing his property and making oath that he is not indebted to said bank, and if proper in the judgment of the President and Cashier, shall give bond of indemnity with security; and a list of such property, with names of the owners, shall be made, and also filed with the Governor.

School fund

SEC. 4. That the funds now in the custody of the Governor, Secretary of State and Comptroller, in the form of, and known as United States Seven-Thirty Bonds or securities invested under an Act of the General Assembly, and amounting to the sum of six hundred and eighteen thousand two hundred and fifty dollars, with all the interest thereon accrued and accruing, and declared as a part of the perpetual school fund by an Act of this General Assembly, shall continue to be held as common school fund, and shall never be diminished as provided for in chapter 11, section 10, of the Constitution of the State of Tennessee.

Assignment.

SEC. 5. That the President and Directors, without delay, and at as early a day as practicable, cause an assignment and deeds of trust of all the assets of said Bank and branches, and property of all kinds, real, personal and mixed, including the funds above described, $618,250, and all interest thereof accrued or accruing, to be made and executed in the name and behalf of the Bank of Tennessee and under its seal, for the uses and in trust as follows: First to secure the full sum of $1,500,000, the amount of the Common School fund deposited in the Bank of Tennessee by Acts of the Legislature, which shall be a preferred claim, with interest accrued and accruing on said sum of $1,500,000 since 6th day of May, 1861, which sum of $618,250, United States 7-30 Bonds, shall be retained and placed in the hands of the Treasurer of the State of Tennessee, as a part of the said Common School Fund originally deposited in the Bank of Tennessee. Secondly, that after said school funds, as above named, with interest accrued or accruing thereon, since May 6th, 1861, has been fully secured to the State as intended by this act, the remainder of all assets, real, personal, or mixed, shall be assigned for distribution, *pro rata*, to make, hold and secure all remaining just creditors of all kinds, excluding all claims and demands of all kinds of date after 6th of May, 1861, as absolutely null and void. That the real estate be sold, on a credit of one, two and three years, with interest from date, retaining a lien bond, and approved security being required, and to be paid in United States Treasury notes or their equivalent.

Claims excluded.

SEC. 6. That the Attorney General of the State, if it become necessary in the opinion and judgment of the Governor, file a bill in the Chancery Court, to execute the deed of trust, and trusts, and without security enjoin all creditors from sueing said Bank, and making all the creditors as far as known, and all others unknown, by publication in some public print in the city of Nashville, parties, and to all others to the end, that all interested therein may come in under one decree, and equal justice be done to all. Duty of Attorney General.

SEC. 7. That the President and Directors give notice in some two or more of the public prints of the city of Nashville: to all whom it may concern, and to all persons to whom the money or funds of said Bank of Tennessee was illegally paid, that is for service rendered as officers thereof, after the 6th day of May, 1861, or for service rendered in aid of the rebellion, civil or military, or for property of any kind in aid of the rebellion, or for property of any kind, or on contracts for articles of any kind, furnished, or to be furnished, for the benefit of the rebel authorities of the State of Tennessee, or the so called Confederacy, or on any other illegal contract, or purpose; and if the said monies so paid out of the Bank of Tennessee, or any of its branches, be not refunded, and returned within said thirty days, the said President and Directors shall cause suit, or suits to be brought against all persons who so received money from the Bank of Tennessee, or any of its branches, and prosecute the same to judgment, requiring of its attorneys the greatest diligence in that behalf. Notice to illegal payees. Suits.

SEC. 8. That the President and Directors hold their offices for two years, and until their successors are appointed, and make report of the state and condition of the Bank to the Legislature; and this act to take effect from and after its passage. Terms of office.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed February 16th, 1866.

CHAPTER XXIX.

AN ACT entitled An Act to purchase the Portrait of Abraham Lincoln.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the sum of two hundred and

twenty-five dollars be, and the same is hereby appropriated for the purchase of the Portrait of Abraham Lincoln as an ornament for this Hall.

SEC. 2. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed February 19th, 1866.

CHAPTER XXX.

AN ACT requiring Insurance Companies to Deposit certain Indemnities in certain Banks, &c, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all Insurance Companies required by law to make deposits of State Bonds, or other evidences of security and indemnities in the Bank of Tennessee, be and they are hereby required to make said deposits in the Bank or Banks in which the State Finances are now or may be hereafter deposited, subject to the order of the Comptroller, as now provided for by law. *Provided*, That United States Bonds or currency may be deposited as indemnity.

SEC. *Be it further enacted*, That an act passed on the 17th of November, 1865, to dispose of the Records of the Land Office of this State, and for other purposes, be and is hereby so amended that it shall take effect and be in full force from and after the passage of this act.

Land offices.

SEC. 3. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed February 23d, 1866.

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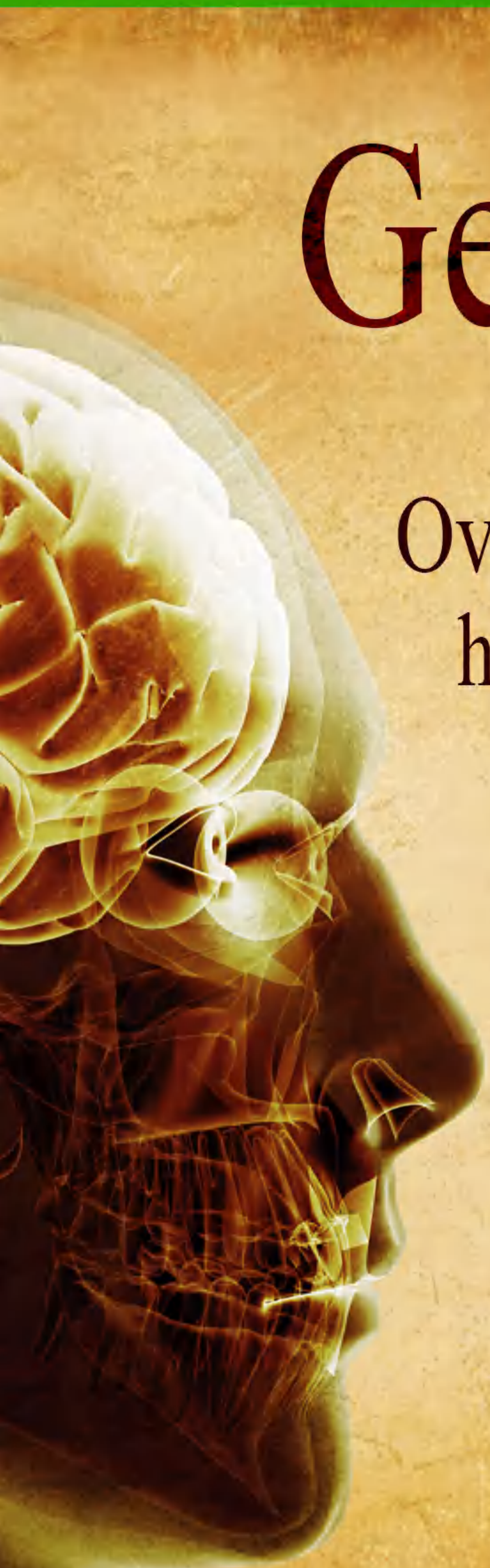

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Judge of Law Court.

SEC. 4. *Be it further enacted*, That the Judge of the Law Court of Memphis, and his successors, shall be elected or appointed as Judges of the Circuit Courts are, by law, and that he have like powers.

Salaries.

SEC. 5. *Be it further enacted*, That the salaries of the said Judges shall be the same as those of other Chancellors and Circuit Judges of the State of Tennessee.

Process.

SEC. 6. *Be it further enacted*, That all process and proceedings returnable to or pending in said Common Law side, and said Chancery side of said Court, shall be returned to, or continued in, and be disposed of in the Courts respectively as continued by this act, and that the use of the former style of said Courts, in any proceeding or process, shall not vitiate the same or require to be amended, and causes pending in the Supreme Court may be remanded to, or orders made therein, by either the former or the present name.

Officers.

SEC. 7. *Be it further enacted*, That the several officers of said Courts shall continue to act as if this separation and change of style had not taken place.

SEC. 8. *And be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed April 21, 1866.

CHAPTER XXXIII.

AN ACT to alter and amend an Act, entitled "An Act to Limit the Elective Franchise," passed June 5, 1865.

General rule.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That every white male inhabitant of this State, of the age of twenty-one years, a citizen of the United States and a resident of the county wherein he may offer his vote, six months next preceding the day of election, shall be entitled to the privilege of the elective franchise, subject to the following exceptions and disqualifications, to-wit:

1st Exception

First, Said voter shall never have borne arms against the Government of the United States, for the purpose of aiding the late rebellion, nor have voluntarily given aid,

comfort, countenance, counsel or encouragement to any rebellion against the authority of the United States Government, nor aided, countenanced or encouraged acts of hostility thereto.

Second, That said voter shall have never sought, or voluntarily accepted any office, civil or military, or attempted to exercise the functions of any office, civil or military, under the authority or pretended authority of the so-called Confederate States of America, or of any insurrectionary State whatever, hostile or opposed to the authority of the United States Government, with the intent and desire to aid said rebellion or insurrectionary authority. 2d Exception

Third, That said voter shall have never voluntarily supported any pretended government, power or authority hostile or inimical to the authority of the United States, by contributions in money or property, by persuasion or influence, or in any other way whatever. *Provided*, That the foregoing restrictions and disqualifications shall not apply to any white citizen who may have served in and been honorably discharged from the army or navy of the United States since the 1st day of January, 1862, nor to those who voted in the Presidential election in November, 1864, or voted in the election for "Ratification or Rejection" in February, 1865, or voted in the election held on the 4th of March of the same year, for Governor and members of the Legislature, nor to those who have been appointed to any civil or military office by Andrew Johnson, Military Governor, or Wm. G. Brownlow, Governor of Tennessee; all of whom are hereby declared to be qualified voters upon their complying with the requirements of this act. *Provided*, That this latter clause shall not apply to any commission issued upon any election which may have been held. 3d Exception. Soldiers enfranchised. Voters enfr'nchised. Appointees enfranchised.

SEC. 2. *Be it further enacted*, That the Governor of the State shall, within sixty days after the passage of this act, appoint a Commissioner of Registration for each and every county in the State, who shall, without delay, enter upon the discharge of his duties, and who shall have full power to administer the necessary oaths provided by this act. The said Commissioner, before entering upon the duties of his office, shall take and subscribe an oath to support the Constitution of the United States and the Constitution of the State of Tennessee, and to faithfully discharge the duties of his office, and also the oath prescribed in section 3 of this act, which oaths shall be filed in the office of the Secretary of State. Governor to appoint Commissioners. Comissioner's oath.

The said Commissioner shall keep his office at the county-seat of the county, and it shall be his duty to take the proof required by this act, and to register the names of Duty of Commissioner.

each and every qualified voter, and to issue a certificate that such voter is entitled to the privilege of the elective franchise, and he shall preserve and keep necessary records of his office, and shall receive from the Treasury of the State the sum of one hundred dollars, to be paid upon the warrant of the Comptroller of the State; and said Commissioner shall make a report to the County Court, at each quarterly session thereof, showing the number of voters registered previous to said quarterly session. *Provided*, That all sums of money paid by said Commisioner for the United States Revenue stamps in the necessary discharge of his duty, shall be audited and paid out of the County Treasury.

Stamps.

Certificates to soldiers.

Certificates to voters.

Certificates to appointees.

Other persons to make proof

SEC. 3. *Be it further enacted*, That said Commissioner shall issue Certificates of Registration to every white soldier who may have served in, and been honorably discharged from the army or navy of the United States since the said first day of January, 1862, upon the production of the proper certificate of such service and discharge, or legal evidence of the loss of such discharge. Said Commissioner shall issue certificates of registration to all those who voted in the said November, February and March elections, upon production of the poll books of the election at which said voter voted, or a certified copy, under oath, of such poll book in case the voter may have removed to another county, or upon the affidavit of two enfranchised citizens, known to the Commissioner to have been unconditional Union men throughout the rebellion, in case said poll books may be lost. And he shall issue certificates of registration to those citizens of Tennessee who have been appointed to office by said Military or Civil Governors, upon the production of the commission showing such appointment, or the proper certificate of the Secretary of State, that such commission was issued, in case of loss. But every other person claiming to be entitled to the privilege of the elective franchise, as provided in this act, shall, before he obtains a certificate thereof, prove by the evidence of two competent witnesses known to the Commissioner to have been themselves, at all times, unconditional Union men; that they are personally acquainted with the person so claiming, and that they verily believe that he has not been guilty of any of the disqualifications hereinbefore specially mentioned—which proof shall be taken upon affidavit, subscribed by said witnesses and filed in said office of said Commissioner; and said applicant shall also take and subscribe the following oath before the Commissioner of Registration.

"I do solemnly swear that I have never voluntarily borne arms against the Government of the United States for the purpose, or with the intention of aiding the late

rebellion, nor have I with any such intention at any time, given aid, comfort, counsel, or encouragemcnt to said rebellion, or to any act of hostility to the Government of the United States. I further swear that I have never sought or accepted any office, either civil or military, or attempted to exercise the functions of any office, either civil or military, under the authority or pretended authority, of the so-called Confederate States of America, or of any insurrectionary State hostile or opposed to the authority of the United States Government, with the intent and desire to aid said rebellion; and that I have never given a voluntary support to any such Government or authority. So help me God."

Applicant's oath.

Provided, That citizens known to said Commissioner to have always been unconditional Union men, never having sympathized with the late rebellion, or who may be proven to have been such unconditional Union men, by the oath of two witnesses who shall be known to said Commissioner to have been themselves, at all times, such unconditional Union men, shall not be required to take and subscribe any oath whatever in order to obtain for themselves certificates of their right to the elective franchise.

Known Union men.

SEC. 4. *Be it further enacted*, That upon the taking and filing the proof and oath required in section 3 of this act, the said Commissioner shall register the name of said voter and issue to him his certificate therefor. *Provided*, That nothing herein contained shall prevent said Commissioner from hearing proof from equally competent testimony contrary to and contravening the proof offered and taken in behalf of said applicant; and said Commissioner shall be the judge of the weight of the conflicting testimony so far as the same may affect the issuance of certificates.

To issue certificates.

Countervailproof to be heard.

SEC. 5. *Be it further enacted*, That no person shall be entitled to vote at any State, County, District, or Municipal election, or any other election held under the laws of this State, unless he shall have been registered and shall have received a certificate thereof as provided in this act; and any person swearing falsely to any of the facts required to be sworn to by the provisions of this act, shall be deemed guilty of perjury, and upon conviction thereof shall suffer all the pains and penalties provided by law for such offense; and this act and all the provisions thereof, shall be strictly construed to prevent any evasion thereof, and the Judges of all the Circuit and Criminal Courts of this State shall give this act specially in charge to the Grand Jury at each term of such Court.

Not to vote without certificate.

False swearing.

How c'nstru'd

SEC. 6. *Be it further enacted*, That the Secretary of State shall provide, at the expense of the State, the necessary books for the registration of voters, and shall cause

Duty of Secretary of State.

Blanks.

to be printed the necessary blanks, containing the necessary forms for the oaths, affidavits and certificates, as provided for in this act; which books and blanks shall be furnished to each commissioner appointed and qualified under this act, and the expense of supplying such books and blanks shall be audited by the Comptroller and paid by the Treasurer out of any money in the State Treasury not otherwise appropriated.

Soldiers to vote.

SEC. 7. *Be it further enacted*, That it shall be the duty of the Governor, before any State or other general or special election, to issue writs of election to commanding officers of regiments, batteries or detachments of officers and soldiers, who may be at the time in the service of the State, or of the United States Army, wherever located; and it shall be the duty of the officer to whom such writ is directed, to open and hold, or cause to be opened and held, the election required by said writ, and make returns thereof to the Secretary of State, and the votes of such officers and soldiers shall be counted the same as if such votes had been cast in the counties in which said officers and soldiers may reside, and the returns shall designate the county in which said voters may reside; *Provided*, That the Governor shall not be required to issue such writs of election for county, district or corporation officers.

Old certificates void.

SEC. 8. *Be it further enacted*, That all certificates heretofore issued under the provisions of the act to which this is amendatory, are hereby annulled, and shall not be used at any future election in this State, from and after the passage of this act, except at the election for county officers, to be held on the first Saturday in March, 1866.

Candidates' oath.

SEC. 9. *Be it further enacted*, That all candidates for any official position shall, before the day of election, be required, to take and subscribe the oath prescribed in the third Section of this Act, which, in case of a candidate for a county office, shall be filed in the office of the County Court Clerk, and, for all other offices, in the office of the Secretary of State; and, that Judges of Election or other officers, shall reject, and make no return of the votes cast for any person who has not so taken and subscribed said oath; and the same oath shall be taken and subscribed as an official oath, by all Judges and Clerks of all elections, and all deputies in any of the offices of the State or County. *Provided*, that candidates who may have served in, and been honorably discharged from, the Army or Navy of the United States, since the first day of January, 1862, or who may have been appointed and commissioned to any office by said Military or Civil Governor of Tennessee, shall be eligible to office, except political offices, without taking said oath.

Judges of elections.

Soldiers and sailors excepted.

Sec. 10. *Be it further enacted*, That in case any County

Court shall fail or refuse to induct into office any of the officers elected under this act, it shall be lawful for the Commissioner of Registration, upon orders from the Governor, to perform that duty and to administer all necessary oaths, and to take and approve all necessary official bonds, and the same shall be good and valid in law.

Commission'r to instal officers.

SEC. 11. *Be it further enacted*, That no election shall take place until the registration provided for in this act shall be completed in the County, Circuit or District in which said election shall be had, and the report or reports of the Commissioner made to the Governor, except the said election for county officers in March, 1866.

Elections postponed.

SEC. 12. *Be it further enacted*, That it shall be the duty of each Commissioner of Registration to report to the Governor when he shall have completed the registration of his county; and when said reports are all in from any County, District or Circuit, or from the entire State, it shall be the duty of the Governor to issue his proclamation and writs of election, announcing the completion of such registration, and ordering elections to fill all the vacant offices of the State, Counties, Circuits or Districts.

Reports.

Proclamation.

SEC. 13. *Be it further enacted*, That it shall be the duty of the Commissioner without delay, to proceed with the performance of his duties; and before completing the same in his county, he shall give at least ten days' public notice by advertisement in some newspaper, or at least four public places in his county, of his intention to complete and for the time being, close his registration. But it shall be his duty after making his report to the Governor, to attend for one day at each quarterly session of the County Court, for the purpose of issuing certificates of registration to such persons as may be entitled to them, under the provisions of this act; and for each day he may so attend, he shall receive the sum of three dollars, to be paid out of the County Treasury.

Notice of closing.

SEC. 14. *Be it further enacted*, That every wilful and intentional violation of this act by the Commissioner of Registration, is hereby declared to be a misdemeanor, and upon conviction he shall be removed from office, and shall pay a fine of not less than fifty dollars to the use of the State.

Violation.

SEC. 15. *Be it further enacted*, That every violation of this act is hereby declared to be a misdemeanor, and punishable upon presentment or indictment, and every person participating in such violation, shall, upon conviction, be fined not less than ten nor exceeding one hundred dollars, and may be imprisoned at the discretion of the Court.

Penalty

SEC. 16. *Be it further enacted*, That an Act entitled "AN ACT TO LIMIT THE ELECTIVE FRANCHISE," passed June the 5th, 1865, be, and the same is hereby, altered and

amended as provided in the several sections of this act; and the provisions of this act shall be deemed and held in lieu of the said Act entitled, "An Act to limit the Elective Franchise," passed June the 5th, 1865, with the exception of the preamble thereunto prefixed.

Repeal.

SEC. 17. *Be it further enacted*, That this act shall take effect from and after its passage.

JOHN NORMAN,
Speaker, pro tem., of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 3, 1866.

CHAPTER XXXIV.

AN ACT to Lease out the Penitentiary, and for other Purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the labor of the convicts in the State Prison shall be leased out for the term of four years.

SEC. 2. *Be it further enacted*, That there shall be three Directors appointed for said prison, who shall be nominated by the Governor and confirmed by the Senate, and shall hold their office for two years, and until their successors are appointed and qualified. Said Directors shall give bond and approved security for the faithful performance of the duties of their office in such sums as the Governor may require; and before entering upon their duties they shall take the usual oath of office before some competent tribunal.

Directors.

Bond

SEC. 3. *Be it further enacted*, That so soon as said Directors are elected and qualified, they shall take full and entire control of said prison, with all its property and effects, and shall proceed at once to make publication for thirty days in such newspapers in this and other States, as they may deem advisable, for sealed proposals to employ by hire the labor of all the convicts in said prison, which advertisement shall set forth in full the conditions upon which said labor is to be hired out. Such sealed proposals shall be filed in the office of the Secretary of State as they are presented, and after the lapse of two weeks from the

Notice for proposals.

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Warden.

SEC. 6. *Be it further enacted*, That the Directors shall appoint a suitable and competent warden, whose duty it shall be to take the oversight of the entire prison and all its inmates, and who shall be subject to all the rules and by-laws established by said Directors for the government of the institution. Said warden shall receive for his service eighteen hundred dollars a year, and be furnished with a residence for himself and family, as well as rations for the same.

Steward.

SEC. 7. *Be it further enacted*, That the Board of Directors shall also appoint a Steward, whose duty it shall be to attend to and purchase all the supplies, both of food and clothing for the convicts and the general wants of the prison, and see that the same is properly prepared and furnished, and do and perform all the duties of his station that the regulations of the institution require. Said steward shall purchase the supplies only on the order of the warden, approved by the Directors, and as far as practicable, such supplies shall be procured by advertisement through sealed proposals. Said steward shall be allowed a salary of fifteen hundred dollars per annum, exclusive of board and lodging.

Physician

SEC. 8. *Be it further enacted*, That the Directors shall also appoint a physician, who shall be governed by such rules as the Directors may prescribe, who shall be paid a salary of $1,500 annually, exclusive of board and lodging.

Chaplain.

SEC. 9. *Be it further enacted*, That these Directors shall also appoint a Chaplain, whose duty it shall be to attend to the religious and moral instruction of the convicts, under such regulations as the Directors may prescribe, who shall receive a salary of $1,000 (dollars) a year.

Salaries.

SEC. 10. *Be it further enacted*, That the Directors shall receive for their services the sum of $1,000 (dollars) each, annually, which shall be paid, together with the other salaries above specified, out of the State Treasury through the Comptroller: *Provided*, That it shall not be lawful for any of the said Directors, or any other salaried officer of the Institution, to lease any portion of the labor of the convicts, or be in any way connected as a partner with any lessee in business of any kind. Neither shall any of said officers be connected as partners with any contracts for furnishing supplies to said prison. A violation of these provisions shall subject the parties to a loss of salary and office, and a penalty of $1,000, to be recovered before any tribunal having cognizance of the offence.

Not to be partners.

Guards

SEC. 11. *Be it further enacted*, That the Board shall also determine the number and character of the guards for said prison, and shall appoint the same, who shall be sub-

ject to the by-laws of the institution, and shall be paid not exceeding thirty dollars per month for each guard so employed.

SEC. 12. *Be it further enacted*, That the Comptroller and Treasurer shall open a separate account with the Penitentiary, and shall keep all the receipts and disbursements separate and distinct from the general revenue of the State: *Provided*, that if the receipts from the prison are insufficient to sustain it until the contemplated system of leasing shall be partly matured, the deficiency may be supplied from the general fund. Treasury accounts.

SEC. 13. *Be it further enacted*, That the Directors shall meet at the prison once every month for consultation, and one of their number shall visit the prison at least once every week. They shall have a general oversight and control of all matters connected with the institution, and shall keep a record of all their proceedings, and make a full and complete report to the Legislature, at its biennial meeting. Mont'ly meetings.

SEC. 14. *Be it further enacted*, That the Physician of the Penitentiary shall attend to all cases of sickness among the convicts, shall visit the prison at least as often as once a day, and have a general oversight of all said prison, and report to the Directors as often as they may require it, concerning the health and condition of the convicts. It shall be the duty of the Chaplain, or moral and religious instructor, to teach the convicts every Sabbath at least one hour in the day, at such time as the Directors may designate. He shall also hold such religious services on that day within the Prison, as the Directors, in their by-laws, may appoint. He shall also visit them when sick, shall have charge of the library and superintend the distribution of any books that may be given or belong to the prison, and adopt all such means for the reformation of the convicts as he and the Directors may think best. It shall be the duty of the warden to provide each convict with a clean straw bed and sufficient covering at all times to protect said convict from the inclemency of the season, and also with garments of coarse material suited to and sufficient for the season. He shall also see that convicts are furnished with a sufficient amount of good, wholesome food, giving each adult not less than three quarters of a pound of clear beef, pork, or other meat, each day, with a sufficiency of vegetables and bread, with such alteration in kind and manner of preparation of food as in the opinion of the Physician shall be most conducive to the health of the prisoners. Duty of Physician. Duty of Chaplain. Duty of Warden.

SEC. 15. *Be it further enacted*, That the Directors shall have power to establish such rules, and regulations and by-laws for the government of the entire prison as they Rules.

may think best to promote the health, comfort, order and discipline of the convicts, and the proper deportment of the lessee, officers, keepers and guards of the prison.

Repealing clause.

SEC. 16. *Be it further enacted*, That all laws, rules and regulations in reference to the Penitentiary of Tennessee inconsistent with the provisions of this act, are hereby repealed.

Sec. 17. *Provided*, That the Directors shall, upon the leasing out of said Penitentiary, then the said Directors are hereby authorized to make settlement with the present Superintendent, and pay or cause to be paid, to said Superintendent such sum as the said Directors may find the Superintendent entitled to for his unexpired term, and if the said parties cannot agree, each of the parties may agree, and call in an umpire, whose decision shall be binding on the parties.

Sec. 18. *Be it further enacted*, That this act take effect from and after its passage.

JOHN NORMAN,
Speaker pro tem. of the House of Representatives.

JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 12, 1866.

CHAPTER XXXV.

AN ACT to Establish a Metropolitan Police District, and to Provide for the Government thereof.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the County of Shelby is hereby constituted, for the purpose of police government and police discipline, a District, which shall be known and called the Metropolitan Police District of the State of Tennessee.

Board.

SEC. 2. *Be it further enacted*, That the powers and duties connected with, and incident to, the police government and discipline of the said District, shall be, as hereinafter more especially provided for, vested in and exercised by Commissioners of the Metropolitan Police, and a Board of Metropolitan Police composed of said Commissioners, and by a Metropolitan Police force, composed of Captains of

Metropolitan Police force, Sergeants of Metropolitan Police force and Patrolmen of Metropolitan Police. Officers.

SEC. 3. *Be it further enacted*, That on or before the —— day of ——, A. D., one thousand eight hundred and sixty-six, and thereafter from time to time, as may become requisite, the Governor shall nominate, and by and with the consent of the Senate, shall appoint from among the citizens of the Metropolitan Police District, three Commissioners, who shall hold their office, respectively, for the period of four, six and eight years, dating from the day of their appointment, who shall constitute and be known as the Metropolitan Police Board for the transaction of business. The Governor shall have power to fill up any vacancy or vacancies that may happen in such Board, during the recess of the Senate, by appointing a Commissioner who shall hold office until appointments shall be made for the remainder of the unexpired term, in the manner hereinbefore provided. Any one of the Commissioners may be removed under the provisions of the statutes relating to the removal from office of Sheriffs, which provisions are hereby extended so as to relate to each one of said Commissioners; and in all cases where charges are made against a Commissioner he shall have an opportunity to present evidence in his behalf.

How appointed.

Term.

Vacancies.

Removal.

SEC. 4. *Be it further enacted*, That the said three Commissioners, after having been duly appointed, shall assemble together in the office of the Secretary of State, and there proceed to draw lots for their respective terms of office, expiring, respectively, in four, six and eight years from the date of their appointment.

Term.

SEC. 5. *Be it further enacted*, That either of said Commissioners who shall, during his term of office, accept or hold any other place of public trust or civil emolument, or who shall, during his term of office, be publicly nominated for any office elective by the people, and shall not, within ten days succeeding the same, publicly decline the said nomination, shall be, in either case, deemed thereby to have resigned his commission to the Governor, and to have vacated his office, and the Governor shall proceed as in case of vacancy.

Not to accept office.

SEC. 6. *Be it further enacted*, That upon the said terms of office having been determined as aforesaid by lot, and a certificate of the results attested by each Commissioner having been filed in the office of the Secretary of State, there shall be issued to each Commissioner from said office, the proper commissions of appointment to office for the terms so drawn by lot, and each Commissioner shall, on receipt thereof, take and subscribe before the Secretary of State, for deposit in his office, the oaths required to be taken by Judicial officers under the Constitution and laws of this State.

To be commissioned.

Sup'rint'ndi'g Commiss'ner.

SEC. 7. *Be it further enacted*, That one of the Commissioners of the Metropolitan Police, appointed as aforesaid, shall be designated by the Governor as Superintending Commissioner, and the other as Financial Commissioner, the other as Clerical Commissioner. The Superintending Commissioner shall be the Executive Head of the Metropolitan Police force, shall nominate for appointment by the Board of Commissioners, persons fit and competent for Captains, Sergeants and Patrolmen of the Metropolitan Police force, shall enforce the disciplinary rules and orders prescribed by the Board of Commissioners for the government of the Metropolitan Police force, shall detail and assign Captains, Sergeants and Patrolmen for duty, and

His duties and powers.

shall see that the laws of the State and the ordinances of the city, town and other legal authorities of the Metropolitan Police District, are enforced throughout the District. He shall also have power to suspend any Captain, Sergeant or Patrolman, member of the police force, for misconduct or violation of orders or incompetency, and may dismiss any member of the police force, Captains, Sergeants or Patrolmen, subject to appeal to the Board of Metropolitan Police Commissioners. He shall keep records of losses by robbery and other crimes, and also of all suspicious persons and places, and shall make to the Board of Commissioners quarterly reports of the condition and doings of the Metropolitan Police force, with such statistics and suggestions as he may deem advisable for the improvement of the police government and discipline. The Superintending Commissioner, Captains, Sergeants and Patrolmen shall be deemed to be always on duty.

Financial Commis'n'r.

The Financial Commissioner shall have the safe keeping and disbursement, on orders of the Board of Commissioners of the Metropolitan force, of the moneys appropriated for the support and maintenance of the Metropolitan Police. He shall make quarterly reports to the Board of Commissioners of the receipts and disbursements, and of the condition of the finances of the Metropolitan Police Department, with suggestions for their improvement, when

Clerical Commisioner.

he deems that feasible. The Clerical Commissioner shall perform such clerical duties as may be prescribed by the Board of Commissioners, and under the direction of the said Board, shall have the custody and disposal for restoration to the owners or the benefit of the police department, of all lost or stolen articles recovered by the police force.

Bond.

The Financial Commissioner shall give such bond as may be required by the Governor of the State for the faithful discharge of his duties and the safe keeping of the moneys and property in his hands, belonging to the Metropolitan Police Department. The Board of Commissioners shall hear all appeals from the decisions of either Commissioner.

SEC. 8. *Be it further enacted*, That the quota of patrolmen for the city of Memphis shall not exceed one hundred, unless it shall be found actually necessary by the Board of Commissioners. The Board of Commissioners shall not appoint more than three Captains and four Sergeants and one hundred Patrolmen, unless an increase is authorized as above provided. **Number.**

SEC. 9. *Be it further enacted*, That the Board of Commissioners may appoint Patrolmen for special service, or service in places within the Metropolitan District. **Special patrolmen.**

SEC. 10. That each member of the Metropolitan Police force of the Metropolitan District shall hold office during his good behavior, but may at any time be suspended or removed for misconduct, disobedience of orders or incompetency, and may be suspended from pay for violation of discipline or orders. **Term of office.**

SEC. 11. That the Board of Police may, upon any emergency or apprehension of riot, appoint as many special patrolmen without pay, from among the citizens, as it may deem advisable, and may appoint as many special patrolmen for service on any election day as they may deem necessary, and shall pay three dollars a day to each of said special patrolmen, who performs his duty faithfully on election day. **Emergency.**

SEC. 12. No expenses other than salaries and pay herein provided, shall ever be incurred by the Board of Police except for rents, stationery, printing, advertising, fuel and lights, unless the same shall be expressly authorized, and provision made therefor as a separate county or city charge by the County Court of that county, of the district which is specially interested. **Expenses**

SEC. 13. All fines or deductions of pay made by the Board of Commissioners for violations of discipline or orders, shall be credited to and paid into a special fund of the Metropolitan Police Department, and shall be used for paying policemen rewards for unusual energy, faithfulness or success in preventing or detecting crime. **Fines, &c**

SEC. 14. The Superintending Commissioner of the Metropolitan Police shall receive a salary of three thousand dollars a year. The Financial and Clerical Commissioner shall each receive a salary of two thousand and five hundred dollars a year. Each Captain of the Metropolitan Police force shall receive a salary of sixteen hundred dollars a year. Each Sergeant of the Metropolitan Police force shall receive a salary of fourteen hundred dollars a year, and each Patrolman of the Metropolitan Police force shall receive a salary of twelve hundred dollars a year. No member of the police force shall, directly or indirectly, receive or accept any fee, perquisite or reward, other than **Salaries.**

his regular salary, for police services, unless the written permission of the Superintending Commissioner shall first have been given.

To be citizen and qualified.

SEC. 15. Nor person shall be appointed to membership in the police force of the Metropolitan District, or shall continue to hold membership therein, who is not a citizen of the United States, and a citizen of the State of Tennessee, or who has ever been convicted of crime, or who cannot understandingly read and write in the English language, or is not physically, mentally and morally well qualified for the performance of police duties.

Accommodations.

SEC. 16. The Board of Metropolitan Police shall provide such business accommodations as it shall deem requisite for the transaction of the business of the Metropolitan Police.

Misdemeanor

SEC. 17. It shall be a misdemeanor for any person, not being a regular member of the police force of the Metropolitan District, or of the police of any city of the State of Tennessee, or a Constable or Sheriff of this State, or the usual deputy of said Sheriff, to serve a criminal process within the said Metropolitan District.

Powers of commissioner.

Perjury.

SEC. 18. The Board of Metropolitan Police shall have power to issue subpœnas, tested in the name of the Superintending Commissioner, to compel the attendance of witnesses upon any proceedings authorized by its rules and regulations; each Commissioner is hereby authorized and empowered to administer affirmations and oaths to any person summoned and appearing in any proceeding authorized as aforesaid, or to take any depositions necessary to be made under the rules and regulations of the Board of Police. Any wilful and corrupt false swearing by any witness or person to any material fact, in any necessary proceeding under the said rules and regulations, shall be deemed perjury and punished in the manner now prescribed by law for such offence.

Change of rules, &c.

SEC. 19. The Board of Metropolitan Police Commissioners in furtherance of the Police government of the said Metropolitan Police District, and for the promoting and perfecting the police discipline of subordinates, and of the members of the Metropolitan Police force, are empowered to enact, modify and repeal, from time to time, rules and regulations of general discipline, wherein in addition to such other provisions as may be deemed expedient by said Board, there shall be particularly defined, enumerated and distributed the powers and duties of the Captains, Sergeants and Patrolmen of the Metropolitan Police force, and wherein shall be specified the mode of appointment and removal from office of the said Captains, Sergeants and Patrolmen, and the manner of discipline of

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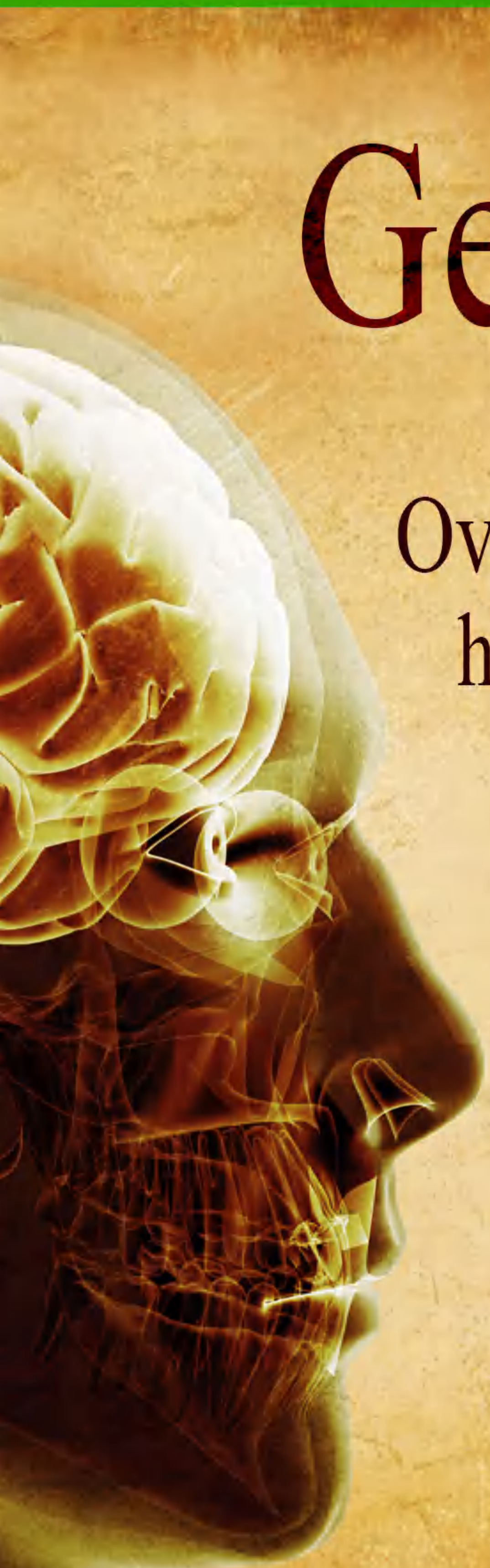

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be liable to military or jury duty, nor to arrest on civil process, nor to service of subpœna from civil courts, whilst actually on duty.

Exempt, &c.

SEC. 25. The Board of Metropolitan Police shall, on or before the first Monday in November in each year, make a report in writing to the Governor of the State upon the condition and operations of the Metropolitan Police within the Metropolitan District.

To report.

SEC. 26. The Board of Metropolitan Police shall cause to be kept, books of registration of lost, missing or stolen property, for the general convenience of the public. The said Board shall also cause to be kept books of record of the Metropolitan Police District, wherein shall be entered the name of every member of the Metropolitan Police force, with the time and place of his nativity, the time when and the place where he became a citizen, if he was born out of the United States, his age upon becoming such member, and his former occupation, number of his family and the residence thereof, and the date of his appointment or of his resignation or withdrawal, or of dismissal from office, with the cause of the latter; and against all such entries sufficient space shall be left wherein to make record of any special arrest made from time to time by such member of the police force, or of any special service deemed meritorious by the said Board. The said Board shall also cause to be kept in proper books, the accounts of the Financial Commissioner; and all receipts for money expended, or for warrants, or for checks for money issued by the Financial Commissioner, shall be written in books kept for the purpose, and the said receipts shall be signed by the person or persons receiving such money, warrants or checks from the Financial Commissioner. Such books shall be, at all business hours, and when not in actual use, open to public inspection. The Board of Metropolitan Police shall also cause to be kept and bound all police returns and reports from any member of the Metropolitan Police force, and all minutes of the proceedings of said Board; which returns, reports and minutes shall only be open for public inspection in the discretion of said Board.

Registration, &c.

Accounts.

SEC. 27. That each member of the Metropolitan Police force shall take an oath of office, and subscribe the same in a book kept for the purpose, which oath of office may be taken before any Commissioner of Metropolitan Police, who is hereby empowered to administer the same, and write acknowledgements thereof.

Oaths.

SEC. 28. That it is hereby declared to be the duty of the Mayor and Board of Aldermen of the city of Memphis, in accordance with the practice and ordinances existing therein, to provide, at the expense of said city, all

Duty of Mayor and Aldermen.

necessary accommodations within such precincts of the said Metropolitan Police District, as shall be contained within the boundaries of the said city for a station house, for the accommodation of the Police force of such city, and for the temporary detention of persons arrested for offences, and in case the Mayor and Board of Aldermen of said city of Memphis refuse or neglect within thirty days after having been thereto, in writing, requested by the said Board of Metropolitan Police, to provide accommodations as aforesaid, and the same when made, shall become a proper charge and debt against the said city, whose Mayor and Board of Aldermen shall have refused or neglected to make provision in manner and form aforesaid.

Station house &c.

SEC. 29. That the Commissioners of Metropolitan Police, and the Comptroller of the city of Memphis, convened as a Board of Estimate, shall annually, on or before the first day of September, make up a financial estimate of the sums required annually for expenses in the fitting up, warming, lighting and furnishing accommodations for the police force, and for office accommodation, and providing stationery and for fixtures and for badges and equipments for the police force, and also of the sums necessary for counsel fees, law expenses and disbursements incurred by the Board of Metropolitan Police, or by Commissioners of Metropolitan Police, or rendered necessary in criminal or civil actions or proceedings against any members of the Board of Police, or of the police force for acts done in the discharge of duty, and to defray the salaries and pay, required by this act, and such other general expenses as may, from time to time, in the judgment of such Apportionment Board become necessary; such estimate shall then be submitted to the Board of Aldermen of the city of Memphis. If the said Board of Aldermen object by resolution, to such estimate or any portion thereof, and notify or cause to be notified the Board of Estimate; it shall be the duty of the latter to immediately and carefully revise the same and consider the said objections. If such Board of Estimate shall adhere to its original action of estimates, or if they shall modify the same, then their final determination shall be binding upon the county of Shelby.

Board of Estimate

SEC. 30. That the County Court of the county of Shelby are empowered and directed, annually, to order and cause to be raised and collected by tax upon the estates, real and personal, subject to taxation, according to law, within the said county of Shelby, city, or such civil district, a sufficient sum of money to defray the expenses of the aforesaid Metroplitan Police during the current year.

Tax.

SEC. 31. That the several sums of money provided for by the preceding sections, shall be paid into the Treasury

of the State, and shall be paid thence and therefrom under the fiscal regulations relating to county officers and offices.

SEC. 32. That the salaries and pay prescribed in the aforesaid sections shall be paid monthly to each person entitled thereto, in modes to be prescribed by the rules and regulations, subject to such deductions each month, from the salary or pay of members of the Metropolitan Police force, as may be made by the Board of Police to satisfy fines imposed on any member of the Metropolitan Police force, by way of discipline or punishment, and as prescribed by the rules and regulations of the Board. The salary of each Commissioner of the Metropolitan Police shall be paid by the Comptroller of the State out of the Metropolitan Police fund.

Payments.

SEC. 33. That all property and money that shall remain in the custody of the Financial and Clerical Commissioners of the Metropolitan Police for the period of six months, without any lawful claimant thereto, after having been three times advertised in daily papers, shall be sold at public auction, and the poceeds of such sale shall be paid into the special fund for the rewarding of meritorious officers.

Property to be sold.

SEC. 34. That all powers heretofore granted to the City of Memphis, or the Board of Mayor and Aldermen thereof, to create or maintain a police force by their charter, or otherwise, and all laws or parts of laws, within their Metropolitan Police District, in conflict with this act, be, and are hereby repealed.

City police abolished.

Sec. 35. That it shall be the duty of the Board of Metropolitan Police to set apart a Metropolitan Sanitary Police Company and appoint a Sergeant and four men for said Company of Police.

Sanitary company.

SEC. 36. The Metropolitan Sanitary Company is hereby empowered, under such distribution of power and duty as may be made by the rules and regulations, to visit and make inspections of all ferryboats, manufactories, slaughter houses, tenement houses, hotels and boarding houses and edifices, suspected of or charged with being unsafe, and to take all necessary legal measures for promoting the public peace, security of life or health, upon or in said boats, manufactories, houses and edifices, and to make report of inspection, actions in the premises, to the Board of Metropolitan Police. Whenever said Board shall be satisfied by such report, that any ferryboat, manufactory, slaughter house, tenement house or edifice, is in a condition or is maintained in a manner prejudicial to the lives or health of the public, it shall cause complaint to be made, founded upon such report, before any Magistrate of the Metropolitan Police District, who shall, upon such com-

Duties.

plaint, made under oath, issue his proper warrant, in the name of the people of Shelby County, for arrest of the person in charge of the ferryboat, manufactory, slaughter house, tenement house and edifice, to be brought before such Magistrate, and the complaint to be duly investigated, according to the law of examination into misdemeanors. If said Magistrate shall be satisfied on a summary hearing thereof, that such charge is founded on reasonable and probable cause, he may, by his order in writing, command any such ferryboat to cease running, and such edifice to be closed, or any business in such manufactory or slaughter house to cease, until the cause of complaint aforesaid, if found to be well-founded, shall be removed to the satisfaction of the Board of Metropolitan Police, whereupon it shall be the duty of the police to enforce the order of such magistrate.

Duties.

SEC. 37. That whenever the Sergeant of the Sanitary Company shall report to the Board of Police that any premises, or any part of any premises in any precinct, is in a filthy condition or in a condition dangerous to health, the Board may cause notice to be given to the owner or his agent in charge of property, or to the occupant thereof, to cleanse the same within three days. If the premises are not cleansed at the expiration of the said three days, the Board of Police may order or employ any person to cleanse the same; whereupon, the person so ordered shall have power to enter upon and cleanse said premises, and the person so cleansing the premises in pursuance of said order, shall maintain an action against the owner of the premises so cleansed, for the services so rendered, and expense incurred in such cleansing, in the same court, in the same manner and with like effect as if the owner of said premises had himself employed the said person to cleanse the said premises.

Duties.

SEC. 38. That no member of the Board of Metropolitan Police, under any pretence whatever, shall, for his own benefit, share in any present, fee, gift, or emolument for police services additional to his regular salary or compensation.

No fees to be received.

SEC. 39. That so much of section 17, of the act passed February 13th, 1854, as provides for the election of a City Recorder of the city of Memphis, and conferring civil or criminal jurisdiction upon such officer, be and the same are hereby repealed, and in lieu thereof the jurisdiction, powers, authority and privileges conferred by said act, or any acts referring to said officer, are hereby conferred upon the Commissioners provided for by this act, any one of whom shall have power to hear and determine the cases that shall arise under the ordinances or charter of the city of Memphis, and each of whom shall be *ex-officio*, a Justice of the Peace.

Recorder abolished.

2121 of the Code, be, and the same is hereby so amended as to read, after the word "*debts*," Provided the said resi-

Proviso dent was not compelled to abandon the same to avoid violence of person or property, either real or apparent: *Provided, also*, that the said resident did not abandon his, her or their residence to avoid legal process, or engage in

Proviso. unlawful enterprise: *Provided, also*, that the said resident shall return to said abandoned residence with intent to reside thereon, within the term of five years from and after the day he, she or they abandoned their said residence; and that this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 23, 1866.

CHAPTER XXXIX.

AN ACT to Change the County-seat of Shelby County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the County-seat of Shelby county of this State, be, and is hereby removed to the fifth Civil District of said county, and within the corporate limits of the city of Memphis: *Provided*, That the Sheriff of said

Election. county of Shelby shall first, after giving thirty days' public notice, open and hold an election at the usual places within said county, and a majority of the voters at said election shall indicate by their votes, a desire for said removal.

SEC. 2. *Be it further enacted*, That in the event of the said election resulting in favor of said removal, this act shall take effect immediately.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 24, 1866.

CHAPTER XL.

AN ACT to define the term "Persons of Color," and to declare the rights of such persons.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all Negroes, Mulattoes, Mestizoes, and their descendants, having any African blood in their veins, shall be known in this State as "Persons of Color."

SEC. 2. *Be it further enacted*, That persons of color have the right to make and enforce contracts, to sue and be sued, to be parties and give evidence, to inherit, and to have full and equal benefits of all laws and proceedings for the security of person and estate, and shall not be subject to any other or different punishment, pains or penalty, for the commission of any act or offence, than such as are prescribed for white persons committing like acts or offences. Rights.

SEC. 3. *Be it further enacted*, That all persons of color, being blind, deaf and dumb, lunatics, paupers or apprentices, shall have the full and perfect benefit and application of all laws regulating and providing for white persons, being blind or deaf and dumb or lunatics or paupers or either (in asylums for their benefit) and apprentices. Further rights.

SEC. 4. *Be it further enacted*, That all acts or parts of acts and laws, inconsistent herewith, are hereby repealed: *Provided*, That nothing in this act shall be so construed as to admit persons of color to serve on the jury: And *provided further*, That the provisions of this act shall not be so construed as to require the education of colored and white children in the same school. Laws repeal'd

SEC. 5. *Be it further enacted*, That all free persons of color who were living together as husband and wife in this State, while in a state of slavery, are hereby declared to be man and wife, and their children legitimately entitled to an inheritance in any property heretofore acquired, or that may hereafter be acquired by said parents, to as full an extent as the children of white citizens are now entitled, by the existing laws of this State. Marriages.

SEC. 6. *And be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 26, 1866.

CHAPTER XLI.

AN ACT to alter the First Chancery District, and to change the time of holding the Courts in the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county of Campbell be, and the same is hereby attached to the Eighth Chancery District.

SEC. 2. *Be it further enacted*, That the Chancery Courts for the First Chancery District shall be held at the following, to-wit:

For the county of Cocke, on the Wednesdays after the fourth Mondays in February and August.

For the county of Carter, on the first Mondays of March and September.

For the county of Johnson, on the second Mondays of March and September.

For the county of Hancock, on the last Mondays in March and September.

For the county of Hawkins, on the first Mondays of April and October.

For the county of Claiborne, on the second Mondays of April and October.

For the county of Grainger on the third Mondays of April and October.

For the county of Jefferson, on the first Mondays after the fourth Mondays of April and October.

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

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

For the county of Washington on the fourth Mondays of May and November.

SEC. 3. *Be it further enacted*, That all process heretofore issued and all that may hereafter issue, shall be returnable to the time specified in this act.

SEC. 4. *Be it further enacted*, That the Chancery Courts in the Eighth Chancery District shall be held as follows, to-wit:

In the county of Campbell, on the fourth Mondays of April and October.

In the county of Roane, on the third Mondays of April and October.

In Union county, on the second Mondays of May and November.

In the county of Blount, on the second Mondays of June and December.

SEC. 5. *Be it further enacted*, That after the next term

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months of the charges shall be paid in advance, and a good and sufficient bond with two good securities thereon, conditioned according to the discretion of the Superintendent, for the payment of such sums and at such times as the Trustees shall determine.

Sureties.

Suits.

SEC. 5. That the Superintendent is authorized and empowered to bring suit in any Court of the State of Tennessee, and to employ counsel for the prosecution of the same in the name of the State for the use of said Hospital, upon any bond so taken, or upon any bonds or obligations heretofore taken, and to collect any monies due said Institution in any wise or manner.

Report.

SEC. 6. That it shall be the duty of the Superintendent to report to the Governor annually, the names of all persons from other States who are in arrears of board, or other charges, and the Governor may, in his discretion, take such steps against the property of such lunatics or the sureties, as he may deem proper.

Arrears.

SEC. 7. That the Board of Trustees of said Institution be empowered to return any patient who is from any other State, who is three months in arrears of payment of all charges.

25,000 dollars to colored patients.

SEC. 8. That the sum of twenty-five thousand dollars, or so much thereof as is necessary, is hereby appropriated to the erection of an asylum for the colored insane residing in the State of Tennessee, at the time such insanity commenced, at the charge of, and upon the charity of the State. Said building to be erected upon the lands now belonging to the State, and upon which the Tennessee Hospital is erected. And this appropriation is in lieu of all others heretofore made for the erection of an Asylum for colored Insane.

How applied.

SEC. 9. That so much of said sum of twenty-five thousand dollars as shall be necessary for the purpose of the erection of said building and improvements, shall be paid out of the Treasury of the State upon the order of the Superintendent, countersigned and approved by the Chairman of the Board of Trustees; and said order shall specify upon its face the name of the person or persons to whom the same is due and payable, and for what consideration the same is given, and the Superintendent shall preserve duplicate copies of said order and bills, and report the same to the next General Assembly, together with the amount expended.

Building.

SEC. 10. That the buildings and other improvements contemplated by this act, shall be built under the superintendence and control of the Board of Trustees and Superindent; but in no event shall they exceed by contract or otherwise, the amount of the said sum of twenty-five thousand dollars.

SEC. 11. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 25, 1866.

CHAPTER XLIII.

AN ACT to encourage Railroads and other Vehicles of Transportation.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That T. W. Yardley, Thomas McNeish, William Cruchfield, G. W. Keith, James T. Shelley, John H. James, William R. Tracey, Charles E. Lewis, Abram Cross, R. Henderson, T. J. Carlisle and Bailey Buttram, are, and are hereby incorporated a body politic and corporate, and their successors, under the corporate name and style of "Chattanooga and Kentucky Railroad Company." Corporators.

SEC. 2. The capital stock of the Company shall be three millions of dollars, divided into thirty thousand shares of one hundred dollars each, with the privilege of increasing the capital stock to an amount not exceeding ten millions of dollars. Capital.

SEC. 3. This company shall have a common seal, and by its corporate name and style, shall have power to transact all its business in its corporate name, build a Railroad from the city of Chattanooga, by way of Harrison, county of Hamilton, State of Tennessee, running in a Northerly direction by the most practicable route, through the State of Tennessee, to the Kentucky line, purchase and sell real estate or other property: *Provided*, the Company shall not engage in the business of banking. Powers.

SEC. 4. This Company shall have power to elect its own officers, select its own Commissioners and Trustees in the different counties through which the line of the railroad may run, establish by-laws, rules and regulations for the government of the same, in such manner as the Company may think best, the same not being repugnant to this act or the laws of this State. Same.

SEC. 5. *Be it further enacted*, That the corporation

shall be subject to such taxes as may be imposed on similar institutions in this State, and entitled to all privileges, immunities and benefits granted to the most favored institution of a similar character in the State.

SEC. 6. *Be it further enacted*, That this corporation shall be subject to such general laws as are or may be passed for the government of Railroad Companies in this State.

$300,000 to T. & A. R. R.

SEC. 7. *Be it further enacted*, That an appropriation of three hundred thousand ($300,000) be, and the same is hereby appropriated, in six per cent. bonds of the State of Tennessee, under the provisions of an act passed January 18, 1866, for the benefit of the T. and A. R. R. Company, and the Governor is hereby directed to deliver said bonds to said T. and A. R. R. Company.

SEC. 8. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 25, 1866.

CHAPTER XLIV.

AN ACT authorizing the Governor to employ a Superintendent of the Capitol and Capitol Grounds.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Governor be, and he is hereby authorized to employ a Superintendent of the Capitol and Capitol grounds, at a salary not exceeding one hundred and twenty-five dollars per month.

Duty of Superintendent.

SEC. 2. *Be it further enacted*, That it shall be the duty of said Superintendent to take care of, and preserve the Capitol and all the furniture, fixtures and stationery within and about the Capitol and Capitol Grounds, and keep the same in good order. And he shall have authority to preserve order among visitors and people who may be in and around the Capitol, and to keep improper persons out of the different offices and rooms, in the absence of the regular occupants.

SEC. 3. That it shall be his duty, under the orders of the Comptroller, to superintend the delivery of supplies of

fuel, water and stationery for the different departments of the State Government, and the delivery of all necessary dispatches and communications, and the packing and shipment of the Acts, Journals and other Public Documents. same.

SEC. 4. That said Superintendent shall be removable at the pleasure of the Governor. And that this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 25, 1866.

CHAPTER XLV.

AN ACT to repeal the Free Banking Law of the State of Tennessee, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the act passed February 12, 1852, entitled, "An act to authorize and regulate the business of Banking," and all acts amendatory thereto, known as the Free Banking Laws, be, and the same are hereby, repealed.

SEC. 2. *Be it enacted*, That the Comptroller of the State Treasury shall proceed to place said Banks in liquidation, and shall give due notice of the same by publication in one of the newspapers published in each Division of the State, to-wit: Nashville, Memphis and Knoxville; and shall, when a sufficient sum of the notes of any one of said Free Banks be presented to him, proceed to burn the same in the presence of the President or Cashier of such Bank, or in the presence of the Governor or Secretary of State, which fact shall be certified on the books of the Comptroller. Comptroller's duty.

SEC. 3. *Be it further enacted*, That when any person holding any of the notes of the Free Banks, shall present to the Comptroller an amount thereof equal to one or more of the Bonds of the State, by him held, he shall deliver to the holder of said notes, in lieu thereof, an amount of said Bonds equal to the amount of notes so presented. Same.

SEC. 4. *Be it further enacted*, That if any portion of said Bonds shall remain in the hands of the Comptroller on the first day of July, 1867, he shall proceed to sell the

same at the highest market value, taking the New York value as the standard; and after advertising for thirty days, in three newspapers published in the State, shall proceed to redeem said notes of such Banks as may still be outstanding.

When closed

SEC. 5. *Be it further enacted*, That on the 15th day of September, 1867, the Comptroller shall declare the business of said Banks closed, and shall pay over to the owners any funds of any one of said Banks as may at that time remain in his hands.

May continue

Provided, That any Bank organized under the law of February 12, 1852, which, within (60) sixty days after the passage of this act, shall place its notes at par with United States Treasury Notes, said Bank shall be entitled to all the benefits and privileges of said law, and amendments thereto, so long as it faithfully complies with all the requirements of the same, except that it shall not have the right to make any new issues or pay out again, after having redeemed any of its outstanding circulation; and any failure to redeem, after that time, shall be considered a forfeiture of their charter.

SEC. 6. *Be it further enacted*, That nothing in the provisions of this act shall so operate as to postpone the date of the final winding up of such Banks as have already been placed in course of liquidation.

Comp'nsation

SEC. 7. *Be it further enacted*, That the Comptroller shall be entitled to demand and receive from each of said Banks the sum of one per cent. upon the amount of the Bonds disposed of by him in the course of liquidation, as compensation for his services, as well as the cost of advertising required by this act.

SEC. 8. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 25, 1866.

CHAPTER XLVI.

AN ACT to amend the laws of Escheats, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Chapter 6, from Section 2138 to

Section 2144 inclusive, of the Code of Tennessee, relative to escheats, be, and the same is hereby, so amended as to make it the duty of the District Attorney, in all cases in which he has a good right to believe an escheat has occurred in his district, to file a bill in the Chancery Court of the county wherein the land so escheated may lie, in the name of the State of Tennessee, and without security, to have the same declared escheated.

Duty of Dist. Attorney.

Sec. 2. *Be it further enacted*, That besides the State of Tennessee as complainant, said Attorney shall make parties, defendants to said bill, the personal representatives of the deceased, and all other persons who are in possession, or in any manner or way claim any interest in or to such property; and if such parties are residents of the State of Tennessee, they shall be served with process; if non-residents, shall be made parties by publication, according to law.

Parties.

Sec. 3. *Be it further enacted*, That in addition to the foregoing named defendants, under said bill, there shall be a publication made for thirty days in a newspaper published in the county in which the bill is filed, or if no newspaper be published in the county, then, the nearest newspaper so published, calling upon unknown heirs of such deceased person, and all persons claiming under him or her, in any manner or way whatever, to enter his, her or their appearance as defendants to said bill or suit, and all persons having an interest in the same, may come into court and defend the same according to the rules of said Court.

Publication

Sec. 4. That the Chancellor shall have power and authority to allow the District Attorney a reasonable fee for his services, not exceeding, however, five per cent. of the cash value of the property declared escheated, and to be paid him out of the funds after the sale of the premises.

Attorney's fee.

Sec. 5. That the same proceedings shall be instituted against the personal representative, and his sureties after the lapse of two years for any balance of personal estate in his possession, and upon the same terms and conditions as in the foregoing provisions of this act, as well as against any other person having possession of, or claiming the same.

Personal Representatives.

Sec. 6. That all monies or lands so declared escheated, or belonging to the State shall, if money, be paid to the Treasurer of the State, who shall report the same to the next Legislature thereafter, or if lands, and the Court should not decree a sale of the same, the said District Attorney shall, in writing, report the same to the Comptroller, whose duty it shall be to report the same to the next Legislature thereafter.

How money to be paid.

Sec. 7. That all the parties to said suit shall have the same rights to appeal to the Supreme Court, and upon the

Appeal.

same terms and conditions as are now allowed by law for appeals or writs of error.

SEC. 8. *And be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 26, 1866.

CHAPTER XLVII.

AN ACT for the Benefit of the Tennessee Blind School.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the following sums are hereby appropriated for the use and support of the Tennessee Blind School, to-wit:

Thirty-five hundred dollars for the maintenance and clothing of such former orphan pupils as have been maintained and clothed, and for protecting the property of the school during the years 1864 and 1865, and thirty-five hundred dollars for the re-establishment of said school.

SEC. 2. *Be it further enacted*, That the aforesaid appropriations shall be drawn from the Treasury, applied and accounted for in the manner prescribed in the revised Statutes, except that the money belonging to the School shall be deposited in the same bank as the funds of the State Treasury.

SEC. 3. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 25, 1866.

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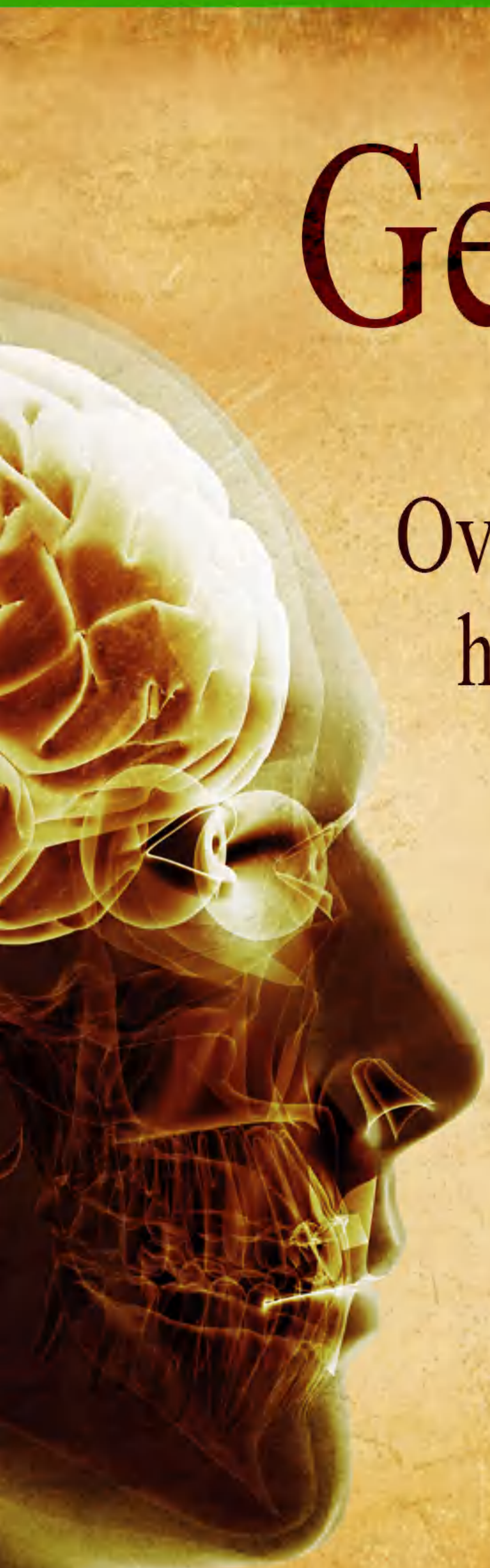

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SEC. 2. *Be it further enacted*, This act take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 25, 1866.

CHAPTER L.

AN ACT to amend the 14th Section, Article 1, on Public Printing, of the Code of Tennessee.

Be it enacted by the General Assembly of the State of Tennessee, That Section 14, Article 1, on Public Printing, of the Code of Tennessee, be amended, and that the Public Acts shall hereafter be printed in one newspaper at Knoxville, in one at Nashville, and in one at Memphis, instead of Jackson, as heretofore required by said section, as soon as practicable after their passage. And that this act take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 26, 1866.

CHAPTER LI.

AN ACT to increase the Jurisdiction Justices of the Peace, in certain cases.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter Justices of the Peace in this State, shall have jurisdiction to try all actions of replevin or damages, where the value of the property sued

for, or the damages demanded, do not exceed two hundred and fifty dollars. And that this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 26, 1866.

CHAPTER LII.

AN ACT for the relief of the Judge of the Seventh Chancery Division.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Judge of the Fifth Judicial Circuit shall hereafter hold the Chancery Court of Overton county, in the town of Livingston, in said county, and the Judge of the Seventh Chancery Division is hereby relieved from holding the same.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed February 2, 1866.

CHAPTER LIII.

AN ACT for the benefit of the East Tennessee University.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Comptroller pay to the Treasurer of the East Tennessee University, at Knoxville, the Coupons or interest upon the State Bonds, owned by said University, falling due on the first day of January, 1865, and all subsequent interest on said Bonds, as the same has, or may hereafter fall due.

SEC. 2. *Be it further enacted*, That the sum of five thousand dollars be paid to the Board of Trustees of the Deaf and Dumb Asylum at Knoxville, Tennessee, out of any money in the State Treasury, not otherwise appropriated, which sum shall be in addition to the sum already authorized to be paid to said Institution. The said amount to be paid to said Board, on application of the President of the Board to the Comptroller, who shall issue his warrant to the Treasury for said sum.

Deaf and Asylum.

SEC. 3. *Be it further enacted*, That the above sum of five thousand dollars shall be expended in fitting up and repairing the building and grounds, and in the purchase of books and materials and furniture necessary to reorganize the Deaf and Dumb School, under the direction and superintendence of said Trustees of the Asylum.

How to be expended.

SEC. 4. *Be it further enacted*, That so soon as the said Asylum shall be re-fitted and the School re-organized and got under way and in successful operation, there is hereby appropriated, out of any money in the Treasury, not otherwise expended, the sum of five thousand dollars annually, in addition to the sum authorized in section 2 of this act, which shall be used for sustaining said School and Institution, which sum shall be paid out as directed in section 2 of this act.

SEC. 5. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 25, 1866.

CHAPTER LIV.

AN ACT to secure for the State of Tennessee, and place in the Capitol Building, the full life-size Portrait of Major General George H. Thomas.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the life-sized portrait of Major General George H. Thomas, now in the Senate Chamber, by Artist George Dury, of the city of Nashville, painted by request of loyal citizens of the State of Tennessee, and

State officials, be secured for the State of Tennessee, and be placed within the Capitol Building of the State of Tennessee, in memory and honor of his *fidelity* to, and services as a soldier in defense of the Constitution of the United States, and its Government and FREE Institutions as established by "The Fathers." For the State.

SEC. 2. That the Artist paint on the portrait the Badge of the Army of the Cumberland, as he may be instructed to do. Badge

SEC. 3. That the Governor of the State purchase the portrait for the State of Tennessee, and on his order the State Comptroller issue a warrant on the State Treasury in favor of Artist George Dury for one thousand dollars in full payment of the portrait and a suitable gilt frame, and all demands. And this act shall take effect from its passage. Cost $1000

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 25, 1866.

CHAPTER LV.

AN ACT for the benefit of Wm. T. Berry & Co., and to pay for Books for the State Library.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Comptroller issue his warrant, and there be paid out of the Treasury of the State, to Wm. T. Berry & Co., Booksellers of the city of Nashville, the sum of one thousand and seventy-one dollars and twenty-five cents, for Books sold for the State Library, in 1859 and 1860, and which sum was due 1st January, 1861, together with interest on the same till paid. And this act take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 25, 1866.

CHAPTER LVI.

AN ACT to amend An Act to do Justice and render persons of African and Indian descent competent witnesses in the Courts of this State, passed January 25, 1866; and also to amend an Act to repeal Sections 2728 and 2729, Article 5, Chapter 7 of the Code of Tennessee, passed January 25, 1866.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an act to do justice and to render persons of African and Indian descent competent witnesses in the Courts of this State, passed January 25, 1866, and also an act to repeal Sections 2728 and 2729, Article 5, Chapter 7, of the Code of Tennessee, passed January 25, 1866, be, and they are hereby so amended, as to take effect from and after the passage of this act.

To take effect.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 25, 1866.

CHAPTER LVII.

AN ACT to Change the time of holding the Chancery Courts of Lawrence County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter the Chancery Courts of Lawrence County shall be holden on the third Mondays in April and October, and all process shall be returnable at that time.

Com'sioner of Registration.

SEC. 2. *Be it further enacted*, That the Commissioner of Registration, to be appointed by the Governor for the county of Shelby, for the registration of voters, under the act passed May 3, 1866, be, and is hereby authorized to open and keep his office in the city of Memphis, in said county, for said purpose of registration. And this act to take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 25, 1866.

CHAPTER LVIII.

AN ACT to Legalize Certain Marriages.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all marriages contracted and entered into during the late rebellion, and duly solemnized as the law directs, be, and the same are hereby declared valid to all intents and purposes, and that the issue of said marriages are hereby declared legitimate, and that free pesons of color be required to obtain license and have the rights of matrimony solemnized as now required for white persons.

SEC. 2. *Be it further enacted*, That it shall be the duty of the officer or minister who has solemnized such marriages, to return the certificate of the marriages to the office of the County Court Clerk of the proper county, and for a failure thereof, he shall be liable to indictment or presentment for a misdemeanor; and this act to take effect from its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 28, 1866.

CHAPTER LIX.

Relinquishment by the State to all right, claim, &c, to the Estate of George Gee, deceased, &c.

WHEREAS, George Gee, a free man of color, departed this life in the year 1850, in the county of Lincoln, State of Tennessee, directing, by his "last will and testament," which is of record in the county of Lincoln, that his property, or the funds arising from the sale of the same, should be equally distributed among his wife and children; and,

WHEREAS, His wife and children were then held as slaves, and could not receive property under the said devise, and by a decree of B. L. Ridley, Chancellor, sitting at Fayetteville, it was declared that the estate of the said George Gee, or its proceeds, escheated to the State of Tennessee; and, Preamble

WHEREAS, The funds and choses in action, arising from said estate, are in possession of the Clerk and Master of the Chancery Court at Fayetteville, and subject to the control of the Court; and,

WHEREAS, The wife and children of the said George Gee are now free citizens of the United States under the Constitution and Laws of the same; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the State of Tennessee does hereby relinquish all right, title, claim and interest in said decree, declaring that the estate of George Gee, escheated to the State of Tennessee, vested in her, and that the Court having jurisdiction, be, and is hereby authorized to distribute the funds or assetts arising and accruing from the estate of the said George Gee, according to the provisions of the "last will and testament," of the said George Gee.

Release.

SEC. 2. *Be it further enacted*, That the Administrators or Executors of free persons of color, who may have heretofore died, leaving children that were slaves, and incapable of inheriting their estates, and whose estate have not been paid out, be hereby authorized and required to pay the proceeds of such estate to the children, legatees or devisees or Administrators of said free persons of color, pursuant to the laws now in force, regulating the distribution of estates. And that this act shall take effect from and after its passage.

Freedmen to inherit.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 26, 1866.

CHAPTER LX.

AN ACT to Pay the Current Expenses of this Session of the General Assembly, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Comptroller of the Treasury issue his warrant to each member of the Senate and House of Representatives for the sums to be stated to be due to each one in the annexed Report of the Committee on Finances.

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Job printing. SEC. 6. That the Governor and Comptroller of the Treasury examine the accounts for Job Printing, executed for the General Assembly, and pay the same as per rates specified by law, out of any money in the Treasury not otherwise appropriated.

Gas. SEC. 7. That the Comptroller issue his warrant to the Nashville Gas Light Company for any amount due them for Gas furnished at the Capitol.

Bank Committee. SEC. 8. That the Comptroller issue his warrant for one hundred and forty-four dollars for services rendered by the Committee appointed to investigate the Branch Bank at Sparta, as per Resolution No. 155.

Do. SEC. 9. That the Comptroller of the Treasury issue his warrant for four hundred and sixteen dollars and twenty cents for services rendered by the Committee and others, in investigating the Branch Bank at Clarksville, as per Resolution No. 155.

G. D. Foster. SEC. 10. That the Comptroller issue his warrant to George D. Foster, member elect from Hamilton county, to fill the seat formerly occupied by J. R. Hood, and which was not declared vacant until April 14, 1866, for the sum of twenty-three dollars and ninety-two cents, for mileage and per diem, as per Resolution No. 216.

J. T. Griffith. SEC. 11. That the Comptroller issue his warrant to James T. Griffith, member elect from the county of McMinn, Polk and Meigs, for ninety-one dollars and sixty-eight cents, for mileage and per diem as per Resolution No. 132.

Penitentiary. SEC. 12. That the sum of thirty thousand dollars be, and the same is hereby appropriated, for the purpose of purchasing material for the prisoners in the Penitentiary, so as to enable the Keeper and Inspectors to keep them at work, and for the payment of the necessary expenses of said Penitentiary; and that they report to the General Assembly as to how the money has been expended, and the Treasurer pay the amount so appropriated out of any money in the Treasury not otherwise appropriated, and that the Inspectors receive five dollars for each and every day when in the performance of their duties.

W. Waters' funeral. SEC. 13. That the Comptroller issue his warrant to W. R. Cornelius for one hundred and twenty dollars, for funeral expenses and transportaiton of the remains of Hon. Wallace Waters, member of the House of Representatives, as per Resolution No. 218.

T. H. Caldwell. SEC. 14. That the Comptroller issue his warrant to Thomas H. Caldwell for seventy-seven dollars and seventy-five cents, for services rendered as Commissioner to settle with the Louisville and Nashville Railroad Company, as per Resolution adopted May 5, 1865.

SEC. 15. That the Comptroller of the Treasury issue his warrant to the persons named in his Report to the General Assembly of May 9, 1866, in the aggregate thirty-one thousand three hundred and seventy-nine dollars and forty-two cents, as per official Report of the Comptroller for Capitol expenses, Report No. 1. Report.

SEC. 16. That the Comptroller of the Treasury issue his warrant to E. H. Gowen, for two hundred and twenty-eight dollars and ninety cents, and to G. W. Blackburn for one hundred and thirty-two dollars, for services rendered, as per Resolution No. 167. E. H. Gowen. G. W. Blackburn.

SEC. 17. That the sum of twelve hundred and seventy-five dollars, be, and the same is hereby appropriated for repairs on the Capitol, and that the Comptroller issue his warrant for the same as the work progresses. Capitol.

SEC. 18. That the Comptroller of the Treasury issue his warrant to the persons named in his report to the General Assembly of May 9, 1866, for the sum due each of them, and in the aggregate one thousand and five hundred and forty dollars and thirteen cents, for expenses of Adjutant General's Office, as per official Report of the Comptroller, No. 2. Report.

SEC. 19. That the Comptroller of the Treasury issue his warrant to the persons named in his Report, to the General Assembly, of May 9, 1866, for the sum due each of them, and in the aggregate twenty-four thousand and two hundred and ninety-nine dollars and ninety-two cents, as per official report of the Comptroller, No. 3. Report.

SEC. 20. That the Comptroller of the Treasury issue his warrant to the persons named in his report to the General Assembly, of May 15, 1866, for the sums due each of them, and in the aggregate two thousand and six hundred and twenty-seven dollars and sixty-two cents, expenses of Executive Office, as per official report of the Comptroller, No. 4. Report.

SEC. 21. That the Comptroller of the Treasury issue his warrant to J. E. Bailey for one hundred and fifty dollars for services rendered as counsel for the Branch Bank, Clarksville. J. E. Bailey.

SEC. 22. That the Comptroller issue his warrant to J. H. Donaldson for fifteen dollars and thirty-six cents for mileage not allowed in the spring session, as per Resolution No. 243. J. H. Donaldson.

SEC. 23. That the Comptroller issue his warrant to A. J. Fletcher for one hundred dollars for services rendered as Commissioner to settle with the Louisville and Nashville Railroad Company. A. J. Fletcher.

SEC. 24. That the Comptroller issue his warrant to R. L. Stanford, Treasurer, for five hundred dollars, for ser- R. L. Stanford.

vices rendered as Superintendent of Public Instruction, for the years 1865 and 1866.

H. G. Flagg, and E. H. Gowen.

SEC. 25. That the Comptroller of the Treasury issue his warrant to H. G. Flagg, Principal Clerk of the Senate, and E. H. Gowen, Principal Clerk of the House of Representatives, for one hundred and fifty dollars each, for making out and preparing an Index to the Journals of the Senate and House of Representatives for the present session.

E. H. Gowen.

SEC. 26. That the Comptroller issue his warrant to A. J. Fletcher, Secretary of State, for two hundred and fifty dollars for Clerk hire, to be employed in getting the Acts of the General Assembly ready for the Public Printer.

W. Heiskell.

SEC. 27. That the Comptroller of the Treasury issue his warrant to E. H. Gowen, for two hundred and fifty dollars for extra clerk hire.

Buck Lewis.

SEC. 28. That the Comptroller issue his warrant to William Heiskell for sixty-two dollars and twenty cents, money wrongfully paid for taxes in the year 1862, as per Resolution No. —.

Clerks to remain.

SEC. 29. That the Comptroller issue his warrant to Buck. Lewis for nine hundred and fifty-six dollars, for services rendered in waiting on the House of Representatives this session.

To file reports

SEC. 30. That the Engrossing Clerk of the Senate and the Engrossing Clerk of the House, shall remain at the Capitol until they enroll all the Bills that are not enrolled at the adjournment, and that they shall receive their per diem for the same.

Speaker to remain

SEC. 31. That the Chairman on Finance shall file all the reports and other claims on which the foregoing bill of appropriation is made and allowed, in the Secretary's office, for future reference.

W. T. Berry.

SEC. 32. That the Speaker of the Senate and the Speaker of the House of Representatives, remain after the adjournment to sign the Acts, when enrolled, that are not enrolled at the adjournment, and that they receive their regular per diem therefor.

Br. B'k Tenn. at Athens.

SEC. 33. That the Comptroller issue his warrant to W. T. Berry & Co., for two hundred and fifty-seven dollars and fifty cents, for stationery furnished at this session of the General Assembly.

H. G. Flagg.

SEC. 34. That the Comptroller issue his warrant on the Treasurer to Thomas B. McElwee, Charles McKinney, and J. W. Smith, for forty dollars each, for services rendered for investigating the Branches of the Bank of Tennessee at Athens, Rogersville and Memphis.

SEC. 35. That the Comptroller issue his warrant to H. G. Flagg for sixteen dollars for copying the Journals of the Senate.

SEC. 36. That the Comptroller issue his warrant on the Treasurer to J. W. Chereston for one hundred and fifty-nine dollars and six cents, for books furnished the State Library, January, 1861, with interest thereon. J. W. Cherestón.

SEC. 37. That the Comptroller issue his warrant to Wade Hickman for thirty dollars for Sulphur Water furnished the Legislature. Wade Hickman.

SEC. 38. That the Comptroller issue his warrant to W. K. Hall for services and mileage investigating Branch Bank of Tennessee at Trenton, for the amount of one hundred and eighty-six dollars and fifty-five cents. W. K. Hall.

SEC. 39. That there shall be printed, of the Acts of the present session of the Legislature, for distribution among the several counties of the State, as follows: for every Justice of the Peace, one copy; for each Sheriff, one copy; for each Circuit Court Clerk, one copy; for each County Court Clerk, one copy; for each Chancery Court Clerk, one copy; for each County Trustee, County Register, Coroner, Ranger, Entry Taker, Surveyor and Poor House Commissioner, one copy; for the use of the Trustees of Academies in each county, one copy. Of the Acts and Journals, for each of the Clerks and Door-Keepers of the House and Senate, one copy. Acts.

SEC. 40. That there shall be also printed for distribution as aforesaid, one copy of the Journals of each House or Branch of the Legislature for each Civil District in each county in the State, to-wit:

COUNTIES.	No of Acts.	No. of S. J.	No. of H. J.	COUNTIES.	No. of Acts.	No. of S. J.	No. of H. J.
Anderson	40	12	12	DeKalb	45	17	17
Bledsoe	40	14	14	Lawrence	42	15	15
Blount	48	18	18	Lewis	39	11	11
Bradley	40	13	13	Lincoln	65	25	24
Bedford	59	19	19	Lauderdale	36	18	18
Benton	35	12	12	McMinn	46	17	17
Campbell	39	14	14	Meigs	27	8	8
Carter	35	11	11	Marion	37	13	13
Claiborne	37	12	12	Monroe	51	20	20
Cocke	37	12	12	Morgan	35	12	12
Cannon	38	12	12	Maury	64	25	25
Cumberland	32	10	10	Montgomery	55	24	24
Cheatham	36	12	12	Marshall	42	15	15
Coffee	38	13	13	Macon	42	14	14
Carroll	56	25	25	McNairy	47	17	17
Davidson	69	25	25	Madison	60	19	19

COUNTIES.	No. of Acts.	No. of S. J.	No of H. J.	COUNTIES.	No. of Acts.	No. of S. J.	No. of H. J.
Overton	44	16	16	Knox	55	19	19
Obion	48	15	15	Sumner	50	19	19
Polk	32	10	10	Sevier	40	14	14
Putnam	38	11	11	Scott	35	12	12
Perry	33	11	11	Sullivan	48	19	19
Rhea	33	10	10	Sequatchie	27	8	8
Roane	48	17	17	Smith	55	22	22
Robertson	45	17	17	Shelby	40	14	14
Rutherford	66	26	26	Tipton	37	13	13
Stewart	35	12	12	Union	35	11	11
Dyer	40	20	20	Van Buren	31	10	10
Decatur	33	11	11	Wilson	60	25	25
Dickson	35	12	12	Warren	43	16	16
Hancock	40	14	14	Wayne	47	17	17
Hawkins	48	17	17	White	37	12	12
Hamilton	53	17	17	Williamson	59	24	24
Hardin	39	16	16	Washington	51	18	18
Hickman	40	15	15	Weakley	50	18	18
Humphreys	35	12	12	Franklin	44	16	16
Hardeman	45	17	17	Fentress	37	12	12
Henderson	54	21	21	Fayette	44	16	16
Henry	56	20	20	Grainger	46	15	15
Haywood	47	17	17	Greene	65	25	25
Jefferson	45	16	16	Grundy	31	10	10
Johnson	32	10	10	Gibson	56	21	21
Jackson	59	21	21	Giles	55	20	20

Mileage and per diem.

SEC. 41. Report of the Committee on Finance, showing the mileage and per diem allowance of the members of the Senate at the Second Session of the Thirty-fourth General Assembly, and the aggregate amount of each.

