PASSED IN THE YEAR 1808—'9.

AN ACT

To alter and amend the tenth section of the third article of the constitution.

WHEREAS the said tenth section is in the words following: “the clerks of the superior and inferior courts shall be appointed in such manner as the legislature may by law direct; shall be commissioned by the governor, and shall continue in office during good behavior” for remedy whereof,

SEC. 1. BE it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and by the authority of the same, That the clerks of the superior and inferior courts shall be elected on the same day as pointed out by law for the election of other county officers.

SEC. 2. And be it further enacted, That as soon as this bill shall be passed by two thirds of both branches of the next legislature, and be approved of by the governor, it shall become a part of the constitution of the State of Georgia.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 16th December, 1808.

JARED IRWIN, Governor.

AN ACT

To amend the third section of an act, entitled an act to establish the town Wrightsborough, in the county of Columbia, and to secure the inhabitants thereof, in their rights to certain lands appropriated to their benefit, and to incorporate the same, passed on the 16th of February, 1799.

SEC. 1. BE it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That it shall be the duty of the commissioners of the town of Wrightsborough, to sell three fifty acre lots which were laid out in the common of said town, in pursuance of the above recited act, in order to be leased for the term of five years; and it appearing that no advantage can arise to the inhabitants by such order, it is hereby

Preamble.

Clerks of the superior and inferior courts when to be elected.

This law to become a part of the constitution.

Certain fifty acre lots belonging to the town common of Wrightsborough to be sold.
enacted, that the commissioners aforesaid, or a majority of them, are hereby vested with full power to sell three of the aforesaid lots, viz. one fifty acre lot on the south end of said common, known in the plan of said town and common by No. one; and two fifty acre lots on the north end of said common, known in the plan by Nos. six and seven, after giving twenty days notice in the Augusta Chronicle of the time and place of making such sale; and they are hereby vested with full power to make good and sufficient fee simple titles to the purchaser or purchasers of said lots, or their legal representatives, and the monies arising from the sale of said lots to be disposed of as directed by the above recited act; any thing contained therein to the contrary notwithstanding. *

**Sec. 2. And be it further enacted,** That it shall and may be lawful for the aforesaid commissioners or their successors in office, to sue, and be sued, plead and be impleaded, to have and to use a common seal for the use of said commissioners in their corporate capacity, and perform any other legal matter or thing which may become necessary to be done in support of the common interest of the inhabitants of said town.

**Sec. 3. And be it further enacted,** That it shall be the duty of said commissioners, or a majority of them, immediately after the passing of this act, to convene and proceed to the appointment of a clerk, and such other officers as they may deem necessary to carry this act into execution.

**Sec. 4. And be it further enacted,** That from and after the passing this act, the said commissioners shall be considered as a body corporate, and they are hereby vested with full power and authority to make such bye-laws and regulations, and inflict or impose such pains, penalties or forfeitures as shall be conducive to the good order and government of the said town of Wrightsborough. *Provided,* that such bye-laws and regulations be not repugnant to the laws and constitution of this state; and that the pains, penalties, and forfeitures aforesaid do not extend to life or member, or any corporal punishment on any free white person whatsoever.

**Sec. 5. And be it further enacted,** That it shall and may be lawful for the commissioners of said town or their successors in office, or a majority of them, yearly and every year, to make, lay and assess a rate or assessment upon all and every person or persons who do or shall inhabit, hold, use, occupy, possess or enjoy any lot, ground, house, building, tenement or hereditament within the limits of the said town of Wrightsborough, for raising such sum or sums of money as the said commissioners may judge necessary for, and towards carrying this act into execution; and in case of refusal or neglect to

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*See act of 1810, No. 491, extending the powers of the commissioners, &c.*
pay such assessment, the same shall be levied and recovered by warrant of distress and sale, of the offenders goods, under the hand and seal of any justice of the peace of the county of Columbia.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 2d December, 1809.

DAVID B. MITCHELL, Governor.

AN ACT

To alter and change the names of certain persons therein mentioned.

Sec. 1. Be it enacted by the Senate and House of Representatives, in General Assembly met, and by the authority of the same, it is hereby enacted, That from and after the passing of this act, John Tapley Patterson, shall be known and called by the name of John Tapley Booth, and Lavina Hicks, Leodinas Hicks, Alfred Hicks, Lodiska Hicks, Camillus Hicks, and Crassus Hicks, shall be called and known by the names of Lavina Few, Leodinas Few, Alfred Few, Lodiska Few, Camillus Few, and Crassus Few.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 2d December, 1809.

DAVID B. MITCHELL, Governor.

AN ACT

To incorporate the commissioners of the Academy of Effingham County.

WHEREAS, it is necessary for the promotion of literature, that academies be established in the several counties in this state, thereby benefiting the youth of the present day, by which means they may become useful and valuable members of society.

Preamble.
(No. 413.)

Sec. 1. BE it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, That from and after the passing of this act, it shall and may be lawful, That Thomas Polhill, sen. John Kogler, Christian Trewlin, William Bird, and George G. Nawland, commissioners of the academy of Effingham county, or their successors in office, shall be and they are hereby declared to be a body corporate, to be known by the style and denomination of the commissioners of the Academy of Effingham county, and they shall have full power and authority under the style and name above mentioned, to sue and be sued, and to recover all such sum or sums of money which now are, or may hereafter become due to said Academy, in any court of law, or, at any tribunal having jurisdiction thereof, and the rights and privileges of the said Academy, at any tribunal whatever to defend and receive, take and apply any bequests or donations as may be made to and for the use and purposes of the aforesaid Academy; and they are hereby vested with all power, advantages or privileges as may be most conducive for the benefit of said institution, for the promotion of Literature.

Sec. 2. And be it further enacted, That the said commissioners shall yearly, and every year, render a just and true account of the funds of the said Seminary to his Excellency the Governor for the time being; and if found guilty of mal-practice, such offending commissioner or commissioners shall be displaced by the Legislature, and others appointed by them for that purpose in their room and stead.

Sec. 3. And be it further enacted, That where a vacancy may happen by death, resignation or otherwise, of any of the aforementioned commissioners, such vacancy to be filled by the Legislature at their next meeting.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 1st December, 1809.

DAVID B. MITCHELL, Governor.

AN ACT

(No. 411.)

To amend an act, entitled "an act to incorporate Augusta, and improve the public roads in the neighborhood thereof.

Sec. 1. BE it enacted by the General Assembly of the State of Georgia, That from and immediately after the passing of this act, the jurisdiction of the city council of Au-
gustada, shall be extended to and over all the lots in said city as heretofore laid off, the village of Springfield and intermediate space, together with the whole of the town common and public buildings within and appertaining to said city.

Sec. 2. And be it further enacted, That the intendant and any four or more members of the said city council shall be sufficient to form a board to proceed on the business of the city: and when the intendant shall be absent at any regular meeting, any five or more of the members of said city council may appoint a chairman, who for the time being shall be vested with all the powers of the intendant; and who together with the other members may proceed upon the ordinary business of said city.

Sec. 3. And be it further enacted, That in case the intendant or any member of the said city council shall be absent from the said city two months at any one time, his seat may be declared vacant, and the other members of said council may proceed to fill such vacancy.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 1st December, 1809.

DAVID B. MITCHELL, Governor.

AN ACT

For the relief of Thomas B. Sample and Aaron Springfield.

Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and by the authority of the same, That the justices of the inferior court of Jackson county, be and they are hereby authorized, if they see fit, to release the above named persons from the payment of the judgment entered against them, as securities for the appearance of one Joseph Johnson, upon the payment of the costs.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 1st December, 1809.

DAVID B. MITCHELL, Governor.
AN ACT

For the better regulation and government of the town of Clinton, in the county of Jones.

Sec. 1. Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, That Reuben Fitzgerald, William Butler, Jacob Earnest, William Allen, and Drury Spain, shall be commissioners of said town, and they and their successors in office, shall have full power and authority to pass all bye-laws and regulations, which may be necessary for the improvement and repairing of the streets of the said town, and the preservation of the public springs; provided, that such bye-laws and regulations shall not be repugnant to the constitution and laws of this state; and that no penalty thereby imposed shall extend to corporal punishment, except to people of color; and provided also, that the said commissioners shall not impose any tax upon the citizens of the said town, which shall exceed one dollar on each poll, within the term of one year.

Sec. 2. And be it further enacted, That the said commissioners shall continue in office, until the first Monday in January, one thousand eight hundred and eleven; and on the first Monday in every year thereafter, on which day, all the free male white citizens of the said town who have given in their taxable property, and who are entitled to vote for members of the General Assembly, shall assemble at the court-house in said town, and by ballot elect other commissioners, who shall continue in office for one year, at which election two justices of the peace for the said county shall preside; provided nevertheless, that the said commissioners shall be re-eligible to the said appointment.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 2d December, 1809.

DAVID B. MITCHELL, Governor.

AN ACT

To establish the site of the public buildings in the county of Laurens, and to appropriate the monies arising from the sale of lots.

Sec. 1. Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and by the authority of the same, That the site of the

* Repealed by act of 1810, No. 541.
public buildings in and for the county of Laurens, shall be in the town called and known by the name of Sumpterville, in said county, on a lot of land purchased by the justices of the Inferior Court, for that purpose.

SEC. 2. And be it further enacted, That the justices of the Inferior Court for the time being; or a majority of them, shall be commissioners of the court-house and jail of said county, with power to superintend the buildings of the same, and all notes, bonds or other liquidated demands that may have been had, or may hereafter grow out of any purchase of land, or donation to said county, shall be, and the same is hereby appropriated to the building of the court-house and jail, and such other purposes as the commissioners aforesaid may find conducive to the interest of said county; any thing to the contrary notwithstanding.

SEC. 3. And be it further enacted, That the commissioners aforesaid shall reserve at least four acres for the seat of public buildings, and other county purposes, and they are hereby authorized to sell and convey by titles in fee simple to the purchaser of all other lands they may find legally vested in the county aforesaid, after giving at least thirty days notice of such intended sale in one or more of the public gazettes, and at three or more public places in the county.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 1st December, 1809.

DAVID B. MITCHELL, Governor.

AN ACT

For the better regulating fences on Harris's Neck, in the county of McIntosh.

WHEREAS a number of the inhabitants of the said neck of land, have represented by petition, the inconveniency of fencing their cultivated fields, from the scarcity of rail timber, and that it would greatly relieve them to fence only their pastures;

SEC. 1. BE it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and by the authority of the same, That from and after the 20th day of March, in the year eighteen hundred and ten, all fences and enclosures

Preliminary

Fences on Harris's neck how to be regulated and made.
in the district of Harris's neck, shall be made around the pasture lands of the several plantations in lieu of the cultivated fields, and that it shall be unlawful for any persons to permit their cattle, horses, goats, sheep or swine to range out of their enclosures on the said neck.

Sec. 2. And be it further enacted, That if any trespass or damage shall be committed in any field, settlement or plantation, in disobedience of the provisions of this act, the owner of such cattle, horses, sheep, goats or swine, shall make good the damages that may accrue; for the recovery of which damages, suits may be commenced in any court having jurisdiction of the same.

BENJAMIN WHITAKER, Speaker of the House of Representatives
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 2d December, 1809.

DAVID B. MITCHELL, Governor.

AN ACT

To give further time to the inferior court of Elbert County, to let the building of the jail thereof.

Be it enacted by the Senate and House of Representatives in General Assembly met, and it is hereby enacted by the authority of the same, That the said inferior court shall have the power of letting the building of said jail, at any time hereafter they or a majority of them may deem most conducive to the interest of said county; provided said letting shall be within two years after the passing of this act.

BENJAMIN WHITAKER, Speaker of the House of Representatives
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 29th November, 1809.

DAVID B. MITCHELL, Governor.
PASSED IN THE YEAR 1809.

AN ACT

To authorize the Judge of the Superior Courts of the Middle District to hold an extra session in the county of Richmond.

WHEREAS there was a failure of the superior court which should have been held in and for Richmond county in October last, occasioned by the clerks not having received his commission anterior to that period; and whereas inconveniences are likely to result therefrom; for remedy whereof,

Sec. 1. BE it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That the Judge of the superior courts for the middle circuit, be, and he is hereby authorized and empowered to hold a court in and for the said county of Richmond, on the fourth Monday in January next: and that all officers of said court, jurors and witnesses be required to attend under the same penalties, and under the like restrictions as if the said court had been held at the period heretofore pointed out by law for the holding said court.

Sec. 2. And be it further enacted by the authority aforesaid, That the jury drawn to serve at the court which should have been held in, and for the said county of Richmond in October last, be considered, held and taken as the jury for the term to be held in pursuance of this act, they being summoned to attend said court at least ten days prior to the sitting thereof.

Sec. 3. And be it further enacted by the authority aforesaid, That all and every person and persons, who were bound by recognizance or otherwise, to attend the court which should have been held in Richmond county in October last, and who shall not have been discharged by due course of law, be, and they are hereby required under the same penalties to attend the court which shall be held in pursuance of this act.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,

Assented to, 18th November, 1809.

DAVID B. MITCHELL, Governor.
AN ACT

To repeal an act, entitled, "An act for inflicting penalties on, and confiscating the estates of such persons as are therein declared guilty of treason, and for other purposes therein mentioned," so far as relates to the banishment of Stephen Corker.

Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, That the act entitled, "An Act for inflicting penalties on, and confiscating the estates of such persons as are therein declared guilty of treason, and for other purposes therein mentioned," passed the fourth day of May, one thousand seven hundred and eighty two, so far as respects the banishment of Stephen Corker, be, and the same is hereby repealed.

BENJAMIN WHITAKER, Speaker of the House of Representatives. HENRY MITCHELL, President of the Senate.

Executive Department, Georgia, Assented to, 2d December, 1809.

DAVID B. MITCHELL, Governor.

AN ACT

To carry into effect the first section of an act, entitled, "An act respecting bastardy and other immoralities," and the more fully to empower the inferior courts of the several counties in this State, to provide for the maintenance of bastard children.

