AN ACT

To pardon Edward Downing.

WHEREAS at a superior court held in and for the county of Green, for September term, in the year of our Lord, one thousand eight hundred and ten, a certain Edward Downing, of the county aforesaid, was convicted of the crime of murder, and was sentenced by the court to be executed on Friday the 28th of the same month, but on the petition of sundry persons, principally inhabitants of the county of Green aforesaid, to his excellency the governor, praying a respite for the said Edward Downing, the same was granted until Friday the 30th day of November, instant.

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 immediately after the passing of this act, the said Edward Downing shall be, and he is hereby declared to be fully and entirely pardoned, exonerated, and discharged from the pains and penalties of his said conviction, as though he never had committed the said offence, on payment of legal costs.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 27th November, 1810.
DAVID B. MITCHELL, Governor.

AN ACT

To continue in force an act, passed the twenty second day of December, one thousand eight hundred and eight, "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 hereby 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 twenty fifth day of December, one thousand eight hundred and eleven.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 29th November, 1810.
DAVID B. MITCHELL, Governor.
AN ACT

To amend the first section of an act, entitled "An act, to extend the laws of this State over the persons resident in Wafford's settlement, and for organizing the same."

Be it enacted by the General Assembly of Georgia, and it is hereby enacted, That the law shall be extended over all that part of the said settlement known by the name of Wafford's settlement, which is included within the line run under the direction of James Blair, a commissioner on the part of the United States, and Walter Adair on the part of the Cherokee nation of Indians. And the said citizens, inhabitants of said settlement, shall be added to the county of Jackson, and shall be entitled to all the privileges of other citizens of this state, subject nevertheless, to the same restrictions as the inhabitants of said settlement, included within the former line run by Hugh Montgomery, under the direction of James Blair, commissioner on behalf of the United States, and James Vann and Kaetreehe, commissioners on the part of the Cherokee nation of Indians, as pointed out by the third section of the before recited act.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 6th December, 1810.

DAVID B. MITCHELL, Governor.

AN ACT

To incorporate the Agricultural Society of Georgia.

(No. 490.) Mein, Edward White, Alfred Cuthbert, Henry Holcomb, Thomas Gardiner, John Caig, George Scott, Tobias V. Gray, James G. Almy, John Grimes, George Anderson, William B. Bulloch, William Gaston, John H. Deubell, James Bilbo, Robert Small, Thomas L. Malone, Thomas Mendenhall, James B. Read, Abraham Richards, Theodore A. Scheodde, Andrew Low, Richard F. Williams, George Harrell, Ralph May, Zachariah Miller, Calvin Baker, B. Ogden, Thomas Bourke, Samuel Barnet, George Jones, L. N. Alard, A. Devuillard, Thomas Diceneaux, J. J. Coiron, J. J. Blanchard, and N. Nazant, have by their petition represented that they have associated themselves and formed a society for the purpose of collecting the different modes of agriculture that are in practice in this state, to suggest such improvements as experience has shewn to be beneficial; to excite among their fellow citizens a desire of making experiments for the renovation of exhausted lands, and for the amelioration of such as in their natural state are unproductive or unfit for cultivation, which objects are highly laudable and interesting to the citizens of this state, and deserve the fostering care of its Legislature.

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 several persons herein before named, and others who now are, or may hereafter become members of the said agricultural society, and the successors, officers and members thereof, shall be, and they are hereby declared to be a body corporate in deed and name, by the name and style of the "Agricultural Society of Georgia," and by the said name and style shall have perpetual succession of officers and members, and a common seal to use, with power to make, alter, change and amend such bye-laws and regulations as may be agreed on by the members of the said society. Provided, that such bye-laws and regulations be not repugnant to the constitution and laws of this state, or of the United States.

SEC. 2. And be it further enacted by the authority aforesaid, That the said society by the name and style aforesaid, shall have, hold, and enjoy, and shall be invested with all manner of property, both real and personal, and all monies due, or to become due to the said society, and shall have, hold, receive and enjoy all donations, gifts, grants, hereditaments, privileges and immunities which may now belong to the said society, or to which it may hereafter become entitled. And the said society by the name and style aforesaid, shall be, and is hereby declared to be capable of suing and being sued, impleading and being impleaded, and of using all necessary legal steps for recovering or defending any property whatever which the said corporation may have, hold, claim or demand.

SEC. 3. And be it further enacted by the authority aforesaid, That the said corporation be, and they are hereby authorized to establish a lottery upon such scheme and plan as they may devise, for the purpose of raising a sum not exceeding ten thousand
AN ACT

To extend the powers of the commissioners of the town of Wrightsborough, in the county of Columbia.

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 commissioners of the town of Wrightsborough shall be, and they are hereby authorized to sell three fifty acre lots in the common of said town, known in the plan thereof by numbers three, four and five, after giving twenty days notice in one of the public gazettes of Augusta, of the time and place of such sale.

Sec. 2. And be it further enacted by the authority aforesaid, That the said commissioners are hereby authorized to appropriate five hundred dollars out of any monies in their hands, or that may arise from the sales of said lots, to the purpose of erecting a house of worship in said town.—Provided, said house shall be free for all denominations of Christians to worship in.

Sec. 3. And be it further enacted by the authority aforesaid, That the commissioners of said town or a majority of them, shall be, and they are hereby empowered after the completion of the seminary of learning, and the appropriation of the five hundred dollars towards the house of worship, to appropriate any other money that may come into their hands, to the improvement of the said town, as they may think fit.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 6th December, 1810.

DAVID B. MITCHELL, Governor.
AN ACT
To incorporate the Bank of Augusta.

WHERAS Thomas Cumming, president, and John Howard, Richard Tubman, John M'Kinne, James Gardner, Hugh Nesbit, David Reid, John Moore, John Campbell, John Willson, Anderson Watkins, John Carmichael and Ferdinand Phinizy, directors of the said bank, have petitioned the legislature that they the said president and directors, and others the stockholders of the said bank, may be incorporated under the name of "The Bank of Augusta." And whereas it is deemed expedient that the said company be incorporated under proper restrictions; therefore,

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 Thomas Cumming, president, John Howard, Richard Tubman, John M'Kinne, James Gardner, Hugh Nesbit, David Reid, John Moore, John Campbell, John Willson, Anderson Watkins, John Carmichael and Ferdinand Phinizy, directors, with all such persons as are now, or may hereafter become stockholders in the said company, be, and they are hereby incorporated and made a body politic, by the name and style of "The President, Directors, and Company of the Bank of Augusta," and so shall continue until the first of May, one thousand eight hundred and thirty. And by that name shall be, and are hereby made able and capable in law, to have, purchase, receive, possess, enjoy and retain to them and their successors, lands, rents, tenements, hereditaments, goods, chattels and effects of what kind, nature, or quality soever, and the same to sell, grant, demise, alien or dispose of, to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended in courts of record, or any other place whatsoever; and also to make, have, and use a common seal, and the same to break, alter and renew at their pleasure, and also to ordain, establish, and put in execution, such bye laws, ordinances and regulations as shall seem necessary and convenient for the government of the said corporation, not being contrary to the laws or to the constitution of this State or of the United States, or repugnant to the fundamental rules of this corporation; and generally to do and execute all and singular such acts, matters and things which to them it shall or may appertain to do; subject nevertheless to the rules, regulations, restrictions, limitations and provisions hereinafter prescribed and declared.

SEC. 2. And be it further enacted by the authority aforesaid, That for the well ordering of the affairs of the said corporation, there shall be thirteen directors chosen annually, on the first Monday of December in each year, the first election to be on the first Monday of December, one thousand eight hundred and eleven, until which time the present board of directors shall continue in office.

SEC. 3. And be it further enacted, That in all future appointments of directors, the number of votes to which each stockholder shall be entitled, shall be according to the
number of shares held, in the proportions following; that is to say, for one share and
not more than two shares, one vote; for every two shares above two, and not exceeding
ten, one vote; for every four shares above ten, and not exceeding thirty, one vote;
for every six shares above thirty, and not exceeding sixty, one vote; for every eight
shares above sixty, and not exceeding one hundred, one vote; and for every ten shares
above one hundred, one vote; but no person, corporation, copartnership or body politic,
shall be entitled to more than thirty votes, and no share or shares shall confer a right
of suffrage, which shall not have been held three calendar months previous to the
day of election, and unless it be holden by the person in whose name it appears, abso-
lutely and bona fide in his own right, or in that of his wife, and for his or her sole use
and benefit, or as executor or administrator, or guardian, or in the right and use of
some copartnership, corporation, or society, of which he or she may be a member,
and not in trust for, or to the use of any other person; any stockholder being absent,
may authorize by power of attorney under seal, any other stockholder to vote for him,
her or them.

Sec. 4. And be it further enacted, That a fair and correct list of the stockholders
shall be made out at least two weeks before any election of directors, to be submitted to
the inspection of any stockholder who shall require to see the same, to the end that
public information may be given to the parties concerned of their co-proprietors and
stockholders; and to prevent a division of shares, in order to obtain to the person or per-
sons so dividing them, an undue influence, the managers of elections for directors shall
administer to every stockholder offering to vote, the following oath: "You, A. B. do
swear (or affirm) that the stock you now represent, is bona fide your property, and that
you are a citizen of the United States, and that no other person or persons is or are con-
cerned therein;" and to any person voting by proxy, or for a minor, or in right of, or in
trust for any other person entitled to vote, the following oath: "You, A. B. do swear
(or affirm) that the stock of C. D. whom you now represent, is to the best of your
knowledge and belief the property of the said C. D. and that he is a citizen of the
United States, and that no other person or persons is or are concerned therein;" and
any stockholder refusing to take such oath or affirmation, shall not be allowed to vote
at such election.

Sec. 5. And be it further enacted, That those who shall be duly chosen at any election,
shall be capable of serving as directors by virtue of such choice until the end or expan-
tion of one day next succeeding the first Monday of December in each year, and no
longer; and the said directors at their first meeting after each election, shall choose one
of their number as president, and in case of the death, resignation, or absence from
the State, or removal of a director, his place may be filled up by a new choice for the
remainder of the year by the directors. But should it so happen that an election of
directors should not be made on the said first Monday of December in each year, or any
other day appointed by the stockholders, the said corporation shall not for that cause be
(No. 492.)

decreed to be dissolved; but it shall be lawful on any other day to hold and make an
election of directors, in such manner as may be regulated by the rules and ordinances
of the said corporation.

SEC. 6. And be it further enacted, That the following rules, limitations, and provi-
sions shall form and be fundamental articles of the constitution of the said corporation.

RULE I.

Capital stock. The capital stock of the bank shall consist of three hundred thousand dollars, divided
into shares of one hundred dollars each, of which fifty thousand dollars shall be re-
served until the first of January, one thousand eight hundred and twelve, on the or-
ginal terms, to be then or at any prior time taken by the State, according to the plea-
sure of the legislature, whereby the governor, treasurer and comptroller general shall
be entitled at each succeeding election, to exercise the right of appointing two of
the board of directors.

RULE II.

The capital stock may be increased at any time to the amount of six hundred thousand
dollars, whenever a majority of the stockholders shall so determine at any stated or
special meeting, by authorizing the directors to receive subscriptions for, or disposing
of shares of one hundred dollars each, to any person or persons in such manner as
they shall think fit, in which case such new subscribers shall become parties to this asso-
ciation, reserving for the State of Georgia, the one sixth part of such increased capi-
tal, to be subscribed for at the first session of the legislature, after the capital shall
be so increased; and should the legislature fail to subscribe for part or the whole of the
capital so reserved, it shall and may be lawful for the directors of the bank to dispose
of that part of the capital so reserved for the State, and not subscribed for as afore-
said to individuals, upon the same terms as are prescribed for the disposal of the other
part of such increased capital: And upon the State's subscribing for such increased capi-
tal, she shall be entitled to appoint one additional member of the board of direction, in
the same proportion, and in the same manner as is prescribed in the fundamental arti-
cles of this association. Provided, That if any profit shall be made by such disposition,
the same shall enure to the use and benefit of all the stockholders previous to the time
of every such extension or increase.

RULE III.

None but a stockholder, being a citizen of the State of Georgia, shall be eligible as
a director, and no director of any other bank shall be at the same time a director of
this bank; and if any one of the directors, after being elected, shall at any time dur-
ing the term for which he shall have been chosen, cease to be a stockholder, the remain-
ing directors, or a majority of them, shall at their next meeting, pass an order, declaring him thus ceasing to be a stockholder as aforesaid, to be no longer a director of the said bank, and shall forthwith proceed to fill up by a new election, his place for the remainder of the term for which he shall have been elected.

RULE IV.

The board of directors, for the time being, shall have power to elect a cashier, and such other officers and clerks under them, as shall be necessary for executing the business of the company, and to allow them such compensation for their services respectively as they may deem reasonable, and shall be capable of exercising such other powers and authorities, and of making, revising, altering, or annulling all such bye-laws and regulations for the government of the said company, and that of their officers and affairs, as they or a majority of them shall from time to time think expedient, not inconsistent with law, and to use, employ, and dispose of the joint stock, funds or property of the company, (subject only to the restrictions herein contained) as to them or a majority of them shall seem expedient.

RULE V.

The cashier before he enters upon the duties of his office, shall be required to give bond with two or more securities, to the satisfaction of the directors, in such sum as the board of directors may by their bye-laws order and direct, from time to time, with condition for the faithful performance of his duties; and the president, cashier, and other officers of the bank, shall take the following oath on entering on the duties of their respective offices: "I, A. B. do solemnly swear (or affirm) that I will well and faithfully discharge the duties of president, or cashier, or other officer (as the case may be) of the bank of Augusta;" which oath shall be subscribed and entered on the minutes.

RULE VI.

Not less than seven directors shall form a board for the transaction of business, of whom the president shall always be one, except in case of sickness or necessary absence, in which case his place may be supplied by any other director, whom the majority of directors present shall nominate for that purpose.

RULE VII.

A majority of the directors shall have power to call a general meeting of the stockholders for purposes relative to the concerns of the company, giving at least thirty days notice in one of the newspapers printed in Augusta, Washington, (Wilkes county) Milledgeville and Savannah, specifying the object of such meeting.
RULE VIII.
That in case of death, resignation, or removal of the President, the directors shall appoint one from their number to fill the vacancy, who shall hold the office during the remainder of the term for which his predecessor was elected.

RULE IX.

The shares of the capital stock shall be transferable on the books of the company, according to such rules, as conformable to law, may be established in that respect by the board of directors.

RULE X.

The bills obligatory and of credit, under the seal of the said corporation, which shall be made to any person or persons, shall be assignable by endorsement thereupon under the hand or hands of such person or persons, and of his, her or their assignee or assignees, and so as absolutely to transfer and vest the property thereof in each and every assignee or assignees, successively, and to enable such assignee or assignees to bring and maintain an action thereupon in his, her or their own name or names. And bills or notes which may be issued by order of the said corporation, signed by the president, and countersigned by the principal cashier or treasurer thereof, promising the payment of money to any person or persons, his, her or their order or to bearer, though not under the seal of the said corporation, shall be binding and obligatory upon the same in the like manner, and with the like force and effect as upon any private person or persons, if issued by him, her or them, in his, her or their private or natural capacity or capacities, and shall be assignable and negotiable in like manner as if they were so issued by such private person or persons; that is to say, those which are, or shall be payable to any person or persons, his, her or their order, shall be assignable by indorsement, and those which are or shall be payable to bearer, shall be negotiable and assignable by delivery only.

RULE XI.

No transfer of stock in this company shall be considered as binding upon the company, unless entered in a book or books kept for that purpose by the company.

RULE XII.

That the lands, tenements and hereditaments which it shall be lawful for the said company to hold, shall be only such as shall be necessary for its immediate accommodation, in relation to the convenient transaction of business, and such as shall have been bona fide mortgaged to the company by way of security; or conveyed to it, or to some
person in trust, for the use of the company, in satisfaction or security for money actually loaned, or advanced, or in satisfaction of, or security for debts previously contracted, or due to the said company, or purchased at sales upon judgments which shall be obtained for such debts; and in every instance in which the said company may become owners or claimants of lands, tenements, or hereditaments, the board of directors are empowered to sell or dispose of the same, in such manner as they shall deem beneficial to the use of the said company.

RULE XIII.

The company shall in no case directly or indirectly be concerned in commerce or insurance, or in the importation or exportation, purchase or sale of any goods, wares or merchandize whatever, (bills of exchange, notes and bullion only excepted) except such goods, wares, or merchandize, as shall be truly transferred, conveyed or pledged to them by way of security, for money actually loaned and advanced, or for debts due, owing, or growing due to the said company, or purchased by them, to secure such debts so due to said company, or to effect insurance on the property that may belong, or be thus pledged to the said company for its security.

RULE XIV.

All bills, bonds, notes, and every other contract, and engagement, on behalf of the company, shall be signed by the president, and countersigned or attested by the cashier of the company, and the funds of the company shall in no case be held responsible for any contract or engagement whatever, unless the same shall be so signed, countersigned, or attested as aforesaid, and the books, papers, correspondence, and the funds of the company, shall at all times be subject to the inspection of the board of directors.

RULE XV.

The total amount of the debts which the bank shall at any time owe, whether by bond, bill, note or other contract, shall not exceed three times the amount of its capital (over and above the monies then actually deposited in the bank for safe keeping.) In case of excess, the directors under whose administration it shall happen, shall be liable for the same in their private capacities, and an action of debt may in such case be brought against them, or any of them, their or any of their heirs, executors or administrators, in any court in this state having jurisdiction, by any creditor or creditors of the said corporation, and may be prosecuted to judgment and execution; any condition, covenant or agreement to the contrary notwithstanding. But this shall not be construed to exempt the said corporation, or the lands, tenements, goods or chattels of the same, from being also liable for, and being chargeable with the said excess. Such of the said directors, who may have
RULE XVI.

Dividends of the profits of the company, or of so much of the said profits as shall be deemed expedient and proper, shall be declared and paid half yearly, and the said dividends shall from time to time, be determined by a majority of the directors, at a meeting to be held for that purpose, and shall in no case exceed the amount of the nett profits actually acquired by the company, so that the capital stock thereof shall never be impaired by dividend.

RULE XVII.