SENATORS' NAMES.	No. of Days.	Per Diem	Miles tr'v'ld	Mileage.	Total.
Aldridge, John	239	4	600	$96 00	$1052 00
Bosson, William	239	4	170	27 20	983 20
Bowen, J. W	155	4	100	16 00	636 00
Cate, A. M	239	4	342	54 70	1010 70
Cypert, Thomas J	239	4	406	64 95	1020 85

SENATORS' NAMES.	No. of Days.	Per Diem.	Miles tr'v'ld	Mileage.	Total.
Case, Almon.....	239	$4	600	$96 00	$1052 00
Carrigan, J. G.....	239	4	180	28 80	984 80
Frierson, J. B.....	241	6	106	17 96	1463 96
Frazier, Z. W.....	239	4	50	8 00	964 00
Frazier, B.....	239	4	546	87 37	1043 37
Hall, W. K.....	239	4	900	144 00	1100 00
Johnson, J. D.....	239	4	138	22 08	978 08
Lassiter, R. E.....			120	19 20	323 20
Keith, J. W.....	239	4	620	99 20	1055 20
McFarland, W. J.....	101	4	600	96 00	500 00
McKinney, C. J.....	239	4	660	105 60	1061 60
McElwee, T. B.....	239	4	412	65 02	1021 92
Muse, Thomas C.....	29	4	600	96 00	212 00
Nelson, P. P. C.....	211	4	723	115 68	959 68
Powell, J.....	189	4	672	107 52	863 52
Senter, D. W. C.....	239	4	576	92 16	1048 16
Spence, W.....	239	4	60	9 60	965 60
Smith, J. W.....	239	4	750	120 00	1076 00
Trimble, John.....	239	4			956 00
Thompson, J. P.....	102	4	150	24 00	432 00

SECTION 42.

REPRESENTATIVES' NAMES.	No. of Days.	Per Diem.	Miles tr'v'ld	Mileage.	Total.
Anderson, G. W...	239	$956 00	200	$32 00	$988 00
Arnell, S. M.....	239	956 00	100	16 00	972 00
Biggs, Henry	33	132 00	600	96 00	228 00
Brown, Harvey....	50	200 00	400	64 00	264 00
Baker, James.....	239	956 00	418	66 88	1022 88
Brittle, Gilbert....	239	956 00	90	144 00	970 40
Blackman, L. M...	225	900 00	500	80 00	980 00
Brandon, N.....	147	588 00			
Bledsoe, T. H.....	147	588 00	180	28 80	616 80
Barton, William...	158	592 00	88	14 00	606 80
Carter, S. J.....	239	956 00	00	00 00	956 00
Clingan, J. R.....	141	564 00	360	57 60	621 60
Coward, R. H	239	956 00	560	89 60	1045 60
Cameron, C. S....	19	76 00			
Donaldson, J. H...	239	956 00	498	79 36	1035 36

REPRESENTATIVES' NAMES.	No. of Days.	Per Diem.	Miles tr'v'ld	Mileage.	Total.
Doughty, J. A.....	239	$956 00	560	$89 60	$1045 60
Dowdy, Rufus.....	239	956 00	320	51 20	1007 20
Duggan, Wilson...	239	956 00	600	96 00	1052 00
Dunnaway, M.E.W.	239	956 00	126	20 16	976 16
Elliott, W. Y.....	239	956 00	60	9 60	965 60
Fuson, John A....	239	956 00	120	19 20	975 20
Faulkner, Asa.....	143	572 00	150	24 00	596 00
Freeman, A. A....	148	592 00	600	96 00	688 00
Foster G. D.....	22	88 00	312	49 92	137 92
Garner, W. A.....	239	956 00	192	30 72	986 72
Gilmer, Jeremiah..	239	956 00	112	17 92	973 92
Grove, G. H.....	239	956 00	596	95 36	1051 36
Grimmett, W. A...	239	956 00	90	14 40	970 40
Garrett, E. A. ...	145	580 00	240	38 40	618 40
Gaut, Jesse H.....	64	256 00	360	57 60	313 60
Hudson, Joseph....	239	956 00	50	8 00	964 00
Hale, James	181	724 00	630	100 80	824 80
Herman, Theodore.	102	408 00	108	17 28	425 28
Hood, J. R.....	195	780 00	302	48 32	828 32
Heiskell, William..	239	1434 00	526	84 16	1518 16
Inman, Charles....	239	956 00	600	96 00	1052 00
Jarvis, L. M.....	239	956 00	650	104 00	1060 00
Jones, Ferney.....	239	956 00	620	99 20	1055 20
Jones, James.....	239	956 00	672	107 52	1063 52
Kerchival, T. A...	239	956 00	180	28 80	984 80
Lewis, W. B.....	145	580 00	00	00 00	580 00
Marable, Henry H.	168	672 00	136	21 76	693 76
Martin, A. J.....	52	208 00	200	32 00	240 00
Mason, Thomas J..	239	956 00	472	75 52	1031 52
Maxwell, Thomas..	239	956 00	356	56 96	1012 96
McNair, J. E.....	239	956 00	600	96 00	1052 00
Melton, James M..	239	956 00	600	96 00	1052 00
Morris, Hiram....	50	200 00	130	20 80	220 80
Mullins, James....	203	812 00	130	20 80	832 80
Mullins, J., Speak'r,	36				216 00
Mulloy, J. S.....	239	956 00	92	14 72	970 72
Moss, A. W	239	956 00	36	5 76	961 76
Murphey, H. P....	225	900 00	800	128 00	1028 00
Norman, John.....	218	872 00	226	36 16	908 16
Norman, J. Speak'r,	21				126 00
Nunn, D. A.....	50	200 00	600	96 00	296 00
Nicks, A. D.....	145	580 00	70	11 20	591 20
Overstreet, G. W..	47	188 00	334	53 44	241 44
Ordway, C. W....	148	592 00	160	25 60	617 60
Porter, John J....	239	956 00	360	57 60	1013 60

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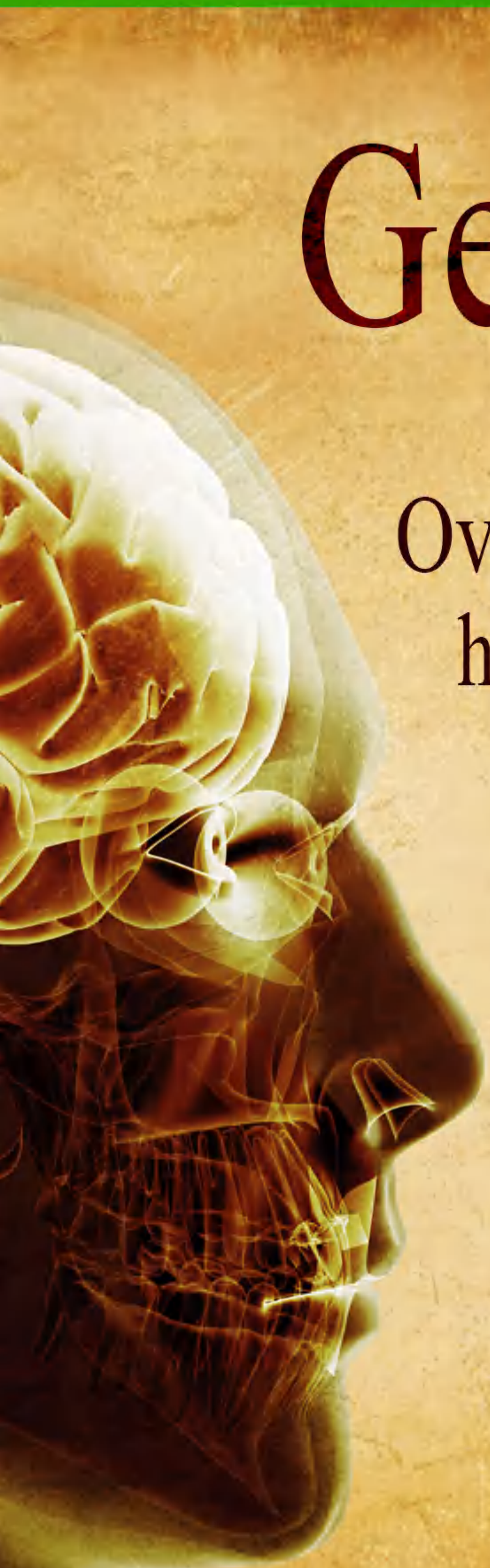

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checks of the Treasurer, the monies deposited with them; said bond to be deposited with the Secretary of State.

Revenue Collectors.

To make semi-annual settlements.

SEC. 44. That all County Court Clerks, Tax Collectors and others receiving revenue, shall make semi-annual settlements with the Comptroller, on the first day of April and the first of October, and shall pay over the funds in their hands on the first day of April and October of each year, and that they shall also make quarterly reports to the Comptroller, of amount of monies in their hands on the first day of September, first day of December, first day February and the first day of April, of each year; and that all such be held subject to the sight draft of the Treasurer of State; and all laws in conflict with this act are hereby repealed, and any violation of this act shall be a misdemenor, upon conviction of which shall be dismissed from office.

Buck Lewis.

SEC. 45. That the Comptroller issue his warrant to Buck Lewis, for the sum of seventy-one dollars; this amount being due to him for short pay on seventy-one days of service rendered the House of Representatives.

Pr. Clerk.

SEC. 46. That in the section giving the Principal Clerk of the Senate an appropriation for copying Journals, the word *sixteen* be stricken out, and the words "twenty-four" inserted.

Land sales.

SEC. 47. That the first section of An Act to amend the Revenue laws of the State, passed May 24, 1865, be, and is hereby so amended, that the tax on sales of land, town lots and parts of town lots, shall be one mill on the dollar, instead of one cent per acre on land, and five dollars on each lot or part of lot.

Lawyers.

SEC. 48. That section 2 of said act, so far as relates to lawyers, and section 3, is hereby repealed.

SEC. 49. *And be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 26, 1866.

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PRIVATE ACTS.

CHAPTER I.

[NOTE.—The following Act was passed at the first session of the General Assembly of 1865–6, but by inadvertence was not deposited with the Secretary of State in time for publication in the Acts of the First Session. A. J. FLETCHER, Sec. of State.]

AN ACT to incorporate the East Tennessee and Cumberland Mountain Petroleum, Coal, Iron, Salt, Copper, Silver, Lead, and Zinc Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Charles J. M. King, Thomas McNish, Elijah Simmerly, A. A. Kyle, D. G. Thornburgh, DeWitt C. Senter, Joseph H. Wagner, S. E. Griffith, L. M. Jarvis, and N. G. Taylor, and their associates, successors, and assigns, be, and are hereby, constituted a body corporate, by the name and style of the East Tennessee and Cumberland Mountain Petroleum, Coal, Iron, Salt, Copper, Silver, Lead, and Zink, Company, and by that name shall have succession for ninety-nine years; and shall be competent to sue and be sued in any court of law or equity; to have and use a common seal; to alter the same at pleasure; to establish, ordain, and change any by-laws that may be necessary for the government of the Company, which by-laws shall not be inconsistent with the Constitution of the United States, and the Constitution and laws of the State of Tennessee; to purchase, hold, and dispose of such real estate, leases, mines, minerals, iron, coal, oil, salt, copper, silver, lead, zinc, and personal property as they may desire, or be necessary for the legitimate transaction of their business; to mine, bore, forge, roll, smelt, transport, work, manufacture, refine, and vend the same; to issue such number of shares of the stock of said Company as the representative par value thereof, as may be endorsed by a note of said Company; to determine the par value of shares and have the right to pay in of stock of the corporation for such mining interest, or interest in real estate, as may be necessary to purchase or lease for the operation of the works of the Company; to lay conduct pipes, construct railroads from their wells or mines; to a navigable

Corporators.

Name.

Powers

river or railroad now constructed or to be constructed; and to make connections and turnouts for their purposes, &c. That the capital stock of said Company be one million of dollars, to be divided into such shares as the Company may determine, which may be increased or diminished as the Company may determine. That the President and Directors shall regulate the proportion of stock which may be issued to each member on application; the Company to have, enjoy, and exercise all rights and privileges belonging and incident to corporations, except the right to issue notes or engage in the business of banking.

Capital stock.

SEC. 2. *Be it further enacted*, That whenever said Company shall become possessed of mines or minerals, lands or leases, iron, coal, or petroleum leases, situate in this State, or elsewhere, a separate and distinct interest of each mine, bed, field, vein, or deposite or lease, may be created under some name to distinguish the same; and in like manner, may organize under and enjoy as a distinct branch, all the rights and privileges named in the first section of this act.

SEC. 3. *Be it further enacted*, That the right to alter, change, amend or repeal this Charter, is reserved to any subsequent Legislature.

Right to repeal.

SEC. 4. *Be it further enacted*, That B. R. Peart, of the county of Montgomery, B. F. Smith, J. W. Smith, of Shelby county, and Thomas A. Elliott, and W. Y. Elliott, of the county of Rutherford, their associates and successors, are hereby created and constituted a body politic and corporate, under the name and style of the "Tennessee River Mining Company," and by that name shall have succession for ninety-nine years, with the same rights and privileges, and under the same restrictions as are granted and imposed on the said E. Tennessee and Cumberland Mountain Petroleum, Coal, Iron, Salt, Copper, Silver, Lead, and Zinc Company.

Tenn. River Mining Co.

SEC. 5. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
SAMUEL R. ROGERS,
Speaker of the Senate.

Passed June 6, 1865.

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tract and be contracted with; to sue and be sued; to plead and be impleaded with; to answer and be answered unto; to defend and be defended, in all courts of law and equity in this State; and shall have succession for thirty-three and one-half years; and be vested with all the powers and privileges necessary to carry out and fulfill the object of this corporation.

Powers.

SEC. 3. Said Association shall keep a common seal, and shall have power and authority to acquire, purchase, receive, possess, be seized with and enjoy, property real and personal, not exceeding in value the amount necessary and proper to effect the end of said Incorporation.

Rights.

SEC. 4. The said corporation shall have further power to establish for its government, a constitution and by-laws, not inconsistent with the Constitution and Laws of this State; and make such rules and regulations as may be deemed necessary to carry into effect the object of their Association.

Further powers.

SEC. 5. The members of said Association shall have power to assemble and meet at such times and places as may be agreed upon, and they shall elect any number of their associates, not less than three nor more than nine in number, as Trustees, to take charge of the real and personal property belonging thereto, as the laws of this State require, and to transact all business relative to the investments and disposal thereof.

Same.

SEC. 6. It shall be lawful for said Association to elect and appoint such officers as the condition and circumstances of the corporation may require, and to prescribe their powers and duties, and require bond and security for the faithful performance thereof, in such penal sums and with such sureties as they may choose; and also prescribe the term of their office; *Provided*, however, that the Trustees shall hold their office in conformity with the law for at least one year and until others are elected.

Officers.

SEC. 7. The property, real and personal, of said corporation, shall be solely devoted to the purposes and objects of said Association.

SEC. 8. *Be it further enacted*, That Dr. Goetz and his associates, are hereby constituted a body corporate and politic under the name and style of the "Knoxville Turners' Association," with all the powers and privileges of the Nashville Gymnastic Association, called in German "Der Nashville Turn Verein."

Dr. Goetz.

SEC. 9. *Be it further enacted*, That F. W. Lewis, W. Kock, F. Shaffner, A. Kolbry, R. S. Laski, C. E. Theamer, John Fisher, Wm. Washer, and their associates, are hereby created a body corporate and politic, under the name and style of the "Memphis Turners' Association," with all the

Memphis Turners' Association.

powers and privileges of the Nashville Gymnastic Association, called in German, "Der Nashville Turn Verein."

SEC. 10. *And be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed October 24, 1865.

CHAPTER IV.

AN ACT to incorporate Mamonides Lodge, No. 46.

Be it enacted by the General Assembly of the State of Tennessee, That D. Aaron, J. Loeb, A. Lande, S. Weil, A. Landsberg, E. Wolf, and J. Mann, their associates and successors, be, and they are hereby, constituted a body corporate by the name of the "Mamonides Lodge, No. 46, Independent Order of *Bnai Brith*," (Sons of the Covenant), with succession of ninety-nine years, a common seal; the right to sue and be sued; to adopt a constitution and necessary by-laws, providing, among other things, for the election of new members, necessary officers, and to acquire, hold, and dispose of real and personal property, not exceeding in amount fifty thousand dollars.

The purposes of said organization embrace the promotion of charity and benevolence, the welfare and happiness of the Jewish Family in the following manner, to-wit: By raising and investing a fund to be distributed as may seem best to the proper authorities of said organization, for the relief of necessitous members of said order, and the indigent widows and orphans of members of said order.

That this act take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed October 24, 1865.

CHAPTER V.

AN ACT to incorporate the East Tennessee and Kentucky Petroleum Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That John R. Branner, B. C. Wheeler, E. J. Sanford, James P. Brownlow, C. M. McGhee, and their associates, are hereby constituted a body politic and corporate, under the name and style of the "East Tennessee and Kentucky Petroleum Company," for the purpose of exploring, boring, and mining for coal, petroleum, lead, iron, copper, and other ores, metals, and minerals; and for working, smelting, manufacturing, and vending the same; and to continue in existence to them and their successors for the period of ninety-nine years, with full power to make and use a common seal, and to alter and change the same at pleasure; to make such by-laws not inconsistent with the laws of this State or of the United States, as it may deem proper and necessary for its government; in its corporate name to sue and be sued; to plead and to be impleaded; to hold by purchase, lease, or otherwise, and to dispose of the same in any way, any real estate or personal property which may be useful or necessary for carrying on its operations, or which it may become possessed of in the payment of any debt or judgment to said Company.

Powers.

SEC. 2. *Be it enacted*, That the capital stock of said Company shall be five hundred thousand dollars, with liberty to increase the same as hereinafter provided, to be divided into shares of not less than fifty dollars each. The amount of capital stock, the number and price of shares, shall be fixed and agreed upon by the corporators at their first or second meeting under this act. Nothing but money, coal, petroleum, lead, iron, copper, and metals, and other mineral property, shall be regarded as a basis of capital stock; the stock to be subscribed and transferred to said company, and paid for as the Board of Directors may prescribe. The shares shall be considered as personal property, and shall be transferable only on the books of the Company in person or by attorney.

Capital Stock.

Basis.

SEC. 3. *Be it enacted*, That the corporators named in the first section of this act, or any five of them, or their associates, shall be the Directors for the first year, and until others are elected in their stead. The annual meeting of the Company shall be at such time and in such place or places in or out of the State of Tennessee, as the Board of Directors may determine from time to time, or from year to year, thirty days' previous notice being given

Directors.'

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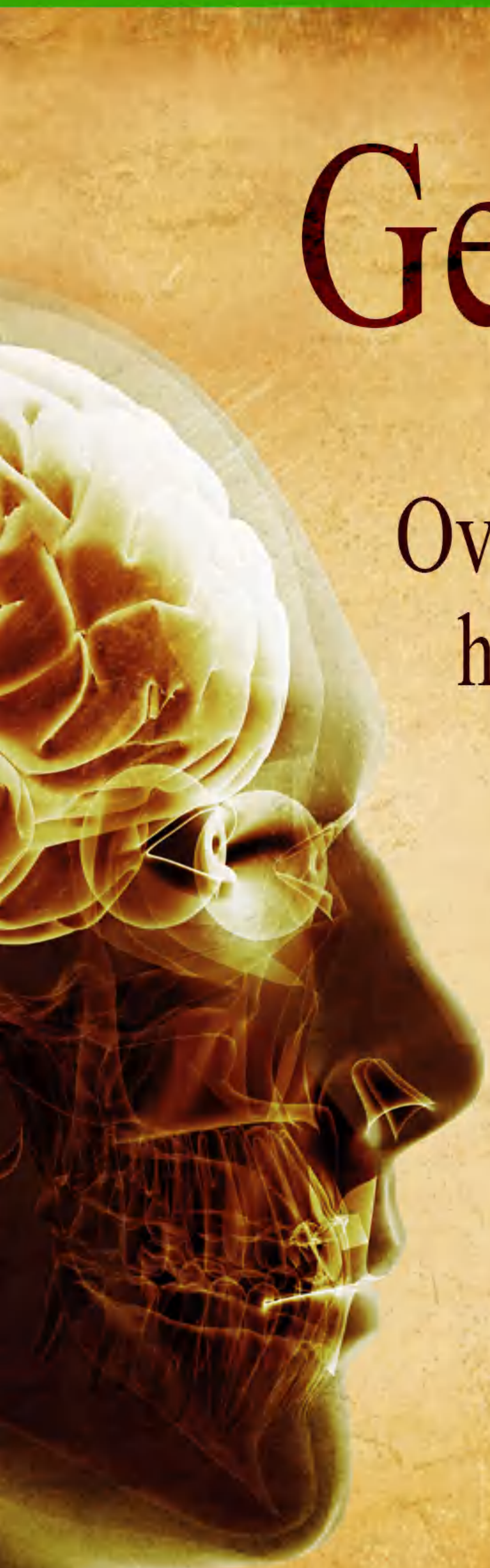

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CHAPTER VI.

AN ACT to charter and incorporate Middle Creek Academy in the County of Sevier.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That W. H. Trotter, James P. McMahan, Isaac Ogle, Tilman Fox, John Butler, G. W. Seaton, and Isaac Trotter, and their successors in office, be, and they are hereby, incorporated a body politic, under the name and style of the Trustees of "Middle Creek Academy," in Sevier County.

SEC. 2. *Be it further enacted*, That the Trustees of said Academy are hereby invested with legal power to buy, receive, possess, hold, and dispose of, any property for the use and benefit of said Academy; and may sue and be sued, plead and be impleaded.

Trustees.

SEC. 3. *Be it further enacted*, That said Board of Trustees shall have power to hold meetings; elect a chairman and secretary, and fill vacancies that may occur in said Board; that a majority of said Board may constitute a quorum; and that they may have the right to use a common seal; and to do all lawful acts for the benefit of said corporate institution.

Powers.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed October 31, 1865.

CHAPTER VII.

AN ACT to revive the Charter of the Chattanooga and Cincinnati Rail Road Company, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Charter of the Chattanooga and Cincinnati Rail Road Company, granted by the Legislature of Tennessee, be, and the same is hereby, revived, with all the rights, powers, and privileges, in said Charter contained, except the State aid granted to said Company.

SEC. 2. *Be it further enacted*, That in lieu and stead of the Commissioners named in said Charter, Richard Hen-

derson, A. G. W. Puckett; T. R. Stanley, Robert C. McKee, E. A. James, A. A. Pearson, and James R. Hood, of Hamilton county; Sampson D. Bridgman, J. R. Hickman, John P. Walker, and James P. Collins, of Rhea county; and William S. McEwen and Freemorton Young, of Roane county, be, and they are hereby, appointed Commissioners for all the purposes expressed in said original Charter; and that said Company may, at any time, within ten years from this date, commence the construction of said road, and that they may complete the same as soon as their means will allow. Commissioners.

SEC. 3. *Be it further enacted*, That the Charter granted and passed on the 11th day of February, 1856, to the Hamilton Mining and Manufacturing Company, be so amended, that said Company may increase their capital stock to any amount so as to enable them in their legitimate business as such Company, as they may desire, not to exceed five million dollars. Hamilton M. & M. Co.

SEC. 4. *Be it further enacted*, That to fill vacancies occasioned by the death of Felix G. Blacknall and the removal of William Johnson, that Richard Henderson and Timothy R. Stanley are hereby added to the body of the original corporators; and that a majority of said body corporate may organize and elect their officers and proceed to business under said Charter.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed November 2, 1865.

CHAPTER VIII.

AN ACT to incorporate the Caney Fork Oil and Mining Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Lewis W. Leeds, H. P. Stearns, Augustus C. Hamlin, Lewis W. Worthington, and Silas F. Allen, their associates, successors, and assigns, be, and are hereby, constituted a body corporate and politic, by the name and style of the "Caney Fork Oil and Mining Company," with exclusive right to the use of said name, and by that name and style shall have ninety-nine years

succession, with power to contract and be contracted with; sue and be sued in that name in all courts and places; to have a common seal; to engage in mining and boring for petroleum or rock oil, salt water, and other valuable minerals, and in the manufacturing, refining, preparing for market, transporting and selling oil and salt and other products of said business, and of the land now owned, or which may hereafter be owned by them in this State; to hold their meetings, and transport and sell their oil, salt, and other products within or without this State; and to have all other powers needful and proper for the successful prosecution of their business, and for the execution of the powers herein granted.

Powers.

SEC. 2. The said corporation may organize said Company by the election of a President, Vice President, Secretary, Board of Directors, and such other officers and managers as they may deem necessary, at such time and place as they may designate, by notice previously given, and when thus organized the said Company shall have power to make such by-laws, rules, and regulations as they may deem necessary from time to time, for the government and regulation of said Corporation and the prosecution of its business, not inconsistent with the Constitution and laws of the United States, or of this State.

Officers.

Cap. Stock.

SEC. 3. The capital stock of said Company shall be three hundred and fifty thousand dollars; and said Company shall have power to increase the same from time to time, not exceeding six hundred thousand dollars.

SEC. 4. The said Company may buy, rent, or lease any lands, oil, salt rights, or privileges, necessary for the prosecution or increase of their business, and may sell and otherwise dispose of the same. They may receive real estate; mining or boring rights, and rights of way and any other property or commodity they may deem advisable, in payment of subscriptions as for stock sold. Said Company may build and erect on any of their lands, such buildings, machinery, fixtures, &c., as they may deem proper and necessary for conducting the business of the corporation.

Powers.

SEC. 5. *Be it further enacted*, That this corporation shall be subject to such taxes as may be imposed on similar corporations in this State.

SEC. 6. *Be it further enacted*, That this act shall be in force from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed November 7, 1865.

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name, to distinguish the same; and, in like manner, may organize under and enjoy all the rights and privileges named in the first section of this act.

SEC. 3. *Be it further enacted*, That this corporation shall be subject to such taxes as may be imposed on similar corporations in this State.

SEC. 4. *And be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed November 7, 1865.

CHAPTER X.

AN ACT to incorporate the Tennessee Oil Ridge Petroleum and Mining Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Charles M. Parker, James H. Conklin, and their associates, successors, and assigns, be, and they are hereby, constituted a body corporate and politic, by the name and style of the "Tennessee Oil Ridge Petroleum and Mining Company," and by that name and style shall have succession for ninety-nine years, with power to contract and be contracted with; sue and be sued in that name in all courts and places; to have a common seal; to engage in mining and boring for petroleum or rock oil, salt water, and other valuable minerals; and in the manufacturing, refining, preparing for market, transporting, and selling oil and salt, and other products of said business, and of the lands now owned, or which may hereafter be owned, by them in this State; to hold their meetings, and transport and sell their oil, salt, and other products within or without the State; and to have all other powers needful and proper for the successful prosecution of their business, and for the execution of the powers herein granted.

Powers.

SEC. 2. *Be it further enacted*, That said corporation may organize said company by the appointment of a President, and such other officers and managers, as they may deem necessary, at such time and places as they may designate by notice previously given; and when thus or-

ganized, the said company shall have power to make such by-laws, rules, and regulations, as they may deem necessary from time to time, for the government and prosecution of the business of said corporation, not inconsistent with the Constitution and laws of the United States, and of this State. Rules, &c.

SEC. 3. *Be it further enacted*, That the capital stock of said company shall be fifty thousand dollars; and said company shall have power to increase the same from time to time, not exceeding five hundred thousand dollars. Cap. Stock.

SEC. 4. *Be it further enacted*, That said company may buy, lease, or rent, any suitable land, mines, oil, and salt rights and privileges, rights of way, and other property necessary for their business, and may dispose of the same, or any portion of it by sale or otherwise. They may receive real estate, lease holds mining and boring rights, and rights of way, in payment of such part of subscription as they may deem advisable. Said company may erect and build, on any of their lands, such buildings, engines, machinery, and fixtures, as may be deemed convenient and proper for carrying on and conducting the business of said corporation. Powers.

SEC. 5 *Be it further enacted*, That this corporation shall be subject to such taxes as may be imposed on similar corporations in this State.

SEC. 6. *Be it further enacted*, That this act take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed November 8, 1865.

CHAPTER XI.

AN ACT to Incorporate the Memphis Engineers' Benevolent Association.

WHEREAS, a number of steamboat engineers, engaged in the navigation of the Mississippi river and tributaries, have formed an association for the laudable purpose of increasing the skill and information, improving the character and habits, and promoting the interest of all those

engineers entrusted with the control and safety of steamers;

WHEREAS, the immense and increasing commerce and navigation of the said river and tributaries, demand that suitable legislation and encouragement should be given by this General Assembly, to intelligent and judicious efforts to lessen the dangers of the transportation of persons and property upon the said river and tributaries; and,

WHEREAS, the intrusting of the vessels used in said navigation only to the care of sober, attentive. skillful, and experienced engineers, who have had a regular and thorough training in the business, would greatly tend to enhance the security of life and property, constantly at risk, on the western waters, on the steamboats and other vessels plying. Therefore, in order to further the object, and encourage the efforts of an institution so useful and praiseworthy as the above-named association, and to give efficiency, perpetuity, and dignity to the same;

Preamble.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Thomas B. Phoebus, John R. McKormic, John Hendy, Loyd Womble, Nathan Peck, John Edwards, C. D. Hite, A. J. Pendleton, W. H. Jackson, Edward Castillo, and their associates and successors, are hereby created a body corporate and politic, by the name and style of the "Memphis Engineers' Benevolent Association," and by that name shall have succession for a period of twenty years; and shall be capable of sueing and being sued, both at law and in equity, in all courts and places whatsoever; and that they and their successors may have a common seal, and may alter, change, or destroy the same at will; and shall, also, be capable of acquiring, holding, conveying, and pledging property, real, personal and mixed, as may be required for the purposes of the association.

Style & Powers.

SEC. 2. *Be it further enacted*, That the said corporation shall have power to make a constitution and by-laws, and to alter, change, or amend or annul the same at pleasure, in whole or in part; *Provided*, that nothing therein contained shall be repugnant to the Constitution and laws of the State, or of the United States.

By-Laws.

SEC. 3. *Be it further enacted*, That said corporation shall have power to erect a hall and buildings suitable for its uses; to purchase, own, and enjoy a good library, philosophical, chemical, or other apparatus, and such things as may be calculated to advance the object contemplated by this charter, which shall be exempt from taxation; to procure the delivery of lectures; to found and maintain a school; to grant diplomas; to withdraw and annul the same; to impose fines upon its members for the breach of any provisions of the constitution or by-laws of this asso-

Powers.

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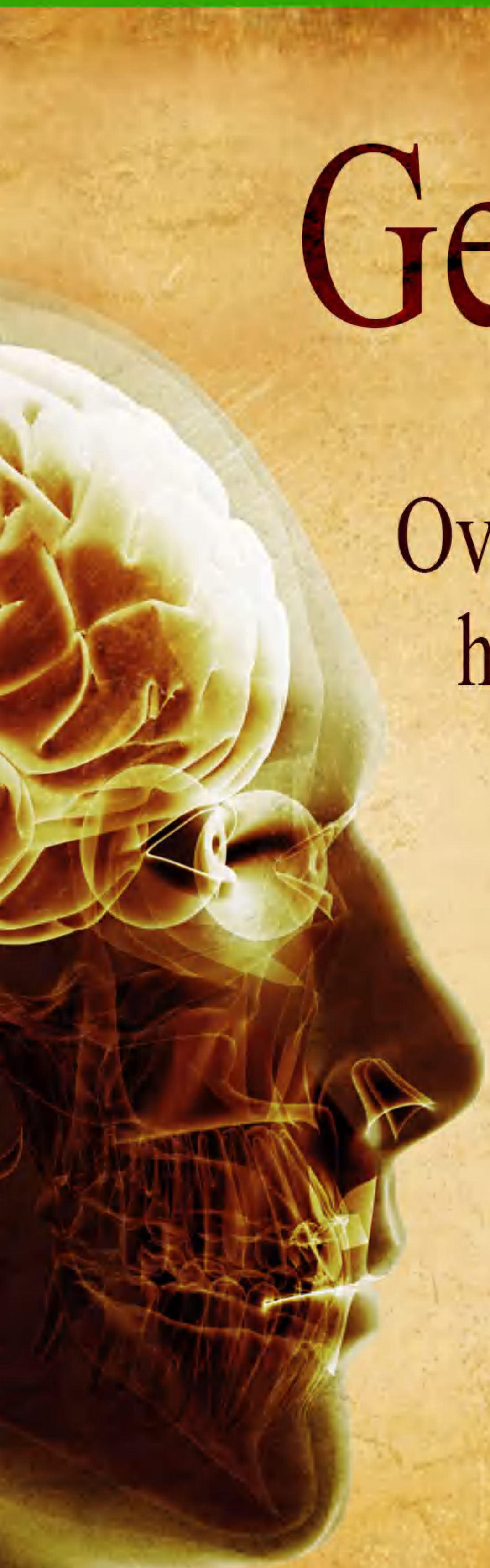

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Directors of said company may determine; and the amount of said capital stock may be increased at any time, by a vote of the stockholders of said company, at a meeting called for the purpóse.

SEC. 4. The affairs of said company shall be managed by a Board of six Directors, a majority of whom shall constitute a quorum for the transaction of business. The said Directors shall elect one of their number to be President of the company ; *Provided*, that the number of Directors may be increased by a vote of the stockholders, at a meeting called for that purpose. No person shall be a Director in said company, unless he be at the same time a stockholder therein. The first Board of Directors shall consist of S. Manning, John Custer, A. T. Curd, D. F. Bash, G. C. Freeman, and H. Hopper, who shall continue in office until their successors are elected by a majority in interests of the stockholders. The stockholders shall, by a vote, determine the period for which the President and Board of Directors shall hold their office. If any of the above-named Directors decline to act, a majority of the others may fill the vacancy. Said Board of Directors may adopt such by-laws, rules, and regulations, for the government of said company, and management of its affairs and business, as they may deem proper, not inconsistent with the laws of the United States, or the State of Tennessee. Said corporators, or any of them, may open books of subscription, and receive subscriptions to the capital stock of the Claiborne Mining, Manufacturing, and Transportation Company, herein incorporated; and such books of subscription may be opened and subscription received at such time and places, and upon such notice thereof, as any three of said corporators may deem right and proper.

Directors.

SEC. 5. The said corporation are further authorized to erect such buildings, and procure such tools and machinery as may be necessary to enable them to prosecute said mining and manufacturing business.

Buildings.

SEC. 6. Said company are hereby authorized to procure the necessary transportation to carry the mineral or other products of said lands, to the place or places of manufactory and market; and for this purpose, this company is hereby invested with the right and power to contract railroads, and make such other improvements as may be necessary for the transportation of their manufactured articles or minerals in the crude state, to market; *Provided*, that said company shall have power to acquire the right of way over land not belonging to them in the same manner as is provided by law for railroad and turnpike companies within the State of Tennessee.

Powers.

SEC. 7. The Board of Directors of the aforesaid com-

pany shall have power to open offices for the transaction of their business, at such place or places as they may deem proper or right.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed November 8, 1865.

CHAPTER XIII.

AN ACT to Incorporate the Sip Sah Oil and Mining Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Richard C. Farthing, Montgomery H. Wassan, J. W. Cain, James V. Watson, Robert J. Kinner, their associates, successors, and assigns, be, and they are hereby created, constituted, and declared, a body corporate and politic, under the name and style of the "Sip Sah Oil and Mining Company," with full privileges and powers to and for the purposes of prospecting, boring exploring for, raising, mining, digging, transporting, and selling oil, petroleum, salt, coal, iron, and all other minerals in this State, or elsewhere, on any lands they may acquire by purchase, lease, or gift; and to manufacture dye and colors, refine and distill said oil to burning fluid, benzine, and to convert it to such other use by distillation, refining and manufacturing, as science has, or may hereafter, make known and discover; also, the privileges and power to manufacture iron from the ore into pig metal and rolled iron in all its qualities and forms; to erect all necessary machinery, buildings, warehouses, as shall or may be conducive to the successful operations of the said business in all its various departments and ramifications; to lay pipes, build docks, construct roads, for the purpose of transporting said articles mined and manufactured, and importing such articles and materials as said company may require for the conducting of their said business; *Provided*, said company do not interfere with any vested rights, in the building of said docks and levees, and laying said pipes, and constructing said roads; and by said name and style are hereby made a body corporate, and capable in law as individual citizens, to contract and be contracted with; sue and be

Power and Privileges.

Proviso.

Powers.

sued; plead and be impleaded; answer and be answered unto; and prosecute suit to final judgment, in this State and elsewhere, in all courts of law and equity; to make, have, and use a common seal, and to change the same at will; with full power and authority to purchase, lease, and receive in donation; enjoy and possess real and personal estate; and to lease, rent, and sell, alienate and convey, and otherwise dispose of the same; with all rights, powers, and privileges necessary and proper for them as an incorporate company; and by such name and style shall have succession and existence for the term of ninety-nine years.

Election of Directors.

SEC. 2. *Be it further enacted*, That the incorporators in person, or by proxy, shall, as soon after the passage of this act as convenient, meet and organize, by the election of a Board of Directors, consisting of not less than seven nor more than ten in number, who shall have the management and control of the affairs of the company, a majority of whom shall constitute a quorum for transaction of business, and each being a stockholder to the amount at least of twenty-five shares, who shall hold the offices for one year, and until their successors are elected. Said Directors

Annual notice.

shall annually thereafter, by public notice, for thirty days, in one or more newspapers published in the city of Nashville, next preceding the first Monday in September, to the stockholders, to meet at the office of the company in Nashville, in person, or by proxy, to elect Directors for the next ensuing year, at which elections three of the stockholders appointed by those present, shall be the judges. If the Directors shall neglect to give notice, as aforesaid, any ten of the stockholders may give said notice, and elect Directors in like manner as if the Directors had given notice as prescribed by this act. The persons receiving the ma-

Voting.

jority of the votes cast at said election, shall be declared duly elected; and in case of a tie vote, a majority of the Directors elect shall determine and give one vote, which shall be the casting vote. Each stockholder shall have one vote for each and every share he or she may own; and any share-holder, not present at any such election, may vote by proxy, such proxy being a share-holder and attending such election, and presenting from his principal, authority in writing, signed and sealed by said principal, and attested by two witnesses.

SEC. 3. *Be it further enacted*, That if it shall happen that an election of Directors should not be made on the day designated in the notice, the said corporation shall not,

Failure to elect.

for that cause, be dissolved; but it shall and may be lawful to make and hold an election for Directors, on some other designated day, of which notice may be given.

SEC. 4. *Be it further enacted*, That the said Directors

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tors shall have no power to bind the corporation by any contract or agreement, to a greater amount than the capital stock subscribed; and in case of their attempting to do so, the Directors so participating in such an attempt, shall be responsible in their private property to the parties injured.

Not to exceed amount subscribed.

SEC. 10. *Be it further enacted*, That the dividend of profits of said corporations, shall be made at such times, among the stockholders, as the Directors may determine.

Dividends.

SEC. 11. *Be it further enacted*, That said corporation may receive real estate, lease-hold, and mining and boring interests and rights, rights of way, in payment of such part subscription to stock as may be by the Directors deemed advisable.

Payment of Stock.

SEC. 12. *Be it further enacted*, That this incorporation shall not be dissolved unless by a vote of two-thirds of the whole capital stock.

Dissolution.

SEC. 13. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed November 8, 1865.

CHAPTER XIV.

AN ACT to amend the Charter of the Memphis and Somerville Plank Road Company.

Time extended.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Memphis and Somerville Plank Road Company have time until January, 1868, to build bridges and parallel road, in accordance with the provisions of their charter; *Provided*, no toll shall be collected until the company put the road in good order; and it shall be their duty to keep it in good and safe condition.

SEC. 2. *Be it further enacted*, That a non-compliance with the provisions of their charter shall not work a forfeiture of the same before January, 1868.

ylorsville ike Co.

SEC. 3. *Be it further enacted*, That the Taylorsville Turnpike Company, in Johnson county, Tennessee, be al-

lowed to charge the following rates of toll, in lieu of the rates heretofore allowed, to-wit: For one man and horse, twenty cents; one-horse wagon, twenty-five cents; two-horse wagon, fifty cents; three-horse wagon, seventy-five cents; four-horse wagon, one dollar; five-horse wagon, one dollar and twenty-five cents; six-horse wagon, one dollar and fifty cents; led horses, ten cents; horses in a drove, seven cents per head; cattle, five cents per head; hogs and sheep, three cents per head; one-horse pleasure-carriage, forty cents; two-horse pleasure-carriage, seventy-five cents; four-horse pleasure-carriage, one dollar and fifty cents. Rates of Toll.

SEC. 4. *Be it further enacted*, That the charter of said Taylorsville Turnpike Company be so amended as to exempt the people of Johnson county from paying toll on said road; and that the clause in said charter requiring the county court of said county to appoint commissioners to view said road, be, and the same is hereby, repealed. Charter amended.

SEC. 5. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed November 8, 1865.

CHAPTER XV.

AN ACT to Incorporate the Kaala Kodesh Beni Jeshurem (Holy congregation of children of Jeshurem) of the city of Nashville.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Morris Fishel. Jacob Loeb, Simon Weil, M. Shyer, L. Lipman, Louis Bernheim, Simon Sickles, Chas. Richheimer, John Moss, M. J. Freidman, M. Gerst, A. L. Grabfelder, Chas. Liebenstein, H. Ehrenberg, B. Hirsh, their associates and successors, be, and they are hereby, created a body corporate and politic, by the name and style of the "Kaala Kodesh Beni Jeshurem, Holy congregation of children of Jeshurem, of the city of Nashville," and as such shall be entitled to all the rights, privileges and immunities, granted by, and subject to all Privileges.

the restrictions contained in the act entitled "An Act in relation to incorporate Religious Societies."

Notice of first meeting.

SEC. 2. That said society shall give ten days' notice, by posting up written advertisements in three of the most public places in the city of Nashville, of their first meeting under this act.

SEC. 3. That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed November 9, 1865.

CHAPTER XVI.

AN ACT to extend the time for the completion of the Knoxville and Kentucky Rail Road.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the further time of ten years be allowed the Knoxville and Kentucky Rail Road Company to complete said road.

Election valid.

SEC. 2. *Be it further enacted*, That no act, proceeding, or election, by said stockholders, President, or Directors, shall be held void because any Director, or Directors, may have been elected before he or they had been a stockholder, for six months next preceding his election, but shall be valid and effectual.

Repealed.

SEC. 3. *Be it further enacted*, That all laws requiring a stockholder in said company to be such for six months before he can be eligible to the office of Director of said company, be, and the same are hereby, repealed.

SEC. 4. *Be it further enacted*, This act take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed November 16, 1865.

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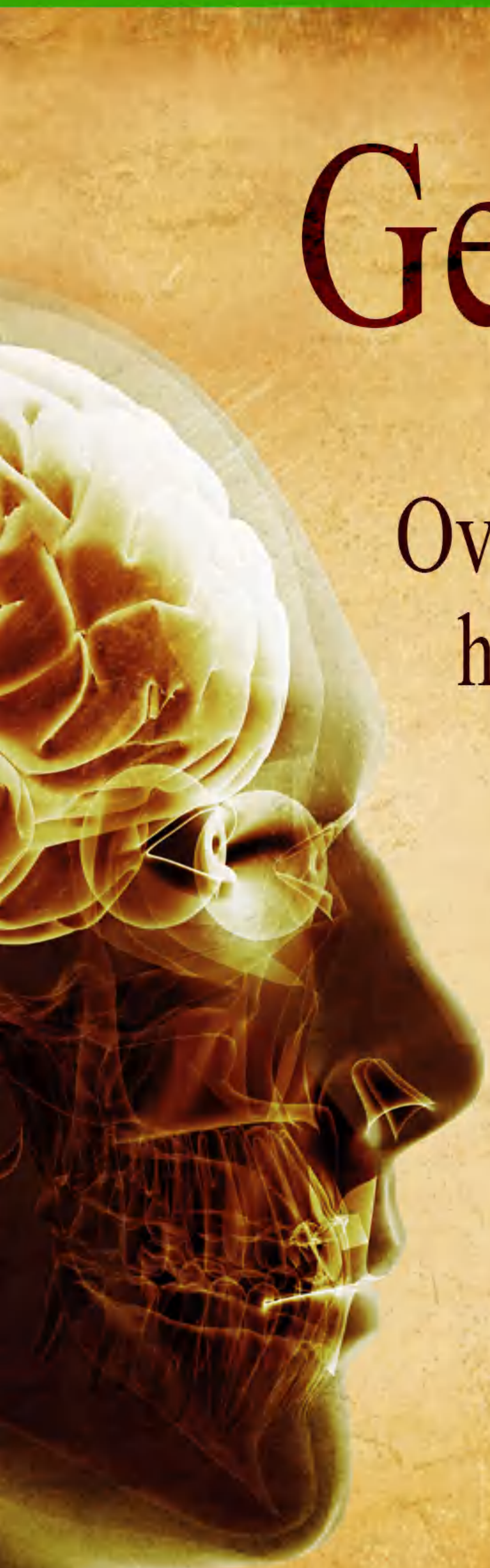

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By-Laws.

stockholders voting at said election, each share being entitled to one vote; and the Directors, so elected, or their successors, shall have power to enact all such by-laws, rules, and regulations, as they may deem necessary, to carry out the objects and provisions of this charter, and the interests of said company; *Provided*, the same be not inconsistent with the laws of this State, or of the United States; and such by-laws, rules, and regulations they may repeal or alter at pleasure.

Seal.

SEC. 6. *Be it further enacted*, That said company shall have power to make and use a common seal, and to alter and change the same at pleasure; and that this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed November 16, 1865.

CHAPTER XVIII.

AN ACT to incorporate the Rock City Oil and Mining Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Anson Nelson, H. H. Skiles, H. P. Gillock, W. F. Prosser, A. J. Fletcher, Hugh Carroll, T. J. Hopkins, J. G. Ogden, J. L. Duff, and H. H. Holland, and their associates, successors, and assigns, be, and they are hereby, constituted a body politic and corporate, by the name and style of the "Rock City Oil and Mining Company," and by that name shall have succession for

Powers.

ninety-nine years; and shall be competent to sue and be sued in any court of equity or law whatever; to have and use a common seal, and to alter the same at pleasure; to establish and change any by-laws for the government of said company, not inconsistent with the Constitution and laws of the State of Tennessee, or of the United States; to elect a President, Secretary, and Treasurer, and such other officers, as may be necessary; to purchase, hold, and dispose of, such real estate, leases, mines, minerals, iron, coal, oil, and personal property, as may be necessary for

the legitimate transaction of their business; to mine, forge, roll, smelt, work, manufacture, refine, and vend, said minerals, coal, iron, oil, and products thereof; and issue such numbers of shares of stock of said company, at the representative par value thereof, as may be ordered by a vote of said company; to determine the par value of shares; and have the right to pay in shares of stock of the corporation for such mining interest or interests in all real estate, as may be necessary to purchase or lease for the operation of the works of the company; and, generally, to have, enjoy, and exercise, all rights and privileges incident to corporations, except the right to issue notes, or engage in banking. Powers.

SEC. 2. *Be it further enacted*, That whenever said company shall become possessed of mines or minerals, lands or leases, iron, coal, or petroleum, or leases, situated in this State, or elsewhere, a separate and distinct interest of each mine, bed, field, vein, or deposite, or lease, may be created under some name to distinguish the same; and in like manner may organize under and enjoy, as a distinct branch interest, all the rights and privileges named in the first section of this act. Separate interest.

SEC. 3. *Be it further enacted*, That this corporation shall be subject to such taxes as may be imposed on similar corporations in this State. That this act take effect from its passage. Taxes.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed November 16, 1865.

CHAPTER XIX.

AN ACT to authorize the Clarksville and Russellville Turnpike Company to build a Toll Bridge, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Clarksville and Russelville Turnpike Company are authorized, with the consent of the Mayor and Aldermen of the city of Clarksville, to build a toll bridge over Red river, in Montgomery county, where the line of said road crosses said river, and charge such

tolls as are allowed by law in the charter of the lower Red River bridge, in said county, now owned by the city of Clarksville.

Toll.

SEC. 2 *Be it further enacted*, That said Clarksville and Russelville Turnpike Company are authorized to issue the bonds of said company, in sums of from one hundred to five hundred dollars, bearing six per cent. interest, payable semi-annually, in any amount not to exceed twenty thousand dollars, having not more than twenty years to run to maturity, the proceeds of which shall be apportioned to the building of said bridge over said stream, as aforesaid.

May issue Bonds.

SEC. 3. *Be it further enacted*, That the tolls arising from said bridge and road, after paying the expense and repairing of said road, shall be appropriated to the payment of the interest and principal of said bonds; or the company, if there be an excess after paying the interest, shall create a sinking fund, so as to meet said bonds at maturity.

Payment of Bonds.

SEC. 4. *Be it further enacted*, That said company is authorized to remove the first toll gate on said road to the said bridge, and collect the toll now allowed by law for travelling on said road.

SEC. 5. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed November 16, 1865.

CHAPTER XX.

AN ACT for the Relief of the Sheriff of Hancock County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Sheriff of Hancock county be allowed one additional Deputy more than is now allowed by law; *Provided*, that as soon as the present emergency and necessity shall have subsided, then said fourth regular Deputy Sheriff shall be dispensed with. This act to take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed November 17, 1865.

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seven nor more than nine Directors, the number to be determined by the commissioners, who shall be chosen by ballot, solely from among the stockholders, which choice shall be made by a majority of votes cast by stockholders present, or by their proxies, and rated as hereinafter provided; and said directors shall hold office for one year, or until others are chosen in their place. The annual meeting for the election of directors shall be holden on the first Wednesday of such month in each year as the directors may by by-laws enact.

Directors elected.

SEC. 4. *Be it further enacted*, That the directors shall determine how many of their number shall constitute a quorum for the transaction of business, and may fill any vacancy which may occur in their board between the annual meetings of the stockholders, by choosing a director or directors from among the stockholders, who shall continue in office until a successor or successors shall have been chosen. And the directors shall elect one of their number to be President of said company, and another of their number to be Vice President, who shall act instead of the President in his absence; and the said directors shall have power to establish such agencies of the company in this State and elsewhere; and appoint such secretaries, agents, clerks, and other officers, as they may deem necessary and convenient; and, also, to perform such other acts, and exercise such other powers, as they shall deem expedient for the well ordering of the affairs of said company.

Powers of Directors.

SEC. 5. *Be it further enacted*, That the President shall have power at any time, to call a special meeting of the stockholders; and it shall be his duty to call such meeting when thereto requested by the holders of one-fourth of the stock; and public notice of such meeting at the request of said holders of one fourth of the stock, shall be given at least two weeks previous to the meeting.

President to call meeting.

SEC. 6. *Be it further enacted*, That no transfer of stock shall be deemed valid and complete so long as the person or persons transferring the same shall be indebted to the said company, or until the amount for which he, she, or they are so indebted, is secured to the satisfaction of the President and directors thereof; and the stock of every stockholder in the same manner shall be held as collateral security for the payment of whatever sum he, she, or they may be indebted by note or otherwise to said company; and every subscriber to the capital stock who shall neglect to pay any installments called for by the President and directors of said company, or to secure to the satisfaction of the same, the residue of each share by him, her, or them subscribed or held, shall forfeit the same to the

Transfer of Stock.

Forfeiture of Stock.

company, together with all payments made thereon, and all profits that may have accrued thereon.

SEC. 7. *Be it further enacted*, That the persons named in the first section of this act, or a majority of them, are hereby authorized as commissioners to call a meeting of the persons hereby incorporated, to be holden at such time as they may appoint, which meeting may be organized by a Moderator, when books may be opened, and kept open from day to day, and time to time, for subscriptions to the capital stock of the company; and their meetings may be adjourned from time to time, until the company shall be organized, and then their functions as commissioners shall cease; *Provided*, that when three thousand shares of the capital stock shall have been subscribed, they may order an election of directors by the stockholders; and said directors shall continue to keep the books of subscription open until the residue of the stock is subscribed for; and, *provided further*, that if the other persons named in the first section of this act, should fail to assemble on a call made by the person first named in the same, he, by himself, or together with any other person so named, may proceed to open books of subscription, and organize the company the same as if all the commissioners, or a majority thereof, were present.

Commissioners to call meeting.

Proviso.

SEC. 8. *Be it further enacted*, That in the election of directors of said company, each share, to the number of five, shall be entitled to one vote, and every ten shares, in addition, shall entitle the holder to one additional vote. Shares may be voted upon by the executors or administrators of a deceased owner and by proxy; and these rules shall apply to all voting by the stockholders.

Voting.

SEC. 9. *Be it further enacted*, That the directors of said company shall, annually or semi-annually, declare and divide so much of the profits of the company as to them shall appear advisable; first deducting all losses and expenses, as well as what may be deemed a sufficient amount to reinsure its unexpired risks; and pay the said dividend to the respective stockholders, or to their agents when duly empowered to receive the same; but if any loss shall happen whereby the capital stock of the said company, shall become lessened, no subsequent dividend shall be made until a sum equal to such dimunition shall have been added to the capital stock; and if the directors shall knowingly make a dividend contrary to the true intent and meaning of the prohibition herein contained, such of them as shall consent thereto, shall, in their individual capacity, be accountable for and pay over to said company, for the use thereof, as much money as they may so divide, and pay more than by this act they are authorized to do; and each director, at the time of making such dividend hereby

Dividends.

Directors liable.

Protest.

prohibited, shall be deemed as consenting thereto, unless he or they shall, at the time of making and declaring the same, be absent from the meeting of the board of directors, or, if present, shall immediately enter his or their protest on the minutes of the board.

Privileges, &c.

SEC. 10. *Be it further enacted*, That the said company in their corporate name, may sue and be sued; plead and be impleaded; answer and be answered; defend and be defended, in all courts and places in this State and elsewhere; may adopt and use a common seal, and the same break, alter, or renew at pleasure; and that this act shall take effect on and from the day and date of its passage.

Bonus to State.

SEC. 11. *Be it further enacted*, That a bonus to the State of half of one per centum, upon their capital stock, be paid for the use of common schools in the State of Tennessee.

Mississippi Valley Insurance Co.

SEC. 12. *Be it further enacted*, That C. P. Norris, F. S. Davis, L. M. Walcott, A. P. Burdett, Wm. R. Moor, D. C. Trader, Henry J. Lyner, T. A. Hamilton, James Sterling, and S. B. Beaumont, of the county of Shelby, be, and they are hereby, constituted a body politic and corporate, by the name of the "Mississippi Valley Insurance Company," with all the rights, powers, and privileges, that are hereby granted to the "National Insurance Company."

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed November 17, 1865.

CHAPTER XXII.

AN ACT to charter the Union Oil Company, and for other purposes.

Powers.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That John Cryder, E. S. Monroe, L. W. Gilbert, T. B. Thurbar, and George Lawrence, and their associates, are hereby constituted a body politic and corporate, under the name and style of the "Union Oil Company," for the purpose of exploring and boring for petroleum, or other mineral, or fossil substances, and to

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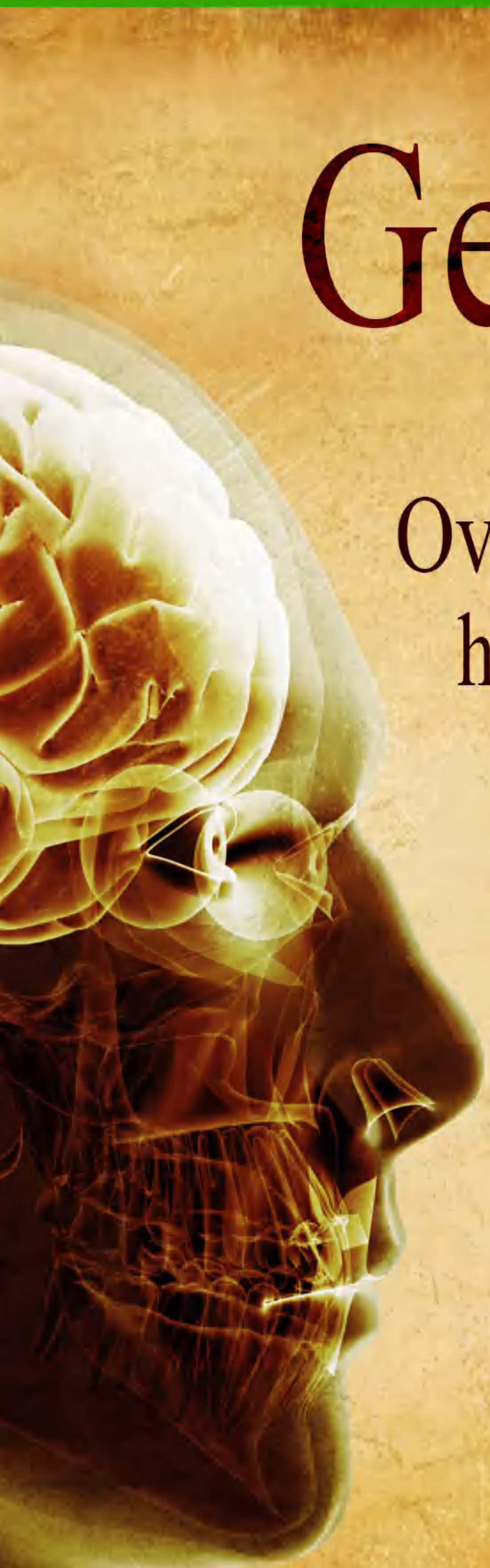

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Sycamore Manufacturing Co.

SEC. 8. *Be it further enacted*, That Samuel Watson, R. B. Cheatham, and Charles Vedder, and their successors, are hereby formed a body corporate and politic, by the name and style of the "Sycamore Manufacturing Company," for the purpose of manufacturing powder, castor, and other articles; and the said company is empowered to make and use a common seal; the same to change at pleasure; to make such by-laws, not inconsistent with the laws of the State, or of the United States, as are necessary and useful; to sue and be sued; to have succession for ninety-nine years; to hold by purchase or otherwise, and to dispose of the same, any real estate or personal property, which may be convenient for carrying on its operations, or which it may become possessed of in payment of debts due to it.

Powers.

Capital Stock.

SEC. 9. *Be it further enacted*, That the capital stock of said company shall be divided into shares of one hundred dollars; shall consist of one thousand shares or less; shall be transferred only on the books of the company, and then only by the consent of the board of directors, unless the whole amount of installments due thereon shall have been previously paid. The company shall have power to declare forfeited to it, any stock which may remain unpaid, in whole or in part; or it may, at its option, sue for and recover the unpaid amount before any tribunal having jurisdiction of such sum; first, however, giving thirty days' notice of such call having been made.

Forfeiture of Stock.

Officers.

SEC. 10. *Be it further enacted*, That whenever the number of three hundred shares of the capital stock of said company shall have been subscribed for, the said company shall proceed to elect three directors, who, with a President to be elected from their own body, shall manage the affairs of said corporation; and may hold their offices for the term of one year, or until their successors are elected and qualified.

Taxes.

SEC. 11. *Be it further enacted*, That this corporation shall be subject to such taxes as may be imposed on similar corporations in this State.

SEC. 12. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed November 17, 1865.

CHAPTER XXIII.

AN ACT for the benefit of William Stewart, late Senator from the 15th District, whose name was omitted in the Appropriation Bill.

Be it enacted by the General Assembly of the State of Tennessee, That the Comptroller audit the claim of William Stewart, late Senator from the 15th Senatorial District, for the balance of per deim and mileage due him as a Senator, for services at the late session of the General Assembly, his name being omitted in the Appropriation Bill of said session; and that he issue a warrant for any balance due him; and the same be paid out of the Treasury of the State.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed November 20, 1865.

CHAPTER XXIV.

AN ACT for the benefit of the Lebanon and Nashville Turnpike Company.

Be it enacted by the General Assembly of the State of Tennessee, That the Lebanon and Nashville Turnpike Company are hereby authorized to issue Bonds to an amount not exceeding fifteen thousand dollars, not having more than three years to run; and to bear an annual interest of not more than ten per cent, to enable said company to erect a bridge across Stone River, at the point where their former bridge was destroyed; and that this act take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed November 23, 1865.

CHAPTER XXV.

AN ACT to revive and amend the Kinka Turnpike Company, passed the 8th day of October, 1819.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the charter of the Kinka Turnpike Company, be, and the same is hereby, revived.

SEC. 2. *Be it further enacted*, That the owners of said road shall have the privilege of erecting a gate and receiving tolls as soon as the road is half completed; *Provided*, the other half of said road is finished in three months from the erection of said gate.

Gate

SEC. 3. *Be it further enacted*, That the charter of said road be so amended as to allow seventy-five cents for each two-wheeled pleasure carriage; for each ox-cart and driver, forty cents; and for each man and horse, fifteen cents.

Toll.

SEC. 4. *Be it further enacted*, That William A. Green and Robert R. Barger, of the county of Rhea, and William Skillern, of Bledsoe county, be, and they are hereby, appointed commissioners on said roads, and that they be required to perform the same duties, and shall be entitled to the same privileges and emoluments, as the former commissioners on said road.

Commissioners.

SEC. 5. *Be it further enacted*, That this act take effect from its passage, and remain in force ninety-nine years from the date of the same.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed November 23, 1865.

CHAPTER XXVI.

AN ACT to incorporate the North-Western Tennessee Mining and Petroleum Company, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Samuel Graham, James T. Wafford, George W. Simpson, Richard H. Elliott, Joseph A. Wallace, John P. Lathrop, and their associates, successors, and assigns, be, and they are hereby, constituted a body

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construed as to allow any banking privileges to said company.

Lincoln Co. Oil, Coal and Mining Company.

SEC. 7. *Be it further enacted*, That R. E. Gilliland, Dr. W. F. Sullivan, W. F. Kerchival, Benj. J. Edding, and Robt. Farquaharson, their associates and successors, are hereby constituted a body politic and corporate, for a period of thirty years, by the name of the "Lincoln County Oil, Coal, and Mining Company," for the purpose of exploring for oil, coal, and minerals, and for the purpose of working, refining, purchasing and vending the same, with the capital, and clothed with all the powers, rights, and privileges, granted in the act chartering the "East Tennessee Union Petroleum, Coal, Iron, and Salt Company," passed June 8, 1865.

Tenn. Live Stock Ins. Co.

SEC. 8. *Be it further enacted*, That Charles M. Parker, James H. Conklin and Robert Parham, their associates and successors, are constituted a body corporate, for the term of ninety-nine years, by the name of the "Tennessee Live Stock Insurance Company," for the purpose of insuring horses and other live stock against thieves, as herein specified.

rivileges.

SEC. 9. *Be it further enacted*, That by that name they may sue and be sued; plead and be impleaded; appear, prosecute, and defend in any court of law or equity; may have a corporate seal, and the same alter and renew at pleasure; and they may enjoy all the rights and privileges incident to corporations; and may purchase, hold, mortgage, transfer and convey any real and personal estate.

By-Laws, &c.

SEC. 10. *Be it further enacted*, That the capital stock of said company, shall not be less than fifty thousand dollars, nor more than five hundred thousand dollars, to be divived into shares of two hundred dollars each. One-tenth part of the stock shall be paid in before said company shall organize. When paid in the company may organize by the election of a President, Vice President and Secretary, who shall hold their offices for twelve months, and until their successors are elected.

Office, &c.

SEC. 11. *Be it further enacted*, That the principal office of said company, shall, for the time being, be located at Gallatin, Sumner county, Tennessee. But said company may change the same to any other place in the State when deemed advisable. The company may appoint an agent or agents, in each county of the State; and, also, any subordinate offices that may be deemed necessary.

Other States.

SEC. 12. *Be it further enacted*, That said company may extend their operations into other States, and appoint agents and subordinate officers therein; *Provided*, their acts do not conflict with the Constitution and laws of such States. The company shall have power to make all by-laws and rules for the regulation of the company that may

be deemed necessary; *Provided*, the same do not conflict with the Constitution and laws of the United States, or the State of Tennessee.

SEC. 13. *Be it further enacted*, That the parties mentioned in the first section, are constituted a board of directors, with power to manage and direct the business of the corporation for the term of twelve months, unless they choose sooner to call a meeting of the stockholders, and elect a new board; and a board of three directors shall be annually elected by the stockholders; and these directors shall elect the officers herein provided for. Said officers may be elected from the board of directors or stockholders. In the event the officers are elected from the board, they shall continue to act as directors, and, also, discharge the duties of the respective offices to which they are elected. Officers.

SEC. 14. *Be it further enacted*, That said company is hereby authorized, by and through the proper agent and officers, to brand all animals by them insured, which brand shall consist of the letters "T. I. C.," and when appearing upon any animal shall be *prima facie* evidence that such animal has been insured by said company. Brand.

SEC. 15. *Be it further enacted*, That it shall not be lawful for any person or persons, other than the regular officers, or proper agents of said company, to brand any animal with the brand above described. For every wilful violation of this provision, the offender shall be deemed guilty of a misdemeanor, and subject to be tried and punished as in other cases of misdemeanor. Misdemeanor.

SEC. 16. *Be it further enacted*, That the board of directors shall fix the salaries and define the duties of the officers, agents, and employes of said company; and have the general superintendence and control of the business of the company. Salaries.

SEC. 17. *Be it further enacted*, That the stock of the company shall be paid in as required by the directors, upon calls to be fixed by them; but they may require such portion as may not be paid in, to be secured by good and legal stock notes, and shall issue therefor certificates of stock. Stock Notes.

SEC. 18. *Be it further enacted*, That said company shall have power to issue policies of insurance, insuring against the loss, by a thief, or thieves, of horses, cattle, mules, asses, and live stock generally, which policies shall be upon the stock plan; and upon such terms and conditions as may be prescribed by the company; and to do all necessary acts and things required by law to make such policies legal, equitable and binding. All policies, issued by said company, shall be signed by the President and Secretary, or Insurance Policies on Live Stock.

in the absence of the President, the Vice President and Secretary under the corporate seal.

Conditions.

SEC. 19. *Be it further enacted*, That when the terms and conditions of insurance are fixed by said company, they shall be expressed in the policy; and the company and the insured shall be bound thereby; and their respective liabilities shall be governed by the terms and conditions therein expressed.

SEC. 20. *Be it further enacted*, That nothing in this act shall be so construed as to extend the powers herein granted to said company, to issue policies of insurance upon species of property, except live stock.

Tax.

SEC. 21. *Be it further enacted*, That said company shall be exempt from the payment of the tax now imposed upon Insurance companies, by the existing laws of this State; but the property of said company shall be taxed as other property under the laws of this State.

Canada Oil and Mining Company.

SEC. 22. *Be it further enacted*, That A. P. Macdonald and R. E. Cross, of Glencoe, Canada West. their associates, successors, and assigns, be, and they are hereby, constituted a body corporate and politic, by the name and style of the "Canada Oil and Mining Company," and shall have all the rights, powers, and privileges, and be subject to the same restrictions, of the "East Tennessee Union Petroleum, Coal, Iron, and Salt Company," as granted by the Legislature of Tennessee.

Tax.

SEC. 23. *Be it further enacted*, That this company shall be subject to, and pay to the State of Tennessee, the tax imposed on similar companies in this State.

SEC. 24. *And be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed December 1, 1865.

CHAPTER XXVII.

AN ACT to amend An Act incorporating the Odd Fellows' Female Institute, at Cornersville, in Giles County, Tennessee, passed February 18, 1856.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the sale of all spirituous liquors,

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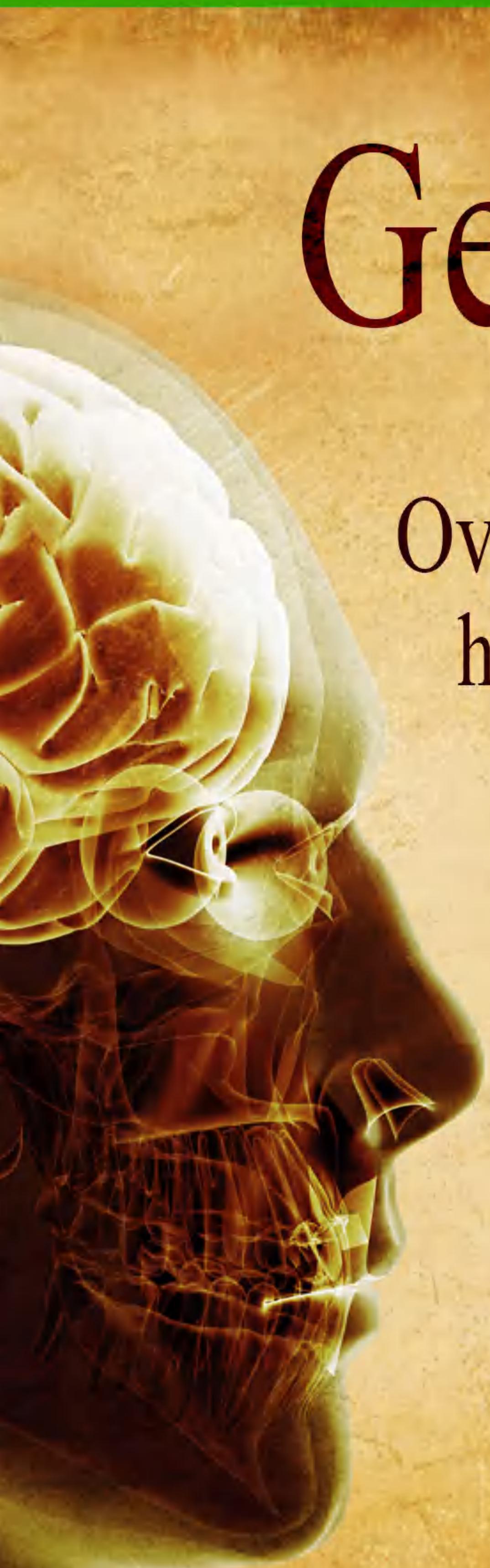

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CHAPTER XXIX.

AN ACT to Incorporate the Ætna Manufacturing, Mining, and Oil Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That a body, politic and corporate, be, and is hereby, created, and shall exist for the period of ninety-nine years, under the name of the "Ætna Iron Manufacturing, Mining and Oil Company," and as such body politic, shall have power to sue and be sued in all courts of law and equity; to contract and be contracted with; and to take, hold, and enjoy property, real and personal, for the purpose of manufacturing iron and steel, of mining for metal, and of boring for oil; and to have a common seal, and the same to break, or to alter and renew.

Powers.

SEC 2. *Be it further enacted*, That the capital stock of said corporation, shall be one million of dollars, with the privilege of increasing the same to five millions of dollars, divided into shares of one hundred dollars each; and said company is authorized to commence business whenever fifty thousand dollars of its capital stock shall be subscribed and paid up.

Capital Stock.

SEC. 3. *Be it further enacted*, That Daniel Hillman, Leven S. Goodrich, and George W. Goodrich, shall be, and are hereby, constituted the first board of directors, of which the said Daniel Hillman shall be President; and as such board of directors shall be authorized to conduct and manage all the affairs and business of said company, until their successors shall be elected and qualified as hereinafter directed.

Directors.

SEC. 4. *Be it further enacted*, That the said board of directors shall have power to open books, for the subscription of stock, at such times and places as the majority of said board shall deem expedient; and to keep open the same until the whole of the capital stock shall be subscribed and taken.

Open Books.

SEC. 5. *Be it further enacted*, That the subscribers for stock shall be required to pay the one-tenth of the amount subscribed by each of them, at the time of subscription, and the balance of their subscription, from time to time, in such calls, or investments, as the present board of directors, or its successors, shall require; not exceeding, however, the one-fourth of such balance, within any period of ninety days; *Provided*, that the board of directors shall have power to take and receive from any subscriber, payment in whole or in part, of the subscription in iron or other mineral lands, or in leases of lands supposed to contain oil. The land and leases so taken from any sub-

Payment of Stock.

scriber in payment of subscription, shall be conveyed and assigned by him to the corporation, by which they shall be held and used for the purposes of the corportion; and, *provided further*, that the board of directors shall be authorized to accept from any subscriber payment in full in cash of his subscription; and also to take and receive from the subscribers their notes for ninety per cent. of their subscriptions, payable at such times as may be agreed upon between them and the board of directers.

SEC. 6. *Be it further enacted*, That the said corporation shall be authorized and empowered to use its capital stock, *First*, in the manufacturing of iron and steel at the Mount Ætna furnace, in Hickman county; *Second*, in the prospecting and boring for oil, and in refining and preparing the same for market; *Third*, in mining for ores and metals; and, *Fourth*, in the construction of a railway from the iron property, known as the Ætna furnace property, to the most practicable point on the Tennessee river, near Britt's Landing, or to the most practicable point on the Nashville and North Western Railroad, on or near sections 48 or 49, or to Columbia or Mt. Pleasant, or as near as practicable to one of those places, to intersect the Tennessee and Alabama Railroad. And the said corporation is hereby given all the powers necessary and proper to enable it successfully to use and employ its capital stock for the above-mentioned purposes, and in and about the conducting and carrying on the above-stated branches of business. **How used.**

SEC. 7. *Be it further enacted*, That the subscribers for stock in said corporation, shall, so soon as one hundred thousand dollars of stock is subscribed for and taken, proceed to elect a board of directors, to consist of five members; and that the said board shall proceed to elect one of their number President. The said board of directors and President shall hold their offices for the period of one year, and until their successors shall be elected and qualified; and shall appoint a Secretary and Treasurer, and such other officers or agents of said corporation as may, in their judgment, be, from time to time, necessary and proper. The said President and board of directors shall have power to make such by-laws as may, in their opinion, be necessary and proper, and not inconsistent with this charter, nor in conflict with the Constitution and laws of the State, or of the United States; and the said President and board of directors shall have all other power necessary and proper to enable them to carry into effect the provisions of this charter. **Election. of Officers.** **By-Laws.**

SEC. 8. *Be it further enacted*, That the successors of the board of directors, created by this charter, shall be elected at such time and place as the present board shall,

after the subscription of one hundred thousand dollars of stock is made, direct and appoint; and annually thereafter at such time and place as shall be provided by the by-laws of the company. Thirty days' notice shall be given in some newspaper published in the city of Nashville, of each election of directors, and each stockholder shall be entitled to one vote for each share of stock held by him, which shall be cast either in person or by proxy.

Annual Election.

SEC. 9. *Be it further enacted*, That the President of the company shall, from time to time, call a meeting of the stockholders, when, in his judgment, the interests of the company require such meetings, or when any stockholder shall, in writing, request him so to do, to consider all such matters as may be deemed important to be passed upon by the members of the company, in a general meeting of the stockholders. Ten days' public notice shall be given of any stockholder's meeting.

Call Meetings.

SEC. 10. *Be it further enacted*, That nothing in this act contained, shall be construed to bestow upon said corporation, rights and privileges of banking, in any of the shapes or forms of those rights.

Banking.

SEC. 11. *Be it further enacted*, That the President and board of directors of said corporation, shall have no power to bind the corporation for any debt beyond the amount of the capital stock taken and subscribed; but such debts shall bind the President and directors individually.

Liability.

SEC. 12. *Be it further enacted*, That the said corporation, as well for the development of the iron and other mineral lands, to be owned and held by it, as for the advancement of the interests of the public, shall be authorized and empowered to lay out, build, and construct a railway, and is hereby so authorized and empowered, on either of the routes above designated; and to that end, and for the purpose of constructing and operating said railway, shall have all the rights and powers given to the Chattanooga Railroad Company by the act of 1845 and 1846, chapter I, entitled "An act to incorporate the Nashville and Chattanooga Railroad Company;" *Provided*, however, the provisions of 35th, 36th, 38th, and 39th sections of said act shall constitute no part of the charter of this corporation; and, *Provided further*, that nothing in this act shall be construed to entitle said corporation to State aid for the construction of the said railway.

Railroad.

SEC. 13. *Be it further enacted*, That Ernest Snyder, S. P. Doss, Jacob Krieger, Sr., Jacob Krieger, Jr., and C. A. Handerverker, their associates, successors, and assignees, be, and are hereby, constituted a body corporate and politic, by the name, style, and title of the "Tennessee Oil and Mining Company," and by that name and style are hereby made as capable in law as natural persons to con-

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SEC. 18. *Be it further enacted*, That the stock of said company, shall be deemed personal estate.

Open Books.

SEC. 19. *Be it further enacted*, That books for the subscription of stock, may be opened at any time and place, and closed again at pleasure; *Provided, however*, the stock shall at no time, exceed the maximum amount herein named.

Loans.

SEC. 20. *Be it further enacted*, That it shall be lawful for the President and directors of said company, from time to time, and at all times, to borrow or obtain on loans, such sums of money, and on such terms, as they may deem expedient for the use of said company; and to pledge or mortgage all or any part of the estates, improvements, effects, and assets, of said company, for the payment of said sums of money so borrowed, at such times as may be agreed upon.

Failure to pay Stock.

SEC. 21. *Be it further enacted*, That in the event of a failure on the part of any stockholder to pay up his stock, the share or shares of such stockholders, may be forfeited by the President and directors, or they may, if they so elect, sue and recover the same.

SEC. 22. *Be it further enacted*, That said company shall have, possess, and enjoy, all rights, powers, privileges, and immunities conferred by law in this State upon any other company chartered for similar purposes.

SEC. 23. *Be it further enacted*, That nothing in this act shall be construed as conferring banking powers upon this corporation.

Repeal

SEC. 24. *Be it further enacted*, That the right to alter, amend, or repeal, this charter, is reserved to the General Assembly.

SEC. 25. *Be it further enacted*, That the foregoing corporations shall each be subject to such taxes as may be imposed on similar corporations in this State.

SEC. 26. *Be it further enacted*, That this act take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed December 11, 1865.

CHAPTER XXX.

AN ACT to incorporate the East Tennessee Improvement, Mining and Manufacturing Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Samuel W. Williams, Elijah Simmerly, Abram Jobe, John Hughs, Nathaniel G. Taylor, L. W. Hampton, P. Williams, P. P. C. Nelson, and J C. Harden, of the State of Tennessee, and Amos A. Lawrence, William Claflin, Thomas Russell, and J. H. Stephenson, of the State of Massachusetts, their associates and successors, be, and they are hereby, created a body politic and corporate, by the name and style of the "East Tennessee Improvement, Mining and Manufacturing Company," and by that name shall have succession for ninety-nine years; sue and be sued; plead and be impleaded; and, generally to do everything necessary and proper to carry out the provisions of this act.

SEC. 2. *Be it further enacted*, That the capital stock of said company shall be four hundred thousand dollars, with privilege of increasing it to one million dollars, to be divided into shares of one hundred dollars each. **Capital Stock.**

SEC. 3. *Be it further enacted*, That the stockholders shall elect five directors, who shall elect one of their number President, and one Secretary. The board of directors shall make any by-laws and regulations for the government of said company, not inconsistent with the Constitution and laws of this State or of the United States. **Officers.**

SEC. 4. *Be it further enacted*, That said company shall have full power to produce, hold, lease, and dispose of, real estate in Tennessee; and to buy, receive, hold, and dispose of, personal property, for the purpose of developing the agricultural and mineral resources of the State; and especially for the purpose of raising sheep and wool, and of manufacturing woolen, cotton, and other textile fabrics; and of mining iron and manufacturing the same; and said company may, on the lands held by them, raise sheep, manufacture woolen and cotton goods, and other textile fabrics; bore for oil or salt; mine for iron, coal and other minerals; manufacture the same; carry on the business of mining and manufacturing generally; and improve and use the estate of said company. **Powers.**

SEC. 5. *Be it further enacted*, That said company may adopt and use a common seal, changeable at their pleasure; may contract and be contracted with; and enjoy all the privileges and rights that are granted to other corporations in this State, for mining and manufacturing purposes; *Provided*, nothing in this act contained, shall be so **Rights, &c**

construed as to give banking privileges to said company.

SEC. 6. *And be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed December 11, 1865.

CHAPTER XXXI.

AN ACT to establish a Recorder's Court in the towns of Shelbyville, Murfreesboro, Franklin, Tullahoma, Fayetteville, Winchester, and Manchester, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Recorder in the town of Shelbyville, in Bedford county, be, and he is hereby, invested with concurrent jurisdiction with Justices of the Peace in all cases of violation of the criminal laws of the State; and, also, with full power and authority to try and punish all persons guilty of a violation of the ordinances of the Mayor and Aldermen of said town; *Provided*, said violation take place within the corporate limits of said town of Shelbyville.

Jurisdiction.

SEC. 2. *Be it further enacted*, That the Mayor and Aldermen, of said town of Shelbyville, shall have power to regulate the police of the town; to impose fines, forfeitures, and penalties, for the breach of any ordinance, and to provide for their recovery before the Recorder of said town; to provide for the arrest and confinement until trial of all rioters and disorderly persons, within said town by day or by night; to prevent and punish by pecuniary penalties, all breaches of the peace, noise, or disturbances, or disorderly assemblies, in any street, house, or place, in said town, by day or by night. They shall have power, also, to erect and use, as they may choose, a workhouse, jail, or calaboose, in or near said town; and any person, who shall fail or neglect to pay, or secure to be paid, any fine and cost, or fines or costs, imposed upon him, the Recorder of said town sitting as a court, as by this act he is fully authorized to do, shall be, by said Recorder, committed to said workhouse, jail, or calaboose, for such time as said

Mayor and Aldermen to prescribe penalty, &c.

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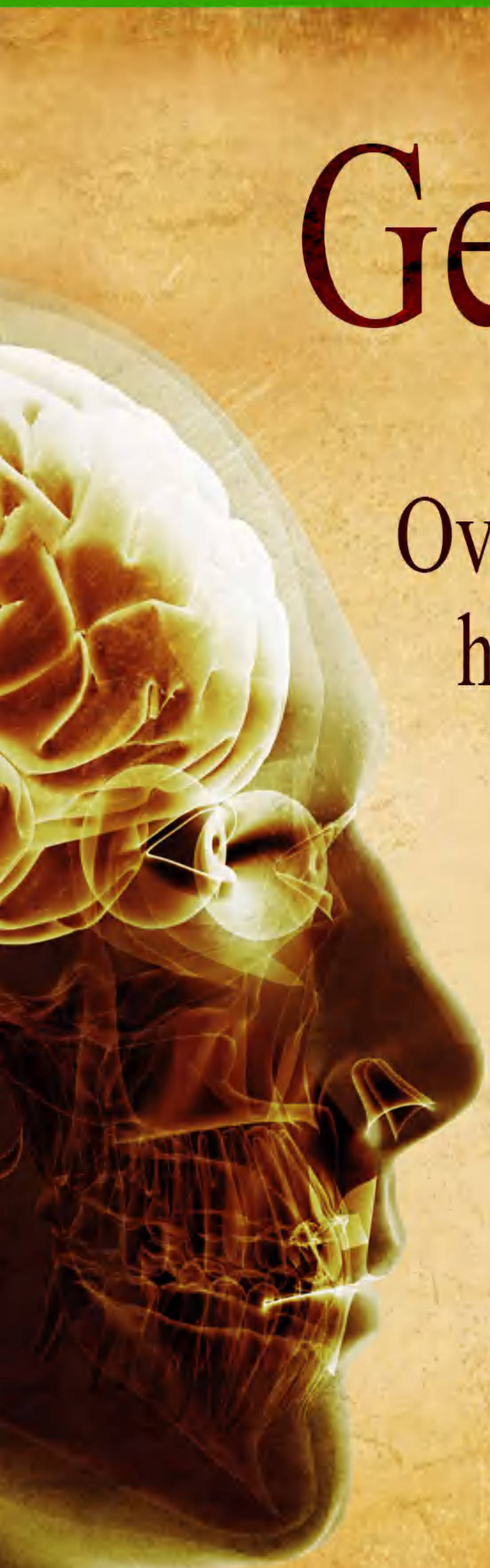

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the Recorder, spread upon the records of said corporation.