SEC. 1. Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and by the authority of the same, it is hereby enacted, That from and immediately after the passage of this act, it shall be the duty of the inferior courts, in the several counties of this state, when any child or children have, or shall become chargeable to the county where bonds are taken, and to be hereafter taken in conformity to an act passed the sixteenth day of December, seventeen hundred and ninety-eight, as above recited for the maintenance of bastard children, to institute an action on all bonds so taken, and to be hereafter taken in manner aforesaid, and prosecute the same to judgment; and it shall be lawful for them to recover the full amount of said bond or bonds, which judgment or judgments shall remain open, and be subject to be appropriated by the courts aforesaid, from time to time, as the situation and exigencies of the said bastard child or children may require.
AN ACT

To authorize James Smith of Camden county to collect the taxes due in said county for the year 1802, and which remained uncollected by James M. Lindsay, dec.

WHEREAS James Smith, of the county aforesaid, became bound to the State in the sum of four thousand dollars, for the faithful discharge of the duties required of the said James M. Lindsay, appointed tax collector of the county aforesaid, for the year 1802; and whereas the said James M. Lindsay has since died, leaving a considerable amount of tax uncollected;

BE it therefore enacted by the Senate and House of Representatives, in General Assembly met; and it is hereby enacted by the authority of the same, That the said James Smith, be, and he is hereby authorized and empowered to proceed to the collection of the taxes that may be due, within the aforesaid county for the year 1802. And in cases of default, to be governed by the tax laws now in force within the state aforesaid, for the recovery of the same.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.
AN ACT

To authorize the trustees of the Richmond academy to convey a lot to the Baptist society, and to lay off another range of lots in the city of Augusta.

Sec. 1. Be it enacted by the General Assembly of the State of Georgia, That the trustees of the Richmond Academy, be, and they are hereby authorized and required immediately after the expiration of the present leases of the town common of Augusta, to lay off a street on the south side of, and adjoining to the academy, court-house, and Christ church lots, of the width of one hundred and sixty feet, which shall run parallel with Telfair-street, and of the same length, which shall be called and known by the name of Walker-street.

Sec. 2. And be it further enacted, That all the squares or lots of ground between Telfair-street and Walker-street, shall be by the said trustees appropriated to public uses and buildings.

Sec. 3. And be it further enacted, That the said trustees, be, and they are hereby authorized to lay off a lot of ground between Telfair and Walker-streets, not exceeding one half a square, for the purpose of building a Baptist church thereon, and to convey the same to the general committee of Georgia Baptists, or to such persons in trust, for the purpose aforesaid, as they have or may nominate to receive titles as aforesaid.

Sec. 4. And be it further enacted, That the street heretofore laid off on the south side of the common of Augusta by the said trustees, and by them called "Boundary street," be, and the same is hereby confirmed.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 2d December, 1809.

DAVID B. MITCHELL, Governor.

AN ACT

To alter the name of Rebecca Burnett to that of Rebekah Turner, and the name of Bartlett King, to that of Bartlett M'Creary.

Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the
same, That the said Rebecca Burnett shall from and after the passing of this act, be (No. 425.) known and called by the name of Rebekah Turner; and that Bartlett King, shall be known and called by the name of Bartlett M'Creary.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 2d December, 1809.

DAVID B. MITCHELL, Governor.

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AN ACT

To secure to Joshua Grinage, the right to erect a ferry over Little River, at or near his mills in the county of Lincoln, on the road leading from Augusta to Petersburg.

Sec. 1. Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and by the authority of the same, That Joshua Grinage, of the county of Lincoln, his heirs and assigns, shall have the right of establishing a ferry over Little river, at or near his mills in the county of Lincoln, on the main road leading from Augusta to Petersburg, at and after the following rates, that is to say: for every empty waggon and four horses, thirty-seven and a half cents; for every loaded waggon and four horses, thirty-seven and a half cents; for every ox-cart, twenty-five cents; for every four wheel pleasure carriage, fifty cents; for every two wheel pleasure carriage, twenty-five cents; for every man and horse, six and one quarter cents; for every led or drove horse, six and a quarter cents; for every foot passenger, six and a quarter cents; for neat cattle, at and after the rate of three and one eight of a cent per head; and for each head of goats, sheep or hogs, two cents.

Sec. 2. And be it further enacted by the authority aforesaid, That the said Joshua Grinage shall be, and he is hereby compelled at all times to keep in good repair a ferry boat or flat for the purpose of conveying across the said river any waggon, cart, &c. as above mentioned; and the said Joshua Grinage shall be, and he is hereby made answerable and liable for any, and all damages that may be sustained at the said ferry by his inattention or neglect: provided nevertheless, that the road and board across the said river at the place aforesaid, shall be kept open and clear of all obstructions as usual.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 12th December, 1809.

DAVID B. MITCHELL, Governor.
AN ACT

To compile and arrange the laws and resolutions of this State, passed since the political year, 1800.

SEC. 1. Be it enacted by the General Assembly of the State of Georgia, That during the year 1810, the laws of this State, passed since the political year 1800, and the concurred and approved resolutions, except such as relate to elections by the General Assembly, and every tenth, thereafter, shall be compiled, arranged, and printed.

SEC. 2. Be it enacted by the authority aforesaid, That the legislature shall by joint ballot of both branches, appoint some fit and proper person to compile and arrange the laws of this State, in pursuance of this act, and report the same to his excellency the governor, who shall approve or disapprove of the same. And when the work shall be thus performed and approved by his excellency the governor, he shall pay out of the contingent fund, to the person thus performing the work, a sum of money, which he shall deem an adequate compensation for the work.

SEC. 3. And be it further enacted, That if his excellency the governor shall approve of such compilation of the laws of the State, as may be reported in conformity to this act, that then he shall cause to be printed in quarto or octavo bound volumes, two thousand copies of the laws, as shall be reported to and approved of by his excellency, in terms of this act.

SEC. 4. And be it further enacted, That after the said laws are compiled, arranged and printed, his excellency the governor shall cause the same to be distributed in the respective counties of this State, agreeably to the rules laid down by the constitution for the apportioning the representatives in the respective counties; and the proportion which shall be assigned to the different counties shall be transmitted by the governor to the justices of the inferior courts, who shall distribute the same in proportion to the number of civil officers in such county.

SEC. 5. And be it further enacted, That as often as the laws of this State shall be compiled, arranged and printed, in pursuance of this act, his excellency the governor shall reserve five hundred volumes, for such further distribution as the legislature may think proper.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 12th December, 1809.

DAVID P. MITCHELL, Governor.
AN ACT

To repeal an act compelling clerks to keep their offices at or within one mile of their respective court-houses, so far as respects the county of Seriven.

WHEREAS from experience it is found inconvenient for the clerks of the county of Seriven to keep their offices within the limits pointed out by the above recited act,

For remedy whereof, BE it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passing of this act, the clerks of the superior and inferior courts of the county of Seriven, shall not be compelled to keep their offices within less than three miles of said court-house.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 12th December, 1809.

DAVID B. MITCHELL, Governor.

AN ACT

To prohibit Duelling, &c.

BE it enacted by the Senate and House of Representatives in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the first day of March next, any person or persons, who shall give, bear or accept a challenge, knowing it to be so, in writing or otherwise, or having given, borne or accepted a challenge, or shall in any way be concerned therein, or accessory thereto, either as second or principal in the promotion of a duel, and being thereof duly convicted, shall not thereafter be capable of holding any office of honor, trust or profit within this State.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 12th December, 1809.

DAVID B. MITCHELL, Governor.
(No. 450.)

AN ACT

To provide for taking the census of this State, as required by the constitution.

SEC. 1. To be enacted by the Senate and House of Representatives, in General Assembly met, and by the authority of the same, That it shall be the duty of the justices of the inferior court, or any three of them, in each county respectively, within sixty days after the adjournment of this legislature, to appoint one or more persons in each county, that is to say, one person in each battalion that may be in the respective counties, whose duty it shall be to take a full and accurate census or enumeration of all free white persons and people of color residing therein, distinguishing in separate columns, the free white persons from the persons of color, and return the same to the clerks of the superior courts of the several counties, certified under their hands, on or before the first day of October next, the persons so appointed being first severally sworn before the said justices, or either of them, duly and faithfully to perform the trust reposed in them; and it shall be the duty of the said clerks to transmit all such returns under seal to the speaker of the House of Representatives on the first Monday in November next; and it shall be the duty of the legislature at their next session, to apportion the members of the House of Representatives among the several counties agreeable to the plan prescribed by the constitution.

SEC. 2. And be it further enacted, That in case the justices of the inferior courts shall fail to appoint persons to take the enumeration within the period of sixty days after the adjournment of the legislature, that then the justices of the peace, or any three of them, shall have and exercise the powers respecting the said census; and if the census or enumeration of any county shall not be so taken and returned, then and in that case, the General Assembly shall apportion the representation of such county according to the best evidence in their power, relative to their population.

SEC. 3. And be it further enacted, That the persons appointed to take the census or enumeration, shall receive the sum of six and a quarter cents for each family so taken and enumerated.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 12th December, 1809.

DAVID B. MITCHELL, Governor.
AN ACT

To give relief to all ordained ministers of the gospel, so far as respects their serving as jurors, or doing militia duty.

WHEREAS the ordained ministers of the gospel are not by law exempted from serving as jurors, or doing militia duty; for remedy whereof,

Sec. 1. BE it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and by the authority of the same, That from and after the first day of January next, no ordained minister of the gospel shall be compelled to do militia duty within the limits of this State, in time of peace.

Sec. 2. And be it further enacted, That the judges of the superior courts, the justices of the inferior courts, and justices of the peace, are hereby authorized, on application, to excuse them from service on the juries of their different courts, the application to be made in writing or otherwise.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 12th December, 1809.

DAVID B. MITCHELL, Governor.

AN ACT

To alter and amend the eighty third section of the judiciary, passed the 9th of February, 1797, and to amend the judiciary, passed the 16th February, 1799.

WHEREAS the said section compels all constables in the company district, where the court house is in, for holding the superior court, to make their sales at said court house; for remedy whereof,

Sec. 1. BE it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and by the authority of the same, That from and after the first day of January next, all constables' sales in the several company districts in this State, shall be held at the place for holding the justice's court in said district; any law, custom or usage to the contrary notwithstanding.
Sec. 2. And be it further enacted, That the sheriffs of Richmond and Chatham, the constables of the Augusta and Savannah districts, shall be, and they are hereby authorized and required to hold their sales at the market house in the city of Augusta, and the court house in the city of Savannah; any thing contained in this law, or any other, to the contrary notwithstanding.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 12th December, 1809.
DAVID B. MITCHELL, Governor.

(No. 435.)

AN ACT

To levy an extra tax upon the lands of absentees in the county of Glynn, to be applied to the erecting bridges, &c. in said county.

WHEREAS an act was passed on the 5th day of December, 1807, empowering certain commissioners therein named, to open a road across the Big and Little Buffaloes in the aforesaid county, to intersect the road leading from St. Mary's to Fort Barrington, the commissioners find the task too arduous for the force that can be brought upon said road to make the necessary bridges, &c. unless the legislature should pass an act, to lay an extra tax upon the lands of absentees, the major part of the lands in the Buffaloes being owned by persons residing out of the State, who will receive immense benefit from the said road, without contributing any labor towards its completion.

Sec. 1. BE it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is enacted by the authority of the same, That a tax not to exceed one half of the general tax, be laid upon the lands of such persons residing without the State, to be collected by the tax collector, he to be allowed for his services, such per centage as he receives upon the general tax.

Sec. 2. And be it further enacted, That the amount so collected, shall be paid to the treasurer of the board of commissioners for said road, to be by him applied to the erecting of bridges, &c. upon said road.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 12th December, 1809.
DAVID B. MITCHELL, Governor.
AN ACT

Further to extend the powers of the comptroller general, so far as to relieve the heirs and legal representatives of William Pearce, a soldier in the late State troops.

WHEREAS John Pearce, the brother and legal representative of William Pearce, deceased, was possessed in his own right of a certificate for services rendered by the said William Pearce, as a private soldier in captain Robert Flournoy's company, in the said State troops; and whereas the legislature, by a concurred resolution, passed on the 21st of November, 1800, directed the comptroller to issue a duplicate in lieu of said original, which was proved to be lost, on his the said Pearce's indemnifying the State against said original; and whereas the said Pearce has suffered the time to elapse, in which papers of such description were to issue agreeable to a law, passed the 5th day of December, 1799; for remedy whereof,

SEC. 1. BE it enacted by the General Assembly of the State of Georgia, and it is hereby enacted, That the comptroller general is hereby authorized and required to issue to the heirs and legal representatives of William Pearce, a bounty warrant for six hundred and forty acres, on their indemnifying the State against the former certificate, within twelve months from the date.

SEC. 2. And be it further enacted, That the said warrant when issued, shall be received by the treasurer at the treasury office in payment for any debts that are, or may hereafter become due on bonds taken and deposited in said office for fractional surveys in the counties of Baldwin and Wilkinson, at and after the rates of thirty one and a quarter cents per acre; any law to the contrary notwithstanding.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 12th December, 1803.
DAVID B. MITCHELL, Governor.

AN ACT

To alleviate the condition of debtors, and to repeal "An Act to alleviate the condition of debtors, and to afford them temporary relief," passed the 20th day of December, 1808.

SEC. 1. BE it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority
The sale of property may be stopped by the defendant or defendants paying one third of the amount of judgment, debt and costs, and by entering good and sufficient security with the clerk, sheriff, coroner, or justice, as the case may be, for the ultimate payment of the balance of the judgment, interest and costs, at the expiration of the time for which this law was passed.

SEC. 2. And be it further enacted, That this law shall not extend to prevent the recovery of taxes, or affect actions founded on torts and wrongs.

SEC. 3. And be it enacted, That all judgments shall bear interest.

SEC. 4. And be it further enacted, That this law shall continue and be in full force and effect until the 25th of December, 1810.