If the said directors shall at any time willfully and knowingly, make or declare a dividend which shall impair the capital stock, all directors who shall be present, at the making or declaring such dividend and assenting thereto, shall be liable in their individual capacities to the said company, for the amount or portion of said stock, so divided by the said directors, and each director who shall be present at the making or declaring of such dividend, shall be deemed to have consented thereto, unless he shall immediately declare in writing his dissent, on the minutes of the proceedings of the board.

RULE XVIII.

The directors shall keep fair and regular entries in a book provided for that purpose of their proceedings, and on any question when two directors shall require it, the yeas and nays of the directors voting shall be duly inserted on their minutes, and those minutes be at all times on demand produced to the stockholders, when at a general meeting the same shall be required.

RULE XIX.

The corporation shall continue until the first day of May, one thousand eight hundred and thirty, but the proprietors of two thirds of the capital stock of the company, may by their concurring vote, at a general meeting to be called for that express purpose, dissolve the same at any prior period. Provided, that notice of such meeting and of its object, shall be published in one of the newspapers printed in the city of Augusta, Savannah, and Milledgeville, for at least twelve months previous to the time appointed for such meeting.
Sec. 7. And be it further enacted by the authority aforesaid, That immediately on the dissolution of the company, effectual measures shall be taken by the existing directors for closing all the concerns of the company, and for dividing the capital and profits, which may remain among the stockholders in proportion to their respective interests.

Sec. 8. And be it further enacted, That when the increase of the capital shall take place, no person or persons shall in his, her or their own right, or in the right of any other person subscribe for more than ten shares until after the expiration of three months, and should there be any shares unsold after the aforesaid time, the same may be subscribed for by any person or persons, and the directors shall advertise the same for the space of three months in the newspapers aforesaid.

Sec. 9. And be it further enacted by the authority aforesaid, That any person or persons who shall print, sign or pass, or be concerned in the printing, signing, or passing any counterfeit note or notes, bill or bills, of the bank of Augusta, knowing them to be such, or who shall alter, or be concerned in the altering of any genuine note or notes, bill or bills of the said bank, and shall be convicted thereof, shall suffer death.

JARED IRWIN, President of the Senate.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

Executive Department, Georgia,
Assented to, 6th December, 1810.

DAVID B. MITCHELL, Governor.

AN ACT

For the relief of Charles Sthal.

WHEREAS it appears that Charles Sthal became security for the appearance of one George Demison, as an evidence in a certain case then pending in the superior court of Camden county, and from unavoidable circumstances was unable to attend, 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...
(No. 493.) the justices of the inferior court of Camden county, be, and they are hereby directed to remit the penalty incurred by the said George Demison’s failing to attend.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 8th December, 1810.

DAVID B. MITCHELL, Governor.

(No. 494.)

AN ACT

For the renewal of a certain bounty warrant therein mentioned.

WHEREAS John Jones, by his petition to this legislature, has prayed the renewal of a bounty warrant in the name of James Mills, for six hundred and forty acres of land.

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 it shall be lawful for, and the comptroller general is hereby required to take in the outstanding evidence of the claim of the said James Mills, and issue a new one in lieu thereof, provided 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.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 8th December, 1810.

DAVID B. MITCHELL, Governor.

(No. 495.)

AN ACT

To authorize the judge of the Middle District to hold an extra session in the county of Washington.

WHEREAS there was a failure of the superior court which should have been held in and for Washington county, on the first Monday in November instant; 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 court for the middle circuit be, and he is hereby authorized and empowered to hold a court in and for the said county of Washington, on the second 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 of 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 holden in and for the said county of Washington on the first Monday in November instant, 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 holden in Washington county on the first Monday in November instant, 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 holden in pursuance of this act.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 8th December, 1810.

DAVID B. MITCHELL, Governor.

AN ACT.

To divorce and separate John Nelson, and Celia, his wife.

Sec. 1. BE it enacted by the Senate and House of Representatives in General Assembly met, and by the authority of the same, That from and immediately after the passing of this act, the matrimonial connexion, or civil contract of marriage made between John Nelson and Celia his wife, late Celia Boykin, shall be completely annulled, set aside and dissolved, as fully and effectually as if no such contract had ever been made and entered into between them.
Sec. 2. And be it further enacted by the authority aforesaid, That the said John Nelson and Celia Nelson, late Celia Boykin, shall in future be held as separate and distinct persons, altogether unconnected by any mystical union or civil contract whatsoever, at any time heretofore made or entered into between them.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 8th December, 1810.

DAVID B. MITCHELL, Governor.

AN ACT

To authorize the commissioners of the academies in the several new counties of this State, to purchase one thousand pounds worth of confiscated property.

WHEREAS the General Assembly of this State did on the 20th day of December, 1792, pass a law authorizing the commissioners of the academies of the several counties in this State to purchase one thousand pounds worth of confiscated property, and as there are several new counties in this State which have not yet received such donation;

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 the commissioners of the several county academies in this State, or their agents, who have not heretofore received one thousand pounds worth of confiscated property, shall be and they are hereby authorized to purchase at any sales of confiscated property, to the amount of one thousand pounds for each county, and the commissioners for selling of confiscated property are hereby authorized to receive their bids to the above amount, and to make sufficient titles to them for the same, and their successors in office.

Sec. 2. And be it further enacted by the authority aforesaid, That where the commissioners of any of the county academies as aforesaid, have heretofore become purchasers of any confiscated property, either by themselves or agents, the said commissioners of confiscated property are hereby authorized and required to make titles for the same to them, and their successors in office, as well as for all other property which they or any of them may hereafter purchase at such sales; Provided nevertheless, That if any commissioners so purchasing or having purchased at such sales, having hereto-
fore received any part of the one thousand pounds as allowed by the before recited act, (No. 497.) that in that case they shall only receive such sum as will in all make the sum of one thousand pounds as aforesaid.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

JARED IRWIN, President of the Senate.

Executive Department, Georgia,

Assented to, 8th December, 1810.

DAVID B. MITCHELL, Governor.

AN ACT

To authorize the commissioners of the town and commons of Frederica, to sell five acres of the commons belonging to said town.

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 commissioners of the town and commons of Frederica, are hereby authorized to sell unto Joseph Turner, five acres of the commons of said town, and make him titles in fee simple, he paying a valuable consideration for the same; and the monies arising from the sale, to be applied to the use of the academy of said county.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

JARED IRWIN, President of the Senate.

Executive Department, Georgia,

Assented to, 8th December, 1810.

DAVID B. MITCHELL, Governor.
AN ACT

To authorize the commissioners of St. Mary's Lottery to dispose of the funds that may arise from the same.

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 commissioners of the St. Mary's lottery shall be authorized and empowered, after completing the dam or dyke contemplated to prevent the inundation of sea water, shall estimate the amount of costs and charges attending the same, opposite each lot. And should not the lesor, proprietor or leasee thereof, pay up to the town treasurer said costs and charges, the lots before which the work shall be done, shall be, and are hereby declared liable for the annual payment of six per cent. interest, on the amount expended as aforesaid, to be appropriated by council to public purposes.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

JARED IRWIN, President of the Senate.

Executive Department, Georgia,

Assented to, 8th December, 1810.

DAVID B. MITCHELL, Governor.

AN ACT

Amendatory to an act, entitled, "an act to enable the trustees of the Richmond academy to lease out the commons of Augusta, and for other purposes therein mentioned, and to enlarge their powers."

WHEREAS the cultivation of the flat lands lying south of the city of Augusta, will greatly contribute towards the promotion and preservation of the health of the inhabitants, as well as aid in the support of the academy, which is represented to be in a very flourishing and thriving situation, and deservedly entitled to the further patronage of the legislature.

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 and may be lawful for the trustees of the Richmond academy
from and after the expiration of the present leases, to lease out any part or the whole of the said commons in lots, for one or more years, at their discretion, the rents of which said commons to be considered as part of the funds of the said academy.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 8th December, 1810.

DAVID B. MITCHELL, Governor.

AN ACT

To alter and amend the third section of an act, entitled, "an act to impose a tax for the support of government, for the year eighteen hundred and eight."

WHEREAS by the said third section of the before recited act, it is enacted that all the property of the tax collector and his securities of which they, or either of them were possessed at the time of entering into bond, shall be bound from the time of signing the same for the amount which may be due the State. And whereas it is but reasonable and just that the State and county tax should be upon the same footing; for remedy whereof;

Sec. 1. 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 passing of this act, all the property of the tax collector and his security or securities, as well for the county as State tax, shall be bound from the time of signing such bond.

Sec. 2. And be it further enacted, That when any execution may be issued against any tax collector for taxes due this State, or any county within this State, and when the sheriff may levy the same on property claimed by any person not a party to said execution, the same proceedings shall be had thereon, as for the trial of the right of real or personal property within this State; Provided nevertheless, That all such trials shall be had before the superior court of such county wherein such levy was made.

Sec. 3. And be it further enacted, That it shall and may be lawful for any three or more justices of the inferior court of each county within this State, to issue, in their own names, for the use of the county, executions against any tax collector and his security or securities who may be in default for county tax.
(No. 501.)
Sec. 4. And be it further enacted, That no justice of the inferior courts within this State shall hereafter exercise the duties of tax collector or receiver of tax returns.

Sec. 5. And be it further enacted, That all laws and parts of laws heretofore passed in this State militating against this act, shall be, and the same are hereby repealed.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 8th December, 1810.

DAVID B. MITCHELL, Governor.

(No. 502.)

An Act

For the relief of Kenneth Irvine.

Whereas at a superior court in Liberty county in March last, there was by verdict a fine of three hundred dollars inflicted upon the said Kenneth Irvine for default in returning the names of slaves liable to work upon the roads. And whereas it appears that his default originated from ignorance and negligence, rather than from an intention to evade the performance of his duty.

Be it enacted by the Senate and House of Representatives, in General Assembly met, and it is hereby enacted, That the said fine be, and is hereby remitted, and that the justices of the inferior court for the county of Liberty be ordered to stay execution.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 8th December, 1810.

DAVID B. MITCHELL, Governor.
AN ACT

To repeal an act, entitled "an act to remove the courts, elections, and other county business of the county of Telfair," passed the 22d day of December, 1808; and to determine upon a proper seat for the same.

Sec. 1. Be it enacted by the Senate and House of Representatives in General Assembly met, and by the authority of the same, That from and after the passing of this act, it shall and may be lawful for the justices of the inferior court of the county of Telfair, to meet and determine upon any spot or lot of land, as the seat of the courts, elections and other county business in the said county; Provided, the same is within the eighth district of the said county, and upon the Ocmulgee river; any law to the contrary notwithstanding.

Sec. 2. And be it further enacted by the authority aforesaid, That the elections and other county business shall be transacted at the dwelling house of Mark Pregon, in the eighth district, on the said river Ocmulgee, until the public buildings shall be completed.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 8th December, 1810.

DAVID B. MITCHELL, Governor.

AN ACT

To divorce Thomas Harvey and Martha his wife.

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 immediately after the passing of this act, the matrimonial connexion or civil contract of marriage made between Thomas Harvey and Martha his wife, late Martha Safford, shall be completely annulled, set aside and dissolved, as fully and effectually as if no such contract had ever heretofore been made and entered into between them.

Sec. 2. And be it further enacted by the authority aforesaid, That the said Thomas Harvey and Martha his wife, late Martha Safford, shall in future be held as separate and distinct persons, altogether unconnected by any mystical union or civil contract whatsoever, at any time heretofore made or entered into between them.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 8th December, 1810.

DAVID B. MITCHELL, Governor.
AN ACT

To keep open Savannah and Tugalo rivers, and to prevent obstructions in the same, calculated to impede the free passage of boats and fish, so far as respects the county of Franklin.

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 immediately after the first day of February next, it shall not be lawful for any person or persons to obstruct or cause to be obstructed, more than one half of Savannah and Tugalo rivers, from the mouth of Lightwood-log creek, to the Indian boundary line in said county, by dams, fish traps, or other obstructions, and that one half of said streams which shall include the main current, shall at all times be kept open for the free passage of boats and fish.

SEC. 2. And be it further 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 fifty dollars for each day he, she, or they shall so offend, to be prosecuted and recovered in the superior court of said county, to be recovered by bill of indictment, 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 the preservation and interest of the citizens of this State; and upon conviction the informer shall be entitled to one fourth of the penalty incurred by a violation of the provisions contained in this act, and the other three fourths to be placed in the clerk's office of the inferior court, for the purpose of keeping open said rivers; and shall be subject to the commissioners of said rivers, to be by them applied to the improving the navigation of said rivers.

SEC. 3. And be it further enacted, That Joseph Walters, Richard Gray, John Mulloy, John D. Terrell, and Joel Yowell, be, and they are hereby appointed commissioners, who shall have complete power to survey and view any obstructions in said rivers which may be considered in violation of the provisions contained in this act, and on their giving five days notice to any person or persons, their agent or attorney, who shall obstruct said rivers or continue any obstructions now in said rivers, in violation of this act, then, and in that case, they or a majority of them shall have competent power to remove or cause to be removed such obstructions, by calling to their aid, if necessary, any number of citizens of said county; Provided nevertheless, that no penalty imposed by this act, shall take place prior to the first day of February next.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 8th December, 1810.

DAVID B. MITCHELL, Governor.
AN ACT

To secure to Lewis Calffrey and John Coats, their heirs and assigns, the sole and exclusive right of running a line of stage carriages between the cities of Savannah and Augusta, for the term of ten years.

WHEREAS the exclusive right to run a line of stage carriages for the conveyance of passengers and their baggage, between the city of Savannah and the city of Augusta, was by law vested in James Gaffney and Lewis Calffrey for the term of five years, commencing on the first day of October, one thousand eight hundred and six, and which term will expire on the first day of October, one thousand eight hundred and eleven, and which exclusive right is now vested in the said Lewis Calffrey and John Coats, who have petitioned the present legislature for the exclusive right of running the said line of stage carriages between the aforesaid cities of Savannah and Augusta, to be extended to them for the further term of ten years; to commence on the first day of October, eighteen hundred and eleven.

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 said Lewis Calffrey and John Coats, their heirs and assigns, shall have the sole and exclusive right of running a line of stage carriages for the conveyance of passengers and their baggage, between the city of Savannah and the city of Augusta, for the term of ten years, to commence on the first day of October, one thousand eight hundred and eleven.

Sec. 2. And be it further enacted, That if any person or persons shall within the said term, presume to run any stage carriage or carriages in any manner for fare or hire between the places aforesaid, without the consent or concurrence of the said Lewis Calffrey and John Coats, their heirs or assigns under their hands and seals first obtained, every such person or persons so offending, shall forfeit and pay to the said Lewis Calffrey and John Coats, their heirs and assigns, double the amount of the sum demanded or received by the said person or persons, to or from any part or place within the limits of the said city of Savannah and city of Augusta, comprehending all the different routes between the same, to be recovered by the said Lewis Calffrey and John Coats, their heirs and assigns, by action of debt before any magistrate or court having cognizance thereof; Provided, the said Lewis Calffrey and John Coats do give bond in the sum of two thousand five hundred dollars, with good and sufficient security to his excellency the governor, for the running of stages for the aforesaid term.

Benjamin Whitaker, Speaker of the House of Representatives.

Jared Irwin, President of the Senate.

Executive Department, Georgia,

Assented to, 5th December, 1810.

David B. Mitchell, Governor.
To amend an act, entitled "an act to make permanent the seat of the public buildings in 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 it is hereby enacted, That George Walker, Jacob Snell, Allen Tuke, William S. Lancaster, and Josiah Everett, are hereby appointed commissioners for the town of Hartford in the county of Pulaski, the same being the site of the public buildings for said county.

Sec. 2. And be it further enacted by the authority aforesaid, That the said commissioners shall give bond and security to the inferior court and their successors in office, in the sum of forty thousand dollars, and take an oath to appropriate the money arising from the sale of said lots, for the building of a court-house and jail in the town aforesaid, and for other county purposes that shall be by them deemed of public utility under the inspection of the inferior court of said county.

Sec. 3. And be it further enacted, That the justices of the inferior court or a majority of them of the said county of Pulaski shall on the first Monday in January next, or within twenty days thereafter, meet at the town of Hartford, and transfer all monies which have not heretofore been laid out for county purposes, bonds and securities which they have taken in consideration of the sale of lots in the town aforesaid, to the commissioners aforesaid, under the penalty of forty thousand dollars; which said penal sum, on the failure of the compliance of the said justices or either of them holding public money arising from the sales of said town lots, bonds, notes or other security, may be sued for and recovered in any court of justice in this state having cognizance thereof.

Sec. 4. And be it further enacted, That when ever any lots in the said town shall hereafter be sold by the commissioners of the said town of Hartford, the amount of monies due for the lots shall be made payable to the aforesaid commissioners or their successors in office who are hereby made a body corporate and authorized to sue and be sued, to plead and be impleaded in any court of law or equity in this state having cognizance thereof.

Sec. 5. And be it further enacted, That the before mentioned commissioners shall annually at the first sitting of the superior court in every year for said county of Pulaski, lay before the grand jury of said county a fair statement of the monies, bonds, and other securities that they shall have collected, or that may remain in their hands, or either of them, arising from the sales of said town lots, under the inspection of the clerk of the superior court of said county; and it is hereby made the duty of the grand jury to attend
AN ACT
To incorporate the town of Warrenton in the county of Warren, and to vest certain powers in the commissioners thereof.

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 aforesaid, That David Bush, George Cotton, Chappel Heath, Jeremiah Butt, and Hamilton Goss, 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 said town, and the preservation of the public good: Provided nevertheless, 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 twelve, 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.

Sec. 3. And be it further enacted, That the said incorporation shall extend to, and take all the town lots that have been originally laid off in said town, and also shall comprehend all the land within three hundred yards of the said court-house, it being the centre of said corporation.

Benjamin Whitaker, Speaker of the House of Representatives.
Jared Irwin, President of the Senate.

Executive Department, Georgia,
Assented to, 8th December, 1810.
David B. Mitchell, Governor.
AN ACT

To establish and make permanent the site of the public buildings in the county of Twiggs.