Election.

SEC. 9. *Be it further enacted*, That the Mayor, Constable, and Recorder, of the town of Murfreesboro, shall be elected by the qualified voters of said corporation, at their next annual election; and at the same time there shall be an election in each ward for one Alderman, who shall reside in the ward for which he is elected. The election, provided for in this act, shall be held by the Sheriff of Rutherford county, and such deputies as he may appoint, after giving ten days' public notice of the time and places of holding said elections, as now provided by law; and shall give to each person elected a certificate thereof, within five days after the election, which certificate shall be spread upon the records of said corporation.

Powers of Mayor, &c.

SEC. 10. *Be it further enacted*, That the Mayor and Aldermen and Recorder, elected, shall have and exercise the same power, privileges, and immunities over the territory hereby annexed to said corporation, and over the persons and property of individuals within said boundary, as they can or could have exercised over and within the limits of the original corporation.

Kingston, Tenn.

SEC. 11. *Be it further enacted*, That the charter of the town of Kingston, in the county of Roane, be so amended as to confer the same powers and privileges upon the board of Mayor and Aldermen of said town, as are conferred upon the board of Mayor and Aldermen of the city of Nashville, in section six of an act entitled "An act to reduce the several acts incorporating the town of Nashville, into one act," passed January 31, 1864.

SEC. 12. *And be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed December 12, 1865.

CHAPTER XXXII.

AN ACT to Charter a Bank of Discount and Deposit at Dandridge, Tennessee.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That William Harris and J. M. Thornburgh shall open books for subscriptien, and they, and their associates, successors, and assigns, shall be, and they are hereby, constituted a body politic and corporate,

and by such name and style as they may choose to adopt, shall have succession and a common seal for a period of twenty years, from and after the first day of January, 1866; and as such, they may sue and be sued; plead and be impleaded; and have and possess all the powers incident to a corporation, and necessary and proper to carry on the business, and effect the objects contemplated by this act; but subject in the exercise of the powers herein conferred, to such public and general statutes, so far as the same may be applicable to this act, as may be enacted hereafter, in regard to banks, banking, and brokers. Powers.

SEC. 2. *Be it further enacted*, That the capital shall not exceed five hundred thousand dollars, to be divided into shares of fifty dollars each, and transferable on the books of the company, as the by-laws may prescribe. Capital.

SEC. 3. *Be it further enacted*, That said corporation may deal in gold and silver coin, and bullion, public and private securities, buy and sell any description of negotiable paper, buy and sell exchange, current and uncurrent bank bills; borrow and loan money or currency; discount notes and other evidences of debt; receive and keep deposits upon such terms as may be agreed on by the parties; *Provided*, said corporation does not charge for the discount of any such evidence of debt more than the rate of interest allowed by law. And, *Provided further*, the said corporation shall not pay out for circulation, currency which is or may be forbidden by law to circulate within the State. Privileges, &c

SEC. 4. *Be it further enacted*, That said corporation shall, in no event, issue bills to circulate as currency; nor shall its discounts at any time exceed the amount of capital actually paid in, two-thirds of its deposits. Not to issue Bills.

SEC. 5. *Be it further enacted*, That said corporation may transact its business through such officers, agents, and agencies, as it may choose to appoint at Dandridge; Tenn., and prescribe such by-laws for its government as the stockholders may deem necessary and proper for that purpose. Officers, &c.

SEC. 6. *Be it further enacted*, That in the event of the insolvency of said corporation, the individual stockholders therein shall be liable for all of its unsatisfied debts. Liability.

SEC. 7. *Be it further enacted*, That in consideration of the franchise, said corporation shall pay into the "Public Treasury," for the use and benefit of common schools, an annual tax of one-half of one per cent for its capital stock. Tax.

SEC. 8. *Be it further enacted*, That for the violation of any of the provisions of this charter, the same may be declared null and void, by judgment of any competent Charter void.

court, regularly obtained in due course of law; *Provided*, that no judgments of forfeiture shall operate so as to prevent said corporation from collecting its debts and closing its business.

National Savings Company.

SEC. 9. *Be it further enacted*, That George Scaright, John Ramage, James Bankhead, J. B. White, and H. C. Thornton, be, and they are hereby, created a body politic and corporate, and their associates and successors, by the name of the "National Savings Company of Nashville," and by that name shall have succession, with all the powers, rights, privileges, and restrictions of the aforesaid corporators in this act.

SEC. 10. *Be it further enacted*, That nothing in this act shall be so construed as to permit said Banks to pay out as loans, any except national currency or coin; and that the power to alter or amend, is reserved to the Legislature.

Lookout Savings Bank.

SEC. 11. *Be it further enacted*, That "Lookout Savings Bank," be, and is hereby, entitled to all the privileges and benefits of this act, and subject to the same penalties.

Memphis Savings Bank

SEC. 12. *Be it further enacted*, That J. M. McClure, J. J. Worsham, B. F. Smith, and J. J. Rawlings, are hereby incorporated under the name and style of the "Memphis Savings Bank," with all the powers and privileges conferred by this act..

Cleveland Savings Institution.

SEC. 13. *Be it further enacted*, That William Hunt, Samuel Hunt, and their associates, are hereby incorporated, under the name and style of the "Cleveland Savings Institution," with all the rights, powers, and privileges, contained in this act.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed December 13, 1865.

CHAPTER XXXIII.

AN ACT to Incorporate the Mooresville Male and Female Institute.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That S. W. Fitzpatrick, John R. Hill, Ashley Moore, James Kirkland, David Pickens, William Calvert, and D. C. Orr, be, and they are hereby, constitu-

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Tax. shall be exempt from taxation by the county and State, so long as the same shall be used for educational purposes.

Ardent Spirits. SEC. 5. *Be it further enacted*, That the sale of ardent spirits, of every kind, shall be prohibited during the existence of this charter, within one mile of said Institute, except for medical purposes.

Transfer of property. SEC. 6. *Be it further enacted*, That in the conveyance of real estate, or the transfer of claims or assets, the name of the President of the Board, shall be sufficient when signed by order of the Board, said order being entered on the minutes of the Board of Trustees.

Manlyville Male and Female Academy. SEC. 7. *Be it further enacted*, That the provision of the fifth section of this act, shall apply to Manlyville Male and Female Academy, in Henry county; and to the Masonic Female Institute, in the town of Lewisburg, Marshall county.

Penalty for violation of 5th section. SEC. 8. *Be it further enacted*, That any person or persons, violating the fifth section of this act, shall, on conviction thereof, before any court having jurisdiction of the same, pay a fine of one hundred dollars for each and every such offense, to be appropriated to the common school fund in this State; *Provided*, the provisions of this act shall apply to the lands given, or to be given, by James Mullins and others, to and for the use of an Academy and meeting house, situated in Bedford county, civil district number three, and known by the name of Union Academy.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed December 14, 1865.

CHAPTER XXXIV.

AN ACT to Incorporate the Knoxville Bridge Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That a body politic and corporate is hereby constituted, by the name and style of the "Knoxville Bridge Company," for the purpose of constructing, maintaning and using a bridge across the Holston River, from any point in Knoxville, in the county of Knox, between the mouths of the First and Second Creeks, to the

opposite bank of the river; and by that name may sue and be sued, plead and be impleaded, and do all other acts and things which may be necessary to construct said bridge, and to manage, use, and keep up the same; and said Company shall have succession for ninety-nine years. Powers.

SEC. 2. *Be it enacted*, That the capital stock of said Company shall be one hunnred thousand dollars, and may be increased if necessary to one hundred and fifty thousand dollars, to be made up of shares of twenty-five dollars each; and so soon as fifty thousand dollars of said stock are subscribed for, the stockholders may organize, by the election from among themselves, of seven Directors, who shall select from their number a President of the Company; and said President of the Company and Directors may appoint such other officers and agents as may be deemed necessary, and in such manner as they may deem best. Capital Stock. Officers.

SEC. 3. *Be it enacted*, That Dr. James Rogers, Columbus W. Jones, Dempsey Johnson, Perez Dickinson, John Baxter, and O. P. Temple, all of the county of Knox aforesaid, be, and they are hereby, constituted a Board of Commissioners, any three or more of whom may open books, at such times and places as they may choose, to receive subscriptions for said capital stock, and may manage all the affairs of said Company, until organized as aforesaid, and do and perform all such other acts as may be necessary to be done prior to the election of President and Directors; and at all meetings of the stockholders, where a vote is to be taken, each stockholder shall have a vote for each share of stock subscribed for and owned by him, and may vote by proxy or in person, under the rules of the Company. Com'ssioners. Voting.

SEC. 4. *Be it enacted*, That said Company, when organized, as aforesaid, may buy or receive by gift or otherewise, any grounds or lands necessary for the construction of, and easy of access to, said bridge, on either side of said river, and may proceed to construct said bridge, and also such roads and approaches to it, as may be deemed requisite and necessary; *Provided*, That said bridge shall not be so constructed as to obstruct the navigation of said river. May construct bridge

SEC. 5. *Be it enacted*, That said Company may make its own by-laws, not inconsistent with the Constitution and laws of this State, or of the United States.

SEC. 6. *Be it enacted*, That the stock of said Company shall be deemed personal property, and be transferable on the books of the Company, in such manner as may be directed by the by-laws; and if any person, corporation or body politic subscribing for stock, fail to pay the same in such calls as the President and Directors may order, the Failure to pay stock.

May sue delinquents.

Company may sue for and recover the same of such delinquent stockholders, in any court having jurisdiction over the matter, or the Company may declare the stock forfeited, and sell it, and if it fail to sell for enough to pay the balance due thereon, the Company may sue and recover the deficiency as aforesaid; and it shall not be lawful for any stockholder to transfer his stock until it is all paid in, unless by consent of the President and Directors.

SEC. 7. *Be it enacted*, That the officers of said Company shall hold their offices for one year and until their successors are appointed, unless otherwise directed by the by-laws.

To complete bridge.

SEC. 8. *Be it enacted*, That said Company shall begin the construction of said bridge within five years, and complete it within five years from and after the passage of this act, or this act to be void and of no effect.

Gate.

SEC. 9. *Be it enacted*, That when said bridge shall have been completed and ready for travel and transportation along or across the same, the said Company may erect a gate or gates across said bridge, and charge and receive tolls for crossing the same in the manner and for the sums following, to-wit: Man and horse, ten cents; for each additional or led horse, five cents; for each horse or mule in drove, three cents; for each head of cattle in drove, two and a half-cents; for each head of sheep or hogs in drove, one cent; for a wagon and two horses, mules or oxen, twenty cents; for a wagon and three horses, mules or oxen, thirty cents; for a wagon and four horses, mules or oxen, forty cents; for for a wagon and five horses, mules

Rates of toll.

or oxen, fifty cents, and for each additional horse or other animal, five cents; for a cart and one horse, mule or ox, ten cents; for a cart and two horses, mules or oxen, fifteen cents; for a cart and three horses, mules or oxen, twenty cents; for a cart and four horses, mules or oxen, thirty cents, and for each additional animal, five cents; for a four-wheeled two-horse pleasure carriage, thirty cents; and for a four-wheeled four-horse pleasure carriage, seventy-five cents; for a four-wheeled two-horse buggy, twenty cents; and for a four-wheeled one-horse buggy or pleasure carriage, twenty cents; and for a two-wheeled one-horse buggy or sulky, ten cents; for all other carriages and vehicles, ten cents for each animal drawing the same.

City of Knoxville, or County Court of Knox County.

SEC. 10. *Be it enacted*, That the County Court of Knox County and the corporate authorities of the city of Knoxville, may, each or either, become subscribers to the capital of said Company, and the said County Court and City Corporation, or either, shall have power and authority to sell and convert any stocks that they or either of them, may have taken and subscribed, or may hereafter take or subscribe in any railroad company under the laws now, or

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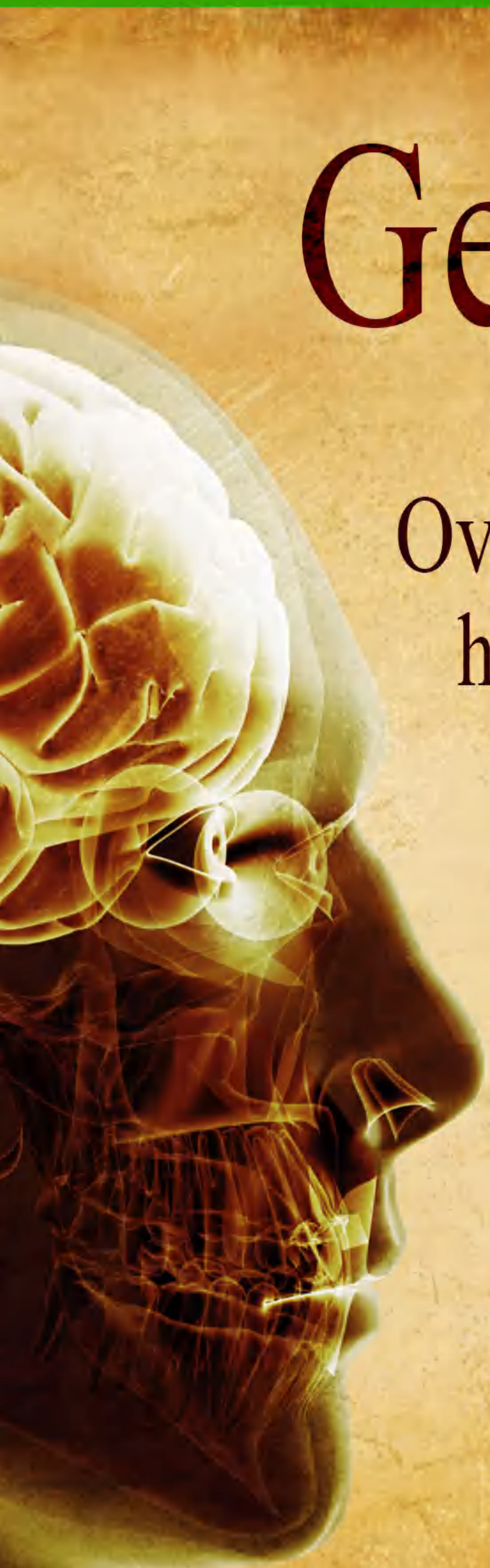

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By-laws. the corporation as may be deemed best from time to time by a majority of the Board of Directors elected by the stockholders, and have succession for ninety-nine years; *Provided*, such by-laws, rules and regulations do not conflict with the spirit and letter of this charter, the Constitution and laws of the United States, and of the State of Tennessee.

Meet in Nashville. SEC. 2. At any time within five years from the passage of this act, a majority of the above named persons may meet in the city of Nashville, and after accepting this charter, may proceed to open books for the subscription of stock.

Capital stock. SEC. 3. The capital stock of said Company shall consist of not less than two hundred thousand dollars, or more than five hundred thousand dollars, to be divided into such a number of shares as the persons above incorporated may determine.

Election of officers. SEC. 4. When twenty per cent. of the stock shall be subscribed for, and as much as ten per cent. in cash or real or personal estate, in fee or in leases, value to be determined and agreed upon by the Board of Directors, shall be paid into the treasury of the Company, or be in its legal possession, the Board shall proceed to elect a President, Secretary, Treasurer, and such other officers as they may see fit.

Books. SEC. 5. The Directors shall require that books shall be kept, containing the names of the stockholders, the amount of their subscriptions, payments, transfers of stock, and every fact relating to the stock, which at all reasonable times shall be subject to the inspection of any and every stockholder.

Certificate. SEC. 6. Each stockholder shall be entitled to a certificate or certificates of the stock he or she may own, which certificate shall be signed by the President and Secretary of the Company and stamped with its seal.

Transfer. SEC. 7. No transfers of stock shall be valid until such transfer is registered on the books of the Company by the prescribed officer or regular transferring agent.

Chief office. SEC. 8. The chief office of the Company shall be at Nashville, but the Directors may establish a branch office at the field of operations, and elsewhere, if the interests of the Company require it. This act to take effect from and after its passage.

Stock books. SEC. 9. *Be it further enacted*, That the above incorporated persons, or their duly qualified successors, be, and are hereby empowered to open books of subscription for stock for the purpose of establishing in the city of Nashville, or elsewhere in the State, works for refining and purifying petroleum and other products, and for the manufacture of parefine, benzine, and other substances, subject to the same limitations and restrictions of like companies.

SEC. 10. This corporated company shall be liable to such taxations as may be imposed on corporations of like kind. Tax.

SEC. 11. *Be it further enacted*, That James Milroy and Shelah Waters and their associates, successors and assigns, be, and they are hereby constituted a body politic and corporate, by the name, firm and style of "Milroy, Waters & Company," and by that name, firm and style shall have succession for ninety-nine years, with power to contract and be contracted with, to sue and be sued in any Court or place, to have and use a common seal and alter the same at will; to alter, amend and change their article of agreement and partnership, and by-laws for the government of their Company; to purchase, lease, hold, operate, manufacture, transport, refine, erect and dispose of such real estate, leaseholds or parts thereof, mines, oils, minerals, buildings, machinery, tools, and other property, in and out of this State, as may be necessary for the legitimate and successful transaction of their business; to engage in boring and mining for petroleum, salt-water, iron, marble, coal, slate, and other valuable minerals and volatile substances, in and out of this State; to fix the par value of shares of stock in said Company, and to issue such number of said shares of stock as may from time to time, be ordered and fixed by a majority of votes of said Company; to purchase such real estate, leaseholds, oil and mining interests, tools, machinery, buildings, and other property as may be necessary, for the successful operation of their business, and to pay for the same in whole or part in the stocks of said corporation; to retain the legal title, interest and ownership of all real estate, leaseholds, tools, machinery, and other property heretofore acquired by said firm, and to be bound for the fulfillment of all contracts and agreements heretofore made by said firm, and generally to have, enjoy and exercise all the rights and privileges incident to corporations, except the right to engage in banking.

Milroy, Waters & Co.

Powers and privileges.

SEC. 12. *Be it further enacted*, That upon each tract or parcel of oil or mineral lands, leaseholds or other interests in such lands, oil wells or mines now possessed by said firm, or that may be hereafter acquired by the same, a separate branch interest may be organized and created by said Company, under such name and style as may be adopted to distinguish the same, and each of said branch interests, so separately organized, shall have and enjoy all the rights and privileges named in the eleventh section of this act.

Separate interests.

SEC. 13. *Be it further enacted*, That said firm of Milroy, Waters & Company, is hereby chartered and incorporated as at present organized, and all of the officers and

Officers.

board of business directors in said Company will continue to hold their offices and positions in said Corporation till changed as prescribed by the by-laws of said Company.

Harpeth and Marrowbone Oil and Mining Co.

SEC. 14. *Be it further enacted*, That H. V. A. McCrae, R. J. Henderson, John O. Westcott, and W. P. Hough, and their associates, successors, and assigns, be, and they are hereby constituted a body politic and corporate, by the name, firm and style of the "Harpeth and Marrowbone Oil and Mining Company," and by that firm and style shall be entitled to all the rights and privileges and franchises, by the preceding sections of this act granted to the firm of Milroy, Waters & Company.

SEC. 15. *Be it further enacted*, That this act be in force and effect from and after its passage.

Tax.

SEC. 16. *Be it further enacted*, That these incorporations shall be subject to such taxes as are imposed on similar incorporations in this State.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed January 20, 1866.

CHAPTER XXXVI.

AN ACT to amend an act entitled "An Act to incorporate the Memphis Building Company," and for other purposes.

South Nashville Gas Light Company

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That so much of an act passed on the 23d day of February, 1856, entitled an Act to incorporate the Building Company of the city of Memphis, and for other purposes, (Chapter 185), as refers to and incorporates the "South Nashville Gas Light Company," be, and the same is hereby, revived, and the same Company is re-incorporated, with all the rights, privileges, and powers, in said act given and contained.

Commissioners.

SEC. 2. *Be it further enacted*, That said act, relating to said Gas Light Company, be so amended as that D. F. Wilkins, Isaac Paul, John B. Lindsley, F. O. Hurt, M. C. Cotton, M. A. Parish, Samuel E. Jones, M. G. L. Claiborne, Horace H. Harrison, B. S. Hamilton, and Leroy Armstrong, shall constitute the commissioners to open

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or to travelers, and to take up the pavements or sidewalks; *Provided*, they shall afterwards repair the same with the least possible delay.

Charges for Gas.

SEC. 7. The said Company shall have the privilege of erecting, establishing, and constructing Gas Works, and manufacturing and vending gas, in the city of Chattanooga, by means of public works, for the term of fifty years, from and after the date of this act. A reasonable price per thousand feet for gas, shall be charged in the case of private individuals, to be regulated by the prices in other south-western cities; and for public lights, such sum as may be agreed upon by the Company and the public authorities of Chattanooga; *Provided*, said Company shall never charge more than one cent for every cubic foot of gas used, as may be indicated by the gas metre, or computed by the ordinary rules in such cases; nor shall they ever charge the corporation of the city of Chattanooga, more per cubic foot than they shall be getting at the same time from a majority of the inhabitants of the city, using such gas.

Nuisance.

SEC. 8. The works and apparatus of said Company, shall be so constructed and managed that no annoyance shall accrue therefrom to the health or comfort of the inhabitants of Chattanooga; and nothing in this act shall be so construed as to absolve the Company, their agents or officers, from any legal proceedings, to restrain or abate any nuisance arising from such works or operations.

Damages for injuring property.

SEC. 9. If any person or persons shall injure or destroy any portion of the gas fixtures, or other property, belonging to said Company, or shall wilfully open a communication into the streets or other gas-pipes, or let on gas after it has been stopped by the Company, such person or persons shall be liable for all damages sustained by such proceeding, and, also, to a penalty not exceeding five hundred dollars, upon conviction by the proper authorities.

Commissioners.

SEC. 10. That James Hoy, John P. Kennedy, G. H. Hazlehurst, James A. Nisbett, and E. A. James, or a majority of them, shall be Commissioners to open books for the subscription of stock, which shall be kept open until they may deem that a sufficient amount has been subscribed. They shall then, by advertisement in the newspaper, give at least thirty days' notice to the stockholders to hold a meeting for the election of a Board of seven Directors, to whom shall be entrusted the management of the affairs of the Company, and who shall elect a President from their own number.

Annual Election.

SEC. 11. The election of President and Directors shall be annual, and they shall fill any vacancy that may occur in their Board. The said election to be held at the office of the Company, at such time as the stockholders may ap-

point. To enable any person to act as a member of the Board of Directors or President, he must be the owner of ten shares of stock. For each and every share of stock he may hold, each stockholder shall be entitled to one vote, which may be given by proxy, in the election of the Board of Directors. Stock may be transfered on the books of the Company, at any time previous to one month before the election. Voting.

SEC. 12. That, if, after the expiration of twenty years from and after the first day of January, 1866, the corporation of Chattanooga should, at any time, resolve to purchase said gas from the said Gas Light Company, which they shall hereby have a right to do, the price shall be fixed by arbitrators, one or more to be chosen by the President and Directors of the Company, and an equal number by the Mayor and Board of Aldermen of the city. Said arbitrators shall not be stockholders in said Company, nor members of said municipal board. They shall take into consideration the value of said gas works; and the lands, buildings, utensils, rights and interest, and every thing thereunto appertaining; and if they agree, and so report in writing, their award shall be binding on the parties; but if they should not agree, then the said arbitrators shall select some creditable and disinterested person as umpire between them; whose decision and award, in writing, reported to the parties above, shall be binding and conclusive, any law to the contrary notwithstanding. City of Chattanooga may purchase gas. Umpire.

SEC. 13. If any person or persons shall commit any of the offenses enumerated in the 7th section, he or they shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished as in other cases of misdemeanors. Misdemeanor.

SEC. 14. The stock of said Company shall all be paid in, within three years from the organization thereof, in such proportions or instalments, and at such times and places, as may be required by the Directors; and any stockholder, failing to pay such instalment, shall, at the discretion of the Directory, forfeit to the Company all right, title, and interest, in and to every share, on account of which such default, may have been made; or the Directory, at their option, may cause suit to be instituted against such defaulting stockholder, for the amount due on such forfeited share; and in the event of a forfeiture, the shareholder, so forfeiting, shall still be held individually and personally liable to the creditors of such Company, who were creditors at the time of the forfeiture, to the full amount unpaid of each share of stock so forfeited; and the Directors may dispose of the forfeited shares at their discretion. The Company shall not, at any time, by releasing stockholders from the payment of their shares, or any part Payment of Stock. Forfeiture.

thereof, nor by any other means, discharge such stockholder from his liability to the creditors of said Company, to the extent of any balance due, or to become due, on account of unpaid stocks.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed January 23, 1866.

CHAPTER XXXVII.

AN ACT to refund to Jos. S. Fowler moneys advanced by him to the State of Tennessee.

Be it enacted by the General Assembly of the State of Tennessee, That the sum of $6524.60-100, with interest from the time paid out, be paid to Jos. S. Fowler, for moneys advanced by him for the use of the State. That the Comptroller audit his claim and issue his warrant on the Treasurer of the State for that sum, and the same be paid out of any moneys not otherwise appropriated.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed January 25, 1866.

CHAPTER XXXVIII.

AN ACT to amend an act entitled, "An Act Incorporating the Memphis City Schools."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Memphis City Schools shall hereafter be placed under the exclusive management and control of a Board of Visitors, consisting of two members of each ward, in said city, to be elected as hereinafter directed, and that said board are hereby created and consti-

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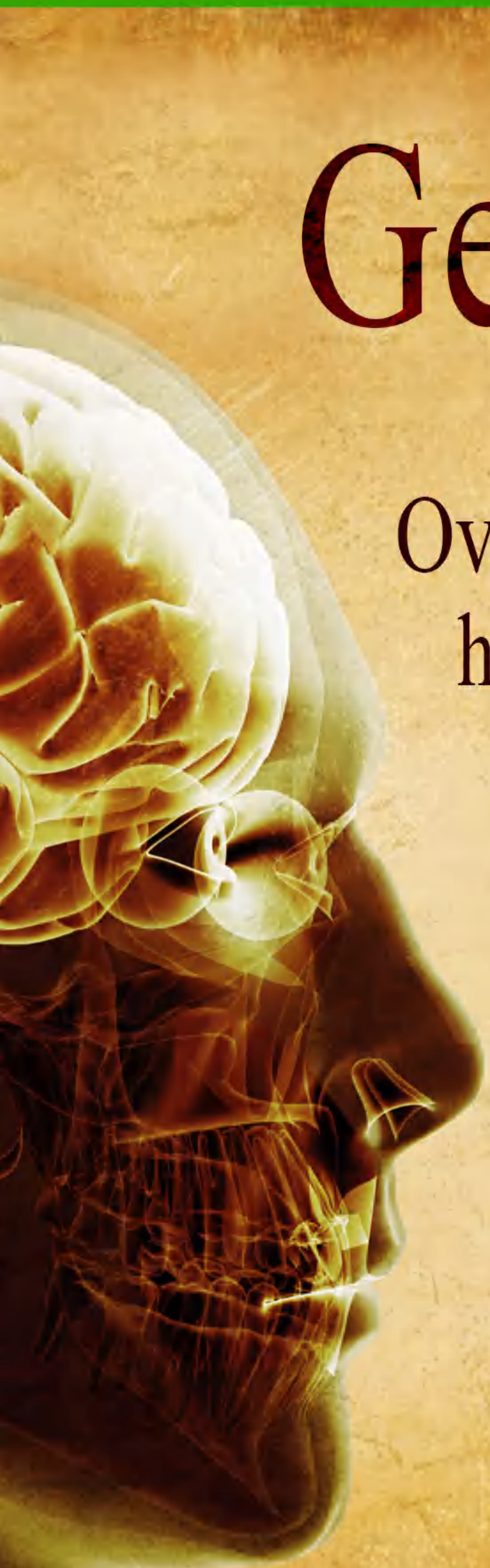

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tion of pupils; and adopt such rules and regulations for their own government and for the government of the schools, as they may deem expedient, keeping a full record of their proceedings; and said Board shall have power to fill vacancies occurring in their own body.

SEC. 4. *Be it further enacted*, That no one shall be admitted as a free pupil in said City Schools, except the children of white persons residing within the city limits; but the Board of Visitors may admit children living beyond said limits upon payment in advance to the Treasurer, of such tuition fees as they shall prescribe, and such payments may also be taken for pupils whose parents or guardians reside out of the city, but permit their children or wards to reside within it to attend the City Schools; and the Board may at their discretion, prescribe higher branches of study than those which are commonly taught in the public schools of cities, and affix to such branches of study reasonable tuition fees to be paid by such pupils as may engage in them; *Provided*, the school funds be inadequate to pay the increased expenses.

Free pupils.

Pay pupils.

SEC. 5. *Be it further enacted*, That all moneys accruing to those Civil Districts of Shelby County which embrace within their boundaries any portion of the city of Memphis, shall be paid to the Treasurer of the Board of Visitors in the proportion to which those portions are entitled by their amount of scholastic population. The Treasurer of the City of Memphis shall also pay over to the Treasurer of the Board of Visitors, all school moneys which may be, or come into his hands; and the Board of Visitors shall, in the month of June each year, make an approximate estimate of the expenses of the City Schools for the next ensuing year, and submit the same to the Mayor and Aldermen, whose immediate successors in office shall proceed to levy a tax upon such property as is taxed for other city purposes, not to exceed at the rate of fifteen dollars for every white youth in the city between the ages of six and eighteen years, and the Board of Mayor and Aldermen of the city of Memphis, shall be held responsible for the collection of said tax. This tax to be called *the School Tax*, shall be collected by the Tax Collectors of the city; and said Tax Collectors shall, after the passage of this act, at least once in every month, and oftener if required, in writing, by the President or Secretary of the School Board, faithfully and punctually pay over to the Treasurer of the Board of Visitors, all moneys collected for the school fund, subject only to the orders of said Board; and the Tax Collector of the city of Memphis and his securities shall be held personally responsible for the faithful performance of this provision, to the Board of Vistors.

Moneys to be paid to Treasurer.

Levy Tax.

Monthly payments.

SEC. 6. *Be it further enacted*, That the Board of School Visitors shall have power to purchase lots and contract for the erection of school buildings thereon; *Provided*, the Mayor and Aldermen of the city of Memphis, when said power is exercised, shall approve of the same; *And provided*, the cost of said lots and buildings shall not exceed the sum of seventy-five thousand dollars, unless authorized to exceed that amount by a vote of the citizens in their respective wards, at an election appointed for the purpose by the Board of Visitors; and all contracts and purchases so made shall be binding upon the Mayor and Aldermen of the city of Memphis, who are hereby required to make immediate provision for the payment of the same, to do which, they shall have power to levy a tax in addition to the above mentioned ordinary school tax upon such property as is taxed for other city purposes, either for the whole or any part of the required amount; and the better to enable them to provide such means promptly, and lessen the burden of immediate taxation, said Mayor and Aldermen may at their discretion, issue the bonds of said city, having not more than twenty years to mature and bearing ten per cent. interest for or any portion of the required amount, and all money accruing from such tax and bond shall be paid at once to the Treasurer of the Board of Visitors, subject to the order of said Board.

Purchase Lots

Tax and Bonds.

SEC. 7. *Be it further enacted*, That at the close of every scholastic year, on the 30th of June, the Board of Visitors shall publish, for the information of their constituents, an annual report, setting forth their principal doings and expenses for the year, together with their estimate of expenses for the succeeding year.

Report.

SEC. 8. *Be it further enacted*, That all acts heretofore passed in reference to the Memphis City Schools, are hereby repealed; and that this act shall take effect from and after said act shall have been approved by a majority of the qualified voters of the city of Memphis, at an election to be holden for that purpose by the City Marshall of the said city on the second Saturday in February next; notice of said election to be advertised for ten days previous to its being holden in two or more newspapers published in said city of Memphis.

Approval.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed January 25, 1866.

CHAPTER XXXIX.

AN ACT for the relief of Sherrod Merritt, Jailor of Carroll County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Treasurer of the State, be, and he is hereby authorized and instructed to pay Sherrod Merritt seven hundred and seventeen dollars, for which the Comptroller shall issue his warrant to said Sherrod Merritt; and that this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed February 2, 1866.

CHAPTER XL.

AN ACT to Incorporate the Memphis Savings Bank Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That S. D. McClure, B. F. Smith, John Ainslie, J. J. Rawlings and J. J. Worsham, and their associates and successors, and are hereby created a body politic and corporate, by the name and style of the "Memphis Savings Bank," and for other purposes, and by that name shall have succession, sue and be sued, plead and be impleaded, and generally do every act and thing necessary to carry out the provisions of this act, and promote the object and design of this corporation.

Shares and Directors.

SEC. 2. *Be it further enacted*, That the capital stock of said company shall be divided into shares of two hundred dollars each, and when one hundred shares shall have been subscribed and the sum of fifty dollars per share paid thereon, the stockholders may meet and elect five directors, who shall be elected and enter upon their duties, and said directors shall elect one of their number to be President during their term of office.

SEC. 3. *Be it further enacted*, That said President and Directors shall and may adopt and use a common seal, and

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Chattanooga Discount and Deposit Bank.

and corporate by the name and style of the "Chattanooga Discount and Deposit Bank;" and shall have succession for twenty years, and a common seal, and by that name sue and be sued, plead and be impleaded; may hold real estate so far as the same may be necessary for carrying on their business, and may receive the same in payment or security of debts, and have a capital stock of five hundred thousand dollars; and have all the powers, rights, privileges and immunities, and subject to the same restrictions and provisions of a charter granted to John Baxter and Samuel Morrow for a Bank of Discount and Deposit at Knoxville, by an act of the General Assembly of this State, passed 15th day of March, 1860.

Privileges.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed February 9, 1866.

CHAPTER XLI.

AN ACT to Incorporate the Obed's River and Eagle Creek Oil, Salt and Mining Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That A. E. Garrett, G. W. G. Payne, James H. Kendrick and Richard H. Higgins, their associates, successors and assigns, be, and they are hereby constituted a body corporate and politic by the name and style of the "Obed's River and Eagle Creek Petroleum, Oil, Salt and Mining Company," and by that name and style shall have succession for ninety-nine years, with power to contract and be contracted with, sue and be sued in that name in all courts and places; to have a common seal; to engage in mining and boring for Petroleum, Rock Oil, Salt Water and other valuable minerals, and in manufacturing, refining, preparing for market, transporting and selling Oil, Salt and other products of said business, and of the lands now owned, or which may hereafter be owned by them in this State; to hold their meetings and transport and sell their Oil, Salt and other products, without or within the State, and to have all other power need-

Powers.

ful and proper for the successful prosecution of their business, and for the execution of the powers herein granted.

SEC. 2. *Be it further enacted*, That said corporation may organize said company by the appointment of a President and such other officers and managers as they may deem necessary, at such time and place as they may designate by notice previously given; and when thus organized the said company shall have power to make such by-laws, rules and regulations as they may deem necessary from time to time, for the government and prosecution of the business of said corporation, not inconsistent with the Constitution and laws of the United States and of this State. Officers, &c.

SEC. 3. *Be it further enacted*, That the capital stock of said company shall be ten thousand dollars, and said company shall have power to increase the same from time to time, not exceeding one million of dollars. Capital Stock.

SEC. 4. *Be it further enacted*, That the said company may buy, lease or rent any suitable lands, mines, oil and salt rights and privileges, rights of way, and other property necessary for their business, and may dispose of the same, or any portion of it, by sale or otherwise; they may receive real estate, leaseholds, mining and boring rights, and rights of way in payment of such parts of subscription as they may deem advisable; and said company may erect and build on any of their lands, such buildings, engines, machinery and fixtures as may be deemed convenient and proper for carrying on and conducting the business of said corporation. Privileges.

SEC. 5. *Be it further enacted*, That the right to repeal, alter or amend this charter is reserved to the General Assembly of this State, upon a violation of the same by said company, but not otherwise. Repeal.

SEC. 6. *Be it further enacted*, That this corporation shall be subject to such taxes as may be imposed upon incorporations of similar character in this State; and that this act shall take effect from and after its passage. Tax.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed February 12, 1866.

CHAPTER XLII.

AN ACT to amend an act to authorize the Chattanooga Savings Institution to remove their office to Memphis, Tennessee, passed November 15, 1859.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an act to authorize the Chattanooga Savings Institution to remove their office to Memphis, Tennessee, passed November 15, 1859, be so amended as to change the name from the "Chattanooga Savings Institution" to the "Savings Bank of Memphis;" and that this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed February 12, 1866.

CHAPTER XLIII.

AN ACT to Incorporate the Nashville Pilots' Benevolent and Relief Association.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That George S. Renney, F. N. Mitchell, G. W. Farnesworth, Jesse L. Dortch, James M. Cooper, D. C. Kennely, and their associates and successors, be, and are hereby, constituted a body corporate, under the name and style of the "Nashville Pilots' Benevolent and Relief Association."

SEC. 2. *Be it further enacted*, That said Association shall afford relief and assistance to its members, in cases of sickness, death, or disability to work; and also in providing for the support of pilots' widows and orphans.

Relief.

SEC. 3. *Be it further enacted*, That said Association shall, by the name and style as set forth above, have perpetual succession; and be capable of sueing and being sued; of defending and being defended; of pleading and being impleaded; of having a common seal, and the same to make, break, or alter at pleasure; to acquire and hold estate, real, or personal, or mixed; and the same to buy, exchange, sell and mortgage, transfer, pledge, or otherwise encum-

Powers.

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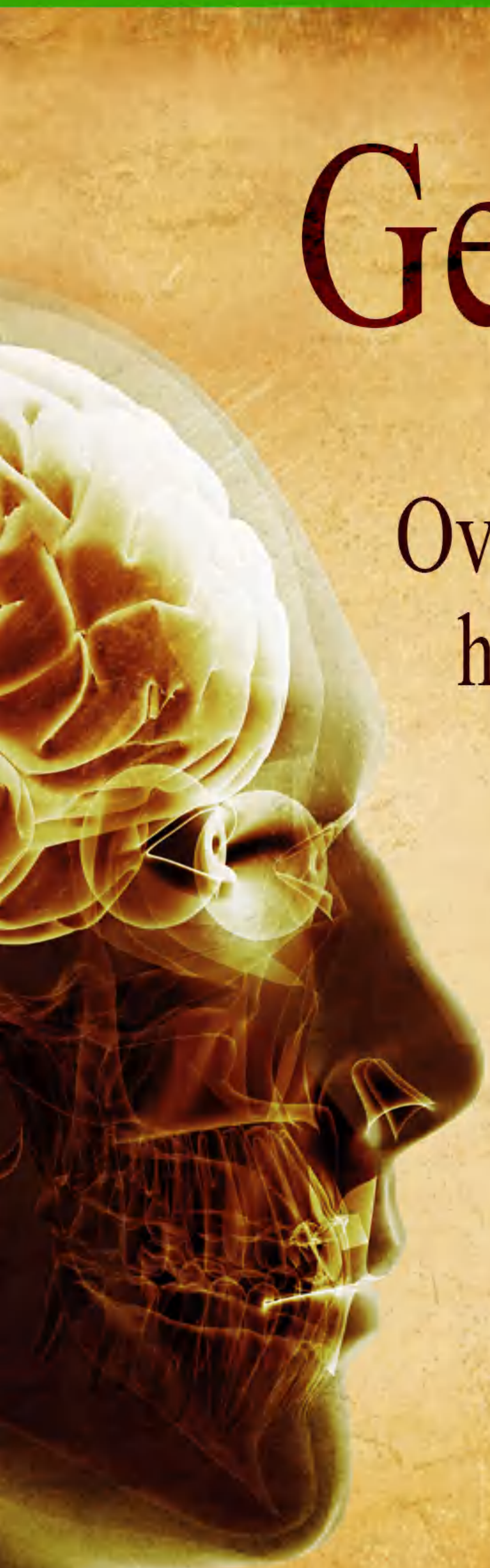

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Memphis Home for the Homeless.

M. Keller, be, and they are hereby, constituted a body corporate and politic, under the name and style of the "Memphis Home for the Homeless," and shall have succession for a period of ninety years, unless said corporation is sooner dissolved; and shall have all the powers, and be subject to all the obligations and restrictions incident to private corporations, as now provided for by law.

SEC. 2. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed February 12 1866.

CHAPTER XLV.

AN ACT to Incorporate the LaGrange Iron Works Company, in Stewart County, Tennessee..

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Joshua Cobb, George C. Dortch, George H. Warfield, Dorsey H. White, D. W. Kennedy S. B. Brown, and their associates and successors, be, and they are hereby, constituted a body politic and corporate, by the name and style of the "LaGrange Iron Works," for the purpose of manufacturing pig iron, blooms, refined iron, nails, castings, railroad iron, and other products of iron or wood, in the County of Stewart, State of Tennessee; and for such purposes, are empowered to hold, by purchase or otherwise, and to sell, or dispose of same, such real estate or personal property, as may be necessary or convenient for carrying on its operations, or which it may become possessed of, in payment of debts; and by that name may sue and be sued; plead and be impleaded, in any court of law or equity, in all suits and actions; and have all the powers and privileges of a body corporate, that are necessary to prosecute its business; may have a common seal; and shall have succession for ninety-nine years.

Powers.

SEC. 2. *Be it further enacted*, That said Company may organize when the amount of twenty-five thousand dollars in stock, shall have been subscribed, which may be increased to two hundred and fifty thousand dollars. They may divide the capital stock into such shares, and provide for

Capital stock.

the sale and transfer thereof, in such manner and form as they deem expedient; and have such number of directors, officers, and agents, as they may see proper; and adopt such by-laws, rules, and regulations, as they may desire, so they are not inconsistent with the Constitution and laws of this State, and of the United States. Officers.

SEC. 3. *Be it further enacted*, This act take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed February 12, 1866.

CHAPTER XLVI.

AN ACT to re-charter the Turnpike Road from Paint Rock, between the States of North Carolina and Tennessee, to the lower end of Wicked Hill, in Cocke County, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Stephen Huff, William Holland and John E. Patton are hereby authorized to re-open the Turnpike Road, commencing at a point on the dividing line between the States of North Carolina and Tennessee, commonly called the Paint Rock, and running thence down the north bank of the French Broad River, to the lower end of what is called Wicked Hill, in Cocke County, at which point is made the terminus of said road, which road shall be located upon the same line of the old road, except the change from Holland's Ferry to the lower end of Wicked Hill, and shall be cut where the ground will permit, eighteen feet wide, clear of stumps, and other obstructions, and where it has to be cause-wayed 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. Location.

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

Open Gate.

County Court of Cocke County, and when said Court shall receive such 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 same shall be by them adjudged to be in good and sufficient order. They may then grant a license under their hands, to shut said gate, to said proprietors, for the purpose of exacting toll; and if said proprietors shall, either directly or indirectly, exact, take, or receive, any toll during the time said commissioners shall set said gate open, said proprietors shall

Forfeit.

forfeit and pay, for every such offense, the sum of thirty dollars, to be recovered before any Justice of the Peace, in this State, by any person that will sue for the same.

SEC. 3. *Be it further enacted*, That the proprietors shall

Bond.

give bond, with sufficient security, in the sum of two thousand dollars, payable to the State of Tennessee, conditioned for the true and faithful performance of all the duties enjoined on them by this act, which bond shall be filed with the County Court Clerk of Cocke County, and be approved by said County Court, and recorded as other

Suit.

bonds; and the County Court may direct the attorney general, for the District wherein said proprietors live, to commence suit against said proprietors on said bond, if satisfactory proof, either by report of the commissioners, or otherwise, should be given to them, that said road has been three months out of repair, at any one time.

SEC. 4. *Be it further enacted*, That George W. Allen, Americus Jones, and James Burnett, of the County of

Commissioners.

Cocke, be, and are hereby, appointed Commissioners of said turnpike road, whose duty it shall be, at any time when the proprietors shall notify them that said road is completed for use, to proceed to examine said road; and if in their opinion, it is in order as contemplated by this act,

Gate.

they shall license said proprietors to keep a toll gate at some point on said road, which license shall be given under their hands, authorizing said proprietors to erect a gate on said road; and shall be entitled to receive the following rates of toll, to-wit: For each four-wheeled carriage of burden, with its load and driver, if drawn by four or more horses, mules, or oxen, one dollar, except those carrying produce from different counties to the Warm Springs, shall pay but fifty cents; if by less than four, fifty cents; for each two-wheeled carriage of burden, if drawn by two horses, mules, or oxen, fifty cents; if drawn by one, twenty-

Toll.

five cents; for each two-wheeled carriage of pleasure, with its passengers and driver, if drawn by two horses or mules, one dollar, and if drawn by one, fifty cents; for a man and horse, or mules, fifteen cents; for each led horse, mules, or ass, not in a drove, five cents; if in a drove, one cent; for each head of cattle, sheep, or hogs, one cent; and for each

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the Company be allowed the further time of five years to complete their road.

Rockwood Turnpike Co.

SEC. 14. *Be it further enacted*, That the further time of five years, from the passage of this act, be given to the Rockwood Turnpike Company, to complete their road.

Not to pay toll.

SEC. 15. *Be it further enacted*, That ministers of the Gospel, mill boys, and doctors of physic, shall not be required to pay toll on said Turnpike Roads, when actually performing the duties of their profession.

SEC. 16. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed February 12, 1866.

CHAPTER XLVII.

AN ACT to Incorporate the American Industrial Agency.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the owners of the shares herein authorized to be issued, be, and they are hereby made a body politic and corporate, under the name and style of the "American Industrial Agency," with power and authority under that name and style to contract and be contracted with, to sue and be sued, to plead and be impleaded, with all the rights, powers and privileges which may be necessary and proper for them to have, possess, exercise, and enjoy, as a company incorporated for the purposes hereinafter stated; and may take, have, hold, possess and acquire by gift, grant or purchase, any property or estate, real or personal, and the same may use, lease, let, mortgage, sell, transfer, and convey in as full and ample manner and extent as any individual person may or might do; and it is the purpose of this act to organize an incorporated company, whose capital and funds, or such part thereof, as they may deem expedient, may be invested in the bonds and shares of railroad companies, and in other public and private securities, which, being placed in Europe or elsewhere, may be sold or held as the basis of a

Powers and privileges.

credit enabling the company to obtain money and credit upon such time and such terms as will enable them advantageously to use the same; and especially to make loans and advances to railroad companies, farmers, planters, manufacturers and others, upon terms more favorable than such loans are usually made by banks; and also to authorize them to insure houses, goods, and all species of property against damage of loss by fire or water, or any other casualty; and also to make insurance of lives, and to guarantee the payment of notes and bonds, and the performance of the contrates of States, governments, towns, cities, counties, companies, corporations and individuals, and to authorize them as a company to make all requisite contracts, and especially to receive and hold on deposit and in trust, any estate or property, real or personal, including notes, bonds and accounts, and the same to purchase, adjust, collect, and settle, as by contract may be agreed; and also to sell or dispose thereof in any market in the United States or elsewhere, for such price and in such manner, and upon such terms, as may be agreed upon between them, and the persons or parties contracting with them; and also to make advances of money and of credit, and to deal in exchange, foreign or domestic; *Provided*, that in discounting or loaning they are only allowed to use the National currency, or gold or silver.

Same.

SEC. 2. The capital of said Company shall consist of shares of one hundred dollars each, and fifty per cent. thereof shall be appropriated for and used as the active capital, and fifty per cent. shall be invested by the Directors in good securities, and held as a reserved fund pledged for the payment of any contingent liability, which may be created in the course of their business; and should any part of the reserved fund be at any time used in the payment of any such liability, it shall be the duty of the Directors to reinstate the sum thus used by appropriating thereto so much of the current income as may be requisite therefor; and no distribution of profits shall at any time be made so long as there may be any deficiency in the funds reserved as aforesaid; and Henry D. Cooke, Frederick P. Stanton, Fitzhugh Coyle, Duff Green and Charles J. McKinney are hereby appointed Commissioners, and they, or a majority of them, may, in person or by proxy, at such times and places as they may deem expedient, open books of subscription; and when five thousand shares shall have been subscribed, and twenty per cent. thereon shall have been satisfactorily secured, the subscribers may proceed to organize a company by the appointment of five or more Directors; and the Directors for the time being, in the name and behalf of the Company, are hereby author-

Shares.

Reserv'd fund

Commissioners.

Directors.

ized and empowered to have, exercise and enjoy all the rights, powers and privileges which are intended to be herein given to the said Company, and may from time to time, increase the resources of the Company by obtaining money or credit on a pledge of their property, or without

Powers. such pledge, or by new subscriptions, and any citizen or subject, person, company or corporation, of any State, government, or country, may subscribe for, purchase and hold shares in the said Company, and the owners of such shares shall be liable for and bound to pay to the said Company the sums due or to become due by them upon such shares, which sum or sums being paid such owners shall not be liable for any further payment or account thereof.

SEC. 3. *And whereas*, experience has proved that the payment of a proper rate of interest upon deposits will

Preamble. promote economy and industry, and create a fund which, under proper regulations, securing punctuality in payments, may be safely advanced upon long loans, to be repaid in suitable instalments; and, whereas, the concentration of capital and credit under such regulations, would enable the Company by such loan, to give profitable employment to labor, and aid in the development of the agricultural, mining, manufacturing, and other industrial resources of this and the other States; and inasmuch as the greater security for the repayment of such deposits will tend to lessen the rate of interest to be paid thereon; therefore, in case of deposits, which are subject to be withdrawn by check

Deposits. or by order, the person making such deposits may agree with the said company that there shall be deposited with the Treasurer of this State, or with some other person as trustee, bonds of the United States, or of one of the said States, or such other securities as may be agreed on, for a sum equal to the deposit so made, which deposit the Treasurer is hereby authorized to receive and hold as a collateral security for the re payment of the deposit aforesaid; and the company may issue a certificate, stating the amount of the deposit, the interest to accrue thereon, the time when, and the terms and conditions on which payment is

Certificate. to be made, which certificate shall be countersigned by a competent person, appointed by the Treasurer, with the assent of the Company; or in case of any other person acting as trustee, then by such person, who shall witness that repayment of such deposit has been secured by a pledge of securities held in trust for that purpose. And the said certificates may be made payable to order or to bearer, and should any certificates not be paid upon de-

Protest. mand after the same becomes due and payable, the holder thereof may cause protest to be made, and thirty days'

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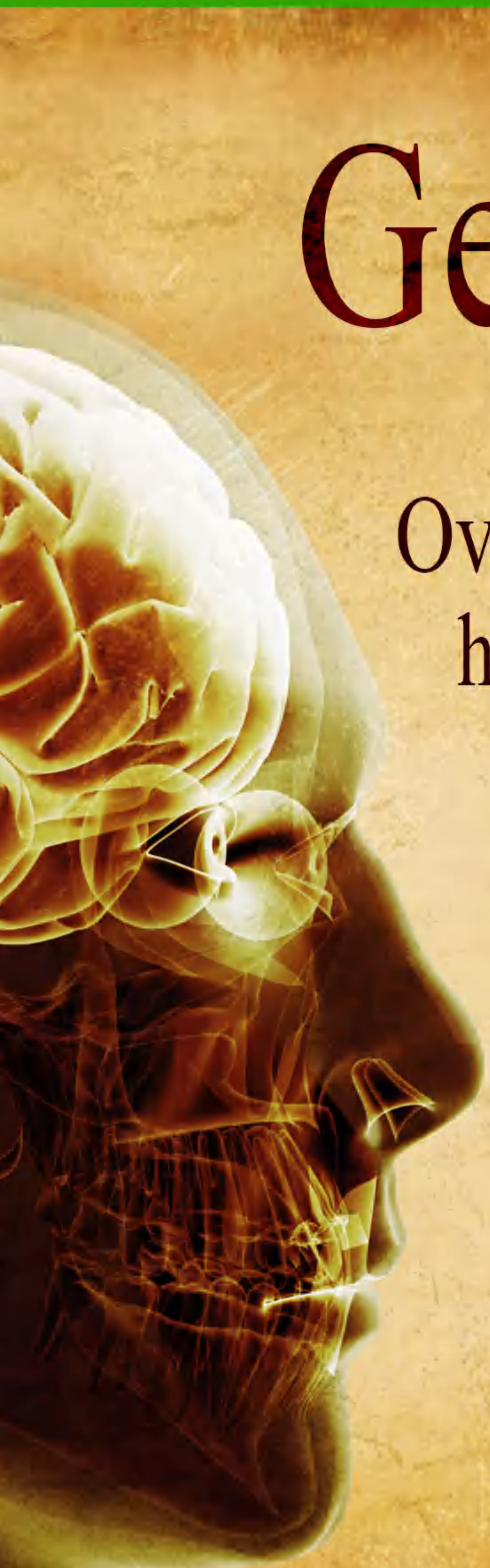

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flicting with the provisions of this act are hereby repealed.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed February 12, 1866.

CHAPTER XLVIII.

AN ACT to repeal Sections 2, 3, 4 and 5 of An Act entitled, "An Act to Charter the New Market Medical Society, for the benefit of the Floral Mount Female Academy, to incorporate Lebanon Lodge No. 98 of Free and Accepted Masons, to Charter the Caledonia Academy, in Henry County, to amend the Charter of the Incorporation for Springfield, in Robertson County, and of Kingston, in Roane County, and for other purposes," passed March 15, 1858.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Sections 2, 3, 4 and 5 of said act passed March 15, 1858, be, and the same are hereby, repealed.

SEC. 2. *Be it further enacted*, That the Trustees of the Floral Mount Female Academy, be, and are hereby, directed to turn over all property and funds that may have accumulated to the said Academy, to the Trustees of the Macon County Male Academy. And this act shall take effect from and after its passage.

Macon Co. Male Academy.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed February 15, 1866.

CHAPTER XLIX.

AN ACT to amend an Act passed December 20, 1847, entiled, "An Act to amend an Act passed the 19th of January, 1846, incorporating the Grand Lodge of the Independent Order of Odd Fellows of the State of Tennessee, and for other purposes."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the second section of an act passed 20th day of December, 1847, entitled An Act to amend an Act passed the 19th of January, 1846, incorporating the Grand Lodge of the Independent Order of Odd Fellows of the State of Tennessee, and for other purposes, be so amended as to read: That whenever said Grand Lodge shall establish or charter a Subordinate Lodge, the said Subordinate Lodge, is hereby invested with the separate right to an amount of real and personal property, not exceeding the sum of fifty thousand dollars, to the same extent, and under the same conditions and restrictions of the aforesaid act of the 19th January, 1846.

Subordinate Lodges may hold property.

SEC. 2. *Be it further enacted*, That all laws in conflict with this act, are hereby repealed.

SEC. 3. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed February 15, 1866.

CHAPTER L.

AN ACT to Incorporate the Southern Telegraph Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That F. M. Speed, William M. De Grove, C. H. Speed, H. C. Shirell, and their associates, are hereby created a body corporate, with succession, with power to sue and be sued; plead and be impleaded; defend and be defended; contract and be contracted with; acquire and convey at pleasure, all such real and personal

property, as may be necessary to carry into effect the objects of this law; to make and use a common seal, and the same to alter at pleasure; and do all needful acts to carry into effect the object of this law; and they and their associates, being so incorporated, shall be known by the name and style of the "Southern Telegraph Company."

Powers.

SEC. 2. *Be it further enacted*, That the said corporation are authorized to construct lines of magnetic telegraph; and for that purpose, to set up their poles, piers, abutments, wires, and other fixtures, along, upon, and across, any of the the roads, streets, and waters, of this Commonwealth, which is a continuation of lines of magnetic telegraph, beginning at Louisville, Kentucky, and terminating at New Orleans, Louisiana, and other points beyond said cities, in such manner as not to incommode the public in the use of each road, street, or waters.

Privileges.

SEC. 3. *Be it further enacted*, That said corporations are also authorized to enter upon any land, whether owned by persons in fee or in any less estate, or by any corporation, whether acquired by purchase or in virtue of any provision in the Charter of such corporation, for the purpose of making preliminary surveys and examinations, with a view to the erection of any line authorized to be erected by this act, and to appropriate so much of said lands as may be necessary to erect such poles, pins, abutments, wires, and other necessary fixtures for a magnetic telegraph, and a right of access to said line when erected, from time to time, as may be required to repair the same; under the restrictions and limitations hereafter provided.

Surveys.

SEC. 4. *Be it further enacted*, That in case the lands sought to be appropriated, belong to private persons, and the corporation and the owners cannot agree upon proper compensation to be paid, or the owners are unknown, or reside abroad, or are incompetent to contract and have no guardian or other person authorized to contract on their behalf, in the county, such corporation or owner may apply to the County Court of the county wherein said land lies, by petition, setting forth the general directions in which they desire to contract said magnetic telegrph over such lands, the number of poles and piers to be erected, and the general average height of the wires from the surface of the earth, and praying the appointment of three commissioners to assess the damages which the owner may sustain in consequence of the erection of such telegraph line; and of the right of access thereto thereafter, for the purpose of making necessary repairs; and thereupon the County Court shall direct notice to be given to the owners of such land, or to the corporation, as may be required, either by service of a writ, if the owner is within the reach

County Court to appoint Commissioners.

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section four, shall be adopted; and if the lands to be appropriated lie in more than one county, an appropriation may be made in any one county in which any of the lands lie, and the damages shall be assessed as to all the lands of the defendant corporation along the whole line, in one proceeding.

Different Counties.

SEC. 7. *Be it further enacted*, That in case the corporation hereby created, desire to erect lines of magnetic telegraph through the streets of any incorporated town or city, it shall be done under such reasonable regulations as to the mode of erecting the poles and wires so as not to incommode public travel, as the municipal authorities of such town or city may prescribe; but they shall not demand any compensation for such use beyond the amount necessary to put the street into its former state of repair. If the municipal authorities refuse or unreasonably delay to make such regulations, on being applied to by the Southern Telegraph Company, the said Company may apply to the County Court of the proper County, to prescribe such regulations, making the municipal authorities defendants to the petition.

Streets of a City.

SEC. 8. *Be it further enacted*, That for the purpose of making any agreement with the said corporation for the right to erect their lines of telegraph, and for the purpose of accepting service of notice or receiving payment, husbands are hereby authorized to act for their wives, the father or widowed mother for his or her children, guardians of children, lunatics, and idiots, and other persons under disability, to contract for their wards, and resident agents employed to receive rents or manage lands for their non-resident employers; but it is hereby declared that this Company shall have no power to contract with any owner of land for an exclusive right to erect or maintain a telegraph line over his land to the exclusion of other lines that will not interfere mechanically with practical working of the lines hereby authorized to be erected; and that all such contracts, by whomsoever made, and with whomsoever made, which tend to create monopolies, whether made by this or any other Company or persons, are contrary to public policy, and void.

Who may act for owner of lands.

Monopolies.

SEC. 9. *Be it further enacted*, That such corporation may contract, own, use, and maintain any line or lines of magnetic telegraph, whether wholly within, or wholly or partly beyond, the limits of this Commonwealth; or may join with any other corporation or association in constructing, leasing, owning, using, or maintaining, such line or lines; and may own and hold any interest in such line or lines, or may become lessees thereof, on such terms as the respective corporations may agree.

May join with any others.

SEC. 10. *Be it further enacted*, That the capital stock of this corporation, shall be five hundred thousand dollars, to be divided into shares of one hundred dollars each; and such capital may, from time to time, be increased or diminished by a vote of a majority of the stockholders at any lawful meeting. Capital stock.

SEC. 11. *Be it further enacted*, That the persons named in the first section, or a majority of them, may, at such time and place as they may agree, open books for subscription to the capital stock, and when ten per centum thereof shall have been subscribed, shall call a meeting of the stockholders, either by public notice published in some newspaper in the county where the books were opened, or by notice addressed to each stockholder by mail. Such meeting is hereby authorized to adopt such by-laws, and appoint such officers for the management of the affairs of such corporation, and make such other regulations, not inconsistent with the laws of the United States, or of this Commonwealth, for the government of such corporation as to them shall seem proper; and the same to alter, amend, or abolish, from time to time, as the exigencies of the corporation may require. Books. By-Laws.

SEC. 12. *Be it further enacted*, That it shall be deemed a misdemeanor for any of the agents or employes of said corporation, to embezzle any of its funds, or having received any such funds, to default in their payment; and any such embezzlement or defalcation shall be punishable with a fine of not less than five hundred or more than one thousand dollars, (to the use of the Company,) in the discretion of a jury, and imprisonment in the county jail until paid. Misdemeanor

SEC. 13. *Be it further enacted*, That M. Berin, W. P. Junis, T. W. Yardly, J. W. Burke, W. D. Whipple, T. B. McElwee, J. R. Hood, their associates, successors, and assigns, be, and they are hereby, created a body politic and corporate, under the name and style of the "Tennessee Telegraph Company," and as such, shall have succession for ninety-nine years; have a common seal, alter and change the same at pleasure; and a majority of the incorporators shall have power to pass such by-laws as they may deem proper for carrying out the provisions of this Charter, not inconsistent with the Constitution of this State, or the United States. Tenn. Teleg'h Company.

SEC. 14. *Be it further enacted*, That this incorporation shall be subject to such taxes as may be imposed on incorporations of a similar nature in this State. Taxes.

SEC. 15. *Be it further enacted*, That the Tennessee Telegraph Company shall be subject to all the restrictions and penalties, and entitled to all the rights and privileges granted by the Charter creating the Southern Telegraph Company. Privileges.

SEC. 16. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed February 15, 1866.

CHAPTER LI.

AN ACT to Incorporate the Town of Milan, in the county of Gibson, and State of Tennessee, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the citizens of the town of Milan, in Gibson county, State of Tennessee, are hereby incorporated by the name of the "Mayor and Aldermen of Milan," and by that name may sue and be sued, contract and be contracted with, hold real and personal property, assess taxes to improve the streets and public squares, and pass all ordinances necessary for the benefit and good order of the town.

SEC. 2. *Be it enacted*, That there shall be elected by the qualified voters of said town, a Mayor and six Alderman, who shall hold their offices for twelve months, and until their successors are elected; and it shall be the duty of the

Elections, &c.

Sheriff of said county to advertise and hold the first election; that the said Board of Mayor and Alderman may appoint a Constable to execute all corporation business as may be necessary, and after the first election shall hold the election provided for in this act, and give bond and security in such sum as may be fixed by said board for the faithful performance of his duty.

SEC. 3. That five of the Alderman shall constitute a Board to perform all business; they shall keep a record of their proceedings, and shall have power to make all by-laws and ordinances necessary for the good order of said town, not inconsistent with the laws of the State.

By-Laws.

Humboldt.

SEC. 4. *Be it further enacted*, That the town of Humbolt, Gibson county, Tennessee, is hereby incorporated with all the powers and privileges as are conferred upon the town of Milan, in the act incorporating said town.

Spring Hill.

SEC. 5. *Be it further enacted*, That the town of Spring Hill, Maury county, Tennessee, is hereby incorporated with

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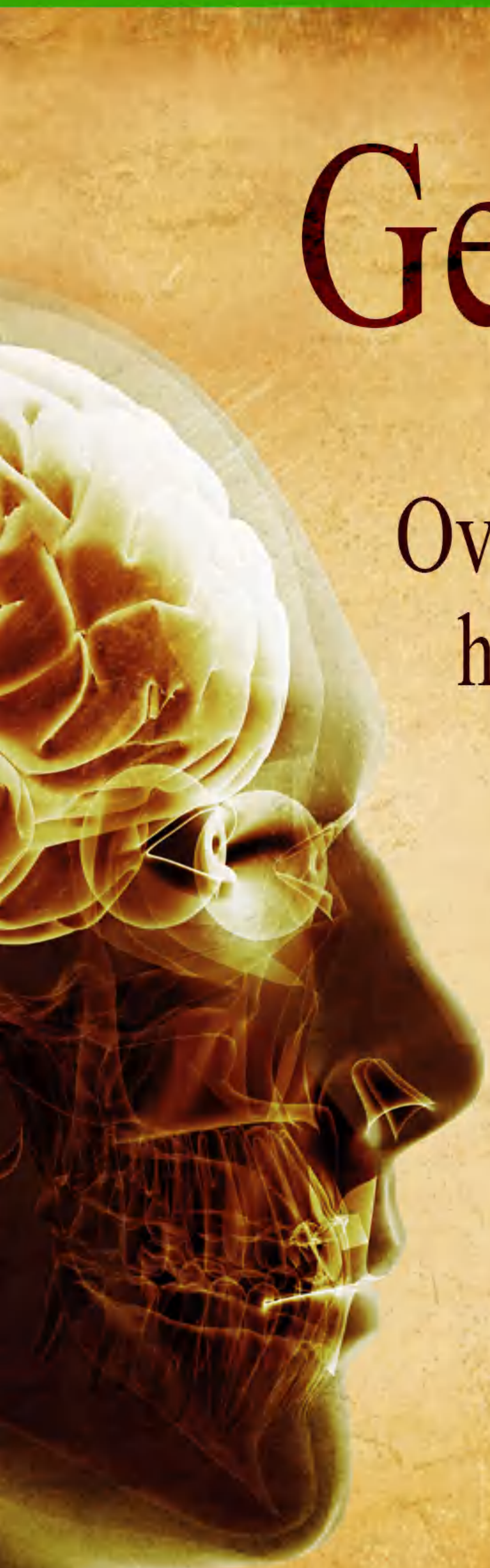

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pare all material, implements, machinery and tools necessary, proper or convenient for the purpose of manufacturing all and every kind of Cooper's ware, such as hogsheads, barrels, tierces, kegs, and all other kinds of vessels or ware, or other things made by coopers, to manufacture in any way and by any power all such articles, or any of them; to use, barter, sell or exchange same at their places of business in Montgomery county, Tennessee, or elsewhere; and said Company is hereby fully empowered and authorized to do and perform all such acts, and to erect buildings, and do any and all things which are necessary or convenient in, about or concerning such business, purpose and objects; and said Company may make or have executed to them mortgages or deeds of trust on real or personal property, or both, when necessary or prudent in their business, or in order to secure debts due or to become due by or to said corporation.

Objects or purposes.

Debts.

SEC. 4. *Be it further enacted*, That said Company may ordain and establish, from time to time, alter or amend such by laws, rules and regulations for the government of their affairs as the Company may deem proper, and which shall not contravene this Charter, and the laws of the land.

By-Laws.

SEC. 5. *Be it further enacted*, That any three or said corporators may open books for subscription of stock in said Company, at such times and places as they may choose. When the sum of five thousand dollars has been subscribed, then said Company shall proceed to organize and elect a Directory, consisting of five, who shall elect out of their own number, or from among the stockholders, a President, Secretary, and Treasurer, to serve until the next annual meeting of the stockholders, and until their successors are qualified and inducted into office. The annual meeting of the stockholders is hereby fixed to take place on the first Thursday of June of each and every year after the organization, at which time the elections are to take place. The stockholders may empower the Directory to change the rules and regulations if so desired. The Directory may dismiss any officer or agent of said Company from such position for malfeasance, misfeasance or nonfeasance in office; and may require bond and security, in such sums as they deem proper, from any officer or agent, conditioned for the faithful performance of all duties enjoined on such officer or agent by the by-laws, rules and regulations of the Company. At the annual elections a majority of the votes cast, in person or by written proxy, shall govern in elections and all other matters. In case of vacancy in any office or agency, the Directory, or such part as remains in office, may fill such vacancy, to the next annual meeting, or for a shorter time, at their discretion.

Stock Books.

Meetings.

Bond.

Vacancies.

SEC. 6. *Be it further enacted*, That each subscriber for stock in said corporation shall be individually liable only for the amount by such person subscribed, and only until the amount so subscribed is paid in. The said Company may increase its capital stock by admitting new subscriptions at any time until the capital stock amounts to seventy-five thousand dollars, but no more. Each share in said Company shall be one hundred dollars. Liability. Shares.

SEC. 7. *Be it further enacted*, That J. Cobb, B. O. Reese, Sam. Crabtree, W. S. McReynolds, W. C. Barksdale and S. F. Beaumont, and their associates and successors, are hereby constituted and created a body politic and corporate, under the name and style of the "Warnatta Manufacturing Company," and said Company is authorized and empowered with all the rights, powers and privileges in regard to the business of procuring and preparing material for, and manufacturing and vending any and all kinds of Agricultural Implements and Tools, and all the other incidental powers by this act conferred on the Clarksville Coopering Company in regard to its business, with this provision, that the capital stock may be increased to one hundred thousand dollars. Warnatta Manufact'rng Company.

SEC. 8. *Be it further enacted*, That John W. Williamson, J. P. Y. Whitfield, J. Cobb, W. Wines, B. O. Reese, G. T. Lewis, W. T. Dortch, T. D. Leonard, W. H. Elliott, N. L. Thomas, G. H. Slaughter and W. P. Hume, and their associates and successors, are hereby created and constituted a body politic and corporate, under the name and style of the "Clarksville Planing Mill," and said Company is authorized and empowered with all the rights, privileges, immunities and powers in regard to the procuring, preparing, manufacturing, vending and disposing of all wood and lumber used in the construction of any edifice, house, building, improvements, bridges, or other erection, as is conferred by this act on said Coopering Company in regard to its business. Clarksville Planing Mill.

SEC. 9. *Be it further enacted*, That J. P. Y. Whitfield, R. H. Williams, S. B. Seat, W. Wines, O. M. Blackman, J. Cobb, G. H. Worfield, C. H. Jones, J. Patterson and Thomas Cobb, their associates and successors, are hereby constituted and created a body politic and corporate, under the name and style of the "Clarksville Lumber and Shingle Company," and are hereby vested with all the rights, powers, privileges and immunities in regard to the business of procuring and sawing all kinds of lumber and making all kinds of shingles, and vending the same, as is conferred by this act on said Coopering Company in regard to its business. Clarksvill Lumber and Shingle Co.

SEC. 10. *Be it further enacted*, That W. T. Shackelford, William Wines, O. M. Blackman, R. W. Humphreys, W.

J. Castner and W. S. McReynolds, and their associates and successors, are hereby created and constituted a body politic and corporate, under the name and style of the "Clarksville Tannery," and said Company is invested with all the rights, powers and privileges in regard to the business of procuring material and manufacturing thereof, and vending all kinds of Leather, and other tanning products, with all the powers and rights by this act conferred on said Coopering Company.

Clarksville Tannery.

SEC. 11. *Be it further enacted*, That L. M. Bentley, G. H. Worfield, T. Cross, E. B. Haskins, Hugh Dunlap, W. J. Castner, J. P. Y. Whitfield, T. F. Pettus, W. P. Hume, D. N. Kennedy, W. Wines, O. M. Blackman, J. Elder, G. W. Hillman, L. Bradley, T. D. Leonard, Joshua Cobb, W. H. Elliott, J. W. Manson and Theodore Cobb, and their associates and successors, are hereby constituted a body politic and corporate, under the name and style of "Mero Mills," with like succession, and all the powers, rights and privileges by this act conferred on said Coopering Company, in and about the purchase or lease of lands, erection of buildings and machinery, the procuring, manufacturing and vending of any and all kinds of cotton fabrics, with a capital of not less than one hundred thousand dollars, which they may increase from time to time to the sum of six hundred thousand dollars.

Mero Mills.

SEC. 12. *Be it further enacted*, That W. M. Frisby, S. F. Beaumont, W. P. Dortch, T. F. Pettus, William Wines, J. E. Broaddus, T. M. McCulloch, W. P. Hume, Joshua Brown, G. H. Worfield, James C. Johnson, M. G. Gadson, D. M. Kennedy, John W. Barker, and their associates and successors, are hereby constituted a body politic and corporate, under the name and style of the "Montgomery Woolen Mills," with all the rights, powers and privileges conferred on said "Mero Mills," by section 11 in regard to the manufacture and vending of any and all descriptions of fabrics of Wool.

Montgomery Woolen Mills.

SEC. 13. *Be it further enacted*, That G. T. Lewis, J. Cobb, D. M. Kennedy, G. T. Abernathy, G. W. Hillman, L. Bradley, G. H. Worfield, H. Dunlap, J. P. Y. Whitfield, William Wines, J. A. Bates, J. T. Johnson, H. Carmal, R. F. Ferguson, T. F. Pettus and G. T. Abernathy, and their associates and successors, are hereby constituted a body politic and corporate, under the name and style of the "Clarksville Rolling Mills and Nail Factory," and in regard to the procurement, preparation and vending of all kinds of iron manufacture, castings and ware, are invested with all the powers and rights conferred on said "Mero Mills."

Clarksville Rolling Mills, and Nail Factory.

SEC. 14. *Be it further enacted*, That G. H. Slaughter, C. Kropp, C. H. Jones, Q. C. Atkins, John F. Couts, E.

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rights and privileges appertaining to other incorporations granted by the State; *Provided, however*, that none of the powers hereby granted shall be so construed as to authorize the issuance of notes for circulation, or in anywise engaging in the business of banking.

Capital Stock.

SEC. 19. *Be it further enacted*, That the capital stock of the said Company shall be one million dollars, divided into shares of fifty dollars each—the same to be considered in law as personal property—to be transferable on the books of the Company, and then only when the shareholder shall not be indebted to it for unpaid calls or instalments, unless it be with the consent of the Company.

Commissioners.

SEC. 20. *Be it further enacted*, That the following persons, viz: Samuel D. Morgan, John Kirkman, T. M. Buck, N. E. Alloway, Joseph W. Allen, N. McClure, W. W. Berry, T. M. Brennan, Brice Vannoy, John M. Bass, A. J. Duncan, John Lumsden, W. Matt. Brown, W. Simmons, Samuel Watkins, Anson Nelson, J. H. Budake, M. Burns, and S. E. Jones, or any three or more of them, may act as Commissioners for receiving subscriptions to the stock of said Company, either by opening books publicly or otherwise; to regulate and fix the amount of each instalment on the stock subscribed for, and to do all other acts essential to the organization of the Company.

Powers.

SEC. 21. *Be it further enacted*, That the said Company shall have the right of engaging and employing its capital and credit in any industrial, mechanical or manufacturing pursuit it may deem advisable; to purchase, rent, lease, receive in gift, and hold as security for debts due it, or to become due to it, such real, personal or mixed estate as it may deem expedient for conducting its operations; and to erect buildings, create, maintain and operate motive power, the same to use for its own purposes, or to sell, rent, lease or dispose of otherwise at its pleasure.

Elections.

SEC. 22. *Be it further enacted*, That when the amount of capital required to make its organization legal, (and which shall not be less than fifty thousand dollars,) is subscribed for, the shareholders may elect or appoint a Board of Directors to consist of not less than three nor more than nine from their own body, the number thus to be elected or appointed, to be decided on at the meeting held to organize the Company. In all elections held by the shareholders, the rates of voting shall be one vote for each share; *Provided, however*, that no stockholder shall vote who is in arrears in payment of any instalment due on his or her stock.

Officers.

SEC. 23. *Be it further enacted*, That the Board of Directors shall appoint one of its own body as President, who, with the concurrence of the majority of the Directors, may appoint all other officers, agents and servants of

the Company, and shall also enact such by-laws as are necessary, as well as establish or adopt a corporate seal, altering or changing the same at will.

SEC. 24. *Be it further enacted*, That C. W. Jones, C. C. Nelson, James C. Moses, and J. C. Luttrell, be, and the same are hereby, incorporated by the name of the "Knoxville Novelty Works Company," who shall have all the powers, and be entitled to all the privileges guaranteed in the provisions of the amendment creating the Novelty Works Company contained in this act.

Knoxville Novelty W'ks Co.

SEC. 25. *Be it further enacted*, That Eugene McGiry, R. C. Brinkley, John L. Saffarans, M. D. L. Steward, Martin Kelly, P. P. Higgins and John C. Creighton, of the City of Memphis, Tennessee, are hereby incorporated under the name and style of the "Memphis Mechanical Works," with all the powers, rights and privileges conferred in this act upon the Novelty Works Company.

Memphis Mechanical W'ks

SEC. 26. *Be it further enacted*, That Thomas McNish, W. R. Tracy, and their associates, be, and they are hereby, constituted a body politic under the name and style of the "Lookout Novelty Works Company," and shall have all the rights and privileges, and subject to the same limitations of the Novelty Works Company.

Lookout Novelty Works.

SEC. 27. *Be it further enacted*, That George W. Simpson, Thomas Richardson, Curtis Judd, B. F. Harris, John P. Lathrop and Samuel Graham, and their associates and successors, are hereby constituted and created a body politic and corporate, under the name and style of the "National Novelty Works of Tennessee," and said Company is hereby authorized and empowered with all the rights, powers and privileges in regard to the business of procuring and preparing material for, and manufacturing and vending any and all kinds of cooperage, wagons, agricultural implements, and to do a general manufacturing business in Stewart County, and State of Tennessee. That said Company be, and they are hereby, granted all the rights, privileges and benefits granted to the "Warnatta Manufacturing Company," and subject to the same restrictions and regulations.

National Novelty Works, of Tenn.

Powers.

SEC. 28. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed February 27, 1866.

CHAPTER LIII.

AN ACT to Incorporate the Memphis Library Association.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That J. E. Merriman, Ira M. Hill, W. R. Moore, J. M. Keating, L. M. Walcott, W. A. Edmonds, F. J. Richards, and their associates, are hereby incorporated a body politic and corporate, under the name and style of the "Memphis Library Association," in the City of Memphis, County of Shelby, State of Tennessee; with full power in their corporate capacity to sue and to be sued, plead and be impleaded, purchase and hold real and personal property, stock and incorporate hereditaments; and may dispose of the same in such manner as said Association may deem most expedient.

Powers, &c.

SEC. 2. *Be it further enacted*, That the said Memphis Library Association may use a common seal, and change the same at pleasure; and enact from time to time, such by-laws and regulations as may be required for the good order and government of said Society, not inconsistent with the Constitution of the United States, or of the State of Tennessee; and do and perform all other acts for their benefit, not inconsistent with the privileges herein granted.

Edgefield Seminary.

SEC. 3. *Be it further enacted*, That William R. Cornelius, Thomas Chadwell, G. B. Hibbard, J. T. Forbes, E. Truett, Hiram Vaughn, Wm. T. Cooper, Thos. Stratton, James Whitworth, and Michael Vaughan, shall be, and they are hereby constituted a body politic and corporate, under the name and style of the "Edgefield Seminary," in the County of Davidson, State of Tennessee, and shall have perpetual succession; may adopt and use a common seal, and the same to change, break, alter or renew at pleasure; and that they, their successors, and such other person or persons as may become associated with them, shall have and are hereby invested with all legal powers and capacities to buy, receive by gift or donation, or otherwise, any property, real or personal, for the benefit of said Institution; may possess and hold the same at pleasure, and the same alien and dispose; may sue and be sued, plead and be impleaded, in all the courts of law and equity in the State.

May hold property.

Elections.

SEC. 4. *Be it further enacted*, That ten Trustees chosen by the corporators named in this act, shall compose a Board of Trustees, under whose management, direction and control the affairs of said Institution shall be placed; that after the first election of said Trustees by the corporators aforesaid, the Board of Trustees shall be elected by the stockholders of said Institution, and shall continue in office for two years, or until their successors are chosen.

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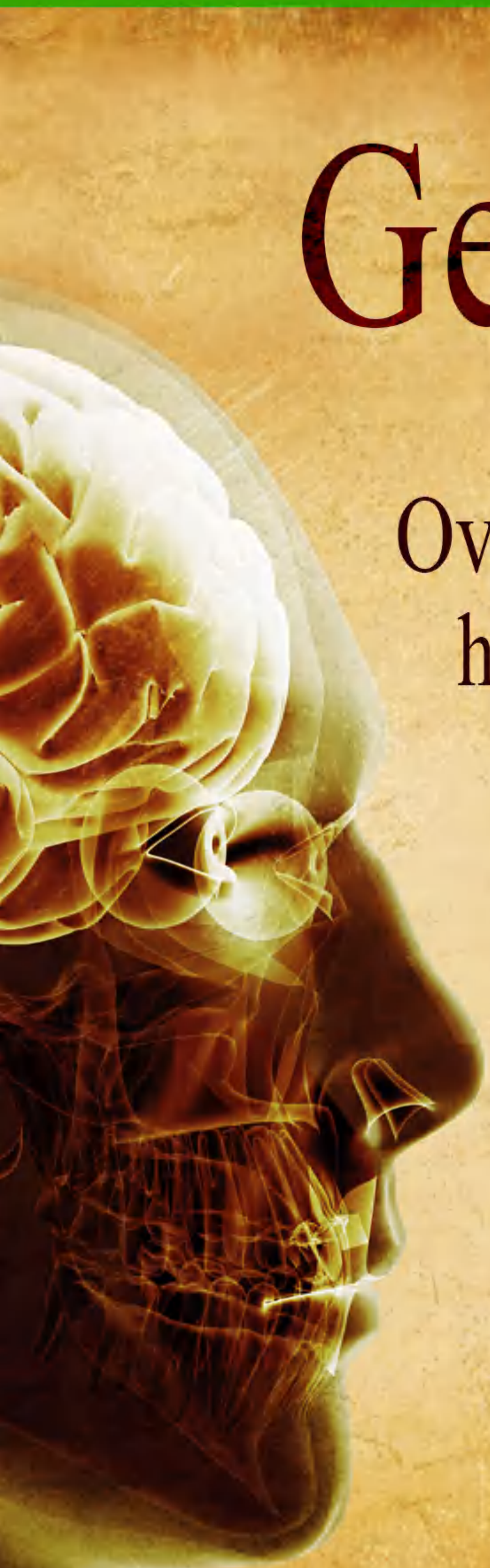

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CHAPTER LIV.