SEC. 5. And be it further enacted, That no court, officer or officers shall be permitted to enter into any rule, so as to authorize them to receive any other cost than the one third as pointed out by the above recited act, until its final collection.

SEC. 6. And be it further enacted, That in all cases where the debtor will pay one third of the debt due to his, her or their creditor or creditors, and give good security for the payment of the balance, it shall exonerate them from being sued during the continuation of this act.

SEC. 7. And be it further enacted, That where one third has or may be paid prior to the 25th of December, 1809, that then and in that case, the debtor shall not be compelled to pay any other third of the amount of principal and interest recovered on judgments, until the first day of May, 1810, at which time he shall pay one half the sum then due.

SEC. 8. And be it further enacted, That the treasurer shall not be authorized to issue his execution against any purchaser of fractional surveys for more than one third of his, her or their bonds, when such aforesaid debt shall become due, when there has been already one third paid, or may be paid, by the 25th of December, 1809: that then and in that case, the debtor or debtors shall not be compelled to pay any other third until the first day of May, 1810.

SEC. 9. And be it further enacted, That no case, that has been or may hereafter be issued, shall be executed or acted on: provided the defendant or defendants in judgment shall comply with the requisitions of this act, or give up property sufficient to satisfy said debt agreeable to this act.
Sec. 10. And be it further enacted, That if any security taken in virtue of this act, hath good grounds to believe that the defendant for whom he, she or they may be bound, hath removed or absconded, or is about to remove or abscond from the county, and makes oath thereof before any judge, justice of the inferior court, or justice of the peace, such security may proceed against his, her or their principal, as in cases of attachment.

Sec. 11. And be it further enacted, That nothing contained in this act shall operate upon or be construed to effect any contract which shall be entered into after the 25th day of December, 1809.

Sec. 12. And be it further enacted, That the act passed the 20th day of December, 1808, entitled, "an act to alleviate the condition of debtors, and afford them temporary relief," be and the same is hereby repealed.

Sec. 13. And be it further enacted, That this act shall not be construed to exonerate any securities which have been given under the above recited act, or the act entitled "an act to alleviate the condition of debtors and afford them temporary relief," passed the 25th day of May, 1808.

Sec. 14. And be it further enacted, That in all cases where property shall be sold by virtue of an execution, and such property shall sell for one third part of the original judgment, one third part of the cost, and one third part of the interest, the defendant or defendants shall be at liberty to stay any further proceedings thereon, by giving security in conformity to the requisitions of this act, for the remaining two thirds of such judgment, interest and cost; and if the property shall sell for more than will be sufficient to pay the one third, as aforesaid, the overplus shall be returned to the defendant or defendants, on their giving security as aforesaid.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,

Assented to, 25th December, 1809.

DAVID B. MITCHELL, Governor.
AN ACT

More effectually to punish the crime of horse stealing.

Sec. 1. BE it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That from and immediately after the passing of this act, all and every person or persons who may or shall be hereafter convicted of feloniously stealing, leading, taking, or driving away any horse, gelding, mare, colt, filly, ass, or mule, or be accessory thereto, shall on being duly convicted thereof, for the first offence, be sentenced to receive thirty nine lashes on his, her or their back, on three several days, and on the said several days stand in the pillory one hour, and shall at the same time be sentenced to imprisonment, not exceeding one month, nor less than twenty days.

Sec. 2. And be it further enacted, That if any person or persons shall hereafter be a second time convicted of feloniously stealing, taking, or driving away any horse, gelding, filly, colt, ass, or mule, or of being accessory thereto, he, she or they, shall be adjudged guilty of felony, and shall suffer death without benefit of clergy.

Sec. 3. And be it further enacted, That the keeper of the jail where such prisoner or prisoners may be committed under sentence of the court before whom such prisoner or prisoners may be convicted, shall forthwith discharge the prisoner or prisoners, as the case may be, upon their complying with the sentence of said court, and upon paying the cost of his, her, or their prosecution.

Sec. 4. And be it further enacted, That all laws or parts of laws, which may in any wise militate against the provisions of this act, shall be, and the same is hereby repealed.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,

Assented to, 12th December, 1809.

DAVID B. MITCHELL, Governor.
AN ACT

To amend an act, to revive and continue in force, an act for the limitation of actions, and avoiding suits in law, passed 8th December, 1806.

WHEREAS, some doubts exist as to the period at which bonds, notes, and open accounts shall be limited in consequence of the word specialties, and other indefinite expressions being used in the second section of the aforesaid act.

Sec. 1. BE it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and by the authority of the same, That from and after the passing of this act, all actions founded on bonds or instruments under seal, shall be commenced and sued within twenty years after the said bond or other instrument shall become due, and not after, and that all actions founded upon notes, and other acknowledgments under the hand of the party, shall be commenced within six years from the time such note or acknowledgment shall become due, and not after; and that all actions founded upon open account, shall be commenced within four years from the time such account accrued, and not after.

Sec. 2. And be it further enacted, That all acts, and parts of acts that militate against this law, shall be, and the same are hereby repealed.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 13th December, 1809.
DAVID B. MITCHELL, Governor.

AN ACT

To continue in force an act passed on the 22d day of December, 1808, giving further time to the fortunate drawers in the late land lotteries to take out their grants.

BE it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is enacted by the authority of the same, That the time allowed by the above recited act, for taking out grants, be, and the same is hereby extended and continued until the 25th day of December, eighteen hundred and ten.*

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 12th December, 1809.
DAVID B. MITCHELL, Governor.

* Further time given by act of 1810, No. 438.
AN ACT

To authorize the justices of the inferior court of the county of Wayne, with the clerk and sheriff of said county, to draw grand and petit jurors for the next ensuing term of the superior court for said county.*

Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is enacted by the authority of the same, That the justices of the inferior court of Wayne county, with the clerk and sheriff of said county, be, and they are hereby authorized as soon as may be, to break the seal of the jury box of said county, and to draw therefrom in the manner prescribed by law, grand and petit jurors to serve at the next ensuing term of the superior court in said county; and if it shall so happen that there be no superior court held at the next term for said county, that then and in such case, it shall and may be lawful for the said justices of the inferior court, with the clerk and sheriff, to proceed in manner herein before enacted, to draw grand and petit jurors for the term of the superior court then next ensuing; and whenever the justices of the inferior court, with the clerk and sheriff of said county, shall have proceeded to draw jurors in the manner pointed out by this act, that they shall immediately thereafter close and re-seal the jury box, and deliver the key thereof to the proper officer.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 13th December, 1809.

DAVID B. MITCHELL, Governor.

AN ACT†

To make permanent the seat of the public buildings for the county of Pulaski.

Sec. 1. Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and by the authority of the same, That the site of the public buildings in the county of Pulaski, be, and the same is hereby established and made permanent on lot number three hundred and ninety-four, in the twenty-first district, formerly Wilkinson.

* Authorized by act of 1810, No. 524; to draw jurors annually.
† This act amended by act of 1810, No. 511.
Sec. 2. And be it further enacted, That the justices of the inferior court for said county, be, and they are hereby fully authorized and empowered to lay out and sell for the use and benefit of said county, what number of lots they, or a majority of them, may think proper, first giving forty days public notice in one of the public gazettes of this state, and advertizing at three or more of the most public places in the county, upon such terms as the said court, or a majority of them, may think proper.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 13th December, 1809.
DAVID B. MITCHELL, Governor.

AN ACT

To authorize the justices of the inferior courts of Laurens and Pulaski counties to levy an extra tax, which shall not exceed one half of the general tax, for the purpose of defraying the expenses of running the dividing line between said counties of Laurens and Pulaski.

Sec. 1. Be it enacted by the Senate and House of Representatives, in General Assembly met, and by the authority of the same, That the justices of the inferior courts of Laurens and Pulaski, are hereby authorized to levy an extra tax for the purpose of defraying the expense of running the line dividing the counties of Laurens and Pulaski, which tax shall not exceed one third of the general tax, and the tax collectors of said counties are hereby authorized to collect the same, in the same manner that the general tax is collected, and pay the same into the hands of the justices of the inferior courts for the purposes aforesaid.

Sec. 2. And be it further enacted, That the aforesaid justices of the inferior courts of said counties of Laurens and Pulaski, shall be, and they are hereby authorized to pay to John Thomas, out of the said money, what is just (by a majority of the said justices) be deemed and considered a reasonable compensation for his labour and services, in and about the running the said division line between the aforesaid counties of Laurens and Pulaski.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 13th December, 1809.
DAVID B. MITCHELL, Governor.
AN ACT

To limit the jurisdiction of the aldermen of the city of Savannah, so far as relates to the regulation of the market.

WHEREAS the citizens of this State, who take their produce to the market of Savannah, consider themselves imposed upon by being detained in market under an ordinance made by the incorporated body aforesaid, for remedy whereof,

BE it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and by the authority of the same, That from and immediately after the passing of this act, no person or persons attending said market with any commodity for sale, shall be detained in said market, or debarred from selling by the wholesale or retail, after the rising of the sun; any law, ordinance, or usage to the contrary notwithstanding.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 13th December, 1809.
DAVID B. MITCHELL, Governor.

AN ACT

To authorize the justices of the inferior court for the county of Telfair, together with the clerk and sheriff, to draw grand and petit jurors.*

WHEREAS there is no law authorizing jurors to be drawn as aforesaid;

BE it therefore enacted by the Senate and House of Representatives, in General Assembly met, and by the authority of the same, That the justices of the inferior court of the county aforesaid, be, and they, or a majority of them, together with the clerk of the superior court, and sheriff of said county, are hereby authorized, on the first Monday in January next, to break the seal, and draw a grand and petit jury, to serve at the next superior court, to be held in and for said county; and after the jury shall be thus drawn as aforesaid, the justices shall again seal the boxes, and deliver them as well as the keys, to the proper officers.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 13th December, 1809.
DAVID B. MITCHELL, Governor.

* The privilege continued by act of 1810, No. 511.
AN ACT

To authorize the clerks of the superior and inferior courts, clerks of the courts of ordinary, sheriffs, coroners and surveyors, to hold their offices during the intervention between the election and commissioning of their successors, and to regulate the transfer of papers and monies.

WHEREAS considerable evils may result from the suspension of duties incumbent upon the clerks of the superior and inferior courts, clerks of the courts of ordinary, sheriffs, coroners, and county surveyors; for remedy whereof,

SEC. 1. BE it enacted by the Senate and House of Representatives, in General Assembly met, and it is hereby enacted, That the aforesaid officers shall perform all the duties of their respective offices during the time intervening between the election and commissioning of their successors, with all the responsibilities to which they were liable, previous to the said election.

SEC. 2. BE it also enacted by the authority aforesaid, That it shall be the duty of each and every officer aforesaid, to make a schedule of all papers and monies in his hands, or appertaining to his office, and to exhibit the same to the inferior court of his county, thirty days before the election of county officers.

SEC. 3. BE it further enacted, That on the day on which the said successor shall by virtue of his commission enter upon the duties of his office, his said predecessor shall put into his hands a schedule of all the papers and monies, which on the said day shall appertain and belong to the said office.

SEC. 4. And be it further enacted, That the said successor shall not be liable for any papers not contained in said last schedule, but his predecessor shall be liable as aforesaid, in the same manner during the time intervening between the election and commissioning of his said successor, as he was previous to said election.

SEC. 5. And be it further enacted, That it shall be the duty of the officers elected, as aforesaid, to make application to the executive for their respective commissions, within twenty days after their having been elected to either of the said offices.

SEC. 6. And be it further enacted, That it shall be the duty of the clerks of the superior and inferior courts, and the clerks of the courts of ordinary, to keep their records in books well bound.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

HENRY MITCHELL, President of the Senate.

Executive Department, Georgia.

Assented to, 15th December, 1809.

DAVID B. MITCHELL, Governor.
AN ACT

For the renewal of a certain audited certificate, therein mentioned.

WHEREAS it appears to the satisfaction of this legislature, that Henry Josey, in his life time, was possessed of and entitled unto an audited certificate in favor of William Walton, a lieutenant in the eighth company, first regiment of State troops, for a bounty of land containing eight hundred acres, dated the 9th February, 1790, signed by John Clark, L. C. C. Thomas Martin, inspector general, and examined and counter-signed by James Merewether, auditor, P. T. and that on or about the time of the passing of an act, directing the renewal by the comptroller general of the outstanding evidences of debt against this State, the said Henry Josey departed this life, leaving a large family of young children, who were incapable of attending to business of this nature, and that the time limited in said law for the purpose aforesaid, expired, previous to the said orphans having any person to represent them; for remedy whereof,

SEC. 1. Be it enacted by the General Assembly of the State of Georgia, That the comptroller general be, and he is hereby authorized and required to renew the above described bounty warrant, upon application.

SEC. 2. And be it further enacted, That the said certificate or bounty warrant renewed, may be received in payment of the sales of fractional surveys, upon the same terms as those which were renewed prior to the passage of this act.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 13th December, 1809.
DAVID B. MITCHELL, Governor.

AN ACT

To amend the seventh section of an act, entitled, "An Act, to alter and amend the several militia laws of this State, and to organize the cavalry," passed the 17th December, 1808.

BE it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted, That so much of the above section as relates to, or authorizes corporal punishment, be, and the same is hereby repealed.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 12th December, 1809.
DAVID B. MITCHELL, Governor.
AN ACT

To alter and amend an act, entitled, "An Act to regulate and keep in repair the public roads, causeways and bridges, in the counties of Burke, Jefferson, Richmond, Greene, and Morgan," so far as respects the counties of Burke, Jefferson and Richmond.