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 court-house and other public buildings for the county of Twiggs shall be erected at or near Joiner’s spring above Savage’s creek, on lot No. 73, in the 25th district, late Wilkinson, now Twiggs county;

SEC. 2. And be it further enacted by the authority aforesaid, That John Harden, Jacob Ricks, William Davis, Lovet B. Smith and James McCormick be, and they and their successors in office are hereby appointed commissioners of the court-house and jail of the said county of Twiggs, and they or a majority of them are hereby authorized to purchase as a site for the public buildings not less than 75 nor more than 200 acres of the said lot No. 73 above described; and they or a majority of them are hereby authorized to contract for and superintend the building of the court-house and jail for the said county of Twiggs at the place mentioned in the first section of this act, after giving at least thirty days previous notice in one or more of the public gazettes in the Ocmulgee district.

SEC. 3. And be it further enacted by the authority aforesaid, That the said commissioners be and they are hereby authorized to lay off on such land as may be so purchased as aforesaid, such number of lots as they or a majority of them may think proper, and the same to expose to public sale, after giving thirty days notice as above, on credit, at four equal annual instalments, the purchaser giving bond with approved security to the said commissioners and their successors in office for the amount of such security. The proceeds of said sales to be applied to the erection of the public buildings in said county, and for other county purposes.

SEC. 4. And be it further enacted by the authority aforesaid, That all acts and parts of acts militating against this act be, and the same are hereby repealed.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

JARED IRWIN, President of the Senate.

Executive Department, Georgia,

Assented to, 8th December, 1810.

DAVID B. MITCHELL, Governor.
AN ACT

To regulate the town of Monticello in the county of Randolph.

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 Richard Holmes, Henry Walker, Stokeley Morgan, James Armour and Francis S. Martin, esquires, be and they are hereby appointed commissioners of the said town of Monticello, 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 for the government of, for the improvement and repairing of the streets of said town, and for the preservation of the public springs; 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 of any white person. And provided also, That the said commissioners shall not impose any poll 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 in the year 1812, 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 commissioner who may be elected in pursuance of this act.

Sec. 4. And be it further enacted, That said commissioners shall have power to elect a marshal to execute their decrees, whose fees shall be the same as the constable in all cases.

Benjamin Whitaker, Speaker of the House of Representatives.
Jared Irwin, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1810.

David B. Mitchell, Governor.
AN ACT

Amendatory to an act for laying out the county of Twiggs, passed 14th December, 1809, and also to enable the justices of the inferior courts of Telfair, Laurens, Wilkinson, Pulaski, and Montgomery counties, to draw grand and petit jurors for their respective counties.

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 inferior courts for the county of Twiggs shall be holden on the first Monday in February and October in each year.

SEC. 2. And be it further enacted by the authority aforesaid, That the justices of the inferior court for the county of Twiggs, or a majority of them, together with the clerk of the superior court and sheriff of said county be, and they are hereby authorized on the first Monday in January next, and on the first Monday in January in every two years thereafter, or at any other time that to them shall be convenient, being at least sixty days previous to the time pointed out for holding the said superior and inferior courts in the said county of Twiggs, to break the seal or seals of the jury box of the county aforesaid, and to draw from thence a sufficient number of persons to serve as grand and petit jurors in the superior court for said county, as also a petit jury for the inferior courts: and the jurors being drawn, the said jury box again to seal and deliver, together with the key or keys to the proper officer or officers, as pointed out by law.

SEC. 3. And be it further enacted by the authority aforesaid, That the justices of the inferior courts of Telfair, Laurens, Wilkinson, Pulaski and Montgomery counties be, and they are hereby authorized to draw grand and petit jurors for their respective counties at any time that to them shall be convenient, being at least sixty days previous to the time appointed for the holding of the superior courts of their respective counties, in like manner as pointed out for drawing grand and petit jurors for the county of Twiggs, by the 2d section of this act.

SEC. 4. And be it further enacted by the authority aforesaid, That the true construction of the fifth section of the act to which this act is amendatory is, that all officers shall hold their respective appointments in the county in which they respectively resided at the passage of this act, and not otherwise.

SEC. 5. And be it further enacted by the authority aforesaid, That all acts and parts of acts militating against this act, be, and the same are hereby repealed.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 13th December, 1810.

DAVID B. MITCHELL, Governor.
AN ACT

For the relief of Mary M'Wright.

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 and may be lawful for the officers of the proper departments of this State, to issue a grant to Mary M'Wright, for one tract of land in the 14th district Wilkinson, known by the No. three hundred and forty three; any law to the contrary notwithstanding. Provided, she relinquish her claim to fraction No. 341, in said district.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 13th December, 1810.

DAVID B. MITCHELL, Governor.

AN ACT

To authorize certain commissioners therein named, to establish a lottery for the purpose of raising fifteen hundred dollars, to enclose the burial ground of Midway church in Liberty 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 and may be lawful for the commissioners hereinafter named, to establish a lottery, whereby they may be enabled to raise the sum of fifteen hundred dollars, for the purpose of enclosing the burial ground of Midway church, in Liberty county, under such scheme and regulation as they or a majority of them may deem necessary and proper, to carry into effect the above recited act.

Sec. 2. And be it further enacted, That James Powell, Daniel Stewart, and John Elliott, be, and they are hereby appointed commissioners to carry into effect the aforesaid lottery.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 13th December, 1810.

DAVID B. MITCHELL, Governor.
To incorporate a company for the improvement of the navigation of the Ocone river, from the mouth of Fishing creek near Milledgeville, up to the Big Shoals at John Barnett's.

WHEREAS the improvement of the inland navigation of every country is of primary importance to its inhabitants, and as few countries enjoy greater natural advantages than this State, for the extension of commerce; and it being conceived that the clearing out, removing obstructions, building dams, sinking canals and erecting locks upon the river from the Big Shoals at John Barnett's to the town of Milledgeville, would greatly conduce to the interest and convenience of the inhabitants settled to the north and south western parts of this State;

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 a company shall be established by the name and style of the Ocone Navigation Company, and that all those who associate themselves by subscribing to that effect, or their successors and assigns, shall be, and they are hereby created and made a body politic and corporate, and by that name and style are hereby made able and capable in law, to have, purchase, receive, possess, enjoy and retain to them and their successors, lands, rents, tenements, goods, chattels and effects of what kind, nature or quality soever; and the same to sell, demise, alien, or dispose of; to sue and be sued, plead and be impleaded, answer and be answered in courts of record, or other places, and also to make, have and use a common seal, and the same to break, alter and renew at their pleasure; and also to ordain, establish and put in execution such bye-laws, ordinances, and regulations, as shall seem necessary for the improvement of the navigation of said river, by locks, dams, canals or otherwise, as they or a majority of the directors hereafter named, or their successors in office, may deem necessary to carry that object into effect; Provided, such bye-laws, rules, regulations and ordinances are not repugnant to the constitution or the constitutional laws of this State.

SEC. 2. And be it further enacted, That for the well ordering of the affairs of the said corporation, there shall be nine directors, for whom there shall be an election on the first Monday of January in each year after January next, by the share-holders or a majority of them, at such place as they or a majority of them may direct, and by a plurality of votes actually given, shall decide upon the directors who shall succeed; and are hereby made capable of serving as directors by virtue of such choice until a future election shall be holden in terms of this act: and the said directors or a majority of them, shall at their first meeting appoint one of their members as president; and may exercise the power of filling all vacancies that may happen in their own body for the time being.
SEC. 5. And be it further enacted, That James Turner, Zachariah Sims, Henry Todd, Joseph Philips, Thomas W. Grimes, Richard Park, John Garner, Thomas Reid, and Joseph Cooper, be, and they are hereby appointed directors; and are hereby constituted a body politic with a corporate capacity for the express purpose of carrying the provisions of this act into complete effect, and that they or a majority of them shall convene at such time and place as they may think proper to appoint for that purpose, and to meet upon their own adjournment, and so soon as 100 shares shall have been subscribed for, the board of directors or any three of them may give public notice in one of the Milledgeville gazettes, pointing out the time and place of meeting to arrange and commence the operation of the said corporation.

SEC. 6. And be it further enacted, That the directors for the time being, shall have power to appoint such officers and servants under them, as shall be necessary for executing the business of the said corporation, and to allow them such compensation for their services, respectively, as shall be reasonable, and shall be capable of exercising such other powers and authorities for the well governing, and ordering the affairs of the said corporation as shall be described, fixed and determined by the laws, regulations and ordinances of the same.

SEC. 7. And be it further enacted, That when the said corporation shall have so removed the obstructions in that part of the Oconee river between the town of Milledgeville, and the mouth or junction of the Appalachee that boats can safely pass up or down the said river, then the said corporation shall have full power to levy, collect and receive a toll on all articles carried up or down the said river, not exceeding 25 cents for every hundred weight, except lumber, which shall not exceed the rate of 50 cents for every thousand feet; and also levy a toll in proportion to that distance from any other place on the said river between the said town of Milledgeville and the Big Shoals at John Barnett’s.

SEC. 8. And be it further enacted, That the following rules, restrictions, limitations and provisions shall form the fundamental articles of the constitution of the said corporation; the number of votes to which each share-holder shall be entitled, shall be according to the number of shares he, she or they shall hold in the proportions following, viz. for one share and not more than four shares, one vote; for five shares and not more than nine, two votes; for ten shares three votes; and for every five shares above ten, one vote. None but a share-holder shall be eligible as a director; no director or president shall be entitled to any emolument unless the same shall be allowed by a majority of the share-holders at a general meeting—not less than five directors shall constitute a board for the transaction of any business, of whom the president shall be one, except in cases of sickness or necessary absence, in which case his place shall be supplied by another director.

Every treasurer before he enters upon the duties of his office shall be required to give bond with two or more securities to the satisfaction of the directors in a sum not less
than double the amount of the anticipated funds that may be committed to the charge and safe-keeping of the said treasurer, conditioned to be of good behaviour and faithful performance of the trust reposed in him.

The share or shares in the said corporation shall be assignable and transferable according to such rules as shall be instituted in that behalf by the laws and ordinances of the same.

Yearly dividends shall be made of so much of the profits arising from the corporation as shall appear to the directors advisable, and once in every two years the directors shall lay before the share-holders at a general meeting for their information an exact and particular statement of all debts due or owing, and all monies received and expended—And the president and directors for the time being, before they enter on the duties of their office shall take and subscribe on the books of the corporation the following oath: I, A B will faithfully discharge the several duties confided to the trust reposed in me by the corporation, to the best of my skill and abilities, so help me God—And each officer that may be appointed under and by virtue of this corporation, before they enter on the duties of their respective appointments, shall take and subscribe the same oath in like manner.

SEC. 6. And be it further enacted by the authority aforesaid, That the said corporation shall remain and continue a body politic under the restrictions, limitations and provisions aforesaid, until the first day of June, 1830, and from thence to continue in full force and virtue until the Legislature of the state of Georgia do by a special appropriation remunerate the said corporation in full of all expenditures with legal interest thereto.

SEC. 7. And be it further enacted, That nothing herein contained shall be so construed as to authorize the directors or any other person or persons whatsoever, to interfere with, or injure any mill-dam that is now made or begun on said river without the consent of the owner or owners thereof:

BENJAMIN WHITAKER, Speaker of the House of Representatives.

JARED IRWIN, President of the Senate.

Executive Department, Georgia,

Assented to, 15th December, 1810.

DAVID B. MITCHELL, Governor.
AN ACT

To add a part of Putnam county to Jones county.

WHEREAS a number of the citizens of Putnam county have petitioned this Legislature praying to be added to Jones county.

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 all that part of the said county of Putnam which lies in the bend of Cedar creek, between the said creek and a straight line to run from the upper corner of lot No. 222 to the corner of Randolph county on lot No. 121, said lots lying in the district originally number 10 in the plan of Baldwin county, be, and the same is hereby annexed to, and shall constitute a part of the county of Jones.

Sec. 2. And be it further enacted by the authority aforesaid, that Wilkins Jackson, William D. Lane, and John Broadnax, jun. be, and they are hereby appointed commissioners to superintend the running and marking the said line, and the surveyor for the county of Putnam is hereby authorized and required to run, and cause the said line to be distinctly marked under the direction of the aforesaid commissioners or a majority of them.

Sec. 3. And be it further enacted by the authority aforesaid, that all the expense incurred by, and in consequence of running and marking the said line, shall be defrayed by the county of Jones; provided the said expense shall not exceed the sum of thirty dollars.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1810.

DAVID B. MITCHELL, Governor.

AN ACT

To make known and establish the dividing line between Bullock and Montgomery counties.

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 dividing line between Bullock and Montgomery counties shall be known and established as herein mentioned, to wit: beginning on Great Ogeechee at the mouth of Deep creek, thence
(No. 516.) running the main course of said creek to the head thereof; thence a direct line with said creek to Big Canouehee, thence down said Canouehee to where the Montgomery and Tatnall lines strike the same.

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.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1810.

DAVID B. MITCHELL, Governor.

(No. 517.) For running the line dividing the counties of Montgomery and Tatnall, and making plain the same.

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, Travis Thigpen of Montgomery county, and Arthur Lott of Tatnall county, be, and they are hereby authorized and appointed to run and mark distinctly the dividing line between the counties of Montgomery and Tatnall, beginning at the mouth of Limestone creek on the Oconee river, and from thence in a direct course to the mouth of Wolf creek on the great Canouehee, being the boundary line established by law when the county of Tatnall was laid off from the county of Montgomery, but never correctly marked.

Sec. 2. And be it further enacted, That after the line has been run and marked agreeable to law, and a return made of such service to the justices of the inferior court of each county, they are hereby authorized to make such compensation, as in their judgment may appear reasonable.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1810.

DAVID B. MITCHELL, Governor.
AN ACT.

To amend the 3d section of an act, entitled "An act pointing out the duty of sheriffs in selling lands under execution," passed 22d December, 1808.

Sec. 1. BE it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, That from and immediately after the passing of this act, so much of the above recited act, requiring the sheriffs of the different counties in this state to advertise their sales in some public paper, printed in their respective circuits, so far as respects the counties of Hancock, Washington, Lincoln, Franklin, Montgomery and Tatnall, be, and the same is hereby repealed.

Sec. 2. And be it further enacted, That the sheriffs of the counties of Hancock and Washington shall publish their sales in one of the Milledgeville papers, and the sheriffs of the counties of Montgomery and Tatnall, shall be, and they are hereby required to publish their sales in one of the Milledgeville or Savannah papers; and the sheriffs of Franklin and Lincoln in one of the public papers of Augusta, any law to the contrary notwithstanding.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1810.

DAVID B. MITCHELL, Governor.

AN ACT.

To authorize the judge of the superior court of the Ocmulgee district to hold an extra session in the county of Putnam.

WHEREAS there was a failure of the superior court which should have been holden in and for Putnam county in September last, occasioned by the indisposition of the judge; 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 of the Ocmulgee district, be, and he is hereby authorized and empowered to hold a court in and for said county of Putnam, on the 4th Monday in January next. And that all officers of said court, jurors and witnesses be
required to attend under the same penalties and the like restrictions as if the said court had been held at the period heretofore pointed out by law for 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 said county of Putnam in September 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 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 said county of Putnam in September 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.

JARED IRWIN, President of the Senate.

Executive Department, Georgia.

Assented to, 13th December, 1810.

DAVID B. MITCHELL, Governor.

AN ACT.

To incorporate the Savannah Female Asylum Society in the city of Savannah.

WHEREAS by a petition presented to the Legislature from a number of ladies in the city of Savannah, it is represented that they, together with their associates have formed a society for the very humane, charitable and laudable purposes of protecting, relieving and instructing orphan children of their own sex in said city, and have prayed to be incorporated.

SEC. 1. Therefore 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 such persons of the female sex as now are, or hereafter shall become annual subscribers to the amount of not less than three dollars per annum to the said association, shall be and are hereby constituted a body corporate and politic in fact and in name, by the denomination of the Savannah Female Asylum in the city of Savannah, and by that name shall have perpetual succession and be in law capable of suing and being sued, defending and being defended in all courts of law and places, and in all manner of actions and cases.
and may have a common seal, and change the same at their pleasure, and shall by that name and style be capable in law of purchasing, holding and conveying any estate, real or personal, for the use of said corporation.

SEC. 2. And be it further enacted by the authority aforesaid, That the estates and concerns of the said corporation shall be managed, directed and disposed of by a board of trustees, to be composed of a first and second directress, a treasurer, secretary and ten trustees, to be elected by a plurality of ballots of the members resident in the county of Chatham, being annual subscribers as aforesaid, and present at such elections yearly and on the 2d Saturday in December, at such place in said county and at such time of the day as the board of trustees may from time to time by ordinance or otherwise appoint, and of which public notice shall be given; and if any vacancy shall be occasioned by the death, resignation, removal or otherwise, of any one of the said board, the same shall be filled for the remainder of the year by such person or persons, being annual subscribers aforesaid, as the board of trustees for the time being or the major part shall appoint; and until the election on the second Saturday in December, one thousand eight hundred and eleven, the board of trustees shall be as follows, viz.

Ann Clay, first directress, Sarah C. Noé, second directress, Catharine Stebbins, treasurer, Francis Stebbins, secretary, Sarah Evans, Mehitable Koolkeek, Rebecca Newell, Mary Wall, Elizabeth Irvine, Hannah Hill, Catharine Stites, Martha Stevens, Mary C. Taylor, and Hester Johnson, trustees, and that a majority of said board shall be requisite to transact business, and in case the first or second directress give non-attendance, the members present may appoint a directress pro temore.

SEC. 3. And be it further enacted, That if the annual election shall not be made on the stated day, the said corporation shall not be thereby dissolved, but the members of said board continue in office until a new election, which shall be made at such time and place, and after such notice, as the board shall prescribe, and in case an equality of votes shall be given for any one or more persons as a member or members of the said board of trustees, the board shall determine which of such persons shall be considered as elected, and which determination shall make it lawful for such person or persons to take her or their seat accordingly.

SEC. 4. And be it further enacted, That the said board shall, at least at every yearly election, exhibit to the members of the said corporation an exact account of the receipts and disbursements of the preceding year.

SEC. 5. And be it further enacted, That the said board may from time to time make bye-laws, ordinances, and resolutions relative to the management and dispositions of the estate and concerns of the said corporation, and the regulation of the persons exercising the offices aforesaid, not contrary to law; and may appoint such other officers, agents
and servants as they may deem necessary to transact the business of the said corporation, and designate their duties.