AN ACT to Incorporate the Memphis Union Publishing Company, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That William R. Moore, J. E. Merreman, Lucian M. Walcott, S. B. Beaumont, J. D. Davis, P. M. Winters, F. M. Louis, Wm. Hunter, M. T. Rider, P. Waltzer, P. H. Heinrich, Geo. R. Rutler, F. L. Davis, Joseph Gonauer, P. Sherry, F. L. Warner, J. G. Owen, B. F. C. Brooks, S. H. Chamberlain, and C. Heckley, and their associates, successors and assigns, be, and they are hereby constituted a body corporate by the name and style of the "Memphis Union Publishing Company," and shall be competent to sue and be sued in any court of law or equity; and shall have succession for ninety-nine years; to have and use a common seal; to establish and change any by-laws of said Company, not inconsistent with the Constitution and laws of the State of Tennessee, for the purpose of carrying on a printing and publishing establishment, in the said City of Memphis, and State of Tennéssee; to publish a weekly and tri-weekly, semi-weekly or daily newspaper, with a general publishing and job priting office; to purchase, hold and dispose of such real estate, by deed or lease, as may be deemed necessary for the successful carrying on of said establishment; and issue such number of shares of the stock of said Company as may be ordered by the vote of said Company; to purchase and hold all stock, type, material, engines, machinery, fixtures and personal property, of whatsoever kind, which may be necessary for their business; and generally to have and exercise all rights and privileges incident to corporations; except to issue any notes or bills of credit, or engage in any banking of any kind whatever.

Powers, &c

Capital stock

SEC. 2. *Be it further enacted*, That the capital stock of said Company shall not exceed the sum of four hundred thousand dollars; but when the sum of ten thousand dollars shall have been subscribed, the Company shall be authorized to complete its organization, and commence the issue of certificates of stock, which shall be in shares of fifty dollars each, and proceed to carry out the objects of the Company, by calling a general meeting of the stockholders, upon notice by the corporators, who shall, prior thereto, have and exercise all the authority of a Board of Directors in relation to the business and affairs of the Company; that at the first meeting of the stockholders they shall elect a Board, consisting of a President and six Directors, who shall appoint a Secretary and

Meeting

Treasurer, who shall give bond in such sum as may be fixed by the Board; they shall also have power to employ a business manager to take charge of the publishing office, editors and other employes, and determine their compensation. Bond.

SEC. 3. *Be it further enacted*, That all elections for officers shall be held annually, but a failure to elect at the expiration of the term for which a board may have been elected, shall not thereby cause a forfeiture of the charter, but the old Board shall hold until their successors are elected and qualified. Annual elections.

SEC. 4. *Be it further enacted*, That the Company may sue any delinquent stockholder for default in the payment of his stock, or any part of it, according to the terms of subscription to the Company. Deliquents.

SEC. 5. *Be it further enacted*, That no certificate of stock shall be transferable to any person who is not a stockholder, except with the approval of the Board of Directors obtained at a regular meeting, and endorsed on said certificate by the President and Secretary, and all such transfers shall be recorded and so endorsed, without which they shall be void. Transfers.

SEC. 6. *Be it further enacted*, That J. S. Jones, J. H. Waggoner, J. B. Rutledge, and J. R. Graves are hereby incorporated under the name and style of the "South-Western Publishing Company," of Memphis, Tennessee, with all the rights, powers and privileges conferred by this act upon the "Memphis Union Publishing Company." Southwestern Publishing Co

SEC. 7. *Be it further enacted*, That John Ruhn and Theodore Frauernicht, and their associates, be, and are hereby constituted a body politic and corporate, by the name and style of the "Tennessee Staats Zietung (State Gazette) Company," and by that name they shall sue and be sued, plead and be impleaded; may have and use a seal, and enjoy all the rights, privileges and powers appertaining to bodies politic and corporate by law, for the term of fifteen years, and shall have succession. Tenn. Staats Zeitung Co.

SEC. 8. *Be it further enacted*, That the capital stock of said Company shall be not exceeding fifteen thousand dollars, which sum shall be divided into shares of one hundred dollars each. Capital Stock.

SEC. 9. *Be it further enacted*, That the said "Tennessee Staats Zeitung Company," shall be authorized to establish at the City of Nashville a daily and weekly newspaper published in the German language.

SEC. 10. *Be it further enacted*, That whenever three thousand dollars of the said capital stock shall have been subscribed, a meeting of the stockholders shall be called at Nashville, Tennessee, of which due notice shall be given to the subscribers; and when said stockholders shall have Meeting.

assembled, they may proceed to elect three Trustees, who shall be stockholders, any two of whom shall constitute a quorum to do business, to pass by-laws and organize the Company, and commence the publication of said paper; and shall have the power to appoint one of the stockholders President of the Company, and one Secretary, who shall hold their offices for the term of two years from the date of their election, and until their successors are appointed; and said election shall be held every second year, after the first election, on the first Saturday in January, or at such other time as may be thought best by said Company, if failed to be done then. In such election, and in all other meetings of the stockholders, each stockholder shall have one-half vote for each share of stock subscribed by him or her; and it shall be the duty of said President and Trustees to have the said paper published, and the President shall have the general management of the paper, as regards hiring and discharging necessary employes, and-so-forth.

Officers.

Voting.

SEC. 11. *Be it further enacted*, That at the first meeting of the stockholders such by-laws shall be passed as may be deemed necessary to regulate the duties of the officers of said Company.

By-Laws.

SEC. 12. *Be it further enacted*, That John Ruhn and Theodore Trauernicht are hereby appointed Commissioners to open books and receive subscriptions for stock in said Company, at such places as they may deem most suitable.

Commissioners.

SEC. 13. *Be it further enacted*, That the stockholders shall have the right of transferring their stock by sale, gift or otherwise, as they may desire, and the assignee of said stock so transferred shall be entitled to all the rights, privileges and immunities, and subject to all the restrictions, of the original members of said Company.

Transfers.

SEC. 14. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed February 27, 1866.

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Officers.

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By-Laws.

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Transfers.

SEC. 14. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed February 27, 1866.

CHAPTER LV.

AN ACT to Incorporate the Union Mining Company, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Cryder E. S. Monroe, L. W. Gilbert, T. B. Thurber, George Lawrence, and their associates, are hereby constituted a body politic and corporate, under the name and style of the "Union Mining Company," for the purpose of exploring and working mines of metalic or fossil substances, and to continue in existence to them and their associates for the period of seventy years; with power to make and use a common seal; to make such by laws not inconsistent with the Constitution and Laws of this State, and of the United States, as it may deem proper and necessary for its government; in its corporate name to sue and be sued, to plead and be impleaded, to hold by purchase or otherwise, and to dispose of the same in any way, any real estate or personal property, which may be useful or necessary for carrying on its operations.

SEC. 2. *Be it further enacted*, That the capital stock of said Company shall be five hundred thousand dollars, to be divided into shares of not less than fifty dollars each. Nothing but money and mineral property shall be regarded as a basis for capital stock; the stock to be subscribed and paid for as the Board of Directors may prescribe; the shares shall be considered as personal property, and transferable only on the books of the Company, in person or by attorney. Capital Stock

SEC. 3. *Be it further enacted*, That the Company shall not contract any debt over the amount of capital stock subscribed for and paid in; and when so organized the Company shall employ such miners and agents as it may deem proper. The Company, when organized, shall have a President, Secretary and Treasurer, with such other officers as shall be deemed necessary by the stockholders. Officers, &c.

SEC. 4. *Be it further enacted*, That William Churchhill, C. A. Proctor, T. Howard, E. Hopkins, B. Harmans, H. W. Barnes and Geo. P. Wetmore, and their associates, are hereby constituted a body politic and corporate, under the name and style of the "Howard Coal Company," for the purpose of mining, transporting and vending coal, with like privileges and restrictions as are by this act granted the "Union Mining Company." Howard Coal Co.

SEC. 5. *Be it further enacted*, That John G. Dale, J. E. Condict, R. J. Meigs, J. R. Pomeroy, Charles W. Monroe, and their associates, are hereby constituted a body politic and corporate, under the name and style of the "Hope Hope Copper Co.

for each day they shall be employed reviewing said road; and this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed February 27, 1866.

CHAPTER LVII.

AN ACT to Incorporate the Farmers' and Merchants' Fire and Marine Insurance Company, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That R. J. Williams, J. W. Peters and W. J. C. Beck, of Savannah, together with those who may hereafter become stockholders, as hereinafter provided for, are hereby created a corporation and body politic, by the name and style of the "President and Directors of the Farmers' and Merchants' Fire and Marine Insurance Company," and shall have succession for ninety-nine years; and by that name are hereby made capable and able at law to have, purchase, receive, possess, and enjoy, retain and control, to them and their successors, land, tenements, rents, goods, chattels, and effects, to an amount not exceeding two hundred thousand dollars; and the same to sell, convey, and dispose of; to sue and be sued; to plead and be impleaded; answer and be answered; defend and be defended, in all courts in this State or elsewhere; may make and use a common seal, and the same to break, alter, or renew at will; to ordain, establish, and put into execution such by-laws, ordinances, and regulations as shall be deemed necessary and convenient for the government of said Company, not contrary to the laws of this State; and generally to do all acts and things that a corporation may lawfully do.

Powers, &c.

SEC. 2. *Be it further enacted*, That the persons named in the first section of this act, or a majority of them, shall open books of subscription for the stock in said Company, which stock shall consist of two thousand shares of one hundred dollars each, payable in lawful currency of the United States; and at the time of subscribing they shall

Capital Stock

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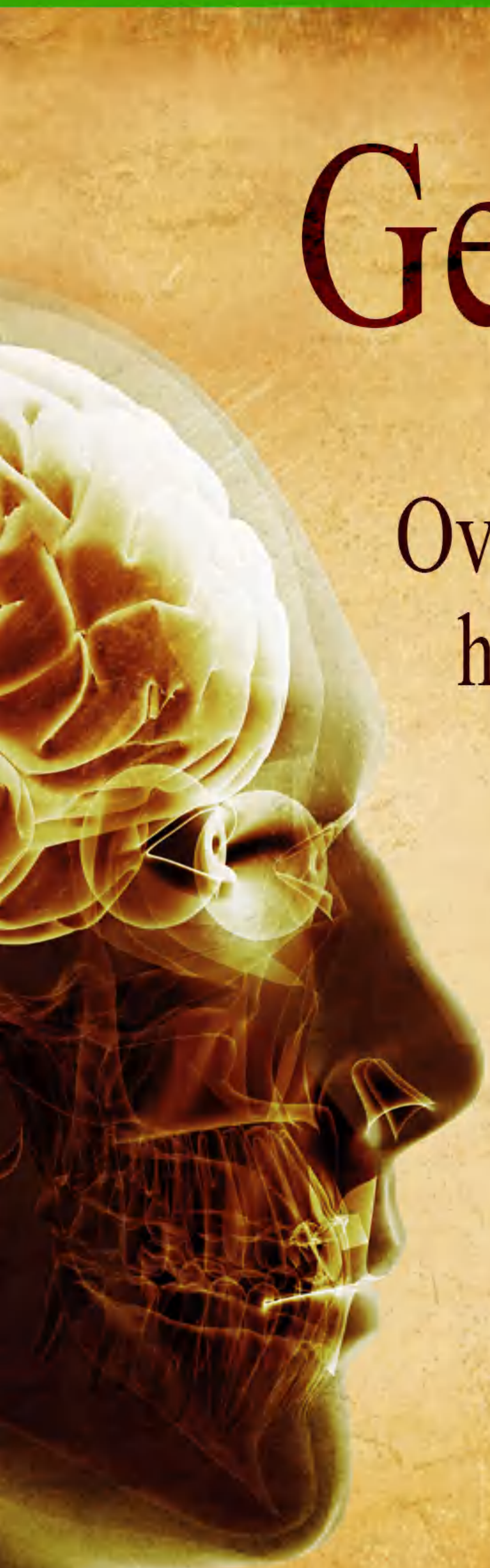

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agreed upon by the parties, upon buildings, machinery, manufacturing establishments, goods, wares, and merchandise of every description, of all classes and qualities of property, transportable by land or water, in the United States; also, to make insurance of steamboats and water crafts used for transportation of goods, wares, and merchandise therein contained, and to be transported or shipped; and to make all such proper contracts for the insurance of other valuable property as may be embraced within the name of personal property; and all such contracts, when signed by the President and Secretary, containing the seal of the Company, shall be valid.

Insurance.

SEC. 6. *Be it further enacted*, That it shall be the duty of the President and Board of Directors, on the first Tuesday in May of each year, to make a dividend if there is more money than is required to pay losses and expenses above the subscribed capital, making that dividend equal on each share.

Dividend.

SEC. 7. *Be it further enacted*, That said corporation shall be subject to such taxes as may be imposed on similar corporations.

SEC. 8. *Be it further enacted*, That F. L. Warner, John Bullock, G. H. Stahl, P. H. Heinrich and W. Koch are hereby incorporated under the name and style of the "Memphis German Fire and Marine Insurance Company," with all the rights and privileges conferred in the foregoing act.

Memphis Ger. Fire and Marine Insurance Co.

SEC. 9. *Be it further enacted*, That Robert H. Armstrong, John M. Fleming, John Williams, Thomas Latham, C. C. Smith, and their associates, be, and they are hereby, constituted a body corporate and politic, under the name and style of the "East Tennessee Insurance Company;" and by such name and style shall be entitled to all the rights and privileges granted in the Charter creating the Farmers' and Merchants' Fire and Marine Insurance Company.

East Tenn. Ins Co.

SEC. 10. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed Febuary 27, 1866.

CHAPTER LVIII.

AN ACT to open Navigation on the Big South Fork of the Cumberland River.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That A. P. McDonald, R. E. Cross, John T. Wilder, and their associates, their successors and assigns, be, and they are hereby, constituted a body corporate and politic, by the name and style of the "Big South Fork Navigation Company," and, by that name and style, shall have succession for ninety-nine years, with power to contract and be contracted with, to sue and be sued in that name in all the Courts, and to have a common seal, to engage in mining and manufacturing, and are empowered to levy and collect a toll of one cent per mile on each ton of all tonnage of any kind, and one half cent per mile on each one thousand feet of lumber or timber shipped by any person or parties on any of the waters made navigable by said corporation either up or down stream for flat-bottomed boats or rafts, or other water-craft, said waters being the stream known as the Big South Fork of the Cumberland River, or any of its branches; and, further, to have all the rights, powers and privileges heretofore granted to the East Tennessee Union Petroleum, Coal, Iron and Salt Company.

Powers and privileges.

SEC. 2. *Be it further enacted*, That the obstructions to navigation to said stream to be removed by said Company within a period of five years, and the work of removal to commence within one year from the passage of this act.

Time allowed.

SEC. 3. *Be it further enacted*, That this corporation shall be subject to such taxes as are imposed on similar corporations in this State.

Taxes.

SEC. 4. *Be it further enacted*, That this act take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed March 2, 1866.

CHAPTER LIX.

AN ACT Incorporating the Unionville Female Academy, in Bedford County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Howell Williams, B. F. Dugguan, Robert Allison, Bryant Landis, A. F. Knott, W. F. Clary and A. Hatcher, be, and they are hereby constituted a body politic and corporate, by the name and style of the "Unionville Female Academy," and by that name may have succession for ninety-nine years, with full power to receive, purchase and hold any lands, tenements, goods or chattels which may be given, granted or devised to them, or purchased by them, for the use and benefit of said Academy; and the said Trustees, and their successors, by the name aforesaid, may sue and be sued, plead and be impleaded, in any of the Courts of law or equity in this State.

Powers and privileges.

SEC. 2. *Be it further enacted*, That the Trustees aforesaid, and their successors shall have power to hold such meetings at such times and places as they may think proper; to elect one member President, and a Secretary and Treasurer of said Board, and to fill vacancies when such may occur by death, resignation, removal or otherwise; but not less than a majority of said Trustees shall constitute a Board to do business.

Meetings.

SEC. 3. *Be it further enacted*, That the said Board of Trustees shall have power to make such rules and regulations relative to said Unionville Female Academy, and the government thereof and their own proceedings, as a majority may deem right and proper; *Provided*, they be not inconsistent with the Constitution and laws of the State.

Regulations.

SEC. 4. *Be it further enacted*, That said Unionville Female Academy shall be, and continue to be, under the exclusive care, control and guardianship of Masonic Lodge No. 315, at the village of Unionville, in said County.

Guardianship

SEC. 5. *Be it further enacted*, That no spirituous or vinous liquors shall be sold as a beverage in any quantity within two miles of said Unionville Female Academy.

Liquors.

SEC. 6. *Be it further enacted*, That any person or persons violating the 5th section of this act, shall, upon due conviction thereof. forfeit and pay one hundred dollars for each offense, one-half to go to the use and benefit of said Academy, the other half to the Common School fund in this State.

Penalty.

SEC. 7. *Be it further enacted*, That the County Court of Campbell County, at the April term, 1866, shall elect five Trustees for Franklin Academy, in Campbell County; said

Franklin Academy.

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road; also so as to allow said Company to blend their charter with that or those of any other Company or Companies, now or hereafter to be chartered, so as to form any desired connection by rail between Cincinnati, Ohio, and Chattanooga, Tennessee; and that said Company alone, or in connection with other Companies, shall not be restricted to any special gap or way in passing through the Cumberland range of mountains.

May blend Charter.

SEC. 2. *Be it further enacted*, That said Company by itself, or in connection with another or other Companies with which it may be consolidated, may construct such branch roads as may be necessary in forming connection with depots on rivers, or deposits of coal or mineral in the country adjacent to the lines of the road, under the same restrictions and liabilities and with the same powers and privileges embraced in the original charter of said Company, together with succeeding amendments made thereto.

Branch roads.

Powers.

SEC. 3. *Be it further enacted*, That no forfeiture shall be construed as worked to the charter of said Company, nor shall its privileges and powers be impaired because of a failure to act and report through its officers under its charter and by-laws during the existence of the late rebellion, but that said charter shall stand in full force.

Forfeiture.

SEC. 4. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed April 17, 1866.

CHAPTER LXII.

AN ACT to Incorporate the Nashville and Woodland Street Railroad Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Hugh C. Jackson, George G. Miner, John F. Gunkle, William G. Brien, Anthony W. Johnson, Madison Stratton, Thomas Stratton, R. M. Kinnard, Daniel Bailey, Hugh Douglass, Granville P. Smith, A. G. Sanford, —— Cook, and their successors and asso-

ciates, are hereby constituted a body politic and corporate, under the name of the "Nashville and Woodland Street Railroad Company," and by that name shall have succession for fifty years, may sue and be sued, plead and be impleaded, may have and use a common seal, and change or alter the same at pleasure, may receive, purchase and hold such personal and real estate or property as may be necessary for carrying on the business of said corporation, and the same to sell and dispose of at pleasure, may make all needful by-laws for the government of their said Company, not inconsistent with the laws of the United States or if this State. Powers.

SEC. 2. *Be it further enacted*, That said Company is incorporated for the purpose of constructing and using a street railroad from the banks of the Cumberland River, running eastwardly with Woodland Street and the Gallatin Turnpike road, not exceeding two miles from said River. Purposes.

SEC. 3. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed April 17, 1866.

CHAPTER LXIII.

AN ACT to Incorporate the Central Fire Insurance Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Thomas B. McElwee, A. K. Troiner, A. B. Moreau, J. R. Hood, Charles A. Fain, H. W. Fyffe, and James B. L. Keating, and such other persons as may be hereafter associated with them, and their successors, are hereby constituted a body politic and corporate, under the name and style of the "Central Fire Insurance Company;" and by that name shall have succession for ninety-nine years; and may sue and be sued in any Court whatsoever; with powers and privileges as hereinafter provided.

Capital.

SEC. 2. *Be it further enacted*, That the capital stock of said Company shall not exceed one million dollars, in shares of fifty dollars each; but whenever two hundred and fifty thousand dollars shall have been subscribed, and two per centum thereof paid in, the Company may organize and proceed to business under this act, by the election of a

Directors.

Board of Directors, not to exceed nine, five of whom shall constitute a legal quorum.

SEC. 3. *Be it further enacted*, That this Corporation shall have full power and authority to insure loss by fire, on all kinds of property; and to purchase and hold such

Powers.

real and personal estate, as may be necessary to effect the object of this association, and the same may sell at pleasure; and to loan and invest its surplus funds, as shall be deemed by the Directors for the best interest of the Company, and not inconsistent with the laws of the State.

SEC. 4. *Be it further enacted*, That the aforesaid corporators, or a majority of them, shall be appointed Commissioners to open books for the subscription to the capital stock of said Company, at such times and places as they

Com'ssioners.

may deem proper, and for such amounts as in their judgment the business of the Company may require; but for no less amount of subscription than two hundred and fifty thousand dollars, as hereinbefore provided. Within twenty days after the closing of the subscription, called for by the Commissioners, an election for Directors shall be

Directors.

held under the inspection of said Commissioners. Said Directors shall be elected for one year, by a majority of the stockholders voting at said election, each share being entitled to one vote. And the Directors so elected, or

By-Laws

their successors, shall have power to make all such by-laws, rules, and regulations as they may deem necessary to carry out the objects and provisions of this Charter and the interests of said Company; *Provided*, the same be not inconsistent with tne laws of the State, and the United States. And such laws, by-laws, rules, and regulations they may alter or repeal at pleasure.

SEC. 5. *Be it further enacted*, That said Company shall

Seal.

have power to make and use a common seal and alter or change the same at pleasure.

SEC. 6. *Be it further enacted*, That J. H. Howell, Garland B. Ware, S. R. Wood, B. J. Lea, and R. Y. Longley, and their associates, are hereby created a body politic

Home Insurance Comp'ny of Tenn.

and corporate, by the name and style of the "Home Insurance Company of Tennessee," to be located at the town of Brownsville, Tennessee; with all the rights, powers and privileges and restrictions conferred and imposed upon the Energetic Insurance Company, chartered by an act to incorporate the Middle Tennessee Insurance Company at

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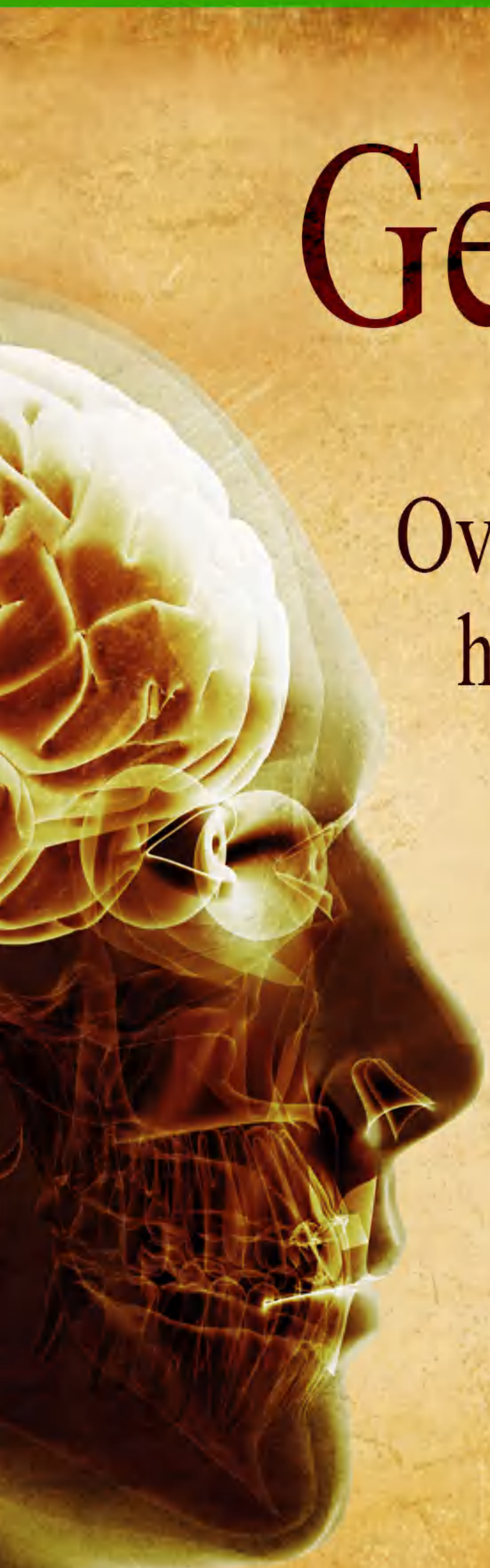

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CHAPTER LXV.

AN ACT amending the Charter of the Eaglesville and Chapel Hill Turnpike Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Charter of the "Eagleville and Chapel Hill Turnpike Company," be, and the same is hereby amended, so that any failure heretofore or hereafter by the stockholders therein to make an annual or biennial election of Directors of said Company, shall not operate as a forfeiture of the Charter of said Company, and shall not be held to invalidate the acts of the existing or last elected Board of Directors, until their successors are elected and qualified, but the same shall be binding and valid as to all persons concerned; and each successive Board of Directors shall continue to hold and discharge their duties as such, until the election and qualification of their successors according to the provisions of the original Charter; *Provided*, that the provisions of this act shall apply to each and every Turnpike Company in this State.

Forfeiture.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed April 17, 1866.

CHAPTER LXVI.

AN ACT to Incorporate the Citizens' Gas Light Company, of Nashville.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That a Company to be entitled the "Citizens' Gas Light Company, of Nashville," shall be, and the same is hereby established, with a capital of one hundred thousand dollars, which may be increased to two hundred thousand dollars, divided into shares of fifty dollars each; and the persons herein incorporated, their successors and assigns, are hereby created a body politic and corporate, by the name and style of the "Citizens Gas Light Company, of Nashville," and under such name may sue and be sued, contract and be contracted with; may have and use a common seal; may pass such rules and reg-

Capital.

Powers.

ulations as may be deemed expedient, not inconsistent with the Constitution and Laws of this State, and of the United States, and shall have succession and continue in existence for the period of ninety-nine years.

SEC. 2. *Be it further enacted*, That all the rights, privileges, powers and restrictions contained in section second, fourth, fifth, sixth, seventh, eleventh and twelfth of an act passed November 21, 1849, incorporating the "Nashville Gas Light Company," not inconsistent with the first section of this act, shall and are hereby declared to apply to the "Citizens Gas Light Company, of Nashville," as fully and completely as though the same were herein fully set forth and incorporated.

Act of Nov. 21, 1849.

SEC. 3. *Be it further enacted*, That R. B. Cheatham, John Kirkman, Joseph Vaulx, John H. Callender and Samuel J. Carter, are hereby made and appointed a Board of Commissioners for the purpose of opening books of subscription for stock to said Company. They shall give ten days' notice of the time and place of opening said books in the different newspapers of the City of Nashville; and after fifty thousand dollars of stock shall have been subscribed, the Commissioners shall give ten days' notice, and proceed to elect officers in the same manner as required in the act incorporating the Nashville Gas Light Company.

Commissioners.

To give notice.

Election.

SEC. 4. *Be it further enacted*, That the election of President and Directors shall be annual, and they shall fill any vacancy that may occur in their Board; the said election to be held at the office of the Company, at such time as the stockholders may appoint; each share of stock shall be entitled to one vote, which may be given by proxy, and the ownership of at least five shares of stock shall be necessary to qualify for a Director or President; transfers of stock shall be registered, and may be made at any time previous to one month before the election.

Vacancies.

Voting.

Transfers.

SEC. 5. *Be it further enacted*, That the "Citizens' Gas Light Company," of Memphis, shall be incorporated and established on the same terms, and with the same powers and restrictions, granted to the "Citizens' Gas Light Company, of Nashville," and that D. M. Leatherman, P. C. Bethell, W. G. Ford, James Elder, and T. J. Dupree are hereby made and appointed Commissioners to open books for subscription of stock in said Company, on the same terms, and with the same restrictions, granted to the Commissioners of the "Citizens' Gas Light Company, of Nashville."

Citizens Gas Light Co. of Memphis.

Commissioners.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed April 17, 1866.

CHAPTER LXVII.

AN ACT to Incorporate the Jonesborough Female College.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That a Female Institution be, and the same is hereby, chartered and incorporated by the name of the "Jonesborough Female College, to be located in the town of Jonesborough, Tennessee.

SEC. 2. *Be it further enacted*, That the following persons be, and they are hereby, appointed Trustees of said Institution, to-wit: J. M. Hoss, S. J. W. Lucky, Dr. R. F. Drake, Dr. J. Gibson, William Coffman, James A. Wells, Rev. D. B. Carter, Peter M. Reeves, Henry Hoss, Col. A. J. Brown, J. H. Draper, L. W. Keene, and Judge R. R. Butler, who with their successors in office, shall constitute a corporation; and to be able and liable in law and equity to sue and be sued; plead and be impleaded, in all courts, as other legally constituted corporations. Said corporation may have a common seal; and shall be able to take by purchase, grant, or devise, or by any other means, hold real, personal or mixed property; but the funds and property, however acquired, shall be used for the purpose of Education.

Trustees.

Powers.

SEC. 3. *Be it further enacted*, That said Trustees, and their successors in office, shall have full power and authority to collect all funds that have been, or that hereafter may be, subscribed, given or granted to said Institution; they may bargain, sell, or dispose of, any real or personal property belonging to said Institution, as they may deem for the best interest of Education.

Same.

SEC. 4. *Be it further enacted*, That the number of said Trustees shall at no time exceed fifteen, any five of whom shall constitute a quorum, with power to transact all the business of the Institution. Said Trustees shall have full power and authority to manage and control the funds of the Institution, for the benefit of the same; to prescribe the course of study and discipline to be observed in the same. The Trustees shall elect a President or Principal of the Institution, and such Professors and Tutors as they may deem necessary; and such Professors and Teachers shall constitute a Board of Education. The Principal or President of the Institution, may be either male and female, as the Trustees may think proper; so of the Teachers. When the Trustees meet they may appoint one of their number Chairman, who shall continue such at the pleasure of the Board, Principal or President, and Teachers appointed by the Trustees, shall hold their office at the pleasure of the same, and be subject to removal at any time.

Quorum.

Principal.

Board of Education.

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To pay the taxes so collected by him into the First National Bank of Clarksville, Tennessee, under the same rules and regulations as are now prescribed for paying the same into the Bank of Tennessee.

SEC. 2. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed April 18, 1866.

CHAPTER LXIX.

AN ACT Incorporating the town of Madisonville, Monroe County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the town of Madisonville, in the County of Monroe, and the inhabitants within the limits of the same, as laid down in the plan of said town, are hereby constituted a body politic and corporate, by the name and style of the Mayor and Aldermen of the town of Madisonville, and shall have perpetual succession. By this corporate name, may sue and be sued, plead and be impleaded, grant, receive, purchase and hold real, personal and mixed property, and dispose of the same for the use and benefit of said town, and may have and use a town seal.

Powers.

SEC. 2. *Be it further enacted*, That the corporation aforesaid shall have full power and authority to enact such laws and ordinances necessary and proper to preserve the health of said town; to prevent and remove nuisances; to establish night watches and patrols; to ascertain when necessary the boundary and location of streets, lanes and alleys; to establish new streets, lanes and alleys, with consent of the proprietors of the lots or houses adjoining such streets, lanes and alleys; to impose and appropriate fines, penalties and forfeitures for a breach of the by-laws or ordinances; to appoint a Recorder, Treasurer and Constable; to lay and collect taxes for the purpose of carrying the necessary measures into operation for the benefit of said town; to restrain tippling houses, and to pass all laws and ordinances necessary and proper to carry the

Taxes.

intent and meaning of this act into effect; *Provided*, they are not incompatible with the Constitution and laws of the State.

SEC. 3. *Be it further enacted*, That all fines and forfeitures imposed by the by-laws and ordinances of said corporation, not exceeding the sum of fifty dollars, shall be recovered by action of debt before any Justice of the Peace of the County of Monroe, and for sums exceeding that amount before the Circuit Court of Monroe County, at the suit of the Mayor and Aldermen of the town of Madisonville. Fines.

SEC. 4. *Be it further enacted*, That on the first Saturday in May, 1866, and on the first Saturday in May, biennially thereafter, the Sheriff of Monroe County, or his legally appointed Deputy, after giving ten days' notice of time and place, shall open and hold an election within the specified corporate limits of said town of Madisonville, for the purpose of electing six persons to serve as Aldermen and one as Mayor for the corporation of the said town of Madisonville, who shall respectively hold their offices for two years, and until their successors shall be elected and qualified, commencing on the second Monday next succeeding their election; and all persons living within the limits of said corporation, who would be qualified to vote for members of the General Assembly, shall be entitled to vote for Mayor and Aldermen for said corporation, and no person shall be eligible to the office of Mayor or Aldermen unless he shall, at the time of his election, reside within the corporate limits of said town of Madisonville. The Judges of said elections, three in number, and the Clerks, two in number, shall be appointed by the Sheriff or his Deputy, of the qualified voters of said corporation, and by him qualified; the polls to be opened at the place previously designated by the Sheriff or his Deputy, at 12 o'clock, M., and closed at 3 o'clock, P. M., immediately after which elections, the Sheriff or his Deputy shall deliver to the several persons having the highest number of votes, a certificate of their election. Election. Voters. Sheriff's duty.

SEC. 5. *Be it further enacted*, That it shall be the duty of the Mayor and Aldermen so elected as aforesaid, on some day of the next week succeeding their election, to meet at some convenient place within the limits of said corporation, and upon the presentation of their certificates of electian to some Justice of the Peace of Monroe County, he shall administer to them the following oath: "We do solemnly swear that we will well and truly discharge the duties of our respective offices of Mayor and Aldermen of the town of Madisonville for and during our continuance in office." Which oath shall be reduced to writing and filed in the office of the Justice of the Peace before whom Organization. Oath.

Quorum.

the same is made, signed by the party making the same, and thereupon the said Mayor and Aldermen, five of whom shall form and constitute a quorum, shall proceed to elect a Recorder, Treasurer, and Town Constable for said corporation for the same time for which the Mayor and Aldermen were elected.

Bond.

SEC. 6. *Be it further enacted*, That the Recorder, Treasurer and Constable, elected under the fifth section of this act, shall each be required to enter into bond, with sufficient security, to be approved by the Mayor of said Corporation, faithfully to collect and pay over, as required by said Board of Mayor and Aldermen, all taxes, fines, forfeitures, &c., which may be due and owing to said Corporation.

Constable.

SEC. 7. *Be it further enacted*, That it shall shall be the duty of the Constable thus appointed in said Corporation faithfully to collect and pay over to the Treasurer of said Corporation, on the first Mondays in April and September annually, all taxes, fees and forfeitures due and owing to said Corporation, and on failure shall be liable for the amount of his delinquencies, with cost, before the Circuit Court of Monroe County, and also liable to be removed for any misconduct in office at the pleasure of the Mayor and Aldermen.

Circuit Court.

Vacancies.

SEC. 8. *Be it further enacted*, That all vacancies of Aldermen, Mayor or other officers of said Corporation shall be filled for the residue of the term by the Board of Aldermeu and Mayor in office, and the person so appointed by them shall possess the same qualification for office as required in the 4th section of this act.

Blending.

SEC. 9. *Be it further enacted*, That the Mayor and Aldermen of said Corporation have the right and privilege of blending the offices of Treasurer and Recorder and devolving the duties of the two offices on one individual.

Fees.

SEC. 10. *Be it further enacted*, That the Mayor and Aldermen, Recorder, Treasurer and Constable of the town of Madisonville shall be allowed such fees for their services as Mayor, Aldermen, Treasurer, Recorder and Constable, as Mayor and Aldermen may from time to time allow.

City of Knoxville.

SEC. 11. *Be it further enacted*, That an act to amend the acts incorporating the City of Knoxville, and for other purposes, be so amended as to allow the Committee of the Fifth Ward of the City of Knoxville to employ so much of the taxes collected on property in said Ward, as they may deem necessary, to pay a police force to preserve the peace in said Ward, and all acts of said Committee heretofore, appointing a police force in said Ward, are hereby legalized.

SEC. 12. *Be it further enacted*, That the City Marshals

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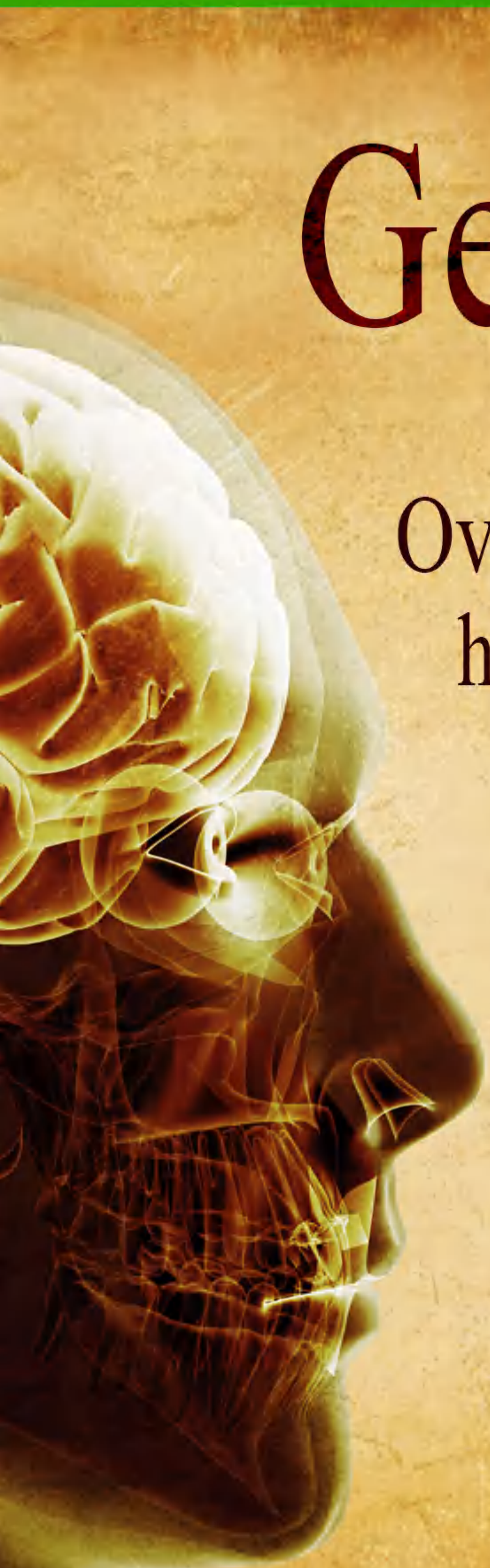

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Western Railroad, or any other railroad company or party, or parties, necessary for the full and complete use and enjoyment of said railroad and connecting lines.

Bonds.

SEC. 3. *Be it further enacted*, That the said New Orleans and Ohio Railroad Company are hereby vested with the right to issue, and to sell and deliver, by the President, or any agent constituted by the President and Board of Directors, or a majority of them, within the United States or elsewhere, the bonds of said Company, signed by the President, and countersigned by the Secretary of said Company, to an amount not exceeding one hundred thousand dollars, bearing interest at a rate per annum not exceeding seven per cent., payable semi-annually, with coupons attached, signed by the Secretary of the Company, to be made payable as the Board of Directors of said Company may direct, in any city of the United States, within thirty years from their respective dates.

Mortgage.

To secure the prompt payment of the interest and principal of the bonds, issued by authority of this act, said company shall execute a mortgage or deed of trust on all of its road bed, and track, depot ground, or other property lying in the State of Tennessee; appointing a Trustee or Trustees; and from time to time fill vacancies that may occur, for the use of and to secure all the holders of such bonds, with such covenants and stipulations as may be necessary to effect the purpose and objects of its execution.

Rates.

SEC. 4. *Be it further enacted*, That the rates of passage and freight shall not exceed the rates granted in the charter of the Nashville and Chattanooga Railroad Company, passed January 11, 1845.

Consolidation of R. & A. R. R. & C. S.R.R.

SEC. 5. *Be it further enacted*, That, for the purpose of uniting and consolidating the Tennessee and Alabama Railroad Company and the Central Southern Railroad Company into one, the Directors of said Companies be, and they are hereby authorized to agree upon the terms thereof, and to adopt all necessary and proper measures, agreements and obligations to effect the same; *Provided*,

Proviso.

said terms of consolidation, when perfected by the Directors of said Companies, shall be submitted to a vote of the stockholders of said Companies, and if assented to by a majority of the stockholders, the same shall be binding upon said Companies, and that thereafter, and upon official report thereof to the President of the respective Companies, and the Comptroller of the State, said consolidated and united Companies shall be known and styled

Report

N. & D. R. R.

the "Nashville and Decatur Railroad Company," by which name it shall sue and be sued, and be entitled to sell the rights and privileges, and be subject to all the liabilities and restrictions of a body corporate.

SEC. 6. *Be it further enacted*, That the said Nashville

and Decatur Railroad shall, for its government, be entitled to all the rights and privileges, and subject to all the restrictions and liabilities conferred and imposed upon the Nashville and Chattanooga Railroad Company; *Provided*, that no State aid is intended to be extended to said Nashville and Decatur Railroad; *And provided further*, that no new liability to the State of Tennessee is intended to be imposed hereby upon said Tennessee and Alabama Railroad Company, and the Central Southern Railroad Company. Privileges. Proviso.

SEC. 7. *Be it further enacted*, That the Directors of said Tennessee and Alabama Railroad Company, in maturing the terms of consolidation herein before provided, may adopt such by-laws, rules and regulations, not inconsistent with the laws of Tennessee, and the United States, as may be necessary and proper to the successful operation and management of said consolidated Company, and may provide in said terms for the discharge of their respective indebtedness, so as to bind said consolidated Company therefor; *Provided*, that nothing in this act shall be construed to alter or effect the lien of the State of Tennessee for aid heretofore extended to said Companies, but the same shall be extended and held as a liability against said consolidated Company. By-Laws. Liability.

SEC. 8. *Be it further enacted*, That an election shall be held by the stockholders of the Tennessee and Alabama Railroad, and the Central Southern Railroad, jointly, on the first Monday in May next, at the Town of Pulaski, in Giles County, for Directors for said roads thus combined, who shall be elected in the same manner as is now provided for the Tennessee and Alabama Railroad in its Charter, and shall hold their office for one year, and until their successors are elected and qualified. Elections.

SEC. 9. *Be it further enacted*, That the Tennessee and Alabama Railroad and the Central Southern Railroad, thus consolidated, may, through their Directors thus elected, be consolidated with the Alabama and Tennessee Central Railroad, upon such terms as may be agreed upon between them, and approved by the stockholders of said roads, to be thereafter known as the Nashville and Decatur Railroad; such terms not to be in conflict in anywise with those herein contained, but may be supplementary or in addition thereto; *Provided*, the consolidation herein provided for be approved by act of the Legislature of the State of Alabama, heretofore or hereafter passed, and said Railroad, thus consolidated, may, by their stockholders, regularly convened, upon thirty days' notice in the newspapers of Nashville and Huntsville, elect Directors to serve them for the term of twelve months, and until their successors shall be elected. Terms. Approved by Legislature. Directors.

Capital.

SEC. 10. *Be it further enacted*, That the capital stock of said united Companies shall be the aggregate amount of their respective Charters, with the addition thereto of dollars; and that this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed April 19, 1866.

CHAPTER LXXI.

AN ACT amending the Charter of the Knoxville and Kentucky Railroad Company, and for other purposes

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Charter of the Knoxville and Kentucky and the Knoxville and Charleston Railroads be so amended that the party appointed by any one of the Counties or Corporations, having taken stock in either of said roads, shall or may be eligible as Directors in either Company of said roads.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate,

Passed April 20, 1866.

CHAPTER LXXII.

AN ACT to change the time of holding the Circuit Court of Madison and Haywood Counties, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That a special term of the Circuit

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CHAPTER LXXIV.

AN ACT for the relief of David M. Ketchum, Tax Collector for Marion County, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That David M. Ketchum, Tax Coltector for Marion County, be given further time, until the first day of June next, to collect and pay over the State and County Tax for 1865.

Hancock Co.

SEC. 2. *Be it further enacted*, That Jesse Alder, Revenue Collector of Hancock County, be entitled to all the provisions and benefits of the foregoing act.

Hawkins Co.

SEC. 3. *Be it further enacted*, That the provisions of this act shall be extended to the Revenue Collector of Hawkins County.

Greene Co.

SEC. 4. *Be it further enacted*, That David Fry, late Tax Collector for Greene County, be, and he is hereby, allowed the further time of six months, from and after the passage of this act, to collect and account for his liabilities as such Collector.

Scott Co.

SEC. 5. *Be it further enacted*, That Baley Buttram, late Sheriff and Collector of Scott County, be, and is hereby, allowed the further time of six months, from and after the passage of this act, to collect and account for all his unfinished business as Sheriff and Tax Collector aforesaid.

Six Months' time.

SEC. 6. *Be it further enacted*, That the first section of this act be so amended as to give the parties named in first, second and third sections of this act, the further time of six months, from and after the passage of this act, to collect and pay over as above provided. And that this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed April 23, 1866.

CHAPTER LXXV.

AN ACT Incorporating the Mine City University, in Polk County, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Prof. H. B. Haywood, A. C.

Hunter, Dr. J. D. Ketcherside, John Tonkin, William H. Brown, Lafayette McLeod and Thomas Kinsey, be, and they are hereby, constituted a body corporate and politic, by the name of the "Trustees of the Mine City University," to be located at the Copper Mines, in Polk County, Tennessee, and shall have perpetual succession, and be capable in law or equity to purchase and receive, and to hold to themselves and their successors any land, tenements, goods or chattels, which shall be given, granted, or devised to them, or purchased by them, for the use and benefit of said University; and to receive and hold donations or legacies for the benefit of said University; and to appropriate, use and dispose of the same, in such a manner as to them may seem fit and proper, for the use and benefit of the University aforesaid; and the said Trustees, and their successors, by the name and style of the aforesaid, may sue and be sued; plead and be impleaded, in any court of law or equity in the State of Tennessee or elsewhere. Powers, &c.

SEC. 2. *Be it further enacted*, That the Trustees aforesaid, and their successors, shall have power to hold such meetings at such times and places as they may think proper; to elect one of their number President, and a Secretary and Treasurer; but not less than a majority of said Board of Trustees, shall constitute a quorum to do business relating to said University; and they shall have power to fill all vacancies that may occur in said Board by death, resignation, or otherwise; and also to increase their number to twelve. Meetings. Vacancies, &c.

SEC. 3. *Be it further enacted*, That the Board shall have full power to appoint tutors and all officers necessary for conducting the concerns of the University; and to displace and suspend them at pleasure; and they shall meet on their own adjournment, or at the call of the President, Vice President, or any two of the Trustees, at the said University; and they shall have power to adopt any measure, they may think proper, to advance the cause of literature at said University; and to make any by-laws, rules, and regulations relating to the same, and the government thereof, and their own proceedings, as a majority of said Board may deem right and proper; and the President and Professor of said University, with the advice and consent of the Board, shall have full power and authority to confer, on any student in said University, or any other person, the degrees of Bachelor of Arts, Master of Arts, or any other degree known and used in any College or University, in any of the United States; *Provided, however*, they are not inconsistent with the Constitution and laws of the United States, and of the State of Tennessee. Appointment of officers, &c. Degrees.

Tax.

SEC. 4. *Be it further enacted*, That the land on which said University shall be situated, not exceeding five acres, and the buildings, and other property of the corporation, shall be exempt from taxation.

Misnomer not to vitiate claim.

SEC. 5. *Be it further enacted*, That no misnomer or misdescription of said corporation, in any will, deed, gift, grant, devise, or other instrument of contract or conveyance, shall vitiate or defeat the same; but that the same shall take effect in like manner as if the said corporation were rightly named; *Provided, however*, it be sufficiently described to ascertain the intention of the parties.

Liquors.

SEC. 6. *Be it further enacted*, That the sale of spirituous liquors shall be prohibited within three miles of said University.

Misdemeanor.

SEC. 7. *Be it further enacted*, That any person or persons, violating the sixth section of this act, shall be guilty of a misdemeanor, and upon conviction, shall forfeit and pay the sum of not less than twenty nor more than one hundred dollars.

Memphis Gas Light Co.

SEC. 8. *Be it further enacted*, That it shall, and may be, lawful for the President and Directors of the "Memphis Gas Light Company," to increase the stock in said Company to a sum not exceeding nine hundred thousand dollars, subject to the same rules, regulations, and restrictions as provided in the original act of incorporation. And that this act take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed April 26, 1866.

CHAPTER LXXVI.

AN ACT to Change the Line between the Counties of Union and Knox, and for other purposes.

Boundary.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the County line between the Counties of Union and Knox be so changed as to run as follows: Beginning on a stone where the County line crosses the Knoxville Road leading to Maynardville by way of Milan Church, running direct to the point of Clinch Mountain near the house of Nels. Mynette; *Provided, however*,

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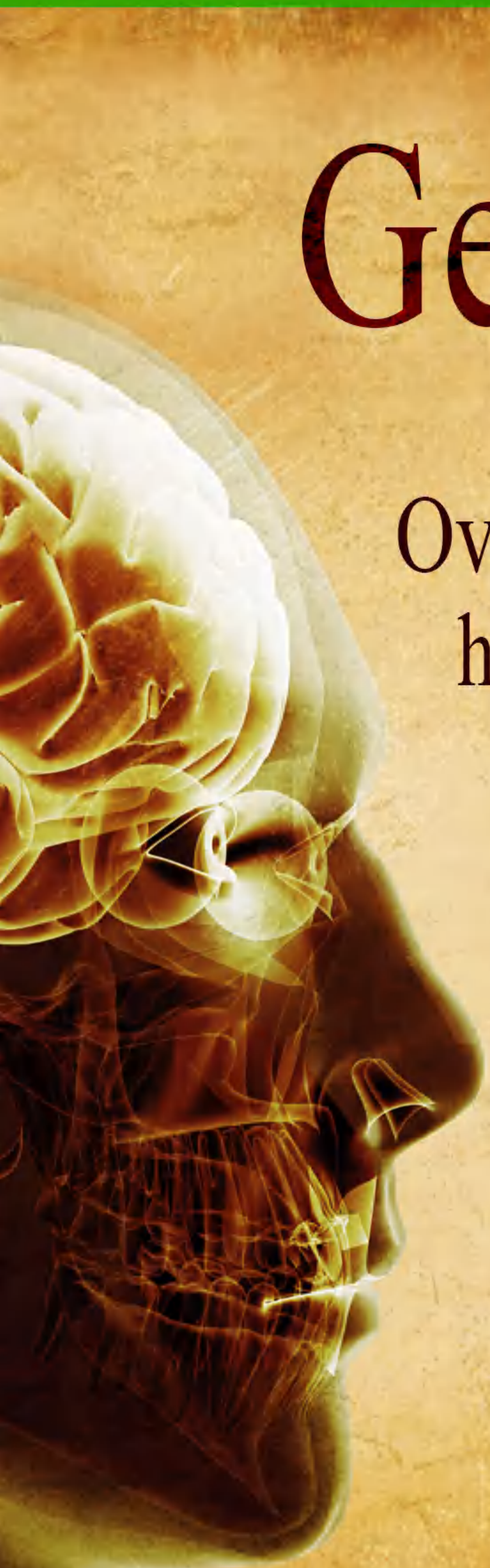

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and style of the "Tennessee Savings Institution;" and by that name and style shall have succession for twenty years; sue and be sued, plead and be impleaded, and generally to do every act and thing necessary to carry out the provisions of this act, and promote the objects and designs of this corporation.

Rights.

SEC. 2. *Be it further enacted*, That the capital stock of said Company shall be divided into shares of fifty dollars each, and when two hundred shares have been subscribed, and the sum of twenty-five dollars per share paid theron, the stockholders may meet and elect five Directors, who shall serve one year and until their successors shall be elected and enter upon the performance of their duties, and said Directors shall elect one of their number to be President during their time of office.

Capital stock, Shares, &c.

SEC. 3. *Be it further enacted*, That said President and Directors shall and may adopt and use a common seal, and alter the same at pleasure; may make and adopt proper by-laws for their government; may appoint all necessary officers and agents, and fix their compensation, and take bond and security for the faithful discharge of their duties. They may prescribe the manner of paying in the stock, and of the transfer thereof. Said Institution shall have a lien on the stock for debts due it by the stockholders, before and in preference to other creditors, except the State for taxes; and shall pay to the State an annual tax of one-half of one per cent. on each share of capital stock, which shall be in lieu of all other taxes.

By-Laws

Lien.

Tax.

SEC. 4. *Be it further enacted*, That said Institution may discount notes, buy and sell stock, deal in exchange, and gold and silver bullion; may purchase and hold a lot of ground for the use of the Institution, as a place of business, and at pleasure may sell or exchange the same; and may hold such real or personal property and estate as may be conveyed to it; to secure debts due the Institution; may sell and convey the same. It may receive on deposit any and all sums not less than one dollar per week offered as stock deposit; and infants and *femes covert* may deposit therein and control the deposit so made, which shall be for their own separate use, free from other contracts or control whatever, and when such deposit shall amount to fifty dollars, it may, at the option of the depositor, become stock in the Institution. It may receive other general or special deposits and allow such interest thereon as may be agreed upon, not exceeding that allowed by law, and twice per year declare and pay to stockholders a dividend of profits; but said Institution is hereby expressly prohibited from issuing notes or other papers for the purpose of being used, or which shall have a tendency to pass and be used as a circulating medium

Powers, &c

Dividend.

and shall not be permitted to use any other than National Currency or coin in the payment of discounts.

SEC. 5. *Be it further enacted*, That the President and Directors shall annually appoint the time and place of holding the elections of their successors, and two or more of their number shall attend and conduct said elections, each share being entitled to one vote. Meetings.

SEC. 6. *Be it further enacted*, That Buck's Bank, located in McMinnville, be, and the same is hereby removed and transferred to Nashville, with all the rights and privileges, and shall be subject to all the restrictions, pains and penalties of existing laws governing that Institution, and shall be subject to such tax as may be imposed upon similar incorporations in this State. Buck's Bank. Tax.

SEC. 7. *Be it further enacted*, That William Hunt, Samuel Hunt, and their associates, successors and assigns, be, and they are hereby created a body politic and corporate, under the name and style of the "Knoxville Depository," at Knoxville, Tennessee, with all the rights, benefits and privileges, and subject to the same liabilities and restrictions contained in a charter creating a Bank of Discount and Deposit at Dandridge, passed December 13, 1865. And that this act take effect from and after its passage. Knoxville Depository.

JOHN NORMAN,
Speaker pro tem., of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 9, 1866.

CHAPTER LXXVIII.

AN ACT to authorize the City of Clarksville to fund its indebtedness.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the City of Clarksville is hereby authorized and empowered to issue Coupon Bonds, having not more than twenty years to run, in sums to suit its convenience, for all or any part of the present indebtedness of the city, and that said bonds shall bear interest at the rate of six per cent. per annum, payable semi-annually.

SEC. 2. *Be it further enacted*, That this act shall take effect from and after its passage.

JOHN NORMAN,
Speaker pro tem., of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 14, 1866.

CHAPTER LXXIX.

AN ACT to Incorporate the Chattanooga and Gayburg Turnpike Company, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That William B. Tracy, John H. James, Abner Selcer, Isaac Robinson, J. G. Reynolds, J. P. Walker, A. M. Cate, T. A. Henager, and John Lea, and their associates and successors, be, and they are hereby constituted a body politic and corporate, by the name and style of the "Chattanooga and Gayburg Turnpike Company," and by that name shall have succession for a period of ninety-nine years; and be capable of sueing and being sued, both at law and in equity, in all Courts and places whatsoever; and that they, and their associates and successors, may have a common seal, and may alter, change, or destroy the same at will; and shall also be capable of acquiring, holding, conveying and pledging property, real and personal, or mixed, and generally to do any and all things that are or may be necessary for the successful operation of the business of the company, except the banking privileges.

Power and privileges.

SEC. 2. *Be it further enacted*, That it shall be the duty and object of said Company to open, construct and establish a Turnpike road from Chattanooga, in Hamilton County, up the Tennessee Valley, near where Thomas Windham now lives, thence across Waldin's Ridge to Sequatchie Valley, thence to Pikeville, Bledsoe County. The President and Directors of said Company, together with such other person or persons as they may employ, or by themselves, if they think proper, shall view, survey and mark out said road, the most convenient and practicable route; locate bridges, culverts, gate or gates, and do everything necessary to complete said road and bridges, and keep the same in repair.

Duty and object.

Course.

Survey.

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and nine inches thick, with a gradual elevation to the center of nine inches.

Repairs.

SEC. 7. *Be it further enacted*, That for the purpose of making and keeping said road in repair, the Directors, or their Agents, may cut, dig or take from the lands of any person, within one mile of said road, such and so much timber, earth and stone as may be necessary to construct, build, and keep in repair, all bridges, culverts and embankments on said road; and if any person or persons shall claim damages for right of way or material used, and in the event they can not settle with the Directors as to the damage done their lands, or the value of such material so taken, he, she or they may apply to any County or Circuit Court, in the County where the land lies, and said Court, upon such application, shall appoint three disinterested freeholders, whose duty it shall be to estimate the value of such material and damage done, and make a report in writing, upon oath, to the Court, taking into consideration always the advantages and disadvantages of said road to said land; and it shall be the duty of said Court, in confirming the report, to give judgment in favor of such applicant, against the Company, for the amount of damage actually assessed in said report; and shall allow a reasonable compensation to said freeholders for their services.

Damages.

Three Free holders.

Judgment.

Informant.

SEC. 8. *Be it further enacted*, That should said road not be kept in good repair for twenty days in succession, it may be lawful for any person to apply to a Justice of the Peace in the vicinity of said road, and inform him of the condition of said road, and it shall be the duty of said Justice of the Peace to appoint three disinterested freeholders to examine said road and report, upon oath; and if they report, or any two of them, that the road is not in good repair, as required by this act, the Justice of the Peace shall direct a Constable or Sheriff to open the nearest gate and stop the collection of tolls until the same shall be duly and fully repaired; and the President and Directors shall pay the costs of this proceeding; but if it shall appear that the said road is in good repair, the case shall be dismissed at the cost of the informant.

Open Gate.

Refusal to pay toll.

SEC. 9. *Be it further enacted*, That if any person shall refuse to pay toll upon said road, as allowed by this act, the toll-gatherer may lawfully refuse to such person a passage, and may by a warrant from any Justice of the Peace in the County, recover from such person so offending or refusing, the sum of five dollars for each offense, for the use of the Company; and if any person shall travel on said road and come near to a toll-gate, and turn off the same and go around the gate, and return to said road beyond the gate, for the purpose of avoiding the payment

of toll, he shall be subject to the same liabilities as set forth in this section concerning persons passing such gates and refusing to pay toll.

SEC. 10. *Be it further enacted*, That the President and and Directors, or their authorized Agents, shall make contracts for the opening and constructing of said road, or any part thereof, and may require such advances on the shares subscribed as may be necessary to consummate and complete said road; *Provided*, that no call shall be for more than ten dollars at any one time, nor oftener than once in four months, except by mutual agreement, of which twenty days' notice shall be given in some newspaper published at Chattanooga; *Provided, further*, that stock may be paid in whole or in part by right of way, material, labor, stocks or means, upon such terms as may be agreed upon by the parties themselves.

Construction.

Calls.

Proviso.

SEC. 11. *Be it further enacted*, That as soon as five miles of said road shall be completed, beginning at Chattanooga, the President may apply to the County Court of Hamilton County, which shall appoint three disinterested and competent citizens of the county, commissioners to examine said road, and a majority of them reporting that the road has been completed as required by this act, it shall be the duty of the County Court to issue a certificate to the company, authorizing them to erect a toll-gate on said road, which shall not be nearer than one mile to the corporate limits of the city of Chattanooga, at which the following tolls may be taken, to-wit: For sheep, hogs, &c., per head, one-half cent; for horse, mule and cow, per head, three cents; for man and horse, five cents; for horse and buggy, fifteen cents; for two horses and buggy, twenty cents; for horse and cart, fifteen cents; for two horses and wagon, twenty cents; for three horses and wagon, twenty-five cents; for four horses and wagon, thirty-five cents; for six horses and wagon, fifty cents; and for each succeeding and connecting five miles of said road that may be built, the Company is hereby granted all the rights, power and privileges, and subject to the same restrictions; herein provided for the first five miles; but in no case shall the gates be nearer than five miles of each other.

Commissioners.

Gate.

Toll.

Additional five miles.

SEC. 12. *Be it further enacted*, That Jesse S. Ragon, Jesse A. Green, Thomas H. Roddy, E. M. Cleveland, John A. Brownlow, Robt. L. McNabb, E. F. Gerald, Peter Meninger, G. O. Cate, Daniel Yarnell, Wesley Davis, John L. Yarnell, S. J. Blair, John Anderson, P. L. Mathews, Geo. Munsey, Joseph Witt, Geo. Wilson, and Nat. Witt, or any of them, and their associates and successors, be, and they are hereby, constituted a body politic and corporate, under the name and style of the "Ooltawah and Savannah Valley Turnpike Company." The object and purpose of

Ooltawah and Savannah Valley Turnpike Co.

Object. said Company, shall be to construct a turnpike road from Ooltawah, in Hamilton County, to Keneammen's Ferry, in Meigs County, or such other point as they may think proper; and to have, hold, and enjoy, all the rights, powers, privileges, and franchises, and be subject to the same

Rights. rules, regulations, and restrictions, herein granted to the Chattanooga and Gayburg Turnpike Company.

SEC. 13. *Be it further enacted*, That Charles H. Ebbert, Chas. A. Smith, James McWilliams, George S. Hampton, Harry S. Lee, John McWilliams, J. M. Keating, S. B. Beaumont, W. J. Smith, P. G. Marsh, Ross Griffin, J. E. Merriman, their associates and successors, are hereby created a body corporate, under the name and style of the

Memphis Freighting Company. "Memphis Freighting Company;" and by that name may sue and be sued; make and use a common seal; may purchase and sell real and personal property; and exercise all the rights and privileges incident to corporate bodies, under the laws of Tennessee. Said corporation shall have succession for the period of fifty years; and shall make

&c. such by-laws for the government of the corporation as the

Rights Directors may see proper, not inconsistent with the statutes of this State.

SEC. 14. *Be it further enacted*, That the capital stock of said Company shall be three hundred thousand dollars, with the right on the part of said corporation to increase

Capital Stock. the same to the sum of one million of dollars; and the same shall be divided into shares of one hundred dollars each; and shall be subscribed for and be made subject to such calls and payments as the Directors of said Company may determine.

SEC. 15. *Be it further enacted*, That the persons above named shall, within one year after the passage of this act,

Meeting. meet and elect seven of their number, to act as Directors of said Company, who shall serve for the period of one year, and until their successors are elected and qualified; and annually after said first election, the stockholders shall

Election. meet, and by ballot elect seven of their number to act as Directors, who shall hold their offices for a like period. The persons elected as Directors, shall organize the Board of Directors by the election of one of their number as President, and the appointment of such other officers as

Officers. may be deemed necessary. They shall fix the salaries of such officers, and may for a proper cause, remove any officer from office. Four of said Directors shall constitute a

Voters. quorum, and in all elections by the stockholders, each stockholder shall have one vote for each share of stock held by him, and may vote either in person or by proxy.

SEC 16. *Be it further enacted*, That said corporation is hereby given the privileges of lading and unlading freights, goods, wares, merchandise, cotton, and all other

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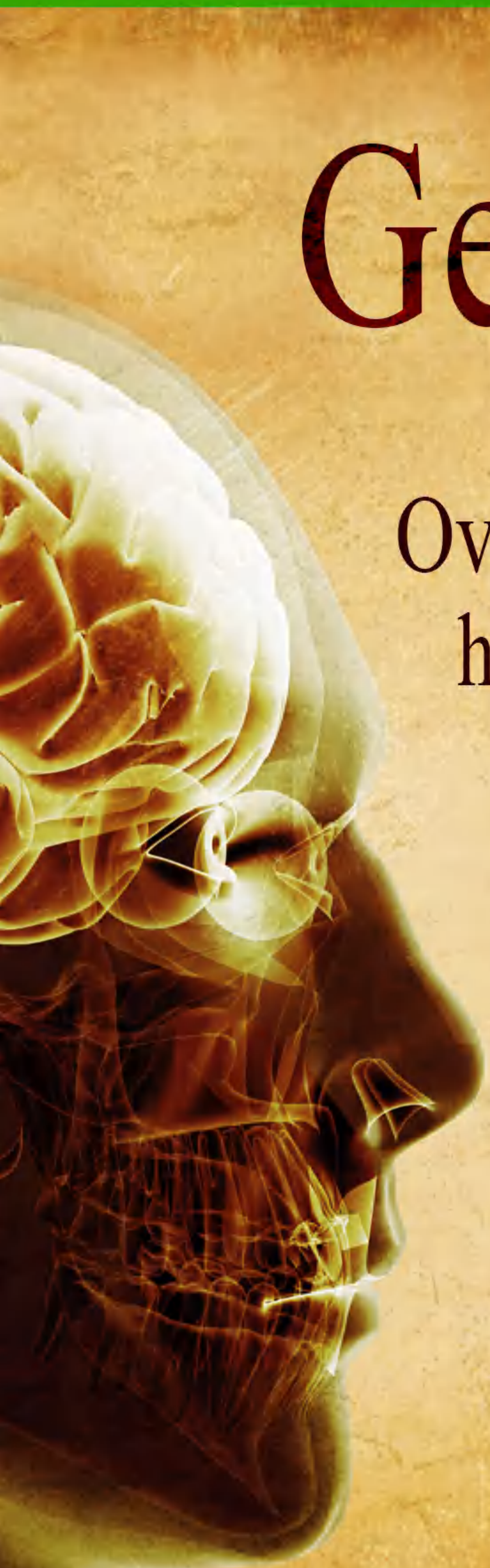

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CHAPTER LXXX.

AN ACT to protect certain Universities of Learning.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the privilege of selling spirituous, vinous or fermented liquors in any quantity, to be drank at or upon the place of sale, shall not be granted to any person or persons, by license therefor to sell and dispose of the same at any tippling-house within two miles of the Holston College or the New Market Female Institute, or either of them in the town of New Market, in the County of Jefferson, in the State of Tennessee.

Holston College and New Market Female Institute.

SEC. 2. *Be it further enacted*, That it shall be a misdemeanor for any County Clerk to issue any liquor license in violation of the provisions of this act, and upon conviction thereof, the said County Clerk shall be fined not less than two hundred and fifty dollars for each offense.

County Clerk.

SEC. 3. *Be it further enacted*, That if any person shall keep a tippling-house, or spirituous, vinous or fermented liquors in any quantity, to be drank at or upon the place of sale within two miles of either of the said Holston College, or the said New Market Female Institution, in the said town of New Market, in said Jefferson County, he shall be deemed guilty of a misdemeanor, and shall be presented therefor by the Grand Jury, and upon conviction thereof, shall be fined not less than fifty dollars nor more than two hundred and fifty dollars for each offense, and this act shall be construed liberally, to prevent evasions of this act.

Misdemeanor

SEC. 4. *Be it further enacted*, That the provisions of the foregoing act shall also apply to the Maryville Male College and the Masonic Female Academy in the town of Maryville, Blount County, State of Tennessee.

Maryville Male College and Masonic Female Academy.

SEC. 5. *Be it further enacted*, That the provisions of the foregoing act, be, and they are hereby applied to Maury Academy, and the Female Institute at Dandridge, Jefferson County, Tennessee.

Maury Academy and Female Institute

SEC. 6. *Be it further enacted*, That William B. Campbell, J. M. Anderson, Orville Greene, B. Cox, R. E. Thompson, E. A. Donahoo, and W. Z. Neal, be, and they are hereby, appointed and constituted a Board of Trustees, to take charge of the Campbell Academy, in the town of Lebanon, County of Wilson, and State of Tennessee, to have all the powers, and subject to all the restrictions and liabilities imposed upon and enjoyed by the original Board of Trustees, under the charter of said Institution.

Trustees for Campbell Academy.

SEC. 7. *Be it further enacted*, That this act shall take effect from and after its passage.

JOHN NORMAN,
Speaker pro tem., of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 15, 1866.

CHAPTER LXXXI.

AN ACT to Incorporate the West Tennessee Mining and Petroleum Company, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That A. James, Park James, A. Dacus, Reuben P. Layton, Charles Stearns, John H. Gould, George R. Clark, and John W. Jefferson, together with such persons as may hereafter become their successors and assigns, be, and they are hereby, created and made a body politic and corporate, by the name and style of the "West Tennessee Mining and Petroleum Company," and by that name shall be, and are hereby made able and capable in law, to have, purchase receive, possess, enjoy and retain to them and their successors, land, tenements, hereditaments, goods and chattels, and effects of whatever kind, nature and quality soever, they may choose, and the same to grant, demise, enfeoff, alien, or dispose of; to sue and be sued, plead and be impleaded, answer, and be answered, defend and be defended, in all Courts of law and equity; to make, have and use a common seal, and the same to alter and renew at pleasure; and to ordain, erect, establish and put in execution, such by-laws, ordinances, and regulations as may be necessary and convenient for the government and direction of said corporate Company; and also to do all such other things as may be necessary for the correct management of their business, for the use and benefit of said Company, being not contrary to the laws or the constitution of this State, or that of the United States, subject, nevertheless to the restrictions, limitations and provisions hereafter prescribed and declared.

Powers and Privileges.

SEC. 2. *Be it further enacted*, That said corporate Company, shall have power, and is hereby invested with the right, to lease, buy or hold, not to exceed four hundred

thousand acres of land in the State of Tennessee, on such terms as may be agreed upon for the uses, objects and purposes of boring or digging for oil, salt, or other vegetable or mineral fluid, or coal, ore or other mineral substance in the earth, and for flowing, pumping, driving, securing, refining, or purifying, barrelling, casing, carding, hauling, selling, shipping the same, and for the erection, use and occupancy of all necessary buildings, superstructures, works and machinery for such purposes, together with all rights of way over said lands or any portion thereof, necessary for any or all of said purposes; and also to secure the right to cut, excavate, use and haul from and upon or over said lands, all or any timber, wood, coal, water, or other materials, necessary to run engines, erect buildings or superstructures of any kind, make repairs or carry into and continue in full operation and prosecution, the purposes and business aforesaid.

Rights, &c.

SEC. 3. *Be it further enacted*, That the capital stock of said Company shall be five hundred thousand dollars, which it shall be lawful to increase to one million dollars, whenever a majority of the Directors of said Company shall so determine, all of which capital stock shall be divided into shares of one hundred dollars each; five dollars on each share shall be paid at the time of subscribing, and the remainder of each share after the foregoing payment shall have been made, shall be paid at such times and in such proportions as the Board of Directors shall order and appoint, not exceeding ten dollars on each share for each payment, giving at least thirty days between such payments, so to be called for, of which notice shall be given three weeks, in at least two public newspapers printed and published in the City of Memphis.

Capital stock.

Payment of shares.

Notice.

SEC. 4. *Be it further enacted*, That if any stockholder, who may become a subscriber in pursuance of this act, shall fail to make regular payments of any instalments when called for, after the first investment, such stockholder shall be personally served with the notice prescribed in the preceding section of this act, if his place of residence be known; if not known, then, a special notice containing the name of such delinquent stockholder shall be published sixty days in some newspaper printed in the City of Memphis; at the expiration of which time, if said instalment be not paid, it shall be lawful for a majority of the Directors to declare such delinquent stockholders' share or shares, to be forfeited, for the use and benefit of said Company.

Delinquent stockholders.

SEC. 5. *Be it further enacted*, That books shall be opened, under the superintendence of the Directors, at such places as they may deem most convenient, for the purpose of receiving subscriptions for said capital stock,

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Frankland Improvement, Mining and Manufacturing Company

successors, be, and they are hereby created a body politic and corporate, by the name and style of the "Frankland Improvement, Mining and Manufacturing Company," and by name and style shall have succession for ninety-nine years; shall be capable in law and equity to sue and be sued, plead and be impleaded, and generally to do everything necessary and proper to carry out the provisions of this act.

Capital Stock

SEC. 13. *Be it further enacted*, That the capital stock of said Company shall be two thousand dollars, with the privilege of increasing the same to five hundred thousand dollars, to be divided into shares of twenty-five dollars each.

Officers, &c.

SEC. 14. *Be it further enacted*, That the stockholders shall elect five Directors, who shall elect one of their number President; and they shall elect a Secretary and Treasurer; and the Board of Directors shall make any by-laws not inconsistent with the Constitution and Laws of this State, and of the United States.

Powers.

SEC. 15. *Be it further enacted*, That said Company shall have full power to purchase, hold, lease and dispose of real estate in Tennessee, and to buy, receive, hold and dispose of personal property, for the purpose of developing the agricultural, mineral and manufacturing resources of the State; and especially for the purpose of raising sheep and wool, and manufacturing woolen, cotton and other textile frabrics; and of mining iron and manufacturing the same; and said Company may, upon the lands held by them, raise sheep, manufacture woolen and cotton goods, and other textile fabrics; bore for oil or salt, mine for iron, coal and other minerals, manufacture the same; carry on the business of mining and manufacturing generally, and improve and use the estate of said Company.

Purposes.

Privileges.

SEC. 16. *Be it further enacted*, That said Company may adopt and use a common seal, changeable at their pleasure; may contract and be contracted with, and have and enjoy all the privileges and rights that are granted to other corporations in the State for mining and manufacturing purposes.

Roane Iron & Mining Co.

SEC. 17. *Be it further enacted*, That William O. Rockwood, his associates, successors and assigns, be, and they are hereby constituted a body politic and corporate, by the name and style of the "Roane Iron and Mining Company;" and by that name and style shall have succession for ninety-nine years; and shall have all the rights, privileges and powers heretofore granted to the "Cumberland Basin Petroleum and Mining Company;" and they are

Railroad.

hereby further empowered to construct Rail or Tram Roads from their mines or manufactories to other railroads, so as not to conflict with the Charter of the different railroads with which they may connect, except as to State aid;

and with the powers and privileges, subject to the same penaltics as East Tennessee and Georgia Railroad, or to any navigable rivers or water courses.

SEC. 18. *Be it further enacted*, This act take effect and be in force from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 16, 1866.

CHAPTER LXXXII.

AN ACT to Incorporate the Nashville Ice Manufacturing Company, for the purpose of Manufacturing Ice, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That George C. Allen, D. L. Holden, John Kirkman, A. J. Duncan, Alexander Fall, A. B. Shankland, and Anson Nelson, their associates and successors, are hereby constituted a body politic and corporate, by the name of the "Nashville Ice Manufacturing Company," for the purpose of manufacturing, trading in, selling, and delivering in, at Nashville, Tenn., ice, under the Patent Right of W. Carre & Co., of Paris, France, and owned for the territory of the United States by Hensla, Labanc & Co.; and for such purpose, may erect all necessary buildings, store houses, depots, sheds, stables, furnaces, forms, engines, filters, and other apparatus, machinery and fixtures, of every nature and kind whatsoever necessary in the premises, for successfully carrying out its operations; and by that name may sue and be sued; plead and be impleaded; appear, prosecute, and defend in any court of law or equity in all suits and actions; may have a common seal, and the same alter and renew at pleasure; and may enjoy all the privileges incident to corporations for thirty-three years; and may purchase, hold, and mortgage, transfer and convey, so much real and personal estate, as may be necessary and proper to effect the purpose of the object of this charter.

Powers, Privileges, &c.

SEC. 2. *Be it further enacted*, That the capital stock of said Company shall not exceed four hundred thousand dollars, to be divided into shares of one hundred dollars each. One-half of said stock is to be owned and held by

Capital Stock.

the owners of said Patent Right, and the other one-half saall be owned by citizen stockholders, not interested as owners of said Patent Right. Each share of stock owned by the citizen stockholders, shall be entitled to one vote in all elections, and every three shares, held and owned by the owners of said Patent, shall be entitled to two votes. That so soon as fifty thousand dollars shall be subscribed, said Company may commence active operations. Subscriptions may be made in cash or in real or personal property, as may be agreed upon.

Stockholders.

SEC. 3. *Be it further enacted*, That the persons hereinbefore incorporated in the first section of this act, or a majority of them, may organize said Company by electing a Board of Directors, to consist of five members, one of whom shall be elected President; to elect a Secretary, Treasurer, and Superintendent, and such other officers as may be necessary for successfully carrying on the operations of the Company; to make such by-laws, alter and renew the same at pleasure, for the government of the corporation, as may seem meet and proper, not inconsistent with the laws of the United States, or of this State. That said Board of Directors shall continue in office for one year, or until their successors are elected by the stockholders. A majority of the Board of Directors shall constitute a quorum to transact business; and may declare and pay dividends, in the capital stock, from time to time. The stockholders may vote at all elections in person or by proxy.

Election of Directors, &c.

Dividends.

SEC. 4. *Be it further enacted*, That the stockholders shall be individually liable for the amount of stock subscribed by each, until the same is paid in full in money or by the transfer of property, real or personal, as hereinbefore provided. The subscriptions to be paid in such manner as the by-laws shall provide. No stockholder to be entitled to certificates for stock or allowed to vote on the same beyond the amount actually paid in.

Liability.

Certificate.

SEC. 5. *Be it further enacted*, That all future Boards of Directors shall be elected by the stockholders, at their annual meeting, which Boards of Directors shall be vested with like powers and privileges as those granted to the original Board; to elect all officers named in section third of this act; to amend the by-laws of the Company; to provide for the transfer of the stock owned by the stockholders; to keep a stock-book, in which shall be entered the name and residence of each stockholder, and the amount of stock owned by each; the amount paid in; the transfer of all shares of stock; the date of such transfer; and to whom made. Also, books showing the assets of said Company; of what the same consist; the receipts and expen-

Annual Meetings.

Stock and other books.

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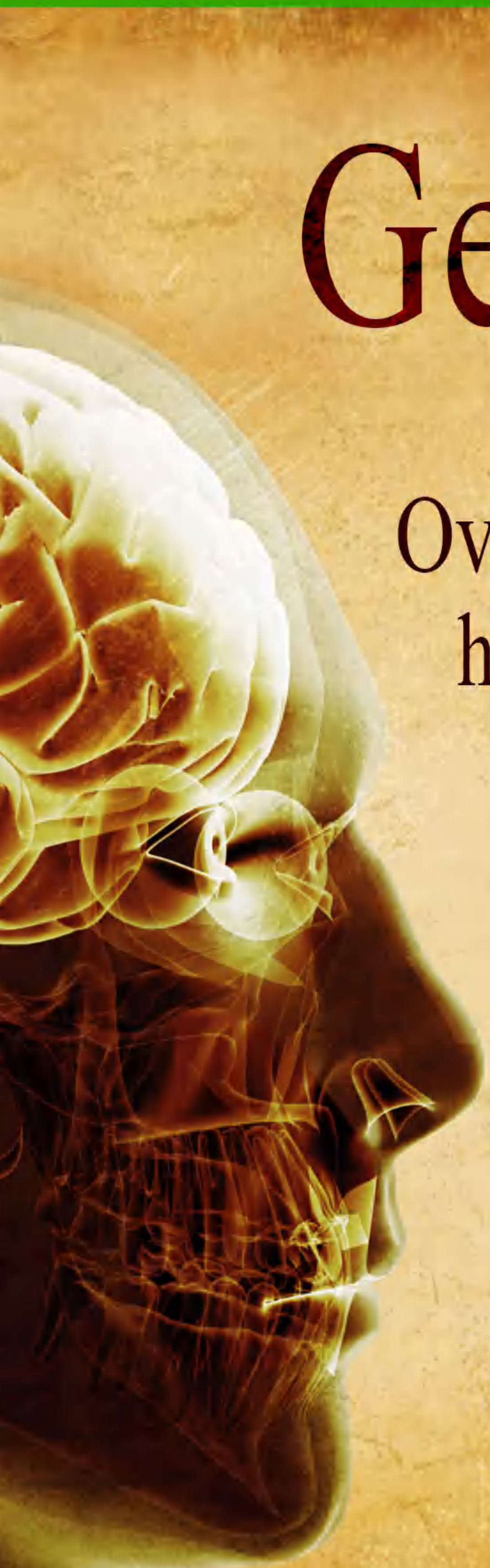

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Dividends. They may declare dividends from time to time, as the profits of the company may justify; and the President and Directors shall cause to be made out, and submit to the stockholders a full report of the transactions of the Company annually, or oftener if required by the stockholders.

Report.

Delinquent Stockholders. SEC. 10. If any subscriber for stock shall fail to pay the amount subscribed, in such manner as may be prescribed by the Directors, the same may be recovered by action of debt in any court having jurisdiction of the amount called; or such stock shall be sold upon such terms as the Board of Directors may prescribe, and the amount previously paid forfeited to the Company.

Transfer of Stock. SEC. 11. *Be it enacted*, That the stock of this Company shall only be transferable on the books of this Company, either in person or by power of attorney; and that no stockholder shall dispose of his stock to any other than a stockholder, until he shall have offered it to the Company at its market value.

Books. SEC. 12. *Be it enacted*, That the aforesaid person, or any three or more of them, may at any time or place that they may designate, open the books for the subscription of stock.

Tax. SEC. 13. *Be it further, enacted*, That these corporations shall be subject to such tax as other corporations are subject to, and that this act shall take effect from and after itsp assage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 16, 1866.

CHAPTER LXXXIII.

AN ACT to amend an act passed at the present session of the Legislature, entitled "An Act to amend An Act to Incorporate the Memphis City Schools."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the election contemplated in the last section of said act to be holden on the second Saturday in February, shall be holden on the fourth Saturday

in June next. This act to take effect from and after its passage.

JOHN NORMAN,
Speaker, pro tem., of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 16, 1866.

CHAPTER LXXXIV.

AN ACT authorizing the Treasurer of State to pay to H. A. Chumbley four hundred and sixteen dollars for special services rendered the State of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Comptroller of the Treasury shall audit, and the Treasurer of State shall pay the accompanying account of H. A. Chumbly, of four hundred and sixteen dollars, for special services rendered the State, the same having never been paid.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 18, 1866.

CHAPTER LXXXV.

AN ACT to encourage Iron Manufacturing, and other interests of the State of Tennessee, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That James Robb, Charles Lanair, Sam. Tate, William R. Johnson, Abram S. Hewitt, John A. Spooner and T. W. Yardley, be, and they are hereby incorporated into a body politic and corporate, and their

Southwestern Iron Co. successors, under the corporate name and style of the "South-Western Iron Company," and as such shall have succession for ninety-nine years.

Capital Stock SEC. 2. *Be it further enacted*, That the capital stock of this Company shall be five hundred thousand dollars, divided into five thousand shares of one hundred dollars each, with the privileges of increasing the capital stock to an amount not exceeding five million dollars, at the option of the stockholders

Powers and privileges. SEC. 3. *Be it further enacted*, That this Company shall have a common seal, and by its corporate name and style shall have power to transact all its business, purchase, sell or lease lands, dig or mine coal, iron ore, or any or all other minerals; erect blast-furnaces, rolling mills, shops for the manufacture of cars, car wheels, farming implements, and such other manufacture as the wants and condition of the country require; *Provided*, this Company shall not engage in the banking business.