WHEREAS the law now in force for keeping in repair the public roads, causeways and bridges within the counties of Burke, Jefferson, Richmond, Greene and Morgan, is from experience found to be ineffectual, so far as respects the said counties of Burke, Jefferson and Richmond; for remedy whereof,

SEC. 1. BE it enacted by the Senate and House of Representatives of the State of Georgia, and by the authority of the same, That the justices of the inferior courts for the respective counties of Burke, Jefferson and Richmond, at their first term or session held after the passing of this act, shall proceed to appoint one fit and proper person, to each and every public road leading through each captain's district, or forming the boundary line thereof, as commissioners of the said roads, within the limits of the several and respective districts for which they may be so appointed; and the said commissioners shall be respectively notified of their appointment by the clerk of the inferior court, within thirty days thereafter, under the penalty of ten dollars, for each and every default; and if any commissioner or commissioners of the public roads, appointed under this act, shall not within ten days after being notified of such appointment by the clerk, make his or their resignation in writing, to some one of the justices of the inferior court, such commissioner or commissioners shall be considered as having accepted of such appointment. And the commissioners so appointed, shall meet at the place of holding courts, within the captain's district to which they are respectively appointed, on the last Saturday in the month of March in each year, and then and there proceed to apportion the hands liable by this act to work on the public roads, causeways and bridges, residing within the boundaries of such captain's district, to each of the said public roads, leading through or bounding on such district, in the best and most equitable manner, they the said commissioners can devise, having respect as much as possible, to the convenience of each individual liable to work on the said roads, causeways, and bridges, or owning or having the possession or charge of hands liable to work thereon. And the said commissioners shall also, at the same time, appoint one or more person or persons, as overseer or overseers to each of the public roads within, or bounding on each district as aforesaid, to which they belong, whose duty it shall be to attend and overlook the hands liable to work on the said roads, causeways and bridges, when called out for that purpose; and the said commissioners shall likewise, at the same time and place, appoint one or more fit and proper person or persons, whose duty it shall be, from time to time, when required by the commissioners, or a majority of them, to warn and give notice to all persons liable to work on the public

*This act amended by act of 1810, No. 530.
(No. 447.) roads, causeways and bridges, within such district, or owning or having possession or charge of hands liable to work thereon, to assemble at such time and place, as shall be appointed by the said commissioners, for the purpose of working on, and repairing such part or section of the public roads, causeways, or bridges, as the said hands may be apportioned or allotted to; and the said person or persons, so appointed to warn or notify as aforesaid, shall be furnished with correct lists of the persons and hands liable to work on, and apportioned to the several public roads, within the district for which they are appointed by the commissioners, and of the owners of all slaves or persons having the charge or possession of slaves, liable to work as aforesaid, in order that he or they may be enabled to notify all those concerned, of their respective allotments.

In consideration of which services, together with the duty of warning or notifying the several and respective defaulters and delinquents under this act, when thereunto required by the said commissioners, or a majority of them, of the time and place of meeting, in order to offer their excuse to the said commissioners for such default, they and each of them shall be exempt and excused from any other service or labor, in and about the said public roads; but they, and each of them, shall be subject and liable to be fined for any neglect or refusal to perform the several duties enjoined on them, by this act, in a sum not exceeding five dollars. And the said overseer or overseers of such section of the public roads, for which they are respectively appointed, shall personally attend at the times and places directed by the commissioners for assembling the hands apportioned thereto, and proceed to have their respective allotments of the said roads, put in good and sufficient repair; and in default, he or they so offending, shall be fined by the commissioners or a majority of them, in a sum not exceeding ten dollars, for each and every such default or neglect of duty. And the said overseers shall respectively be furnished by the commissioners with a list of the persons and hands apportioned to the section or part of the public road, for which they are severally appointed. And the said overseers shall make returns on oath to the said commissioners, or to some one of them, within five days after every time of working on, and repairing the said roads, of all defaults or deficiencies which may have taken place, or happened during such time of working on, and repairing the same; and for each and every default or neglect, to make such return as aforesaid, the said overseer or overseers shall be fined in manner aforesaid, in a sum not exceeding five dollars. And the said commissioners shall within twenty days after the time of working on the said several public roads, convene at the place of holding justices' courts in the district to which they belong, and then and there proceed to hear and determine on all such excuses as may be offered by defaulters, and a majority of such commissioners so convened, shall have full power and authority to decide in all cases of default and delinquency, and to issue executions under their hands and seals, directed to some constable for said district, for the amount of all fines by them imposed under this act. And it shall be the duty of such constable, to levy and collect such fines in the same way and manner, as executions issuing from the justices' courts of the district are collected, and he shall be entitled to the same fees; and when collected, he the said con-
stable shall in all cases make due returns of all executions placed in his hands by the commissioners for collection, within the term of thirty days after receiving the same, and shall at the same time pay over to them, or any one or more of them, the whole amount he shall have collected on such execution or executions, under the penalty of twenty dollars for each and every neglect or refusal to make such return, and to pay over as aforesaid.

Sec. 2. And be it further enacted, That every male white inhabitant, free negro, or mulatto, and every male slave above the age of sixteen, and under forty-five years, within the counties aforesaid, shall be and they are hereby declared to be obliged to appear with an axe, grubbing hoe, or weeding hoe, and work on the several roads, causeways and bridges, to which they may be severally allotted or apportioned, by the commissioners appointed under this act, or such male white inhabitants, mulattoes, and free negroes, and the owners, managers, or employers of such male slaves, shall be liable to the fines and penalties in this act, defined and expressed.

Sec. 3. And be it further enacted, That every male white inhabitant, free negro, or mulatto, who after being duly notified or warned, to meet and work on such part or section of any of the public roads, as he or they shall be assigned or apportioned to, under this act, shall neglect or refuse to obey such summons or warning, he or they shall, for each day he shall neglect or refuse to meet and work as aforesaid, be fined in a sum not exceeding one dollar; and for every day the owner, manager or employer of any male slave or slaves, liable to work as aforesaid, neglect or refuse to send such slave or slaves, to perform such labor, agreeable to the notice given for that purpose, he, she or they shall be subject to a fine not exceeding one dollar, for each slave so detained or not sent.

Sec. 4. And be it further enacted, That the commissioners of the public roads, appointed under this act, shall respectively make annual returns in writing upon oath, to the inferior court of the county by whom they were appointed, of all monies received by them on account of fines, penalties or forfeitures imposed or incurred under, and by virtue of this act; and shall likewise, at the time of making such returns, pay over to the said court the amount of all such monies so received by them during the preceding year; and the said commissioners shall be, and they are hereby declared to be authorized to administer all necessary oaths for carrying this act into full effect, so far as respects the duties of their appointment. And in all cases of default or neglect of duty by the commissioners of the public roads, appointed under this act, they, and each of them, upon application to the inferior court of the county wherein they reside, and sufficient proof of such default being made to said court, shall be fined in a sum not exceeding twenty dollars for each, and every such default or neglect of duty.

Sec. 5. And be it further enacted, That all fines, penalties and forfeitures which may be imposed and received under, and by virtue of this act, shall be by the Inferior
(No. 14.) Courts of the said several and respective counties, appropriated towards the building and keeping in repair the public bridges within the same.

SEC. 6. And be it further enacted, That all and every person or persons owning, or having the care, management, or possession of any slave or slaves, liable to work on the public roads, causeways and bridges, shall give an account of the names and number of such slaves so liable, to the commissioners of the said public roads, within the district in which they reside, or to any one of them, when thereunto required, and in case of refusal so to do, or making a false or erroneous return of the number of such hands, he, she, or they, so offending, shall be liable to a fine of five dollars, in each and every case.

SEC. 7. And be it further enacted, That in all cases where a public road is the division line between two districts, the commissioners appointed to such road, in each district adjoining the same, shall confer and settle upon the time and place for assembling the hands apportioned in their respective districts to such road, and shall furnish the overseers of such road with a list of the hands which are to work thereon, and the said overseers shall thereupon direct the warners in each district adjoining such road, to notify the said hands of the time and place of meeting, for the purpose of working as aforesaid; and when met or assembled, the said overseers shall attend to, and have such section of the said road as they are appointed to, put in good and sufficient repair, and shall make due return of all defaults or deficiencies, to the commissioners in each respective district adjoining to, or bounding on such road, particularly noting the district in which such defaulters severally reside.

SEC. 8. And be it further enacted, That whenever a new road or alteration in an old one is ordered by the Inferior Court within the said counties, in terms of the herein before recited act, it shall be the duty of the several commissioners for the respective districts within the county, through which the said new road is ordered by the said court to be opened and cleared, or through which the alteration proposed in an old road may run or extend, to apportion sufficient hands in either case for effecting the object contemplated by the order of the inferior court aforesaid, and appoint overseers in like manner, as is herein before pointed out for the purpose of clearing out and keeping in repair the said new road, or that part of an old one so altered.

SEC. 9. And be it further enacted, That nothing in this act shall extend or be construed to effect the jurisdiction of the city council of Augusta, over so much of the public roads in the county of Richmond, as they are entitled by law.

SEC. 10. And be it further enacted, That all former acts respecting the regulating and keeping in repair the public roads, causeways and bridges, within the counties of
Burke, Jefferson and Richmond, and all parts of such acts, militating against this act, (No. 447.) be, and the same are hereby repealed.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 13th December, 1809.

DAVID B. MITCHELL, Governor.

AN ACT (No. 448.)

To keep open the main channel of Broad river, from the confluence of the same with Savannah river, to the mouth of Hudson's river, in Franklin county.*

SEC. 1. Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, That it shall not be lawful for any person or persons to obstruct, or cause to be obstructed, more than two thirds of Broad river by dams, fish traps, or other obstructions, or continue any obstructions now in said river, from the confluence of the same with Savannah river, to the mouth of Hudson's river in Franklin county, and one third part of Broad river, including the main current from the confluence of the same with the Savannah river, up to the mouth of Hudson's river in Franklin county, is hereby declared to be a free passage for boats, rafts, or fish, and shall be kept clear of all and every obstruction whatever.

SEC. 2. And be it further enacted by the authority aforesaid, That all that part of Broad river, commonly called the Middle river, running between Coleman and Anthony's mills, shall before and after its junction with either of the rivers on which the said mills are erected, be and is hereby declared to be a free passage for fish, boats or rafts, and to be kept clear of all obstructions by dams or fish traps, or otherwise, to the final junction of all its parts with the main river aforesaid.

SEC. 3. And be it further enacted by the authority aforesaid, That any person or persons who shall offend against the provisions contained in this act, he, she or they shall be subject to the penalty of fifty dollars for each day such obstruction now in the meaning of this act, shall remain unremoved, to be prosecuted and recovered in the superior

* See act of 1810, No. 546, incorporating a company to improve the navigation of this river.
(No. 448.) court in any county which may have cognizance of the same, to be recovered by bill of indictment preferred by the solicitor general to the grand jury of said county, having cognizance of the same; and such trial had thereon, as heretofore practised in the superior courts of this State, in State cases and prosecutions against any person or persons who offend against, or violate any law or laws enacted for the preservation and interest of the citizens of this State, and upon conviction, the informer shall be entitled to one half of the penalty incurred by a violation of the provisions contained in this act, and the other half or moiety shall go to the county, and become a part of the funds of said county where such offence shall happen.

Sec. 4. And be it further enacted by the authority aforesaid, That Peter Stovall, Marshall Martin, and Shaler Hilyer, are hereby appointed commissioners in the county of Wilkes, and that Thomas M. Gilmore, Charles L. Matthews, Nicholas M. Marks, are hereby appointed commissioners in the county of Oglethorpe, and that Patrick Jack, Charles Sorrel, James Ware, jun. Elisha Johnson, Clabourn Webb, Thomas Barnett, and Elisha Brewer, are hereby appointed commissioners in the county of Elbert, which commissioners or a majority of them, shall have competent powers in their respective counties, to survey and view any obstructions in Broad river, from the confluence of the same with the Savannah river, up to the mouth of Hudson's river in Franklin county, which may be considered in violation of the provisions contained in this act, and on their giving five days notice to the person or persons, their agent or attorney, who shall obstruct the said river, or continue any obstructions now in said river, in violation of this act, then and in that case, they shall have competent power to remove or cause to be removed such obstructions, by calling to their aid, if necessary, any number of their citizens in their respective counties; provided nevertheless, that no penalty imposed by this act, shall take place prior to the 25th day of February next; any law to the contrary notwithstanding.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,

Assented to, 13th December, 1809.

DAVID B. MITCHELL, Governor.
AN ACT
For the relief of David Maddon.

WHEREAS David Maddon, by his petition to this legislature, has prayed the renewal of a bounty warrant in his own name, for seven hundred acres of land.

BE it therefore enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, That it shall be lawful for, and the comptroller general is hereby required to take in the outstanding evidence of the claim of the said David Maddon, and issue a new one in lieu thereof: Provided, that he shall find the voucher or vouchers to be genuine; any thing in any law to the contrary notwithstanding.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1809.

DAVID B. MITCHELL, Governor.

AN ACT
To amend an act, entitled "An Act to authorize the justices of the inferior courts of this State to discharge insolvent debtors, confined by process from any court of this State whatsoever."

WHEREAS the mode pointed out by the said act for the relief of insolvent debtors is so speedy, and the process so summary as to work great injury in many cases to creditors of such debtors; for remedy whereof,

SEC. 1. BE it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is enacted by the authority of the same, That from and after the passing of this act, it shall and may be lawful for the judges of the superior or justices of the inferior courts, and they are hereby required, on the petition of any person or persons confined for debt, whether charged in execution or otherwise, and whether the process by virtue of which such person or persons is, or are confined, be issued from the superior court, or other court of inferior jurisdiction, setting forth,
that he, she, or they are so confined, and are unable to satisfy the debt or demand for which he, she, or they are so confined, or to give bail for his, her, or their appearance, to answer to the action under which he, she, or they is, or are confined, but are willing to deliver up the whole of his, her, or their estate and effects for the benefit of his, her, or their creditors, by rule or order of court to cause such debtor to be brought up, and being brought up, the said judge or justices shall proceed with such debtor in the manner directed by an act, entitled, "An act to carry into effect the 7th section of the 4th article of the constitution." Provided, that the notice required by the said act to be given to the creditors of such debtor, if the same be by notice served upon the said creditors or their attorneys, shall be given at least thirty days previously to the time appointed for bringing up such debtor. And provided also, that if upon bringing up such debtor, any one or more of the creditors shall suggest to the said judge or justice, that the said debtor is not fairly insolvent, or that he has been guilty of any fraudulent practices, that then, and in that case, it shall be the duty of the said judge or justices forthwith to cause an issue to be made up between the said creditor or creditors, and the said debtor, fraud or not fraud.