SEC. 6. And be it further enacted, That the husband of any married woman who is or may be a member or officer of the said corporation, shall not be liable to the said corporation for any loss occasioned by the neglect or misfeasance of his wife, or upon any subscription or engagement of his wife; but if he shall have received any money from his wife belonging to the said corporation, or the same shall have been applied to his use, he shall be accountable therefor, or if the husband’s goods shall be attached, or if he shall have become insolvent, such money if received after the passing of this act, shall be paid by the trustees or assignees in preference to all other debts.

SEC. 7. And be it further enacted, That if the said corporation shall apply any part of their funds to any other purposes than those contemplated by this act, and shall thereof be convicted in due course of law, then the said corporation shall cease and determine, and the estate real and personal thereof shall be forfeited to, and vested in the people of this state.

SEC. 8. And be it further enacted, That this act be, and is hereby declared a public act, and that the same be construed in all courts and places benignly and favourably, for every humane, charitable and laudable purpose therein contained.

SEC. 9. And be it further enacted, That all laws and parts of laws militating against this act be, and the same are hereby repealed.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1810.

DAVID B. MITCHELL, Governor.

(No. 521.)

AN ACT

To point out a regular and definitive rule for the priority of judgments, obtained in the several courts of this State.

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 judgments obtained in the superior, inferior or justices
courts of this State, shall be entitled to the right or claim of any money received by the sheriffs, coroners or constables, agreeable to the date of such judgment or judgments, and that all the property belonging to the defendant or defendants, shall be bound and subject to the discharge of the first judgment or judgments, obtained in either of the aforesaid courts; provided, the demand of such right is made before any of the aforesaid officers have paid the money over to the plaintiff in interest; any law, usage or custom to the contrary notwithstanding.

**SEC. 2.** And be it further enacted, That where any dispute may arise touching personal property, levied on by virtue of any execution issued from a justices' court, that the justice or justices at their next court, shall in open court draw five jurors, in the same manner as they are authorized for the trial of appeals in justices' courts, which jury shall be summoned in the same manner, and take a like oath.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 18th December, 1810.

DAVID B. MITCHELL, Governor.

**AN ACT**

To authorize the commissioners of Milledgeville to sell and dispose of certain lots in said town.

**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, the said commissioners shall be, and they are hereby authorized and empowered to sell and dispose of any number of lots in said town, not exceeding twelve, and not already disposed of, in any part of said town as may be deemed most advantageous to the State, and to make titles-in fee simple to the same.

**SEC. 2.** And be it further enacted, That the commissioners aforesaid shall advertise the sale of the said lots in three of the public gazettes of this State, at least sixty days previous to the sale thereof to the highest bidder, which sale shall take place on the lots respectively to be sold.

**SEC. 3.** And be it further enacted, That the payments for the said lots shall be by three annual instalments, to commence twelve months from the date of the sales aforesaid.
(No. 522.) said, the purchaser to give bond with approved security to the commissioners aforesaid, and their successors in office, for the payment of the purchase money, with a mortgage on the premises.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1810.

DAVID B. MITCHELL, Governor.

(No. 523.)

AN ACT

To admit Eldred Simpkins to plead and practice in the several courts of law and equity in this State.

WHEREAS Eldred Simpkins, esquire, having been regularly admitted to practice as an attorney and solicitor in the several courts of law and equity in the State of South Carolina, and the said Eldred Simpkins having petitioned this legislature for an admission to the like privileges in this State; for granting of which,

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, that Eldred Simpkins, esquire, of Edgefield District, South Carolina, be, and he is hereby admitted to plead and practice in the several courts of law and equity in this State, upon taking the usual oaths in such cases made and prescribed by law.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1810.

DAVID B. MITCHELL, Governor.
AN ACT.

To alter an act, entitled, "An act for the better selection and drawing grand and petit jurors for the several counties in this State," passed on the seventh day of December, 1805, so far as it respects 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 it shall be the duty of the justices of the inferior court, together with the clerk and sheriff of the said counties of Wayne and Camden, (or a majority of them) to convene on the first Monday in January next, or in case of failure from accident or otherwise in meeting on that day, on any subsequent day that may be agreed on by a majority of them, within sixty days thereafter, and proceed to the selection of grand and petit jurors, as is in the said recited act pointed out.

Sec. 2. And be it further enacted, That it shall be the duty of the said justices, together with the clerk and sheriff aforesaid of the counties of Wayne and Camden, to convene annually, on the first Monday of January, or within sixty days thereafter, and select grand and petit jurors, as pointed out in the first section of this act, and the recited act aforesaid.

Sec. 3. And be it further enacted, That so much of the said recited act as is repugnant to this act, be, and the same is hereby repealed.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 13th December, 1810.

DAVID B. MITCHELL, Governor.

AN ACT.

To alter and amend the 4th section of an act, passed the 14th December, 1809, to divide the county of Wilkinson.

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 John Hatcher, Abram Lewis, Matthew Caswell, William Stubbs and John Horne, be, and they are hereby appointed commissioners to fix on a site for the public buildings.
(No. 525.) of Wilkinson county, and shall purchase for the use of said county, not less than one hundred, nor more than two hundred two and an half acres of land, at the most convenient place, at or within two miles of the centre thereof; and they or a majority of them are hereby empowered to lay off what number of lots they may think proper, and sell the same in the following manner, viz: one fourth part of the purchase money payable in twelve months from the day of sale; one fourth part payable in two years; one fourth part payable in three years, and the remaining fourth part in four years thereafter, and shall take bond from the purchaser with good personal security for the same, payable to the inferior court and their successors in office; and the money arising therefrom shall be for the use of building a court house and jail in said county, which said commissioners are hereby empowered to contract for the same, as soon as they or a majority of them may think proper, first giving thirty days public notice in some of the public gazettes, and three or more different places in said county.

Sec. 2. And be it further enacted, That all acts and parts of acts touching or in any wise appertaining to the same, be, and the same are hereby repealed.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1810.

DAVID B. MITCHELL, Governor.

(No. 526.)

To amend an act to appoint commissioners for the better regulation and government of the town of Milledgeville.

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 lot holders whether by purchase or lease for year or years in the town of Milledgeville, who shall have been resident therein for six months prior to the first Monday in January next, shall be entitled to vote for commissioners for said town.

Sec. 2. And be it further enacted, That the town of Milledgeville shall be divided into four wards in the following manner, to wit; the intersection of Washington and Jefferson streets forming the town into four divisions shall constitute the four wards, which shall be known and designated as follows:
The north-western division shall be called and known by ward number one. (No. 1.)
The north-eastern division by ward number two. (No. 2.) The south-eastern division by
ward number three. (No. 3.) And the south-western division by ward number four.
(No. 4.) And the electors of each ward shall meet at some place within the bounds
thereof, hereinafter designated, on the first Monday in January next, and on
the first Monday in January in every year thereafter, and then and there between
the hours of ten o'clock in the forenoon and three o'clock in the afternoon, proceed,
by ballot, to the election of one commissioner for each ward. And when the commis-
sioners chosen as aforesaid shall have been duly qualified as by the act to which this is
amendatory, they shall meet at the state-house and proceed to the choice of a fit and
proper person, not one of their own body, to act as intendant of said town.

SEC. 3. And be it further enacted, That three free-holders shall preside at the dif-
f erent elections for commissioners of each ward of said town, whose duty it shall be to
give ten days public notice of the place of holding said election, and shall certify under
their hands and seals the persons so elected.

SEC. 4. And be it further enacted, That the said commissioners shall have power
to lease for one year at a time, the fisheries and cleared land belonging to the town and
commons thereof.

WHEREAS the commissioners aforesaid did by an ordinance levy a tax upon the citi-
zens of said town, and was in part collected by their marshal, and which tax others of
said citizens refused to pay.

SEC. 5. Be it therefore enacted, That the said tax so collected, and that which remains
to be collected, shall go into the funds of the said town, to discharge any debts which
may have been contracted by said commissioners; and that those citizens who have not
paid their said tax so imposed by the said commissioners and who refuse to pay the same,
shall be compelled so to do by distress and sale of their property, in any manner which
a future board of commissioners may direct and adopt.

SEC. 6. And be it further enacted, That the commissioners and intendant to be ap-
pointed in pursuance of this act, in addition to the authority herein before vested in them,
shall have power to pass such bye-laws and ordinances as they shall deem necessary and
proper for the better regulation of the market; for the preservation of the springs; for
the keeping clean and repairing of the streets; for the preservation of good order within
the town; for preventing illicit traffic between slaves and shop keepers, and for compell-
ing a due observance of the Sabbath, and to appoint the necessary officers for carrying
such ordinances into effect; provided, such bye-laws and ordinances shall not be repug-
nant to the constitution and laws of the state, and provided, it shall not be lawful for said
(No. 526.) commissioners to assess or levy any tax whatever on the inhabitants of the said town exceeding the one fifth of the general tax, and provided also, that nothing herein contained shall be so construed as to take from the inferior court of Baldwin county, the power of contracting for the building and keeping in repair the necessary bridges across the creeks within the town tract of land.

SEC. 7. And be it further enacted, That it shall be the duty of the commissioners aforesaid, to rent to the highest bidder, on the first day of February next, and annually thereafter, that part of the town common called the Ferry Landing opposite James Rousseau's ferry, and deposit the proceeds thereof in the treasury of this state.

SEC. 8. And be it further enacted, That all laws and parts of laws vesting in the commissioners of the town of Milledgeville any other powers than are herein expressly defined, shall be, and the same are hereby repealed, and the authority of the aforesaid commissioners hereby revoked.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1810.

DAVID B. MITCHELL, Governor.

(No. 527.)

AN ACT

To authorize the inferior court of Greene county to transcribe the records of that county into bound books, and to confirm the same in courts of record.

SEC. 1. Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, That the inferior court for the county of Greene, or a majority of them be, and they are hereby authorized and empowered to cause to be fairly transcribed into bound books, the whole or any part of the records of said county.

SEC. 2. And be it further enacted, That it shall be the duty of the officers of said court, or any person having charge of any of the records of said county, to deliver them up to the court, and the said court, or a majority of them, are hereby required to appoint a fit and proper person to transcribe the records aforesaid, and take bond with good and sufficient security for the faithful execution of the duties aforesaid, who shall also take and subscribe an oath to that effect.
PASSED IN THE YEAR 1810.

Sec. 3. **And be it further enacted,** That after the manuscript copy shall be finished, the inferior court shall appoint two fit and proper persons to compare and correct the manuscript copy, and when corrected as aforesaid, the copy and original shall be received by the aforesaid court, and deposited in the offices to which they respectively belong.

Sec. 4. **And be it further enacted,** That the said duplicate records shall be considered by the officers of court as original records, and shall be received as such in all or any court of record, nor shall they or any of them be barred in evidence by the courts of record throughout this state, any thing to the contrary notwithstanding.

Sec. 5. **And be it further enacted,** That the said court shall be, and they are hereby authorized to levy an extra tax upon the county of Greene, to defray the expenses of transcribing the aforesaid records.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 13th December, 1810.

DAVID B. MITCHELL, Governor.

AN ACT

To apportion the Representatives among the several counties in this State, according to the third enumeration, in conformity to the seventh section of the first article of the Constitution.

Whereas the seventh section of the first article of the constitution directs, that the House of Representatives shall be composed of members from all the counties, according to their respective numbers of free white persons, including three fifths of all the people of colour; in order therefore to apportion the representatives of each county respectively, to the said third enumeration or census.

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 in future the representation of the respective counties shall be apportioned in the following manner, viz. Jones, three; Laurens, one; Columbia, three; Scriven, two; Twiggs, two; Wayne, one; Jefferson, two; Camden, two; Oglethorpe, three; Montgomery, one; Elbert, three; Tatcull, one; Pulaski, one; Franklin, three; Warren, three; Baldwin, two; Effing-
(No. 528.) ham, one; Jackson, three; Greene, three; Wilkinson, one; Bulloch, one; Washington, three; Morgan, three; Glynn, one; Putnam, three; Burke, three; Randolph, three; Wilkes, three; Hancock, three; Lincoln, two; Chatham, three; Clarke, three; Richmond, two; Liberty, two; McIntosh, two; Bryan, one; Telfair, one; and Walton, one.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1810.

DAVID B. MITCHELL, Governor.

(No. 529.)

AN ACT

To make valid the proceedings of the late clerk of the superior court of Twiggs county, and to point out the place of holding county elections of the superior and inferior courts of said county.

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 all the acts and proceedings of Archibald McIntier, lately acting as clerk of the superior court of Twiggs county, so far as such acts and proceedings were consistent with the duties and powers of a clerk of a superior court, shall from henceforth be deemed, held and taken as lawful, legal and valid to all intents and purposes.

Sec. 2. And be it further enacted by the authority aforesaid, That from and after the passage of this act, the superior and inferior courts of the said county of Twiggs, and all county elections shall be held at the house of John Harden in the said county, until a court-house shall be erected at the site pointed out by law for holding courts in said county.

Sec. 3. And be it further enacted by the authority aforesaid, That it shall be the duty of the justices of the inferior court of Twiggs county to advertise for and hold an election for a clerk of the superior court of said county on the third Monday in February next, they giving thirty days notice thereof at three or more of the most public places in said county.

Sec. 4. And be it further enacted, That the lot of land in the twenty-fifth district Wilkinson, nows Twiggs county, known by the number fifty-five, granted to — Dunn, and by him conveyed to the late commissioners appointed
for the purpose of fixing on a suitable and convenient place for the erection of the public buildings in the said county of Twiggs, is hereby declared to be re-vested in the said Dunn, his heirs and assigns, upon his refunding to the present commissioners for fixing on the site of public buildings, so much of the consideration money as he may have received, and cancelling such obligations as may have been given him for such purchase.

Sec. 5. And be it further enacted by the authority aforesaid, That it shall and may be lawful for the purchasers of lots at the place formerly fixed on as the site of the public buildings in Twiggs county to rescind and render void their contracts made on their respective purchases, upon their cancelling the titles by them respectively held; and upon their doing so, the justices of the inferior court, or other persons holding obligations given for such lots, are authorized and required to give up such obligations or cancel the same, any law to the contrary notwithstanding.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1810.
DAVID B. MITCHELL, Governor.

AN ACT

To regulate the collection of rents.

Whereas the present mode of collecting rents in this state by distress and sale is oppressive in its consequences, and frequently ruinous to poor tenants, for remedy whereof,

Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, That from and after the passage of this act, it shall not be lawful for any person or persons to proceed by distress and sale for the recovery of rents due, as has heretofore been the practice in this state; but that all rents hereafter to become due, shall be recovered in the same manner as other debts, dues, or demands of equal degree are, any law to the contrary notwithstanding. Provided, That any landlord upon making oath of the amount due him for rent, and that the tenant is about to leave the premises or depart the county, shall be allowed to hold such tenant to bail, although the term at which the payment of the rent may have been stipulated, shall not have expired.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1810.
DAVID B. MITCHELL, Governor.
AN ACT

To vest power in the commissioners of Greensesborough to sell and convey certain lands therein mentioned.

Sec. 1. Be it enacted by the Senate and House of Representatives, in General Assembly met, That the commissioners of the town of Greensesborough for the time being, or a majority of them, are hereby authorized and empowered to sell and convey by general warrantee titles in fee simple, all or any part of the alleys or hamlets, belonging to the town of Greensesborough, under such regulations and restrictions as they may think proper to adopt; provided, such regulations and restrictions shall not go to impair the general interest of the citizens of said town.

Sec. 2. And be it further enacted, That the money arising from the sales of said alleys and hamlets, shall be in the power of the said commissioners for the time being, or a majority of them, to appropriate the whole or any part thereof to the building of pews, seats and other repairs that may be necessary for the meeting-house or place of public worship, within the corporation of said town, any thing to the contrary notwithstanding.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

JARED IRWIN, President of the Senate.

Executive Department, Georgia,

Assented to, 15th December, 1810.

DAVID B. MITCHELL, Governor.

AN ACT

To prescribe the oath of the special jury in cases of divorce.

Whereas some doubts have been entertained in the superior courts of this state with regard to the proper oath to be administered to the special jury in cases of divorce.

Sec. 1. Be it therefore enacted by the Senate and House of Representatives of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That the oath to be administered to the special jury in all cases of divorce, shall be in the words following, viz. "You shall well and truly try the cause depending between A. B. plaintiff and C. D. defendant, and a true verdict give according to equity, and the opinion you entertain of the evidence produced to you, to the best of your skill and knowledge, so help you God."

BENJAMIN WHITAKER, Speaker of the House of Representatives.

JARED IRWIN, President of the Senate.

Executive Department, Georgia,

Assented to, 13th December, 1810.

DAVID B. MITCHELL, Governor.
AN ACT

To authorize Henry Joice to erect a ferry across the Oconee river at or near his landing.

WHEREAS it would be of general good to the community, that a ferry should be established at or near the said Joice's landing.

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 the aforesaid Henry Joice, his heirs or assigns, are hereby authorized to erect a ferry on the Oconee river at or near his landing, and to receive a toll for the same at the following rates, to wit:

For a loaded waggon, team and driver, fifty cents; for an empty waggon, team and driver, thirty-seven and a half cents; for a four wheel pleasure carriage, fifty-cents; for a two wheel pleasure carriage, twenty-five cents; for a loaded cart, team and driver, twenty-five cents; for an empty cart, team and driver, eighteen and three quarter cents; for a horse and rider, six and a quarter cents; for every led horse or mule, six and a quarter cents; for each head of cattle, two cents; for each head of hogs, sheep or goats, one cent; for every rolling hogshead, team and driver, eighteen and three quarter cents.

Sec. 2. And be it further enacted, That James Alston, Abraham Jones, Edward Blackshear, Joseph Birch and Hugh McDonald, be and they are hereby appointed commissioners to lay off a road leading from said ferry on both sides of said river to where the same shall intersect the public market road leading from and to the city of Savannah, any law to the contrary notwithstanding.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

JARED IRWIN, President of the Senate.

Executive Department, Georgia,

Assented to, 13th December, 1810.