Roads. SEC. 4. *Be it further enacted*, That this Company shall have full power and authority to open and make roads, by rail or otherwise, for ingress and egress to their property, with the right to connect with any railroad now built or to be built, rendering just compensation to the owners of lands through which they may or have been built.

Government. SEC. 5. *Be it further enacted*, That this Company shall have authority to elect its own officers, and establish its own by-laws, rules and regulations for the government of the same; the same being not repugnant to this act.

Tax SEC. 6. *Be it further enacted*, That this Corporation shall be subject to such taxes as may be imposed on similar institutions in this State.

Vested Rights SEC. 7. *Be it further enacted*, That all lands, fixtures, stock and other things purchased in the name of, and for the use and benefit of the South-Western Iron Company, in the State of Tennessee, or other place, before the passage of this act, shall be vested in the Company herein incorporated, in as full, ample and as perfect a manner as if they had been purchased by said Company after this act goes into effect, in its corporate name and capacity, subject alone to such provisions and restrictions as are herein imposed upon property hereafter acquired by said Company; and this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 18, 1866.

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crease the same from time to time, not exceeding one million of dollars, and these corporations shall be subject to such taxes as may be imposed on similar incorporations of this State.

Tax.

SEC. 5. *Be it further enacted*, That Dr. T. A. Atchison, Samuel J. Knight, James Cox, John P. Dale, A. M. Kelly, and their associates, successors and assigns, be, and they are hereby constituted a body politic and corporate, by the name and style of the "Sequatchie Valley Iron, Lead and Petroleum Company," and by that name shall have succession for ninety-nine years, and shall be competent to sue and be sued, in any Court of equity or law whatever; to have and use a common seal, and to alter the same at pleasure; to establish and change any by-laws for the government of said Company; to purchase, hold and dispose of such real estate, leases, mines, minerals, iron, coal, oil, and personal property, as may be necessary for the legimate transaction of their business; to mine, forge, roll, smelt, work, manufacture, refine and vend said minerals, coal, iron, oil, and products thereof, and to issue such number of shares of the stock of said Company at the representative par value thereof as may be ordered by vote of said Company; to determine the par value of shares, and have the right to pay in the shares of stock of the corporation for such mining interest or interests in all real estate as may be necessary to purchase or lease for the operations of the works of said Company, and genarally to have and enjoy and exercise all the rights and privileges incident to corporations, except the right to issue notes or engage in banking.

Sequatchie Valley Iron, Lead and Petroleum Co.

Powers privileges, &c.

SEC. 6. *Be it further enacted*, That the capital stock of said Company shall be ($500,000) five hundred thousand dollars and that said Company shall have power to increase the same from time to time not exceeding one million dollars.

Capital stock.

SEC. 7. *Be it further enacted*, That whenever said Company shall become possessed of mines or minerals, lands or leases, iron, coal or petroleum, or leases situated in this State or elesewhere, a separate and distinct interest of each mine, bed, field, vein or deposit, or lease, may be created under some name to distinguish the same, and in like manner may organize under and enjoy as a distinct branch all the rights and privileges named in the first section of this act.

Separate interests.

SEC. 8. *Be it further enacted*, That Samuel E. Jones, Griffith W. Jones, Caleb Isbester, John Lumsden, D. D. Dickey, their associates and successors, are hereby created and constituted a body politic and corporate, under the name of the "Phœnix Manufacturing Company, of Nashville," for the purpose of manufacturing and repairing any

Phœnix Manufacturing Co

and all kinds of machinery implements, vehicles, tools, and apparatus of metals or wood, or any other materials separately or jointly of every nature and kind whatever, known in the science of mechanism, including steam engines, agricultural implements, saw, planing, and other mills, stoves and hollow-ware of all kinds; wrought, puddled, malliable iron, iron forges, pig iron, steel, rolling mills, assaying and refining metals, ores and minerals, foundry work and any other character or branch of mechanical, manufacturing and machine works of any nature and kind. Said Company may determine to carry on, and for the purpose of successfully conducting its said operations and the various branches thereof, may lease, purchase, own and hold personal property and real estate at such point or points as it may deem to be the interest thereof, and upon such property erect all buildings, furnaces, stacks, forges, depots, or warehouses, machinery, apparatus and fixtures of every nature and kind whatever necessary, the same, to sell, mortgage or transfer at pleasure; and by that name may sue and be sued, plead and be impleaded, appear, prosecute and defend in any Court of law or equity, in all suits and actions; may have a common seal, alter and renew at pleasure, and may enjoy all the privileges incident to corporations.

Rights, privileges, &c.

SEC. 9. *Be it further enacted*, That the persons hereinbefore incorporated or a majority of them, may organize said Company by electing a Board of Directors to consist of five members, to elect a President, Secretary and Treasurer, and such other officers as may be necessary to carry out the purposes of the corporation; that said Board shall continue in office for such time as the persons elected to the same may determine, not exceeding one year, until their successors are elected, to make such by-laws from time to time, for the government of said Company as they may deem expedient.

Organization.

SEC. 10. *Be it further enacted*, That the President of said Board of Directors shall be, at all times, a practical mechanic by education, and skilled in the science of mechanism, whose salary, together with the salary of the other officers of said Company, shall be fixed by the Board of Directors.

President.

SEC. 11. *Be it further enacted*, That the capital stock of said Company shall be one hundred thousand dollars, with the privilege to said Company to increase the same from time to time at pleasure; and the stock to be divided into shares of one hundred dollars each; and that the persons herein incorporated, or a majority of them, or the Board of Directors, after their election, may determine the plan of raising the capital stock of the Company, which may be subscribed in money or property; that those

Capital stock.

subscribing for stock in said Company shall be personally liable therefor until the same is paid up in full. Every share of stock that has been paid in full shall be entitled to one vote, which may be voted by the owner in person, or by proxy. A majority of Directors shall always constitute a quorum to do business. All subsequent Boards of Directors to the first elected by the Commissioners to this charter, shall be elected by the stockholders under such rules and regulations as may be prescribed in the by-laws adopted by the Board for its government, not inconsistent with the laws of the United States or of this State, or the provisions of this charter.

Voting.

Book.

Forfeiture.

SEC. 12. *Be it further enacted*, That the Directors shall cause a book to be kept showing all the stockholders in said Company, their places of residence, and the number of shares held by each respectively, which book shall be kept subject to the inspection of the stockholders at all times; and that the Board of Directors may lay and collect assessments upon all unpaid stock subscribed for, and on failure to pay such assessments, may forfeit and sell such delinquent shares; may declare and pay dividends from time to time, out of the profits of said Company on the shares thereof, in such manner as the by-laws may direct.

SEC. 13. *Be it further enacted*, That said Company shall have the right of succession under the provisions of this charter for ninety-nine years.

Branches.

SEC. 14. *Be it further enacted*, That said Company may establish a branch or branches of its business at such point or points as may seem meet and proper to its Board of Directors for the interest of the Company, which branch or branches shall be under the control of a branch Board or Boards of Directors, to be governed in all respects by similar provisions and powers granted in this charter, and at all times subject to the direction and control of the mother Board of Directors.

Cornelius Oil & Mining Co.

SEC. 15. *Be it further enacted*, That John Lumsden, D. F. Wilkins, William R. Cornelius, Anson Nelson, Charles T. Grier, their associates, successors and assigns, be, and they are hereby created a body politic and corporate, by the name and style of the "Cornelius Oil and Mining Company," and to have succession for ninety-nine years, with all the rights, powers and privileges now granted to the "East Tennessee Iron, Coal and Petroleum Company," by an act of the Assembly, passed on the 12th day of May, 1865.

Ashburn Creek Petroleum Co.

SEC. 16. *Be it further enacted*, That Robert F. Nevins, H. H. Holland, L. B. Fite, H. P. Gillock, A. Nelson and Hugh Carroll, their associates, successors and assigns, be, and they are hereby created a body politic and corporate by the name and style of the "Ashburn Creek Petro-

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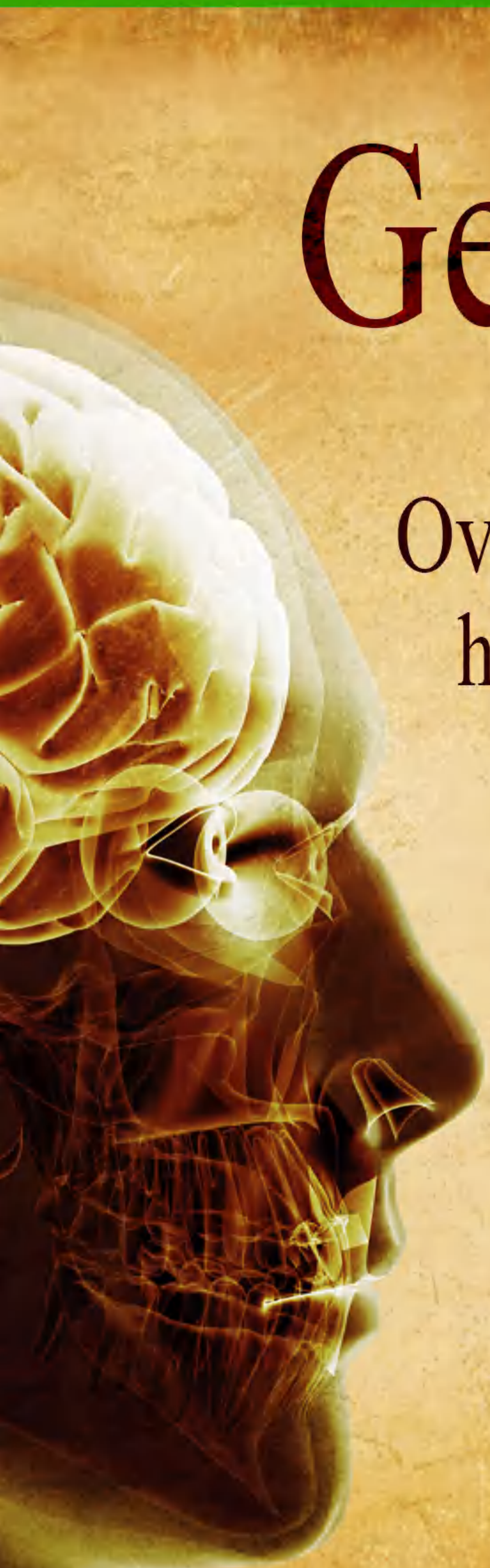

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SEC. 19. *Be it further enacted*, That J. F. Huddleston, J. W. Brownson and A. A. Snodderly, and their associates, be, and they are hereby corporated a body corporate and politic, under the name and style of the "Clinch River, Union County, Coal, Oil and Mining Company," with all the powers, and subject to all the penalties contained in the foregoing Charter.

Clinch River, Union County Coal, Oil and Mining Co.

SEC. 20. *Be it further enacted*, That this act take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 18, 1866.

CHAPTER LXXXVII.

AN ACT to Incorporate the Pullman, Kimball and Ramsey Sleeping Car Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That George M. Pullman, Hannibal J. Kimball, Robert H. Ramsey, and such others as may be associated with them, their successors and assigns, are hereby created a body politic and corporate, under the name and style of the "Pullman, Kimball and Ramsey Sleeping Car Company;" with succession for thirty years; and by that name and style may sue and be sued, plead and be impleaded, defend and be defended in any court of law in the State, or elsewhere; to make, have and use a common seal, renew and alter the same at pleasure; and are hereby invested with all the powers and privileges, and immunities, which are or may be necessary to carry into effect the purposes and objects of this act, as herein set forth.

Rights, &c.

SEC. 2. *Be it further enacted*, That the capital stock of said Company shall be three hundred thousand dollars, but the same may be increased from time to time, as shall be deemed expedient, to one million of dollars; and shall be divided into shares of one hundred dollars each. The immediate government of the Company shall be vested in three Directors, who shall be chosen by the stockholders of the said Company, in the manner hereinafter provided;

Capital Stock.

who shall hold their office for one year after their election, and until their successors shall be chosen and qualified to to take their places as Directors; and the said Directors, a majority of whom shall constitute a quorum for the transaction of business, shall elect one of their number President of the Company. That the said Board of Directors shall have the power to appoint all necessary Clerks, Secretaries, and all other officers necessary to the transactions of the business of the Corporation. Organization.

SEC. 3. *Be it further enacted*, That the said Company shall have power, and be vested with the authority to purchase, run, or acquire by lease or otherwise, lands, water-powers, property, machinery, buildings and appurtenances necessary or convenient for the manufacture of railway cars or other carriages, and to sell or lease the same; to build and construct, or buy, own and control any number of railway cars or carriages necessary or expedient for the purposes and objects of the Company, and fit or cause them to be fitted up with berths and beds, and all the usual appurtenances and equipments for the comfort and convenience of passengers traveling therein, and to maintain the same in good order; to re-build, reconstruct and refinish the same, as often as may be expedient; to lease, sell, or otherwise dispose of the same; to make arrangements with any and all railway companies in the State, or elsewhere, for the use of said cars upon the respective lines of said road, and to enter into all agreements which may be requisite and proper with said Companies in relation thereto; to raise money, give notes, enter into contracts, and do all and singular, such acts as may be found expedient for the proper management of the business of said Company; and shall also have the right and be entitled to make such changes for the use of the beds, berths, and the conveniences and comforts furnished passengers as shall by it be found and deemed expedient and proper. Powers. Railroads, &c

SEC. 4. *Be it further enacted*, That the time of holding the annual meeting of said Company for the election of Directors, shall be fixed and determined by the by-laws of said Company; and at all the meetings each stockholder shall be entitled to a vote, in person or by proxy; one vote for each share of stock he or she may hold in said Company. Election.

SEC. 5. *Be it further enacted*, That the persons named in the first section of this act shall be the Directors for the first year; and they are hereby appointed Commissioners, who, or a majority of them, are hereby authorized to open subscription books for said stock, at such places as they may deem proper, and at such time and place, and with such notice thereof, as they may deem proper; or they may allot and distribute the said stock to such per- Commissioners. Stock.

sons as they may desire to have associated with them in carrying into effect the purposes and objects of this act, without the opening of subscription books, and in such amount as may be agreed upon, and as may be expedient.

Organization.

SEC. 6. *Be it further enacted*, That the Board of Directors are hereby authorized to make all necessary rules and by-laws that may be deemed necessary or expedient to carry into effect the provisions of this act, and for the transfer and assignment of its stock, which is hereby declared to be personal property, and transferable as shall be provided by the by-laws or ordinances of said Corporation; and shall have the right to prescribe the mode and manner in which the capital stock shall be paid in, and make calls for the same; and shall also have the right to enforce the payment thereof, by forfeiture of the stock, upon which the calls shall not be paid, or by suit, or by both means, under such rules and regulations as the Board may prescribe.

Personal property.

Forfeiture.

Public Act.

SEC. 7. *Be it further enacted*, That this act shall be taken and amended to be a Public Act, and be construed beneficially for all the purposes herein specified; and shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 19, 1866.

CHAPTER LXXXVIII.

AN ACT to Incorporate the Tennessee Pacific Rail Road Company, and for other purposes.

Rights.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the formation of a Company is hereby authorized, which, when formed, shall be a body corporate, by the name and style of the "Tennessee and Pacific Rail Road Company;" and by such corporate name shall be capable in law to buy, receive by gift, hold, sell and convey, real and personal estate, as hereinafter provided; make contracts; sue and be sued; to make by-laws; and do all lawful acts properly incident to corporations, and to the business for which it is hereby incorporated; and to

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rect list of the subscribers, as well as the amount of stock each one shall have subscribed to the stock of said Company, to said Board of Commissioners, to be composed of the following persons, viz.: John P. Campbell, John Kirkman, A. Nelson, S. E. Hare, Charles H. Erwin, H. A. Sanford, A. Hamilton, Joseph W. Allen, J. J. Swiggart, John B. Johnson, J. G. Parkhurst, H. A. Duncan, W. T. Berry, Jas. Whitworth, W. L. Watters, John W. Bowen, G. W. Keith, John C. VanGuilder, John Williams, Sam'l Morgan, Wm. Bosson, J. W. Paremore, A. H. Stephens, E. H. East and Stephen M. Burton, who, or a majority of whom, shall constitute a quorum to do business. And said Commissioners, immediately after the passage of this act, or as soon thereafter as convinient, shall meet in the City of Nashville; choose a President; establish rules to govern their proceedings; appoint such other officers and agents as they may think proper, and prescribe their duties. They shall have power, and are hereby directed to appoint an agent or agents, to solicit stock in said corporation, in any State or country; and said Board of Commissioners shall ascertain, from time to time, the whole number of shares taken in said Company; and as soon as the number of five thousand shares shall have been subscribed, on which the sum of one dollar per share shall have been paid, the Tennessee and Pacific Rail Road Company shall be regarded as formed, and thenceforth and from that date the said subscribers of the said stock shall form a body politic and corporate in fact and in law, by the name and for the purposes aforesaid, and in all things to be represented by the Board of Commissioners aforesaid, under a Board of Directors hereinafter prescribed.

Commissioners.

Organization.

SEC. 5. *Be it further enacted*, That upon the fact being ascertained of the subscription of five thousand shares aforesaid, and the payment aforesaid of one dollar per share to the stock of said Company, the Board of Commissioners may proceed to survey the route of said road and estimate the cost of its construction. Nevertheless, no conclusive and binding location of said road shall be made by the Commissioners, but the same shall be left to the determination of the first Board of Directors, chosen by the stockholders in the manner hereinafter directed; and the said Board of Commissioners, by themselves or agent, at such times and places as they shall deem proper; and upon such terms as to times and places as they may think proper, shall continue to receive additional subscriptions, until the number of fifty thousand shares shall have been subscribed to the capital stock of said Company; and for the residue of one hundred thousand shares, the said corporation, when organized, may continue, in like manner, to receive additional subscriptions; *Provided*, that the

Survey.

Additional subscriptions.

Directors, chosen by the stockholders of said Company, in the manner hereinafter directed, shall have power to increase the number of shares in said Company to the amount necessary to complete said road. Proviso.

SEC. 6. *Be it further enacted*, That the affairs of said Company shall be managed by a Board of fifteen Directors, any eight of whom shall constitute a quorum to do business, thirteen of whom shall be chosen by the stockholders, in the manner hereinafter provided, and two of whom shall be appointed and commissioned by the Governor; and a President of the Company shall be elected by the Directors, from their own number, in such a manner as the Board of Directors may prescribe. Officers, &c.

SEC. 7. *Be it further enacted*, That at the first election for Directors, the Board of Commissioners shall have the power to appoint three judges and two clerks, for the purpose of holding said elections; and upon the certificate of said judges the persons so elected Directors shall be authorized to qualify as Directors. Election.

SEC. 8. *Be it further enacted*, That in order to continue the succession of President and Directors of said Company, thirteen Directors shall be chosen annually by the stockholders of said Company, at such times and places as the President and Directors may designate, giving thirty days' notice of the same in one or more newspapers, published in the cities of Nashville and Knoxville; and two Directors shall be appointed and commissioned annually by the Governor; and the Directors thus chosen and appointed of said Company, shall have power to appoint Judges and Clerks of all elections, and to elect a President from among the members of said Board of Directors, and to allow him such pay for his services as they may think proper; and if any vacancy occur by death, resignation or otherwise, of any President or Directors, before the time he was elected has expired, a person to fill such vacancy for the unexpired time shall be appointed by the President and Directors; and the President and Directors shall hold and exercise their offices until their successors are elected and qualified. If the time fixed by a by-law of the Corporation for holding the annual election of Directors shall have passed without the holding an election for Directors, the Corporation shall not be on that account, dissolved, but it shall be lawful on any other day to hold and make such election. Annual election. Powers of Directors.

SEC. 9. *Be it further enacted*, That the President and Directors before they act, as such, shall make oath or affirmation that they will well and faithfully discharge the duties of their respective offices, to the best of their skill and ability; and the said President and Directors, shall have power to appoint a Treasurer of said Company, Oath

Bond, &c

and to require of him a bond in such penalties, with such securities, as they may prescribe, payable to said Company, and conditioned for the faithful keeping and disbursing all money that may come into his hands as Treasurer of said Company, and with such other conditions as they may prescribe, upon which said bond a recovery may be had for a breach of the condition thereof, by suit in the corporate name of said Company, in any of the courts of this State having jurisdiction thereof; and the Board of Directors, in the absence of the President, may fill his place, by electing one of their members President *pro tempore*.

Not to exceed capital.

SEC. 10. *Be it further enacted*, That the Board of Directors shall not exceed in their contracts, the amount of the capital of the Corporation, or the funds, the funds of the Company may have borrowed, or the amount of the State aid hereinafter provided for, and which may be placed at the disposal of the Board; and in case they should do so, the President and Directors, at any meeting at which contracts so exceeding the amounts aforesaid, and voting for the same, and not voting against it, shall be jointly and severally liable for such excess, both to the Contractors and Corporation.

Liability.

When to commence construction.

SEC. 11. *Be it further enacted*, That said Company shall have power and may proceed to construct said Railroad as speedily as their means will permit, and may use any section of said road, by them to be constructed, before the whole is completed, subject to the same rates that other railroads in this State are allowed by law to charge; *Provided*, said railroad shall be located on the nearest and most practicable route from Knoxville to Nashville, and from Nashville to Jackson, and from Jackson to Memphis, to be ascertained by the Survey hereinbefore authorized and directed; and said Company have the exclusive right of carrying and transporting persons, goods, merchandise, and all freight and produce over said road by them to be constructed, subjected to the same rates hereinbefore prescribed and directed.

Rates.

Route.

SEC. 12. *Be it further enacted*, That the Board of Directors may call for the payment of forty-nine dollars on each share, in sums not exceeding five dollars at any one time; thirty days' notice of which shall first be given in one or more newspapers published in the cities of Nashville and Knoxville, and a failure to pay after such notice, or to secure the same to be paid, according to the rules of the Company, any of the installments so called as aforesaid, shall work a forfeiture of the share or shares on which default shall be made, and all payments thereon; and the same shall vest in and belong to said Company; but the Board of Directors may, upon the owner or owners

Calls.

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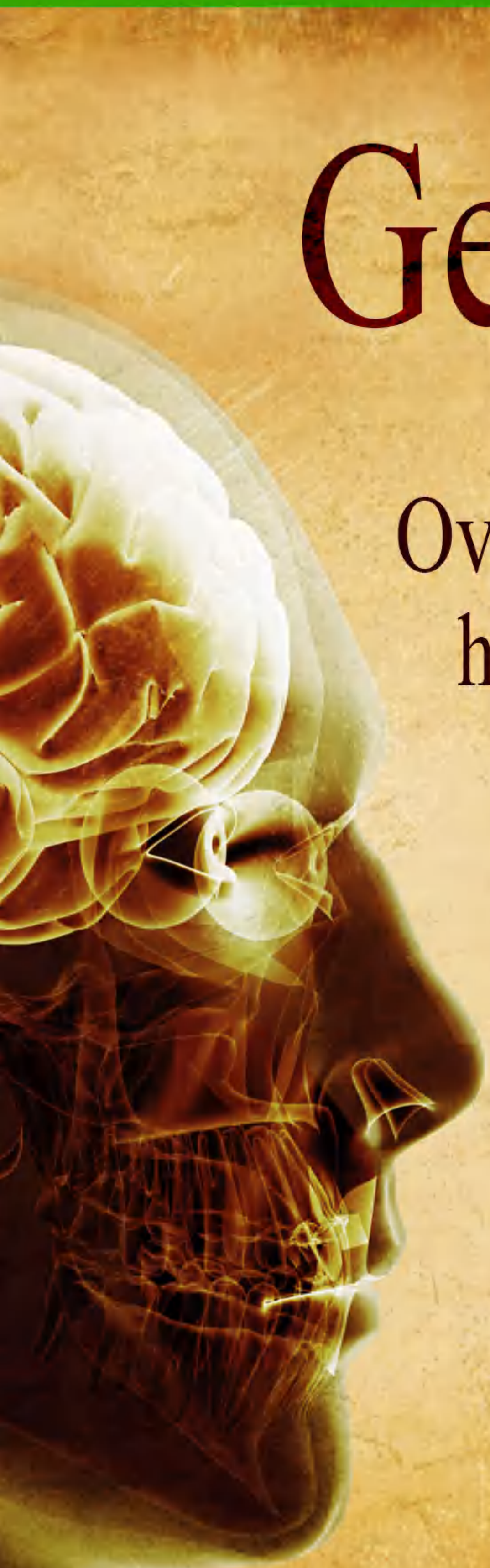

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Valuation.

thereof, the same may be taken at a valuation to be ascertained in the way and with the same rights, conditions, and liabilities, as is especially provided and enacted in the act chartering and incorporating the Nashville and Chattanooga Railroad Company, and all the rights, easements, and franchizes, and all the liabilities to and held by the said Nashville and Chattanooga Railroad Company, shall be held, possessed and exercised, and are hereby granted to the Company which it is intended by this act to incorporate, including the right to take and store all goods, wares, merchandize and produce intended to be transported over said road; *Provided*, said Company shall not charge storage on goods, wares, merchandize, and produce, which they receive in store to be transported over said road; but shall be allowed to charge the usual rates of storage on all freights received for delivery, after giving the assignee or assignecs ten days' notice of the reception of such freights.

Rights of N. & C. R. R. Co.

Dividends.

Banking and insurance.

SEC. 16. *Be it further enacted*, That the profits of said Company, or as much thereof as the Board of Directors may deem advisable, shall, when the affairs of the Company permit, be paid to the stockholders semi-annually in proportion to the amount of stock each may hold, but no dividend shall be paid to any defaulting stockholder; and said Company is hereby expressly prohibited from carrying on any banking operations, but may effect insurance on the lives and property transported over said road.

Officers, agents, &c.

Salaries, accounts, &c.

SEC. 17. *Be it further enacted*, That the President and Board of Directors shall have power to appoint all officers, agents, engineers, servants and employes in whatsoever number may be necessary to carry on, aid, inaugurate and transact the business of the Company, and to remove them at pleasure; and they shall have power to determine and fix by contract the amount of compensation of all officers, agents, servants and employes of said Company, and to regulate by their by-laws the manner of selling and adjusting all accounts in favor or against the Company, and the said Company shall have and possess all such additional powers as may be necessary to carry into effect and execution the power granted in this act of incorporation.

Act of 1852, Chapter 151.

SEC. 18. *Be it further enacted*, That the same State aid to railroads provided for by the act of 1852, Chapter 151, and subsequent acts amendatory thereof, commonly called the Internal Improvement Law, is hereby granted to the Company intended to be incorporated by this act; and whenever it shall be satisfactorily shown to the Governor that stock sufficient in good and *bona fide* subscription to grade and prepare for iron rails, thirty miles of the said road, then the Governor shall be authorized, and he is hereby authorized, to issue and deliver upon the ap-

plication of the President of the said Company, the amount and kind of bonds provided for as aid to said road in said General Internal Improvement Law, which shall not be sold below the par value; and as fast as every additional ten miles shall be prepared, as directed in said law, then the additional amount of the same kind of bonds, shall, by the Governor, be issued and delivered in like manner to said Company, and in all other respects all the aid to railroads provided for in the General Internal Improvement Laws of this State, are hereby granted to the Company herein incorporated under the restrictions, liabilities and liens therein prescribed.

State Bonds.

Other aid.

SEC. 19. *Be it further enacted*, That the same amount of State aid in coupon bonds, payable in the same way, and having a like time to run, upon the same conditions and with the same liens, securities and liabilities that are granted to the Southwestern Railroad Company, to aid said Company in building bridges, are hereby granted for the same purpose to the Tennessee and Pacific Railroad Company, incorporated by this act; and the Governor is hereby authorized to issue to the said Company bonds of the same amount and kind aforesaid, upon the same conditions as are provided for in the act incorporating the Southwestern Railroad Company, and the several amendments thereto.

Bonds same as S. W. R. R. Co.

SEC. 20. *Be it further enacted*, That for the bonds received as herein provided, the State shall have and hold a prior lien upon the said Railroad, its fixtures and equipments, to be built by the Company intended to be incorporated by this act, in the same way and to the same extent, and with the same remedies, and with as full power to enforce the same, as it possesses in regard to the other railroads in the State, to which aid has or shall be extended; and the President and Directors of the Tennessee and Pacific Railroad Company, by this act incorporated, shall provide for and pay the interest upon the bonds by them received from the State, as the same falls due, and shall provide for and pay the same rate per cent. into the sinking fund as other Railroads in the State are required by law to pay, and failing to do so, shall be subject to the penalties established by law.

Lien.

Interest, &c.

SEC. 21. *Be it furher enacted*, That the Railroad authorized by this act, shall be commenced within five years after the passage of the same, and shall be finished in fifteen years thereafter, otherwise the charter hereby granted shall be void.

Limitation of time.

SEC. 22. *Be it further enacted*, That the Company chartered by this act, shall be subject to all general laws passed in this State for the government of Railroad Companies; and no person shall be elected thereto, or hold the office of

General R. R. laws.

Rail Road Company shall be considered as formed; and thenceforth and from the day of closing the books of subscription as aforesaid, the said subscribers to the stock shall form a body politic and corporate, in deed and in law, by the name and for the purpose aforesaid, in all things to be represented by the Board of Commissioners aforesaid, until the election of a Board of Directors as hereinafter prescribed.

When formed.

Sec. 27. If, on closing the books aforesaid, the number of shares aforesaid shall not have been subscribed, then the said Board of Commissioners, by themselves or their agents, may receive subscription until the number of one hundred and twenty shares be taken; and whenever that number shall be subscribed, the Company shall be regarded as formed; to have a corporate existence as aforesaid, and of which notice shall be given as hereinbefore directed; may proceed to survey the route for the road; and to make an estimate of its cost of construction. Nevertheless, no conclusive and binding location of the road shall be made by the Commissioners; but the same be left to the determination of the first Board of Directors chosen by the stockholders; *Provided*, that said Board of Directors shall be required to locate said road by the places hereinbefore mentioned and specified.

Re-open Books.

Notice.

Location.

Sec. 28. So soon as the number of shares before mentioned, shall have been subscribed, it shall be the duty of the Commissioners appointed, to declare the same, and to appoint a time for the stockholders to meet in Elizabethtown, and give notice thereof in some newspaper; at which time and place the said stockholders, either in person or by proxy, shall proceed to elect the Directors of the Company, and enact all such regulations, rules, and by-laws as may be necessary for the government of the corporation, and the transaction of its business. The persons elected Directors at this meeting, shall serve for such period, not exceeding one year, as the stockholders may direct; and at this meeting, the stockholders shall fix on the day and place or places, where the subsequent elections of Directors shall be held; and such elections shall thenceforth be annually made; but if the day of annual election pass without any election of Directors the corporation shall not thereby be dissolved; but it shall be lawful on any other day to hold and make such elections in such manner as may be prescribed by a by-law of the corporation.

Meeting &c.

Annual elections.

Sec. 29. The Board of Directors may fill up vacancies, which may occur in it during the period for which their Board shall have been elected; and in the absence of the President, may fill his place by electing a President *pro tempore*.

Vacancies.

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and corporate, with all the rights and liabilities incident to corporations, under the name and style of the "Western and Montgomery Turnpike Company," for the purpose of constructing, grading, and MacAdamizing, a turnpike road from Knoxville to Montgomery, in Morgan County, with a branch road from a suitable psint on said road to Clinton, in Anderson County.

Western and Montgomery Turnpike Co.

SEC. 37. *Be it further enacted*, That Thomas E. Champion, Samuel Shields, and Samual R. Rodgers, and their successors in office, be, and they are hereby, constituted a body politic and corporate, with all the powers and liabilities incident to corporations, under the name of the "Rutledge Turnpike Company," for the purpose of constructing, grading, and MacAdamizing, a turnpike road from Knoxville to Rutledge, with a branch thereof to Strawberry Plains and Dandridge.

Rutledge Turnpike Co.

SEC. 38. *Be it further enacted*, That C. W. Jones, James C. Murphy and John Williams, and their successors in office, be, and they are hereby constituted a body politic and corporate, with all the rights and liabilities incident to corporations, under the name of the "French Broad River Turnpike Company," for the purpose of constructing, grading and MacAdamizing a turnpike road from Knoxville to Sevierville.

French Broad River Turnpike Co.

SEC. 39. *Be it further enacted*, That James Rogers, John Jones and Montgomery McLeer, and their successors in office, be, and they are hereby constituted a body politic and corporate, with all the rights and liabilities incident to corporations, under the name of the "Maysville Turnpike Company," for the purpose of constructing, grading and MacAdamizing a turnpike road from the south bank of the Holston River, on or near the farm of the heirs of Andrew Humes, to Maysville and Montvale Springs, in the County of Blount.

Maysville Turnpike Co.

SEC. 40. *Be it further enacted*, That M. L. Hall, John C. Mynatt and Isaac Bayless, Sr., and their successors in office, be, and they are hereby constituted a body politic and corporate, with all the rights and liabilities incident to corporations, under the name and style of the "Knoxville and Tazewell Turnpike Company," for the purpose of constructing, grading and MacAdamizing a turnpike road from Knoxville, by way of Maynardsville, to Tazewell, in the County of Claiborne, with a branch leading to Jacksboro, in Campbell County; diverging at a point not further than ten miles from the beginning of said road, the first ten miles of which road shall be laid out as a common stem, on such a manner as to do equal justice to the people on both routes.

Knoxville & Tazewell Turnpike Co.

SEC. 41. *Be it further enacted*, That James Galbreath, Samuel McGaughey and John McCampbell, and their

successors in office, be, and they are hereby constituted a body politic and corporate, with all the rights and liabilities incident to corporations, under the name and style of the "Greeneville and Warm Springs Turnpike Company," for the purpose of constructing, grading and MacAdamizing a turnpike road from Greeneville to the North Carolina line, in the direction of the Warm Springs.

Greeneville & WarmSprings Turnpike Co.

SEC. 42. *Be it further enacted*, That W. R. Tracy, John H. James and T. A. Wennagor, and their successors in office, be, and they are hereby constituted a body politic and corporate, with all the rights and liabilities incident to corporations, under the name and style of the " Chattanooga and Pikeville Turnpike Company," for the purpose of constructing, grading and MacAdamizing a turnpike road from Chattanooga, by the way of Gayburgh, to Pikeville.

Chattanooga and Pikeville Turnpike Co.

SEC. 43. *Be it further enacted*, That T. A. Roddy, G. O. Cate and George Mursey, and their successors in office, be, and they are hereby constituted a body politic and corporate, with all the rights and liabilities incident to corporations, under the name and style of the "Savanah Valley Turnpike Company," for the purpose of constructing, grading and MacAdamizing a turnpike road from Ool tawah, Hamilton County, to Kincannon's Ferry, in Meigs County.

Savanah Valley Turnpike Co.

SEC. 44. *Be it further enacted*, That William Galbreath, William Harris, and George Elliott, and their successors in office, be, and they are hereby constituted a body politic and corporate, with all the rights and liabilities incident to corporations, under the name and style of the "New Market, Dandridge and Newport Turnpike Company," for the purpose of constructing, grading and MacAdamizing a turnpike road from New Market, by way of Dandridge, to Newport, in Cocke County.

New Market, Dandridge & Newport Turnpike Co.

SEC. 45. *Be it further enacted*, That W. B. Carter, L. W. Hampton and Joseph H. Wagner, and their successors in office, be, and they are hereby constituted a body politic and corporate, with all the rights and liabilities incident to corporations, under the name and style of the "Watauga River ——— Turnpike Company," for the purpose of constructing, grading and MacAdamizing a turnpike road, beginning at Carter's Depot, in Carter County, and leading to Elizabethtown, in said County, and thence on to Taylorsville, in Johnson County.

Watauga River —— Turnpike Co.

SEC. 46. *Be it further enacted*, That Henry Taylor, Joseph Campbell and Martial Greene, and their successors in office, be, and they are hereby constituted a body politic and corporate, with all the rights and liabilities incident to corporations, under the name of the "Sneedsville Turnpike Company," for the purpose of constructing,

Sneedsville Turnpike Co.

grading and MacAdamizing a turnpike road from Sneedsville, in Hancock County, to Rogersville or Russellville, as may be determined by said Corporations.

Jonesboro & Ready Creek Turnpike Co.

SEC. 47. *Be it further enacted*, That James Vance, Peter Easley, Payne Squibb and James Deacons, and their successors in office, be, and they are hereby constituted a body politic and corporate, with all the rights and liabilities incident to corporations, under the name of "Jonesboro and Ready Creek Turnpike Company," for the purpose of constructing, grading and MacAdamizing a turnpike road extending from Jonesboro to Ready Creek Camp Ground, in Sullivan County, and from Jonesboro, in the direction of Morgantown, in the State of North Carolina.

Cleveland & Smith's Cross Roads Turnpike Co.

SEC. 48. *Be it further enacted*, That Caswell Hutchison, George Mumsey and James S. Bradford, and their successors in office, be, and they are hereby constituted a body politic and corporate, with all the rights and liabilities incident to corporations, under the name and style of the "Cleveland and Smith's Cross Roads Turnpike Company," for the purpose of constructing, grading and MacAdamizing a turnpike road from Cleveland, in the County of Bradley, to Smith's Cross Roads, in Rhea County.

Athens and Tellico Plains Turnpike Co.

SEC. 49. *Be it further enacted*, That George Ross, M. L. Phillips and Robert Cochran, and their successors in office, be, and they are hereby constituted a body politic and corporate, with all the rights and liabilities incident to corporations, under the name and style of the "Athens and Tellico Plains Turnpike Company," for the purpose of constructing, grading and MacAdamizing a turnpike road from Athens, in McMinn County, to County seat of Monroe County."

State Stocks in the E. T. & Ga. R. R. Co.

SEC. 50. *Be it further enacted*, That the stock owned by the State of Tennessee in the East Tennessee and Georgia Railroad Company, amounting to four hundred and twenty-five thousand dollars, be, and the same is hereby set apart, released and appropriated to the said Corporations hereinbefore created, in trust, for the purpose of aiding in building said turnpike roads; and said Companies shall

How transferred.

take and receive said stock in the following proportions, which shall be transferred to them by the proper officers of said Railroad Company,—that is to say: To the Kingston Turnpike Company, the sum of twenty-five thousand dollars; to the Western and Montgomery Turnpike Company, the sum of thirty thousand dollars; to the Rutledge Turnpike Company, the sum of thirty thousand dollars; to the French Broad River Turnpike Company, the sum of thirty thousand dollars; to the Maysville Turnpike Company, the sum of twenty thousand dollars; to the Knoxville and Tazewell Turnpike Company, the sum of twenty-five thousand dollars; to the Greenville and Warm Springs

How apportioned.

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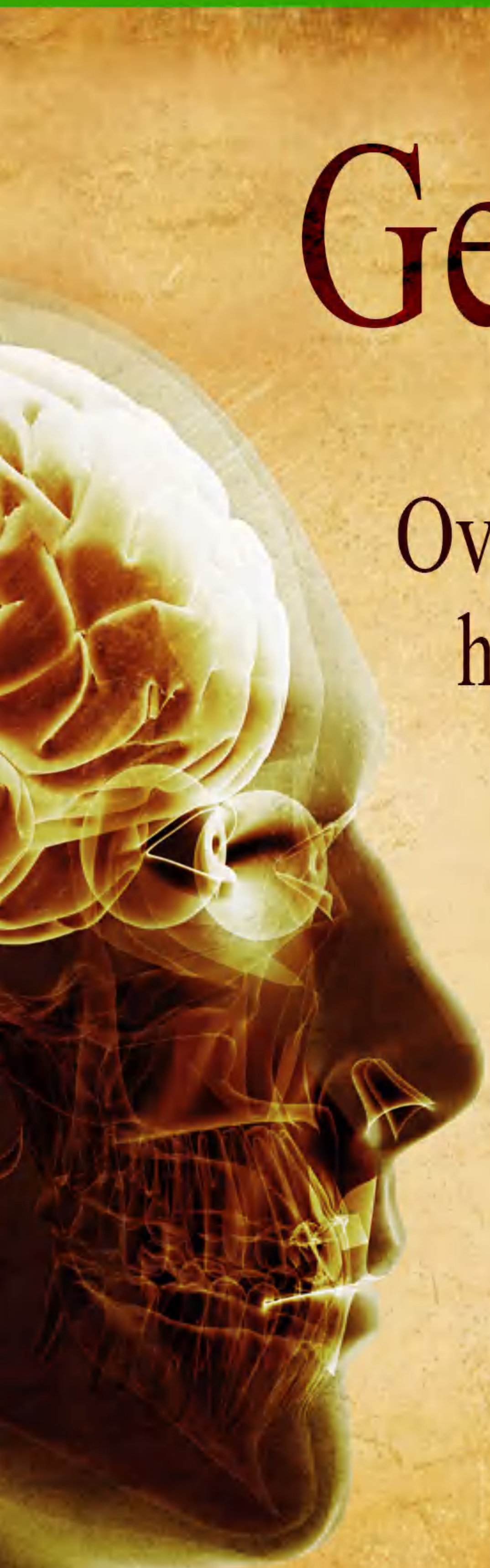

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of said Companies for the purpose of extending said several roads to their several points of destination, which nett earnings shall be faithfully applied to said purpose.

Gates.

SEC. 55. *Be it further enacted*, That said several turnpike Companies shall erect toll gates at such intervals, and establish such rates of toll as are now prescribed by the charter, and amendments thereto, of the Nashville and Franklin Turnpike Company, and they are each hereby clothed with the same rights and powers to enforce the collection of toll, and for other purposes, as are confirmed by the said charter.

Toll, &c.

Rutledge Turnpike Co.

SEC. 56. *Be it further enacted*, That the Rutledge Turnpike Company is hereby authorized to negotiate for and purchase the old Turnpike Road, leading from Knoxville in the direction of Rutledge, or to lay out a new track, as said Company may deem best.

M. C. & L. R. R. and E. & Ky. R. R.

SEC. 57. *Be it further enacted*, That the Governor be, and he is hereby, authorized to execute a bond for the purchase of railroad machinery, cars, and all other material purchased for the use and benefit of the Memphis, Clarksville and Louisville Railroad, and the Edgefield and Kentucky Railroad, from the United States Military Railroad Department at Nashville, of the United States.

Bonds to M., C. & L. R. R. Co., and Kn. & Ky. Co.

SEC. 58. *Be it further enacted*, That the Governor of the State be authorized and instructed to issue Bonds of the State, bearing six per cent. interest, with coupons attached, to the Memphis, Clarksville and Louisville Railroad Company, to the amount of one hundred thousand dollars, and the Knoxville & Kentucky Company, two hundred and fifty thousand dollars. The above appropriation to the said Memphis, Clarksville and Louisville Company to be applied to the construction of the bridge over the Cumberland River at Clarksville, and rebuilding the trestle on the line of said road, said bonds to be issued with all the restrictions, liens and provisions of the act passed January 18, 1866, to amend an act to establish a system of Internal Improvements, passed February 11, 1852.

How appropriated.

Bonds to E. & Ky. R. R. Co.

SEC. 59. *Be it further enacted*, That bonds to the amount of one hundred and ten thousand dollars be issued to the Edgefield and Kentucky Railroad Company for the purpose of equipping said road and putting it in running order.

At., Tenn. & O. R. R. Co.

SEC. 60. *Be it further enacted*, That the Atlantic, Tennessee and Ohio Railroad Company shall have the privilege of locating their road, so as to pass through Taylorsville, Johnson County, Tennessee, and form a junction with the Virginia and Tennessee Railroad, and so soon as they may have all the road lying in the State of Tennessee graded and ready for the iron railing, they shall be en-

titled to and receive the same aid from the State that the companies hereby created are entitled to receive under the provisions of this act, and shall be subject to the same restrictions and liabilities; and that said Company have the further time of four years in which to commence their road.

Cl. & Dn. R. R. Co.

SEC. 61. *Be it further enacted*, That the Cleveland and Ducktown Railroad Company, (the road from Cleveland to the Copper Mines, in Polk County, Tennessee,) shall receive the same State aid per mile in coupon bonds of the State of Tennessee, as the "Tennessee and Pacific Railroad Company," to be issued on the same terms and conditions, and subject to the same restrictions and liabilities granted and imposed on said Tennessee and Pacific Railroad Company.

SEC. 62. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 24, 1866.

CHAPTER LXXXIX.

AN ACT to Incorporate the Tennessee Petroleum and Mining Company, and for other purposes.

Powers, Privileges, &c.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That George H. Thomas, Sam. Miligan, William Sooy Smith, William B. Stokes, James M. Safford, William W. Drenan, James M. Hopkins, and Ad M. Heflebower, their associates, successors and assigns, be, and they are hereby, constitnted a body corporate and politic, with succession for ninety-nine years, under the name and style of the "Tennessee Petroleum and Mining Company;" and by that name they shall have power to contract and be contracted with; sue and be sued; plead and be impleaded; answer and be answered unto, in any court of law or equity in this State or elsewhere; to have and use a common seal, and to alter the same at will; to make by-laws authorizing any members of the Company to be represented by proxy, and for such other

Powers, &c.

purposes as may be proper for the regulation and government of the Company, and change the same if necessary; to take and hold real estate in fee or for a limited term of years; and to transfer, and by deed or lease, to convey the same or any part or interest therein; to have, use, and enjoy such personal property as may be necessary in the operations of the Company, in prospecting, exploring, mining, forging, working, boring for, manufacturing, refining, or in any way obtaining or preparing for, or conveying to market, any coal, iron, salt, oil, rock, or other mineral or volatile substances, found on or in the lands of the Company; with the right to use, transport, or vend any such mineral or volatile productions, in or out of the State, crude or manufactured, as the Company may desire; to erect buildings, machinery, furnaces, warehouses, refineries, docks and levees, lay pipes, and build boats, construct canals, railroads, turnpikes, dams, reservoirs, for their use; to issue such number of shares of stock, in all or any one or more described tract or parcel of land or interest therein; and to fix the par representative value thereof by vote of the Company, and to vend the same; with all the privileges and liabilities of this act of incorporation, to the purchasers; and enjoy all the rights granted to corporations of a similar nature.

Shares.

SEC. 2. *Be it further enacted*, That at any time when, in the opinion of the Company, it is for their interest to do so, they shall have power with reference to any lands, leases, mines, or fields, held and owned by them, to create, under such name as they may select to distinguish the same, an organization separate and distinct from the parent Company, but as a branch of the same, and with all the powers, privileges, and liabilities conferred on and imposed by the first section of this act; *Provided*, the lands, leases and fields, or any interest therein, with the names of the persons constituting the branch organization, shall be fully described and recorded in the books of the parent Company, and a certified copy of the same be deposited with the Secretary of State.

Separate Interests.

SEC. 3. *Be it further enacted*, That these Companies shall be liable to pay such taxes as are imposed on similar organizations. This act to take effect from and after its passage.

Taxes.

SEC. 4. *Be it further enacted*, That L. D. Trippe, G. H. Lenoir, Dan. W. Lyon, J. P. H. Lenoir, William Newcome, and Henry Eastman, and their successors in office, are hereby made and constituted a corporation, under the name, style and description of the "Cumberland Valley Insurance Company," full authority being hereby given them, under said name, as a body politic, to sue and be sued; to plead and be impleaded, in the courts of

Cumberland Valley Insurance Co.

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business of said Company. In case of the sickness, absence or inability, from any cause, of the President, such duties so prescribed, shall devolve upon and be performed by the Vice President of said Company. The Secretary shall keep a record of all proceedings of the Board of Directors, and of all the business of said Company; he

Secretary.

shall be required to keep the office of said Company in some public place in the City of Nashville; to keep such office open for the transaction of business, from ten o'clock, A. M., until three, each day, Sundays, public holidays and fast days excepted; to act in conjunction with the President; to attest all contracts, policies of insurance and acts of the Company; to keep the books of said Company in the office of said Company, subject at any time to the inspection of any stockholder of said Company.

Treasurer.

The Treasurer of said Company shall safely keep and render a proper account of all moneys which may come into his hands, as such officer, and pay out the same only upon a warrant therefor, properly drawn by the President, and attested by the Secretary of the Company.

SEC. 9. Said Company shall have power and are hereby authorized to receive applications for insurance against loss or damage by fire or water to buildings, boats, merchandize, and property of any kind; against loss or damage by accident, sickness or casuality to life or health of persons so insured; and upon application so received to contract for indemnity therefor; to issue policies of in-

Insurance.

surance against such loss or damage occasioned by fire, water, accident, sickness, or casualities of any kind, either upon land or water; and generally to do and perform any and all acts and things as Underwriters or Insurance Companies may of right do; *Provided*, that such contracts of indemnity or policies of insurance shall be upon uniform and established rates classified, and a copy thereof attached to each contract or policy aforesaid.

SEC. 10. Said Company, under the Board of Directors named in section first of this act, are hereby authorized to commence said business of insurance, and to issue policies as soon after the passage of this act, as the sum of one

When to commence.

hundred thousand dollars of the capital stock of said Company shall have been subscribed and paid into the treasury of said Company, or secured to be so paid to the satisfaction of the Board of Directors of said Company. Seventy-five per cent. of said sum may, by order of the Board of Directors, be invested in the bonds of the United States, or in bonds of the State of Tennessee.

SEC. 11. Said Company shall, by their President, attested by their Secretary under oath, make and publish each year, an annual statement of their condition, business assets, liabilities, losses and gains for the preceding year;

a copy of which said statement shall be filed in the office of the Secretary of State. Said Company shall comply with and be governed by all general laws now in force, or which may hereafter be enacted, regarding corporations or bodies politic, except as herein provided. Annual statement.

SEC. 12. This act to take effect and be in force from and after its passage, and remain in force for the term of twenty-five years.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 21, 1866.

CHAPTER XC.

AN ACT directing the Comptroller to issue his warrant to James G. Reaves, for seventy-five dollars.

WHEREAS, At the February Term, 1862, of the Circuit Court of Greene County, Henry Miller was convicted of the crime of felony, and sentenced to the Penitentiary of the State; and James G. Reaves, then Sheriff of said County, was charged with the execution of said sentence; and on the 14th day of February, 1862, started with said convict, and proceeded as far as Stevenson, Alabama, at the time the Confederate Army was evacuating the City of Nashville, and could proceed no further, and was compelled to return to Greene County, and lodge the said Henry Miller in the County Jail; and was necessarily compelled to spend the sum of seventy-five dollars, necessary traveling expenses, and the loss of time of himself and guard; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Comptroller of the State issue to James G. Reaves his warrant for seventy-five dollars, out of any money in the Treasury not otherwise appropriated.

SEC. 2. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 21, 1866.

CHAPTER XCI.

AN ACT to authorize the Nashville and North-Western Railroad Company to construct a Branch Road.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Nashville and North-Western Railroad Company, be, and is hereby authorized to construct a Branch Road from the Town of Huntington, in Carroll County, to a connection with the Mississippi Central and Tennessee, and the Mobile and Ohio Railroads, at the Town of Jackson, or with the Memphis and Ohio Railroad, or at any point the Company may determine and elect, in Madison County.

N. & N. W. R. R. Co.

SEC. 2. *Be it further enacted*, That in the construction of said Branch Road, the Nashville and North-Western Railroad Company shall be entitled to all the rights and benefits conferred upon the Mississippi Central and Tennessee Company, by the 7th section of An Act passed February 8, 1854, chapter 131.

Construction, &c.

SEC. 3. *Be it further enacted*, That in securing the right of way for said Branch Road, constructing the road bed and bridges, and erecting depots, and other necessary buildings, and operating the same, the said Nashville and North-Western Railroad Company shall be entitled to all the rights, powers and privileges, and subject to all the liabilities and restrictions provided and imposed in its original charter for the regulation of its main line of road.

SEC. 4. *Be it further enacted*, That this Company shall be subject to such general laws as now or may hereafter be enacted for the government of railroad companies.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 22, 1866.

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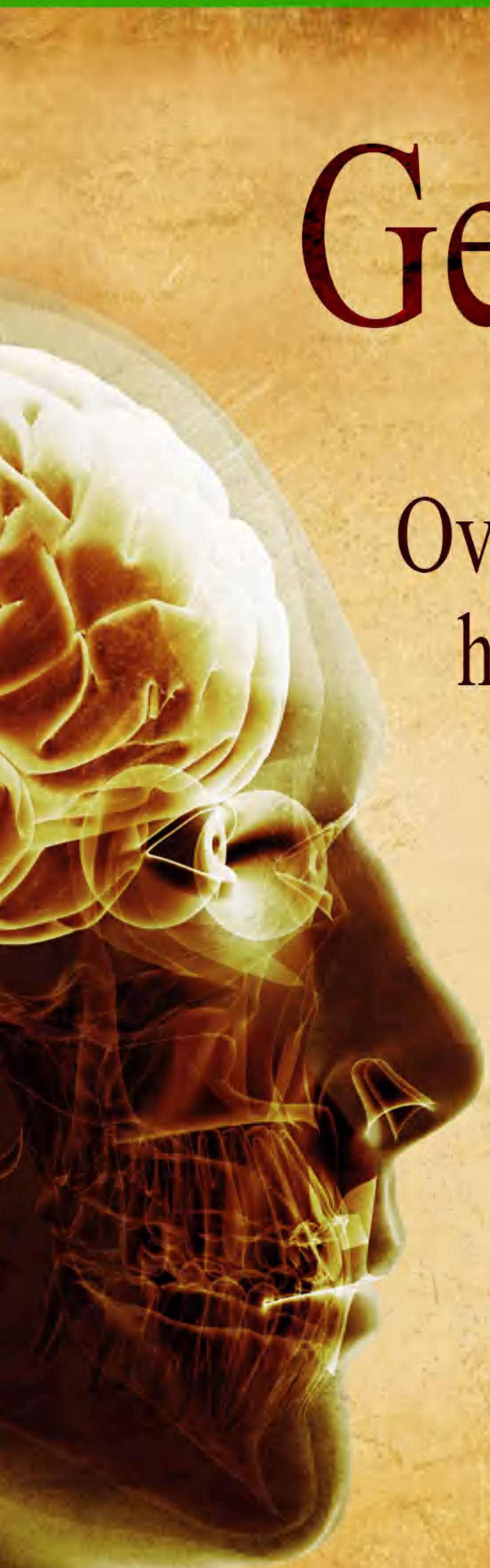

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CHAPTER XCIII.

AN ACT to Charter the Savannah Female College, in the County of Hardin, Tennessee, and for other purposes.

Preamble.

WHEREAS, In the year 1861, the Savannah Female College was located in said town of Savannah, under the patronage of the Methodist Episcopal Church, books were opened, stock taken, Trustees appointed, suitable grounds obtained, and a large and commodious brick building erected thereon, but not yet fully completed; and

WAEREAS, It is the desire of said Trustees and patrons of said Institution that the same should be incorporated; therefore,

Trustees.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That A. G. McDougal, G. M. Hamilton, Thomas Maxwell, W. H. Cherry, John S. Irwin, Thomas Davy, L. H. Broyles, Jr., Robt. J. Williams, William Russell, A. H. Kendel, Elijah Harbour, John McDougal, D. F. Street, James Williams, N. M. D. Kemp, J. C. Walker, John A. Smith, W. K. Hardin, and Thomas H. Mabry, and their successors in office, be, and they are hereby, constituted a body politic and corporate under the name and style of the "Savannah Female College," and shall have perpetual succession, and a corporate seal, may sue and be sued, plead and be impleaded in any of the Courts of law or equity, by the name and style aforesaid, and shall be under the patronage of the Methodist Episcopal Church, as aforesaid.

Rights.

Powers, &c.

SEC. 2. *Be it further enacted*, That said corporation shall have power to take and hold or to dispose of as they may think the interests of said College may require, real, personal or mixed estate, by purchase, gift, devise, or which may be acquired in any other manner; *Provided*, the same, or the proceeds thereof, be applied to the benefit of said College. And said corporation is authorized to hold said real estate already conveyed to said Trustees, and to erect thereon any additional buildings in addition to the improvements already made upon said real estate, and may purchase or procure all necessary apparatus and appurtenances, which may be useful for the promotion of the interests of said College, all of which said property shall be exempt from taxation so long as the same may be used for educational purposes.

Tax.

Funds.

SEC. 3. *Be it further enacted*, That said Trustees and their successors in office, shall have full power and authority to collect all dues and receive all funds that have or may be in any way contributed or pledged for the establishment or benefit of said Institution, and thus are au-

thorized to re-open books for subscription of stock, at such times and in such manner as they may think best.

SEC. 4. *Be it further enacted*, That said Trustees may elect a President of said Board, and a Secretary and Treasurer, who shall hold their respective offices for such time as the Board may prescribe, and they shall have full power to fill vacancies created by death, resignation or otherwise; *Provided*, That the present officers may continue to act as such until their successors are elected under this act, and said Board are authorized to make all useful rules and regulations as well as by-laws for the government of said college, not inconsistent with the Constitution of the United States, and the Constitution of the State of Tennessee. Organization.

SEC. 5. *Be it further enacted*, That the Faculty of Teachers shall be chosen as follows: The Principal or President shall be elected by said Board of Trustees, and the remainder of said Faculty shall be appointed by said Principal or President of the school, subject to the ratification of the Board of Trustees; and said Principal or President of said Faculty shall have power by and with the advice and consent of said Board, to confer on any student or other proper person or persons, any degree of literary or scientific distinction, grant diplomas, &c., in as full and ample a manner as any other Institution of a like character within the State of Tennessee. Faculty. Degrees.

SEC. 6. *Be it further enacted*, That seven of said Trustees shall constitute a quorum for the transaction of business, and the President of the Board may call meetings of the same at such times as he may think expedient, and in his absence the Secretary may exercise the same power, and in the absence of the President of the Board, the Trustees present may appoint one of their number to preside during said meeting. Meetings.

SEC. 7. *Be it further enacted*, That Thomas Maxwell, J. J. Porter, James M. Dickerson, Charles M. Thompson, Joseph Copeland, Robert J. Cypert, A. R. Phillips, Jesse Davis, David H. Davis, W. H. Brown, John Smith, Robert J. Williams, David T. Street, James W. Bennett, A. G. McDougal, Alexander Doran, Battis Hinkle, Thomas J. Cypert, Edmond B. Martin, H. W. Kerr, and their associates and successors, are hereby constituted a body politic and corporate, with the right of succession, by the name and style of the "Indian Creek Petroleum and Refining Company," for the purpose of exploring, boring, digging, and working for copper, lead, zinc, gold, silver, iron, coal, rock oil, petroleum, salt, and other ores, metals, minerals, oils, and liquids; and for such purposes, may erect all necessary buildings, furnaces, engines, machinery, depots, and other apparatus and fixtures, for carrying Indian Creek Petrol'm and Refining Co. Powers. Privileges, &c.

on the operations of mining, working, smelting, assaying, refining, and vending the same; and by that name may sue and be sued; plead and be impleaded; appear, prosecute, and defend in any court of law or equity, in all suits and actions; may have a common seal, and alter and renew the same at pleasure; and may enjoy all the privileges incident to corporations; and may purchase, hold, own, and mortgage, lease, transfer, and convey, any real and personal estates.

SEC. 8. That the persons hereinbefore incorporated, or a majority of them, may organize said Company, by electing a Board of Directors, to consist of five members, who shall elect one of their number President—shall have power to elect all other officers necessary to carry out the purposes of this incorporation—fix salaries, and generally to act for the Company. That such Board shall continue in office such time as the persons electing the same, may determine, not exceeding one year, and until their successors are elected by the stockholders; to adopt such by-laws for the government of the officers of said Company as to them may seem meet and proper, not inconsistent with the laws of the United States and of this State.

Organization.

SEC. 9. That the capital stock of said Company, shall not be less than fifty thousand dollars; and may be increased at the will of the Board of Directors to any sum, from time to time, not to exceed one million dollars; that said stock shall be divided into shares of fifty dollars each. The Board of Directors shall provide for the sale and transfer of the same, in such manner and form as they may deem expedient; may levy and collect assessments, forfeit and sell delinquent shares, declare and pay dividends on the shares in said Company, in such manner as their by-laws may direct.

Capital Stock, &c

SEC. 10. That all subsequent Boards of Directors shall be elected by the stockholders, each of whom shall be entitled to one vote for every share of stock owned by him or her. That said Board shall have all the power before granted, and shall continue in office for one year, or until their successors are elected. The stockholders may vote in person or by proxy. A majority of the Directors shall constitute a quorum to do business.

Election, Voting, &c.

SEC. 11. That the stock may be subscribed to, and received by, the Board of Directors, in money or other property, personal and real, at valuation; and that the stockholders be individually liable for the amount of stock subscribed by him or her, until the same is paid in money or by the receipt of property as hereinbefore stated.

Liability.

SEC. 12. That this corporation be entitled to all the privileges and advantages, and subject to all the penalties

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of the State of Tennessee, That this act take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 22, 1866.

CHAPTER XCV.

AN ACT to amend An Act passed January 18, 1865, entitled "An Act to amend An Act establishing a system of Internal Improvements," passed the 11th of February, 1852.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Governor be authorized and requested to issue to and for the benefit of the "Cincinnati, Cumberland Gap and Charleston Railroad," bonds of the State to the amount of one hundred thousand dollars, similar in every respect to the bonds issued under the act this intended to amend.

SEC. 2. *Be it further enacted*, That the Governor of the State issue the bonds of the State, for the amount of two hundred thousand dollars, to the "Nashville and North-Western Railroad," as provided for in the foregoing section of this act.

SEC. 3. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 22, 1866.

SEC. 5. *Be it further enacted*, That this corporation shall be subject to such taxes as may be imposed on similar corporations in this State. Taxes.

SEC. 6. *Be it further enacted*, That this act take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 23, 1866.

CHAPTER XCIX.

AN ACT to Incorporate the Edgefield Bridge and Ferry Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That a Company is hereby incorporated to be styled the "Edgefield Bridge and Ferry Company."

SEC. 2. Said Company is hereby authorized to build a Bridge on such plan as they may adopt, over the Cumberland River, at Nashville, at such point as they may select. Such bridge shall not hinder or obstruct the navigation of the Cumberland River. Object.

SEC. 3. *Be it further enacted*, That the capital stock of said Company shall be twenty-five thousand dollars, which may be increased from time to time, by the Directors as they may deem advisable; *Provided*, said capital stock shall never exceed five hundred thousand dollars. Said capital stock shall be divided into shares of fifty dollars each, and each share shall entitle its owner to one vote in elections for Directors, and in questions that may be submitted to the stockholders. Capital Stock.

SEC. 4. *Be it further, enacted*, That the affairs of said Company shall be managed by a Board of eleven Directors, who shall be elected by the stockholders, at such times as they may determine, who shall hold their office for one year, and until their successors are elected. Management.

SEC. 5. *Be it further enacted*, That the Board of Directors shall elect out of their own number, a President, and may appoint all other officers that they deem necessary to transact the business of the Company. Officers.

SEC. 6. *Be it further enacted*, That the Company hereby incorporated, shall have all the privileges, and be sub-

Stock.

the capital stock of the Association, the representative par value of shares, and to adopt such laws, by-laws, and regulations, as they may see fit for its government; also, to vend their shares of stock, or exchange them for any species of property, or for labor; *Provided*, none of their acts are incompatible with the laws of the State of Tennessee, or the United States.

SEC. 3. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 23, 1866.

CHAPTER XCVIII.

AN ACT to encourage Printing, Publishing and other Articles of Information.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That John H. James, William R. Tracy, T. W. Yardley, J. G. Reynolds, are, and are hereby incorporated into a body politic and corporate, and their successors, under the corporate name and style of the "Chattanooga Printing and Publishing Association," and shall have succession for ninety-nine years.

Capital stock.

SEC. 2. The capital stock of this Company shall be fifty thousand dollars, divided into one thousand shares of fifty dollars each, with the privilege of increasing the capital stock to an amount not exceeding two hundred thousand dollars.

Privileges.

SEC. 3. This Company shall have a common seal, and by its corporate name and style shall have power to transact all its business; in its corporate name manufacture paper, print periodicals and newspapers, purchase and sell real estate, or other property; *Provided*, this Company shall not engage in the business of banking.

By-Laws, &c.

SEC. 4. This Corporation shall have power to elect its own officers, and establish by-laws, rules and regulations for the government of the same, in such manner as the incorporators may think best; the same being not repugnant to this act, or the laws of the State, or of the United States.

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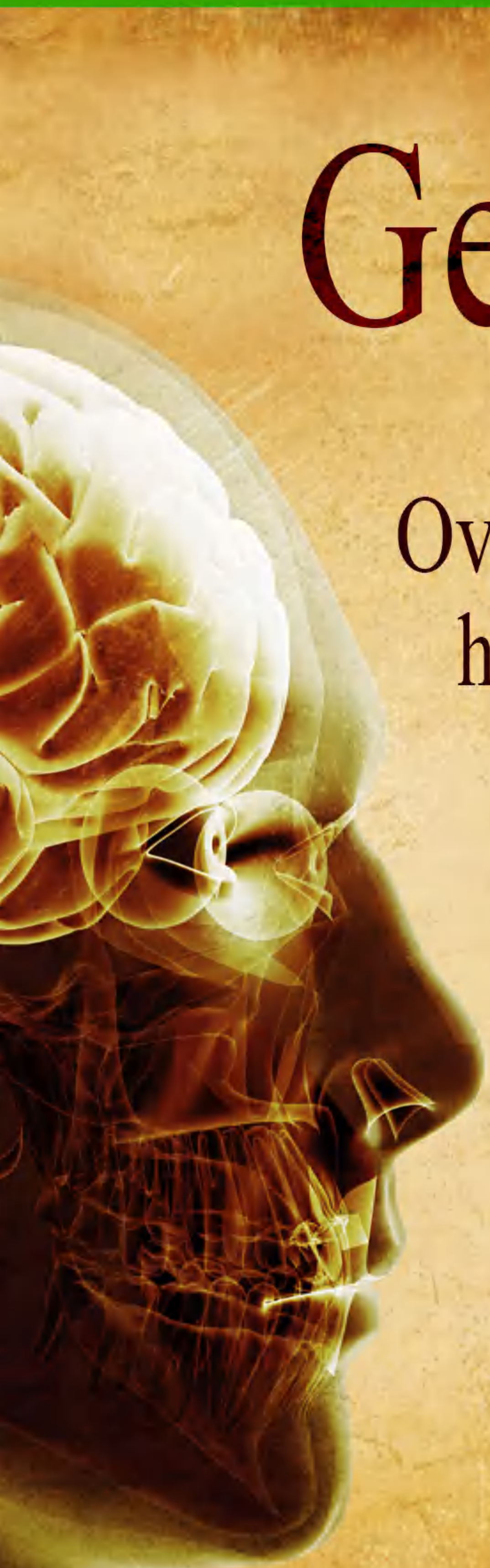

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ject to all the liabilities of the Broad Street Bridge Company, incorporated by an act of the General Assembly, passed December 17, 1845, and which is declared to be a part of this charter, so far as its provisions are applicable; *Provided*, that the Company hereby incorporated shall not be allowed to exact toll from foot passengers.

Privileges, &c.

Proviso.

SEC. 7. *Be it further enacted*, That said Company may have the privilege of establishing one or more ferries, above or below the present bridge; either steam or horse-boats or such other boats as the Directors may select, and shall have the power to charge such tolls as are allowed to be charged by the Broad Street Bridge; *Provided, however*, no toll shall be exacted of foot passengers.

Ferries.

Toll.

SEC. 8. *Be it further enacted*, That Nicholas Hobson, W. B. Ramsey, J. Minnick Williams, Michael Vaughan, George Maney, E. Frentt, R. W. Brown, J. B. McFerrin, E. H. Childress, A. V. S. Lindsley, P. W. Maxey, James Whitworth, W. F. Barry, John Cowen, J. N. Corbett, Wm. Boyd, Wm. Herman, E. O. Cross, J. T. Forbes, and George S. Stubblefield, be appointed Commissioners to open books of subscription to the capital stock of said Company, and as soon as twenty-five thousand dollars is subscribed, said Commissioners may hold an election for Directors and proceed to organize said Company.

Commissioners.

Election.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 23, 1866.

CHAPTER C.

AN ACT to Incorporate the Otsego Mining and Petroleum Company, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Henry Eastman, Frank Eastman, and their associates and assigns, be, and they are hereby constituted a body politic and corporate by the name and style of the "Otsego Mining and Petroleum Company," and by that name and style shall have ninety-nine years' succession, and shall be competent to sue and be sued in any Court of equity or law whatever; to have and use a com-

pleaded; with the like powers and privileges, and subject to the same restrictions of the Otsego Mining and Petroleum Company.

SEC. 12. That John G. Ward, Samuel T. Mattes, J. M. Anderson, D. Cook, Jr., Jeff. Coe, J. H. Britton, their associates, successors and assigns, be, and are hereby constituted a body corporate and politic, by the name and style of the "Macon and Long Fork Petroleum and Mining Company;" and by that name shall sue and be sued; with all the powers and privileges, and subject to the same restrictions of the Otsego Mining and Petroleum Company. Macon and Long Fork Petroleum and Mining Co.

SEC. 13. That W. S. Huggins, and those who may associate with him, for the purpose of forming a body corporate and politic, be, and the same are hereby incorporated, under the name and style of the "Stone Fort Oil and Mining Company;" with all the rights, powers and privileges, and subject to the same restrictions of the Otsego Mining and Petroleum Company.

SEC. 14. That John F. Parsons, A. R. Morrel, Thomas Parker, S. H. Stephens, A. Van Scharder, A. S. Chadburne, J. B. Stone, Irvin C. Stumpe, E. B. Stephens, James M. Branner, their associates, successors and assigns, are hereby created a body politic and corporate, by the name of the "Illinois and Tennessee Oil and Mining Company," and by that name shall have all the rights, powers and privileges, and subject to all the restrictions of the Otsego Mining and Petroleum Company. Stone Fort Oil & Mining Co.

SEC. 15. That A. G. Gower, John G. Eve, William H. Newlen, Adam Reider and Vincent Myers, their associates, successors and assigns, be, and are created a body corporate and politic, by the name of the "Powell's Valley Mining Company;" with all the rights, powers and privileges, and subject to all the restrictions of the Otsego Mining and Petroleum Company. Illinois and Tenn. Oil and Mining Co.

SEC. 16. That U. W. Heart, T. G. Brown, John S. Lea, S. B. Northup, William Skillon, their successors and associates, be, and are hereby incorporated a body politic and corporate, under the name and style of the "Sequatchie Mutual Petroleum Company," with all the rights and privileges conferred by the foregoing act. Sequatchie Mutual Petroleum Co.

SEC. 17. That William Bohlar, George Dixon, W. J. Smith, Lewis Lacroix, J. J. Powers, B. E. Hamner, Horatio L. Loyd, E. J. Donelly and T. K. Harris, their associates, successors and assigns, be, and they are hereby constituted a body politic and corporate, by the name of the "West Tennessee Oil and Mining Company," and by that name shall have succession for ninety-nine years; with all the rights, powers and privileges and disabilities of an act entitled "An Act to incorporate the Tennessee Mountain West Tenn. Oil & Mining Co.

Petroleum Company," passed by an act of the General Assembly of Tennessee, on the 8th day of June, 1865.

SEC. 18. That James Turner, N. N. Covgill, Lewis Burnet, A. J. Lawson, G. H. Carey, G. S. Mills, R. C. Prather, J. M. Alexander, Col. Pleasant, A. H. Patton, Henry Tyler, David Bright, Charles N. Gibbs, T. F. Voorhies and Woodfin Naylor, and their associates, be, and they are hereby constituted a body politic and corporate, under the name and style of the "Central Agricultural and Mechanical Fair of South-Western Kentucky and Western Tennessee," at Union City, Tennessee, and by that name and style shall have succession for ninety-nine years; with power to contract and be contracted with, to sue and sued; have a common seal; to make and establish rules, regulations and by-laws for the government of said Company.

Central Agricultural and Mechanical Fair of S. W. Ky. and West Tenn.

SEC. 19. That the capital stock of said Company shall be ten thousand dollars, with the privilege of increasing the same to fifty thousand dollars; to be divided into shares of one hundred dollars each; and when the sum of seven thousand five hundred dollars shall have been subscribed upon the books of said Company, the stockholders may elect and confirm their officers.

Capital Stock.

Election.

SEC. 20. That the permanent officers of said Association shall hold their offices for the term of twelve months; shall be elected by the stockholders, and shall consist of a President, three Vice Presidents, a Secretary, a Treasurer, and ten Directors; and all vacancies occurring shall be filled for the remainder of the year by the Acting Directors, five of whom shall be a quorum in all cases. The said Board of Directors shall establish or change any by-laws for the government of said Association, not inconsistent with the Constitution of the United States, or the Constitution and Laws of the State of Tennessee.

Officers.

By-Laws.

SEC. 21. That the said Company shall have full power to purchase, hold or dispose of real estate, or lease lands, to erect buildings, to appoint subordinate officers, committees, judges, etc., and shall have full power to make awards of premiums; to establish a speed ring for stock; to expel a member for gross violation of the rules they may establish; to eject any person from their grounds or buildings for misconduct; to charge and collect gate and entrance fees; and generally to do every act and thing necessary and proper to carry out the provisions of this act.

Powers, &c.

Fees.

SEC. 22. That J. A. White and G. F. White, and their successors, be, and they are hereby incorporated and made a body corporate and politic, by the name and style of the "Lick Branch Ferry Company;" with all the powers, and subject to all the limitations and restrictions contained in

Lick Branch Ferry Co.

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may, from time to time, deem necessary to carry on the business of the Company; shall regulate the price of gas; and perform such other acts as may be necessary to carry out the intentions of this act.

Privileges, and Liabilities, &c.

SEC. 5. *Be it further enacted*, That the Company hereby incorporated, shall have all the privileges and be subject to all the liabilities conferred on the "Nashville Gas Light Company," by an act passed November 21, 1849, which act is to be declared a part of this Charter, so far as the same is applicable to and not inconsistent with the foregoing sections.

Commissioners.

SEC. 6. *Be it further enacted*, That A. V. S. Lindsley, E. Carey, R. McClay, W. B. A. Ramsey, J. M. Williams, W. L. Weakley, and John P. White, are hereby appointed Commissioners to open books, to receive subscriptions to the capital stock of said Company; and as soon as twenty-five thousand dollars are subscribed, may hold an election for Directors, as heretofore mentioned, and organize said Company.

Organization.

Act void.

SEC. 7. *Be it further enacted*, That if the Company, hereby intended to be incorporated, is not organized within five years from the first day of January, 1866, this act shall be null and void.

Memphis Gayoso Gas Company.

SEC. 8. *Be it further enacted*, That John Donivan, G. P. Ware, Charles Kortrict, J. L. Saffarans, P. P. Higgins, John C. Creighton, M. D. L. Stewart, are hereby incorporated, under the name and style of the "Memphis Gayoso Gas Company," with all the rights, powers, and privileges conferred upon the Edgefield Gas Light Company.

Holston Gas Light Co.

SEC. 9. *Be it further enacted*, That John Williams, John M. Fleming, J. P. Brownlow, and their associates, be, and they are hereby, created a body corporate, under the name and style of the "Holston Gas Light Company of Knoxville," with all of the privileges granted by the foregoing Charter.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 23, 1866.

SEC. 5. *Be it further enacted*, That this corporation shall be subject to such taxes as may be imposed on similar corporations in this State. Taxes.

SEC. 6. *Be it further enacted*, That this act take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 23, 1866.

CHAPTER XCIX.

AN ACT to Incorporate the Edgefield Bridge and Ferry Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That a Company is hereby incorporated to be styled the "Edgefield Bridge and Ferry Company."

SEC. 2. Said Company is hereby authorized to build a Bridge on such plan as they may adopt, over the Cumberland River, at Nashville, at such point as they may select. Such bridge shall not hinder or obstruct the navigation of the Cumberland River. Object.

SEC. 3. *Be it further enacted*, That the capital stock of said Company shall be twenty-five thousand dollars, which may be increased from time to time, by the Directors as they may deem advisable; *Provided*, said capital stock shall never exceed five hundred thousand dollars. Said capital stock shall be divided into shares of fifty dollars each, and each share shall entitle its owner to one vote in elections for Directors, and in questions that may be submitted to the stockholders. Capital Stock.

SEC. 4. *Be it further, enacted*, That the affairs of said Company shall be managed by a Board of eleven Directors, who shall be elected by the stockholders, at such times as they may determine, who shall hold their office for one year, and until their successors are elected. Management.

SEC. 5. *Be it further enacted*, That the Board of Directors shall elect out of their own number, a President, and may appoint all other officers that they deem necessary to transact the business of the Company. Officers.

SEC. 6. *Be it further enacted*, That the Company hereby incorporated, shall have all the privileges, and be sub-

CHAPTER CV.

AN ACT to amend the Act Incorporating the Pleasant Grove Male Academy, Maury County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Board of Trustees of said Academy shall hereafter consist of seven members, instead of five, as heretofore.

SEC. 2. *Be it further enacted*, That the sale of intoxicating liquors, be, and is hereby, prohibited within two and half miles of said Institutitution under the same penalties of an act passed the 14th day of December, 1865, incorporating the Nashville Male and Female Academy.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 23, 1866.

CHAPTER CVI.

AN ACT to Accept the Charter of the Columbia and Hampshire Turnpike Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the surrender of the Charter of the Columbia and Hampshire Turnpike Company, conferred by an act of incorporation, passed by the General Assembly of this State, dated January 23, 1850, and granted to William E. Kennedy, and others, by the name and style of "The Columbia and Hampshire Turnpike Company," be, and the same is hereby, accepted, and the said Company and their legal successors, are hereby released from any further liability, or responsibility, which may hereafter, either in law or in fact, grow out of the aforesaid act of incorporation.

SEC. 2. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 23, 1866.

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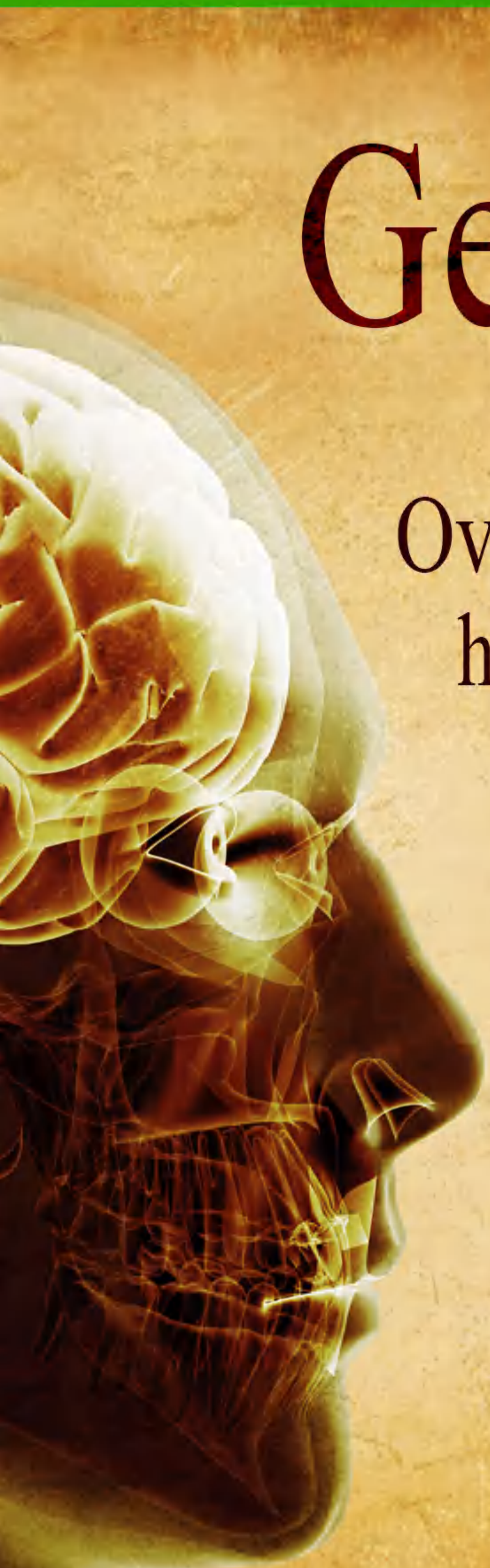

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CHAPTER CIX.

AN ACT to Incorporate the Press and Times Printing and Publishing Company, of Nashville.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Travis Winham, John W. Barry, John T. Smith, W. E. Eastman, S. C. Mercer, D. H. Mason, A. B. Shankland, and their successors and assigns, be, and they are hereby constituted a body politic and corporate, under the name and style of the "Press and Times Printing and Publishing Company," of Nashville; and as such shall be entitled to enjoy all the rights and privileges, and subject to all the liabilities and restrictions contained in an act passed February 27, 1866, incorporating the Memphis Union Publishing Company, and for other purposes.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 26, 1866.

CHAPTER CX.

AN ACT to amend an act passed the 1st day of March, 1860, Incorporating the Spring Street Baptist Church of the City of Nashville.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the act of the General Assembly of the State of Tennessee, "Incorporating the Spring Street Baptist Church, of the City of Nashville," passed on the 1st day March, 1860, be so amended as to change the name of said Corporation to the "Central Baptist Church," with all the rights, privileges and immunities now enjoyed by the same under existing laws.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 26, 1866.

CHAPTER CXI.

AN ACT to amend theCharter of the White Creek Turnpike Road, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That as the first gate houses have been burned down and the gate destroyed, permission is hereby granted to the White's Creek Turnpike Company to locate their first gate as provided by an act passed on the 22d day of October, 1832, amendatory of their Charter.

SEC. 2. That the toll-gate allowed in the Charter of the Buena Vista Turnpike, passed on the 5th day of November, 1849, may be located at any point or place not within one mile of the corporation line of the City of Nashville.

SEC. 3: That J. F. Henderson, L. H. Norman, A. P. Lowe, E. E. Pinkard, and H. C. Wooton, be, and are hereby appointed Directors of the Murfreesboro and Manchester Turnpike Road, with power to erect toll-gates, collect toll, and to make use of the same in the necessary repairs of the road, building bridges, and culverts: *Provided*, that it is not intended to empower them to contract any liabilities over and above such amount, as they may be able to pay from the tolls collected from the road.

SEC. 4. *And be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 24, 1866.

CHAPTER CXII.

AN ACT to Incorporate the Hope Insurance Company of Nashville.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That B. G. Bly, George Alexander, Samuel P. Clark, Thomas Marshall, Isaac Litton, and others, who may become stockholders in this Company, be, and are hereby, incorporated, under the name of the "Hope Insurance Company" of Nashville, and shall have succession for a period of thirty-three years, and shall have all the corporate rights and privileges, and to be subject to all the duties and liabilities, granted to the "Fire and Marine Insurance Company," by an act of the General As-

sembly of the State of Tennessee, passed on the 5th of June, 1865, entitled, "An act to Incorporate the Tennessee Fire and Marine Insurance Company," published in the Private Acts of the first session of the Thirty-fourth General Assembly, pages 80, 81, 82 and 83.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 23, 1866.