**SEC. 2. And be it further enacted,** That upon such issue being made up, the said judge or justices shall cause to be drawn and summoned in the manner pointed out by law, a jury of twelve persons to attend at the court house at a particular day to be specified for that purpose, to try the said issue; and if the jury shall find that there has been fraud on the part of such debtor, then he or she shall be remanded to prison; and if they shall find that there has been no fraud, then the said debtor shall be forthwith discharged in the manner pointed out by the said act, entitled an act, to carry into effect the 7th section of the 4th article of the constitution.

**SEC. 3. And be it further enacted,** That the sheriff shall be allowed for summoning each jury, the sum of five dollars, to be paid by the creditors, who shall require such issue to be made up.

**SEC. 4. And be it further enacted,** That all laws or parts of laws heretofore passed, which may militate against the provisions of this act, be, and the same are hereby repealed.

**BENJAMIN WHITAKER, Speaker of the House of Representatives.**

**HENRY MITCHELL, President of the Senate.**

Executive Department, Georgia,
Assented to, 13th December, 1809.

**DAVID B. MITCHELL, Governor.**
AN ACT

To repeal an act, entitled, an act to compensate the justices of the inferior courts, passed on the eighth day of December, one thousand eight hundred and six.

Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is enacted by the authority of the same, That the above recited act be, and the same is hereby repealed.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 13th December, 1809.

DAVID B. MITCHELL, Governor.

AN ACT

(No. 452.)

To regulate the town of Eatonton in the county of Putnam.

Sec. 1. Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That Barnes Holloway, Lewis Kennon, John C. Mason, Henry Brown, and William Wilkins, Esquires, be, and they are hereby appointed commissioners of the said town of Eatonton, and they, and their successors in office, shall have full power and authority to make and ordain all such bye laws and regulations which they may deem necessary and proper for the government of, for the improvement, and repairing of the streets in said town, and the preservation of the public spring; Provided, that such bye laws and regulations shall not be repugnant to the laws and constitution of this State, and that no penalty thereby imposed, shall extend to life or limb, or corporal punishment on any white person.—And provided also, that the said commissioners shall not impose any poll tax upon the citizens of said town, which shall exceed one dollar on each poll within the term of one year.

Sec. 2. And be it further enacted, That the said commissioners shall continue in office until the first Monday in January in the year 1811, at which time, and on the first Monday in January in every year thereafter, all the free male white citizens of said
town, who have given in their taxable property, and are entitled to vote for members of the General Assembly, shall convene at the court house in said town, and proceed to elect by ballot, five commissioners, who shall continue in office for the term of one year, at which election any two justices of the inferior court, or justices of the peace of said county, (who are not candidates) shall preside.

Sec. 3. And be it further enacted, That nothing herein contained shall extend, or be construed to extend to prevent the re-election of any commissioners who may be elected in pursuance of this act.

Benjamin Whitaker, Speaker of the House of Representatives.
Henry Mitchell, President of the Senate.

Executive Department, Georgia,
Assented to, 12th December, 1809.

David B. Mitchell, Governor.

(No. 453.)

An Act

For the relief of certain wharf holders, in the city of Savannah.

Whereas it has been found that the removal of wharf heads in the city of Savannah, so as to make them all conform to an established line, would not only be a work of time, great labor and expense, but would very materially injure the navigation of Savannah river.

Sec. 1. Be it therefore enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That the acts heretofore passed on this subject, for the relief of the wharf owners in the city of Savannah, together with all fines and penalties accruing thereby, not already collected, be, and the same are hereby repealed.

Sec. 2. And be it further enacted, That a new line shall be drawn from the upper corner of lot No. 5, to the upper corner of lot No. 1, and from the lower corner of lot No. 6, to the upper corner of the lot now owned by Edwin Bolton, being a ship yard; which lines are hereby established as the true lines; beyond which there shall be no encroachment, under a penalty of two thousand dollars for every foot so encroached on, to be recovered at the instance of the commissioners of pilotage, in any court having
competent jurisdiction, to be applied by them to the improvement of the navigation of the river Savannah; and they are hereby empowered to remove the same at the expense of the owner or owners of the lot so enroaching.

And whereas the former proprietor or proprietors of the lots Nos. 5, and 6, in the construction of the wharves greatly enroached on the then line of low water mark, in manifest breach of existing laws and regulations, whereby they incurred penalties under laws passed in 1801 and 1802, and the present proprietors purchased those lots with a knowledge of the incumbrances.

Sec. 3. Be it enacted, That they shall be, and they are hereby required to remove the said encroachments within the term of six months from the date hereof, under a penalty of one thousand dollars, which sum, the commissioners of pilotage, are hereby directed to apply to the improvement of the navigation of Savannah river, on the payment of which sum, the projection of said wharf heads may continue.

Sec. 4. Be it further enacted, That other encroachments upon the line designated by commissioners, who were appointed under a law of 1802, shall render the proprietors of the same liable to penalties, proportionate to the said encroachments, having reference to the penalties exacted of the above mentioned proprietors of Nos. 5 and 6.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 12th December, 1809.

DAVID B. MITCHELL, Governor.

AN ACT

To make permanent the site of public buildings in Morgan county, at the town of Madison, and to incorporate the same.

Sec. 1. Be it enacted by the Senate and House of Representatives, in General Assembly met, That Madison, in the county of Morgan, shall be the permanent seat of the public buildings in said county.

Sec. 2. And be it further enacted by the authority aforesaid, That James Mathews, William Mitchell, James Mitchell, Abner Fauner, and John B. Whadley, and their W 3
successors in office, shall be commissioners of the town of Madison, and shall have full
power and authority to pass all bye laws and regulations which may be necessary for the
improvement of the streets of said town, and the preservation of the public springs;
provided, that such bye laws and regulations shall not be repugnant to the constitution
and laws of this State; and that no penalty thereby imposed shall extend to life, limb or
corporal punishment on white persons; and provided also, that the said commissioners
shall not impose any poll tax upon the citizens of said town, which shall exceed one
dollar, within the term of one year.

SEC. 3. And be it further enacted, That the said commissioners shall continue in
office until the first Monday in March, 1810, on which day, and on the first Monday in
March in every year thereafter, all the free male white citizens of the said town who
shall have given in their taxable property, and who shall be entitled to vote for members
of the General Assembly, shall assemble at the court house in said town, and by ballot
elect five other commissioners, who shall continue in office for one year, at which elec-
tion, any two justices of the inferior court, or justices of the peace of said county shall
preside. Provided nevertheless, that the said commissioners shall be re-eligible to the
said appointment.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 12th December, 1809.

DAVID B. MITCHELL, Governor.

(No. 455.)

AN ACT

To amend an act, entitled an act, to compel clerks of the superior and inferior courts to
keep their offices within one mile of their respective court houses, so far as respects the
counties of Pulaski and Telfair.

Be it enacted by the Senate and House of Representatives of the State of Georgia,
in General Assembly met, That from and after the passing of this act, that the above
recited law, so far as the counties of Pulaski and Telfair, be, and the same are hereby
repealed.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 13th December, 1809.

DAVID B. MITCHELL, Governor.
AN ACT

To authorize the justices of the inferior court of Baldwin county, to levy an extra tax for county purposes, for building a court house in said county, and for paying for a bridge, built across Little river, at Mullin’s ford.

BE it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and by the authority of the same, That the justices of the inferior court of the county of Baldwin, are hereby authorized to levy an extra tax, which shall not exceed one half of the general tax, and the tax collector of said county is hereby authorized to collect the same, at the same time, and in the same manner, that the general tax is collected, and pay the same into the hands of the inferior court for the purposes aforesaid.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 18th December, 1809.

DAVID B. MITCHELL, Governor.

AN ACT

To amend the tax acts now in force in this State.

SEC. 1. BE it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, That persons residing without the limits of this State, and holding lands in any county thereof, shall by themselves, agents or attorneys, return the same in the county in which the land lies.

SEC. 2. And be it further enacted, That all acts militating against this act, be, and the same are hereby repealed.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 18th December, 1809.

DAVID B. MITCHELL, Governor.
AN ACT

To encourage the Female Asylum of Savannah.*

WHEREAS a numerous and respectable number of females have associated in the City of Savannah for several years past, commonly called and known by the name of the Female Asylum Society, whose matronly and benevolent intent it has been, to educate, clothe and support poor and destitute female orphan children, which intention they have fulfilled in a manner worthy admiration and general imitation: and whereas it has been represented, that they have established a mode for raising a sum annually, which they intend to devote to a continuation of the same praise worthy and charitable purpose; and in order that they may be able to receive and hold all donations given by charitable persons with the same intentions.

Sec. 1. IT is therefore enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, That Ann Clay, Ann Houston, Esther Johnston, Frances Stebbins, Eliza Wood, Abba Minis, and Catherine Burke, (widow) and their successors in office, be, and they are hereby declared to be trustees and directresses of the Savannah Female Asylum, to be known by the name and style of the "Savannah Female Asylum."

Sec. 2. And be it further enacted, That the directresses and trustees, and their successors in office, shall be, and they are hereby made capable of holding and being invested with property, real and personal, monies now due, or which may hereafter become due to the said Female Asylum, and all donations, legacies, bequests, gifts, grants, privileges and immunities whatever, which belong to the said Female Asylum at the time of passing this act, or which may hereafter be given, granted, devised, conveyed, or transferred to them or their successors in office; and the said directresses and trustees shall be, and they are hereby declared to be capable, either by an agent appointed by them, or by the name and style aforesaid, of suing and being sued, impleading and being impleaded in any court of law or equity, and of using all lawful and necessary ways and means for recovering the property of said society, and the rents, issues, and profits thereof, and they are hereby invested with all the powers and advantages incident to a society established for a purpose so humane and laudable.

Sec. 3. And be it further enacted, That the above named trustees and directresses, shall continue in office until the second Saturday in December, in the year 1810, and that on the said day, and on the same day in each succeeding year, the members of, and subscribers to the Female Asylum, shall convene at some suitable place, according to notification, given in due time previous, when they shall elect by a majority of votes of the members present, nine trustees, who shall elect from among themselves, two

* This society incorporated by act of 1810; No. 520.
directresses, a secretary and treasurer, which trustees, directresses, and treasurer, shall always be unmarried women; and no married women shall be eligible to either of the three last mentioned offices; and if after any single woman has been elected to fill any of the above offices, she does intermarry and become a feme covert, she shall thereby forfeit and vacate her office, and a successor shall be elected by the subscribers, or a majority of them, and the directresses, trustees, secretary and treasurer, or a majority of them shall constitute a board, and be competent to carry into effect the purposes intended by this act.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 13th December, 1809.

DAVID B. MITCHELL, Governor.

AN ACT

For the relief of David Limeberger.

WHEREAS David Limeberger, of the county of Effingham, a citizen of this State, has represented to this legislature, that by an unfortunate dispensation of Providence, in the service of his country, he is deprived of one of the most useful and valuable members of his body, by which means he is not able to perform his usual occupation, which has precluded himself and family from their only means of support.

SEC. 1. Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, That from and after the passing of this act, the aforesaid David Limeberger, is hereby authorized and privileged to sell and retail spirituous liquors, (in the county in which he may reside) free of license or charge, any law to the contrary notwithstanding: provided, the said David Limeberger, shall take and subscribe the oath prescribed to be taken by licensed retailers, and be subject to the same fines and forfeitures, as those who may offend or incur the penalties of an act passed at Milledgeville on the 22d day of December last, for the better regulation of tavern and shop keepers, &c.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 13th December, 1809.

DAVID B. MITCHELL, Governor.
AN ACT

To vest the estate, both real and personal, of Lewis Johnston, deceased, (a person named in the act of confiscation, and banishment) which remains unsold, in Eliza Irvine, Rachel Johnston, and Sarah Drysdale, children of the said Lewis Johnston.

WHEREAS Eliza Irvine, Rachel Johnston, and Sarah Drysdale, children of Lewis Johnston, deceased, a person named in the act of confiscation and banishment, have applied to this legislature by petition, praying that the property of the said Lewis Johnston, which remains unsold, may be relinquished by the State, and vested in them the said Eliza Irvine, Rachel Johnston and Sarah Drysdale. And whereas it would be incompatible with the justice and magnanimity of the State of Georgia, to permit the innocent offspring to suffer for the crimes of their father,

BE it therefore enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That all the property both real and personal, which remains unsold by the commissioners of confiscated estates, and which of right may appertain or belong to the estate of the said Lewis Johnston, deceased, be, and the same is hereby declared to be relinquished and given up on the part of this State, and vested in the said Eliza Irvine, Rachel Johnston, and Sarah Drysdale, always subjecting such estates so relinquished and given up, to the payment of all debts and dues which may be due and owing from the same; any thing in any law to the contrary notwithstanding.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 13th December, 1809.

DAVID B. MITCHELL, Governor.

AN ACT

Supplementary to the judiciary system of this State.

WHEREAS a practice has prevailed with the attorneys and solicitors general of this State, to prefer bills of indictment against a number of the good citizens of this State, without the name of the prosecutor or informer being signed to said bill or information; for remedy whereof,
BE it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and by the authority of the same, That from and after the passing of this act, it shall not be lawful for any attorney or solicitor general to prefer a bill of indictment, on presentment or otherwise, against any person or persons without the name of said prosecutor or informer being signed to said bill; and that it shall not be lawful for any attorney or solicitor general to demand or receive his or their fees in any criminal case until after its final trial.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1809.

DAVID B. MITCHELL, Governor.

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AN ACT

To authorize Charles R. Carter to erect a toll bridge across Little river, at the mills of the said Carter, in Wilkes county.