DAVID B. MITCHELL, Governor.
AN ACT

To incorporate the Planter's Bank of the State of Georgia, and to repeal an act entitled "An act to incorporate the Planter's Bank of the State of Georgia," passed the 5th day of December, 1807.

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 a bank shall be established in the city of Savannah, the capital stock whereof shall be one million of Dollars, to be divided into ten thousand shares of one hundred dollars each, of which one thousand shares shall be reserved until the first day of January, eighteen hundred and twelve, on the original terms, then or at any prior time to be taken by the State, according to the pleasure of the legislature, whereby the State, at any subsequent election shall be entitled to the appointment of two directors, and if they be not then taken by the State, to be disposed of in manner hereinafter provided.

SEC. 2. And be it further enacted by the authority aforesaid, That subscriptions for constituting the said bank shall be opened at the city of Savannah on the first day of February next, under the superintendence of Charles Harris, John Bolton, James Johnston, Edward Swarbrick, William B. Bulloch, John Caig, George Anderson, Edward Stebbins, John P. Williamson, George Scott, William Mein, John M. Berrien, Andrew Low, John Cumming and Zachariah Miller, a majority of whom shall be competent to the discharge of their duties, and the books of subscription shall be kept open for the space of six months, during which time it shall and may be lawful for any person or copartnership, being citizens of the United States, corporation or body politic established in the United States, to subscribe for any number of shares, not exceeding one hundred, except as herein before provided relative to the State. Provided, that if the whole number of shares be not taken up within the space of six months, then and in that case it shall and may be lawful for any person or copartnership, being citizens of the United States, corporation or body politic established in the United States, to subscribe for any number of the shares unsubscribed for as aforesaid, and the sums respectively subscribed for shall be payable in manner following, viz: ten per cent. at the time of subscribing; twenty per cent. at the expiration of three months thereafter; and the balance of the sums so subscribed at such time as the same shall be required by the directors; Provided, that sixty days previous notice of the time at which such payment is required to be made, be given in one of the gazettes of Savannah, Augusta, and Milledgeville; and provided, that no payment shall be required at any time between the first of July and first of November in any year.

SEC. 3. And be it further enacted by the authority aforesaid, That if there shall be a failure in the payment of any sum subscribed by any person, copartnership or body politic, when the same is required to be paid by this act, or when it shall be required
to be paid by the directors, the share or shares upon which such failure shall happen or accrue, shall be for such failure forfeited, and may be again sold and disposed of in such manner as the directors shall order or provide, and the sums which may have been paid thereon shall enure to the benefit of the said corporation.

Sec. 4. And be it further enacted by the authority aforesaid, That all those who shall become subscribers to the said bank, their successors and assigns, shall be, and they are hereby created and constituted a corporation and body politic, by the name and style of The Planter's Bank of the State of Georgia, and by that name shall be, and are hereby made able and capable in law to have, purchase, receive, possess, enjoy and retain, to them and their successors, lands, rents, tenements, hereditaments, goods, chattels and effects, of whatsoever kind, nature, or quality the same may be, to an amount not exceeding in the whole one million three hundred thousand dollars, including the amount of the capital stock aforesaid; and the same to sell, grant, demise, alien or dispose of; to sue and be sued, plead and be implicated, answer and be answered, defend and be defended, in courts of record, or any other place whatsoever; and also to make, have and use a common seal, and the same to break, alter and renew at their pleasure; and also, to ordain, establish and put in execution, such bye laws, rules and regulations, as shall seem necessary and convenient for the government of the said corporation; Provided, That such bye laws, rules and regulations be not contrary to the constitution and laws of the State, or the United States; and generally to do and execute all and singular such acts, matters and things as to them may or shall appertain, subject nevertheless, to the rules, regulations, restrictions, limitations and provisions hereinafter prescribed.

Sec. 5. And be it further enacted by the authority aforesaid, That for the well ordering of the affairs of the said corporation, there shall be thirteen directors, who shall be elected as soon as two hundred and fifty thousand dollars in gold and silver coin shall have been received on account of the subscriptions for the said stock, and on the first Monday in January in each and every year thereafter, by the stockholders, or proprietors of the capital stock of the said corporation, and by plurality of the votes actually given in; and those who shall be duly chosen at any election, shall be capable of serving as directors by virtue of such choice, until the end or expiration of the first Monday of January next ensuing the time of such election, and no longer. And the said directors at their first meeting after each election, shall choose one of their number as president, and in case of his death, resignation, removal from the State, or from the board of direction, the said directors shall proceed to fill the vacancy by a new election for the remainder of the year; Provided always, and be it further enacted, That as soon as the sum of two hundred and fifty thousand dollars in gold and silver shall have been actually received on account of the subscriptions to the said stock, notice thereof shall be given by the commissioners herein before named, in one at least of the
public gazettes of Savannah, Augusta, Milledgeville, Washington and Athens; and the
said commissioners shall, at the same time, in like manner notify a time and place within
the said city of Savannah, at the distance of ninety days at least from the date of such
notification, for proceeding to the election of directors, and it shall be lawful for such to
be then and there made; and the persons who shall be then and there chosen, shall be the
first directors, and shall receive from the said commissioners the money which may have
been received by them, and shall be capable of acting by virtue of such choice, until the
end or expiration of the first Monday in January next ensuing the time of making the
same, and shall forthwith thereafter commence the operations of the said bank at the
said city of Savannah; And provided further, That in case it should at any time happen,
that an election of directors should not be made, upon any day when pursuant to
this act it ought to have been made, the said corporation shall not for that cause be
deemed to be dissolved, but it shall be lawful on any other day to hold and make an election
of directors, in such manner as shall have been regulated by the rules and bye-laws of the
said corporation; and provided, that in case of the death, resignation, absence from the
state, or removal of a director, his place may be filled up by a new choice for the re-
mainder of the year, by the remaining directors.

SEC. 6. And be it further enacted by the authority aforesaid, That the directors
for the time being shall have power to appoint such officers and clerks under them, as
shall be necessary for executing the business of the said corporation, and to allow them
such compensation for their services respectively, as shall be reasonable; and shall be
capable of exercising such other powers and authorities for the well governing and ordering
the affairs of the said corporation, as to them shall appear conducive to the interest
of the institution.

SEC. 7. And be it further enacted by the authority aforesaid, That the following
rules, restrictions, limitations and provisions shall form and be fundamental articles of
the constitution of the said corporation.

1st. The number of votes to which each stockholder shall be entitled, shall be accord-
ing to the number of shares he shall hold, in the following proportion, that is to say,
for one share, one vote; for two shares and not exceeding five, two votes; for every
five shares above five, one vote; Provided, That no person, corporation, or body politic
or corporate shall be entitled in his, her or their own right, to more than thirty votes.
And after the first election, no share or shares shall confer a right of suffrage, which shall
not have been held three calendar months previous to the day of election.

2d. None but a stockholder, entitled in his own right to ten shares, and being a citizen
of the state, and not being a director of any other bank, shall be eligible as a director;
and if any one of the directors after being elected, shall at any time during the term for
which he shall have been chosen, cease to be a stockholder, his seat shall thereupon be-
some vacated, and the remaining directors, or a majority of them, shall at their next
meeting pass an order declaring him no longer to be a director.

3d. The stockholders shall make such compensation to the president for his services,
as shall appear to them reasonable.

4th. Not less than five directors shall constitute a board for the transaction of business,
of whom the president shall always be one, except in case of sickness, or necessary ab-
sence, in which case his place may be supplied by any director, whom he, by writing
under his hand, shall nominate for the purpose.

5th. A number of stockholders not less than twenty, who together shall be proprietors
of two hundred shares or upwards, shall have power, at any time, to call a meeting of
the stockholders, for purposes relative to the institution, giving at least sixty days notice
in a public gazette in the city of Savannah, in the city of Augusta, in the city of Mil-
ledgeville, and at Washington and Athens, specifying in such notice the object or objects
of such meeting.

6th. The cashier or treasurer of the bank for the time being, before he enters upon the
duties of his office, shall give bond with two or more securities, to the satisfaction of the
directors, in a sum not less than twenty thousand dollars, with condition for his good
behaviour and the faithful discharge of his duties.

7th. The lands, tenements and hereditaments which it shall be lawful for the said cor-
poration to hold, shall be only such as shall be requisite for its immediate accommodation,
in relation to the convenient transaction of its business; and such as shall have been bona
fide mortgaged to it as security, or conveyed to it in satisfaction of debts previously con-
tracted in the course of its dealings, or purchased at sales upon judgments which shall
have been obtained for such debts.

8th. The total amount of the debts which the said corporation shall at any time owe,
whether by bond, bill, note or other contract, shall not exceed three times the amount of
their capital stock, over and above the amount of specie actually deposited in their vaults
for safe keeping. In case of excess, the directors under whose administration it shall
happen, shall be liable for the same in their individual, natural and private capacities;
and an action of debt may in such case be brought against them, or any of them, their
or any of their heirs, executors or administrators, in any court of record in the United
States, having competent jurisdiction, or either of them, by any creditor or creditors of
the said corporation, and may be prosecuted to judgment and execution, any condition,
covenant, or agreement to the contrary notwithstanding. But this shall not be construed
to exempt the said corporation or the lands, tenements, goods and chattels of the same,
from being also liable for, and chargeable with, the said excess—and such of the said
directors who may have been absent when the said excess was contracted, or created; or who may have dissented from the resolution or act whereby the same was so contracted or created, may respectively exonerate themselves from being so liable, by having their dissent, if present, entered on the minutes of the said corporation.

9th. The directors shall have power to issue to the subscribers their certificates of stock, which shall be transferable on the books of the cashier only, by personal entry of the stockholder, his legal representative or attorney, duly authorized by special power for that purpose.

10th. The company shall in no case directly or indirectly be concerned in commerce or in insurance, or in the importation or exportation, purchase or sale of any goods, wares or merchandize whatever (bills of exchange, notes, and bullion only excepted), except such goods, wares or merchandize as shall be truly transferred, conveyed or pledged to them by way of security for money actually loaned and advanced, or for debts due, owing or growing due to the said corporation, or purchased by them to secure such debts so due to the said corporation, or to effect the insurance on the property that may belong or be thus pledged to the said company, for its security.

11th. The bills obligatory and of credit, notes and other contracts whatever on behalf of the said corporation, shall be binding and obligatory upon the said company, provided the same be signed by the president, and countersigned or attested by the cashier of the said corporation; and the funds of the corporation shall be in no case held liable for any contract or engagement whatever, unless the same be so signed and countersigned or attested as aforesaid; and the books, papers and correspondence, and the funds of the company shall at all times be subject to the inspection of the board of directors and stockholders, when convened according to the provisions of this act.

12th. Dividends of the profits of the corporation, or of so much thereof as shall be deemed expedient and proper, shall be declared and paid half yearly (the first half after the bank shall have been in operation, excepted,) and the said dividends shall from time to time be determined by a majority of the directors at a meeting to be held for that purpose, and shall in no case exceed the amount of the net profits actually acquired by the corporation, so that the capital stock thereof shall never be impaired.

13th. The directors shall keep fair and regular entries, in a book to be provided for that purpose, of their proceedings, and on any question when two directors shall require it, the yeas and nays of the directors voting, shall be duly inserted on their minutes, and those minutes be at all times on demand produced to the stockholders, when at a general meeting the same shall be required.

14th. The corporation shall exist and continue until the first day of January, one thousand eight hundred and forty; and immediately after the dissolution of the said corpora-
tion, effectual measures shall be taken, by the directors last appointed and acting, for (No. 531.) closing all the concerns of the company, and for dividing the capital and profits which may remain then among the stockholders, according to their respective interests.

SEC. 8. And be it further enacted by the authority aforesaid, That an act passed the 5th December, 1807, entitled, "an act to incorporate the Planter's Bank of the State of Georgia," be and the same is hereby repealed.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 19th December, 1810.

DAVID B. MITCHELL, Governor.

AN ACT
(No. 535.)

For the relief of the Reverend Charles Odingsell Screven.

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 comptroller general of this state be, and he is hereby required to receive a certificate issued at Augusta on the second of December, seventeen hundred and ninety-three, by John Wereat, then auditor of the state, in favour of the estate of James Screven, deceased, for two hundred pounds, and to issue to the Rev. Charles Odingsell Screven, the holder thereof, another certificate for the like amount in lieu thereof, any law to the contrary thereof notwithstanding; provided the said Charles O. Screven shall give bond and sufficient security to indemnify the state in case the certificate should prove to be spurious or a counterfeit.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1810.

DAVID B. MITCHELL, Governor.
AN ACT

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

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 passing of this act, Eliza M'Girth shall be known and called by the name of Eliza Boyd —Elizabeth Farmer shall be called and known by the name of Elizabeth Walton, and Josiah Smith shall be called and known by the name of Josiah B. Harris.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 13th December, 1810.

DAVID B. MITCHELL, GOVERNOR.

AN ACT

To repeal the first and second sections of an act entitled, "an act to amend an act entitled an act to revise, amend and consolidate the several militia laws of this State, and to adapt the same to the act of the Congress of the United States."

Sec. 1. 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 passing of this act, when any vacancy may happen in any regimental or battalion district within this state, of any lieutenant colonel of such regiment or major commandant in counties containing but one battalion, by death, resignation, or otherwise, it shall be the duty of the brigadier general commanding such regiment or battalion, within thirty days after receiving information of such vacancy, to order a new election, and give the then commanding officer of the regiment at least thirty days notice of the time and place where such election shall be held.

Sec. 2. And be it further enacted. That it shall be the duty of such commanding officer of such regiment to advertise such election as aforesaid, at least twenty days in each captain's district within such regiment, in one or more of the most public places in such district, of the time and place such election shall be held. Provided, such election shall be held at such regimental muster ground.
Sec. 3. And be it further enacted, That it shall be the duty of any two or more captains or lieutenants within such regimental or battalion district (as the case may be) with two or more justices of the county wherein such election may be held, not being themselves candidates, shall preside at, and superintend such election, and the said presiding officers, civil and military, shall within thirty days thereafter, certify under their hands and seals the person or persons having the highest number of votes, which, together with the state of the poll, shall be transmitted to the commander in chief, who shall within ten days after such transmission, commission the person or persons so elected: provided nevertheless, if two counties compose one regiment, in that case the election shall be held at the several battalion muster grounds on the same day, and the result of each election be sent to the governor, who shall commission as aforesaid, provided such election is not contested.

Sec. 4. And be it further enacted, That it shall be the duty of the lieutenant colonel commandant within thirty days after receiving information of a vacancy having occurred in any battalion district, within their respective regiments, by death, resignation or otherwise, of the major of such battalion district, to advertise for the election of such major to fill such vacancy, in one or more of the most public places in each captain's district, within such battalion district, provided such election shall be held at the battalion muster ground within such battalion district.

Sec. 5. And be it further enacted, That such officers, civil and military, shall superintend the election of such major, and certify in like manner as for the lieutenant colonel as aforesaid; and it shall be the duty of his excellency the governor to commission the major or majors so elected, upon the same principle as herein before pointed out for the election and commissioning of the lieutenant colonel.

Sec. 6. And be it further enacted, That all such colonels and majors shall hereafter be elected by the militia liable to perform militia duty, under the respective command of such colonel or major (as the case may be) when so elected. The candidates having the highest number of votes shall be elected.

Sec. 7. And be it further enacted, That when any county in this state shall contain two or more regiments, it shall be the duty of the adjutant general to convene each regiment at their respective regimental muster grounds, whenever it shall be necessary to convene such regiments for the purpose of annual inspection.

Sec. 8. And be it further enacted by the authority aforesaid, That the convention of the field, staff, company and non-commissioned officers of the regiment composed of the counties of Camden, Glynn and Wayne, which shall be called for the purpose of training said officers, the said convention shall be had at some place as near the junction of the lines of the said counties as convenience will admit, to be determined on by a ma-
(No. 537.) Jority of the militia officers in each county present at such convention; and until such place shall have been agreed on, the place of meeting shall be at Burwell Atkinson's.

Sec. 9. And be it further enacted, That the first and second sections of the before recited act, shall be, and the same are hereby repealed.

Sec. 10. And be it further enacted, That all laws and parts of laws heretofore passed on this subject, militating against this act, be, and the same are hereby repealed.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1810.

DAVID B. MITCHELL, Governor.

(No. 538.)

AN ACT

To amend the several judiciary acts now in force 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 all special jurors shall be taken from the grand jury list of the county, and struck in the presence of the court, in the following manner; the clerk shall produce a list of the grand jurors present, and there empannelled, from which the party, plaintiff and defendant, or their attorney, may strike out one alternately, until there shall be but twelve jurors left, who shall forthwith be empannelled and sworn, as special jurors to try the appeal cause; and in all cases the appellants shall strike first; and in case of refusal in either to strike such special jurors, after due notice given for the purpose, and proof thereof, the judge before whom such notice is given for such special jury to be empannelled, shall on behalf of such absent party, or his attorney, proceed in the same way and manner, as if the party absent or refusing had been present or consented to the same.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1810.

DAVID B. MITCHELL, Governor.
AN ACT (No. 539.)

For the relief of the heirs and lawful representatives of James Simms, and for the relief of Peter H. Collins.

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 Columbia county be, and they are hereby authorized and required to release and exonerate the heirs and legal representatives of James Simms and Peter H. Collins, from a judgment entered up in Columbia superior court, on a seire facias against James Simms and Peter H. Collins, on the fourth of March, eighteen hundred and nine, on their paying all costs which have accrued on the same.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1810.

DAVID B. MITCHELL, Governor.

AN ACT (No. 540.)

For the relief of John Barnes.

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 Washington county, or a majority of them, be, and they are hereby fully authorized and empowered, if they think proper, to relieve the above named John Barnes from the payment of the judgment entered against him as security for the appearance of one Eli Barnes, upon payment of costs.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1810.

DAVID B. MITCHELL, Governor.
(No. 541.)