CHAPTER CXIII.

AN ACT to Incorporate the Nashville and Edgefield Street Railroad Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Joseph Nash, W. B. A. Ramsey, A. V. S. Lindsley, Nicholas Hobson, Michael Vaughn, J. M. Williams, J. P. Dillon, E. Trewitt, Charles H. Irvin, George B. Hibbard, William M. Ashley and John N. Brooks, and those who may hereafter become associated with them, are hereby created a corporation and body politic, by the name and style of the "Nashville and Edgefield Street Railroad Company," and shall continue from the day and date of the passage of this act.

Powers, &c.

They and their successors may and are hereby empowered to make any contracts, bargains or agreements, to possess, hold and dispose of any property, effects or rights by them deemed necessary and expedient for the purpose of working a Street Railroad, and protecting the interest of those who may subscribe for stock in the same.

Bridge.

SEC. 2. *Be it further enacted*, That the said Company may construct and work a Street Railroad to and from the site and place of the present Suspension Bridge, or any bridge that may hereafter be erected over the Cumberland River, to any point in Davidson County north of said River.

SEC. 3. *Be it further enacted*, That the persons named in this act, or a majority of them, are hereby constituted a Board of Commissioners to organize the Company; to open books of subscription to the shares of the same, and to decide what shall be the amount of the capital, and the

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SEC. 10. *Be it further enacted*, That this act take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 23, 1866.

CHAPTER CXIV.

AN ACT for the benefit of Michael Custer, Jailor of the County of Franklin.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Comptroller of the Treasury, be, and he is hereby required, to issue his warrant to Michael Custer for the sum of one hundred and thirty dollars, for keeping and boarding in the Jail of Franklin County, William Olvey, Allen Cobble, F. M. Lewis, L. H. Brown, and Elijah Brown.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 23, 1866.

CHAPTER CXV.

AN ACT to Incorporate the Trustees of the Central Tennessee Methodist Episcopal College.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That W. G. Brownlow, Thomas H. Pearne, W. J. Smith, T. R. Stanley, John Seys, Wm. Bosson, Joseph S. Carrels, A. A. Gee, James R. Ferris, Thomas H. Caldwell, R. G. Jamison, James G. Ogden,

Daniel J. Holmes, and their successors in office, be, and hereby are constituted a body politic and corporate, by the name and style of the "Trustees of the Central Tennessee Methodist Episcopal College," for the general and theological education of colored people; situated in the County of Davidson; and shall have succession for ninety-nine years. Said Board of Trustees, being so constituted that not less than two-thirds of its members shall at all times, be members in regular standing in the Methodist Episcopal Church, in the United States of America; and shall be capable in law to purchase, receive and hold to themselves and their successors, any lands, tenements, goods or chattels, which may be given, granted or devised to them, or purchased for the use and benefit of said Institution, and to appropriate and dispose of the same in such manner as to them may seem fit and proper, for the use and benefit of said Institution.

Hold property.

SEC. 2. *Be it further enacted*, That said Trustees shall have a common seal; may sue and be sued; plead and be impleaded, in any court of law or equity in this State, or elsewhere.

SEC. 3. *Be it further enacted*, That said Board of Trustees shall have power to employ all necessary teachers and professors; fix the rate of tuition; to confer, if they think proper, in conjunction with the Faculty, such literary degrees and diplomas as are usual in such Institutions, and to have and enjoy all other powers and privileges incident to corporations of this description, inclusive of the power to make all necessary by-laws and regulations relative to said Institution, and to the government thereof; not being inconsistent with the Constitution and Laws of the State of Tennessee, and of the United States; *and provided, also*, that the Board of Trustees shall at all times, maintain a Biblical Department for the education of the colored young men, who have been properly approved as candidates for the Christian Ministry.

Powers, privileges, &c.

SEC. 4. *Be it further enacted*, That the Trustees aforesaid, and their successors, shall have power to fix the time and place of their regular meetings, at which it shall require the presence of five of their number to constitute a quorum; to elect the officers usual in such corporate bodies; to fill any vacancies that may occur by death or otherwise in their board, and to make all necessary by-laws for the regulation of their business and meetings.

Meetings.

SEC. 5. *Be it further enacted*, That an act passed March 15, 1850, entitled "An Act to Charter the New Market Medical Society," be, and the same is hereby amended, by striking out the names of J. G. Pepper, W. P. Massengill, and B. F. McFarland, and inserting in lieu, the names of W. P. Rodefer, J. C. Cawood, J. U. Lyle.

New Market Medical Society.

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

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 24, 1866.

CHAPTER CXVI.

AN ACT to Incorporate the Bluff City Savings Institution, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That J. Piram, John C. Parker, Asa Hatch, B. F. Smith and G. W. Smith, and their associates and successors, be, and they are hereby, created a body politic and corporate, by the name and style of the "Bluff City Savings Institution," and by that name shall have succession, sue and be sued, plead and be impleaded, and generally to do every act and thing necessary to carry out the provisions of this act, and to promote the object and design of this corporation.

Capital Stock

SEC. 2. *Be it further enacted*, That the capital stock of said Company, shall be divided into shares of fifty dollars each, and when two hundered shares shall have been subscribed, and the sum of five dollars per share paid thereon, the stockholders may meet and elect five Directors, who shall be elected and enter upon their duties; and said

Election.

Directors shall elect one of their number to be President during their term of office.

By-Laws.

SEC. 3. *Be it further enacted*, That said President and Directors shall and may adopt and use a common seal, and alter the same at pleasure; may make and adopt proper and necessary by-laws for their government; may appoint all necessary officers and agents, fix their compensation, and take bond and security for the faithful discharge of their duties. They may prescribe the manner of paying in the stock and of the transfer thereof. Said Institution

Lien.

shall have a lien on the stock for debts due it by the stockholders, before and in preference to other creditors, except the State and County for taxes, and shall pay to the

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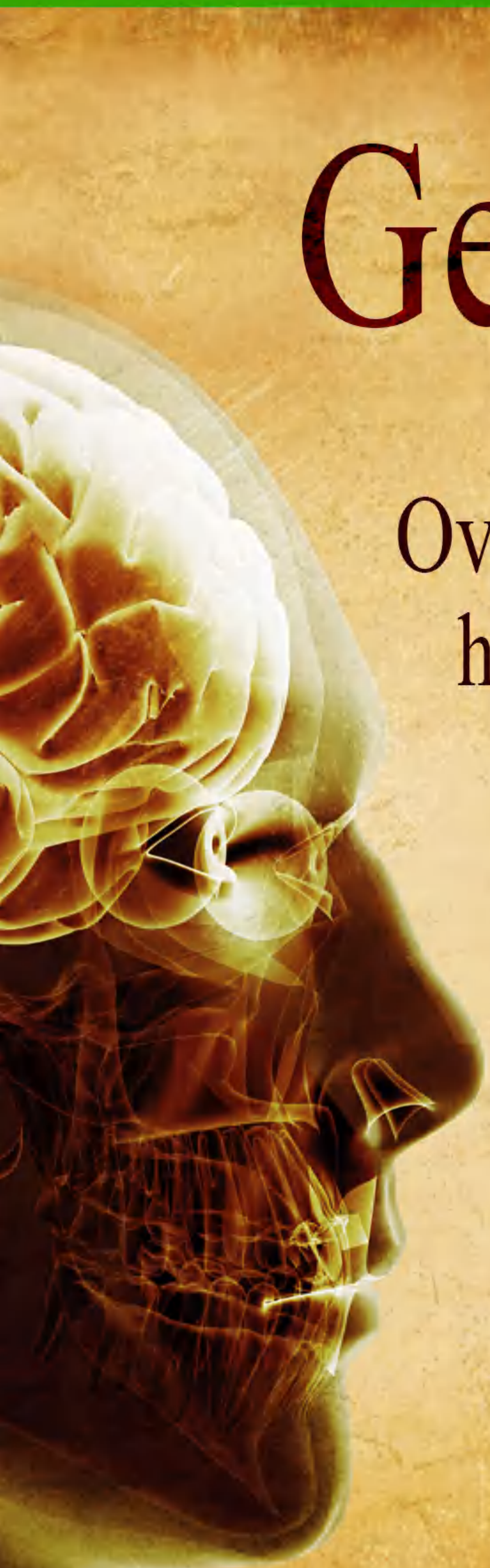

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Madison Savings Institution.

John C. Cooper, W. R. Hunt, J. H. Setter, and J. T. Pittit, and their associates, are hereby incorporated and created a body corporate and politic, under the name and style of the "Madison Savings Institution," with all the rights, powers and privileges conferred, in the foregoing act, on the Bluff City Savings Institution.

Marble Insurance & Trust Co.

SEC. 10. *Be it further enacted*, That Thomas H. Calla-way, Thomas Latham, Thomas B. McElwee, their associates, successors and assigns, be, and they are hereby, created a body politic and corporate, under the name and style of the "Marble Insurance and Trust Company," and as such, shall be subject to all the restrictions and penalties, and entitled to all the privileges and benefits conferred by the charter creating the Gayoso Savings Institution, passed February 29, 1856.

Jefferson Ins. & Trust Co

SEC. 11. *Be it further enacted*, That James M. Crews, G. W. Morrison, West Crawford, P. H. David, and their associates, be, and they are hereby, created a body corporate and politic, under the name and style of the "Jefferson Insurance and Trust Company," and as such, shall be entitled to all the rights and privileges, and subject to all the liabilities and penalties contained in the Charter creating the Bluff City Savings Institution.

Currency.

SEC. 12. *Be it further enacted*, That this Institution shall not pay out as loans any but United States or national currency, gold and silver, and the Legislature reserves the power to alter or amend this Charter.

Mercantile Bank.

SEC. 13. That James Whitworth, N. Hobson, R. T. Kirkpatrick, J. F. Wheless, be, and the same are hereby, created a body corporate, under the style and name of the "Mercantile Bank," to be located in Nashville, Tennessee, with the same rights and privileges, and subject to the same penalties, as the Bluff City Savings Institution, of Memphis.

Tennessee State Savings Institution.

SEC. 14. That William M. Farrington, C. B. Church, J. J. Rawlings, Thomas A. Nelson, William R. Moore, and their associates, and successors, be, and are hereby, constituted a body corporate and politic, by the name and style of the "Tennessee State Savings Institution of Memphis," with all the rights, powers and privileges conferred upon the Bluff City Savings Institution, in this act, and subject to all the pains, penalties and restrictions imposed in the same.

Interior Savings Bank

SEC. 15. That H. O. Whellaw, James A. Rogers, C. Buck, A. G. Klyce, Samuel Watson, R. L. Dalton, L. H. Whitmore, John L. Taylor, William P. Wood, and N. B. S. Williams, their associates and successors, be, and they are hereby created a body corporate and politic, by the name and style of the "Interior Savings Bank, of Brownsville," with all the rights, powers, privileges and immuni-

ties conferred in the foregoing act to incorporate the Bluff City Savings Institution, and subject to all the pains, penalties, and restrictions imposed in the same.

SEC. 16. That W. H. Wisener, Lewis Tillman, Thos. H. Coldwell, W. T. Thomas, William T. Tune, W. Gasling, William B. M. Brame, James Mullins, Samuel M. Arnell, and their associates and successors, be, and they are hereby, constituted a body politic and corporate, by the name and style of the "Shelbyville Savings Bank," with the same powers and privileges and subject to all the obligations as the Bluff City Savings Institution.

Shelbyville Savings Bank

SEC. 17. That L. Huddleston, A. A. Snodderly, their associates, successors and assigns, be, and they are hereby, constituted a body politic and corporate, and by such name and style as they may choose to adopt, shall have succession for twenty years, and a common seal, shall have full power to sue and be sued, plead and be impleaded, and shall be entitled to all the powers, rights, privileges and immunities, and shall be subject to all the pains and penalties of an act passed Dec. 13, 1865, entitled "An act to Charter a Bank of Discount and Deposit, at Dandridge, Tennessee."

L. Huddleston & A. A. Snodderly.

Act of Dec. 13, 1865.

SEC. 18. That L. Huddleston, A. A. Snodderly, be, and they are hereby authorized to open books for subscriptions to the capital stock of said Bank, at Knoxville, Tennessee, at such times as they may think proper.

Stock.

SEC. 19. That an act passed December 13, 1865, entitled "An Act to Charter a Bank of Discount and Deposit," at Dandridge, Tennessee, be so amended that the "Cleveland Savings Institute" be allowed to establish a branch of said Cleveland Institute at Knoxville, Tennessee, with the same rights, powers and privileges, and subject to the pains and penalties of the act which this intended to amend.

Cleveland Savings Institute.

SEC. 20. That E. L. Jordan, J. B. Kimbro, and their associates, successors and assigns, be, and they are hereby created a body corporate and politic, by the name and style of the "Murfreesboro Savings Bank," with all the powers and privileges, and subject to the liabilities imposed by this act upon the Bluff City Savings Institution.

Murfreesboro Savings Bank

SEC. 21. That W. J. Smith, P. G. Marsh, J. Pirum, J. C. Merriman and Thad. C. McMahan, be, and the same are hereby created a body corporate, under the name and style of the "Metropolitan Savings Institution," to be located in Memphis, Tennessee; with all the rights, powers, privileges and restrictions conferred and imposed upon the Bluff City Savings Institution, of Memphis.

Metropolitan Savings Institution.

SEC. 22. That Thomas Fisher, Martin Kelley, John Longue, W. J. Smith and P. G. Marsh, are hereby incorporated under the name and style of the "Emmett Sav-

Emmett Savings Institution.

ings Institution of Memphis," with all the powers and privileges conferred on the Bluff City Savings Institute, of Memphis.

SEC. 23. That S. R. Wood, James L. Winfield, Jr., G. P. Ware, N. A. Longley and J. H. Howell, and their associates, are hereby constituted a body corporate, with

West Tenn. Insurance Co.

right of succession, by the name and style of the "West Tennessee Insurance Company," to be located in the town of Brownsville, and as such, shall be entitled to all the rights, powers and privileges and immunities, and be subject to all the penalties, liabilities and restrictions granted to and imposed upon the Bluff City Savings Institution, in the foregoing section of this act.

SEC. 24. That Elijah Simmerly, Albert Hughes, M. D. L. Brown and Henry Hoss, their associates, successors and assigns, be, and they are hereby created a body politic and corporate, under the name and style of the "Farmers' and Mechanics' Insurance and Savings Company," of

Farmers' and Mechanics' Insurance Co.

Jonesborough, and as such shall be entitled to all the rights, powers, privileges and immunities, and be subject to all the penalties, liabilities and restrictions, that are granted to and imposed upon the Bluff City Savings Institution, in the foregoing sections of this act.

SEC. 25. That Sam. H. Coward, L. P. Jones, I. W. Mc-Cown, James M. Harding, John P. Hill and Benjamin F. Smith, and their associates and successors, be, and they are hereby created a body politic and corporate, by the name and style of the "Memphis City Savings Institution," and by

Memphis City Savings Institution.

that name shall have succession for thirty years; sue and be sued; plead and be impleaded; with all the powers and privileges, and subject to all the pains and penalties of the Bluff City Savings Institution, of Memphis.

SEC. 26. That D. A. Shepard, J. E. Merriman, Wm. R. Moore and Wm. H. Fitch, Jr., be, and the same are hereby created a body corporate, under the name and style of the

Peoples' Bank of Tenn.

"Peoples' Bank of Tennessee," with all the rights, powers, privileges and restrictions conferred and imposed upon the Bluff City Savings Institution, of Memphis.

SEC. 27. That W. B. Campbell, Samuel T. Motley, and their associates, are hereby created a body politic and

Middle Tenn. Savings Institute.

corporate, by the name of the "Middle Tennessee Savings Institute," with all the powers and privileges, and subject to the same restrictions of the Bluff City Savings Institute.

SEC. 28. That B. F. C. Brooks, James D. Davis, P. H. Heinrick, F. L. Warner, W. R. Moore and J. E. Merri-

Memphis Union Savings Institution.

man, and their associates, be, and are hereby created a body corporate, under the name and style of "Memphis Union Savings Institution," with all the rights and privileges granted to the Bluff City Savings Institution.

SEC. 29. *Be it further enacted*, That the privileges

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pany is hereby authorized for the purpose of constructing a railroad from some suitable point on the South-Western Railroad, at or near Sparta, Tennessee, or at a point to be selected by said Company, to the terminus of the Jasper Branch Railroad, at Jasper, Tennessee, to pursue the most direct and practicable route; which Company shall consist of stockholders, and when formed, shall be a body corporate by the name and style of the "Cincinnati, South-Western and Chattanooga Railroad Company," and by such name shall have and enjoy, possess and exercise, all the rights, powers, privileges, and franchises, (so far as the same are applicable,) as are possessed by the Nashville and Chattanooga Railroad Company, and subject to the same liabilities.

Capital Stock. SEC. 2. *Be it enacted*, That the capital stock of said Company shall be eight hundred thousand dollars, which may be increased by said Company to any amount deemed by them necessary to construct said Railroad; the stock to be divided into shares of fifty dollars each; and A. A. Hyde, William Kelley, A. A. Copinger, William Pryor, John G. Kelley, H. L. W. Raulston, R. S. Raulston, George Bible, D. R. Stanley, William Bosson, G. W. Com'ssioners. Anderson, George Overstreet, are hereby appointed a Board of Commissioners, a majority of whom shall be competent to act, who may establish rules to govern their proceedings, choose a President, appoint such officers and agents as they may think proper, and prescribe their duties; and at such times and places, and upon such terms as they may think proper; open books for the subscription of stock; whenever one thousand shares shall have been subscribed, the Company shall be regarded as formed, and as having a corporate existence; and said Board of Commissioners shall proceed to survey the route or routes proposed, and make estimates of the cost of construction; when two thousand shares are subscribed, the Board of Commissioners shall appoint a time for the stockholders to meet at Jasper, for the purpose of electing a President and ten Directors to manage the affairs of said Company; due notice being given of the time and place of such meeting.

Election. SEC. 3. *Be it enacted*, That said Company shall be entitled to and receive State aid, at the rate of ten thousand dollars per mile, for each and every mile of track embraced in their road, upon the terms, limitations and restrictions prescribed by the act of 1852, chapter 151, entitled "An Act to establish a system of Internal Improvements in this State.

State aid.

SEC. 4. *Be it enacted*, That said Rail Road Company is hereby authorized and empowered to transfer, unite, or amalgamate its stock with any Company or Companies, whose Road or Roads may connect with theirs, which

amalgamation or transfer shall carry with it all the rights, privileges and benefits of said Company, so as to make a consolidated line and interest; and any Rail Road Company or Companies, whose Road or Roads may connect with said Cincinnati, South-Western and Chattanooga Rail Road, are hereby authorized and empowered to adopt and receive said assignment, transfer, or amalgamation so as to form one Company; *Provided*, the same be done by the mutual consent of parties.

May Consolidate.

SEC. 5. *Be it enacted*, That the formation of a Company is hereby authorized for the purpose of constructing a railroad from Hamburgh, or some other conveninnt point on the Tennessee River, to be selected by said Company, to the State Line, connecting with a Charter from the State of Mississippi, for the continuance of said Road to Corinth, Mississippi, by the most direct and practicable route: which Company shall consist of stockholders, and when formed shall be a body corporate, by the name and style of the "Corinth and Tennessee River Rail Road Company," and by such name and style shall have and enjoy, possess and exercise, all the rights, powers, privileges, and franchises, (so far as the same are applicable,) as are now possessed and enjoyed by the Mobile and Ohio Rail Road Company, and subject to the same liabilities.

Corinth & Tenn. River R. R Co.

SEC 6. *Be it further enacted*, That the capital stock of said Company shall be three hundred thousand dollars, which may be increased by said Company to any amount deemed necessary by said Company, for the construction and completion of said Road. The stock of said Road to be divided into shares of one hundred dollars each; and James H. Walker, D. M. Wisdom, B. B. Trousdale, H. C. Davis, C. P. Polk, A. E. Reynolds, and W. M. Judge, are hereby appointed a Board of Commissioners, a majority of whom shall be competent to transact business, who may establish rules and regulations for the government of said Company, choose a President, and appoint such officers and agents as they may think proper, and prescribe their duties; and at such time and place, and upon such terms as they may agree upon, open books for the subscription of stock; and whenever one thousand shares shall have been subscribed, the Company shall be regarded as formed, and as having a corporate existence; and said Board of Commissioners shall proceed to survey the route herein prescribed and proposed, and make estimate of the cost of construction. When one thousand shares shall have been subscribed, the Board of Commissioners shall appoint a time and place for the stockholders to meet for the purpose of electing a President and ten Directors to manage the affairs of said Company, due notice being given of the time and place of such meeting.

Capital Stock.

Com'issioners

Organization.

State aid.

SEC. 7. *Be it further enacted*, That said Company shall be entitled to and receive State aid at the rate of ten thousand dollars per mile for each and every mile of track in this road, embraced in the State of Tennessee, whenever said Road shall be *completed*, as now required by law for the reception of State aid.

Consolidation

SEC. 8. *Be it further enacted*, That said Rail Road Company is hereby authorized and empowered to transfer, unite, or consolidate its stock with any Company or Companies, whose Road or Roads may connect with theirs, which transfer, assignment or consolidation, shall carry with it all the rights, privileges, and benefits of said Company, so as to make a consolidated line and interest; and any Rail Road Company, whose Road or Roads are consolidated with said Corinth and Tennessee River Rail Road Company, are hereby authorized and empowered to adopt and receive said assignment, transfer, or consolidation, so as to form one Company; *Provided* the same be done by the mutual consent of parties.

Central Ky. R. R. Co.

SEC. 9. *Be it further enacted*, That the Chattanooga and Central Kentucky Rail Road Company shall be entitled to the same State aid granted by this act to the Cincinnati, South-Western and Chattanooga Rail Road Company, subject to the same restrictions and provisions.

Act of Jan. 29, 1858.

SEC. 10. *Be it further enacted*, That section 66, of an Act passed January 29, 1858, entitled "An Act to charter the Greeneville and North Carolina Railroad Company," to amend the Charter of the "Eagleville, Unionville and Shelbyville Turnpike Company," and to incorporate the "Mississippi River Rail Road Company and for other purposes," be, and the same is hereby, repealed.

State Bonds to Miss. River R. R. Co.

SEC. 11. *Be it further enacted*, That the same State aid to railroads, provided for by the act of 1852, Chapter 151, and subsequent act amendatory thereof, commonly called the "General Internal Improvement Law," is hereby granted to the Company known as the "Mississippi River Rail Road Company," whenever it shall be satisfactorily shown to the Governor that stock sufficient, in good and *bona fide* subscriptions, to grade and prepare for the iron rails, thirty miles of said Road, then the Governor shall be authorized, and he is hereby authorized, to issue and deliver, upon the application of the President thereof, to the said Company, the amount and kind of bonds provided as aid to railroads in said "General Internal Improvement Law," which shall not be sold below their par value; and as fast as every ten miles shall be prepared, as directed in said law, then the additional amount of the same kind of bonds shall, by the Governor, be issued and delivered in like manner to said Company, and in all other respects the aid to railroads provided for in the "General Internal Im-

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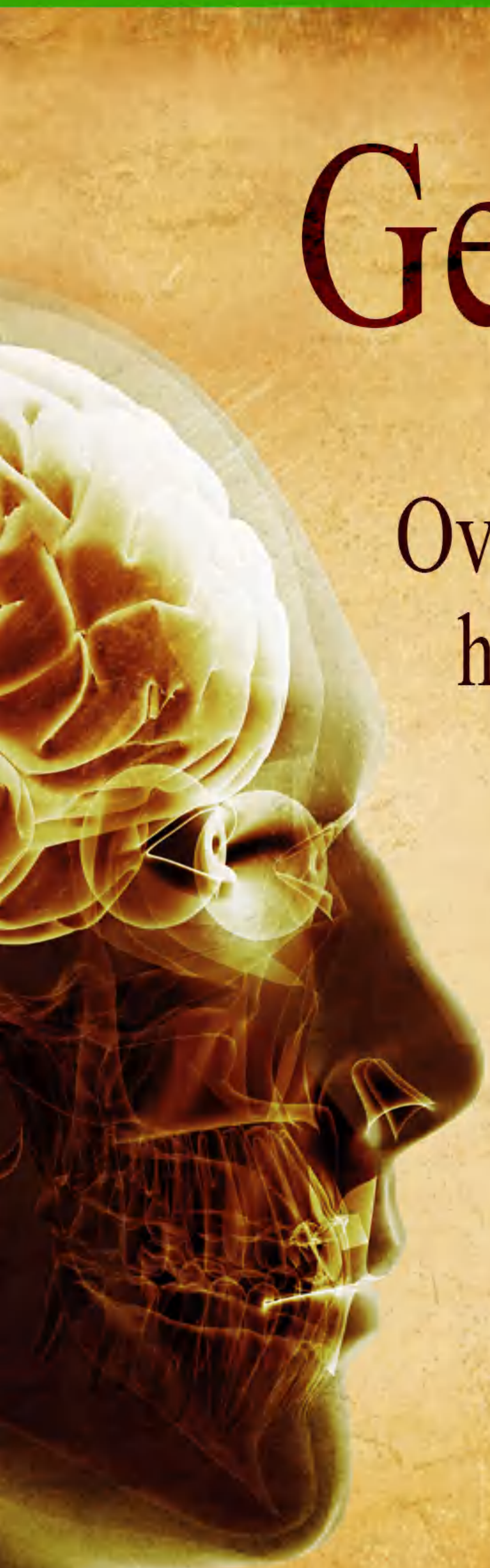

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houses, manufacture and erect machinery; mine, transport, and sell any products they may acquire; to carry on any agricultural, manufacturing or commercial pursuits, and generally to do any and all things that they may think necessary, or for the good of their Company, Colony or Colonies, except the privilege of banking; they may also have and use a common seal, and they shall generally have all the powers incidental to corporations.

Capital Stock.

SEC. 2. *Be it further enacted*, That the capital stock of said Company shall be two hundred thousand dollars, with the privilege of being increased to one million dollars; and shall be divided into shares of the par value of fifty dollars each.

Organization.

SEC. 3. *Be it further enacted*, That a majority of the incorporators may act as Commissioners, and open books for subscription of stock; and when one thousand shares; shall be subscribed, they may organize by the election from among the stockholders, of not less than five nor more than ten Directors, who shall be elected annually thereafter, and shall serve until their successore are elected and qualified. The Board of Directors shall have power to establish and change any by-laws they may think proper for the government of the Company, or its business, not inconsistent with the laws of this State or the United States.

SEC. 4. *Be it further enacted*, That no stockholder shall be liable to a greater amount than the stock he may hold or subscribe for.

SEC. 5. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 24, 1866.

CHAPTER CXIX.

AN ACT to Incorporate the Southern Life Insurance Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That George W. McCarn, D. P. Dewey, F. S. Davis, Charles Northup, M. M. Dodds, L. B. Hatch,

W. H. Dedrick, Thos. A. Kercheval, and all others who may be hereafter associated with them, are hereby declared a body corporate and politic, under the name and style of the "Southern Life Insurance Company," and by that name may sue and be sued, plead and be impleaded in all courts of record, or elsewhere. They may have and use a common seal, which they may alter, break or renew at pleasure.

SEC. 2. The principal office of the Company shall be located in the City of Memphis.

SEC. 3. The business of the Company shall be to make insurance upon lives of individuals, and every insurance appertaining thereto or connected therewith; to grant, purchase and dispose of annuities; to receive and invest trust funds, and make insurance against accidents. Business.

SEC. 4. The corporate powers of the Company shall be vested in and exercised by a Board of Directors, not exceeding fifteen, and by such other officers and agents as the Board may appoint and empower. A majority of the Directors shall constitute a quorum for the transaction of business. Government.

SEC. 5. The Board of Directors shall determine the rates of insurance, and the amount that may be insured on any one life; also, the sums to be paid for annuities, and the extent to which annuities shall be granted. They may make and prescribe by-laws for the government of the Company, its officers and agents; and generally to perform such acts as shall appear for the best interest of the Company. Same.

SEC. 6. The persons named in the first section of this act shall be the first Directors of said Company, and shall hold their office until the first Tuesday of July, 1867, and until their successors are appointed. The Directors named in this act shall have the power to increase the number of Directors to any number not exceeding fifteen, and all vacancies occurring may be filled by the remaining members of the Board. Term of office.

SEC. 7. No person shall be eligible as Director unless he holds twenty shares of the capital stock of the Company.

SEC. 8. The first election of Directors shall be held on the first Tuesday of July, 1867, and annually thereafter. Notice of election shall be given by the President or Secretary, for at least two weeks, in some public newspaper printed in the City of Memphis; said election shall be held at the office of the Company, at such hour as the Board shall direct, and shall be by ballot, and a plurality shall elect. In case of a failure to elect on the day specified, this Corporation shall not be deemed to be dissolved; but may hold an election at any future day, after giving due notice thereof. Annual elections.

SEC. 9. The Board of Directors, previous to each election, shall appoint three inspectors of such election.

SEC. 10. At every election of Directors, each stockholder shall be entitled to one vote, in person or by proxy, for each share of the capital stock of the Company owned or held by him or her, in his or her name and right, for not less than ten days preceding such election.

Voting.

SEC. 11. The Board of Directors shall, after the organization of the Company, and at the first meeting of the Board after each annual election, elect from their number a President, a Vice President, Treasurer and Secretary, who shall hold their offices for one year, and until their successors are appointed; and in case of absence or inability of any of the officers above named, the Board of Directors may temporarily supply their places.

Officers.

SEC. 12. The Board of Directors shall appoint an Executive Committtee consisting of five persons, two of whom shall be the President and Vice President, and three of whom shall be a quorum. It shall be the duty of the Committee to act when the Board of Directors is not in session; their acts and contracts being binding upon the Company; they shall have power to appoint all General Agents and other employes of the Company; make such contracts as may be deemed necessary for the transaction of the business of the Company; and shall be consulted by all Committees relative to the general business of the Company, which may not be specially provided for by the Board of Directors.

Executive Committee.

SEC. 13. The capital stock of the Company shall be not less than one hundred thousand dollars, and not more than one million dollars, as the Directors may determine. Said stock shall be divided into shares of one hundred dollars each, which shall be deemed personal property, and transferable on the books of the Company as its by-laws may determine.

Capital Stock.

SEC. 14. The insurance business of the Company shall be conducted upon the principle of giving to policy holders an interest in the profits of the Company, unless otherwise agreed by the Company and the assured; and all premiums for assurance, and purchase of annuities, shall be payable in cash, or otherwise, as the Directors may designate.

Plan.

SEC. 15. In case any policy holder or annuitant shall fail to pay any premium or sum due from him or her to the Company, or violate any condition of the policy of insurance, or contract, made between the Company and assured, the Board of Directors may cancel the policy; and all premiums paid thereon shall be forfeited to the Company. This Company shall not be required to deposit

Forfeiture.

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free from the claims of the representatives of her husband, or any of his creditors. And in case of the death of the wife before the decease of her husband, the amount of insurance becoming due, and payable as above, may be made payable after death to her children for their use, and to their guardian, if under age.

Stock Books

SEC. 22. The Board of Directors may, at any time after the organization of the Company, appoint one or more Commissioners to superintend the opening of the books for the subscription to the capital stock of the Company, at such place or places as may be deemed necessary, by first giving at least three days' notice in some daily newspaper printed in the City of Memphis. Said books shall remain open until at least one hundred thousand dollars shall have been subscribed, and ten per cent. paid in; the balance of the subscription to the capital stock shall be paid at such times and in such manner as the Directors may determine.

Public Act.

SEC. 23. This act shall be deemed a public act, with ninety-nine years succession, and shall be liberally construed as such.

Real Estate.

SEC. 24. This Company may hold such real estate as may be necessary for the transaction of its business, not exceeding fifty thousand dollars in value, except such as may be taken as security or in payment for debts due the Company, and may sell and convey the same at pleasure.

SEC. 25. The capital stock of the Company may be invested in bonds or mortgages on real estate, not exceeding two-fifths its cash value; also, in United States or State stocks, or bonds, and in such other securities as may be deemed advisable by the Directors.

Liability.

SEC. 26. Stockholders shall not be personally liable for the debts of the Company, beyond the amount which may be due and unpaid upon the stock held by them respectively.

SEC. 27. The fiscal year shall commence on the first day of July and terminate on the thirtieth day of June in each and every year.

SEC. 28. Nothing in this act shall be so construed as authorizing the Company to do a banking a business, or to issue any certificates to circulate as money; and shall be liable to such taxation as other corporations of a similar character.

Phœnix Insurance Co.

SEC. 29. *Be it further enacted*, That the "Phœnix Insurance Company," authorized to be organized and established by an act of the General Assembly, passed March 24, 1860, with all the powers and privileges of "An Act to amend the Charter of the Tennessee Marine and Fire Insurance Company," passed the 25th of November, 1833, and for other purposes, Chapter 273, of the Laws of Ten-

nessee for 1853–4, may have the further time of three years from the passage of this act, within which time to open books for the subscription of stock, and to establish their office at Memphis; and that William H. Fitch, John W. Smith, W. S. Bruce, S. Mansfield, and J. M. Williamson be appointed Commissioners, in addition to those named in the act of incorporation, any three of whom may organise and establish the said Insurance Company; and that said Company may adopt, as their Charter, such portion of the said act of the General Assembly, only, as is contained and embraced in said act from section 23 to section 31 inclusive, Chapter 273 of the Laws of Tennessee for 1853–4. Com'issioners

SEC. 30. That this act take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 24, 1866.

CHAPTER CXX.

AN ACT to change the name of the Corporation of Nashville, and to authorize the issue of Bonds by the City of Nashville, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That from and after the passage of this act, the legal name and style of the Corporation of the City of Nashville shall be "The Mayor and City Council of Nashville," by which name they shall sue and be sued, plead and be impleaded, and do all other acts of a corporate body.

SEC. 2. That the Mayor and City Council of Nashville shall be, and are hereby authorized to issue, in their corporate capacity, the coupon bonds of the City of Nashville to the amount of two hundred thousand dollars, bearing interest at the rate of six per centum per annum. The said bonds shall be of such denomination, each not less than one hundred nor more than one thousand dollars, as may be fixed by act of the Mayor and City Council of Nashville; and shall mature at such time or times, and be made payable at such place or places, as the said Mayor and Council may designate, not less than fifteen, Character of Bonds.

nor more than thirty years after the date or dates of the issuance thereof; and the interest on said bonds shall be made payable semi-annually, at such place or places as may be fixed by authority of said Mayor and City Council.

SEC. 3. The Mayor and City Council of Nashville shall have authority to sell the bonds of the City, the issuance of which is provided for in the foregoing section, or any part thereof; and the proceeds of such sale or sales shall be applied to the payment for improvements upon the streets, alleys and public places of said City, commenced since the first day of January, 1866.

How applied.

SEC. 4. The Mayor and City Council of Nashville shall have power, and are hereby authorized to issue and sell the coupon bonds of the City of Nashville, as provided for in the second section of this act, to the amount of three hundred thousand dollars, in addition to the amount of bonds therein provided for; *Provided*, that the said Mayor and City Council shall take proper steps to ascertain the will of the qualified voters, after a public notice of at least ten days before the taking of such vote; and if at such election a majority of the qualified voters cast their votes in favor of the issuance of the additional amount of bonds herein provided for, then the Mayor and City Council aforesaid, may issue said bonds, but not otherwise; *and provided, further*, in case of the issuance of the bonds herein provided for, and the sale of the same, the proceeds of the sale of the first one hundred and fifty thousand dollars of said bonds shall be applied to the improvement of the streets and alleys of the City, within the Seventh, Eighth, Ninth and Tenth Wards of the City of Nashville, and to the laying of water pipes, and the making of other permanent improvements therein; and the proceeds of the remaining bonds, to the amount of one hundred and fifty thousand dollars, shall be applied to works of permanent improvement of like character within or for the City, as may be ordered by said Mayor and City Council.

Amount.

Proviso.

Election.

7th, 8th, 9th, 10th Wards.

SEC. 5. That it shall be the duty of the Mayor and City Council of Nashville, and it is hereby made a condition of the granting of the privileges and benefits of this act, in each annual apportionment of the taxes upon property in said City, to levy a special and separate tax, the proceeds of which shall constitute a fund, to be called the interest fund; which fund shall be held apart from all other moneys paid into the Treasury of the City of Nashville; and be applied exclusively to the payment of the interest on the public funded debt of said City, including any part of said debt herein provided for, until the said fund shall amount to a sum sufficient to liquidate all the interest on said funded debt now due, or falling due within the year

Special Tax.

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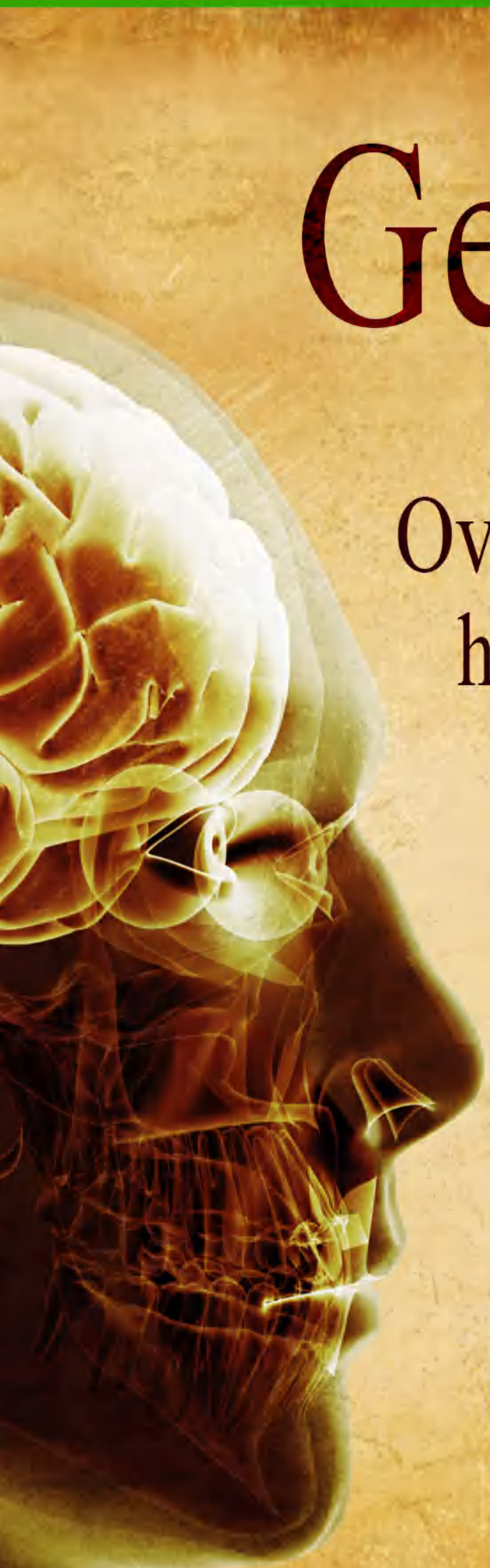

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Company, or leased by them, for lumbering purposes, or which may hereafter be so owned or held by them; to hold their meetings, and transport and sell their oil or other minerals, lumber or other products within or without the State; and to have all other powers needful and proper for the successful prosecution of their business, and for the execution of the power herein granted.

Organization

SEC. 2. That said Company may organize by the appointment of such other officers and managers as they may deem necessary, at such times and places as they may designate, by notice previously given, and when so organized, the said Company shall have power to make such by-laws, rules and regulations as they may deem necessary, from time to time, for the government and prosecution of the business of said Company, not inconsistent with the Constitution and laws of the United States and of the State of Tennessee.

Capital stock.

SEC. 3. That the capital stock of said Company shall be one million dollars, and the said Company shall have power to diminish the same from time, as they may determine, and may divide said capital stock into shares of such value as they may determine after their organization.

General Powers.

SEC. 4. That said Company may, by lease, rent, or otherwise, acquire any lands, mines, oil, salt, or lumber rights and privileges, and rights of way and other property, necessary for their business, and may dispose of the same, or any portion thereof, or any interest therein, by sale or otherwise; and may receive such interests, rights, and privileges in payment of such part of subscription as they may deem advisable. Said Company may erect, build and construct on any of the lands held by them, by deed, lease, contract, or otherwise, such buildings, engines, machinery and apparatus as may be deemed necessary, convenient and proper for carrying on and conducting the business of said corporation, and lay and conduct pipes, and construct railroads, canals, and turnpikes from their lands and works to any navigable river, railroad or turnpike now constructed or hereafter constructed, and to make the necessary switches and connections, for the purpose of transporting said articles mined and manufactured, and importing such articles and materials as said Company may require for the conducting of their said business; *Provided, however*, that the buildings, structures, machinery, engines, pipes, or other apparatus, built upon or connected with the real estate held on lease by said Company, and so built or constructed for mining, refining, manufacturing, or lumbering purposes, shall not, at the expiration of such lease, be deemed a part of the realty, but may be removed by said Company, at their option, upon failure of titles to lands, so held by said Company, or

their abandonment of such lands for other reasons, before the expiration of such lease.

SEC. 5. That when said Company shall become possessed of mines or mineral lands, or leases, iron, coal, petroleum, or other mineral leases, situated in this State or elsewhere, a separate and distinct interest of each mine, bed, field, vein, deposit, or lease, may be created under some name to designate the same, and in like manner, may organize under and enjoy as a distinct branch, all the rights and privileges heretofore named in this act; but such distinct interest or organization shall be subordinate to and under the control of said Company, with such regulations and restrictions as they shall, by their by-laws, hereafter provide. Separate Interests.

SEC. 6. That if any subscriber for stock, shall fail to pay the amount subscribed, in such manner as shall be prescribed by the by-laws, the same may be recovered by action of debt in any court having jurisdiction, or such stock may be sold and declared forfeited by the Company on such terms as the Board of Directors, or other managing Boards, shall determine and prescribe. Forfeiture.

SEC. 7. *Be it further enacted*, That nothing in this act shall be so construed as to grant the right of banking, or banking privileges, in any manner.

SEC. 8. *Be it further enacted*, That this corporation shall be subject to such taxes as may be imposed on similar corporations in this State. Tax

SEC. 9. *Be it further enacted*, That A. B. Robertson, B. F. Cheatham, B. R. Johnson, John H. Savage, and A. B. Davis, are hereby created a body corporate, under the name and style of the "Collins and Duck River Oil and Mining Company," and entitled to all the rights and privileges, subject to the penalties and restrictions, contained in the foregoing Charter. Collins and Duck River, Oil and Mining Co.

SEC. 10. *Be it further enacted*, That John V. Parwell, William T. Perkins, and Walter S. Carter, and their associates, are hereby created a body corporate, under the name and style of the "Tennessee and Kaoline Company," and entitled to all the privileges, and subject to all the penalties contained in the foregoing Charter. Tenn. and Kaoline Co.

SEC. 11. *Be it further enacted*, That James G. Ogden, J. D. Ward, James E. Brannan, Charles T. Wing, Augustus Jacobson, Charles R. Thompson, Alex. S. Chadbourne, A. B. Bonnaffon, and Henry Stone, are hereby created a body corporate by the name and style of the "Tennessee Petroleum Refining Company," with all the powers and subject to all the penalties in the foregoing Charter. Tenn. Petroleum Refin'g Company.

SEC. 12. *Be it further enacted*, That John Lumsden, Charles H. Irvin, E. A. Otis, G. B. Hibbard, O. H. P.

Scott, and Samuel Landoner, and associates, are hereby created a body corporate, by the name and style of the "Cumberland River Oil and Mining Company," with all the powers and subject to all the penalties in the foregoing Charter.

Cumb. River Oil and Mining Co.

SEC. 13. *Be it further enacted*, That Joseph Work, Samuel F. White, Richard Greene, Jr., and their associates, are hereby created a body corporate, by the name and style of the "Great North-Western Petroleum, Mining, and Manufacturing Company," with all the powers and subject to all the penalties in the foregoing Charter.

Great N. W. Petroleum, Mining and Manufg Co

SEC. 14. *Be it further enacted*, That Joseph Borden, C. W. Callman, C. W. Price, D. C. Douglass, J. W. C. Jones, James J. T. Turner, and George Powell, and associates, are hereby created a body politic and corporate, by the name and style of the "Cumberland Oil and Mining Company," with all the powers and subject to all the penalties in the foregoing Charter.

Cumb'd Oil and Mining Company.

SEC. 15. *Be it further enacted*, That A. M. Rutledge, A. S. Collyar, B. F. McGhee, G. W. Hunt, J. C. Shepperd, J. W. Tyler, J. S. Silvertooth, George Simmonds, and their associates, are hereby created a body corporate, by the name and style of the "Franklin Petroleum and Mining Company," with all the powers and subject to all the penalties contained in the foregoing Charter.

Franklin Petroleum and Mining Co.

SEC. 16. *Be it further enacted*, That M. Burns, E. H. Ewing, R. B. Cheatham, H. W. Tyffe, James P. L. Keating, J. B. Stockton, Frank F. Noble, J. H. Gule, P. Sinclair, C. J. Caffrey, P. S. Rutherford, and their associates, are hereby created a body corporate, by the name and style of the "Equitable Mining and Petroleum Company," with all the powers, subject to all the penalties in the foregoing Charter.

Equitable Mining and Petroleum Co

SEC. 17. *Be it further enacted*, That S. B. Spurlock, Daniel F. Case, Isaac Robertson and A. S. Rogers, and associates, be, and they are hereby created a body corporate, by the name of the "Spence Oil, Mining and Petroleum Company," with all the rights, and subject to all the penalties in the foregoing Charter.

Spence Oil, Mining and Petroleum Co

SEC. 18. *Be it further, enacted*, That William D. Whipple and R. W. Johnson are hereby created a body corporate, under the name and style of the "United States Mining and Manufacturing Company," with all the powers, and subject to all the penalties contained in the foregoing Charter.

U. S. Mining and Manufacturing Co.

SEC. 19. *Be it further enacted*, That Jos. W. Allen, Alex. Fall, Demsey Weaver, William W. Woodfolk, John Kirkman, William R. Ellison, M. Burns, R. C. McNairy, Robert F. Nevins, N. E. Alloway, and their associates, are hereby created a body corporate and politic, by the

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E. Harris, E. L. Tarbox and A. S. Morse, and their associates, are hereby created a body corporate, by the name and style of the "Tennessee and Ooltawah Oil and Mining Company," with all the powers, and subject to all the penalties contained in the foregoing Charter.

Tenn. & Ooltawah Oil and Mining Co.

SEC. 28. *Be it further enacted*, That R. W. Jonhson and William D. Whipple, and their associates, are hereby created a body corporate, by the name and style of the "Tennessee and Alabama Mining and Manufacturing Company," with all the powers, and subject to all the penalties contained in the foregoing Charter.

Tenn. & Ala. Mining and Manufac'g Co

SEC. 29. *Be it further enacted*, That George Jones, John Maloney, John H. Stephens, James A. Galbreath, James H. Dobson, A. W. Walker, David Fry, Isaac C. Price, and their associates, are hereby created a body corporate, by the name and style of the "Greeneville Petroleum, Mining and Manufacturing Company," with all the powers, and subject to all the penalities contained in the foregoing Charter.

Greeneville Petroleum, Mining and Manufac'g Co

SEC. 30. *Be it further enacted*, That J. C. Hart, Casper Miller, Thomas Stalker, James Debow, and their associates, are hereby created a body corporate, by the name and style of the "Hartsville Oil and Mining Company," with all the powers, and subject to all the penalties contained in the foregoing Charter.

Hartsville Oil & Mining Co.

SEC. 31. *Be it further enacted*, That Julius C. Hart, M. H. Miller, J. B. Woodruff and Thos. Stalker, and their associates, be, and they are hereby created a body corporate, by the name and style of the "Nashville Mining and Petroleum Company," with all the powers, and subject to all the penalties contained in the foregoing Charter.

Nashv'le Mining and Petroleum Co.

SEC. 32. *Be it further enacted*, That Massey Hill, Dr. Seth Hart, Dr. James Bell, D. P. Rathburn, P. C. Isbell and Samuel Hart, and their associates, are hereby created a body corporate, by the name and style of the "Pioneers' Oil, Land and Mining Company," with all the powers, and subject to all the penalties contained in the foregoing Charter.

Pioneers' Oil, Land & Mining Co.

SEC. 33. *Be it further enacted*, That William D. Whipple, William G. LeDue, Alex. N. Wilson and John C. Rumsey, and their associates, be, and they are hereby created a body corporate, by the name and style of the "Apalachian Oil and Mining Company," with all the powers, and subject to all the penalties contained in the foregoing Charter.

Apalachian Oil and Mining Co.

SEC. 34. *Be it further enacted*, That A. B. Robertson, B. F. Cheatham, B. R. Johnson and John H. Savage, and their associates, be, and they are hereby created a body corporate and politic, by the name and style of the "Duck and Collins River Oil and Mining Company," with

Duck & Collins River Oil & Mining Co

all the powers, and subject to all the privileges contained in the foregoing Charter.

Chilhowee Mining Co.

SEC. 35. *Be it further enacted*, That Luther S. Trobridge, John C. Minor, B. Frazier, George Andrews and Josiah Curtis, and their associates, be, and they are hereby, created a body corporate, by the name and style of the "Chilhowee Mining Company," with all the powers and subject to all the penalties contained in the foregoing Charter.

Cin. Petro., Mining and Manu'g Co.

SEC. 36. *Be it further enacted*, That John R. Champion, David Thompson, and Morton B. Champion, and their associates, be, and they are hereby, created a body corporate, by the name and style of the "Cincinnati Petroleum, Mining and Manufactuuing Company," with all the powers and subject to the same penalties contained in the foregoing Charter.

Unaka Min'g Company.

SEC. 37. *Be it further enacted*, That Luther S. Trobridge, George Andrews, Josiah Curtis, A. Caldwell, John C. Miner, Charles Seymore, and their associates, are hereby created a body corporate, by the name and style of the "Unaka Mining Company," with all the rights and powers, and subject to all the penalties, contained in the foregoing Charter.

Humboldt Mining Co.

SEC. 38. *Be it further enacted*, That Josiah Curtis, Albert C. Koch, G. R. Brandow, and their associates, are hereby created a body corporate, by the name and style of the "Humboldt Mining Company," with all the rights and powers, and subject to all the penalties, contained in the foregoing Charter.

Holston Oil, Mining and Manuf'g Co.

SEC. 39. *Be it further enacted*, That R. P. Mitchell, A. P. Caldwell, and Elias Beal, and their associates, are hereby created a body corporate, by the name and style of the "Holston Oil, Mining and Manufacturing Company," with all the powers and subject to all the penalties contained in the foregoing Charter.

Trenton Mining an Petro. Co.

SEC. 40. *Be it further enacted*, That A. S. Higgins, J. E. Wood, J. D. Morrison, and S. W. Smith, and their associates, are hereby created a body corporate, by the name and style of the "Trenton Mining and Petroleum Company," with all the powers and subject to all the penalties contained in the foregoing Charter.

Overton Co'ty Tenn. Oil and Mining Co.

SEC. 41. *Be it further enacted*, That Nicholas Smith, Amos N. Jamison, Scott Newman, G. W. Moore, J. D. Allen, J. T R. Brown, and Thomas Newman, and their successors, are hereby created a body corporate, by the name and style of the "Overton County, Tennessee, Oil and Mining Company," with all the powers and subject to all the penalties contained in the foregoing Charter.

SEC. 42. *Be it further enacted*, That William A. Bradley, Charles D. Selding, Benjamin E. Green, Charles

Bradley Mining, Manuf'g and Petro. Co.

J. McKinney, and Elijah Simmerly, are hereby appointed Commissioners to open books of subscription to the capital stock of the "Bradley Mining, Manufacturing and Petroleum Company," at such times and places as they, or a majority of them acting, acting in person or by proxy, may see fit, and when fifty thousand dollars shall have been subscribed and satisfactorily secured, the subscribers may proceed to organize said Company, by the appointment of such officers and managers as they may deem proper; and said Company, when so organized, shall have all the corporate rights, powers, and privileges heretofore granted, and may, from time to time, increase their capital stock as the increasing business of said Company may require.

Organization.

Smith's Fork and DeKalb County Oil & Manuf'g Co.

SEC. 43. *Be it further enacted*, That William Newman, James M. Newgent, John Word, Thomas Taylor, and W. P. Arnold, and their successors and associates, are hereby constituted a body politic and corporate, under the name and style of the "Smith's Fork and DeKalb County Oil and Mining Company," with all the rights, powers, and immunities, and subject to all the restrictions, liabilities and responsibilities mentioned in the foregoing Charter of incorporation, with a capital stock of three hundred thousand dollars, to be divided into shares of ten dollars each, which capital may be increased, from time to time, to an amount not exceeding one million dollars.

Caney Fork and Putnam County Oil & Mining Co.

SEC. 44. *Be it further enacted*, That James Newman, Adam Brisdorf, J. E. Whitney, Arthur Dickinson, and their successors and associates, are hereby created a body corporate and politic, under the name and style of the "Cany Fork and Putnam County Oil and Mining Company," with all the rights, powers, and immunities, and subject to all the restrictions, liabilities and responsibilities mentioned in the foregoing act of incorporation, with a capital of three hundred thousand dollars, to be divided into shares of ten dollars each, which capital may be increased, from time to time, to an amount not exceeding one million dollars.

Good Intent Coal, Oil, Mining and Manufactur'g Co.

SEC. 45. *Be it further enacted*, That G. W. Nelson, Samuel T. Bagliff, Thomas E. Walker, and Samuel T. Williamson, and their associates and successors, be, and they are hereby incorporated a body corporate, by the name and style of the "Good Intent Coal, Oil, Mining and Manufacturing Company," with all the powers and subject to all the penalties in the foregoing Charter.

Great Falls Mining and Petrol'm Co.

SEC. 46. *Be it further enacted*, That G. W. Anderson, W. Bosson, G. H. Hill, and Jerome Blankenship, and their associates, are hereby created a body politic, by the name and style of the "Great Falls Mining and Petroleum Company;" and they are hereby entitled to all the rights

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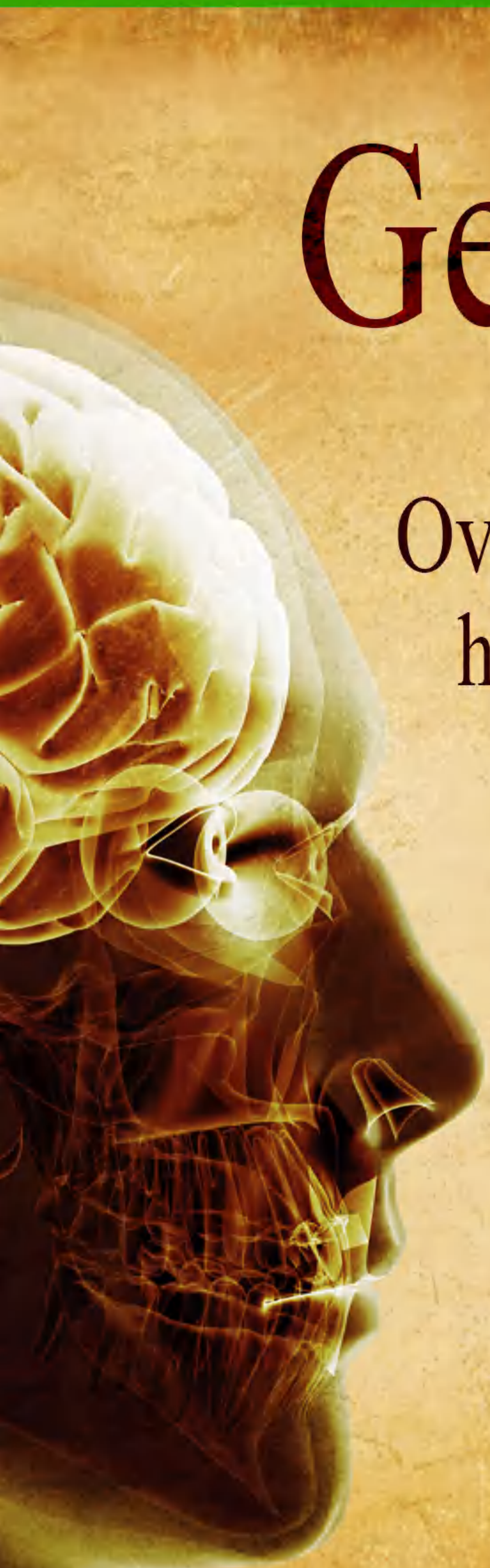

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White County Oil, Mining & Manuf'g Co.

SEC. 52. That L. H. Thickston, T. O. Treanor. and S. H. Tarr, their associates, successors and assigns, be, and are hereby incorporated a body politic and corporate, by the name and style of the "White County Oil, Mining and Manufacturing Company," with all the powers and privileges, and subject to all the penalties contained in the foregoing Charter; *Provided*, the capital stock of this Company shall be three hundred thousand dollars, with the privilege of raising it, from time to time, to five hundred thousand dollars, to be divided into such shares as the Directors or Company may direct.

Cumb. Iron Works Co.

SEC. 53. That James Woods, Sr., James Woods, Jr., Henry C. Yeatman, and their associates, are hereby created a body politic and corporate, by the name and style of the "Cumberland Iron Works Company,", with all the powers and privileges and subject to all the penalties in the foregoing Charter; and that they shall have the right to erect and carry on mills, blast furnaces, forges and manufactories; and may construct, equip, and operate such steamboats, railroads, bridges and turnpike roads, and do all things necessary and adventageous to the successful prosecution of their business; and shall have the right of engaging their capital or credit in any industrial, mechanical or manufacturing pursuits, in such manner as may be deemed advisable.

Rights.

County Court of Montgom'y County.

SEC. 54. That the Judge of the County Court of Montgomery County, Tennessee, be, and he is hereby, authorized to issue, by and with the advice and under the direction of said County Court, bonds to fund all, or any part, of the coupons unpaid, to and including the 1st of July, 1866, upon the two hundred and fifty thousand dollars of bonds issued by said County, in payment of its subscription to the stock in the Memphis, Clarksville and Louisville Railroad. Said bonds shall be for such amount and fall due at such time, as said County Court shall direct.

Bonds.

Simpson Calf-killer, Flour and Lumber Manf'g Co.

SEC. 55. That Richard Simpson, and his associates, successors and assigns, be, and are hereby, constituted a body politic and corporate, by the name and style of the "Simpson Calf-killer, Flour and Lumber Manufacturing Company," and shall, by that name, have succession for thirty-three years, with all the powers and privileges of the foregoing Company; and shall have power to erect a dam across the Calf-killer River, at or near Big Spring, about two miles above Sparta; to erect a grist and saw-mill, and such other machinery, as may be necessary to carry out the object of this incorporation.

SEC. 56. That the Nashville and Hillsborough Turnpike Company are hereby required to build a bridge across Harpeth River, on a line with said road, and they

are authorized to re-imburse said Company for the necessary cost of said bridge by collecting the following rates of toll, or less, to-wit: For a loaded wagon drawn by four horses, mules, or oxen, one dollar; for the same when empty, fifty cents; for wagon drawn by three horses loaded, seventy-five cents; for same when empty, forty cents; for two-horse wagon, or pleasure-carriage, loaded, fifty cents; for same empty, twenty-five cents; for buggy drawn by one horse, twenty-five cents; for one horse and rider, ten cents; for one led horse, five cents; for footmen, five cents.

Nashville and Hillsboro, Turnpike Co.

Toll.

SEC. 57. That an act passed December 12, 1865, entitled "An An to Incorporate the North-Western Tennessee Mining and Petroleum Company," be, and the same is hereby so amended that the "Tennessee Live Stock Insurance Company" shall have power to insure live stock against disease or death, upon such terms as may be agreed upon between the parties.

Tenn. Live Stock Insurance Co.

SEC. 58. That so much of an act to incorporate the "Salem and Murfreesboro Turnpike Company," as relates to the number of Directors, be, and the same is hereby so amended as to read "three" Directors, instead of the number as now provided.

Salem and Murfreesboro Turnpike Co.

SEC. 59. That W. M. Jones, D. G. James, Doyal Pearson, J. E. Merriman, G. P. March, and those who are at present stockholders in said Corporation, and all others who may hereafter become stockholders in said Company, are hereby created a body politic and corporate, under the name and style of the "Nonconer Pike Company," and in that name shall have succession for twenty-five years; may sue and be sued; plead and be impleaded; and may make such by-laws and regulations as shall be necessary to carry out the power herein granted. Said Pike Company shall have the power to build the bridges and repair the levee across Nonconer Bottom, on the Pigeon Roost Road. The said levee shall be graded and thrown up above high-water, and sufficiently wide to admit wagons to pass each other, with good and sufficient bridges across the main stream and sloughs. The said Company shall have the right to take and use any dirt, stone or gravel within the distance of twenty-five feet from the center of said levee, for the construction and repairs of the same. The said Company shall provide, by by-laws to be made by a majority of the stockholders, and entered in a book to be kept by them as a record of their proceedings, for the annual election of a President, and such other officers as they may deem necessary and proper to conduct the business of the Company; which President and officers shall continue in office until their successors are elected and qualified; and said Company may make such other by-laws, rules and regulations, to be entered on

Nonconer Pike Co.

Bridge and Levee.

Powers, privileges, &c.

their books, as they may deem necessary for the laying out, building, keeping up and government of said Company. The election for President and other officers, shall be held on the first Monday in December; and they shall go into office on the first Monday in January following. The President shall be elected from the stockholders in said Company. The President shall have power, by giving a sufficient notice to the stockholders, to call a meeting of the same at such time and place as he may deem necessary; *Provided*, this shall not supercede the necessity of an annual meeting on the first Monday in December To constitute a quorum at any meeting, a majority of shares shall be represented, in person or by proxy—appointed by written authority. The said Company shall be authorized to demand and collect the following tolls from all persons passing on said road, to-wit: Two cents per head for hogs, sheep, goats and cattle; five cents per head for horses and mules, in a drove; for every wagon drawn by two horses, mules or oxen, thirty-five cents; for all wagons drawn by three horses, mules or oxen, fifty cents; for all wagons drawn by four horses, mules or oxen, sixty cents; for all wagons drawn by five or more horses, mules or oxen, seventy-five cents; for all buggies, vehicles, drawn by one horse, twenty-five cents; for all other vehicles drawn by two horses, thirty-five cents; for all horsemen, fifteen cents each; for all footmen, ten cents each. The said Company shall complete the bridge across the main stream within twelve months after the passage of this Charter; and the entire levee, and all the bridges, within eighteen months from the date of the same. Said Company may erect a gate and collect tolls as soon as the bridges across the main stream are completed. If any person shall forcibly or secretly pass said gate, without paying the toll; or go round said gate, after traveling on said road, to avoid the payment of toll, such persons, so offending, shall be liable to an action before any Justice of the Peace for the amount of the toll, and shall also forfeit and pay five dollars for each such offense to said Company, to be recovered by action of debt, before any Justice of the Peace; both the forfeiture and toll may be sued for in the same warrant. Should said road, or any part of it, become and remain out of repair for twenty-five days, at any one time, any person may make affidavit before any Justice of the Peace of the County of that fact, and thereupon a warrant shall issue against said Company, and be served upon the President of said Company, and said Justice shall hear the case, and should he be of opinion that the complaint is not sustained by proof, shall tax the party making the affidavit with the cost; should he determine that the complaint is sutained

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Cumberland Land Co.

"Cumberland Land Company;" by which name they may contract and be contracted with, plead and be impleaded, sue and be sued. make and use a common seal, which they may alter and amend at pleasure; and enjoy all and singular the rights and privileges, and be subject to the penalties imposed by the Code of Tennessee upon incorporated companies. Said Company shall have power to buy, sell, lease or rent land; and buy, sell and hold any other property, real or personal, or mixed; may transport persons or property over the seas, or by land; may hire labor for the cultivation of cotton, or other agricultural products, or for mining or manufacturing purposes; may purchase or sell stock or supplies, or other articles necessary to carry on the business of encouraging and inducing immigration, manufacturing, mining or agricultural business. The principal office of said Company shall be in this State, with agencies or branch offices in other States, as may be necessary for the prompt and efficient transaction of business. The capital stock of this Company shall consist of one million dollars, in shares of ten dollars each. The business of the Company shall be managed by a Board of Directors, to consist of five persons, who shall be stockholders, and who must reside in the United States. The Board of Directors shall have power to elect a President, and other officers necessary to the prompt and efficient transaction of business. This Charter to continue in force ninety-nine years.

Powers, &c.

Stock.

Government.

SEC. 63. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 24, 1866.

CHAPTER CXXII.

AN ACT for the Benefit of Geo. W. Beal, late Jailor of Hawkins County, and others.

WHEREAS, It appearing from legally certified records of the Circuit Court of Hawkins County, herewith filed,

that the State of Tennessee is justly indebted to Geo. W. Beal, late Jailor of said County, in the sum of three hundred and sixty-seven dollars and forty cents, for services as such for boarding and lodging in the Jail of said County, two State prisoners, to-wit: one charged with murder, and the other with rape; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Comptroller of the Treasury be, and he is hereby ordered and directed to audit said claim, and pay G. W. Beal, late Jailor of Hawkins County, the sum of three hundred and sixty-seven dollars and forty cents, out of any money in the Treasury not otherwise appropriated. Comptroller to pay.

SEC. 2. *Be it further enacted*, That the Comptroller of the Treasury pay to Joseph Eaton, late Jailor of Jackson County, or his assigns, the sum of one hundred and eighty-four dollars and seventy-five cents, for Jailor's fees, for boarding prisoners in the Jackson County Jail, as certified according to law. Jos. Eaton.

SEC. 3. *Whereas*, It appears that Thomas Gurley, William Bush, John Holden, Jackson Pipkins and William Logan were committed to the Jail of Henderson County, on charge of felony; *and whereas*, It appears that the Jail of said County was in a decayed condition, and unsafe; *and whereas*, Said prisoners broke said Jail and escaped therefrom, without the knowledge of said Jailor; therefore, Henderson Co

SEC. 4. That the sum of one hundred and eighty-one dollars and seventy cents, be, and the same is hereby appropriated to Jasper N. Teague, said Sheriff and Jailor, out of any moneys in the Treasury not otherwise appropriated, for boarding said prisoners while in Jail, and for Turnkeys; and that the Treasurer issue his warrant for the same; *and whereas*, It appears from a legally certified record of the Circuit Court of Jackson County, Tennessee, herewith filed, that the State of Tennessee is justly indebted to Samuel H. York, late Jailor of said County, in the sum of ninety dollars and ten cents, for his services as such, for boarding and lodging one State prisoner in the Jail of said County, charged with murder; therefore, Jasper N. Teague. Jackson Co.

SEC. 5. That the Comptroller of the Treasury be, and he is hereby ordered and directed to audit said claim, and pay to the said Samuel H. York, late Jailor of Jackson County, the sum of ninety dollars and ten cents, out of any money in the Treasury not otherwise appropriated. Sam'l H. York

SEC. 6. That the Comptroller issue his warrant to Henry A. Wood, for four hundred and ninety-two dollars, for his services as Jailor of Gibson County in the year 1862. Henry A. Wood.

SEC. 7. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 24, 1866.

CHAPTER CXXIII.

AN ACT to Incorporate the Tennessee Leather, Boot and Shoe Manufacturing Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That William Cassier, Alfred Harrison and Luther Farris, and their associates, successors and assigns, be, and they are hereby constituted a body politic and corporate, by the name and style of the "Tennessee Leather, Boot and Shoe Manufacturing Company," for the purpose of manufacturing leather, boots and shoes; and by that name shall have succession for thirty years; with power to contract and be contracted with, sue and be sued, in any and all courts of law or equity; to have and use a common seal, and to alter the same at pleasure;

Powers, &c. to purchase, hold and dispose of real estate, and to convey the same by deed, and to mortgage any of such real estate so purchased and held; and generally to do every act and deed necessary and proper to carry out the provisions of this act, and to promote the objects and designs of this Corporation; *Provided*, that said incorporation shall be limited in its right to hold such real estate as may be necessary and proper for its purpose, and no more.

SEC. 2. *Be it further enacted*, That the capital stock of said Company shall be fifty thousand dollars; which shall be divided into shares of ten dollars each; and the sum

Capital Stock. may be subscribed and made subject to such calls and terms of payment as may be designated by the officers of said Company.

SEC. 3. That the persons named as corporators shall open books for the subscription of stock; and when three hundred shares are subscribed, and two dollars on each

Organization. share is paid in, the stockholders shall then meet and elect five of their number Directors; and thereupon said Directors shall elect one of their number to act as President, and

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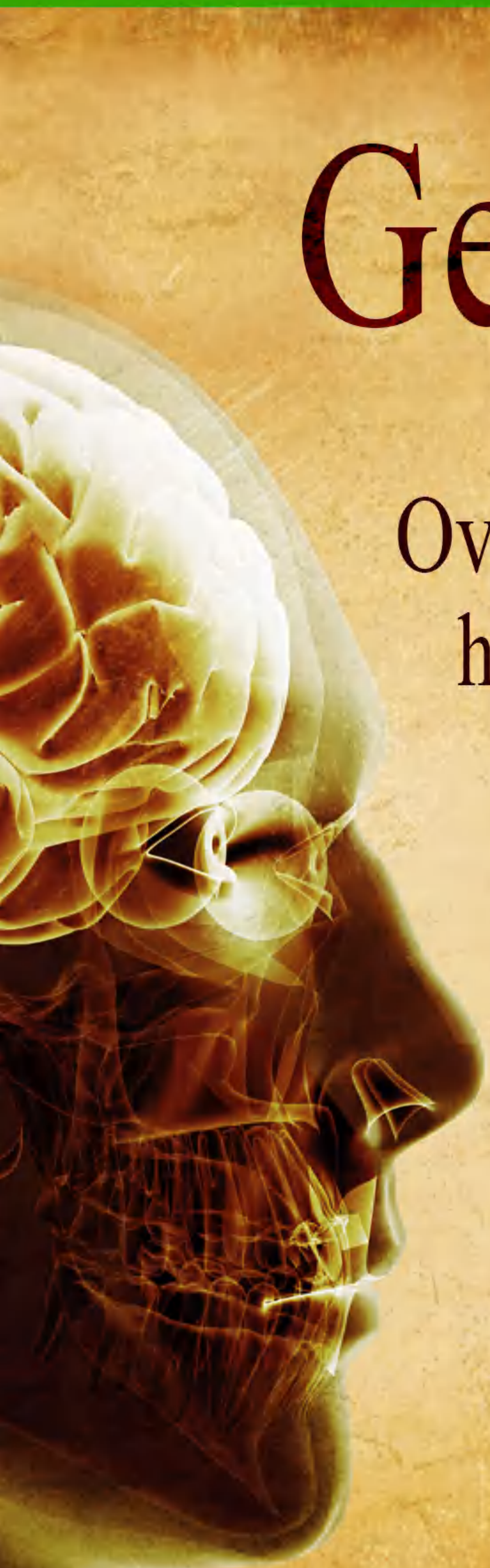

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tions; also to lay and conduct pipes, and construct railroads, turnpikes, and canals, from their lands and works to any navigable river or railroad now constructed or hereafter constructed, and to make the necessary switches and connections, for the purpose of transporting said articles, mined and manufactured, and importing such articles and materials as said Company may require for the conducting of their said business; *Provided*, that, however, that in costructing said roads, canals, &c., they do not interfere with any vested rights; and by said name and style are hereby made a body capable in law as individual citizeus, to contract and be contracted with, sue and be sued, plead and be impleaded, answer and be answered unto, and prosecute to final judgment in this State and elsewhere, in all courts of law and equity; to make laws and use a common seal and change the same at will; with full power and authority to purchase, lease, and receive in donation, and enjoy and possess real, personal and mixed estate, and to lease, rent, sell, alienate and convey, and otherwise dispose of the same; with all rights, powers and privileges necessary and proper for them as an incorporated Company; and by such name and style shall have succession for the full term of ninety-nine years; *Provided, however*, that nothing in this act shall interfere with the vested rights of any other Company under the Laws of the State of Tennessee.

Powers, Privileges, &c.

SEC. 2. *Be it further enacted*, That the incorporators, in person or by proxy, shall, as soon after the passage of this act as convenient, meet and organize by the election of a Board of Directors, not less than seven nor more than ten in number, who shall have the management and control of the affairs of the Company, a majority of whom shall constitute a quorum for the transaction of business, and each being a stockholder to the amount of, at least, twenty-five shares, who, as well as their successors, shall hold their office for the term of one year, and until successors are elected. Said Directors shall annually hereafter, by public notice for thirty days, in one or more newspapers published in the City of Nashville, next preceding the first Monday in June, to the stockholders, to meet at the office of the Company, in Nashville, in person or by proxy, to elect Directors for the next ensuing year, at which election three of the stockholders, appointed by those present, shall be the judges. If the Directors shall fail or neglect to give notice as aforesaid, any two of the stockholders may give such notice, and elect Directors in like manner as if the Directors had given the notice as prescribed by this act. The persons receiving the majority of the votes cast at said election, shall be declared duly elected; and in case of a tie vote, a majority of the Direc-

Organization.

Annual Election.

tors elect shall determine and give one vote, which shall be the casting vote. Each stockholder shall have one vote for each and every share he or she may own; and any shareholder not present at any such elections, may vote by proxy, said proxy being a shareholder and attending such elections, and presenting from his principal authority in writing, signed and sealed by said principal and attested by two witnesses. Voting.

SEC. 3. *Be it further enacted*, That if it should happen that any election of Directors should not be made on the day designated, in the notice that said corporation shall not for that cause be deemed dissolved, but it shall and may be lawful to make an election for Directors on some other designated day, of which notice may be given. Failure to elect.

SEC. 4. *Be it further enacted*, That the said Directors shall elect annually from their number, a President, Vice President, Secretary and Treasurer, and such other officers, clerks, and employes, from among the stockholders or from other sources, as the interest of the Company may require, and may take of each of them such bond or bonds, with security conditioned for the faithful performance of the duties assigned them, allow such compensation as they may think proper, and may remove and dismiss them, or any of them, at pleasure; and shall fill all vacancies in their number caused by death, resignation or otherwise, by such persons, from among the stockholders, as they may elect; and the said Directors, or a majority of them, may, from time to time, make, ordain, and establish such by-laws and regulations for the government of said corporation in its proceedings, and for the management of its stock and property, as may, by them, be deemed necessary and convenient; *Provided, however*, the same be not repugnant to and inconsistent with the Constitution and Laws of this State, or of the United States. Duty of Directors.

SEC. 5. *Be it further enacted*, That the meeting of the Board of Directors, shall be at such times and places as they may themselves determine; and special meetings thereof may be called by the President or a majority of the Directors, and at all meetings thereof a majority shall constitute a quorum for the transaction of business. Meeting.

SEC. 6. *Be it further enacted*, That the said Directors shall keep, or cause to be kept, proper books of stock and accounts of the business and affairs of said Company, which shall be subject at all times, to the inspection of the stockholders. They shall annually at the expiration of their term of office, make a full and correct report to the stockholders of the transaction of the year's business, showing the amount of property and means received, and when received, the amount disbursed and for what purpose disbursed, the amount in hands, together with such other Books and Report.

information as may be required by the stockholders, or deemed important to the interest of the Company.

SEC. 7. *Be it further enacted*, That the capital stock of the Company shall be five hundred thousand dollars, divided into twenty-five thousand shares of twenty ($20) dollars each, which capital stock may be increased or diminished, as the Directors may determine; and the President and Directors shall regulate the proportion of stock which may be issued to each member on application.

Capital Stock.

SEC. 8. *Be it further enacted*, That the stock and property of said Company and Corporation, of whatever nature, shall be assignable and transferable on the books of the said Corporation, in such manner as the regulation and by-laws thereof may prescribe.

Transfer of Stock.

SEC. 9. *Be it further enacted*, That the dividends of the profits of said Corporation shall be made at such times among the stockholders, as the Directors may determine.

Dividends.

SEC. 10. *Be it further enacted*, That the Board of Directors shall have no power to bind the Corporation by any contract or agreement to a greater amount than the capital stock subscribed, and in case of their attempting to do so, the Directors so participating in such an attempt, shall be responsible in their private property to the parties injured.

Liability.

SEC. 11. *Be it further enacted*, That said Corporation may receive real estate, lease hold, mining, retorting and boring interests and rights of way, in payment of such part of subscription deemed advisable.

SEC. 12. *Be it further enacted*, That said Corporation shall not be dissolved, unless by a vote of two-thirds of the whole capital stock.

SEC. 13. *Be it further enacted*, That the right to alter, change or repeal this act, is hereby reserved to any subsequent Legislature; and nothing so construed as to grant said Company banking privileges.

Reservation.

SEC. 14. *Be it further enacted*, That H. C. Jackson, J. W. Paramore, J. R. Adam, C. S. Cowan and A. J. Adam, their associates, successors and assigns, are hereby constituted a body corporate and politic, by the name and style of the "Tennessee Barrel and Stave Company," for the purpose of manufacturing barrels for crude and refined oil, and for other purposes; may have and hold, in fee simple, or for a term of ninety nine years, real or personal estate; may mortgage, transfer or convey the same; may purchase, contract or erect all necessary buildings and apparatus, roads, &c., for conducting their operations; may have a common seal, and alter the same at pleasure; may sue and be sued, plead and be impleaded, appear, prosecute and defend in suit and in action, in any court of law and equity in this and any other State; may make such

Tenn. Barrel and Stave Co.

Powers, &c.

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stockholder shall, by himself or by proxy, cast one vote for each share of stock he has in the Corporation.

SEC. 22. *Be it further enacted*, That the capital stock of said Society shall be fifty thousand dollars, in shares of ten dollars each; that the Society may proceed to organize as soon as five thousand dollars have been subscribed; and
Capital Stock. the Corporation shall, after giving five days public notice, open books for the subscription of stock at the place of business of Augustus Bohr, in Chattanooga; and such persons as have already subscribed and paid in said Society, shall be entitled to stock for the amount so subscribed and paid in.

SEC. 23. *Be it further enacted*, That said Society may provide for education of children, and may practice and
Exhibitions give lessons in gymnastic exercises, and perform dramatic and theatrical exercises; *Provided*, the taxes imposed by law on such exercises are paid.

SEC. 24. *Be it further enacted*, That said Company may also organize a Company of Sharpshooters, and drill the same in the usual exercises of such companies.

SEC. 25. *Be it further enacted*, That the officers of the Society, shall hold their offices for twelve months, and until their successors are elected and qualified; *Provided*, that two-thirds of the stockholders, in amount of stock, shall have the power at any time to dismiss any officer for misconduct, or attempt to cheat or defraud the Society.

SEC. 26. *Be it further enacted*, That this act take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 25, 1866.

CHAPTER CXXV.

AN ACT to Incorporate the Church and Spruce Street Railway Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Orrville Ewing, A. J. Duncan, William T. Berry, R. T. Kirkpatrick, James Hickman, H. C. Jackson, William H. Murfree, J. W. Paramore,

James R. Willet, or any three or more of them, their associates and successors, be, and they are hereby, constituted a corporate body, under the name of the "Church and Spruce Street Railway Company," and by that name may have succession for the term of fifty years; may sue and be sued; plead and be impleaded; may have and use a common seal; may receive, purchase and hold such property, real and personal, as may be necessary for carrying on the business of the Company, and may dispose of the same at pleasure; may make all needful by-laws for the regulation of the Company, not inconsistent with the Laws of the United States, or of this State. Powers.

SEC. 2. *Be it further enacted*, That said Company is incorporated for the purpose of constructing and using a Street Railroad in the City of Nashville and its vicinity, from the present post-office along Church Street to Spruce, thence along Spruce Street and the Franklin Turnpike to the first toll-gate on said Turnpike, with the right of way, by and with the consent of the city authorities through and along the route thus designated, and with the privilege of having one or more branches connecting with the main stem, and running in any direction, not exceeding two miles from the corporate limits of Nashville. Purposes.

SEC. 3. *Be it further enacted*, That the capital stock of this Company shall be one hundred thousand dollars, with the privilege of increasing the same to any amount not exceeding three hundred thousand dollars, divided into shares of twenty-five dollars each. Capital Stock

SEC. 4. *Be it further enacted*, That said Company shall have all the rights, powers and privileges, and be subject to all the conditions and restrictions, (except in so far as the same may be altered or modified by this act) as are granted to or imposed upon the McGavock and Mt. Vernon Horse Railroad Company, by an act of the General Assembly, passed on the 29th of February, 1860, being Chapter 90 of the Private Acts of the session of 1859–60, as published. Privileges.

SEC. 5. *Be it further enacted*, That the Church and Spruce Street Railroad Company may use horse power, or a dummy steam-engine in the traction of cars in and along the main stem or the branches of the Railroad, hereby authorized to be constructed; *Provided*, the dummy enigines which may be used, shall not give off either smoke or steam so as to annoy either persons or animals. Steam or horse power.

SEC. 6. *Be it further enacted*, That in case of collisions between the Church and Spruce Street Railway Company and any other Company or body corporate, growing out of a previous grant by the General Assembly, of the right to construct a railroad over any portion of the contemplated route, it shall be the duty of said Church and Spruce Right of way.

Street Company, to make an equitable arrangement with the Company whose previously granted rights are interfered with, which may be done before the construction of the said Church and Spruce Street Railroad.

May connect.

SEC. 7. *Be it further enacted*, That any railway Company heretofore or hereafter chartered to construct a Street Railroad to or from Nashville, whose line of route shall strike and run with the route of the Church and Spruce Street Railway, shall have the privilege of connecting with said road and running its cars over that portion of the road common to both, on paying the Church and Spruce Street Railroad Company a fair compensation for the use of their road; *Provided*, the said Church and Spruce Street Company shall have the right of fixing the schedule time of running, so as to prevent collisions, or serious interference with the business of said Company.

Nashville and Mid'le Franklin Horse R. R. Co.

SEC. 8. *Be it further enacted*, That John M. Lea, William Gale, William Lawrence, W. D. Cantrell, Chas. E. H. Martin, S. P. Ament, John Johns, S. W. Childress, and Felix Compton, their associates and successors, are hereby constituted and appointed a body politic and corporate, under the name of the "Nashville and Middle Franklin Horse Railroad Company," and by that name may have succession for the term of fifty years; may sue and be sued; plead and be impleaded; may have and use a common seal; may receive, purchase and hold such personal and real estate or property, as may be necessary for carrying on the business of said Corporation, and the same to sell or dispose of at pleasure; may make all needful by-laws for the government of their said Company, not inconsistent with the Laws of the United States, or this State.