BE it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That from and immediately after the passing of this act, it shall and may be lawful for Charles R. Carter to erect a toll bridge across Little river, at his mills in Wilkes county, and to receive thereat the following toll and no more, that is to say: For every loaded waggon and horses drawing the same, twenty five cents; for every four wheel pleasure carriage, twenty five cents; for every four wheel carriage or cart, twelve and a half cents; for man and horse, six and a quarter cents; for every head of cattle, two cents; and for every head of sheep, goats or hogs, one cent.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1809.

DAVID B. MITCHELL, Governor.
AN ACT

To amend an act, entitled, an act to protect the estate of orphans, and to make permanent provisions for the poor, passed the 18th day of December, 1792.

SEC. 1. BE it enacted by the General Assembly of the State of Georgia, That where any executor or executors, administrator or administrators, have or may advertize, that it is his, her or their intention to apply for leave to sell any real estate as the property of his, her, or their testator or intestate, or having obtained an order of sale, and the said estate shall be claimed by any other person or persons, such claimant by himself, his agent or attorney, shall file with the clerk of the inferior court or court of ordinary, as the case may be, such claim on oath, a copy whereof shall be served upon such executor or administrator previous to the day of sale; whereupon it shall be the duty of said clerk to transmit such claim to the next superior court of the county where the land lies, and the right of property shall be there tried, upon an issue made up, in the same manner and under like regulations, restrictions and penalties as are laid down in the judiciary for the trial of the right of property levied on under executions.

SEC. 2. And be it further enacted by the authority aforesaid, That where personal property shall be advertized for sale by any executor or executors, administrator or administrators, and the same shall be claimed in manner aforesaid, such claim shall be tried in the superior or inferior court next to be held after such claim filed in the county where such executors or administrators may reside; provided, such property is in their possession, and if in possession of the claimant, such trial shall be had in the county where the claimant resides, under the same regulations, restrictions and penalties as aforesaid.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,

Assented to, 14th December, 1809.

DAVID B. MITCHELL, Governor.
AN ACT

To authorize the justices of the inferior court of the county of Pulaski, to draw a grand and petit jury to serve at the next superior court to be held in said county.*

WHEREAS no act of the General Assembly, authorizing the Justices of the Inferior Court of Pulaski county, to draw jurors to serve at the superior court of said county, and inasmuch as no superior court has been held, and consequently no jurors drawn for that purpose;

BE it therefore enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, That the justices of the inferior court of the county of Pulaski, be, and they are hereby authorized on the first Monday in January next, to break the seal, and draw a grand and petit jury to serve at the next superior court, to be held in and for said county, and after the jury shall be thus drawn as aforesaid, the justices shall again seal the boxes, and deliver them as well as the keys, to the proper officer.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 13th December, 1809.

DAVID B. MITCHELL, Governor.

AN ACT

Supplemental to an act, to appropriate the funds heretofore set apart for the redemption of the public debt.

SEC. 1. BE it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, That immediately from and after the passing of this act, all sums which may be due and owing this state, for the purchase of fractional surveys of land in the counties of Baldwin, Wilkinson, and Wayne, which were created by the natural or artificial boundaries of the territory acquired of the Creek nation of Indians by the United States' commissioners, in a treaty entered into, at, or near Fort

* This privilege continued by act of 1810, No. 511.
AN ACT

To amend and continue in force an act, to authorize Thaddeus Holt, esquire, to erect a bridge across the Oconee river, passed 10th December, 1807.

SEC. 1. BE IT ENACTED by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and by the authority of the same, That the said Thaddeus Holt, shall be allowed one full year from the passing of this act, for the building the bridge, agreeable to the provisions of this said act.

SEC. 2. And be it further enacted, That the term for which the said Thaddeus Holt shall enjoy the profits and advantages of the said bridge, shall be twenty years from the completing the same.

SEC. 3. And be it further enacted, That the said Thaddeus Holt, his heirs and assigns, shall have a landing place of one acre on the south side of the said bridge, during the time the said Holt, his heirs or assigns, shall keep the same in good and sufficient repair.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1809.

DAVID B. MITCHELL, Governor.
AN ACT

To quiet the claim of Sylvanus Church, to so much of a tract of land lying and being on the Great Satilla, in the county of Camden, as has been laid off for the town of Jefferson, the seat of the public buildings of said county of Camden.

WHEREAS it appears by the memorial of the said Sylvanus Church, that he did purchase of one Michael Rudolph, a certain tract or parcel of land, situate, lying and being on the Satilla river, in the county of Camden, which was granted to the said Michael Rudolph, in the year of our Lord, one thousand seven hundred and eighty five, that in the year of our Lord, there was laid off from the said tract of land, a town called Jefferson, consisting of one hundred lots, of two hundred feet square each, one half whereof were given by the said Sylvanus Church to the county of Camden, and the same is now the site of the public buildings of said county, and whereas the state of Georgia now claims the aforesaid tract of land as property liable to confiscation, having been at the time of passing the act of confiscation, the property of some person named in the said act.

BE it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is enacted by the authority of the same, That so much of the said tract of land as has been laid off for the town called Jefferson, consisting of one hundred lots of two hundred square feet each, be, and the same is hereby vested in the said Sylvanus Church, his heirs and assigns, or those to whom he may have sold the same or any part thereof, their heirs and assigns, so far as the state of Georgia may have any right or claim thereto.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 14th December, 1809.

DAVID B. MITCHELL, Governor.

AN ACT

To authorize the holding of an extra session of the superior court in the county of Wilkes.

WHEREAS by reason of the adjournment of the superior court of Wilkes county, on the first Monday in November last, and the subsequent election of the judge of the western circuit, to the senate of the United States, there is a probability of the said county of Wilkes, loosing an entire session of the said superior court; for remedy whereof,
BE it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That the judge of the superior courts for the western circuit, who shall be hereafter elected, commissioned and sworn, shall be, and he is hereby authorized and empowered to hold an extra session of the superior court in the county of Wilkes, on the first Monday of February next, and that all officers of the said court, jurors and witnesses, suitors and others, shall be, and they are hereby required to attend the said court under the same restrictions and penalties, as if the said court had sat on the first Monday in November last.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1809.

DAVID B. MITCHELL, Governor.

(No. 469.)

AN ACT

To keep open, remove, and prevent obstructions in Savannah river, calculated to impede the free passage of fish and the navigation of said river by boats, so far as respects the counties of Richmond, Columbia, Lincoln, Elbert, and Franklin, as far as the mouth of Tugalo and Keowee rivers.

SEC. 1. BE it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and by the authority of the same, it is hereby enacted, That from and immediately after the tenth day of January next, it shall not be lawful for any person or persons to obstruct, or cause to be obstructed, more than one third part of Savannah river, by dams, fish traps, or other obstructions, and the main current shall at all times be kept open for the free passage of fish and boats.

SEC. 2. And it is hereby enacted, That any person or persons that shall offend against the provisions contained in this act, he, she, or they shall be subject to the penalty of one hundred dollars for each day he, she, or they shall so offend, to be prosecuted and recovered in the superior court in any of the above recited counties, where such offence or violation shall happen, to be recovered by bill of indictment preferred by the proper law officer to the grand jury of said county, and such trial shall be had thereon, as heretofore practised in the superior courts of this state, in state cases and prosecutions against any person or persons who offend against, or violate any law or laws enacted for.

* See act of 1810, No. 505, upon this subject, so far as respects the county of Franklin.
the preservation and interest of the citizens of this state; and upon conviction, the
informers shall be entitled to one half of the penalty incurred by a violation of the provisions
contained in this act, and the other half to the county where such offence shall happen.

SEC. 3. And be it further enacted, That George Pearson, Holland M-Tyre, and
John Dentignac, are hereby appointed commissioners in the county of Richmond, and
Archer Avery, Bazzel Neel and Humphrey Evans, are hereby appointed commissioners
in the county of Columbia, and Shepherd Gross, William Smith and John Laremore,
are hereby appointed commissioners in the county of Lincoln, and that Hugh M-Donald,
Peyton Bibb, Stephen Herard, be and they are hereby appointed commissioners for the
county of Elbert, and that Martin Hardin, Joseph Waters, and Robert Walton, be, and
they are hereby appointed commissioners for the county of Franklin, who shall
have complete power in their respective counties, to survey and view any obstruc-
tions in Savannah river, which may be considered in violation of the provisions
contained in this act, and on their giving five days notice to the person or per-
sons, their agent or attorney, who shall obstruct the said river, or continue any obstruc-
tions now in said river, in violation of this act, then and in that case, they shall have
competent power to remove, or cause to be removed, such obstructions, by calling to their
aid, if necessary, any number of their citizens in their respective counties: Provided
nevertheless, that nothing herein contained shall be construed to extend to that part of the
river that lies below the Richmond county line; provided, that the said commissioners
shall before they enter upon the duties of their said appointment, take an oath before
some justice of the inferior court, or justice of the peace, that they will well and truly,
and without partiality, discharge the duties of their said appointment.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1809.

DAVID B. MITCHELL, Governor.

AN ACT

To divide the county of Wilkinson, and to form one other new county.*

SEC. 1. Be it enacted by the Senate and House of Representatives of the State of
Georgia, in General Assembly met, and by the authority of the same, That the county of
Wilkinson shall be divided and formed into two new counties, in the following manner,

* See act of 1810, No. 511, authorizing the justices of the inferior court, clerk and sheriff, to draw grand
and petit jurors for these counties.
(No. 470.) that is to say; beginning on the Ocmulgee river, where the upper line of said county of Wilkinson strikes the river; thence on the said upper line of said county to where the same crosses the main south fork of commissioners creek; thence a straight line to the first branch, which the present line crosses; dividing Pulaski and Wilkinson, on a south west direction from the corner that divides Laurens and Pulaski counties, and lower line of Wilkinson; thence with said line as it now runs, until it strikes the Ocmulgee river; thence up the meanders thereof to the place of beginning on said river; and all that part of Wilkinson county, comprehended within the lines aforesaid, shall form a new county to be known by the name of Twiggs,* and that all the remaining part of said county shall form one other new county to be known by the name of Wilkinson.

SEC. 2. And be it further enacted, That the justices of the inferior court already commissioned, and hereafter to be appointed for said counties, shall be vested with full power and authority to fix on, and purchase for the county of Twiggs for county uses, a tract of land not less than one hundred, or more than two hundred two and a half acres, at the most convenient place within said county, for the site of public buildings, which shall be at the centre or within two miles thereof; at which place, the courts and elections shall be held, as soon as suitable buildings are erected thereat, and the said commissioners or a majority of them, are hereby authorized and empowered to contract with a fit and proper person or persons, for the purpose of building a court house and jail in said county, at such place as is made choice of as the site of public buildings, after giving at least thirty days notice in some one of the public gazettes of this State, and at three or more public places in the county; provided nevertheless, that until the court house shall be completed, the elections and courts for said counties shall be held at such place as the inferior courts respectively shall point out, until the public buildings shall be completed.

Lot to be laid off out of the lands so purchased, and sold for county purposes in Twiggs.

SEC. 3. And be it further enacted by the authority aforesaid, That the justices of the inferior court, or a majority of them, for the county of Twiggs, be, and they are hereby authorized to lay off out of such land as may be purchased for the county use, such number of lots as they, or a majority of them, may think proper, and sell on twelve months credit, taking bond and good personal security, to said court and their successors in office, for the amount of such sales, which nett proceeds is hereby appropriated to the defraying the expenses of erecting the public buildings in said county, and to other county demands as are common.

Commissioners appointed to purchase land for the site of the public buildings

SEC. 4.† And be it further enacted, That Stephen Johnson, John Eady, senior, Elkanah Lofton, Philip Pitman, and William Crawley, be, and they are hereby appointed commissioners to fix on a site of public buildings for the county of Wilkinson, and

* See act of 1810, No. 509, establishing the site of public buildings in this county, &c. See also act of 1810, No. 539, directing when and where elections, &c. are to be held.
† See act of 1810, No. 525, to amend this section.
to purchase for the county use, not less than one hundred acres of land, or more than
two hundred two and an half acres, and to lay out what number of lots they, or a ma-
ajority of them, may think proper, and sell on twelve months credit, the purchaser giv-
ing bond or notes with good personal security, payable to the inferior court and their
successors in office, which nett proceeds are hereby appropriated to the use of building a
court house and jail in said county of Wilkinson; which said commissioners are hereby
authorized to let out to the lowest bidder, after giving thirty days public notice in one
of the gazettes, and at three or more of the public places in the county, and all the
overplus, if any, considered as belonging to the county funds.

Sec. 5. And be it further enacted, That all officers, civil and military, shall hold
and enjoy their respective appointments, in whichever county they may fall, as fully as
though such division had not taken place, and that the county of Twiggs, shall at her
own expense run, and plainly mark the dividing lines as heretofore pointed out; and
whereas the county of Wilkinson has employed men to build a court house in said
county, which will be rendered useless by this division.

Sec. 6. Be it enacted by the authority aforesaid, That the inferior court in each
county, is hereby authorized and required to levy an extra tax in proportion to their res-
pective taxes, to compensate the undertaker of said court house, and to pay other debts
which now exist, and that the house shall be sold for the mutual interest of each county,
by the courts thereof.

Sec. 7. And be it further enacted by the authority aforesaid, That that lot of land
in the twenty sixth district of Wilkinson county, number one hundred and eleven, con-
veyed by Samuel Dick, to the county aforesaid, is hereby declared to be vested in
said Dick, his heirs and assigns, his refunding to said county, whatever sum or sums she
may have advanced to him in consideration thereof.

Sec. 8. Be it enacted by the authority aforesaid, That all the public records of
Wilkinson county, shall remain and belong to the county of Wilkinson.

Benjamin Whitaker, Speaker of the House of Representatives.

Henry Mitchell, President of the Senate.

Executive Department, Georgia,

Assented to, 14th December, 1809.

David B. Mitchell, Governor.
AN ACT

To regulate the rates of tavern license in this State.