AN ACT

To fix the site of the public buildings in Laurens 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 John G. Underwood, Jethro Spivey, Benjamin Adams, John Thomas, and William H. Mathews, be, and they are hereby appointed commissioners; and they, or a majority of them, are hereby authorized and empowered to purchase or procure by donation, any quantity of land not exceeding two hundred two and an half acres, at or within two miles of the place known by the name of the Sand-Bar, on the Oconee river, as a site for the public buildings in the county of Laurens, and as soon as the said commissioners shall have procured the said land, they shall cause as many lots to be laid off and sold, at four equal installments, as they may deem necessary, and after giving sixty days notice in the Georgia Journal and one Augusta paper, of the time and place of sale, shall proceed to dispose of the same at public auction, on such terms as they or a majority of them may deem most conducive to the interest of the county. And the commissioners aforesaid, or a majority of them, are hereby authorized and empowered, to appropriate the money arising from the sale of said lots, for the erection of a court house and jail for said county, and in case any surplus funds should remain in the hands of the commissioners aforesaid, after the completion of the said court house and jail, they shall pay the same to the justices of the inferior court of the county, to be appropriated to county purposes.

SEC. 2. And be it further enacted, That the inferior court are hereby required to give up to the purchasers of lots in Sumpterville, their notes or bonds for the same, and the titles for said lots, if any, be cancelled.

SEC. 3. And be it further enacted, That the act entitled "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," passed on the first of December, 1809, be, and the same is hereby repealed.

SEC. 4. And be it further enacted, That the commissioners aforesaid, or a majority of them, are hereby authorized to dispose of the land belonging to said county at the place called Sumpterville, on such terms and in such manner, as they may think most expedient, and apply the proceeds to aid the building of the court house and jail; any law to the contrary notwithstanding.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 13th December, 1810.

DAVID B. MITCHELL, Governor.
AN ACT

To legalize and make valid certain acts of sheriffs and clerks, and to regulate the admission of evidence in the several courts of law and equity in this State, so far as relates to certain papers.

WHEREAS considerable doubts have arisen in the courts of this State, relative to the official returns of sheriffs and deputy sheriffs, whose bonds and oaths have not been entered on the minutes of the court before which such officers may have qualified.

And whereas doubts have also arisen in said courts as to the propriety of admitting deeds to go as evidence before a jury, which a deputy clerk may have certified as to the enrollment; 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 official returns of all sheriffs and deputy sheriffs, shall be, and the same are hereby legalized and made valid to all intents and purposes, as if made by a sheriff or deputy, who had been qualified according to law.

SEC. 2. And be it further enacted by the authority aforesaid, That all deeds, mortgages, conveyances, and other writings enrolled by any deputy clerk in the proper court, and certified by him as such, the same shall be received and admitted as evidence in any court of this State, in like manner as if the same had been recorded by the chief clerk.

SEC. 3. And be it further enacted, That all grants, copy-grants, testimonials, or any other document or paper whatsoever, heretofore issued out of the secretary of state's office, purporting to be signed by a deputy secretary of state, shall be held and taken as legal, provided, the said paper shall be ascertained to be genuine; Provided nothing contained in this act shall be so construed as to admit any grant obtained on the south side of the Oconee and Appalachee rivers, previous to the late land lotteries, as evidence in any court within this State.

SEC. 4. And be it further enacted by the authority aforesaid, That in all cases brought by any endorsee or endorsees, assignee or assignees, on any bill, bond or note, before any court of law and equity in this State, the assignment or endorsement, without regard to the form thereof, shall be sufficient evidence of the transfer thereof, and the said bond, bill or note shall be admitted as evidence, without the necessity of proving the hand writing of the assignor or assignors, endorser or endorsors; any law, usage, or custom to the contrary thereof notwithstanding.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1810.

DAVID B. MITCHELL, Governor.
AN ACT

To amend "an act to ascertain the dividing line between the counties of Montgomery and Jefferson."

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 the dividing line shall be as follows, to wit: beginning on the Sunbury road at the Uche path; thence along said road to the head waters of Rocky creek; thence down the main creek to its junction with Williamson’s swamp; thence down Williamson’s swamp to its junction with Ogeechee river; and in future this shall be known as the line between the counties of Montgomery and Jefferson; any law to the contrary notwithstanding.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1810.

DAVID B. MITCHELL, Governor.

AN ACT

To authorize certain commissioners to lay out a road from Milledgeville to the town of Hartford, in the county of Pulaski, to intersect the road now open from Hartford to the Twiggs county line.

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 Aaron Feagen and B. McCrory, be, and they are hereby appointed commissioners for the county of Baldwin, and that John King, Thomas Durham and Thomas McGinty, be, and they are hereby appointed commissioners for the county of Wilkinson, and Robert Sherrard, John Hays and Thomas Denard, be, and they are hereby appointed commissioners for the county of Twiggs.

Sec. 2. And be it further enacted by the authority aforesaid, That all the hands subject to work on roads, agreeable to the general road law in this State, residing within three miles of said road, shall be liable to work on said road, under the direction of the aforesaid commissioners, and in default, they shall be subject to the same fines and penalties as are inflicted by the general road law of this State.
Sec. 3. And be it further enacted, That the said commissioners shall carry the road as is hereafter pointed out, to wit: from Milledgeville to Durham’s ford on Commissioners creek; from thence to Green’s Ford on Big Sandy creek; from thence by Pasmore’s on the old Uche path; from thence to Luke Bozeman’s on Shellstone creek; from thence to intersect the road as aforesaid.

Sec. 4. And it is hereby enacted, That the said commissioners are vested with full power and authority to carry this law into effect; it is also made the duty of the aforesaid commissioners to attend to the same; any law to the contrary notwithstanding.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1810.

DAVID B. MITCHELL, Governor.

AN ACT.

To incorporate a company for the purpose of opening the Ogeechee river, from the mouth of Canoochee to the mouth of Rocky Comfort, and for the improvement of the navigation thereof.

WHEREAS it has ever been deemed objects of primary importance in every good government, by facilitating the intercourse between every part of its territory, to generalize the national character, and cement more strongly the bonds which unite its citizens together; and also thereby to give additional incitement to the spirit of commercial and agricultural enterprise, and blend more intimately the two interests; and as the experience of all ages and all nations has proven, that these important objects are more effectually accomplished by the opening of rivers and the improvement of inland navigation, it therefore becomes the duty of all legislatures to attend to the executing and the perfecting of the same: And whereas the Ogeechee river from the boldness and depth of its stream, affording at most seasons of the year sufficient water for the passage of boats, and from the numerous population and great fertility of the lands in its vicinity, commanding a great quantity of produce, which will be bourn down its current, deserves the attention of the State, and will effectuate the objects above mentioned;

Sec. 1. BE it therefore enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, That Walter Robinson, John Berrien, John Powell, Littleberry Bestwick, sen’r. and Michael Shelman, esquires, be, and they are hereby

(No. 544.)

Its course.
Commissioners' powers.

(No. 545.)

Preamble.

Commissioners appointed.
(No. 515.) appointed commissioners for receiving subscriptions for the purpose aforesaid, for the sum of ten thousand dollars, to be divided into one thousand shares, at ten dollars each share, which subscription shall be opened at such time and place as may be appointed by the said commissioners or their successors in office, who are hereby required to give sixty days notice thereof in one or more of the public gazettes of Louisville, Savannah, Augusta and Milledgeville, and shall be kept open for the space of ninety days, during which time no one person, association or company shall be allowed to subscribe for any greater number of shares in his, her or their own right, than ten, and if at the expiration of the time hereby appointed, it shall appear that the subscription shall not have been filled, then it shall and may be lawful for any person, association or company, to subscribe for the whole or any less number of the shares which remain unsubscribed for.

SEC. 2. And be it further enacted by the authority aforesaid, That so soon as the said shares shall have been subscribed for, that the subscribers therefor and their successors shall be, and they are hereby declared to be a body corporate, in name and deed by the style and denomination of the Ogeechee Navigation Company, and by the said name and style aforesaid shall have perpetual succession of officers and members, and a common seal to use, and shall have power and authority to make, alter, amend and change such bye laws and regulations as may be agreed by the members: provided, that such bye laws and regulations be not contrary to the laws and constitution of this state, or of the United States.

SEC. 3. And be it further enacted by the authority aforesaid, That they shall have full power and authority under the said style and denomination, to sue and be sued, implicated and be imploated, answer and be answered unto, in any court of law, or at any tribunal having jurisdiction thereof, and the rights and privileges of the said society or corporate body, in any court of law or at any tribunal whatever to defend; and shall be and are hereby declared to be vested with all the powers and advantages, privileges and emoluments of an association or society of people incorporated for the purposes and intentions of their said association.

SEC. 4. And be it further enacted by the authority aforesaid, That as soon as the said subscription shall have been filled, the said commissioners shall call a meeting of the subscribers for the purpose of electing officers and organizing the company, at which meeting there shall be chosen by ballot from the subscribers seven directors, who shall choose from amongst themselves a president, and shall also choose such other officers as may be deemed necessary for carrying on the business of the said company: and in the election of the said directors each person having one share shall be entitled to one vote, each person having more than one share and not less than five, two votes; each person having more than five shares and not less than ten, three votes; and so on in this ratio.

SEC. 5. And be it further enacted by the authority aforesaid, That as soon as the said president and directors shall have been elected, and such officers as shall be neces-
sary for carrying on the business of the said corporation, they shall proceed to open the river Ogechee, from the mouth of Rocky Comfort to the mouth of Canouchee, provided nothing herein contained shall be so construed as to authorize the said corporation to demand any toll for any lumber, boats or article whatever, which may pass down the Canouchee river; and to improve the navigation thereof, in such manner as the said company shall deem best calculated to promote the objects of their association; and for this purpose shall be, and they are hereby authorized to fill up all channels, cuts, dead rivers, lakes, &c. as they may think proper, and to cut down and remove trees which may be growing upon the banks of the river, and which may tend to obstruct the navigation thereof to the distance of twenty yards back from the bank on each side.

SEC. 6. And be it further enacted by the authority aforesaid, That from and after the said company shall have been organized as aforesaid, it shall not be lawful for any person or persons to obstruct, or in any manner to impede the opening and clearing out of the said river by throwing or felling trees therein or by any other means whatever, and if any person or persons shall so offend, he, she or they shall upon conviction thereof, before any court having jurisdiction thereof be liable to pay for every such offence, a sum not exceeding twenty dollars, one half to be appropriated to the use of the informer, and the other half to the use of the said company.

SEC. 7. And be it further enacted, That nothing herein contained shall be so construed as to affect any established bridge or ferry upon said river; and as soon as the said corporation shall have completed the improvement of the navigation thereof, so that boats of five tons burthen can safely pass up and down said river, from the mouth of Rocky Comfort to the mouth of Canouchee river, that then the said corporation may demand a toll upon all produce or manufacture of any kind which may be sent down said river, made or manufactured above the mouth of Canouchee river, not exceeding twelve and an half cents per hundred weight, and not exceeding twenty-five cents per thousand feet for all kind of squared or sawed lumber; twenty-five cents per thousand for all oak staves, and twelve and an half cents per thousand for all pine staves which may be sent down the aforesaid river prepared for market, above the mouth of the Canouchee river; and the said corporation may demand twelve and an half cents per hundred weight for any kind of produce or manufacture which may be carried up the aforesaid river, above the mouth of the Canouchee river.

SEC. 8. And be it further enacted, That nothing herein contained shall be so construed as to authorize the said corporation to cause any obstruction to be made, so as to obstruct the mouth of the Canouchee river.

SEC. 9. And be it further enacted, That the said corporation may demand the aforesaid toll for the term of twenty years, from and after the navigation of the said river.
may have been completed; Provided nevertheless, that in case the toll to be collected by this act should not produce a sufficient sum to reimburse the said company, the amount of principal and interest by them subscribed, they shall be authorized to demand the said toll, until they shall be fully reimbursed in the principal and interest of the sums subscribed, and no longer. And at the expiration of twenty years, or at such other period as the aforesaid company shall be reimbursed in the amount of principal and interest of the sum so subscribed, no longer toll shall be required or demanded.

SEC. 10. And be it further enacted by the authority aforesaid, That this act shall not be so construed as to debar citizens living in the vicinity of the river from the right of seine hauling, keeping flats for ferriage, or canoes not coming under the denomination of boats of burthen.

SEC. 11. And be it further enacted by the authority aforesaid, That all laws and parts of laws militating against the provisions of this act, be, and the same are hereby repealed.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1810.

DAVID B. MITCHELL, Governor.

(No. 510.)

AN ACT

To incorporate a company for the improvement of the navigation of Broad river.

WHEREAS the improvement of the inland navigation of every country is of primary importance to its inhabitants, and few countries enjoy greater natural advantages than this State, for the extension of commerce, and it being conceived that the clearing out and removing the obstructions in Broad river, between the confluence of the same with the Savannah river, to Hudson's fork of said river, would greatly conduce to the convenience and interest of the inhabitants settled on the north and north western parts of this State.

SEC. 1. BE it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, That Shaler Hilyer, Nicholas M. Marks, Thomas M. Barnett, Elisha Brewer, and Claibourne Webb, be, and they are hereby appointed
commissioners for receiving subscriptions for the purpose of improving the navigation of Broad river, to the amount of ten thousand dollars, to be divided into one thousand shares at ten dollars each share, which subscription shall be opened at such time and place as may be appointed by the said commissioners, who are hereby required to give sixty days notice thereof, in two or more of the public gazettes in this State, and shall be kept open for the space of ninety days, during which time no one person, association or company shall be allowed to subscribe for any greater number of shares in his, her or their own right, or in the right of any other person or persons whatsoever than ten: and if at the expiration of the time hereby appointed, it shall appear that the subscription shall not have been filled, then it shall and may be lawful for any person, association or company to subscribe for the whole or any less number of shares which remain unsubscribed for.

Sec. 2. And be it further enacted by the authority aforesaid, That so soon as the said shares shall have been subscribed for, that the subscribers therefor, and their successors, shall be, and they are hereby declared to be a body corporate, in name and deed, by the style and denomination of the Broad River Navigation Company, and by the said name and style shall have perpetual succession of officers and members, and a common seal to use, and shall have power and authority to make, alter, amend and change such bye laws and regulations as may be agreed on by the members: Provided, that such bye laws and regulations be not contrary to the laws and constitution of this State, or of the United States.

Sec. 3. And be it further enacted by the authority aforesaid, That they shall have full power and authority under the said style and denomination to sue and be sued, plead and be impleaded, answer and be answered unto, in any court of law, or at any tribunal having jurisdiction thereof; and the rights and privileges of the said society or corporate body in any court of law, or at any tribunal whatsoever, to defend, and shall be and are hereby declared to be vested with all the powers and advantages, privileges and emoluments of an association or society of people, incorporated for the purposes and intentions of their said association.

Sec. 4. And be it further enacted, That as soon as the said subscription shall have been filled, the said commissioners shall call a meeting of the subscribers for the purpose of electing officers and organizing the company, at which meeting there shall be chosen by ballot from among the subscribers, seven directors, who shall choose from among themselves a president, and shall also choose other officers as may be deemed necessary, and in the election of said directors, each person having one share shall be entitled to one vote; each person having more than one share and not less than five, two votes; each person having more than five shares and not less than ten, three votes; and so on in this ratio.

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SEC. 5. And be it further enacted, That as soon as the said president and directors shall have been elected, and such officers as shall be necessary for carrying on the business of the said corporation, they shall proceed to improve the navigation of the said river from the confluence of the same with the Savannah river, to the mouth of Hudson's fork, in such manner as the said company shall deem best calculated to promote the object of their association, and for this purpose shall be, and they are hereby authorized to remove all and every obstruction in the said river, which may tend to obstruct the navigation thereof.

NAVIGATION NOT TO BE OBSTRUCTED.

SEC. 6. And be it further enacted by the authority aforesaid, That from and after the said company shall have been organized as aforesaid, it shall not be lawful for any person or persons to obstruct or in any manner impede the opening and clearing out the said river by throwing or felling trees therein, or by any other means whatever; and if any person or persons shall so offend, he, she, or they shall upon conviction thereof, before any court having cognizance thereof, forfeit and pay for every such offence, a sum not exceeding twenty dollars, one half to be applied to the use of the informer, and the other half to the use of the said company.

SEC. 7. And be it further enacted by the authority aforesaid, That as soon as the said river shall have been sufficiently opened and cleared by said company, to admit the passage of boats, then the said corporation shall have full power to collect and receive a toll on all articles carried up or down said river, not exceeding twenty five cents on every hundred weight, except lumber, which shall not exceed fifty cents for every thousand, and also levy a toll in proportion to that distance from any other place on said river between the confluence of the same with the Savannah river to the mouth of Hudson's fork, for the keeping the navigation in repair.

SEC. 8. And be it further enacted, That the said corporation shall remain and continue a body politic, under the limitations, restrictions and provisions aforesaid, until the first day of June, eighteen hundred and thirty. Provided nevertheless, That the legislature of this State may at any time after the passage of this act, extinguish the charter hereby granted to the said company, upon paying to them the amount of their original stock, together with the legal interest thereon from the date of the subscription, deducting from the amount of interest such sum as may have been collected from tolls, over and above the necessary expenses of the undertaking.

SEC. 9. And be it further enacted by the authority aforesaid, That this act shall not be so construed as to debar citizens living in the vicinity of said river from the right of seine hauling, keeping flats for ferriage, or canoes, not coming under the denomination of boats of burthen.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia.
Assented to, 15th December, 1810.

DAVID B. MITCHELL, Governor.
AN ACT

To amend the 5th section of an act, entitled, an act to sell and dispose of the fractional parts of surveys of land in the counties of Baldwin and Wilkinson, passed the eighth day of December, eighteen hundred and six.

SEC. 1. Be it enacted by the Senate and House of Representatives, in General Assembly met, and by the authority of the same, That in all cases where any purchaser of fractional survey or surveys of land, under and by virtue of the before recited act, shall have removed from the limits of this State, and have left no property whereby the treasurer's execution can have recourse, then and in that case such fractional survey shall be made subject to the discharge of the instalments, as the same may become due.

SEC. 2. And be it further enacted, That no sheriff or other officer shall be authorized to make or convey a title to any purchaser of such fractional survey, until a certificate shall be produced from the treasurer of this State, to the officer selling such fractional survey as aforesaid, setting forth that the demand on such survey is settled for by the purchaser.

SEC. 3. And be it further enacted, That it shall be the duty of the treasurer to receive of the purchaser the amount of the execution for which such fractional survey was sold, and to take a mortgage on the premises for the amount of the bond unsettled for, on such survey so sold; provided nevertheless, that it shall be the duty of the purchaser to pay the cost accruing on such sale.