Powers, &c

Purposes.

SEC. 9. *Be it further enacted*, That said Company is incorporated for the purpose of constructing and using a horse and street railroad, to be located on the Middle Franklin Turnpike, and running from some point on Broad Street, at or in the City of Nashville, on or near said Turnpike, to any point on said Pike, which said Company may fix upon, not to extend beyond the Granny White Hills; *Provided*, the same shall in no way interfere with the rights and privileges hereinbefore granted to other Companies, and that this Charter is granted with the same rights, privileges, conditions, and restrictions as are granted and imposed in every particular, upon the McGavock and Mt. Vernon Horse Railroad Company, passed Feb, 19, 1860.

Rights.

SEC. 10. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 25, 1866.

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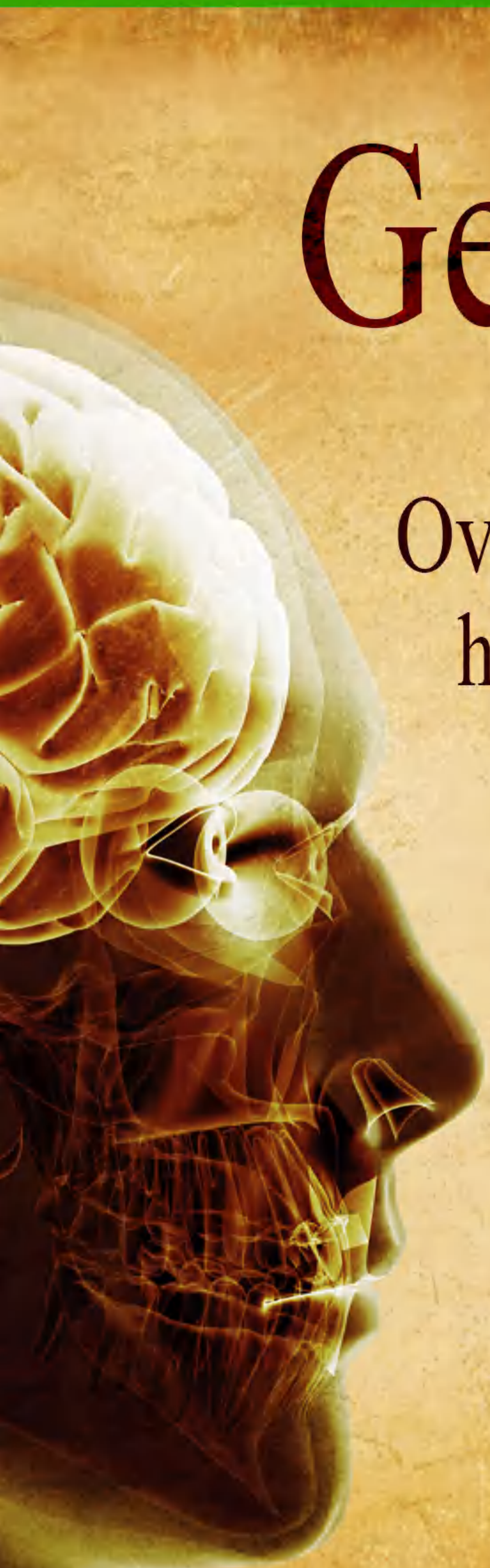

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Proviso. permitted to loan to any person or persons any species of money except gold, silver and United States Treasury Notes.

SEC. 6. *Be it further enacted*, That James Parks, P. P. C. Nelson and A. A. Campbell, their associates, successors and assigns, are hereby created a body politic and corporate, under the name and style of the "Copper Mine Bank, of Polk County, Tennessee," for the period of twenty years; and in that name shall have full power to sue and be sued, and plead and be impleaded; and shall be entitled to all the powers, rights and privileges, and subject to all the pains and penalties of the foregoing act.

Copper Mine Bank of Polk County, Tenn

SEC. 7. *Be it further enacted*, That Alexander Wheless, William W. Berry, John M. Herritt and George Leiper, their associates, successors and assigns, are hereby created a body politic and corporate, under the name and style of the "Cumberland Bank of Nashville," for the term of twenty years; and in that name shall have full power to sue and be sued, plead and be impleaded, and shall be entitled to all the powers, rights and privileges, and subject to all the pains and penalties of the foregoing act.

Cumberland Bank of Nashville.

SEC. 8. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 25, 1866.

CHAPTER CXXVII.

AN ACT to Incorporate the Sidney Lyons Petroleum Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Scott Newman, Sr., G. M. Roberts, Price C. Newman, their associates and successors, be, and they are hereby incorporated and made a corporation and body politic, by the name and style of the "Sidney Lyons Petroleum Company," and by that name the said Company shall have all the powers, rights and privileges of a Corporation, for the purpose herein specified, and which are or shall be necessary to carry on said

Corporation, and carry out its objects, and designs of its creation; and shall have succession for ninety nine years.

SEC. 2. *Be it further enacted*, That the objects of said Corporation shall be the boring for and manufacturing petroleum, and mining for coal, salt, iron and other minerals, and the transporting the same to market, and the vending thereof. Object.

SEC. 3. *Be it further enacted*, The capital of said Company shall not, at any one time, exceed one million dollars, divided into shares of not less than twenty dollars each; and lands, mines, mining rights, and real estate may be subscribed as part, or the whole of the stock of said Company. The stock shall be held as personal property; and said named corporators, or a majority of them, may open books for the subscription of stock to the capital stock at such times and places as they may designate, after twenty days public notice thereof; and may organize said Company, after the subscription of stock to the amount of ten thousand dollars. They may own such real estate necessary to the conduct of their said business; and acquire the same, and personal property, in any of the modes now prescribed by law for the acquisition of real and personal estate by individuals, and dispose of the same by such mode of individual, by sale and conveyance. Capital Stock. Property.

SEC. 4. *Be it further enacted*, The affairs of said Company may be managed by not less than three nor more than five Directors, the number to be fixed by the laws of the Company; a President shall be chosen from the Directors. The President and Directors shall make such by-laws and rules for the government of the Corporation, for the election of officers, appointment of agents, and do all things necessary to carry out the objects of its creation, not inconsistent with the Constitution and Laws of this State and the United States. Government.

SEC. 5. *Be it further enacted*, The election of Directors shall be by the stockholders, and a majority of whom in interest, shall be necessary to a choice; and in all elections, or meetings of stockholders, each share shall represent one vote. In all elections stockholders may vote by proxy. The Directors shall elect the President, and appoint all other officers and agents, or authorize the President so to do by a by-law of the Corporation; and shall have all powers to enforce, by regular by-laws, and prescribe the mode of enforcing the payment of stock. Elections.

SEC. 6. *Be it further enacted*, That no banking privileges are hereby granted, and nothing herein shall be construed to grant such powers. Banking.

SEC. 7. *Be it further enacted*, That the right to alter, amend or repeal this Charter, is reserved to the General Assembly. Repeal.

Tax.

SEC. 8. *Be it further enacted*, That this incorporation shall be subject to such taxes as incorporations of a similar character in this State.

Mill Creek Valley Turnpike Co.

SEC. 9. *Be it further enacted*, That the act to Incorporate the "Mill Creek Valley Turnpike Company," be, and the same is hereby revived; and that Andrew J. Baker, John G. Roberts, John G. Briley, Dr. Davis and Andrew Gregory, be constituted the Directors of said Turnpike Company, to revive and reorganize said Company; and they are hereby empowered to erect a toll gate and collect tolls; said tolls shall be applied to the repair and completion of the road, until said road in is such condition as the original Charter required.

Roane Oil, Iron and Mining Co,

SEC. 10. *Be it further enacted*, That W. O. Rockwood, his associates, successors and assigns, be, and are hereby incorporated a body politic and corporate, under the name and style of the "Roane Oil, Iron and Mining Company," to have succession for ninety-nine years; with all the rights and privileges belonging to the foregoing act, entitled "An Act to Incorporate the Sidney Lyons Petroleum Company."

SEC. 11. *Be it further enacted*, That this act take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 25, 1866.

CHAPTER CXXVIII.

AN ACT to authorize C. Wilson Catlett to erect a dam across the South Sluice of Little Pigeon River.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That C. Wilson Catlett be, and he is hereby authorized to build and erect a dam across the South Sluice of the Little Pigeon River, in Sevier County, at the head of the upper island, of sufficient height to turn the water to his mill during the months of July, August, September and October.

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Cumberland, Fentress, and Scott, at the times prescribed by law for holding the Circuit Courts for said Counties.

SEC. 5. *Be it further enacted*, That the Clerks and Masters of the Chancery Court for the Counties of Morgan, Cumberland, Fentress and Scott, issue the process of said Courts, respectively, in conformity to the provisions of the foregoing section.

SEC. 6. *Be it further enacted*, That an Act passed January 25, 1866, to remove the County site of Monroe County, be so amended as to read "The mouth of Cane Creek," instead of *Kimbrough's*, for the proposed new County site; also, that said Act be further amended so as to read "the first Saturday in September, 1866," instead of "the first Saturday in June, 1866."

SEC. 7. *Be it further enacted*, That an Act passed January 25, 1866, to remove the County site of Cocke County, be so amended as to read "the first Saturday of September, 1866," instead of "the first Saturday in June, 1866."

SEC. 8. *Be it further enacted*, That all laws conflicting with the Act removing the County sites, of Cocke and Monroe Counties, be, and the same are hereby repealed, so far as relates to said Acts.

SEC. 9. *Be it further enacted*, That the County of Hickman is hereby transferred from the 12th to the 11th Judicial District, and that the Courts be held on the fourth Mondays in January, July and November.

SEC. 10. *Be it further enacted*, That the new County of Crocket, be, and is hereby, made a part and parcel of the 14th Judicial Circuit; and that the Circuit Courts of said County of Crocket, be held on the first Mondays in February, June and October.

SEC. 11. *Be it further enacted*, That this act take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 22, 1866.

CHAPTER CXXX.

AN ACT to Incorporate the First Colored Baptist Church of Nashville, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Daniel L. Lapsley, Thomas Carr, Julius P. Tompkins, Abram Smith, and Aaron Jennings, Trustees and Deacons of the first Colored Baptist Church of Nashville, and their successors, be, and they are hereby made a body corporate and politic, by the name of "The First Colored Baptist Church of Nashville;" and by that name may sue and be sued, plead and be impleaded, and have and use a common seal, and have succession for twenty-five years. Rights.

SEC. 2. *Be it further enacted*, That the corporation shall shave power to receive by gift, donation or purchase, and to hold personal and mixed property; to sell, exchange, or otherwise dispose of the same, as said Trustees and Deacons in their judgment think best to subserve the interest of said Church. Property.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 25, 1866.

CHAPTER CXXXI.

AN ACT to Incorporate the Southern Express Company, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That George W. Duval, Greene P. Foute, Jas. R. Howard, B. A. Massey, H. P. Johnston, E. Greenwood and Marcus J. Wright, be, and they are hereby constituted a body politic and corporate, by the name and style of the "Southern Express Company," and by said name may have succession for ninety-nine years; may have a common seal, and shall have and are hereby invested with all legal powers to buy, sell, receive, possess, Powers

hold and dispose of any property for the use and benefit of said incorporation; and may sue and be sued; plead and be impleaded in all the courts of this State. Said institution being incorporated for the sole purpose of the transportation of freights, valuable packages, and other express matter.

SEC. 2. Said incorporation shall have power to increase their capital stock from fifty thousand dollars to five hundred thousand dollars; and to elect a President, Secretary, Treasurer and General Superintendent, and appoint such other officers as the business of the Company may require, and shall have all rights and privileges heretofore conferred on other Express Companies by the Laws of this State.

Powers.

SEC. 3. *Be it further enacted*, That said Company shall be subject to such tax as may be imposed upon similar incorporations in this State.

Tax.

SEC. 4. *Be it further enacted*, That Thomas B. McElwee, Thomas H. Calloway, their successors, associates and assigns, be, and they are hereby created a body corporate and politic, under the name and style of the "Tennessee Union Express Company," and as such, shall be entitled to all the rights, benefits, privileges, and subject to all the liabilities and restrictions imposed by this act, creating the Southern Express Company.

Tenn. Union Express Co.

SEC. 5. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 25, 1866.

CHAPTER CXXXII.

AN ACT to Establish the corporate limits of the Town of Bolivar.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That so much of an act passed February 28, 1866, entitled "An Act to extend the corporate limits of Decaturville, in the County of Decatur; to incorporate the Town of Milton, in Rutherford County; to incorporate the Town of Lavergne, in Rutherford County; for the

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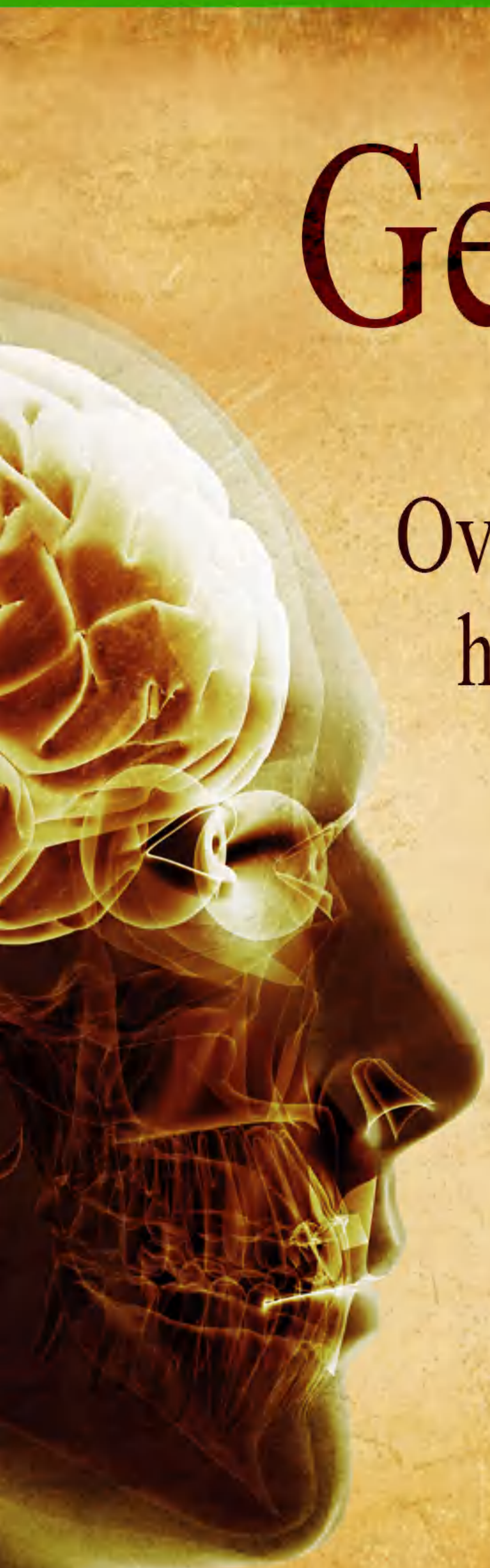

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engage in such real estate and commercial operations as may be determined by the Company or its business directory; and generally to have, enjoy and exercise all the rights and privileges necessary for the legitimate and successful transaction of the business operations engaged in by the Company, except that of banking.

SEC. 2. *Be it further enacted*, That said Company is hereby chartered and incorporated as at present organized, and all the officers will continue to hold their positions in said Company until changed, as provided by the by-laws of the Company.

Organization

SEC. 3. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 25, 1866.

CHAPTER CXXXIV.

AN ACT to amend the several Acts Incorporating the Town of Jackson, in the County of Madison.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Acts incorporating the Town of Jackson, be amended as follows: *First*, That the Recorder, Constable, and other subordinate officers of said Town, be elected or appointed by the Board of Mayor and Aldermen. *Second*, That said Mayor and Aldermen shall have power, by the passage of necessary laws or ordinances, to establish a work-house, under proper provisions, government and restrictions, for the punishment of offenders against the laws and ordinances of said Town; and to compel persons who are convicted and fined, for violation of their laws and ordinances, and who fail or refuse to pay the said fine and costs, to work out the same upon the public streets or works of said Town, at the rates of one dollar and fifty cents ($1.50) per day, to be accredited on said fines and costs, and in such way as they may prescribe.

Officers.

Powers, &c.

SEC. 2. That it shall not be lawful for the Mayor or any Aldermen, or other officers, of the Town of Jackson,

to take any contract, do work, furnish labor, or material, directly or indirectly, for said Town; and the Board of Mayor and Aldermen are hereby prohibited from allowing or paying money on any such contracts, or for any such work, labor or materials. Work, labor, &c.

SEC. 3. This act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 25, 1866.

CHAPTER CXXXV.

AN ACT to Incorporate the Town of New Middleton, Smith County, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Town of New Middleton, Smith County, be, and the same is hereby, declared a corporate town, with the same rights and privileges and under the same restrictions, as the act passed at the present session of the Legislature incorporating the town of Madison, in ——— County.

SEC. 2. *Be it further enacted*, That the following shall be the incorporate limits of said Town, viz.: Beginning in the Lebanon and Trousdale Ferry Turnpike Road, on the top of the hill west of the house of S. Paschal; thence north of east to the bridge over Elk Fork on the Rome River, near the house of J. A. Barrett, thence south of east to the above named Pike so as to include the house of J. A. Thomas; thence east of south until the houses of N. Ward are included; thence south of east so as to include the residence of ——— McPheters, and thence on a direct line to the begining. Corporate limits.

SEC. 3. That an Act of the present General Assembly, passed December 12, 1865, and entitled "An Act to establish a Recorder's Court in the Towns of Murfreesboro, Shelbyville, Franklin, Tullahoma, Fayetteville, Winchester and Manchester, and for other purposes," be, and the same is hereby amended as follows, to-wit: That in the new territory covered and embraced outside of the Murfreesboro

corporate limits of the said Town of Murfreesboro, as such corporate limits existed prior to the passage of the Act to which this is an amendment, it shall not be lawful for the Board of Mayor and Aldermen of said Town of Murfreesboro, to impose or levy any tax upon the said real estate therein situated, except as hereinafter provided.

Open Streets, &c.

SEC. 4. That the Board of Mayor and Aldermen of the said Town of Murfreesboro, shall have full power and authority to open streets, alleys, lanes, or any other highways through any of the said territory or lands embraced or added to said corporate limits of said Town, by and under the said act of Assembly, passed December the 12th, 1865, whenever they shall deem the same necessary and proper for the public good, in the same manner and to the same extent as by law they are authorized by the original Charter of incorporation, and the several amendments thereto, passed prior to the said 12th day of December, 1865.

Improved lands, taxed.

SEC. 5. That no part of the lands in said additional territory used and devoted by the owner thereof for ordinary farming purposes, shall be taxed by said Board of Mayor and Aldermen, except such portions as may be improved and used as a residence, and in that case only so much as includes the buildings, fixtures, and grounds actually and commonly devoted by the owners and proprietors respectively thereof, to that purpose; and in no case shall the quantity of lands taxed under this provision exceed —— acres; *Provided, however*, that when there shall be more than one improvement for a residence on the same owner's land, each of such residence shall be taxed to the extent hereinbefore provided.

Poll and privilege tax.

SEC. 6. That said Board of Mayor and Aldermen shall have the same power to levy and collect poll-tax, and to tax all other property and privileges in said extended corporate limits, as they have by law under the original Charter of incorporation for said Town, and the several amendments thereto, or as otherwise provided by law.

Recorder.

SEC. 7. That section 9 of the Act which this is intended to amend, or so much of said section as relates to the election of Recorder of the Town of Murfreesboro, be, and the same is hereby repealed.

SEC. 8. That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 25, 1866.

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and hold an election for officers on some other designated day, of which due notice shall be given.

Election of Officers.

SEC. 7. *Be it further enacted*, That the officers of this Company shall consist of a President, Vice President, Secretary, Treasurer, and five Directors, all of whom shall be stockholders; and shall serve one year, or until their successors are elected and qualified. The election shall be held at such time and place, and on such notice as the by-laws may prescribe; the officers shall be elected annually by a majority of the votes cast at such election; and in elections each share shall entitle the owner thereof to one vote.

Dismissals.

SEC. 8. *Be it further enacted*, That for cause deemed by them sufficient, the Directors may dimiss any officer or agent, and appoint a successor to act until the next regular election.

Liability.

SEC. 9. *Be it further enacted*, That each subscriber for stock in said Company shall be individually liable only for the amount subscribed for by such person, and then only until the same is paid in.

Banking.

SEC. 10. *Be it further enacted*, That nothing in this act shall be so construed as to give banking privileges to said Company; and that the right to alter, change or repeal this act is hereby reserved to any subsequent Legislature.

Tax.

SEC. 11. *Be it further enacted*, That this corporation shall be subject to such taxes as may be imposed on similar corporations in this State.

SEC. 12. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 25, 1866.

CHAPTER CXXXVII.

AN ACT to Incorporate the Memphis Steam Ferry Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That J. E. Merriman, William J. Smith, Fielding Hurst, James D. Davis and John Aldridge,

and their associates, shall be, and they are hereby constituted a body politic and corporate, under the name and style of the "Memphis Steam Ferry Company," and by that name shall have succession for ninety-nine years; may sue and be sued; plead and be impleaded; may have and use a common seal; may purchase and sell such personal and real estate as may be necessary for carrying on the business of the Corporation; and the same to sell and dispose of at pleasure; may make all needful by-laws for their government, not inconsistent with the Laws of the United States, or of the State of Tennessee. Powers.

SEC. 2. *Be it further enacted*, That said Company shall be individually liable for the just liabilities of said Company, as general partners.

SEC. 3. *Be it further enacted*, That the corporators in said Company shall have the power to establish a ferry across the Mississippi River, at Memphis, Shelby County, Tennessee, and may use one or more steam ferry boats, as their necessities, and the public convenience may require. Ferry.

SEC. 4. *Be it further enacted*, That the corporators in said Company shall have the right of way on the public landing, from a point beginning at high water mark and extending to low water mark, one hundred and twenty feet in width, at the foot of Beal street, and also the same right of way to and over the Public Landing, embracing the same extent of territory at the foot of Jefferson street, to the end that the incorporators may make good and sufficient landings for their boats, and for the accommodation of the public; the said landing to be kept in good repair and free from all unnecessary encumbrances. Right of way

SEC. 5. *Be it further enacted*, That the owner or owners of the land at the foot of each of the above mentioned streets over which the right of way is hereby granted, shall have authority to apply to the County Court of Shelby County for the appointment of three Commissioners, disinterested freeholders of said County, whose duty it shall be to assess any damages that said right of way may cause the owners of the land, which amount of damages may be settled to the satisfaction of the Court, on the report of the Commissioners. Damages.

SEC. 6. *Be it further enacted*, That said Company shall be entitled to receive such ferriage as the County Court of Shelby County may adjudge right and proper, and shall be liable to such penalties and forfeitures for any failures to keep up the ferry in the manner prescribed by the Laws of the State of Tennessee, and as the said Court, according to the provisions of the law, may inflict. Ferriage, &c.

SEC. 7. *Be it further enacted*, That the said Company may establish the said ferry immediately upon the passage of this act, in order to accommodate the public. The Time.

County Court to regulate the ferriage as above provided, as soon as said Company is properly organized.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 25, 1866.

CHAPTER CXXXVIII.

AN ACT Incorporating the Union Mining and Manufacturing Company of Tennessee, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Nathaniel Baxter, Elliott H. Pendleton, James A. Sibley, George F. Davis, Robert McCradey, and all other persons that may be associated with them, by subscribing to the capital stock hereinafter provided, their successors and assigns, be, and they are hereby constituted and declared a body corporate and politic, by and under the name and style of the "Union Mining and Manufacturing Company of Tennessee," for all purposes of Mining coal, iron ore, and other minerals, boring for salt, coil oil, or petroleum, and manufacturing the same into any and all such forms, for all such uses and purposes, as the said Company may deem to their advantage, and doing all things properly connected therewith; of constructing and building MacAdamized graded turnpike, rail and plank roads; manufacturing and constructing of all articles and things out of wood, iron, and other materials, in any and every form, cleaning up, cultivating and building upon the lands of said Company, and developing the same as said Company may deem advantageous; transporting, selling, or otherwise disposing of the products of said several kinds of business; and doing all things properly belonging to or connected with the said transportation, sale, and other disposition of the products of the said several kinds of business; and for such purposes the said Company is hereby authorized and empowered to have, receive, purchase, possess, enjoy and retain lands, rents, goods, chattels, and effects of any kind, and to any amount necessary to carry into effect the objects of the corporation; and the same to use, sell, alien and dispose of

Powers and Privileges.

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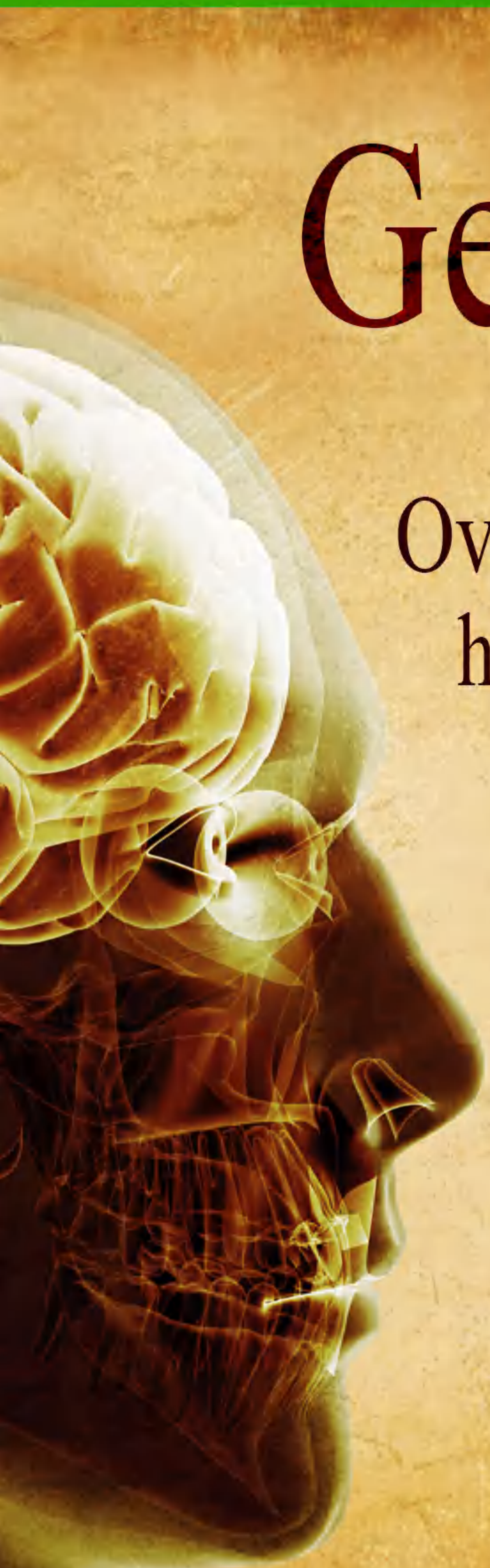

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qualified, and enter upon the performance of their duties.

Meetings.

SEC. 6. Special meetings of the stockholders of said Company, may be called and held in such a manner and on such notice and terms, as may be provided for by the by-laws thereof; and at all stated or special meetings of the stockholders, if a majority of the capital stock issued by the said Company, shall be represented and voted, a majority of that so voted, shall render the acts and doings of such meetings valid and binding upon all the stockholders of said Company.

Roads.

SEC. 7. The said Company is hereby authorized and empowered to make any subscriptions they may deem expedient, to the capital of any Railroad Company, plank road, turnpike Company, or of any other Company, which may tend to enhance the value of their lands or other property.

May condemn lands for use.

SEC. 8. In building and constructing the said roads, hereinbefore authorized to be built by the Company, in case the said Company shall not be able to make arrangements, or to contract with any owner or tenant of any land, that may be, by said Company, required for the right of way, depot, tanks, station houses, or for any other buildings, structures, or such like appurtenances of said road, they shall be entitled to take the same, and have the same condemned for their use by like proceedings, and on the same terms and conditions as are or may be specified by any general statute of this State; *Providing*, the mode

Proviso.

of taking private property for works of internal improvement, or by any special statutes, providing for taking private property in building or constructing any such road as this Company may be building or constructing, when

Same.

requiring such land about which they cannot arrange on contract as aforesaid; *Provided*, that before said Company shall be authorized to condemn and appropriate any lands of any citizen against his consent, to the use of any road, they may propose to build, they shall first make it appear to the satisfaction of the County Court of the County in which the said road shall be located, that said road, when built, will be of public utility.

Tax.

SEC. 9. *Be it further enacted*, That these incorporations shall be subject to such taxes as are or may be imposed on similar corporations in this State.

Perry and Decatur Oil and Mining Co.

SEC. 10. *Be it further enacted*, That J. B. Woodruff, J. P. Leadbetter, J. J. Stegald, Geo. W. Waters, A. A. Stegald, George R. Foot, and their associates and successors, be, and they are hereby created a body politic and corporate, by the name and style of the "Perry and Decatur Oil and Mining Company," with all the powers, privileges and rights granted to the Cumberland Mining and Petroleum Company, passed June 9, 1865.

SEC. 11. *Be it further enacted*, That Charles H. Jones, William A. Dasier, Joseph Stokely, Andrew J. Shell, John Ellison, and their associates, successors, and assigns, be, and they are hereby constituted a body politic and corporate, by the name and style of the "Big Creek Mining and Manufacturing Company," and by that name and style shall have succession for fifty years; and shall be competent to sue and be sued, plead and be impleaded, answer and be answered in any of the Courts of law or equity whatever; to have and use a common seal, and alter the same at will; to make and change any by-laws for the government of the Company at will; and to purchase, hold and dispose of such real estate, and lease mines and minerals, iron, coal, and personal property as may be necessary for the legitimate transaction of their business; to mine, forge, roll, smelt, work, manufacture, refine and sell said minerals, iron, coal, or other products thereof, in or out of the State; and issue such number of shares of the stock of the said Company, at the representative par value thereof, as may be ordered by a vote of said Company; to determine the par value of shares; and have the right to pay in shares of stock of the corporation for such mining interest in real estate, or machinery for manufacturing purposes, as may be necessary to purchase or lease for the successful operation of business engaged in; and generally to have, enjoy, and exercise all rights and privileges incident to corporptions, except the right to issue notes or engage in banking business.

Big Creek Mining and Manufg Co.

Powers and Privileges.

SEC. 12. *Be it further enacted*, That whenever said Company shall deem it necessary to build dams, mills, or any such machinery, as they think proper or necessary to do business, shall become possessed of mines, minerals, lands or leases, situated in this State or elsewhere, a corporate and distinct interest of each mine, bed, field, line, deposit, or lease, may be erected under such name as may be adopted to designate the same; and in like manner may organize under and enjoy as a distinct branch interest, with all the rights and privileges made in the section of this act.

Separate interests.

SEC. 13. *Be it further enacted*, That House Bill No. 293, appropriating in one of its sections seventy-five thousand dollars for the benefit of the Southern Central Railroad Company, be so amended as to read "Central Southern Railroad Company, instead of "Southern Central Railroad Company," and that this amendment take effect from and after its passage.

Centr'l Southern R. R. Co.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 25, 1866.

CHAPTER CXXXIX.

AN ACT to Incorporate the Nashville Colored Mechanics' Association.

WHEREAS, The Colored Mechanics of Nashville have formed an Association for the general promotion of all trades among mechanics, and for the improvement of its members in virtue and knowledge; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Abraham Terry, Louis N. Weller, James Allison, J. W. Smith and Abraham Turner, and their associates, be, and they are hereby incorporated under the name of the "Nashville Colored Mechanics' Association," for the purposes aforesaid, and have a seal; the right to sue and be sued, and such powers as may be necessary and proper to carry into effect the end for which this Charter is granted, for the term of fifteen years; subject to amendment or repeal by any future Legislature; and this act shall take effect from and after its passage.

Repeal.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 25, 1866.

CHAPTER CXL.

AN ACT to Incorporate the Trunick Oil and Mining Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That John Trunick, William Trunick, George Satterfield, Bill H. High, John W. Bowen and E. S. Williams, their associates, successors and assigns, be, and they are hereby created, constituted and declared a body politic and corporate, under the name and style of the "Trunick Oil and Mining Company," with full privileges and powers to and for the purpose of prosecuting, boring, exploring for, raising, mining, digging, transporting and selling oil, petroleum, naptha, salt, coal, iron, and all other minerals in this State, or elsewhere, on any lands that they may own, or may hereafter acquire by purchase, lease or gift; and to manufacture dyes and colors, and refine oil or petroleum, and convert it to such other uses, by distillation, refining and manufacturing, as science,

Purposes.

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Annual Election of Directors.

holders, appointed by those present, shall be the judges. If the Directors shall fail or neglect to give the notice aforesaid, any two of the stockholders may give such notice, and elect Directors in like manner as if the Directors had given the notice as prescribed by this act; the persons receiving the majority of the votes cast at said elections shall be declared duly elected; and in case of a tie vote, the majority of the Directors elect shall determine and give one vote, which shall be the casting vote; each stockholder shall have one vote for each and every share he or she may own; *Provided*, that no one shareholder shall be entitled to cast more than twenty-five votes, and any shareholder not present at any such election may vote by proxy; said proxy being a shareholder and attending such elections, and presenting from his principal in writing, authority signed by said principal and attested by one witness.

Voting.

SEC. 3. *Be it further enacted*, That if it should happen that an election of Directors should not be made on the day designated in the notice, the incorporation shall not from that be deemed dissolved; but it shall and may be lawful to make and hold an election for Directors on some other designated day, of which notice shall be given.

Failure to elect.

SEC. 4. *Be it further enacted*, That the said Directors shall elect annually from their number, a President, Vice President, Secretary and Treasurer, and such other officers, clerks and employes as the interest of the Company may require, and may take of each of them such bond or bonds, with security conditioned for the faithful performances of the duties assigned them; allow such compensation as they may think proper, and may remove and dismiss them, or any of them, at pleasure; and shall fill all vacancies in their number, caused by death, resignation or otherwise, by such persons from among the stockholders, as they may elect; and the said Directors, or a majority of them, may, from time to time, make, ordain and establish such by-laws and regulations for the government of said Corporation in its proceedings, and for the management of its stock and property, as may be by them deemed necessary and proper; *Provided*, *however*, the same be not repugnant to and inconsistent with the Constitution of this State and of the United States.

Officers.

Government.

SEC. 5. *Be it further enacted*, That the meetings of the Board of Directors shall be at such times and places as they may themselves determine, and special meetings thereof may be called by the President, or a majority of the Directors; and at all meetings thereof a majority shall constitute a quorum for the transaction of business.

Meeting

SEC. 6. *Be it further enacted*, That said Directors shall keep, or cause to be kept, proper books of stock and

account of the business and affairs of said Company, which shall be subject at all times, to the inspection of the stockholders; and they shall annually at the expiration of their term of office, make a full and correct report to the stockholders of the transactions of the year, showing the amount of property and means received, and when received; the amount disbursed and for what purpose disbursed; the amount on hand, together with such other information as may be required by the stockholders, or deemed important to the interest of the Company.

Books, Report, &c.

SEC. 7. *Be it further enacted*, That the capital stock of said Company shall be five hundred thousand dollars, divided into twenty-five thousand shares of twenty dollars ($20) each, which capital stock may be increased or diminished, as the Directors may determine; and the President and Directors shall regulate the proportion of stock, which may be issued to each member upon application.

Capital Stock.

SEC. 8. *Be it further enacted*, The stock and property of said Company, of whatever nature, shall be assignable and transferable on the books of said Company, in such manner as the regulations and by-laws thereof may prescribe.

Transfer.

SEC. 9. *Be it further enacted*, That the dividends of the profits of said Company shall be made at such times among the stockholders as the Directors may determine.

Dividends.

SEC. 10. *Be it further enacted*, That the Board of Directors shall have no power to bind the Company by any contract or agreement to a greater amount than the capital stock subscribed; and in case of their attempting to do so, the Directors so participating in such an attempt shall be liable, in their private property, to the parties injured.

SEC. 11. *Be it further enacted*, That said Corporation may receive real estate, lease hold, mining and boring interests and rights of way, in payment of such part of subscription to stock, as may be by the Directors deemed advisable.

SEC. 12. *Be it further enacted*, That this Corporation shall be subject to such taxes as are or may be imposed on Corporations of similar character in this State.

Tax

SEC. 13. *Be it further enacted*, That nothing herein shall be so construed as to grant banking privileges.

SEC. 14. *Be it further enacted*, That J. H. Blackburn, L. Waters, their associates, successors and assigns, are hereby constituted a body politic and corporate, by the name and style of the "Round Lick Oil, Mining and Manufacturing Company;" subject to all the rights, immunities and restrictions granted to the Trunick Oil and Mining Company hereinbefore granted.

Round Lick Oil, Mining & Manufac'g Co

SEC. 15. *Be it further enacted*, That Green B. Norman,

James B. Norman and William Fields, their associates and successors, be, and the same are hereby constituted a body corporate, with succession for fifty years, by the name and designation of the "Saw and Grist Mill, Wool Carding and Manufacturing Company," of West Tennessee, with all the privileges, powers, rights and restrictions that are herein given and attached to the incorporations for the manufacturing wool, grind and sawing by machinery, propeled by steam or water, in the first section of this act.

Saw and Grist Mill, Wool Carding and Manuf'g Co.

SEC. 16. *Be it further enacted*, That this act take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 25, 1866.

CHAPTER CXLI.

AN ACT to Incorporate the Trustees of the Tennessee Normal Institute.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That John Tennis, as Superintendent, R. H. Allen, H. G. Scovel, Esq., Proff. J. F. Pearl and William Bosson, Esq., be, and they are hereby constituted a body corporate and politic, by the name and style of the "Trustees of the Tennessee Normal Institute," which shall be located in Davidson County; and by that name they may sue and be sued, plead and be impleaded, answer and be answered unto, in any of the courts of law and equity in this State; contract and be contracted with; hold real and personal property by purchase, gift or devise; sell or exchange the same as they may determine.

Powers, &c.

SEC. 2. *Be it further enacted*, That any vacancies occurring in said Board of Trustees shall be filled by the Board, and entered upon their minutes; a majority of said Trustees shall constitute a quorum to do business; and as soon after the passage of this act as convenient, they shall meet and organise by electing from their own number a President, Secretary and Treasurer; and the Board may add to their number honorary members for advisory purposes; but such honorary members shall not be entitled to vote or hold office in the same.

Organisation, &c.

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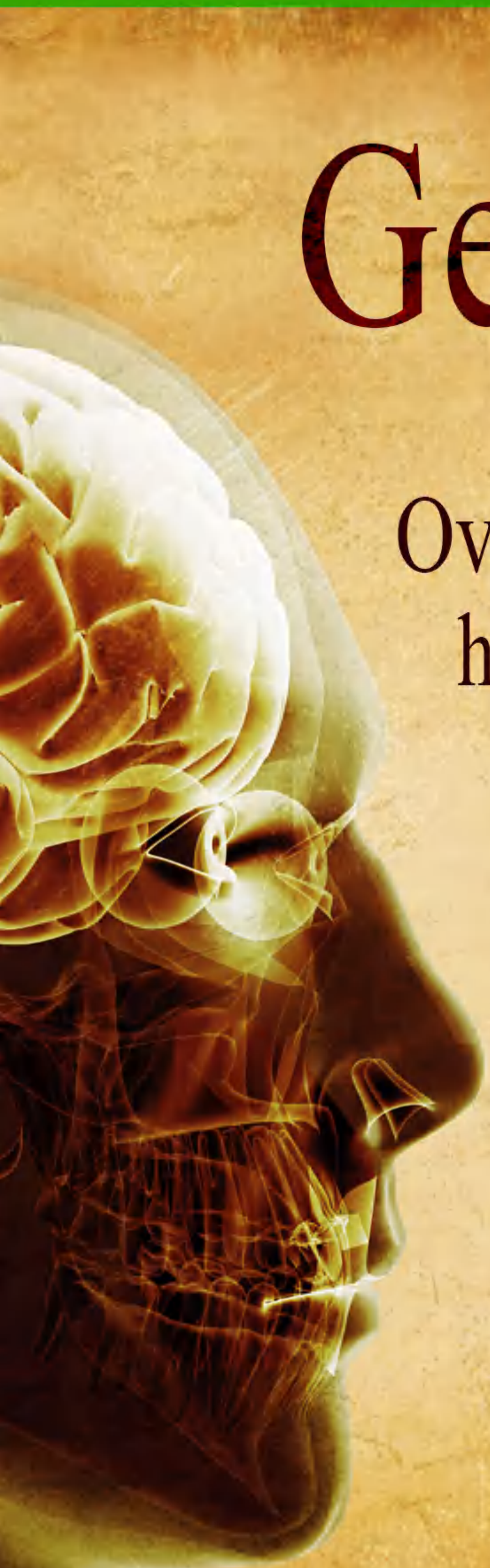

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Elmwood Cemetery.

immunities and exemptions included in sections six and ten of the act to incorporate the Rose Hill Cemetery, in the County of Maury, passed January 2, 1854, on all grounds held or purchased for the burial of the dead, or which may be set apart as ornamental plats or drives in said grounds, or which may be dedicated as a public park, unless diverted to some other use.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 25, 1866.

CHAPTER CXLII.

AN ACT to authorize the formation of the Knoxville and Jacksborough Turnpike Company.

SECTION. 1. *Be it enacted, by the General Assembly of the State of Tennnessee*, That J. C. Moses, F. A. Scott, J. C. Deaderick, William Ledgewood, Levi McCloud, Levi George, Robert Claiborne, Oliver Hoskins, William Wallace, John Lee, James H. Grant, J. S. Lindsey, John Patterson, William C. Hall, Paul Harmon, James Walker, and William Heiskell, be, and they are hereby appointed Commissioners to open books to receive subscriptions of stock, to the amount of fifty thousand dollars, in shares of twenty-five dollars, for the purpose of building a MacAdamized road from Koxville, in Knox County of Tennessee, to Jacksborough, in Campbell County, Tennessee, at such times and places as they may deem best; and as soon as five thousand shall be subscribed, a meeting of the stockholders shall be held in the City of Knoxville, of which meeting the managers of the subscription, shall give twenty days' notice; after which first meeting the subscribers shall be and are hereby constituted a body corporate, by the name of the "Knoxville and Jacksborobgh Turnpike Company," and, together with those who may afterwards subscribe for or purchase stock, shall so continue. May own, sell and buy property; sue and be sued, in their corporate name and charter; and have and enjoy and possess all the rights, privileges and powers appertaining to such bodies by law; and shall have succession for fifty

Stock.

First Meeting

years. The subscribers, or a majority of them being present at said first meeting, shall elect seven Directors of their own body, who shall elect a President, Secretary, and Treasurer. The Directors, thus chosen, shall continue in office for two years, and until their successors are elected. The President and Directors, so elected, shall open books to receive subscriptions as they may think best for the remainder of the said sum of fifty thousand dollars, or amount sufficient to construct said road from Knoxville to Jacksborough. Election. Remainder.

SEC. 2. There shall be a meeting of the stockholders alternately at Knoxville and Jacksborough, or at such other points intermediate, as the Directors may designate, once every two years, on the last Saturday of December, at which meeting Directors shall be elected for the next two years; and such other measures adopted for the promotion of the interest of the Company as a majority present may think best. In the election of Directors, or any other question, every share shall be entitled to one vote. But members may vote by proxy, under such regulations as may be established by the Company. If members holding a majority of shares attend, they shall be competent to do business. The Directors shall render a fair and full account of their proceedings, and the disbursements and receipts of money, to each of the general meetings; and a fair and full record of all the proceedings of the President and Directors, shall be kept, and shall be free for inspection of any shareholder at any time he may desire. Meetings. Report.

SEC. 3. That said Board of President and Directors shall have power to make such rules and by-laws as may be necessary for the transaction of their business; and prescribe the duties and salaries of all the officers, agents and employes of the Company; and shall have power to fill all vacancies that may occur in the Board between the regular biennial meetings of the stockholders, and shall meet as often as they may deem it necessary, and at such times and places as they may think best. Government.

SEC. 4. That the said President and Directors shall, also, make contracts for the opening and construction of said road, or so much as they may feel confident or able to build; and may, from time to time, require such advance on the shares subscribed as the necessity of the work may demand; *Provided*, that no call shall be made for more than ten dollars on each share at any one time, or oftener than once in every four months, of which twenty days' notice shall be given in some newspaper printed in Knoxville. Calls.

SEC. 5. That if any stockholder refuses or fails to pay the calls upon the stock subscribed, after twenty days'

notice, as aforesaid, has been given, he shall be liable for the same at the suit of the President and Directors, recoverable before any tribunal having jurisdiction of the amount without benefit of stay.

Liability.

SEC. 6. That so soon as there shall be subscribed a sufficient amount of stock, in the opinion of the Directors, to justify the commencement of the work, they shall proceed to survey and locate and let out said road as near as practicable upon the following route, to-wit: Commencing at a point north of Knoxville where the Tazewell road crosses the East Tennessee and Virginia Railroad, and from there bearing north-east on the most practicable ground until it reaches White's Creek; thence up said Creek to the Tazewell road; thence with said Road as near as practicable to the Jacksborough Road; thence upon or near said road to Beaver Creek, and beyond this point on any route deemed best by the Directors, to Jacksborough.

Survey.

Route.

SEC. 7. Any person who may become a subscriber for stock in said Road, may be permitted to discharge the whole or any part thereof in work or labor on said road, or material furnished for the building of said road, upon such terms as may be agreed upon by such subscriber and the President and Directors; *Provided*, that the stockholders will contract and perform, or furnish material or labor upon said road on as good terms as any other person; in which case the stockholder shall have the preference.

May pay in work.

SEC. 8. Said road shall be opened at least twenty feet wide, with sufficient ditches, dams, and culverts, to carry off the water; and with proper bridges where they may be necessary to drain the roads. The surface of the road shall gradually descend from the center to the ditches on each side. It shall be substantially graveled or MacAdamized with rock to the width of fourteen feet on the centre of the track, the rock to be laid on nine inches deep in the centre and brought down to not less than five inches at each edge. The Directors shall determine what elevation or grade shall be allowed on the uneven parts of the route.

Description of road.

SEC. 9. That after said road, or any part of it, shall have been surveyed and located and put under contract, if the contemplated route shall run through the lands of any person who is unwilling to grant the right of way for such purpose, or with whom the Company is unable to agree as to the price to be paid for said land, the parties shall proceed to determine the matter at issue according to section fifth of an Act passed by the General Assembly of the State of Tennessee, on the 7th day of February, 1850, entitled "An Act to authorize the formation of Turnpike Companies."

Right of way.

SEC. 10. That for the purpose of making said road and

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SEC. 14. That citizens going to and from mill, shall be exempt from paying toll on said road.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 26, 1866.

CHAPTER CXLIII.

AN ACT to Incorporate the Lookout Mountain Educational Institutions.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Institutions of learning are hereby authorized to be established on Lookout Mountain, in the County of Hamilton, to be known as the "Lookout Mountain Educational Institution," designed to encourage and promote the diffusion of knowledge in all the branches of Academic, Collegiate, Scientific and Exegetic Instruction.

SEC. 2. That for the government of said Institutions, the following persons, to-wit: Wm. A. Booth, David Houdley, Christopher R. Robert, William G. Lambert, Simeon B. Chittenden, Seth B. Hunt and Peter Cooper, of New York, Horace Maynard and William Bosson, of Tennessee, and their associates, are hereby made and constituted a body corporate, under the name of the "Lookout Mountain Educational Institutions," with power to continue their succession in the manner hereinafter provided, to sue and be sued by their corporate name, and to have and use a corporate seal.

Trustees.

SEC. 3. That the said Corporation shall be governed by a Board of nine Trustees, and the persons above named shall constitute such Board of Trustees, with power to fill all vacancies occurring by death, resignation, or otherwise. Five Trustees shall constitute a quorum for the transaction of business, and may at any time, when the necessity therefor exists, declare the place of a Trustee vacant for cause, and proceed to fill such vacancy.

Powers of Trustees.

SEC. 4. The Board of Trustees shall elect a Chairman annually, from their own number, and shall make their own By-Laws, and may also appoint such person or persons as they deem proper to perform the duties of Secretary and Treasurer of the Board. They shall have power

to appoint such Principals or presiding officers of the said Institution, and also such professors, teachers, officers and servants, as they may from time to time, see fit, and to remove the same. They may establish such professorships, schools and faculties as the means and wants of the Institution will justify, and make such by-laws, rules and regulations as they may deem needful for the government of the said Institutions and the several schools and departments thereof. They may also grant and confer all the usual and honorary degrees which are granted by Colleges and Universities.

Powers of Trustees.

SEC. 5. They may also acquire, hold and possess, by gift, grant, devise, or purchase, all such estates, real personal and mixed, as may be needful and convenient for the use of said Institutions and the departments thereof, with full power and authority to sell and convey all, or any part thereof, when deemed expedient by a majority of the Trustees, but all such estates and funds as may be given and granted to aid in the establishment and support of said Institutions, or for the endowment and support of any particular department, schools, professorship or scholarship therein, shall be strictly applied to the uses and trusts specified by the respective donors.

Property.

SEC. 6. That such professors, and other persons as the Trustees shall appoint for that purpose, shall be styled "The Faculty" of the said Institutions, and shall have power, from time to time, to prescribe the course of study to be pursued therein, and also to make such rules, regulations and by-laws as they shall deem necessary for the well ordering and good government of the said Institutions, subject to the approval of the Board of Trustees, and which shall be and remain in force until altered or amended by the said Board.

The Faculty.

SEC. 7. *Be it further enacted*, That Dr. J. E. Park, Dr. Thomas Y. Park and George W. Brackenridge, their associates, successors and assigns be, and are hereby, constituted a body politic and corporate, by the name and style of the "Park's Patent Lignum Tanning and Catechu Manufacturing Company," and by that name shall have succession for thirty years, with the right to sue and be sued, with all the powers granted the Caney Fork and Collins River Oil and Lumber Manufacturing Company, and subject to the same restrictions; and that this Act take effect from and after its passage.

Park Patent Lignum Tanning and Catechu Mining Company.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 26, 1866.

CHAPTER CXLIV.

AN ACT to appoint Trustees for the Dyer County Male Academy and the Dyersburg Female Academy, and to incorporate the same.

Trustees.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Thomas H. Benton, Levi H. Silsby, Stephen D. Whitten, Albert G. Pearce, George B. Miller, Samuel R. Latta and Alfred Stevens, be, and they are hereby, appointed on the request of the County Court of said County, Trustees of the Dyer County Male Academy, and they are hereby authorized to receive, have, hold, and dispose of all estate, real, personal and mixed, necessary and appropriate for the uses, convenience and advancement of said Academy, including the buildings for the same, in their corporate name; and they are hereby incorporated and invested by the name of the "Dyer County Male Academy," with the rights and franchises granted by the General Act of Incorporation of County Academies, in Chapter 4th, Title 7th, of the Code of Tennessee, and shall have the power to fill all vacancies by death, resignation, or otherwise, in their number, and a majority thereof shall be sufficient for the transaction of business; and they and their successors shall discharge the duties, and be subject to the liabilities, imposed under said General Act of Incorporation, and they shall not alienate or exchange the buildings or grounds on which said Academy buildings are erected, without the consent of the County Court.

Powers, Privileges, &c.

Meeting, &c.

SEC. 2. *Be it further enacted*, That said Trustees shall meet at the Court House, in said County, without delay, and organize their Board of Trustees by a Chairman and Secretary, and other requisite officers, and keep a record of their proceedings, signed by their Chairman and Secretary.

Trustees for Dyersburg Female Academy

SEC. 3. *Be it further enacted*, That Frank G. Sampson, Richard P. Watson, S. White Tarkington, Albert M. Stevens and John H. Christie, be, and they are hereby, appointed Trustees of the Dyersburg Female Academy, and are hereby incorporated by said name of the Dyersburg Female Academy; and in said corporate name are hereby authorized to receive, have, hold, and dispose of and re-invest all estate, real, personal and mixed, necessary, suitable and convenient for the uses of said Academy; and they are hereby invested with all the franchises, rights and powers, and subject to all the duties and restrictions and liabilities under the General Law and Act of Incorporation of County Academies, in Chapter 4th of Article 7th of the Code of Tennessee, excepting the provisions of the section one thousand and forty-seven thereof, and said Academy may be used and organized as a college for females if deemed requisite by said Trustees.

Powers, privileges, &c.

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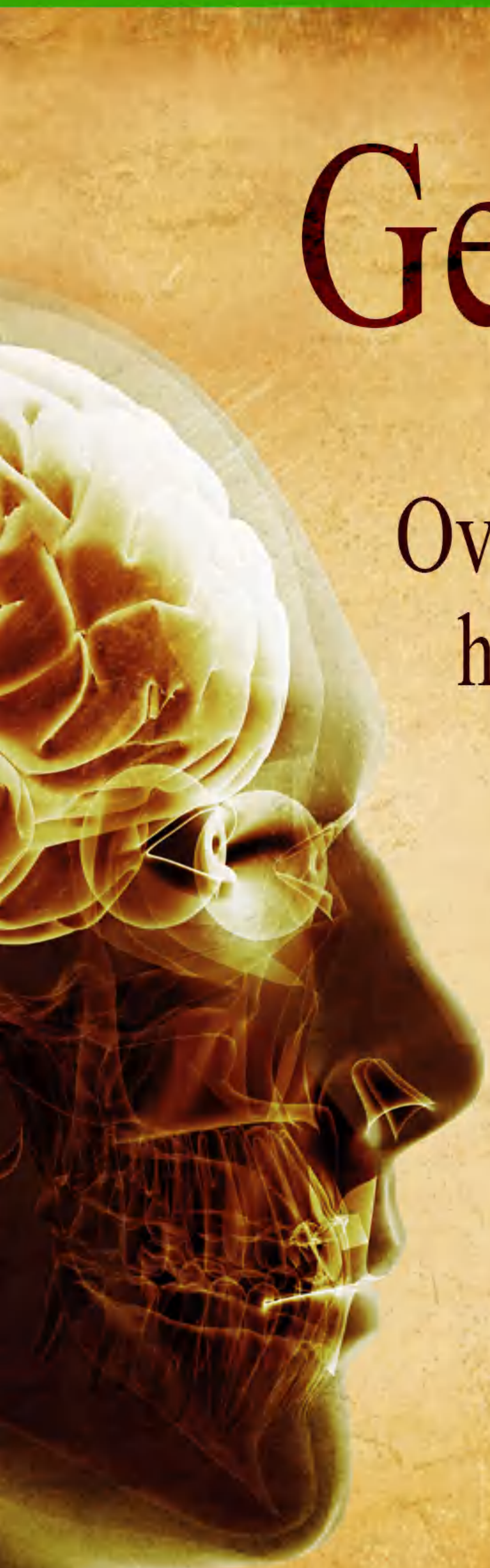

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SEC. 3. *Be it further enacted*, That all railroad companies in this State shall be allowed the privileges of this act.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 26, 1866.

CHAPTER CXLVI.

AN ACT to Incorporate the Nashville Petroleum and Mining Board.

WHEREAS, It is deemed of primary importance, not only to those pecuniarily interested but also to the State of Tennessee, to secure the early development of the petroleum and mining interest of this State, and to attract for this purpose comparatively yet rich territory, the industry and capital, which from failing and over-crowded fields elsewhere, are seeking employment; and

WHEREAS, An organization of the kind contemplated under the provisions of the following act would materially promote the desirable object; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Ad M. Heflebower, Frank S. Sowers, C. S. Cowan, Thomas B. McElweee, George B. Hibbard, their associates, successors and assigns, be, and they are hereby created a body politic and corporate, by the name and style of the "Nashville Petroleum and Mining Board," and by that name and style shall have succession for the full term of ninety-nine years, and shall be competent in law to sue and be sued, plead and be impleaded, answer and be answered, and to unite and prosecute in all courts of law and equity to final judgment; to make, have and use a common seal, and change the same at will, with full power to enjoy and possess, lease or purchase, release or convey, such estate, personal or mixed, with any or all other powers proper or necessary for them to have in conducting the business for which the association is formed.

Powers, privileges, &c.

SEC. 2. *Be it further enacted*, That this Association shall have full power to adopt such rules and by-laws for its government as it may see fit; *Provided*, they are not

By-Laws.

incompatible with the laws of this State, or the United States.

SEC. 3. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 26, 1866.

CHAPTER CXLVII.

AN ACT to Incorporate the Nashville Petroleum and Mining Board.

WHEREAS, Is is deemed of primary importance not only to those pecuniarily interested, but also to the State of Tennessee, to secure the early development of the petroleum and mining interests of this State, and to attract for this purpose to her comparatively undeveloped, yet rich territory the industry and capital which from failing and over-crowded fields elsewhere, are seeking employment; and

WHEREAS, An organization of the kind contemplated under the provisions of the following act would materially promote these desirable objects; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That George H. Thomas, Ad. M. Heflebower, Frank S. Sowers, C. S. Cowan, Thomas B. McElwee, Geo. B. Hibbard, James M. Hopkins, T. A. Atchison, theirs associates, successors and assigns, be, and they are hereby created a body politic and corporate, by the name and style of the "Nashville Petroleum and Mining Board," and by that name and style shall have succession for the full term of ninety-nine years; and shall be competent in law to sue and be sued; plead and be impleaded; answer and be answered unto; to unite and prosecute to final judgment, in all courts of law and equity; to make, have and use a common seal, and to change the same at will; with full powers to enjoy and possess, lease or purchase, release, sell or convey estate, real, personal and mixed, with any or all other powers necessary or proper for them to have in conducting the business of the Association.

Powers, Privileges, &c.

SEC. 2. *Be it further enacted*, That this Association shall have full power to fix its capital stock, and the par value of shares, and may increase or diminish its capital stock, as it may desire; also, to adopt such rules and by-laws for the government of its business or members, as it may see proper; *Provided*, they are not incompatible with the laws of this State, or the United States.

Stock, By-Laws, &c.

SEC. 3. *Be it further enacted*, That this Association shall have the privilege of buying and selling petroleum and mining stock, on their own accounts or upon commission; and when, in their opinion, the interests of its members, or the petroleum and mining interest may require, they may proceed to organize, establish and put into operation, a Public Board for the purchase and sale of petroleum or mineral land, leases, stocks, or other evidences of value at public auction; and adopt such needful and proper rules for the management and control of the same as such Boards are usually managed.

May buy or sell stocks, &c

SEC. 4. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 26, 1866.

CHAPTER CXLVIII.

AN ACT to Incorporate the Planters' Life, Fire and Marine Insurance Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That S. C. Goshard, George C. Allen, H. H. Holland, R. H. McEwen, Jr., Isaac Forbes, Edward R. Pennebaker and Samuel C. Godshall of the City of Nashville, together with those who may hereafter become stockholders, as hereinafter provided for, are hereby created a body politic, by the name and style of the "President and Directors of Planters' Marine, Life and Fire Insurance Company of Nashville," and shall so continue, from the first day of January, 1866, until the first day of January, 1899; and by that name are hereby made capable and able at law, to have, purchase, receive, possess and enjoy, retain and con-

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hereinbefore set forth, the said Company shall be authorized to commence business, with power to make all such transactions as are granted by this Charter.

SEC. 3. That the share, or stockholders, shall meet at the place of opening the books for the subscription of stock in said Company, on the first Monday in January, 1866, or as soon as practicable thereafter, and at the office of the Company in Nashville, on the first Monday in January, in each succeeding year thereafter, and elect nine Directors, who shall continue in office until the first Monday in January, in each ensuing year, and until their successors shall have been elected; of which election, previous notice shall be given in a newspaper printed in the city of Nashville, for at least ten days previous to said election; and the Directors, so elected, shall select on the day and date hereinbefore named, one of their body President of said Corporation, who shall serve until the next annual election, and in case of death, removal or resignation, the Board of Directors shall appoint a President *pro tempore*; the Board shall also have power to fill all vacancies that may occur in their body, and shall appoint a Secretary, and all subordinate officers, clerks, agents and servants of said Company, fix their compensation, define their powers, and prescribe their duties, who shall hold their offices during the pleasure of the Board, and the Board may require bond of Secretary, agents and all officers of said Company as they may deem requisite.

Meetings, el-t'n Dirct'rs, etc

Powers board of Directors

SEC. 4. Said Directors shall have power to make and establish such by-laws, rules and regulations, to govern the Corporation, as they may see proper, and shall have the power to alter or repeal the same at their pleasure; the President and four Directors shall constitute a quorum for the transaction of business, or five Directors in the absence of the President, may do and perform all such acts as might be done and performed by the President and quorum aforesaid.

Regulatns, etc

SEC. 5. That the President and Directors shall have power and authority, in the name of the Company, to make Insurance at such rates of premium or interest as may be agreed upon by the parties upon buildings, machinery, manufacturing establishments, goods, wares, and merchandise of every description, of all classes and qualities of property transported by land or water in the United States; also, to make and take risks of insurance on steamboats and other water crafts, and for transportation of goods, wares and merchandise therein contained, and to be transported and shipped, and to make all such other proper contracts for the insurance of all other valuable property as may be embraced within the name of personal property, and all such contracts shall be in writing, or printed, and

Insurance.

shall be made by authority of the Company, by and through their proper and legally constituted officers and agents appointed for that purpose, and the Company is hereby authorized and empowered to take and receive risks of insurance upon the lives of such parties as may apply to them for the same, and for such risk or insurance they shall be entitled to demand and receive of such applicants such amount of interest or premium as may be agreed upon by the parties in a written or printed contract, to be signed by the legally constituted officers of the Company; that it shall be lawful for said Company to invest any part of its capital stock, money, fund, or other property, in any public stock or funded debt created or to be created by or under any laws of the United States, or this or any other State, or in the stocks of any chartered bank in this State or of the United States, and the same to sell or transfer at pleasure, and again to invest the same whenever and so often as the exigencies of said Company, or a due regard for the safety of its funds, shall require; or they may loan the same, or any part thereof, to individuals or public corporations, on real or personal security, for such periods of time as the Directors for the time being, shall deem prudent and best for the interest of said Company.

Powers.

May invest funds.

SEC. 6. That it shall be the duty of the President and Directors of this Company to make a full and true statement of their receipts, assets and losses semi-annually; should there be any surplus on hand, to make such dividends to the stockholders as they may deem advisable, not diminishing the capital stock of the Company, and in case of any extraordinary loss or losses, whereby the capital stock of said Company shall be impaired or lessened, no subsequent dividend shall be made until a sum equal to such diminution arising from the profits of said Corporation shall have been added to the capital stock to fill said deficiency of said capital stock.

Report, dividends, losses, &c.

SEC. 7. That no stockholder or member of this Company shall be answerable in his person or individual property for any contract or agreement of said Company, or any losses, deficiencies, or failures of the capital stock of this Company, but the whole of said capital stock, together with all the property, rights or credits belonging thereto, and nothing more, shall at any time be answerable for the demand against said Company; *Provided*, that any Director or Directors who shall sanction or aid in the continuance of said Company after it shall become insolvent and unable to meet its liabilities, and said fact known to Directors, shall be holden personally responsible for all deposits thereafter made, or liabilities thereafter incurred by said Company.

Not liable.

Proviso.

SEC. 8. Said Company are hereby empowered and

Agencies. authorized to appoint and establish agencies for this or any other State to take insurance on any property or lives as hereinbefore mentioned.

SEC. 9. Each stockholder to be entitled to one vote to the number of five shares, and every additional five shares to entitle the owner to one vote additional, which stockholder can be represented by proxy.

Voting.

SEC. 10. That the Company hereby created shall have all the rights and privileges that belong by existing laws, or that may hereafter be granted, to other insurance companies of this State.

SEC. 11. *Be it further enacted*, That said Insurance Company shall pay into the School Fund of the State of Tennessee one-half of one per cent of the nett annual profits.

SEC. 12. That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 26, 1866.

CHAPTER CXLIX.

AN ACT to Charter the Gayoso Manufacturing Company of Memphis, Tennessee, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Ira Stembraugh, F. S. Richards, ——— Weed, B. F. C. Brooks, and their associates and successors, are hereby formed a body corporate and politic, by the name and style "Gayoso Manufacturing Company," for the purpose of manufacturing goods and articles from cotton, wool, hemp, silk, and any kind, and for the making of machinery or implements; and the said Company is empowered to make and use a common seal, the same to change at pleasure; to make such by-laws, not inconsistent with the Laws of this State, or of the United States, as are necessary and useful; to sue and be sued; to have succession for thirty-three years; to hold by

Powers, Privileges, &c

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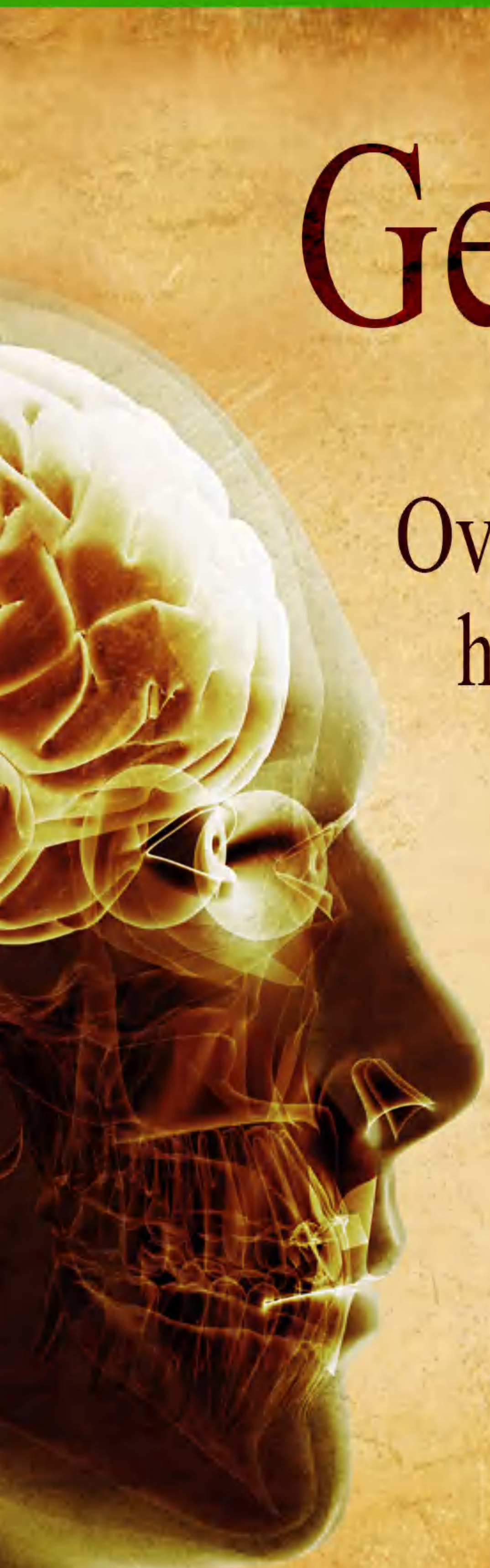

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for their benefit, not inconsistent with the privileges herein granted.

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

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 26, 1866.

CHAPTER CL.

AN ACT to Incorporate the Enterprise Petroleum Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Scott Newman, Sr., G. W. Roberts, Price Newman, John C. Carter, James G. Carter, their associates and successors, be, and they are hereby incorporated and made a corporation and body politic, by the name and style of the "Enterprise Petroleum Company," and by that name said Company shall have all the powers, rights and privileges of a corporation, for the purposes herein specified, and which are or shall be necessary to carry on said Corporation and carry out its objects and the designs of its creation.

SEC. 2. The object of said Corporation shall be the boring for and manufacturing of petroleum, and mining for coal, salt, iron, and other minerals, and the transporting the same to market, and the vending thereof.

Object.

SEC. 3. The capital stock of said Company, shall not, at any one time, exceed one million dollars, divided into shares of not less than twenty dollars each; and lands, mines, mining rights, and real estate, may be subscribed as part or the whole of the stock of said Company. The stock shall be held as personal property; and said named corporators may, or a majority of them, open books for the subscription of stock to the capital stock, at such times and places as they may disignate, after twenty days' public notice thereof, and may organize said Company after the subscription of stock to the amount of ten thousand dollars. They may own such real estate necessary to the conduct of their said business, and acquire the same and personal property in any of the modes now prescribed by law for the acquisition of real and personal estates by individuals

Capital stock.

Subscription.

and dispose of the same by such modes as individuals may by sale and conveyance.

SEC. 4. The affairs of said Company, may be managed by not less than three nor more than five Directors, the number to be fixed by the by-laws of the Company. A President shall be chosen from the Directors. The President and Directors shall make such by-laws and rules for the government of the corporation, fix days for the election of officers, appoint agents, and do all things necessary to carry out the objects of its creation, not inconsistent with the Constitution and laws of this State and of the United States. Government.

SEC. 5. The election of Directors shall be by the stockholders, and a majority in interest of whom shall be necessary to a choice; and in all elections or meetings of stockholders, each share shall represent one vote. In all elections stockholders may vote by proxy. The Directors shall elect the President and appoint all other officers and agents, or authorize the President to do so by a by-law of the Corporation; and shall have all power to enforce by regular by-laws, and prescribe the mode of enforcing the payment of stock. Elections, Power of Directors, &c.

SEC. 6. No banking privileges are hereby granted, and nothing herein shall be construed to grant such powers.

SEC. 7. The right to alter, amend, or repeal this Charter, is reserved to the General Assembly.

SEC. 8. *Be it further enacted*, That this incorporation shall be subject to such taxes as are or may be imposed upon corporations of a similar character in this State. Tax.

SEC. 9. This act to take effect from its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 26, 1866.

CHAPTER CLI.

AN ACT to Incorporate the Louisville Petroleum and Mining Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That B. C. Levi, John W. Clark,

Joseph W. Mitchell, Andrew Buchanan, James T. Edwards and Herman Beckerto, of the City of Louisville, Kentucky, and their successors and assigns, are hereby created a body politic and corporate, by the name of the "Louisville Petroleum and Mining Company," and by that name may have succession for ninety-nine years; with power to contract and be contracted with; sue and be sued; answer and defend in all courts and places as a natural person; to have and use a common seal, and alter the same at pleasure; and to make all necessary by-laws and regulations for the government of the Company and the conduct of its business; not inconsistent with the Constitution and Laws of this State, or of the United States.

Rights.

SEC. 2. That said Company shall have power to purchase and hold such estate in Tennessee and elsewhere, by lease in fee or otherwise, and such mining privileges, right of way, and other easements, as it may deem necessary or expedient for its business; and shall have power to dig, bore, mine and search for oil, coal, iron, salt and other mineral products and deposits in the earth; to extract, take out, develop, smelt and refine, reduce, manufacture and prepare for market any or all of said minerals, products or deposits; and to transport and sell the same in or out of the State; to buy, erect or construct all machinery, tools, fixtures and personal property deemed necessary or proper in carrying on of said business, or any part thereof; to sell, convey, transfer or assign all or any part, or interest, in any of said estate, real or personal, corporeal or incorporeal, and to exercise any proper or necessary powers to carry out the express powers herein granted; but nothing herein contained shall be construed as granting to the said Company any banking powers.

Powers, privileges, &c.

SEC. 3. The capital stock of said Company shall not exceed one million dollars, to be divided into shares of one hundred dollars each; which shares shall be personal property, and shall be evidence and transferable, as prescribed by the by-laws of the Company; and the persons named in the first section of this act shall constitute a Board of Directors for said Company for the first year after the passage of this act, and until their successors are qualified; and they, or a majority of them, shall have power to open books for the subscription of stock, and prescribe in the terms of subscription, the manner of payment, and the grounds of forfeiture of stock subscribed for and not paid in as required; and when not less than one hundred thousand dollars are subscribed, and such portion thereof paid in as the said Board of Directors shall require to be paid in cash, the Company may proceed to business, and the Board, or a majority thereof, shall organize by electing one of their number to be

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CHAPTER CLII.

AN ACT to revive the Nashville and Cincinnati Railroad Company, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Charter of the Nashville and Cincinnati Railroad Company, enacted by the General Assembly at its session of 1851–2, as recorded in Chapter 303, of the Acts of that session, is hereby revived with the privilege of building said Road to such distance as may be deemed expedient by said Company, on the south side of the Cumberland River. And the said Nashville and Cincinnati Railroad Company and the Tennessee and Pacific Railroad Company are hereby authorized and empowered to unite upon a common track, either single or double, as may be deemed expedient by said Companies, and to such distance to the eastward or northeastward of Nashville as the said Companies, in their discretion, may agree upon. But in the case of any such union of the said Roads upon a common track, as herein provided, the State aid provided for by law, shall not be extended in full to each of the roads for the distance they may run upon a common track, but only to the amount of three-fourths thereof to each road; and for such distance as the said roads may run upon separate and distinct tracks the said State aid shall be extended in full as provided for by law.

N. & C. and T. & P. R. R. may unite.

SEC. 2. *Be it further enacted*, That the provisions of section thirty-third of said act incorporating the Nashville and Cincinnati Railroad Company, be extended to the County of Wilson and to the town of Lebanon, and to any Counties and incorporated towns through which the said Nashville and Cincinnati Railroad may run.

Wilson Co. and town of Lebanon.

SEC. 3. *Be it further enacted*, That in lieu of the names of citizens enumerated in the second section of said act incorporating the Nashville and Cincinnati Railroad Company, Samuel D. Morgan, John Kirkman, A. J. Duncan, M. W. Brown, M. C. Cotton, Robert Thompson, George S. Kinney, John Lellyett, R. B. Cheatham, N. E. Alloway, W. B. Dortch, R. C. McNairy, W. S. Aikin, J. C. McCrory, A. Nelson, K. J. Morris, John W. Terass, of the County of Davidson; A. S. Colyar, of the County of Franklin; Jordan Stokes, W. B. Campbell, J. R. Davis, W. L. Waters, James D. White, J. M. Blythe, Dr. Gleaves, T. T. Motley, Paulding Anderson, W. W. Carter, J. Wharton, Norman Welsh, L. D. Owen, L. Difoo, and T. J. Stratton, of the County of Wilson; Howell Rucks, W. V. R. Holman, W. L. Alexander, W. Y. Martin, N. Ward, J. B. Moore, L. Caldwell, of the

Com'issioners

County of Smith; L. B. Griffith, W. Y. Adams, J. C. Marshall, D. O. Pursley, J. B. Shirt, Joseph L. Carter, of the County of Macon; E. P. Leary, R. A. Bennett, Richard Everett, David Goodall, of the County of Sumner, be, and the same are hereby constituted Commissioners, with all the power enumerated and described in said section, and with the power to appoint twelve Commissioners, for each of the Counties in the State of Kentucky through which the said Road may be located, or to which it may approach, on the route from the Southern boundary of said State to the town of Danville therein.

SEC. 4. *Be it further enacted*, That T. B. McElwee, R. H. Armstrong, John Baxter, Perez Dickinson, O. P. Temple and their associates, successors and assigns, be, and they are hereby incorporated as a body politic and corporate, under the name and style of the "Tennessee Express Company," and as such shall enjoy all the rights and privileges now enjoyed and exercised under the Laws of this State, by the Adams Express Company, and subject to the same restrictions and liabilities as the said Adams Express Company is under the Laws of this State. Tenn. Express Co.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 26, 1866.

CHAPTER CLIII.

AN ACT to Incorporate the Armour Institute, at Memphis, Tennessee

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Rev. T. D. Witherspoon, Henry Wade, George Winchester, A. P. Burdett, and Dr. W. A. Edmonds, and their successors in office, be, and are hereby constituted a body corporate and politic, under the name and style of the Trustees of "Armour Institute," at Memphis, Shelby County, Tennessee," and under this name and style shall have full power and authority to sue and be sued, plead and be impleaded; to use a common seal and change the same at pleasure; to purchase, receive by donations, enjoy and possess, estate, real and personal, and dispose of the same at will. Powers, &c

Degrees.

SEC. 2. *Be it further enacted*, That the Trustees and such Faculty as they may choose, shall have full power and authority to confer such degrees, and grant such diplomas as are usually granted and conferred in Female Colleges.

SEC. 3. *Be it further enacted*, That for the purposes of founding said Institute, and endowing its Professorship, and managing the real and personal estate thereof, said corporators and their successors, shall have all the powers, rights, and privileges incident to such corporations, and may act either by themselves, or by agents, Trustees, or Committees appointed by them.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 26, 1866.

CHAPTER CLIV.

AN ACT to Incorporate the Journeymen Painters' Association of the City of Memphis.

Rights.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Painters' Association, of the City of Memphis, be, and they are hereby made a body politic and corporate, under the name and style of the "Journeymen Painters' Association of the City of Memphis," and as such may have a common seal; purchase and hold real and personal estate, as may be necessary for their business; sue and be sued; plead and be impleaded; and do all such other acts as are common and incident to such corporations.

Management.

SEC. 2. *Be it further enacted*, That the business of the Corporation shall be managed by such Officers, Directors, or Committeemen, as may be provided for by the constitution and by-laws of the Association.

Membership, fees, &c.

SEC. 3. *Be it further enacted*, That conditions of membership, the admission of new members, and the expulsion of old members, shall be determined by the constitution and by-laws of the Association; and that the fees of initiation, contributions, or other dues from members, shall be fixed by the by-laws and constitution of the Associa-

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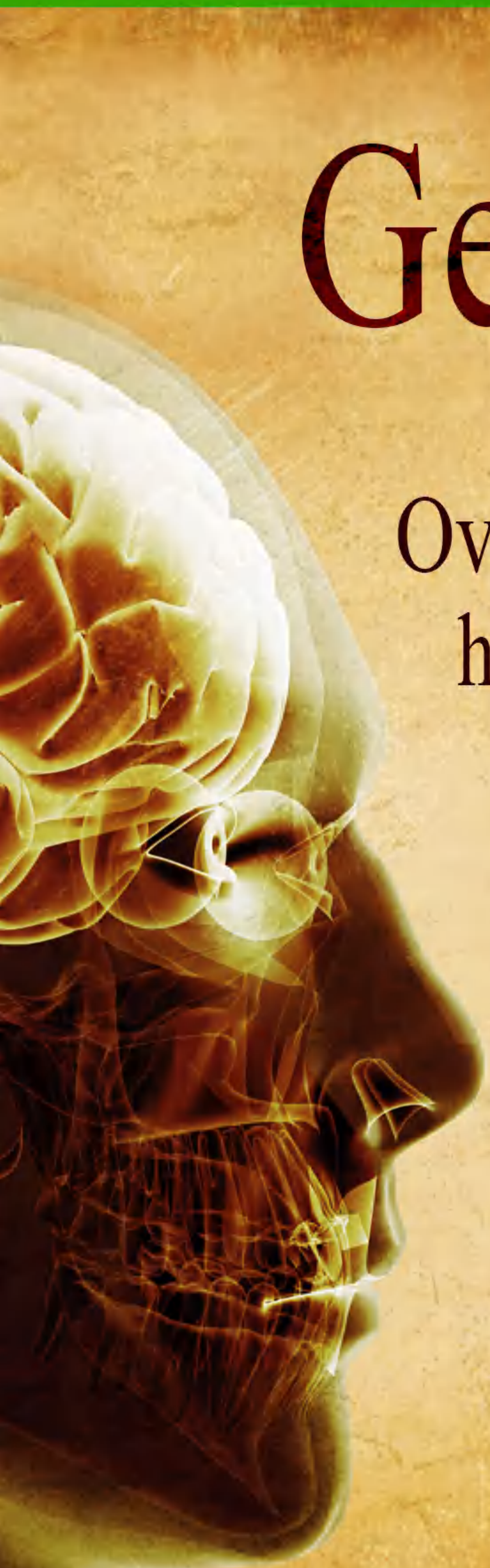

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tion of said Society is for the purpose of helping the widows and orphans, feeding the poor, visiting the sick, and burying the dead.

Object.

SEC. 4. *Be it further enacted*, That said Society shall have a seal of office, which it shall have the power to change or alter at pleasure; and that the same shall have the power to elect such officers, and make a constitution and such by-laws as shall be necessary and proper to effect and carry out the purposes above stated in this act.

Regulations.

SEC. 5. *Be it further enacted*, That M. Dinkelspiel, J. Leaman, S. Zunder and Morris Sax, and other officers and members of the Literary Association in the City of Nashville, known as the "Concordia," with such other members as may be admitted, be, and they are hereby framed into a body corporate and politic; and the purpose of said Corporation being the encouragement of Literary and Scientific pursuits; it is hereby invested with the privileges ordinarily granted to similar chartered institutions.

Concordia.

SEC. 6. The officers of said Company shall consist of a President, Vice President, Secretary and Treasurer, and such subordinate officers as may be created by the by-laws of said Corporation, to be appointed or elected, from time to time, as said laws may prescribe.

Officers.

SEC. 7. The corporate name of said Company shall be the "Concordia," and by that name may sue and be sued, plead and be impleaded, and shall have succession for a term or ninety-nine years.

Rights.

SEC. 8. That said Corporation shall have the usual power granted to pass by-laws, and is also empowered to purchase and hold real and personal estate, not exceeding in value fifty thousand dollars, to be applied to uses and purposes not inconsistent with the objects of said Company.

Powers, &c.

SEC. 9. That said Corporation shall have power to issue stock, in shares of one hundred dollars, to its members, who may contribute money or property to its uses; which stock shall entitle the holder to whatever dividend said contribution may yield under the management and control of said Company.

Same.

SEC. 10. *Be it further enacted*, That Dr. James E. Park, Dr. Thomas Y. Park, George W. Brackenridge and Wm. Y. Elliott, their associates, successors and assigns, be, and are hereby created a body politic and corporate, by the name and style of the "Park's Patent Tanning and Manufacturing Company," with all the powers and privileges of the foregoing Company; and with the power to develop and manufacture tanic acids and extracts, leather, and to manufacture and sell the same; and to have all the pow-

Parks' Patent Tanning and Manufac'g Co

ers necessary for successfully carrying on the above business; with succession for ninety-nine years.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 26, 1866.

CHAPTER CLVI.

AN ACT to Incorporate the Science Hill Male and Female Institute of Learning, at or near Johnson's Depot, in Washington County, East Tennessee, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Henry H. Carr, John W. Johnson, A. H. Yearger, B. F. Ackard and John Q. Williams, and their associates, be, and they are hereby constituted a body corporate and politic, by the name of the "Trustees of the Science Hill Male and Female Institute," and shall have ninety-nine years 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 may be given, granted or devised to them, or purchased for the use and benefit of said Institute, aforesaid; and the said Trustees and their sucessors, by the name aforesaid, may sue and be sued, in any court of law or equity, in this State or elsewhere. Powers.