Sec. 1. Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is enacted by the authority of the same, That from and after the passing of this act, each person obtaining a tavern license, shall pay for such license, the sum of five dollars; any law to the contrary notwithstanding; provided nothing in this act shall be construed to control the rates which now are, or may be established by the corporations of Savannah and Augusta, or any other corporated town in this State.

Sec. 2. And be it further enacted, That any person on application, and complying with this law, may have license to retail spiritous liquors, without being obliged to keep other public entertainment; provided, such person shall give bond and sufficient security to the inferior court, in the sum of five hundred dollars, to keep an orderly house; and provided also, that if they do keep a house of entertainment, they shall not be allowed any other pay than agreeable to tavern rates.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1809.

DAVID B. MITCHELL, Governor.

AN ACT

To authorize Zachariah Simms to erect a bridge over the Oconee river at his mills.

Sec. 1. Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That Zachariah Simms be authorized to erect a toll bridge over the Oconee river, at his mills in Greene county, and be also permitted to receive as toll, for every loaded waggon, thirty seven and a half cents; for every empty waggon, twenty five cents; and all four wheel pleasure carriages, thirty seven and a half cents; for every two wheel pleasure carriage, twenty five cents; for each cart or dray, twenty five cents; for every rolling hogshead, twelve and a half cents; for every man and horse, six and a quarter cents; for every led or drove horse, three cents; for each head of nett cattle, two cents; and for every head of hogs, sheep, or goats, one cent.
Sec. 2. And be it further enacted, That the said Zachariah Simms, his heirs and assigns, shall use, exercise and enjoy all the benefits and emoluments, belonging, or in any wise appertaining to the said bridge, for the term of twenty-five years from the completing of the same; provided, the said bridge shall be ready for use in one year from the passage of this act.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1809.

DAVID B. MITCHELL, Governor.

AN ACT

To divorce William Sorrow and Priscilla his wife.

WHEREAS the aforesaid William Sorrow, according to an act, of the General Assembly, passed on the fifth day of December, eighteen hundred and six, commenced an action in the Superior court of Oglethorpe county, against his said wife Priscilla for a divorce; and whereas at September term, eighteen hundred and nine, of said court, the said cause was tried by a special jury, who rendered into court a verdict for an absolute divorce;

Sec. 1. Be it therefore enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and by the authority of the same, That from and after the passing of this act, the matrimonial connexion and civil contract of matrimony, made between the aforesaid William Sorrow and Priscilla Sorrow his wife, late Priscilla Eades, shall be completely annulled and set aside, and dissolved, as fully and effectually, as if no such contract had been made and entered into between them.

Sec. 2. And be it further enacted, That the said Priscilla Sorrow, late Priscilla Eades, is hereby declared to be a feme sole; and the said William Sorrow shall not in future be bound on any pretense whatever, for the payment of any debts, dues or demands of the said Priscilla, on or for her contracting, or with any action of, or for damages for or by reason of any tort, trespass or damages whatever, hereafter to be committed by the aforesaid Priscilla Sorrow, late Priscilla Eades, and she shall not be entitled to dower of, or in the estate of the said William Sorrow, but shall be considered and held as being barred, and as having forfeited the same.
(No. 472.)

证券 3. 应该进一步颁布法令，规定本州的不动产和动产的财产，如果由他把威廉·索罗和普莱西莉亚·索罗出售或处理掉，以及他所拥有的财产，应当从现在起被认为是归还给她的，普莱西莉亚，以及她可能在将来继承的财产，以及她可能通过其他方式获得的财产，以及她所拥有的财产，因此应当被宣布为在威廉·索罗的财产，完全和绝对地被委任在普莱西莉亚，她的继承人和遗嘱人。“

SEC. 4. And be it further enacted, That the said William Sorrow and Priscilla Sorrow, shall in future be held as distinct and separate persons, altogether unconnected by any civil union or contract whatsoever.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 12th December, 1809.

DAVID B. MITCHELL, Governor.

(No. 474.)

AN ACT

To appropriate monies for the political year 1810.

SEC. 1. Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and by the authority of the same, That for the support of government for the political year 1810, the following sums of money be, and the same are hereby appropriated; viz. the salary of the governor shall be two thousand dollars per annum; secretaries of the executive department, (not exceeding two) five hundred dollars each; the secretary of state, two hundred dollars; the treasurer, twelve hundred dollars; the surveyor general, two hundred dollars; the comptroller general, six hundred dollars; the clerk of the house of representatives, three hundred dollars; the secretary of the senate, three hundred dollars; the judges of the superior courts, each, fourteen hundred dollars; the attorney general, and three solicitors general, one hundred and fifty dollars each; which said several sums shall be, and the same are hereby appropriated for their use, to be paid quarter yearly, by warrant from the governor on the treasurer, out of any monies not otherwise specially appropriated.

SEC. 2. And be it further enacted, That the sum of fifteen thousand dollars be, and the same is hereby appropriated as a contingent fund, subject to the orders of the Governor.
Sec. 5. And be it further enacted, That for the compensation of the members of the Legislature, three dollars each per day, during their attendance, be appropriated, and the sum of three dollars for every twenty miles in coming to, and returning from, the seat of government, and the sum of four dollars each to the president of the senate, and the speaker of the house of representatives, during their attendance, and the sum of three dollars each for every twenty miles in coming to, and returning from the seat of government; to the clerk of the house of representatives and secretary of the senate, during the sitting of the Legislature, four dollars each per day, and the sum of eighty dollars each for contingent expenses, &c. to the two engrossing clerks, and one assistant clerk to the house of representatives, and two engrossing clerks to the senate, four dollars per day each; to the clerk of the committee on finance, the sum of sixty dollars; to the clerk of the committee on the state of the republic, sixty dollars; to the messenger and door-keepers of the Legislature, the sum of three dollars per day each; to the adjutant general, twelve hundred dollars per annum, to be paid quarter yearly; the sum of fifty dollars to defray the expense of the interment of Thomas Gilbert, esquire, deceased; to Dennis L. Ryan, twelve dollars and fifty cents for printing two hundred copies of the alleviating act, passed the last session, and the further sum of six dollars and twenty-five cents for printing one hundred copies of the bill to alleviate the condition of debtors, as passed in senate the present session; to Oliver Stevens, the sum of seventy-three dollars, seventeen and three quarter cents; to John Scott, the sum of four thousand five hundred dollars, for the purchase of his house and lot for the use of the executive, two thousand dollars of which, to be written off his bonds in the treasury, and the remaining two thousand five hundred dollars to be drawn by warrant on the treasury, so soon as the said John Scott shall execute good and sufficient warrantee titles to the said property; to Daniel Sturgis, the sum of fifteen hundred dollars in full, for recording plats and extra services rendered whilst he was surveyor general; to the commissioners of Milledgeville for their services, and printers bills, agreeably to report of committee of finance, one hundred and forty-six dollars twenty-five cents; to Hines Holt, three hundred and forty-seven dollars thirty-seven and a half cents, for his services as a commissioner of confiscated property, agreeably to report of committee of finance; to E. B. Jenkins, forty dollars; to John Moore, ten dollars, agreeably to said report; to Alexander Greene, the sum of eighty dollars, for taking charge of the state-house, keeping the senate and representative chambers, entries and galleries, scoured, brushed, and aired, payable quarter yearly; to Peter Pharr, for attending to the clock, winding her up, &c. and also for keeping the passages and stairs clean, the sum of sixty dollars, payable quarter yearly.

Benjamin Whitaker, Speaker of the House of Representatives.

Henry Mitchell, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1809.

David B. Mitchell, Governor.
AN ACT

To compel the justices of the peace in this state, to keep a fair and regular book of entry.

SEC. 1. BE it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the first day of March next, it shall be the duty of each justice of the peace in this state, to keep a fair and legible book of entry of all civil proceedings had before him, for the recovery of debts, &c.

SEC. 2. And be it further enacted, That in all cases where any justice of the peace in this state, shall resign or remove out of the limits of the district, for which he shall have been appointed, it shall be the duty of such justice to deliver the said book, or fair copy thereof, to his successor in office, within sixty days after he may be commissioned, or deposit the same with the clerk of the inferior court.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 13th December, 1809.

DAVID B. MITCHELL, Governor.

AN ACT

To authorize Sherwood M'Call, to erect a bridge across the river Great Ogechee, on his own land, at High Bluff.

WHEREAS it would be of general good for a bridge to be erected at the aforesaid place;

SEC. 1. BE it therefore enacted by the Senate and House of Representatives, in General Assembly met, and by the authority of the same, That the aforesaid Sherwood M'Call, is hereby authorized to erect a bridge at the aforesaid bluff, and to receive a toll for the same, in the following manner, to wit: for a loaded waggon and team, thirty-seven and a half cents; for an empty waggon and team, twenty-five cents; for a four wheeled pleasure carriage, fifty cents; for a two wheeled pleasure carriage, twenty-five cents; for a cart and one horse, twelve and a half cents; for a cart and two horses, eighteen and three
quarter cents; for a horse and rider, twelve and a half cents; for a led horse, six and a quarter cents; for a foot person, six and a quarter cents; for each head of cattle, three cents; for each head of hogs, sheep, or goats, two cents.

SEC. 2. And be it further enacted, That the aforesaid bridge shall be vested in the aforesaid Sherwood McCall, his heirs and assigns, any law to the contrary notwithstanding.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 18th December, 1809.
DAVID B. MITCHELL, Governor.

AN ACT

To amend the twenty-sixth section of the judiciary law of this state.

WHEREAS a practice has been adopted, and now prevails in some parts of this state, of bringing suits to the superior and inferior courts for debts which constitutionally are, and by law ought to be exclusively cognizable in the justices courts; which practice is injurious and oppressive on many of the good citizens of this state, by subjecting them to more cost than was contemplated by the constitution and judiciary laws of this state; for remedy whereof,

SEC. 1. BE it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is enacted by the authority of the same, That where any suit shall be brought to the superior or inferior courts in this state, and the verdict of the jury shall be for a sum under thirty dollars, the defendant shall not be charged with more cost than would have necessarily accrued; provided, said recovery had been before a justice of the peace; and the remainder of the court charges may be retained out of the sum so recovered; and if the verdict of the jury be not of sufficient amount, the plaintiff shall be bound to pay the same; provided, this act shall not extend to, and govern cases where the demand set forth in the declaration, shall be proven to exceed the sum of thirty dollars. Provided, nothing herein contained shall extend to any case sounding in damages.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 12th December, 1809.
DAVID B. MITCHELL, Governor.
AN ACT

To appoint commissioners to run and ascertain the dividing line between the counties of Wayne and Camden.

SEC. 1. BE it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and by the authority of the same, That James Fort, esquire, from the county of Wayne, and Pliny Sheffield, esquire, of the county of Camden, be, and they are hereby appointed commissioners, to run and ascertain the dividing line between the counties of Wayne and Camden, to commence on Little Satilla, where the post road crosses the same, running thence to the south end of the plantation of James Fort, so as to include him the said Fort in Wayne county, from thence to the Buffalo, where the Old Indian boundary line crosses the same.

SEC. 2. And be it further enacted, That the said commissioners shall have full power to ascertain the main channel of the Buffalo, to the present Indian boundary line, and may be compensated by their respective counties.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 13th December, 1809.

DAVID B. MITCHELL, Governor.

AN ACT

To alter the time of holding the superior courts in three several circuits in this State.

SEC. 1. BE it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That from and immediately after the passing of this act, the times for holding the superior courts in the Ocmulgee circuit, shall be as follows; in the county of Jones, on the second Monday in February and August; Randolph, on the 3d Monday in February and August; Morgan, on the fourth Monday in February and August; Greene, on the first Monday in March and September; Putnam, on the second Monday in March and September; Baldwin, on the third Monday in March and September; Wilkinson, on the first Monday in April and October; Laurens, on the second Monday in April and October; Telfair, on the third Monday in April and October; Pulaski on the fourth Monday in April and October; and Twiggs on the first Monday in May and November.
Sec. 2. And be it further enacted, That the time for holding the said superior courts in the western circuit, so far as respects the county of Wilkes, shall be on the first Monday in June and December.

Sec. 3. And be it further enacted, That the time for holding the superior courts for the middle circuit shall be as follows:

FALL CIRCUIT,

On the first Monday in September in the county of Columbia; on the third Monday in September, in the county of Warren; on the fourth Monday in September, in the county of Jefferson; on the first Monday in October, in the county of Richmond; on the third Monday in October, in the county of Burke; on the fourth Monday in October, in the county of Screven; on the first Monday in November, in the county of Washington; on the second Monday in November, in the county of Montgomery; and on the third Monday in November, in the county of Tatnall;

SPRING CIRCUIT,

On the first Monday in March, in the county of Columbia; on the second Monday in March, in the county of Warren; on the third Monday in March, in the county of Jefferson; on the fourth Monday in March, in the county of Burke; on the first Monday in April, in the county of Screven; on the second Monday in April, in the county of Richmond; on the fourth Monday in April, in the county of Washington; the Monday thereafter in the county of Montgomery; and the Monday thereafter in the county of Tatnall.

Sec. 4. And be it further enacted, That the judges of the superior courts of this state, or any of them, when from indisposition or other cause, they cannot attend any superior court in any county at the time prescribed by law, for holding the same, may by a written letter directed to the clerk of said court, empower said clerk to adjourn said court to any day mentioned in said letter, and where from the multiplicity of business in any superior court, the judges thereof perceive that they cannot complete the same in the term prescribed by law for holding the same; they are hereby authorized and empowered to adjourn the said courts to any other day as in their discretion they may think proper; provided, that the provisions in this section shall not extend to the eastern district of this state, and that all sheriffs, clerks, and other officers, as well, jurors, witnesses, and other persons concerned therein, shall be bound thereby; any law to the contrary notwithstanding.

Sec. 5. And be it further enacted, That all writs or recognizances which have been made returnable to the days heretofore appointed for holding the said courts, shall be re-
(No. 479.)

LAWs OF GEORGIA.

turned to the said courts as herein pointed out; any law, usage, or custom to the contrary notwithstanding.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department Georgia,
Assented to, 15th December, 1809.