SEC. 4. And be it further enacted, That so much of the fifth section of the before recited act as militates against this act, be, and the same is hereby repealed.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1810.

DAVID B. MITCHELL, Governor.

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AN ACT

For the relief of John McLeod and the heirs of Micajah Little, deceased.

SEC. 1. 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 sheriff of Wilkes county be, and he is hereby authorized and required to sell any land in the
(No. 548.) county of Wilkes, which may be found subject to an execution or executions, issued from the treasury of this State, or by the county of Wilkes, for taxes due this State, or the county of Wilkes, against John Darraeott, upon a twelve months credit, according to law regulating sheriff's sales in this State, taking notes with good and sufficient security under a magistrate's jurisdiction, from the purchaser or purchasers, made payable to such sheriff, twelve months after such sale, for the use of this State.

Sec. 2. And be it further enacted, That it shall be the duty of such sheriff, immediately after such notes so to be taken as aforesaid may become due, to proceed to the collection of the same in the most summary and expeditious manner, and pay over the same when collected, to the treasurer of this State, or the county of Wilkes, as may be directed by the proper authority.

Sec. 3. And be it further enacted by the authority aforesaid, That the justices of the inferior court for the county of Wilkes, or a majority of them, are hereby required to stay all proceedings against the said John MLeod and the administrators of Micajah Little, deceased, or his heirs or representatives, as security for the said John Darraeott as tax collector for said county for the county tax, until the 14th day of December, eighteen hundred and twelve.

Sec. 4. And be it further enacted, That the treasurer of this State be, and he is hereby required to stay all proceedings against John MLeod and the said Micajah Little, deceased, as security of John Darraeott, tax collector for the county of Wilkes, until the twelfth day of December, eighteen hundred and twelve. Provided nevertheless, that if it should so happen that the said land should be sold by virtue of any execution or executions during the indulgence herein given the said John MLeod and the administrators of Micajah Little, deceased, that then and in that case it shall be the duty of the treasurer of this State, or the justices of the inferior court of the county of Wilkes, or a majority of them, to claim the proceeds of such sale in the way prescribed by law in like cases.

Sec. 5. And be it further enacted, That it shall be the duty of the treasurer of this State to make all necessary and legal exertions to collect any money which may be due and owing this State by John Darraeott, as tax collector for the county of Wilkes.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1810.

DAVID B. MITCHELL, Governor.
AN ACT

To repeal and amend some parts of an act for the better regulation of tavern and shopkeepers, and more effectually to prevent their trading with slaves, passed at Milledgeville, on the 22d December, 1808.

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, so much of the above recited act as relates to the oath on receiving licenses, be, and the same is hereby repealed.

Sec. 2. And be it further enacted, That if any retailer of spiritous liquors, or any other persons shall sell to any slave any spiritous liquors or mixtures thereof, or shall purchase from him, her or them any commodities without the license or consent of the owner, or such other persons who may have the care or government of such slaves, every person so offending, upon conviction thereof, in any of the superior courts in this State, shall be fined in a sum not more than three hundred nor less than one hundred dollars, and that all fines and forfeitures imposed under this act shall be paid over, one moiety thereof to the prosecutor, and the other moiety into the hands of the justices of the inferior court, where such fine shall be imposed, to be by them applied to county purposes; and that all laws or parts of laws militating against this law, are hereby repealed.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 13th December, 1810.

DAVID B. MITCHELL, Governor.

AN ACT

To amend an act passed at Milledgeville on the thirteenth day of December, in the year of our Lord one thousand eight hundred and nine, for regulating and keeping in repair the public roads, causeways and bridges in the counties of Burke, Jefferson and Richmond.

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 counties of Burke, Richmond and Jefferson, at any time when convened in their respective counties, or a majority of them, shall have power to appoint commissioners of
(No. 550.)

The public roads, causeways, and bridges within their respective counties, in the way and manner as pointed out by the above mentioned act, and likewise to fill all vacancies which may happen in said appointments by death, resignation or otherwise, and the said commissioners so appointed, or a majority of them, shall convene at the usual muster ground of the captain's district to which they respectively belong, once in each year, for the purpose of apportioning the hands liable to work on the public roads, causeways, and bridges, within or bordering on the same, as directed by the said act; and also to appoint overseers and warners conformable thereto; and they or a majority of them, shall likewise meet at the said muster ground, as often as they may deem it necessary for the purpose of filling all vacancies which may be occasioned by the death, resignation or removal of any of the overseers or warners belonging to any part or section of the public roads within such district: and no commissioners of the public roads, appointed under the act aforesaid, shall in any case exercise authority as such, except within the district for which he is appointed, except in roads dividing of districts.

Sec. 2. And be it further enacted, That if the overseers and warners appointed by the commissioners of the public roads, causeways and bridges, under the act aforesaid, do not within two days after being notified of their respective appointments, make their resignation to the commissioners, or some one of them by whom they were appointed, such overseer or Warner shall be considered as having accepted of such appointment, and shall be liable to all the pains and penalties imposed by the said act, for any neglect or omission of duty; and all overseers and warners belonging to the public roads within the said counties, shall be subject to be tried for default or neglect of duty by the commissioners of the public roads, causeways and bridges of the captain's district for which they are respectively appointed, in the same way and manner as is directed by the said act, for the trial of persons in default for non-performance of duty in respect to working on and keeping in repair the public roads, causeways and bridges within the same.

Sec. 3. And be it further enacted by the authority aforesaid, That all returns of the number of slaves liable to work on the public roads within the said counties, shall be given in to the district commissioners respectively, or some one of them, when required, on the oath of the person owning or having the charge or management of such slave or slaves; and for each refusal or neglect so to do, or for each and every erroneous or false return, he, she or they so offending shall be subject to a fine of five dollars in each and every case.

Sec. 4. And be it further enacted, That such part or parts of the above mentioned act as is contrary to the directions of this act be, and the same is hereby repealed.

Benjamin Whitaker, Speaker of the House of Representatives.

Jared Irwin, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1810.

David B. Mitchell, Governor.
AN ACT

For regulating and governing free persons of color coming into this State or residing therein.

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, all free persons of color (native Indians excepted) who shall arrive in this state, shall within ten days after his or her arrival therein, except in a county in which there is a sea-port town, where two days shall be allowed and no more, register his or her name with the clerk of the superior court of the county in which he or she shall have arrived, in a book to be kept by the clerk for that purpose, and shall at the said time declare to the said clerk, his or her occupation or calling, the place of his or her residence and birth, the place from whence he or she shall last have come, the object for which he or she shall have come into this state, and the name of the person or persons in whose employment or service he or she may be engaged at the time of his or her arrival, all which shall be registered in the aforesaid book by the said clerk.

Sec. 2. And be it further enacted by the authority aforesaid, That if any free persons of color coming into this State after the first day of March aforesaid, shall neglect or refuse to comply with the aforesaid provisions of this act, (native Indians excepted) he or she so neglecting or refusing, shall forfeit and pay for every such neglect or refusal, the sum of thirty dollars, to be collected before any justice of the peace of the county, on the information of one or more competent and credible witness; which sum when collected shall be paid, one half to the informer, and the balance to the justices of the inferior court, for county purposes.

Sec. 3. And be it further enacted by the authority aforesaid, That when information shall be given to any justice of the peace, stating that a free person of color had come into this State, and had not complied with the aforesaid provisions of this act; it shall be the duty of such justice to issue his warrant, and cause such free person of color to be apprehended and brought before him, and shall thereupon investigate the case in a summary manner. And upon conviction of the charge, the fine aforesaid shall be imposed, and if not immediately paid, together with the costs of prosecution, the said justice shall cause such free person of color to be committed to the common jail of the county, there to remain without bail or mainprize, until the said fine and costs be paid, or until he or she be otherwise discharged, according to the provisions of this act.

Sec. 4. And be it further enacted by the authority aforesaid, That if any free person of color shall be committed to prison under the authority of the foregoing provisions of this act, and shall remain in confinement for the space of six months without having
(No. 551.) paid the said fine and costs, and the costs of his or her imprisonment, it shall be lawful for the said jailor, and he is hereby required, to hire out at public outcry, the said free person of color for such length of time as shall yield a sum of money sufficient to extinguish and discharge the said fine and costs, with the costs of imprisonment and costs of hire; provided, that thirty days previous notice of the time and place of sale be given in one of the gazettes of this state, and at the court-house of the county.

Sec. 5. And be it further enacted by the authority aforesaid, That when any free person of color shall have arrived in this state, and shall have registered his name in manner aforesaid, he or she at the time of such registry shall pay to the clerk before whom the same is made, a tax of twenty dollars, together with the sum of one dollar as a compensation to the said clerk for making such registry, which tax shall be forthwith paid into the hands of the tax collector for the use of the state—Provided nevertheless, that the said tax shall not be exacted or received from any free person of color who shall be a resident or inhabitant of this state, who shall have gone abroad with an intention of returning; provided that such term of absence shall not have exceeded the space of six months.

Sec. 6. And be it further enacted by the authority aforesaid, That if any free person of color arriving in this state and complying with the provisions contained in the first section of this act, shall refuse or neglect to pay to the said clerk the tax aforesaid, he shall be proceeded against in the manner pointed out by the third and fourth provisions of this act, due proof being first made of such failure or neglect.

Sec. 7. And be it further enacted by the authority aforesaid, That the judge of the superior or the justices of the inferior courts of the respective counties of this state, shall upon the written application of any free negro or person of color, made at any regular term of the said courts, praying that a white person resident of the county in which such application may be made, and in which such free person of color shall reside, may be appointed his or her guardian; and upon the consent in writing of such guardian, appoint such white person the guardian of such free person of color. And the said guardian of such free negro or person of color, shall be and is hereby vested with all the powers and authority of guardians, for the management of the persons and estates of infants; and all suits necessary to be brought for or against such free person of color, shall be in the name of such guardian, in his capacity of guardian; Provided nevertheless, that the property of such guardian shall in no case be liable for the acts or debts of his ward.

Sec. 8. And be it further enacted by the authority aforesaid, That the said judges of the superior or justices of the inferior court, shall at their discretion require security from such guardian as may be appointed, for the proper management of the affairs of his ward. And such guardian shall be allowed the same compensation for the discharge of his duties as guardian, as is allowed the guardians of infants by the laws of this state.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1810.

DAVID B. MITCHELL, Governor.
AN ACT

To sell and dispose of the squares and fractional parts of surveys of lands in the 7th district, formerly Baldwin, now Twiggs county, which remain yet unsold or disposed of, the same being resurveyed by David M'Cord, surveyor, appointed by his Excellency the Governor to resurvey the fractional surveys in said district, which were originally surveyed by Benajah Smith, surveyor, and other lots therein mentioned.

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 all the squares and fractional parts of surveys of land, reserved to the state in the seventh district, formerly Baldwin, now Twiggs county, which remains yet unsold or disposed of, the same being reserved to the state by a late land law, making distribution of the lands lately acquired from the Creek Nation of Indians, by a treaty concluded at the City of Washington the fourteenth day of November, one thousand eight hundred and five, by Henry Dearborn, secretary at war, being specially authorized therefor, by the President of the United States, lying and being on the Ockmulgee river, together with lots number three hundred and seventy-seven, in the fourth district, formerly Baldwin county, drawn by John Clarke; number four hundred and twelve in the second district, formerly Baldwin county, drawn by Thomas Culbreath, and lot number seventeen in the fifth district, formerly Baldwin county, drawn by William Eltuff, shall be sold in separate lots, to the highest bidder, in the town of Milledgeville, at the state-house door, in the following manner, to wit: the commissioners hereafter to be appointed shall, by advertisement to be published immediately after the passing of this law, by first giving sixty days notice in the gazettes of Athens, Augusta, Savannah, Washington and Milledgeville, in which advertisement shall be particularly specified the day or days on which the squares and fractions in said district will be sold, and the terms of the sale. And the commissioners shall proceed to sell the same between the hours of ten o'clock in the forenoon and three o'clock in the afternoon, commencing by the sale of the lowest square in said seventh district, which has not been yet sold or disposed of, and so continue on from day to day, 'till they shall complete the sale of all the squares and fractions aforesaid.

SEC. 2. And be it further enacted by the authority aforesaid, That three commissioners shall be appointed by joint ballot of the Legislature, and they or a majority of them, shall be sufficient to carry this act into effect, who shall, before they enter on the duties required of them by this act, give a joint and several bond, with two or more sufficient securities, to his Excellency the Governor for the time being, and his successors in office, in the sum of thirty thousand dollars each, for the due and faithful performance of the trust reposed in them; which bond shall be taken by his Excellency the Governor, or by any two of the justices of the inferior court of the county where such commissioners may reside, and immediately transmitted to the Executive department; and shall

The squares and fractions to be sold after being advertised.

Commissioners to give bond and security.
moreover take and subscribe the following oath: "I, A. B., do solemnly swear (or affirm as the case may be) that I will faithfully discharge the duties imposed on me by this act, and that I will make due return of all bonds and other securities to the treasury of this state, which comes into my hands as commissioner aforesaid. So help me God."

SEC. 3. And be it further enacted by the authority aforesaid, That the commissioners shall take bond of the purchasers payable in four annual instalments, together with good and sufficient security, which bond and security may be given by the person or persons purchasing, his, or their attorneys or agents duly authorized to execute the same, and shall be taken in the name of, and made payable to his Excellency the Governor for the time being, and his successors in office, and by the commissioners shall be deposited in the office of the treasurer, within twenty days after the sales are completed; and each commissioner shall receive as a compensation four dollars per day while in actual service, and three dollars for every twenty miles in coming to and returning from the seat of government.

SEC. 4. And be it further enacted, That the commissioners aforesaid shall take bond and security of all and every purchaser, payable in the following manner, that is to say; one fourth part thereof in twelve months after the said purchase; one fourth part at the end of twelve months thereafter; one fourth part at the end of twelve months thereafter; and the remaining fourth part at the end of twelve months thereafter. And said commissioners shall not be more than eight days on such sales, Sundays excepted.

SEC. 5. And be it further enacted by the authority aforesaid, That it shall be the duty of his Excellency the Governor, to cause grants to be made out for all the aforesaid squares and fractional parts of surveys in the aforesaid seventh district, formerly Baldwin, now Twiggs county, together with the squares or lots aforesaid which have not been sold or otherwise disposed of, leaving a blank for the name of the person to whom the same shall issue; which grants shall be put into the hands of the commissioners appointed to dispose of said squares and fractions aforesaid, and by them filled up and delivered to the purchaser, on the purchaser's paying the sum of four dollars and twenty-five cents on each grant, which shall be received by said commissioners, and by them paid into the treasury; and it shall be the duty of the surveyor general and secretary of state to insert the name of each purchaser in the record of such plats and grants, remaining in said offices, and it shall be the duty of the commissioners to lay a correct statement of their proceeding under this act before the next legislature; Provided nevertheless, That the said grants shall express in the face of them, that the land therein granted shall be subject to the payment of the purchase money due the State therefor, in preference of all other debts whatever, whether by judgments existing before, or entered after the date of such grants; but the said land shall not be sold to satisfy the first, second and third instalments, except the legislature shall expressly direct the sale thereof.
Sec. 6. And be it further enacted by the authority aforesaid, That if the purchaser of any of the aforesaid squares or fractions shall neglect or fail within six months after the same may become due, to pay the first or any of the succeeding instalments, it shall be the duty of the treasurer to issue an exception for the amount of the debt and interest that may be then due, directed to the sheriff where such purchaser or securities may reside, which shall be levied on their goods and chattels, lands and tenements, and all the property of which the purchaser is possessed at the time of giving such bond, shall be bound; and when any such purchaser shall be in default for any one of the instalments, execution shall issue against such purchaser and his securities; and all the property of which such securities shall be possessed at the time the bond was given, shall be bound for the whole of the purchase money which may then or thereafter become due; and the money so collected by the sheriff, except the cost, shall be paid into the treasury within three months after the execution shall have been issued; but if the money should not be collected as aforesaid, then the execution shall be by the sheriff returned to the treasury within the time above expressed; but should the sheriff neglect or refuse to return the money or execution as aforesaid, it shall then be the duty of the treasurer to issue his execution against the sheriff and his securities for the amount of the said execution or executions put into his hands, directed to the coroner of the county where such sheriff or his securities may reside, whose duty it shall be to levy, collect and return the same within three months thereafter.

Benjamin Whitaker, Speaker of the House of Representatives.

Jared Irwin, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1810.

David B. Mitchell, Governor.

AN ACT

To appropriate money for the political year eighteen hundred and eleven.

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, 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. 2. And be it further enacted, That the sum of two thousand dollars per annum be, and is hereby appropriated for the governor's salary; to the 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 Senate, three hundred dollars; the judges of the superior courts, fourteen hundred dollars each; the attorney general and three solicitors general, one hundred and fifty dollars each; which said several sums of money shall be, and they 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. 3. And be it further enacted, That for the compensation of the members of the House of Representatives and Senate, three dollars each per day during their attendance, 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 per day 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 Senate, during the sitting of the Legislature, four dollars each per day, and the sum of sixty dollars each for contingent expenses; 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 Frederick Freeman, clerk to the committee on finance, sixty dollars; to William Rousseau, clerk to the committee on finance of the state of the republic, the sum of sixty dollars; to the messenger and door-keeper to both branches of the legislature, the sum of three dollars each per day; to the adjutant general, twelve hundred dollars per annum, to be paid quarter yearly.

SEC. 4. And be it further enacted, That the following sums be, and they are hereby appropriated to the several persons hereinafter named for taking the census or third enumeration of the inhabitants of this State, viz:—

Oglethorpe county—To John Beasley, thirty two dollars thirty seven and an half cents; Nicholas M. Marks, twenty three dollars twenty five cents; William Lumpkin, thirty one dollars seventy five cents.

Jackson county—To James M. C. Montgomery, twenty nine dollars twenty five cents; Bozeman Adair, eighteen dollars fifty cents; Levi Lowrey, twenty dollars and twenty five cents; Tandy Key, thirty one dollars twelve and an half cents.