SEC. 2. That the Trustees aforesaid, and their successors, shall have power to hold such meetings, at such times and places as they may think proper, to elect one of their number President, and Secretary, and Treasurer of said Board, and to fill vacancies that may happen by death, resignation or otherwise; but not less than five of said Trustees shall constitute a quorum, to do business relating to the interest of said Institution. Powers of Board.

SEC. 3. That said Board of Trustees shall have power to make such by-laws, rules and regulations, relative to said Institution and the government thereof, and their own proceedings, as a majority of said Board may deem right and proper; *provided*, they are not inconsistant with the Constitution and laws of the United States, or the State of Tennessee. Same.

Powers Board of Trustees.

SEC. 4. That the Trustees may have power to increase their number to fifteen, and to elect others at any regular meeting, when vacancies occur; to declare vacant the seat of any Trustee who may neglect the business of the said Institution of Learning for one year, or for conduct not becoming the dignity and responsibility of his station.

Spirit Liquors

SEC. 5. *Be it further enacted*, That after said Trustees shall have become organized, and put said Institution into operation, it shall not be lawful for any person to sell by retail, any ardent spirits, wines or intoxicating liquors of any kind whatever, within one mile of said Institution, while said school is in operation.

Penalty.

SEC. 6. Every person violating the provisions of this Act, shall be liable to indictment or presentment; in any court in this State, having jurisdiction thereof, and upon conviction thereof, shall be fined not less than twenty-five, nor more than fifty dollars for every such offense, one half of said fine, when collected, to go to the use of said Institution, and the other half to the State; and that this Charter shall in all respects be under Legislative control.

Trustees of Blooming Grv Academy

SEC. 7. *Be it further enacted*, That James M. McLoud, William Smith, Sr., John C. Mynott, James Hunter and George W. Carnes, be, and they are hereby constituted a Board of Trustees, for an Academy situated in the Seventh Civil District, in Knox County; Tennessee, which shall be known by the name of "Blooming Grove Academy."

Powers, etc.

SEC. 8. *Be it further enacted*, That said Board of Trustees shall have all the powers, and be entitled to all the privileges, that are now granted to the "Mooresville Male and Female Academy," and that all the restrictions in relaltion to the sale of intoxicating liquors, shall be applied to said Blooming Grove Academy, as is now applicable to said "Mooresville Academy."

SEC. 9. This act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 26, 1866.

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rights or interest in real estate, branch of manufactory, patent rights, machinery or other property; and the persons, so designated, may thereupon organize under, and enjoy all the rights and privileges, named and granted in the first section of this Act; and shall thereupon become and be a body corporate, with like corporate rights, powers and privileges, as are in and by the first section of this Act, granted to the East Tennessee Manufacturing Company.

Knoxville water works co.

SEC. 3. *Be it further enacted*, That a Company, to be entitled the "Knoxville Water Works Company," shall be, and is hereby establised, with a capital of fifty thousand dollars, with the right to increase said capital to two hundred thousand dollars, if found necessary and expedient; the stock of the said Company, to be divided into shares of fifty dollars each, and to be paid in as the Directors may demand.

Powers

SEC. 4. *Be it further enacted*, That the subscribers for said stock, their successors and assigns, are hereby created a body politic and corporate, by the name and style of the "Knoxville Water Works Company," and in and by said name, shall have power to contract and be contracted with; to sue and be sued; to have a common seal; to borrow money upon the bonds of the Company, for such amounts, conditions, times and rates of interest, as may be agreed upon between contracting parties; shall have authority to elect all necessary officers; and to establish by-laws, rules and regulations, for the management of the affairs of the Company.

Object

SEC. 5. *Be it further enacted*, That the object of the said Company, shall be to establish and construct water works, in the City of Knoxville, for the purpose of furnishing the population thereof with water, by means of Artesian wells, or otherwise, and they may purchase and hold as much real estate as may be necessary.

Lay pipes in the streets, etc

SEC. 6. *Be it further enacted*, That to enable this Company to construct such works, they are hereby authorized and empowered to lay down pipes, aqueducts or conductors, and all other necessary apparatus for that purpose, through all or any of the streets, lanes or alleys of the city of Knoxville, in such manner as to cause the least private inconvenience to the citizens, and to take up the pavement or sidewalk; *provided*, the same is repaired with the least possible delay.

Misdemeanor

SEC. 7. *Be it further enacted*, That if any person shall injure or destroy any part of the works, fixtures or other property, shall be liable for all damages sustained by said proceedings, and also a fine, not exceeding five hundred dollars, upon conviction; the person or persons committing such acts or offense, being deemed guilty of misdemeanor, and punishable as in other cases of misdemeanor.

SEC. 8. *Be it further enacted*, That O. P. Temple, John Baxter, Perez Dickinson, Jas. H. Cowan, John Williams, John Branner and T. W. Yardly, or any of them, shall be commissioned to open books for subscription of stock in said Company, at such times and places as a majority may elect. Commiss'ners

SEC. 8. *Be it further enacted*, That this act shall take effect from and after its passage.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 26, 1866.

CHAPTER CLVIII.

AN ACT to amend the Charter of the Holston Presbytery, and for other purposes.

WHEREAS, The majority of the present members of Holston Presbytery constituted a body politic and corporate, by an act of the Legislature of Tennessee, 15th of March, 1858, are disloyal to the Government of the United States, therefore

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Francis A McCorkle, Daniel Rogan, Rufus P. Wells, Samuel Sawyers, John W. Elliott, and Nathan Backman, Ministers of Holston Presbytery, and their successors in office, elected according to the Constitution and forms of the Presbyterian Church in the United States of America; and the representatives of the following churches, to-wit: Kingsport, Timber Ridge, Greeneville, Jonesborough, New Bethel, Elizabethton, Liberty Hill, Rogersville, and such other churches as may be received by said Presbytery, be entitled to all the rights, immunities and privileges of said incorporation, according to chapter 132, passed 15th March, 1858. Incorporators and Churches

SEC. 2. *Be it further enacted*, That the Memphis City Schools shall hereafter be placed under the exclusive management and control of a Board of Visitors, consisting of two members from each Ward in said city, to be elected as hereinafter directed; and that said Board are Memphis City Schools.

Board of Visitors.

hereby created and constituted a body politic and corporate, by the name and style of the "Board of School Visitors of the Memphis City Schools," who shall have succession for ninety-nine years, and by the name and style aforesaid, may purchase, receive, hold and possess property of any kind, in trust for the use of said City Schools; may sue and be sued, plead and be impleaded, answer and be answered unto, in all courts of record and courts of inferior jurisdiction; and said Board shall have power to make, have, and use a common seal, and the same to break, alter, and renew, at their pleasure, and generally to do and execute all acts, matters and things which a corporation, or a body politic in law, may and can lawfully do and execute.

Powers.

SEC. 3. *Be it further enacted*, That the members of said Board of Visitors shall be chosen in each Ward of the City of Memphis, by ballot, on the third Saturday of June, in each year, by such voters as are entitled to vote for Mayor and Aldermen of said City, and the Mayor shall cause at least ten days' previous notice of said election to be given in one or more newspapers in said City, the Chief of Police holding the elections and appointing three Judges of said election in each Ward; and the members so chosen shall hold their office for one and two years, from the first Monday of July succeeding, and until their successors are elected and duly qualified, as hereinafter directed.

Annual Election.

SEC. 4. *Be it further enacted*, That the Board of Visitors shall choose from their own number a President and Vice President, who shall serve without compensation.

President and Vice Presid't.

SEC. 5. *Be it further enacted*, That the Board shall appoint from their own number, or without their own body, a Treasurer and Secretary, and such other servants and agents as to them shall seem necessary to accomplish the object of the Corporation, and shall prescribe their powers, duties, obligations and compensations; the Treasurer to give bond, and such penalty as the Board may direct, for the proper and faithful performance of his duties, and with such securities as the Board may approve; and all drafts, orders, contracts, notes, bonds, obligations, conveyance, transfers, and other instruments of writing, made or executed by the Board, shall be signed by the President, and shall be countersigned by the Secretary, or by such other person as shall be duly and legally authorized by the Board, and when necessary, sealed with the corporate seal of said Board.

Other Officers, their duties, &c.

SEC. 6. *Be it further enacted*, That said Board shall have power to judge of the qualification of its members, to punish members for disorderly conduct at the meetings of the Board, or in the discharge of their duty as School

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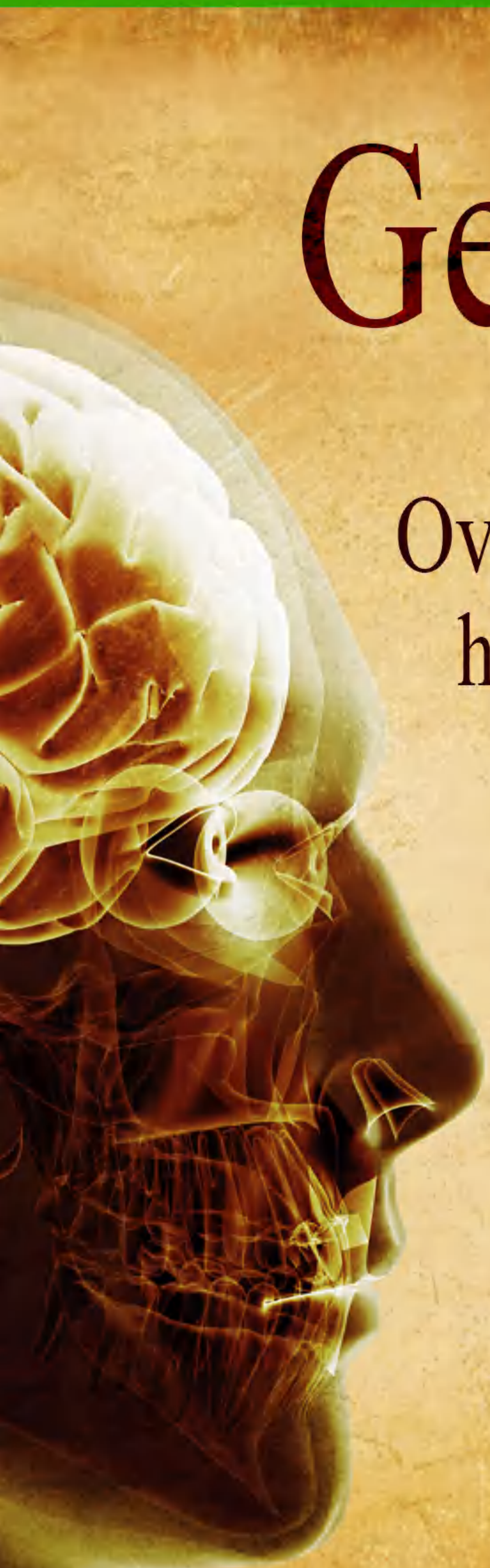

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Payments.

and oftener, if required in writing by the Secretary or President of the School Board, faithfully and punctually pay over to the Treasurer of the Board of Visitors, all monies collected for the School Fund, subject only to the orders of this Board; and the Tax Collector of the City of Memphis, and his securities, shall be held personally responsible for the faithful performance of this provision to the Board of Visitors. No certificate of indebtedness, except the warrant issued by the School Board shall be received in payment of said school tax.

Lots and Buildings.

SEC. 9. *Be it further enacted*, That the Board of Visitors shall have power to purchase lots and contract for the erection of school buildings thereon; *Provided*, the Mayor and Aldermen of the City of Memphis, when said power is exercised, shall approve the same; and *Provided*, the cost of said lots and bulidings shall not exceed the sum of seventy-five thousand dollars, unless authorized to exceed that amount by the vote of the citizens in their respective wards, at an election appointed for that purpose, by the Board of Visitors; and all contracts and purchases so made, shall be binding upon the Mayor and Aldermen of the City of Memphis, who are hereby required to make immediate provisions for the payment of the same; to do which they shall have power to levy a tax in addition to the above-mentioned ordinary school tax, upon such property as is taxed for other city purposes, either for the whole or any part, for the required amount; and the better to enable them to provide such means promptly, and lessen the burdens of immediate taxation, said Mayor and Aldermen may, at their discretion, issue the bonds of the said City, having not more than twenty years to mature, and bearing ten per cent. interest, for or any portion of the required amount; and all moneys accruing from such tax and bonds, shall be paid at once to the Treasurer of the Board of Visitors, subject to the order of said Board.

To levy tax.

Bonds.

Annual Report.

SEC. 10. *Be it further enacted*, That at the close of every scholastic year, on the thirteenth of June, the Board of Visitors shall publish, for the information of their constituents, an annual report, setting forth their principals, doings, and showing their expenses for the year, together with their estimate of the expenses for the succeeding year.

Ineligible to office.

SEC. 11. *Be it further enacted*, That no member of the Board of Mayor and Aldermen, or officer of the City Corporation of the City of Memphis, elected or appointed, or officers of the County of Shelby, elected or appointed, shall be eligible to membership in the Board of School Visitors, nor any person who has not been a resident of the ward in which he is elected at least twelve months prior to his election; and if any person who shall have been elected from

one ward, shall move from said ward, he shall vacate his seat in said Board, and the vacancy shall be filled by the Board as soon as may be, by a citizen possessing all the qualifications required in this act.

SEC. 12. *Be it further enacted*, That at the annual election, as provided in section second of this act, the qualified voters of each ward, shall be called upon to give in their ballots for two inhabitants of the ward, to be members of the Board of School Visitors of Memphis City Schools; and the two persons who receive the highest number of votes; or in case more than two receive an equal number of votes, the two persons who are senior by age, shall hold their office, the one for two years and the other for one year, the long and the short term to be decided by lot; and at every subsequent election one person shall be chosen in each ward to be a member for two years. How Board is chosen.

SEC. 13. The persons so chosen as members of the Board of School Visitors, shall meet and organize on the first Monday in July next after their election, by choosing a President, Vice President, Secretary, Treasurer, and Superintendent, before transacting any business. They may adjourn from day to day, until the organization is perfect. Organization.

SEC. 14. *And be it further enacted*, That all previous acts in reference to the Memphis City Schools, are hereby repealed, and that this act shall take effect from and after its passage. Repealed.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 26, 1866.

CHAPTER CLIX.

AN ACT to Incorporate the Tyree Springs Petroleum Company, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Samuel E. Hare, Clay Roberts, A. Tyler, J. T. Baker, George R. Calhoun, James R. Green, W. H. Rowen, George Lumsden, James Lumsden,

John Tarrass, Fred. Tarrass, Samuel S. Roberts, Thompson Anderson, C. S. Garrigus, John Lellyett and J. W. Swan, are hereby constituted a body politic and corporate, under the name and style of the "Tyree Springs Petroleum Company," for the purpose of exploring, digging, boaring and mining for petroleum, coal and minerals, and the working, refining, manufacturing and vending the same; to purchase or lease, or to sell or release minerals, mining, or petroleum lands, or lands supposed to be of such character, or other lands; and to continue in existence to them, their associates, successors and assigns, for the period of twenty years; with power to make and use a common seal, or to alter or change the same at pleasure; make such by-laws not inconsistent with the laws of this State, and the laws of the United States, as it may deem proper and necessary for its government; in its corporate name to sue and be sued; to plead and be impleaded; to hold by purchase or otherwise, and to dispose of the same in any way, any real estate or personal property which may be useful or necessary in carrying on its operations, or which it may come possessed of in payment of debts due to it; *Provided, always*, the first cost of such real estate shall not exceed the maximum amount of the capital stock hereinafter provided for.

Purposes

Powers.

SEC. 2. *Be it further enacted*, That the capital stock of said Company may be one hundred and fifty thousand dollars, with power to increase it, as the President and Directors may deem necessary; to be divided into shares of fifty dollars each; the capital stock to be subscribed and paid for as the Board of Directors may prescribe; the shares shall be considered personal property, and shall be transferred only on the books of the Company, in person or by attorney.

Capital stock.

SEC. 3. *Be it further enacted*, That the corporators named in the first section of this act, shall have power to elect a Board of Directors of five, from among themselves, who shall serve for one year from the time of their election, and until their successors shall be elected and qualified. The annual meeting of the Company shall be held at such times and places as the Board of Directors may determine, from year to year; thirty days' previous notice being given in some newspaper published near the place of business, of the time and place of such meeting; at each annual meeting a Board of Directors shall be chosen for the ensuing year, but in case of failure to elect a Board of Directors, the Charter of the Company shall not be forefeited thereby, but the Directors of the previous year shall continue in office until others are elected in their stead. The Directors shall appoint one of their members

Election.

Annual meeting.

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Capital Stock.

SEC. 10. *Be it further enacted*, That the capital stock of said Company shall be ten thousand dollars, with the privilege of increasing to fifty thousand dollars, to be divided into such shares as the Company may think proper; and so soon as five thousand dollars shall be subscribed said Company shall be considered formed, and any five of the persons named in the foregoing section of this act shall have power to open books and receive subscription for stock, for the purpose of constructing a turnpike road, beginning at Cleveland, Tennessee, running the most practical route to Smith's Cross Roads, Rhea County, Tennessee; and said Company are hereby invested with all rights, privileges and immunities granted the Chattanooga and Gaysburg Turnpike Company.

Formation of Company.

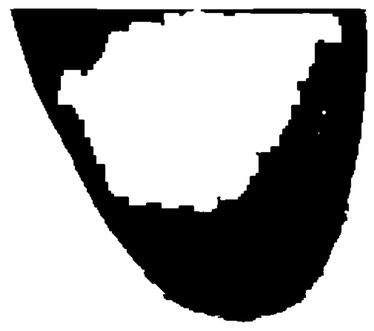
Route of Road

County Court of Shelby Co

SEC. 11. *Be it further enacted*, That the County Court of Shelby County may annually appropriate and pay to the Judges of the Chancery, Common Law and Criminal Courts in said County, any sum of money not otherwise approprited, and not exceeding the sum of one thousand dollars per annum to each Judge presiding over said Courts.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Passed May 26, 1866.



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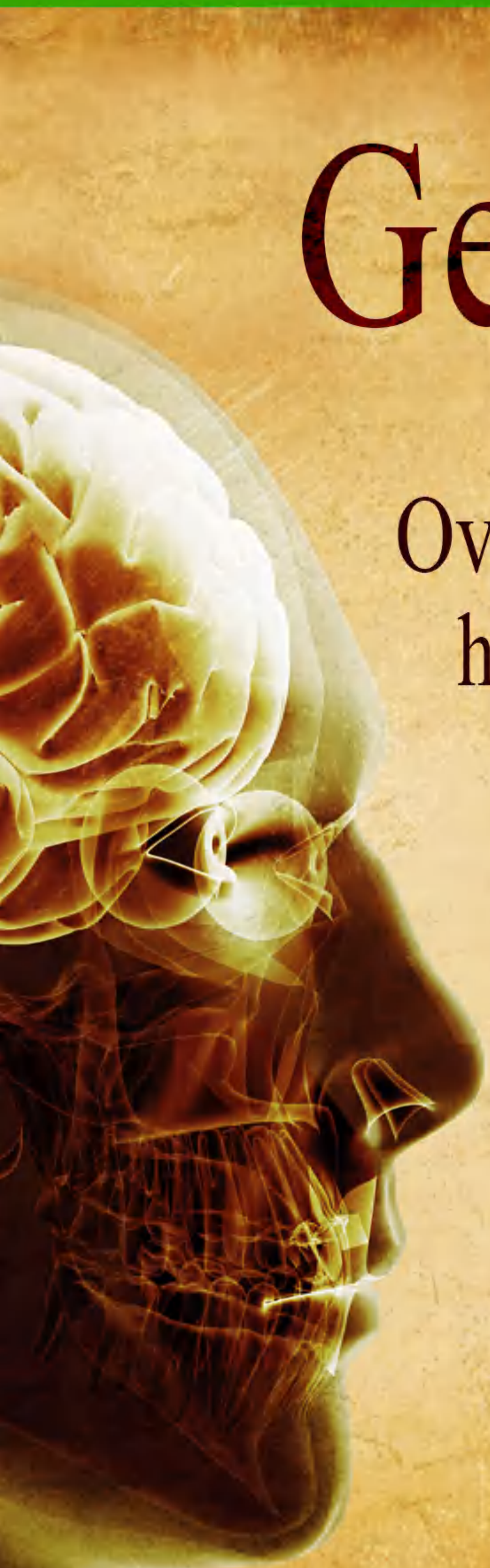

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ommended, be referred to the respective standing Committees of the Senate having charge of those subjects, respectively, and that the said Committees take the same under their earnest consideration and report such measures as in their judgment may be necessary and proper.

JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted October 4, 1865.

NUMBER IV.

HOUSE RESOLUTION Referring the Governor's Message to Standing Committees.

Resolved, That the various portions of the Governor's Message be referred to the appropriate Committees of the House; and that said Committees give said subjects and recommendations their most earnest consideration, and report such measures as they deem requisite.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

Adopted October 5, 1865.

NUMBER V.

SENATE RESOLUTION To furnish the members with City papers.

Resolved, That the Doorkeeper of the Senate be required to furnish the members and officers each morning with such of the City daily papers as they may select; and also post office stamps, the same to be paid for out of the State Treasury.

JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted October 4, 1865.

NUMBER VI.

HOUSE RESOLUTION To furnish members with the City papers.

Resolved, That each member of this House be allowed three daily papers; and the Doorkeeper be furnished a list of such papers by each member, and that the same be paid for out of the contingent fund; and, *Resolved, further*, That the Doorkeeper of the House be authorized to procure, for each member of the House, ten dollars' worth of postage stamps, to be paid for out of the contingent fund.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

Adopted October 5, 1865.

NUMBER VII.

HOUSE RESOLUTION Recommitting Bills, &c., to Committees.

Resolved by the House of Representatives, That all Bills and Resolutions, now pending before the House, be recommitted to the appropriate Committees, to be re-considered and reported back to the House, to take their regular place on the calendar.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

Adopted October 4, 1865.

NUMBER VIII.

HOUSE RESOLUTION To elect a Chaplain.

Resolved by the House of Representatives, That a Chaplain be elected to attend the opening of the deliberations of this body by prayer every morning.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

Adopted October 10, 1865.

NUMBER IX.

HOUSE RESOLUTION Tendering the use of the Hall to the State Teachers' Association.

Resolved, That the use of the Hall of Representatives be granted to the State Teachers' Association for the meeting of said Association, on October the 12th, in accordance with the request of the Association, through its Secretary, J. B. Lindsley, and that the passage of this Resolution be communicated to the Secretary of the Association.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

Adopted October 5, 1865.

NUMBER X.

SENATE RESOLUTION To raise a Committee on the Elective Franchise.

Resolved, That there be added to the Standing Committees of the Senate a Committee on the "Elective Franchise," to consist of five members, and that said Committee take the matter under consideration, and report thereon, such measures as in its judgment may be necessary and proper.

JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted October 5, 1865.

NUMBER XI.

HOUSE RESOLUTION Requesting the Governor to furnish information as to certain Elections.

Resolved, That the Governor be requested to furnish information to this House as to the manner in which elections to fill vacancies for members of this Legislature were held, particularly with reference to the Act to limit the Elective Franchise, passed June 5, 1865.

WM. HEISKELL,
Speaker of the House of Representatives.

Adopted October 5, 1865.

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NUMBER XIV.

SENATE RESOLUTION Calling for a Report as to the Deposition of the Assets of the Bank of Tennessee.

Resolved, That the Governor, Secretary of State and Comptroller, report to the Senate the result of their investigations into the Assets of the Bank of Tennessee, the sale of the coin, and the manner of the investment of the proceeds, and such other information as may have come to their knowledge, in the investigation of the affairs of the Bank.

JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted October 7, 1865.

NUMBER XV.

SENATE RESOLUTION Raising a Committee to investigate and report as to illegal voting.

Resolved, That the Speaker appoint a Committee of five to investigate and ascertain if there were any illegal votes cast in any of the late elections in this State, and if so, in what County and District, and report the same to this Body at the earliest day practicable.

JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted October 9, 1865.

NUMBER XVI.

SENATE RESOLUTION calling upon the Treasurer to report as to certain Certificates of Deposit, issued by the Bank of Tennessee.

Resolved, That the Treasurer of State report to the Senate, if there is in his office, filed with him as Superintendant of Public Instruction, a Certificate of Deposit, issued by the Bank of Tennessee, for one million five hundred thousand dollars; and that he furnish this Body with a copy of said certificate.

JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted October 9, 1865.

NUMBER XVII.

SENATE RESOLUTION Numbering Bills.

Resolved, That in the numbering of Senate Bills, the Senate continue numbering from the highest number at the close of its last Session.

JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted October 9, 1865.

NUMBER XVIII.

HOUSE RESOLUTION Endorsing the Administration of President Johnson.

Resolved by the House of Representatives, That we endorse the Administration of His Excellency, Hon. Andrew Johnson, President of the United States, especially his declaration that "Intelligent treason must be made odious, and traitors punished."

WILLIAM HEISKELL,
Speaker of the House of Representatives.

Adopted October 11, 1865.

NUMBER XIX.

SENATE RESOLUTION Requesting the Adjutant General to Report.

Whereas, Senate Bill No. 140, in regard to certain duties to be performed by the Adjutant General of the State, and compensation for the same, has been made the special order for Saturday, 14th inst.; therefore,

Be it resolved, That the Adjutant General be requested to present to the Senate, such report as he may have prepared upon the subject under consideration, by the 14th inst., if possible.

JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted October 11, 1865.

NUMBER XX.

SENATE RESOLUTION Referring certain Special Reports to the Committee on Banks.

Resolved, That the report of Committee to investigate the Sparta Branch of the Bank of Tennessee, be referred to the Committee on Banks, and all other special reports of investigation of Branches, be submitted to same Committee.

JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted October 11, 1865.

NUMBER XXI.

JOINT RESOLUTION Directing the Treasurer to pay members of the General Assembly.

Be it Resolved by the General Assembly of the State of Tennessee, That the Treasurer of the State, pay each member of the Senate and House of Representatives and officers thereof, the amount that may be due them, when they apply for the same, and take a receipt for the same, without the warrant of the Comptroller, which shall be good at the close of the session, in the settlement of their accounts.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON.
Speaker of the Senate.

Adopted October 18, 1865.

NUMBER XXII.

JOINT RESOLUTION Raising a Committee to investigate the Books, Management, etc., of the Hospital for the Insane.

WHEREAS, By a Joint Resolution of this Legislature, at its last session, the Board of Trustees of the Tennessee Hospital for the Insane, was instructed to investigate the books and accounts of the late Superintendent and Physician of that Institution, and said Board having failed

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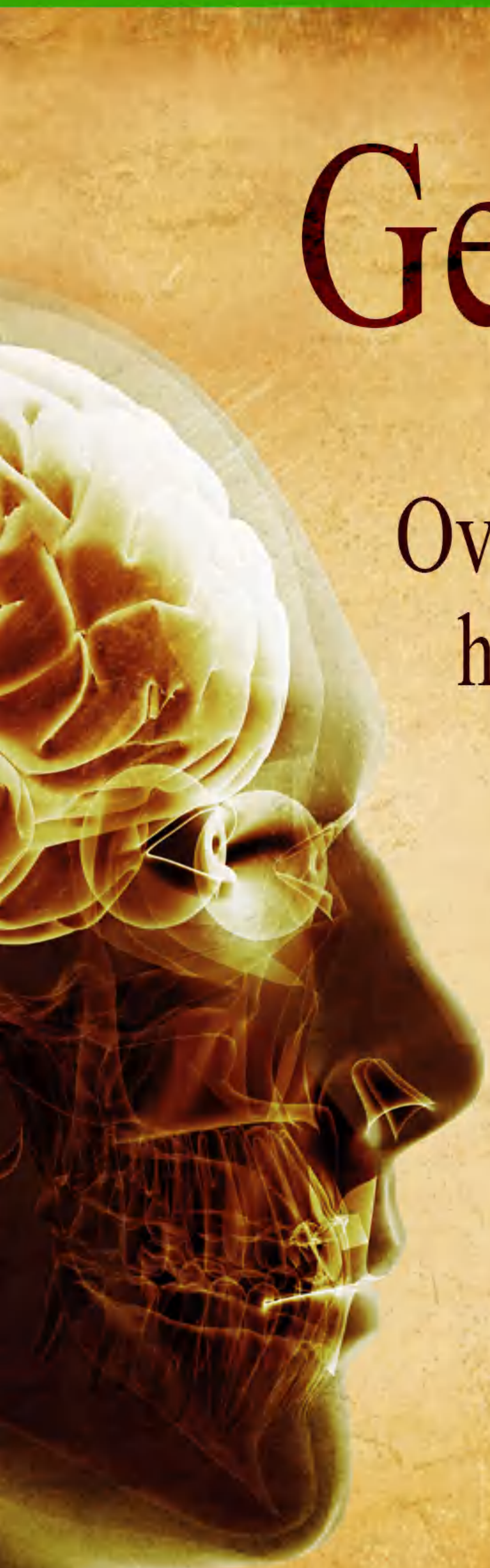

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NUMBER XXIV.

HOUSE RESOLUTION Declaring the seat of Chas. S. Cameron vacant.

Resolved by the House of Representatives of the State of Tennessee, That it is the sense of this House that Charles S. Cameron is not entitled to a seat in the same, as a member of this General Assembly.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

Adopted October 21, 1865.

NUMBER XXV.

JOINT RESOLUTION To inquire into the condition of the Principal Bank of the State of Tennessee, at Nashville.

Resolved by the General Assembly of the State of Tennessee, That a committee of two on the part of the House, and two on the part of the Senate, be appointed to inquire into the condition of the Principal Bank of the State, located at Nashville, and report as soon as practicable to this body.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted October 23, 1865.

NUMBER XXVI.

HOUSE RESOLUTION Directory to the Treasurer.

Resolved by the House of Representatives, That the State Treasurer be, and he is hereby requested to report to this House, to whom he paid the fifteen hundred dollars to ascertain and schedule the assets of the Bank of Tennessee, under "An Act to secure the funds provided for public education," passed June 9, 1865.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

Adopted October 25, 1865.

NUMBER XXVII.

HOUSE RESOLUTION Fixing the hour of meeting.

Resolved by the House of Representatives, That the hour for the meeting of this House be permanently fixed at ten o'clock, A. M.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

Adopted October 25, 1865.

NUMBER XXVIII.

SENATE RESOLUTION Directory to the Comptroller.

Resolved, That the Comptroller report to the Senate a schedule specially setting forth dates, names, and amounts of arrearages due the State by Clerks and Tax Collectors for the year 1859, 1860, 1861, and the reason why the same has not been paid into the Treasury.

JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted October 27, 1865.

NUMBER XXIX.

SENATE RESOLUTION Repealing Resolution passed Nov. 13, 1865.

Resolved, That resolution No. 59, passed May 13, 1865, be, and the same is hereby repealed.

JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted October 30, 1865.

NUMBER XXX.

HOUSE RESOLUTION Disallowing per diem to Absent Members.

WHEREAS, This House has frequently been reduced below a quorum by members absenting themselves, without leave; therefore, be it

Resolved by the House of Representatives of the State of Tennessee, That no member shall be allowed any per diem during his absence without leave.

Resolved, further, That no member shall be allowed leave of absence, when it will reduce this House below a quorum, except in case of sickness.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

Adopted October 31, 1865.

NUMBER XXXI.

HOUSE RESOLUTION Directory to the Committee on Freedmen.

Resolved by the House of Representatives of the State of Tennesesee, That the Committee on Freedmen, be, and are hereby requested to report a bill for the consideration of this House, which shall in its provisions remove the necessity for the Freedmen's Bureau in this State.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

Adopted November 1, 1865.

NUMBER XXXII.

JOINT RESOLUTION of Thanks, and to present a Medal to Major General George H. Thomas.

Resolved by the General Assembly of the State of Tennessee, That the thanks of this General Assembly, in their own name, and in the name of the people of the State of Tennessee, be presented to Major General George H. Thomas, and the officers and soldiers under his command, for his wise and spirited and their brave and patriotic conduct in the battle of Nashville, in the defense of the

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hoisted over the Capitol. Also, at his discretion, that he procure a Band of Music, and at suitable times, the national airs be played within or at the Capitol of the State.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted November 2, 1865.

NUMBER XXXV.

SENATE RESOLUTION Enquiring as to the delay of Printing.

Resolved, That the Select Committee on Public Printing, be, and they are hereby requested to inquire into the delay of printing ordered by the Senate, and report the same immediately.

JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted November 2, 1865.

NUMBER XXXVI.

HOUSE RESOLUTION Declaring certain election void.

Resolved by the House of Representatives of the State of Tennessee, That the election for the Floaterial District, composed of the Counties of Meigs, McMinn and Polk, was informal and irregular; and that the same be declared a nullity and void, and that a new election be ordered in said District.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

Adopted November 3, 1865.

NUMBER XXXVII.

JOINT RESOLUTION to put in order and repair the Capitol, etc.

Resolved by the General Assembly of the State of Tennessee, That the Superintendent of the Capitol be, and he is hereby directed to have the furnace of the Capitol put in order, including such repairs as are necessary, under the directions of the Committee of the two Houses on Public Buildings and Public Grounds, which are hereby declared a Joint Committee for that purpose.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted November 3, 1865.

NUMBER XXVIII.

SENATE RESOLUTION Directory to the Comptroller.

Resolved, That the Comptroller of the Treasury, be, and is hereby required to issue his warrant for two hundred dollars, to the Doorkeeper of the Senate, to enable him to furnish the members and officers of the Senate with postage stamps, agreeable to Senate Resolution No. 3, passed by this body. The same to be paid out of the State Treasury.

JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted November 4, 1865.

NUMBER XXXIX.

JOINT RESOLUTIONS Appointing Trusteess for East Tennessee University, and Hampden Sydney Academy, at Knoxville.

Resolved by the General Assembly of the State of Tennessee, That John Baxter, Thomas A. R. Nelson, Robert H. Armstrong, Horace Maynard, Dr. B. Frazier and William Heiskell, be, and they are hereby appointed Trustees for the East Tennessee Universsity, at Knoxville, to supply the vacancy occasioned by the death of Dr. William

Baker, and the removal of Joseph H. Walker, Joseph King, John H. Crozier, Campbell Wallace and Alexander Anderson.

And be it further resolved, That Dr. James Rodgers, James Armstrong and William Heiskell, be, and they are hereby appointed Trustees of Hamden Sydney Academy, in Knoxville, to supply the vacancy occasioned by death and removal.

And be it further resolved, That the Trustees of said University and Academy be required to make their report to the Comptoller, as required in the provisions of the Charter.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted November 7, 1865.

NUMBER XL.

HOUSE RESOLUTION Requiring Bills to be brought up in their regular order.

WHEREAS, The calling up of Bills and Resolutions indiscriminately, causes great confusion and irregularity, thereby greatly retarding the business of this House; AND WHEREAS, a strict adherence to the regular order of business, as laid down in the Rules of this House, will greatly facilitate and expedite the business of the same, therefore,

Resolved by the House of Representatives, That hereafter all Bills and Resolutions shall be placed upon the Calendar, and taken up by the Clerk in their regular order, and no Bill or Resolution shall be called up by any member out of order, unless it shall have been made the special order of the day.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

Adopted November 7, 1865.

NUMBER XLI.

JOINT RESOLUTION Appointing a Committee to examine into the condition of the Sinking Fund.

Resolved by the General Assembly of the State of Tennessee, That a Committee of two be appointed, on the

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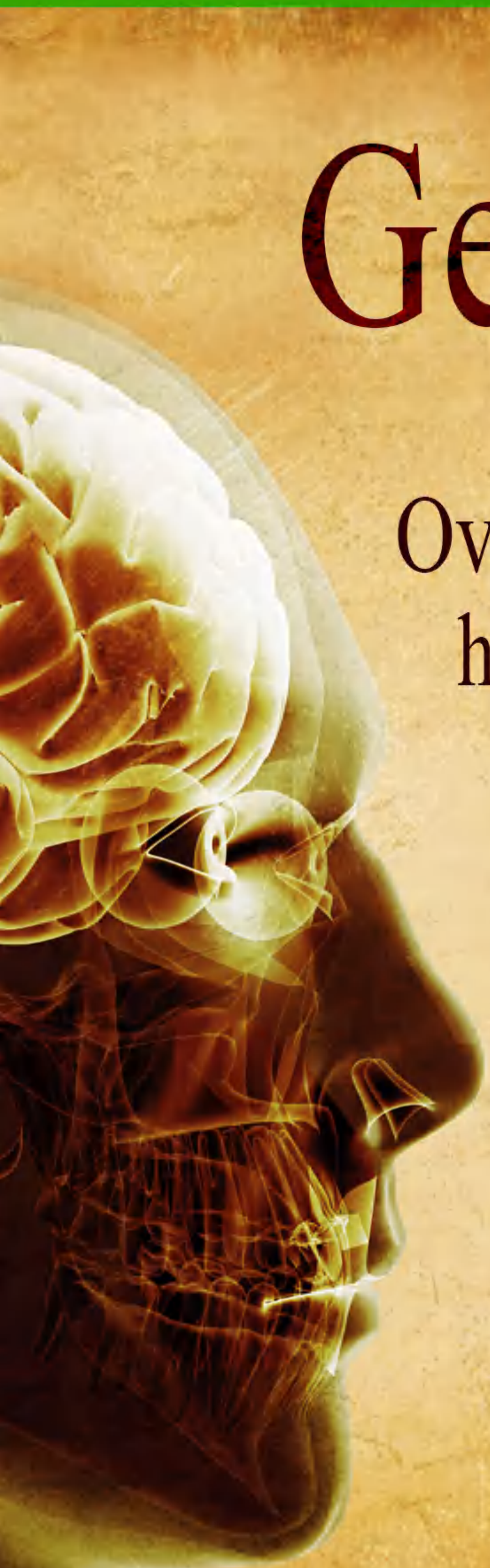

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to report a Bill to this House, regulating the fees of all Claim Agents in this State, and making it a misdemeanor to vary from same.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted November 17, 1865.

NUMBER XLIV.

HOUSE RESOLUTION To have a list of the names, &c., of the members printed.

Resolved by the House of Representatives of the State of Tennessee, That each member of this House furnish the Doorkeeper with his address, age and occupation, and that the said Doorkeeper have three hundred copies of the same printed for the use of the House, one copy to be given to each member, and twenty-five copies to the Doorkeeper of the Senate.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

Adopted November 22, 1865.

NUMBEK XLV.

JOINT RESOLUTION Raising a Committee to take into consideration the Executive Message, No. 5.

Resolved by the General Assembly of the State of Tennessee, That a Committee of six be appointed on the part of the Senate, and the Standing Committee on Tippling and Tippling Houses of the House, on the part of the House of Representatives, who shall constitute a Joint Select Committee to take into consideration Executive Message No. 5, and report by Bill, or otherwise, at the earliest moment practicable.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted November 23, 1865.

NUMBER XLVI.

HOUSE RESOLUTION Appointing a Committee of Consultation on the Elective Franchise.

Resolved by the House of Representatives of the State of Tennessee, That in accordance with the action of the Senate, a Committee of nine of this House be appointed to consult with the Senate Committee on the subject of the Elective Franchise.

WILLIAM HEISKELL
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted November 23, 1865.

NUMBER XLVII.

SENATE RESOLUTION Requesting the Governor to furnish information as to the August Elections.

WHEREAS, This General Assembly feel much interest and anxiety in regard to the election in August last, in this State, for members of Congress, and the more recent elections, to fill vacancies which had occurred in this Body; therefore, be it

Resolved, That His Excellency, the Governor, be requested, at his earliest convenience, to furnish this General Assembly with a synopsis of said elections.

JOSHUA B. FRIERSON,
Speaker of the Senate:

Adopted November 23, 1865.

NUMBER XLVIII.

JOINT RESOLUTION Requesting Congress to make an appropriation to pay for re-building the Asylum for the Blind.

WHEREAS, The buildings and grounds of the Tennessee School for the Blind, at the City of Nashville, Tennessee, were, in February, 1862, taken possession of as an hospital for the use of the National Government; and

WHEREAS, Afterwards it became a military necessity, in defense of the garrison at Nashville, to destroy said buildings, and under the orders of the Chief Engineer of the Army of the Ohio, and the commander of the garrison at Nashville, said buildings were entirely demolished, and the material thereof used for the purposes of the army; and

WHEREAS, Said Institution is in want of means to rebuild its buildings, and is now closed; and said buildings and material were of the value of $25,000, and it will require that sum to rebuild like and suitable buildings;

Resolved by the General Assembly of the State of Tennessee, That the Congress of the United States be, and is hereby respectfully requested to make an appropriation for the re-erection of the buildings; and that the Senators and Representatives of the Congress of the United States, from the State of Tennessee, be, and are hereby requested to lay the subject matter of this resolution before the Congress of the United States, and use all proper means to procure the passage of an act making such an appropriation.

Resolved, further, That the Secretary of State of the State of Tennessee, make a fair copy of this Resolution, and transmit the same to the Senators and Representatives of this State in the Congress of the United States.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted November 24, 1865.

NUMBER XLIX.

JOINT RESOLUTION Expressive of the sense of the General Assembly in relation to certain portions of the Governor's Message.

Resolved by the General Assembly of the State of Tennessee, That no amendments of the Laws can immediately be passed to correct the evils complained of in the Special Message of His Excellency, the Governor; but that the difficulty of executing the laws as they are, by civil machinery, in the present condition of the city, constitutes the great obstacle in the way of the restoration of quiet and order; and that we approve of His Excellency's

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NUMBER LII.

JOINT RESOLUTION To adjourn December 16, 1865, and meet again January 8, 1866.

WHEREAS, It is all important that this General Assembly should be as short as the public interest of the State and the people will allow; and

WHEREAS, It is right and proper that each member should reflect the will of his constituents on all the important questions pending before this body, particularly in regard to relief measures, the negro question, and the franchise law; and the Fall Term of the Courts is now approaching, and the Christmas holidays will soon be upon us; and in order that the members may have an opportunity to mingle with their constituents, and converse on these important questions, therefore,

Resolved by the House of Representatives, (*the Senate concurring*,) That we will adjourn on the 16th day of December next, to meet again on the 8th day of January next, when it is believed we can be better prepared to act on those important questions.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted November 28, 1865.

NUMBER LIII.

JOINT RESOLUTION Directory to the Comptroller in relation to the Free Banks.

Be it resolved by the General Assembly of the State of Tennessee, That the Comptroller be authorized and instructed to take in the notes of the Free Banks, and return the Bonds for the amount so taken in, whenever called on in accordance with the laws now in existence.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted November 28, 1865.

NUMBER LIV.

SENATE RESOLUTION Referring Governor's Special Message, No. 6, to Franchise Committee.

Resolved, That Special Message, (No. 6,) of the Governor, be referred to the Franchise Committee.

JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted November 28, 1865.

NUMBER LV.

HOUSE RESOLUTION Authorizing the Comptroller to pay those who served on Joint Committee.

Resolved by the House of Representatives of the State of Tennessee, That the Comptroller be authorized and directed to issue his warrant to pay those of the Joint Committee, appointed by a Joint Resolution of the General Assembly adopted May 20th, 1865, to examine the condition of the Bank of Tennessee and its branches, who performed special service, their mileage and per deim; and also the clerks and agents employed by them, reasonable compensation; and that the Finance Committee include the same in the General Appropriation Bill.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

Adopted December 1, 1865.

NUMBER LVI.

HOUSE RESOLUTION Making Private Bills special order for Saturdays and Mondays.

Resolved by the House of Representatives of the State of Tennessee, That Local and Private Bills be made the special order for Saturdays and Mondays, and that this be a standing order of the House.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

Adopted December 1, 1865.

NUMBER LVII.

HOUSE RESOLUTION To adjourn for Thanksgiving Day.

WHEREAS, The President of the United States has, by solemn proclamation, set apart the 7th day of December, 1865, as a day of Thanksgiving and solemn devotion to Almighty God; and

WHEREAS, His Excellency, William G. Brownlow, Governor of Tennessee, has, by solemn proclamation, set apart the same day for the same purpose;

Be it resolved by the House of Representatives of the State of Tennessee, That this House adjourn on the 6th inst., to meet again on the 8th inst.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

Adopted December 4, 1865.

NUMBER LVIII.

HOUSE RESOLUTION Instructing the Publishers of the Nashville Papers to mail to the addresses of the members their newspapers.

WHEREAS, The Legislature is about to take a recess for some time; and

WHEREAS, Congress is in session during our recess, discussing and acting upon important and weighty matters; and

WHEREAS, The members of this General Assembly should keep themselves advised on all those subjects; therefore,

Resolved, That the publishers of the respective papers, subscribed for by the members, be, and they are hereby instructed to mail to our respective addresses, the papers of each member during the recess.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

Adopted December 12, 1865.

NUMBER LIX.

HOUSE RESOLUTION Declaring the seat of the member from Jackson County vacant.

WHEREAS, The Constitution of the State of Tennessee, declares that "No person holding any office under the

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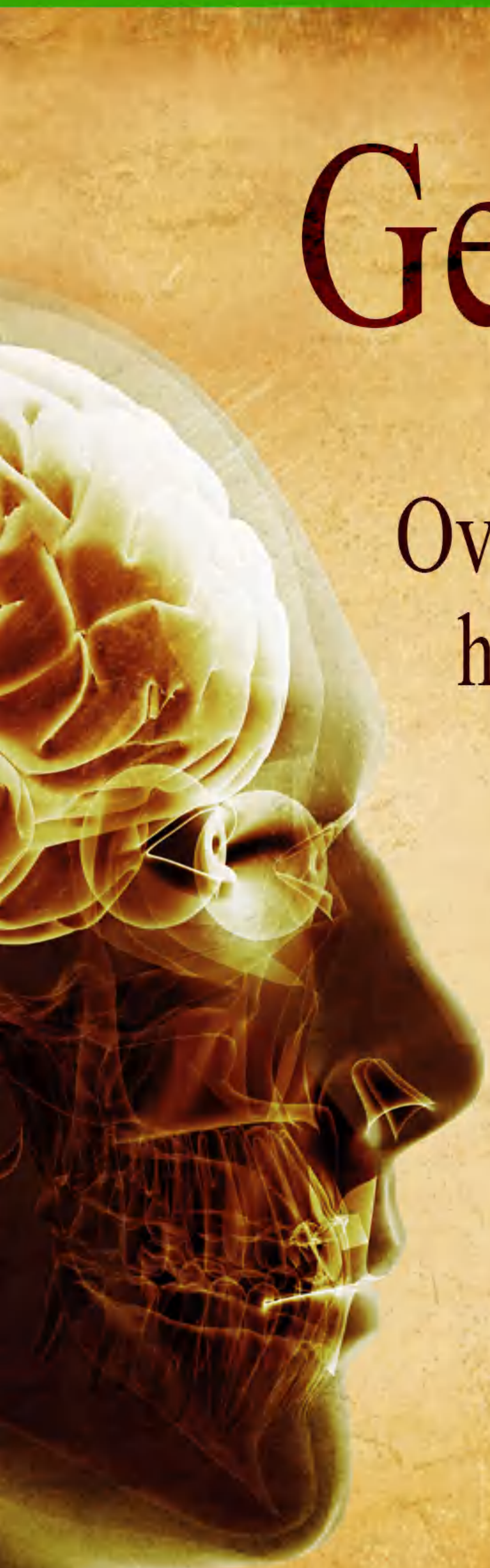

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NUMBER LXI.

HOUSE RESOLUTION Allowing the Clerks and Doorkeepers postage stamps.

Resolved by the House of Representatives of the State of Tennessee, That the House Resolution giving ten dollars to each member for the purchase of postage stamps, be so construed as to include the Clerks and Doorkeepers of the same.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

Adopted December 13, 1865.

NUMBER LXII.

SENATE RESOLUTION Adjourning the same in honor of the victory of the 8th of January.

Resolved, That in honor and commemoration of the great victory of the 8th of January, in defense of American institutions and liberty, the Senate stand adjourned until to-morrow, 10 o'clock, A. M.

JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted January 8, 1866.

NUMBEB LXIII.

JOINT RESOLUTION Requesting Congress to appropriate $30,000 to re-build Strawberry Plains High School.

WHEREAS, A building erected at Strawberry Plains, Jefferson County, Tennessee, was from time to time, occupied by the National troops, and was finally destroyed and the material removed by military order, and as a military necessity; and

WHEREAS, Said building was erected and dedicated to the purposes of education, under the name and style of the Strawberry Plains High School, and never had been used for any other purpose; and

WHEREAS, The President and Trustees of said Straw-

berry Plains High Schools have no means to re-build said buildings; and

WHEREAS, The building and material of which it was composed was worth the sum of thirty thousand dollars, and that it will require that sum to re-build suitable buildings.

Resolved by the General Assembly of the State of Tennessee, That the Congress of the United States be, and is hereby most respectfully requested to make an appropriation for the re-erection of said buildings, and that Senators and Representatives of the Congress of the United States, from the State of Tennessee, be, and are hereby requested to lay the subject matter of this Resolution before the Congress of the United States, and use all proper measures to procure the passage of an act making such appropriation.

Resolved, further, That the Secretary of the State of Tennessee make a fair copy of this Resolution, and transmit the same to the Senators and Representatives of this State in the Congress of the United States.

Be it further resolved, That the provisions of this Resolution shall apply to all schools in the State destroyed under similar circumstances.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted January 12, 1866.

NUMBER LXIV.

JOINT RESOLUTION Appointing a Committee to investigate the condition of the State Armory.

Resolved, That a Committee of two on the part of the Senate, and four on the part of the House, be appointed to investigate the condition of the State Armory, and report to this General Assembly at an early a day as practicable.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted January 12, 1866.

NUMBER LXV.

JOINT RESOLUTION Raising a Committee to consider the statement of the Comptroller.

Resolved, That a Joint Committee of three on behalf of the Senate, and five on the part of the House of Representatives, be appointed to take into consideration the statement of the Comptroller, No. 36, and report thereon.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSCN,
Speaker of the Senate.

Adopted January 12, 1866.

NUMBER LXVI.

JOINT RESOLUTION Raising a Committee to consider all bills in relation to the Bank of Tennessee.

Resolved by the General Assembly of the State of Tennessee, That a Committee of nine on the part of the House, and five on the part of the Senate, be appointed to take into consideration all bills relating to the Bank of Tennessee, with instructions to report by bill or otherwise; and take any evidence necessary.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted January 13, 1866.

NUMBER LXVII.

HOUSE RESOLUTION Requiring the Committee on the Bank of Tennessee to report by the 23d instant.

Resolved by the House of Representatives, That the Committee appointed on the part of the House to inquire into the condition of the Bank of Tennessee, and make report by bill or otherwise on the subject, to make such report on or before the 23d day of this month; otherwise this House proceed to act upon the Bill (No. 235) known as Carter's Bill.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

Adopted January 16, 1866.

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who died at his home in Montgomery County, Tennessee, on Saturday evening, 13th inst., after a short but painful illness, offer the following resolutions, and recommend their passage,

1st. *Resolved*, That we deplore the death of our late associate, while we regard it as a new and solemn warning of the oft repeated maxim, "that in the midst of life we are in death."

2d. *Resolved*, That esteeming Hon. B. R. Peart, as we did in life, because he was an honest man, and true to his convictions of right, in his conduct, we regard his death a loss to the community in which he lived, and to the counsels of the State.

3d. *Resolved*, That we sincerely condole with his afflicted family in their irreparable loss, and the Speaker of the Senate is hereby directed to forward a copy of these resolutions properly certified, to his afflicted family.

D. W. C. SENTER, Chairman.
JOHN W. BOWEN,
THOMAS J. CYPERT

JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted January 18, 1866.

NUMBER LXXI.

JOINT RESOLUTION Raising a Joint Select Committee to take into consideration the Special Message of the Governor.

WHEREAS, It is of vital importance that speedy action shall be had in consideration of the late Message of the Governor of this State; therefore,

Resolved by the General Assembly of the State of Tennessee, That a Joint Select Committee be appointed to take into consideration said Message, and that a Committee of five on the part of the House, and —— on the part of the Senate, and that said Committee report by Bill, or otherwise, at as early a day as practicable, and that said Committee have authority to send for persons and papers.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted January 18, 1866.

NUMBER LXXII.

JOINT PREAMBLE AND RESOLUTION In reference to the death of the Hon. Henry Winter Davis, of Maryland.

WHEREAS, It has ever been a time honored custom of the American people to publ cly express a just appreciation of the character and serivices of those distinguished men of marked career, whose lives have been devoted to our free Government, when the busy hand of death shall have gathered them in the eternal harvest; therefore, be it

Resolved by the General Assembly of the State of Tenneseee, That in the demise of the Hon. Henry Winter Davis, of Maryland, the Nation has lost a statesman, humanity a friend, and liberty a fearless advocate.

Resolved, That the General Assembly of the State of Tennessee recognizes in the late Henry Winter Davis the pure patriot and the upright moral citizen, whose devoted love to the Constitution and Government of his country was founded upon the divine right of liberty.

Resolved, That from the character of his public services, through a brilliant and eventful career, and the triumphant manner in which he ever vindicated the holy cause of Freedom, the name of Henry Winter Davis, of Maryland, is fully entitled to be enrolled upon the scroll of honor with the names of those pure patriots gone before, whose names are revered by every true American as the champions of liberty.

Resolved, That these Resolutions, and Preamble thereto, be spread upon the minutes, and an engrossed copy thereof, duly certified by the Speakers of both Houses, be forwarded by the Secretary of State to the family of the late Hon. Henry Winter Davis.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted January 19, 1866.

NUMBER LXXIII.

JOINT RESOLUTION Requesting Congress to grant to the State of Tennessee her pro rata of the Public Lands.

WHEREAS, It has been the wise policy of the National Government, from its origin, to grant liberal portions of

the public lands, which is the common property of the people of the Nation, for schools, academies, colleges, universities and internal improvements, and in pursuance of that policy has granted to certain States, for such purposes, large portions of said public lands, and

WHEREAS, The State of Tennessee has never received any such grant, and is entitled to a *pro rata* proportion, according to the population; therefore,

Resolved by the General Assembly of the State of Tennessee, That the Congress of the United States be, and is hereby, respectfully requested to grant to the State of Tennessee a *pro rata* proportion of the public lands, to be held in trust for free public schools, academics, colleges universities, and internal improvements.

Resolved, That the Secretary of State, of this State, transmit to the President of the United States a copy of this Resolution, and that the President be, and is hereby, respectfully requested to lay the subject matter of this resolution before Congress, and if it meet with his approval, he recommend it.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted January 19, 1866.

NUMBER LXXXIV.

HOUSE RESOLUTION Prescribing the manner in which Committees shall report to the House.

Resolved by the House of Representatives of the State of Tennessee, That all reports hereafter made by any Committee of this House, be required to make their report on each Bill, or other matter, submitted to said Committee separately, and enclose or attach said report to the Bill or other matter reported upon.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

Adopted January 19, 1866.

NUMBER LXXV.

SENATE RESOLUTION Directory to the Comptroller.

Resolved, That the Comptroller of the State of Tennessee, be, and he is hereby authorized, to issue his war-

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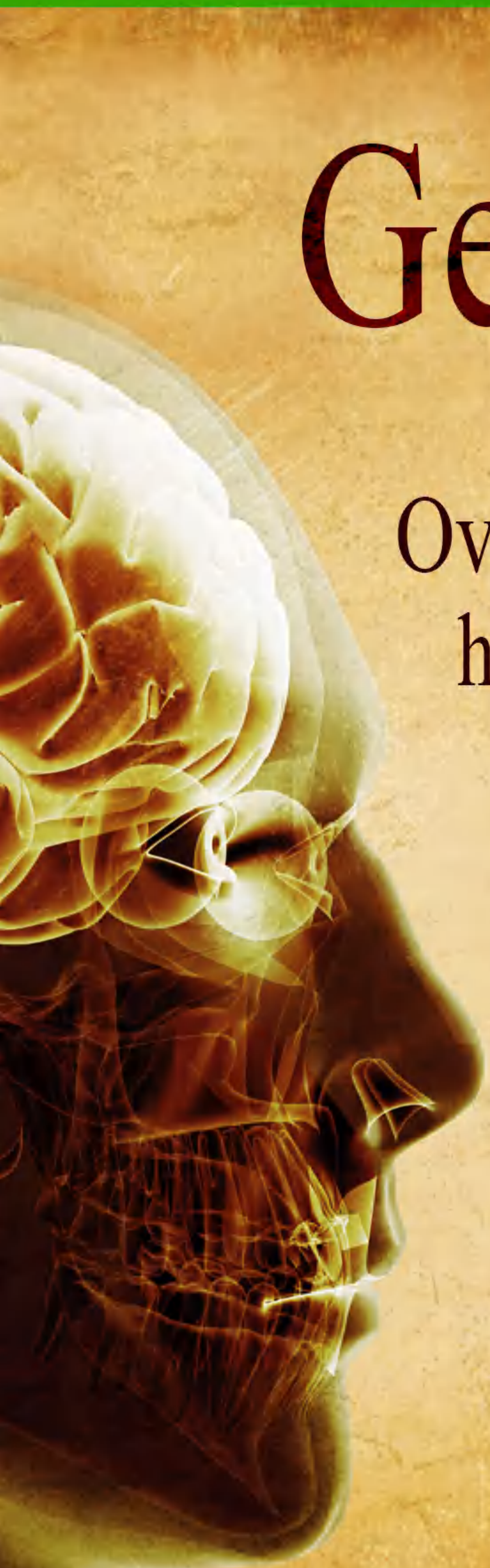

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and requirments of said Section, previous to the passage of an act establishing a new county.

That the Clerk of the Senate make a copy of this Resolution, and deliver the same to the Judges and Attorney General.

JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted January 26, 1866.

NUMBER LXXVIII.

HOUSE RESOLUTION Requesting the Governor to issue a Writ for election of Representative from the County of Jackson.

Resolved by the House of Representatives of the State of Tennessee, That the Governor of this State, be, and hereby is, requested and directed, to issue a writ of election, for a Representative from the County of Jackson, to fill the vacancy occasioned by the passage of House Resolution No. 162, "Declaring vacant the seat of Gen. Gillem."

WILLIAM HEISKELL,
Speaker of the House of Representatives.

Adopted January 29, 1866.

NUMBER LXXIX.

HOUSE RESOLUTION Directory to the Public Printer.

Resolved, That the Public Printer be instructed to deliver to no person, other than the Speaker of this House, such Bills as may be ordered to be printed for the use of this Body; and that the Speaker be requested to have such printed Bills distributed equally to the members of this House.

Resolved further, That should the Public Printer fail to deliver the full number of copies of any Bill so ordered to be printed, the charges for such printing shall not be allowed.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

Adopted January 30, 1866.

NUMBER LXXX.

HOUSE RESOLUTION Requesting the Governor to issue a Writ of Election for Representative from the County of Henry.

Resolved by the House of Representatives of the State of Tennessee, That the Governor of the State, bc, and is hereby requested and directed to issue a writ of election, for a Representative from the County of Henry, to fill the vacancy occasioned by the resignation of Dr. J. H. Travis, of Henry County.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
Adopted January 30, 1866.

NUMBER LXXXI.

RESOLUTION To inquire into the action of the Governor in compromising with Thomas Claigue and others.

WHEREAS, It is a matter of report that R. T. Wilson, did, in the year 1862 or 1863, borrow from the Branch Bank of Tennessee, at Athens, sixty thousand dollars in specie, giving as his security, Thomas H. Calloway, of Bradley County; and

WHEREAS, It is also reported, that said Wilson and David Claigue, Cashier of said Branch Bank, had this sixty thousand dollars in specie, and would pay it over to said Bank, a few months after the assets of the Bank of Tennessee was captured in Georgia, but failed to do so; and,

WHEREAS, His Excellency, William G. Brownlow, Governor of Tennessee, according to report, compromised said debt with Thomas H. Calloway, former security of said Wilson, by taking said Calloway's note for fifty thousand dollars, in United States currency; therefore, be it

Resolved, That a committee of five members of this House be at once appointed, to examine into said reports, and all other matters connected with said transaction, and that they have power to send for persons and papers, and that they report the result of their investigation to this House, at as early a day as practicable.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
Adopted February 6, 1866.

NUMBER LXXXII.

JOINT RESOLUTION In relation to James Mitchell, a Lunatic.

WHEREAS, James Mitchell was convicted and sentenced to hard labor, in the Penitentiary of this State, from the County of Shelby, in this State, about the year 1847, for the term of fifteen years; and

WHEREAS, The said James Mitchell became a lunatic, some time before the expiration of his term of imprisonment; and from the violence of his disease had to be chained; and,

WHEREAS, He is still a lunatic, and has no one to look after him, and still remains in prison, having passed his term of imprisonment some four years; therefore, be it

Resolved by the General Assembly of the State of Tennessee, That the Superintendent of the Penitentiary, place the said Mitchell in charge of the Superintendent of the Lunatic Asylum — waiving the usual form, in such cases made and provided for by law.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted February 9, 1866.

NUMBER LXXXIII.

JOINT RESOLUTION Authorizing the Governor to appoint an agent to take charge of the Books of the Branch of the Bank of Tennessee, at Athens, &c.

Resolved by the House of Representatives, (*the Senate concurring*,) That Governor Brownlow be, and he is hereby authorized to appoint an agent to take charge of the books of the Branch of the Bank of Tennessee, at Athens, and convey them to Athens, for the purpose of aiding A. Blizard, the Attorney for the said Branch, in the prosecution of certain suits in favor of said Branch; and return the same to the proper custodian in Nashville.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted February 16, 1866.

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NUMBER LXXXVII.

SENATE RESOLUTION Appointing a Committee to report as to what action the Senate should take in relation to the want of a quorum in the House.

WHEREAS, The Senate has received a Message from the House of Representatives, giving information that the House is reduced below a quorum, and will adjourn from day to day until a quorum can be had;

Resolved, That a Committee of three Senators be appointed to take said subject matter into consideration, and report what action the Senate should take therein.

JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted March 3, 1866.

NUMBER LXXXVIII

HOUSE RESOLUTION Declaring the seat formerly occupied by Hon. James R. Hood, of Hamilton County, vacant.

WHEREAS, The Hon. James R. Hood, member of the House of Representatives from the County of Hamilton, has, on several occasions, insulted this body, by taking up his hat and cane and leaving the House, in order to reduce its members below a quorum; and when sent for and brought back, by order of this House, persistently refusing to answer his name, in utter disrespect to this body; and

WHEREAS, The 12th section of the second article of the Constitution of the State of Tennessee, authorizes and empowers this House to punish its members for disorderly conduct, and with a concurrence of two-thirds, to expel a member; and

WHEREAS, We find an address sent out to the people of Tennessee, signed by one J. R. Hood, Representative from Hamilton, in which he finds it necessary to withdraw, and appeal to his constituency to sustain his course; and

WHEREAS, The Hon. J. R. Hood did go home and remain there, without having obtained leave from the House, for some five weeks, and refuse to appeal to the people; and did suffer two candidates to run for his seat, made vacant by his own acts, although he said in his protest he would appeal to his constituency; therefore

Resolved by the House of Representatives, That this body

declare the seat of Hon. James R. Hood, member from Hamilton, vacant.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
Adopted April 14, 1866.

NUMBER LXXXIX.

HOUSE RESOLUTION Informing the Governor of the action of the House with reference to James R. Hood.

WHEREAS, This House has declarrd the seat of the Hon. James R. Hood, of Hamilton, vacant, from this date; and

WHEREAS, There could be no legal election so long as the Hon. James R. Hood held his seat in this body; therefore,

Resolved by the House of Representatives of the State of Tennessee, That the Governor be informed of the action of this House, and requested to issue a writ of election to fill the seat so made vacant.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
Adopted April 14, 1866.

NUMBER XC.

SENATE RESOLUTION Returning thanks to W. J. Cochran, Principal Clerk.

Resolved by the Senate of the State of Tennessee, That we return to William J. Cochran, our retiring Principal Clerk, our sincere and heartfelt thanks for his uniform courtesy, ability and energy displayed in the discharge of the onerous duties as Principal Clerk of this body.

JOSHUA B. FRIERSON,
Speaker of the Senate.
Adopted April 17, 1866.

NUMBER XCI.

JOINT RESOLUTION Raising a Committee to take into consideration and report on the Revenue Bill.

Resolved by the General Assembly of the State of Tennessee, That a Joint Committee, consisting of the Committee of Finance and Ways and Means of the Senate, and the Committee of Finance and Ways and Means of the House, be appointed to take into consideration the Revenue Bills, reported by those committees to their respective bodies, and report the result of their deliberations.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted April 17, 1866.

NUMBER XCII.

HOUSE RESOLUTION Granting leave of absence to the Speaker of the House of Representatives, and providing for the election of a Speaker of the House *pro tempore*.

WHEREAS, The Hon. William Heiskell, Speaker of the House of Representatives, has signified his desire to obtain leave of absence for a while, on account of indisposition; therefore, be it

Resolved by the House of Representatives of the State of Tennessee, That the House grant to the Hon. Speaker leave of absence until he recovers from his indisposition; and that the House proceed to elect a Speaker *pro tempore* to occupy the Chair during his absence.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

Adopted April 25, 1866.

NUMBER XCIII.

SENATE RESOLUTION Declaring Cave Johnson disqualified to take his seat.

Resolved by the Senate of the State of Tennessee, That Mr. Cave Johnson, claiming a seat in the Senate of the

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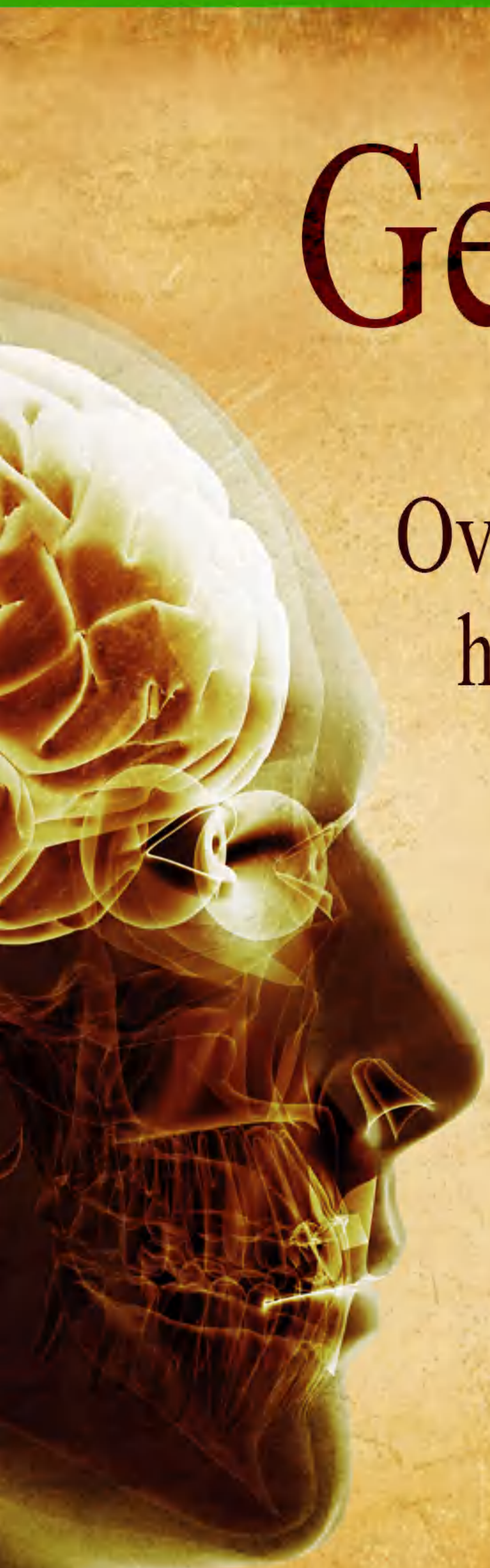

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Be it further resolved, That it shall be the duty of E. H. Gowen, Principal Clerk of the House, to deliver a copy of this preamble and resolution to the respective officers and Senate specified in this resolution, and report the same to this House at his earliest convenience.

JOHN NORMAN,
Speaker pro tem., of the House of Representatives.

Adopted April 28, 1866.

NUMBER XCVI.

HOUSE RESOLUTION Allowing Members postage stamps.

Resolved by the General Assembly of the State of Tennessee, That all new members elect and sworn in, are entitled to ten dollars for postage, the same as allowed to other members of this body. That the Doorkeeper is instructed to procure the same and pay over to said members.

WILLIAM HEISKELL,
Speaker of the House of Representatives.

Adopted April 23, 1866.

NUMBER XCVII.

JOINT RESOLUTION Instructing the Committee on Finance to make report, etc.

Resolved by the General Assembly of the State of Tennessee, That the Committee on Finance of each branch of this General Assembly are instructed to hold a joint meeting for the purpose of making up their accounts, with as little delay as possible.

JOHN NORMAN,
Speaker pro tem., of the House of Representatives.

JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted April 28, 1866.

NUMBER XCVIII.

HOUSE RESOLUTION To prevent the introduction of new Bills after the fifth day of May next.

Resolved by the House of Representatives, That no new Bills be received by this House, after the fifth of May next, for the purpose of enabling this House to come to a speedy termination, unless by consent of the House.

JOHN NORMAN,
Speaker pro tem., of the House of Representatives.

Adopted April 28, 1866.

NUMBER XCIX.

HOUSE RESOLUTION Directing the several Standing Committees to consolidate the Local or Private Bills.

Resolved by the House of Representatives, That the several Standing Committees, be directed to consolidate all the local or private Bills before them, on their different readings, and report the same in this consolidated form to the House, as soon as practicable.

JOHN NORMAN,
Speaker pro tem., of the House of Representatives.

Adopted April 30, 1866.

NUMBER C.

SENATE RESOLUTION Directory to the Comptroller.

Resolved, That the Comptroller of the Treasury, be, and is hereby required to issue his warrant for the sum of two hundred dollars, to the Doorkeeper of the Senate, to be used and expended for the purchase of such postage stamps as may be required for the use of the members and officers of the Senate.

JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted May 10, 1866.

NUMBER CI.

SENATE RESOLUTION Directing the Public Printer to print five thousand copies of the Franchise Law.

Resolved, That the Public Printer, be, and he is hereby authorized, to print for public use, five thousand copies of House Bill, (No. 505,) known as the Franchise Bill, properly authenticated as the law of the land; three thousand copies to be deposited with the Secretary of State for distribution, and two thousand for the use of the Senate.

JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted May 10, 1866.

NUMBER CII.

JOINT PREAMBLE AND RESOLUTION Declaring that death, the extreme penalty of the law, should be inflicted upon the leaders of the rebellion.

WHEREAS, The Constitution of the United States established a National Government, the chief and highest allegiance of all citizens was due that government; the Constitution and laws passed under it, were the supreme law of the land. Rebellion against it was the greatest of crimes; it includes all crimes; and,

WHEREAS, Jefferson Davis and James M. Mason, R. M. T. Hunter, Robert Toombs, Howell Cobb, Judah P. Benjamin, John Slidell, Robert E. Lee and John C. Breckinridge were citizens of that government, in high offices under it, and under oaths to protect and defend it; instigated by pride, lust of power and ambition, they did deliberately conspire together, and with others of less eminence, to overthrow and destroy it; they were the master spirits, and instigators of the late wicked rebellion; through their influence, the Treasury of the nation was plundered; its arms were taken and distributed among their followers; its Post Offices, Mints, Arsenals, Magazines, and Forts were seized and held; its small army was betrayed; its navy dispersed over distant seas; its flag at the head of its vessel, on a mission of mercy, was fired at; its guns were turned on its forts, and blood was sprinkled on the face of the people. Bodies of conspirators, under the names of conventions, were suddenly called together, to give color

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NUMBER CIII.

JOINT RESOLUTION Directing the Comptroller to pay J. H. Donaldson arrearages of Mileage, &c.

Resolved by the House of Representatives, (the Senate concurring,) That the Comptroller issue his warrant to J. H. Donaldson, member of the House of Representatives from Blount County, for fifteen dollars and thirty-six cents, for mileage not allowed at the Spring Session of 1865, of this General Assembly, and that the same be allowed in the General Appropriation Bill.

JOHN NORMAN,
Speaker pro tem., of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted May 14, 1866.

NUMBER CIV.

JOINT RESOLUTION Appointing a time to elect a Register of the Land Office for the Western District.

Resolved by the House of Representatives, (the Senate concurring), That the House will meet the Senate in Convention, in the Hall of the House of Representatives, on Saturday, the 19th inst., at 10 o'clock, A. M., for the purpose of electing a Register of the Land Office for West Tennessee.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted May 18, 1866.

NUMBER CV.

SENATE RESOLUTION Referring the Bill of F. W. Chersterer, for Books furnished State Library, to the Committee on Claims.

Resolved, That the bill of F. W. Chersterer, bookseller, of New York, amounting to the sum of one hundred and

fifty-nine dollars and six cents, for books for the State Library, furnished between May, 1860, and January, 1861, be referred to the Committee on Claims for investigation, and if the same be found just and unpaid, the amount thereof be reported, and put in the General Appropriation Bill, and paid out of any moneys, &c.

JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted May 22, 1866.

NUMBER CVI.

HOUSE RESOLUTION Allowing Buck Lewis, Porter of the House, four dollars per day for his services.

Resolved by the House of Representativees of the State of Tennessee, That Buck Lewis, the Porter to this House, be allowed the sum of four dollars per day for his services in this Body, instead of the sum now allowed, and that the Committee on Finance prov de for the payment of the sum in the Bill pending for the payment of the expenses of this General Assembly.

WILLIAM HEISKELL,
Speaker of the Senate.

Adopted May 24, 1866.

NUMBER CVII.

JOINT RESOLUTION Authorizing the Comptroller to issue his warrant to the Directors of the State Penitentiary for money.

WHEREAS, Information has been communicated to this General Assembly by the Superintendent and Directors of the State Penitentiary; that the said institution is without money, and that the convicts in said prison are now almost, if not entirely, out of provisions; therefore, be it

Resolved by the General Assembly of the State of Tennessee, That the Directors be, and they are hereby, authorized to draw upon the Treasurer for the sum of fifteen thousand dollars, and that the Comptroller issue his

warrant for the same, and the amount so authorized to be paid shall be included in the General Appropriation Bill.

JOHN NORMAN,
Speaker pro tem., of the House of Representatives.
JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted May 4, 1866.

NUMBER CVIII.

SENATE RESOLUTION Directory to the Public Printer.

Resolved, That the Public Printer of and for the State, be, and he is hereby, required to publish the Index to the printed Journal of the Senate as prepared and digested by the Principal Clerk of the Senate.

JOSHUA B. FRIERSON,
Speaker of the Senate.

Adopted May 26, 1866.

NUMBER CIX.

JOINT RESOLUTION To adjourn on the 28th of May, and meet again on the first Monday in November, &c.

Resolved by the General Assembly of the State of Tennessee, That the General Assembly adjourn on the 28th day of May, 1866, and re-assemble on the first Monday in November, 1866, and adjourn *sine die* on the 10th of December, 1866.

WILLIAM HEISKELL,
Speaker of the House of Representatives.
JOSHUA B. FRIERSON.
Speaker of the Senate.

Adopted May 25, 1866.

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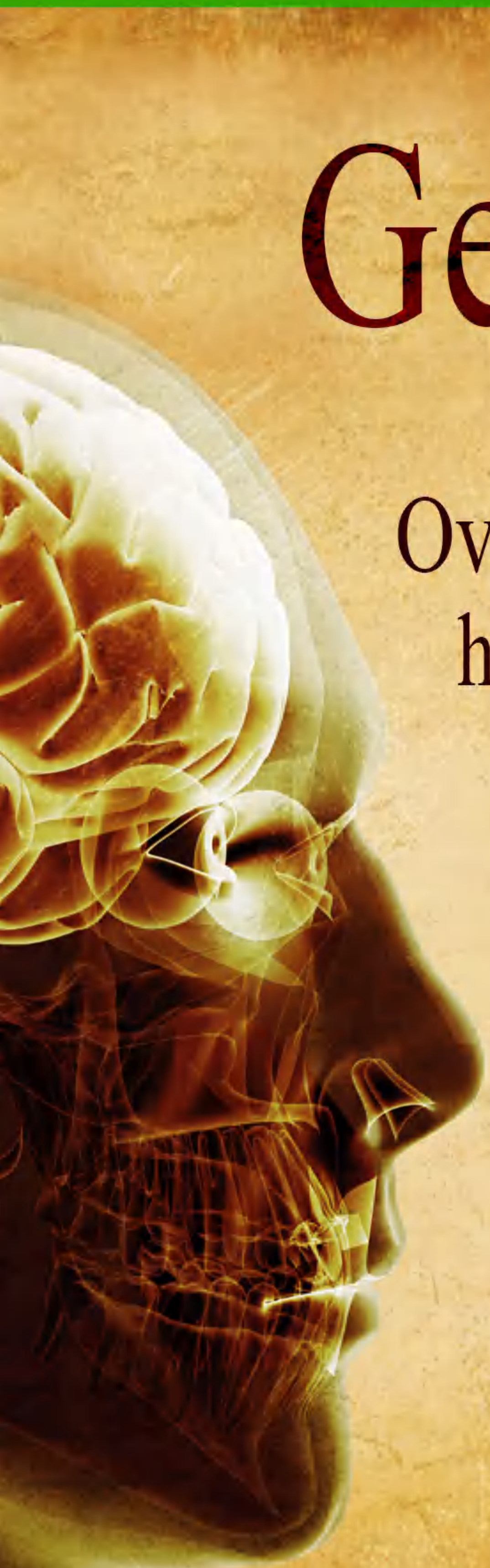

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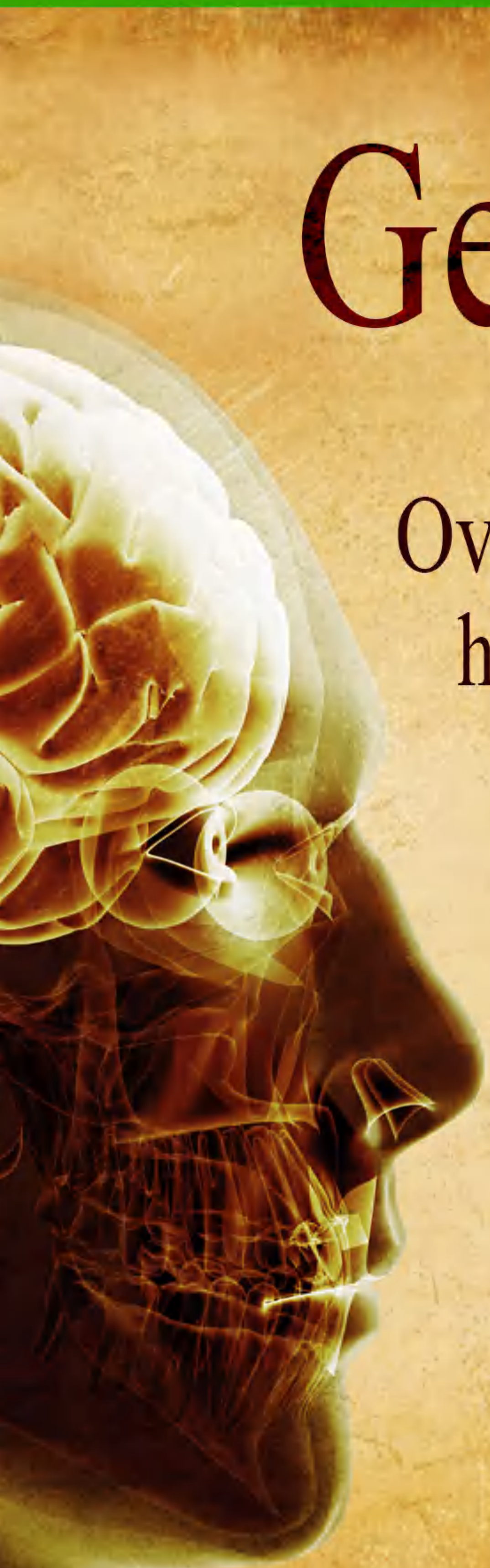

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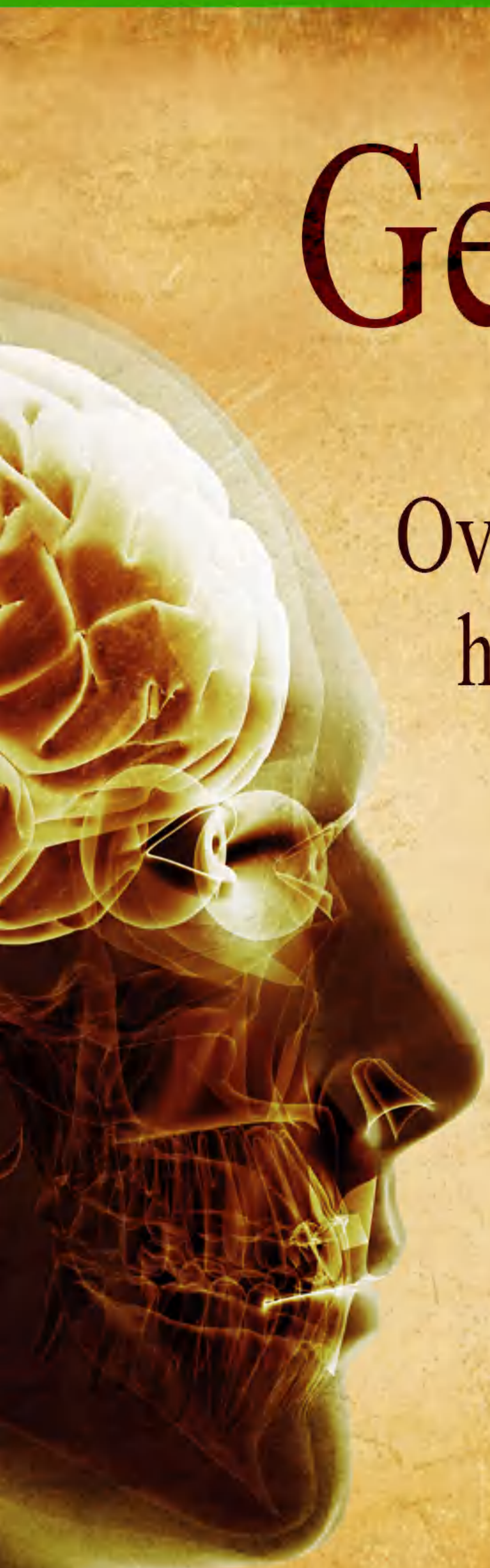

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