DAVID B. MITCHELL, Governor.

(No. 480.)

AN ACT

To authorize William Garrett and Leroy Hammond, and Walter Leigh and Edward Rowell to erect toll bridges at the places therein mentioned.

Sec. 1. Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That William Garrett and Leroy Hammond shall be, and they are hereby authorized and empowered to erect and establish a toll bridge on the Georgia side of Savannah river, opposite to the town of Campbellton, on land formerly belonging to James Rae, and that the same when erected, be vested in the said William Garrett, and Leroy Hammond, their heirs and assigns, for the term of thirteen years, and that the following rates of tollage be received at the said bridge, and no more; for every four wheeled carriage and horses drawing the same, seventy-five cents; for every two wheeled carriage and horse or horses drawing the same, fifty cents; for every rolling hogshead and drivers and horses, twenty-five cents; for every passenger on horse back, twelve and a half cents; for every foot passenger, six and a quarter cents; for every head of horses, six and a quarter cents; for every head of nett cattle, four cents; for every head of sheep, goats or hogs, two cents.

Sec. 2. And be it further enacted, That Walter Leigh and Edward Rowell, shall be, and they are hereby authorized and empowered to erect and establish a toll bridge on the Georgia side of Savannah river, at the town of Augusta, and that the same when erected, be vested in the said Walter Leigh, and Edward Rowell, their heirs and assigns, for the term of thirteen years, and that the rates of tollage at the said bridge be as follows, and no more: For every foot passenger, six and a quarter cents; for every man and horse, twelve and a half cents; for every hogshead of tobacco, twenty-five cents; for
every head of black cattle, six and a quarter cents; for every head of sheep, goats, or hogs, four cents; for every carriage on two wheels with horse and driver, thirty-seven and a half cents; for every loaded carriage on four wheels, with horses and driver or drivers, one hundred cents; for every unloaded waggon, fifty cents; provided, nothing herein contained shall operate to defeat the interest of the trustees of the Richmond academy in the ferry right at Augusta; and provided, that the consent of the said trustees be previously obtained. And provided, also, that the said bridges shall be compleated within the term of three years from the passing of this act.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1809.

DAVID B. MITCHELL, Governor.

AN ACT

To admit Creswell M'Donald, James C. W. Stewart, George Walton, William Robertson, John R. Brown, John G. Willingham, Thaddeus Holt, John B. Barnes, and David Simms, to plead and practice in any court of law or equity in this State.

Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and by the authority of the same, That from and immediately after the passing of this law, that Creswell M'Donald, James C. W. Stewart, George Walton, William Robertson, John R. Brown, John G. Willingham, Thaddeus Holt, John B. Barnes, and David Simms, be, and they are hereby admitted to plead and practice in any court of law or equity in this state, any law, usage or custom to the contrary notwithstanding, they taking the usual oath administered to law students in such cases; provided, that the said court shall be satisfied of their good moral character, and that they have sufficient legal information.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1809.

DAVID B. MITCHELL, Governor.
AN ACT

To amend and explain an act, entitled, an act to incorporate the Savannah Poor House and Hospital Society, passed December 10th, 1808.

Sec. 1. Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That the managers for the time being, of the said poor house and hospital, and their successors in office, shall have full power and authority to make and enact all by-laws, rules and regulations, necessary for the government of the said poor house and hospital, and the same to alter, amend or repeal, from time to time, in such manner as may appear conducive to the promotion and success of the institution, any thing in the act before recited to the contrary notwithstanding.

Sec. 2. And be it further enacted by the authority aforesaid, That the twelve managers appointed, and to be appointed by virtue of the aforesaid act, are fully authorized at such time or times as they may deem proper, to elect from their own body a president, treasurer, and secretary, who shall continue in office during the time for which the said managers may be appointed.

Sec. 3. And be it further enacted, That all actions and suits, either at law or in equity, necessary to be prosecuted in behalf of the Savannah poor house and hospital shall be commenced, sued for, and prosecuted in the name of the president and managers of the Savannah poor house and hospital.

Sec. 4. And be it further enacted by the authority aforesaid, in order to aid in promoting a scheme so benevolent and humane, that the managers of the said poor house and hospital be, and they are hereby invested with the use and appropriation of the poor tax of the county of Chatham, and it shall be the duty of the collector of said county, and he is hereby required to account for, and pay over to the treasurer of the Savannah poor house and hospital for the time being, the poor tax of said county of Chatham; and for the purposes above stated, the said managers of the Savannah poor house and hospital be, and they are hereby invested with the use and appropriation of the escheated property that has heretofore accrued, or which may hereafter accrue in said county; to which the claim of the heirs of the deceased shall, or may be barred in terms of the law regulating escheats in this state, passed in the year of our Lord one thousand eight hundred and one; provided, that this act, or any thing herein contained, shall not be construed to effect or operate upon any money arising from the sales of escheated property, which may have been already paid into the treasury of this state.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 14th December, 1809.

DAVID B. MITCHELL, Governor.
AN ACT

To alter and amend an act, regulating roads in this State, so far as respects the operation of said act in the counties of Bryan, Liberty, McIntosh, Glynn, Camden and Wayne, passed the 8th day of December, 1806, so far as respects the county of Camden.

SEC. 1. BE it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and by the authority of the same, That all the slaves in the county of Camden, those in the town of St. Mary's, excepted, liable to do and perform road duty, shall work upon, and repair the main post road leading from Fort Barrington to St. Mary's as now laid off, shall work six days in each year upon said road, until the aforesaid road is thought to be complete by a majority of the commissioners of said road, any law to the contrary notwithstanding.

SEC. 2. And be it further enacted by the authority aforesaid, That all the slaves in the said county of Camden liable to do and perform road duty on that part of the main post road leading from Crooked river bridge to the Great Satilla river, shall first work upon and complete that part of the said main road, leading through the swamp on the south side of the Great Satilla river, opposite Hugh Brown's landing.

SEC. 2. And be it further enacted, That they shall be governed by the same rules and regulations as are pointed out and expressed in the herein before recited act.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1809.

DAVID B. MITCHELL, Governor.

AN ACT

(No. 484.)

To enable the commissioners of the Camden county academy to ascertain and collect the amount of the funds belonging to said institution.

WHEREAS it is represented to this General Assembly, that there are considerable funds belonging to the Camden county academy in this state, in the hands of some person or persons which have not been accounted for, nor appropriated so as to answer the intended purposes;
Sec. 1. Be it therefore enacted by the Senate and House of Representatives of the
State of Georgia, in General Assembly met, That the acting commissioners of the said
Academy, or a majority of them, shall meet in the town of St. Mary's on the first Sat-

day in January next, one or more of them having given ten days previous notice by
public advertisement, and proceed to appoint a treasurer, who shall not be one of their
body, who shall give bond and sufficient security to be approved of by a majority of the
commissioners present, to his Excellency the Governor of the State of Georgia, for the
time being, and his successors in office for the sum of six thousand dollars, conditioned
for the faithful discharge of his duty, and safe keeping and application of the funds of
said academy, according to the direction of a majority of the acting commissioners thereof.

His powers &
duty in col-
lecting the
funds of the
said academy.

Sec. 2. And be it further enacted, That the treasurer when appointed and qualified
as aforesaid, shall have full power and authority to ask, demand, and receive from any
former treasurer, commissioner or commissioners of said academy, the amount of any
sum or sums of money, or other property, he or they may have in his or their possession,
who shall render an account and statement thereof upon oath or affirmation, to a major-
ity of the acting commissioners aforesaid, when thereunto required; and shall pay
over the said monies or other property to the said treasurer without delay.

Delinquent
 treasurers or
commission-
ers what to
forfeit if they
refuse to ac-

Sec. 3. And be it further enacted, That any treasurer or commissioner who shall
neglect or refuse to account for any monies or other property in manner aforesaid, which
he or they may have in their possession, he or they shall forfeit and pay for the use of
said academy, double the sum he or they may neglect or refuse to account for, as required
by this act, recoverable by suit in any court having cognizance thereof, in the name of
the commissioners aforesaid.

Commission-
ers to make
bye-laws, &c.

Sec. 4. And be it further enacted, That the commissioners of the said academy
of Camden county, or a majority of them, are hereby authorized and empowered to
make any bye-laws and regulations they may deem necessary for their own government,
and for the benefit of the said institution, not inconsistent with the laws and constitution
of the state of Georgia.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,

Assented to, 12th December, 1809.

DAVID B. MITCHELL, Governor.
AN ACT

To establish an academy in the town of Eatonton and county of Putnam, by the name of Union Academy, and to incorporate the same.

SEC. 1. Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That Brice Gaither, Robert Iverson, Simon Holt, Edmond Lane, and Barnes Holloway, are appointed, and they and their successors in office, shall be and they are hereby declared to be a body corporate, by the name and style of "The Trustees of Union Academy," in the county of Putnam, with the privilege of having and using a common seal.

SEC. 2. And be it further enacted by the authority aforesaid, That the said Brice Gaither, Robert Iverson, Simon Holt, Edmond Lane, and Barnes Holloway, and their successors in office, or a majority of them, are hereby authorized and empowered to appropriate in the manner they may think best calculated to promote the interests of the aforesaid institution, and to erect a suitable edifice for the education of youth, all that unappropriated part of the two hundred two and a half acre lot purchased by them, whereon the town of Eatonton is laid out; and all monies and specialties arising under any contract or contracts for the sale of lots in said town, over and above what may be necessary for the completion of the court-house therein, shall be, and are hereby set apart as a fund in their hands, for the benefit of the aforesaid institution.

SEC. 3. And be it further enacted by the authority aforesaid, That the aforesaid trustees and their successors in office, or a majority of them, are hereby authorized to make such bye-laws and regulations as are, or may be necessary for the government of said academy, and that they shall be invested with all manner of property, both real and personal, all donations, gifts, grants, privileges and immunities whatsoever, which may belong to said institution, by virtue of this act, or which may hereafter be made, conveyed, or transferred to them or their successors in office, to have and to hold the same for the proper use, benefit and behoof of said academy; provided such bye-laws and regulations as aforesaid, be not repugnant to the constitution or laws of this State.

SEC. 4. And be it further enacted by the authority aforesaid, That the trustees as aforesaid; and their successors in office, shall be, and they are hereby declared to be capable of suing and being sued, impleading and being impleaded, and of using all necessary and lawful means for recovering or defending any property, debts, or demands whatsoever which they may claim or demand, in right of said institution, and also of receiving the rents, issues and profits of the same, or any part or parcel thereof.

SEC. 5. And be it further enacted by the authority aforesaid, That should any vacancy happen by the death or resignation of any of the trustees of Union academy,
(No. 485.)

How vacancies are to be filled.

Proviso.

May appoint a treasurer & be to give bond and security.

hereby authorized and established, it shall be filled in such manner as a majority of the survivors shall point out in their regulations at their first meeting after the passing of this, or at any time thereafter; provided, the same shall not exceed three months.

Sec. 6. And be it further enacted, That the said trustees shall have power to elect a treasurer, who shall give bond and approved security to his excellency the governor, for the time being, and his successors in office, in the sum of ten thousand dollars, for the faithful discharge of the trust reposed in him.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,

Assented to, 15th December, 1809.

DAVID B. MITCHELL, Governor.

AN ACT

Securing to Joseph Hill, his heirs and assigns, the exclusive right of erecting three toll bridges across Savannah river and its branches, and raising causeways across Hutchinson's island, and other islands in the said river.

Whereas the present communication between Savannah and Charleston is by a circuitous rout, over heavy sand and a distant ferry, through an extensive swamp that is often dangerous from the height of the river; and whereas also, the distance between Savannah and Charleston apparently can be shortened from ten to twenty miles, by which means a great source of wealth would be opened to the city of Savannah.

Sec. 1. Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is enacted by the authority of the same, That the said Joseph Hill, his heirs and assigns, shall have the exclusive right and privilege of erecting three bridges across Savannah river and its branches, and raising a causeway across Hutchinson's island, and another small island lying contiguous thereto a little above the city of Savannah, for one hundred years; provided, that the said Joseph Hill or his assigns, shall within ten years erect good and sufficient bridges, and
raise good and suitable causeways across the aforesaid rivers and islands for the passage of travellers with carriages; and that if at any time after building the said bridges and causeways, the owner thereof shall suffer the same to be out of repair for the space of one year, or shall impede the navigation of said river, then the benefits intended by this act shall be forfeited.

SEC. 2. Be it further enacted, That it shall not be lawful for any person or persons whatever, to erect a bridge on the said river within five miles up or down the said river from the city of Savannah.

SEC. 3. Be it further enacted, That three fit and proper persons be appointed by the judges of the inferior court of Chatham county as commissioners, who shall value the land on the aforesaid islands, and decide on what is a just and reasonable price for the quantity to be occupied by the said bridges and causeways; and that upon the said Joseph Hill or his assigns paying the sum decided on as the price by the said commissioners to the owners of the said land, the owner thereof shall then give good and sufficient titles for the said land to the said Joseph Hill or his assigns.

SEC. 4. Be it further enacted, That said Joseph Hill shall have full authority to raise the southern butment of his bridge upon any public land or dock above the usual point at which ships and other similar vessels moor.

SEC. 5. And be it further enacted, That the said Joseph Hill, his heirs or assigns, shall and may receive, and take the several sums herein after specified as toll, at the place aforesaid, to wit: For every foot passenger, twelve and a half cents; for each man and horse, fifty cents; for each single horse, led or drove, twenty five cents; for each ass or mule, twenty five cents; for each chair or sulkey, one dollar; for each four wheel-ed pleasure carriage, two dollars; for each stage coach, two dollars; for each waggon, team and driver, two dollars; for each cart, team and driver, one dollar; for each head of cattle, twelve and a half cents; and for each head of hogs, sheep or goats, six and a quarter cents.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

HENRY MITCHELL, President of the Senate.

Executive Department, Georgia,

Assented to, 14th December, 1809.

DAVID B. MITCHELL, Governor.