Burke county—To Jonathan Lewis, sixteen dollars fifty six and a quarter cents; Stephen Blount, twenty nine dollars sixty eight and three quarter cents; Isaac Wimberly, fifteen dollars forty three and three quarter cents; David Hall, twenty nine dollars sixty two and an half cents.

Baldwin county—To Harris Allen, twenty four dollars and fifty cents; Thomas H. Kenan, twenty two dollars twelve and an half cents.

Twiggs county—To James Patton, thirty five dollars sixty eight and three quarter cents.
Effingham county—To John G. Neidlinger, twenty dollars thirty one and a quarter cents. (No. 553.)

Wilkes county—To James Patterson, thirty dollars six and a quarter cents; Thomas Anderson, nineteen dollars; Robert B. Washington, twenty four dollars eighty one and a quarter cents; Richard Foster, twenty six dollars six and a quarter cents.

Columbia county—To Michael Smalley, thirty six dollars thirty seven and an half cents; William Fleming, thirty two dollars fifty cents.

Randolph county—To Richard Carter, thirty dollars fifty six and a quarter cents; Williamson Robey, twenty four dollars eighty one and a quarter cents; Thomas Ramsey, twenty two dollars sixty eight and three quarter cents.

Morgan county—To Etham Stroud, thirty one dollars twelve and an half cents; Ludwell Watts, thirteen dollars eighty seven and an half cents; J. B. Whatley, twenty four dollars.

Pulaski county—To David Duhart, twenty dollars fifty six and a quarter cents.

Camden county—To Ninrod S. Miller, seventeen dollars thirty seven and an half cents.

Wayne county—To Elias Fort, four dollars ninety three and three quarter cents.

Wilkinson county—To Daniel S. Pierce, twenty nine dollars sixty eight and three quarter cents.

Laurens county—To Hugh Thomas, twenty one dollars sixty two and an half cents.

Scriven county—To Thomas F. Lovet, sixteen dollars eighty one and a quarter cents; Benjamin Lanier, twelve dollars fifty six and a quarter cents.

Montgomery county—To William Neil, twenty six dollars seventy five cents.

Lincoln county—To William Mays, twenty one dollars eighteen and three quarter cents; John Fleming, nineteen dollars and seventy five cents.

Warren county—To Harden Prewitt, thirty seven dollars; Radford Butt, twenty eight dollars forty three and three quarter cents.

Tatnall county—To Allen Johnson, thirteen dollars forty three and three quarter cents.

Glynn county—To John Morgan, six dollars ninety three and three quarter cents.

Jefferson county—To George W. Hardwich, thirty three dollars and fifty cents; Thomas Hancock, twenty six dollars sixty two and an half cents.

Elbert county—To Charles Sorrels, twenty five dollars six and a quarter cents; Absalom Steneheomb, twenty eight dollars six and a quarter cents; Thomas Cook, fourteen dollars six and a quarter cents; Peyton Bibb, twenty one dollars twelve and an half cents.

Poyntun county—To Isaac Moorland, seventeen dollars eighteen and three quarter cents; Henry Dance, twenty nine dollars eighty seven and an half cents; Simon Holt, twenty four dollars twelve and an half cents.

Clark county—To Gabriel Hubert, twenty one dollars forty three and three quarter cents; John Silvan, eighteen dollars twelve and an half cents; James Bransford, twenty one dollars thirty one and a quarter cents.

Hancock county—To William B. Crowder, twenty one dollars eighteen and three quarter cents; Samuel M. Devereux, nine dollars sixty two and an half cents; Henry Greene, thirty four dollars and fifty cents; Isaac Birdsong, seventeen dollars and fifty cents.

Franklin county—To Eli Bryan, seventeen dollars eighteen and three quarter cents;
John Collins, twenty nine dollars sixty eight and three quarter cents; Pollydore Naylor, twenty six dollars twenty five cents; Joseph Morris, twenty dollars eighteen and three quarter cents.

Bulloch county—To Jarvis Jackson, twenty dollars eighty one and a quarter cents.

Greene county—To William Browning, thirty dollars twelve and an half cents; Thomas Dawson, twenty six dollars sixty two and a half cents; Rebeca Ramsom, twenty one dollars fifty six and a quarter cents; Evans Myrick, twenty dollars twelve & a half cents.

Jones county—To Ebenezer Moore, thirty four dollars ninety three and three quarter cents; John Hopson, thirty five dollars twenty five cents.

Washington county—To Mark Howard, twenty five dollars thirty one and a quarter cents; Filman Dixon, twenty three dollars thirty seven and an half cents; Ezekiel Taylor, twenty dollars thirty seven and an half cents.

Chatham county—To Job T. Bolles, eighty seven dollars thirty seven and an half cents.

Richmond county—To C. Rozer and Peter Donaldson, thirty six dollars eighty seven and an half cents.

Walton county—To John Clark, eight dollars and seventy five cents.

SEC. 5. And be it further enacted, That the sum of twenty two dollars be, and is hereby appropriated to James Blair, for his attendance as a witness in the year 1806, on the inquiry into the official conduct of the honorable Charles Tait.

To Peter Pharr, the sum of sixty dollars for winding up the clock and keeping clean the stair case, passages, &c.

To Alexander Greene, eighty dollars for airing, scouring, and taking care of the State house in the recess of the legislature, and making fires of wet days.

To John Collins, twenty three dollars forty three and three quarter cents, it being an error in the receivers list for Franklin county in the year 1808.

To Zachariah Sims, three thousand dollars, agreeably to a concurred resolution, he first complying with the said resolution by giving to his excellency the governor, bond with approved personal security, and a mortgage on real estate.

To Seaton Granland, sixteen dollars for printing one hundred and five copies of the Augusta Bank bill, agreeably to a resolution.

To John M'Kinnon, six hundred and eight dollars in full for his services as commissioner of confiscated estates, as per his account rendered.

To William Mein, esq. of Chatham county, five hundred and twenty six dollars, with legal interest from the fifteenth day of June, one thousand seven hundred and eighty four, agreeably to a concurred resolution of the eleventh December, eighteen hundred and ten.

To William Davis, of Burke county, one hundred dollars, being the amount of tax collected of Gilbert Neyland, and directed to be returned agreeably to a joint resolution of the General Assembly of the eleventh December, eighteen hundred and ten.
Which said several sums shall be paid out of any monies now in the treasury, not (No. 553.) otherwise specially appropriated.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1810.

DAVID B. MITCHELL, Governor.

AN ACT (No. 554.)

To point out the mode of electing a receiver of returns of taxable property and tax collector for the several counties of this State, and to repeal the 27th section of an act, entitled “an act to raise a tax for the support of government for the year 1805,” passed the 12th December, 1804.

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 on the first Monday in January annually, the electors in the several counties in this State, entitled to vote at the general elections, be, and they are hereby authorized and required to elect by ballot, at the court houses of the respective counties, a receiver of returns of taxable property and tax collector for each county in this State, which said election shall be held under the direction of three justices of the peace, who shall transmit all returns of said elections to the governor for the time being, in twenty days, who shall commission such person or persons so elected.

Sec. 2. And be it further enacted, That the twenty seventh section of the above recited act, and all other acts or parts of acts, militating against this act, be, and the same are hereby repealed.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1810.

DAVID B. MITCHELL, Governor.
AN ACT

To define the duties of the clerks of the superior and inferior courts of this State and sheriffs.

WHEREAS a practice has prevailed in the superior and inferior courts in this State, for judgments to be kept open notwithstanding the sheriff may have returned the execution or executions bottomed on such judgments satisfied; and whereas great evil might grow out of such practice; for remedy whereof,

SEC. 1. 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 February next, it shall be the duty of such clerks, immediately after the return of such sheriff of such execution or executions, as the case may be, to enter such satisfaction on such judgment, either in whole or in part, as per sheriff's return.

SEC. 2. And be it further enacted, That it shall be the duty of such clerks to keep a docket book, for the special purpose of entering the names and stating the cases of the parties, plaintiff or plaintiffs and defendant or defendants, and enter such satisfaction as aforesaid.

SEC. 3. And be it further enacted, That the respective clerks of the superior and inferior courts of this State, shall keep regular subpoena docket, and the said clerks of the superior courts shall also keep separate docket for all criminal cases, which shall be entered in their regular order.

SEC. 4. And be it further enacted, That the different sheriffs in this State shall keep fair and regular execution docket, wherein they shall enter all executions delivered to them, and the dates of such delivery, together with all their actings and doings thereon, and file the same in the clerk's office out of which such executions may have issued, on or before the first day of the meeting of the court to which they may be made returnable, which said docket shall remain in the said offices, subject to the inspection of all persons concerned therein.

SEC. 5. And be it further enacted, That where it shall appear by the sheriff's return on any execution or executions, that the same has been paid by a security or securities, it shall be the duty of the clerk to make such entry in such docket book, and such security or securities shall have the use and control of said execution, for the purpose of remunerating him or themselves out of the principal for whom he or they stood security.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1840.

DAVID B. MITCHELL, Governor.
AN ACT

To explain and amend the escheat laws.

WHEREAS the escheat or in many counties of this State are causing vexations law suits, by pointing out property not contemplated by the escheat law of 1801, to wit: the estate of citizens of this state, who bequeathed their estates to persons residing in foreign parts; for remedy thereof;

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 in all cases where a citizen of this State or of the United States, shall die or may have died, possessed of or entitled to any real estate, and shall leave no heir who can inherit the same, because of his or her being alien; that in such case the said real estate shall not be held or considered subject to escheat, but the executor or administrator of such deceased citizen shall and may proceed in the manner pointed out by law, to make sale of such real estate, and to pay over the proceeds of such sale to the devisee or devisees named in the will of such deceased citizen, or to the legal representatives of such deceased citizen. Provided always nevertheless, That nothing herein contained shall be so construed to affect cases where the escheator in any county shall have already proceeded to make a disposition of property under the escheat laws of this State, and the proceeds thereof shall actually have been paid into the treasury of this State.

SEC. 2. And be it further enacted, That all cases where a citizen has heretofore died, leaving real estate as before mentioned, and shall have made a disposition thereof by will, and the executor or executors of such deceased citizen have proceeded to make sale of such real estate for the benefit of the heirs of such deceased citizen, such sales shall be, so far as it regards the title of such deceased citizen, held and considered valid and legal; any law to the contrary notwithstanding.

SEC. 3. And be it further enacted by the authority aforesaid, That no personal estate of any deceased person shall be considered subject or liable to escheat in this State, except in cases where such deceased person shall have made no disposition of the same by will, and shall have no legal representative to inherit the same.

SEC. 4. And be it further enacted, That perishable articles of aliens shall be sold after giving twenty days notice in two or more places in the county where such articles may be; the other property of such alien shall be disposed of agreeable to the escheat act of 1801.

BENJAMIN WHITAKER, Speaker of the House of Representatives.
JARED IRWIN, President of the Senate.

Executive Department, Georgia,
Assented to, 15th December, 1810.

DAVID B. MITCHELL, Governor.
AN ACT

To incorporate Mount Enon Academy.

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 Henry Holcombe, Jesse Mercer, Abraham Marshall, James Matthews, George Franklin, Edmund Shackelford, William B. Johnson and Benjamin S. Scriven, he, and they and their successors in office, are hereby declared to be a body politic and corporate, by the name and style of "The Trustees of Mount Enon Academy in the county of Richmond," by which name and style they shall be capable in law of suing and being sued, pleading and being impleaded; and they and their successors in office are hereby authorized to have and use a common seal.

Sec. 2. And be it further enacted by the authority aforesaid, That the said Henry Holcombe, Jesse Mercer, Abraham Marshall, James Matthews, George Franklin, Edmund Shackelford, William B. Johnson and Benjamin S. Scriven, as aforesaid, and their successors in office, or a majority of them, shall be, and they hereby are authorized to make such bye laws and regulations as are necessary to the government of an 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 the institution at Mount Enon, in the county of Richmond, at the time of passing this act, or which may be hereafter 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 the said academy, uncontrolled by any other academy or institution whatever. Provided, such bye laws, rules and regulations are not repugnant to the constitution or laws of this State.

Sec. 3. 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 Mount Enon Academy, the survivors or remaining trustees shall fill the same in such manner as shall be pointed out by the bye laws and regulations of the trustees aforesaid.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

JARED IRVIN, President of the Senate.

Executive Department, Georgia,

Assented to, 15th December, 1810.

DAVID B. MITCHELL, Governor.
AN ACT

To incorporate the Wilkes Manufacturing Company.

WHEREAS Matthew Talbot, Bolling Anthony, Benjamin Sherrod, John Bolton, Frederick Ball, Gilbert Hay and Joel Abbot, as managers of the company established in Wilkes county in this State, have by their memorial represented that a company has been formed for the purpose of manufacturing cotton and woolen goods (by machinery to be erected in Wilkes county) with a capital stock of ten thousand dollars, to be increased conformably to the articles of association of said company, to any sum not exceeding fifty thousand dollars; and the said managers having petitioned the legislature for a charter of incorporation to enable them more effectually to accomplish the laudable and patriotic objects of the company;

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 Matthew Talbot, Bolling Anthony, Benjamin Sherrod, John Bolton, Frederick Ball, Gilbert Hay and Joel Abbot, together with such other persons as are now or may hereafter become subscribers and stockholders of the said company, their successors and assigns, shall be, and they are hereby created a body corporate, by the name and style of "The Wilkes Manufacturing Company," and by the said name shall be and are hereby made able and capable in law to have, purchase, receive, possess, enjoy, and retain to them, their successors and assigns, lands and tenements, goods, chattels and effects, of what kind, nature or quality soever, and the same to sell, grant, demise, alien or dispose of, to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in courts of record, or before any judicial tribunal; and also to make, have and use a common seal, and the same to break, alter and renew at their will and pleasure, and also to ordain, establish and put in execution, such rules, bye laws and regulations as shall seem necessary and convenient for the government of the corporation, not being contrary to the laws and constitution of this State, or of the United States. Provided nevertheless, That all such rules, bye laws and regulations, as have already been adopted by the stockholders or managers, and not contrary to the laws and constitution of this State or of the United States, shall be and continue in force, and be equally binding on the said stockholders and managers, as if the same had been made in pursuance of this act.

SEC. 2. And be it further enacted by the authority aforesaid, That for the government and conducting the affairs of the said company, there shall be a board of managers, consisting of seven stockholders, to be chosen by the stockholders from year to year, and that Matthew Talbot, Bolling Anthony, Benjamin Sherrod, John Bolton, Frederick Ball, Gilbert Hay and Joel Abbot, shall be, and they are hereby appointed managers, to continue in office until the next election by the stockholders; and should it so happen that the managers should not be appointed on the day pointed out by the arti,
(No. 558.)

AN ACT.

(No. 559.)

For the more effectually securing the probate of wills, limiting the times for executors to qualify and widows to make their election, and for other purposes therein mentioned.

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 the inferior court when sitting for ordinary purposes, shall be known only as the inferior court sitting for that purpose, and that their clerk shall be known as the clerk of ordinary only; and the said inferior court when sitting for ordinary purposes, shall have the original jurisdiction of all testate and intestate estates, appointing administrators and guardians, to qualify executors, administrators and guardians, and to bind out orphans, and all such other matters and things as appertain or relate to estates of deceased persons, whether testate or intestate.

WHEREAS it frequently happens that a person appoints in his last will and testament two or more executors, one of whom only qualifies under the said will; and if such qualified executor dies, the other executors nominated in the will of the testator cannot qualify, by which means the estates of the testator are placed in the hands of an administrator de bonis non, with the will annexed, and the person in whom the testator confided prevented from acting: For remedy whereof,

SEC. 2. Be it enacted, That from and after the passing of this act, it shall and may be lawful for any executor named in the will of the testator to qualify under the said will at any time, provided the qualification of one or more takes place within twelve months after the decease of the testator—provided also, That the executor and executors who do not qualify within twelve months from and after the decease of the testator, one of whom shall do so within twelve months after the decease of the only qualified executor.
SEC. 3. _And be it further enacted_, That it shall be lawful for any executor or executors, administrator or administrators, who may have fully discharged the duties assigned to him or them, to petition the ordinary court for a discharge from his or their executorship or administration, upon which petition the said court shall order a citation to be issued requiring all persons concerned to shew cause, (if any they have) why the said executor or executors, administrator or administrators, on the day therein to be named, should not be discharged; which citation shall be published in one or more gazettes of this State for the space of six months, and if no cause is shewn to the contrary, and it shall also appear from an examination into the situation of the testator's affairs and estates, that the said petitioning executor or executors, administrator or administrators have faithfully and honestly discharged the trust and confidence reposed in him or them, that he or they shall be forthwith dismissed and released from his or their liability, as executor or executors, administrator or administrators.

SEC. 4. _And be it further enacted_, That it shall be the duty of all guardians, executors and administrators, to render a full and correct account of the estate and condition of such estates as they may severally have in their possession, to the inferior court while sitting for ordinary purposes, in the county for which they may have been appointed, once in each and every year, which account shall contain a statement on oath of the transactions of the estate to the last day of December preceding such return, together with the necessary vouchers relating thereto; and it shall be the duty of said court after examining the same, to approbate or reject such accounts, and it shall be the duty of such court to order the clerk of such court to record all such settlements in a bound book, to be provided by the inferior court for that purpose; and the said clerk shall receive for his fees for such recording, the sum of fifty cents for each settlement so recorded.

SEC. 5. _And be it further enacted_, That the third section of an act entitled, "an act for the more effectually securing the probate of wills," &c. passed the tenth day of December, eighteen hundred and seven, be, and the same is hereby repealed.

SEC. 6. _And be it further enacted_, That nothing herein contained shall operate to vacate the commission of any clerk of any court of ordinary, who shall heretofore have been commissioned as such.

SEC. 7. _And be it further enacted_, That the said inferior court shall meet for ordinary purposes on the first Monday in January next, and on the first Monday in every other month thereafter; provided, that when the business of the court shall require it, the justices may by adjournment hold meetings at any other time, or at any other day than those before appointed for their meetings. And, provided also, that two or more of the said justices of the inferior court shall be authorized in vacation time, to admit any executor of a will to prove the same before them; but there shall be a court, and at a regular and legal time of meeting thereof, before the same shall be admitted to record.
Sec. 8. And be it further enacted, That the said court shall have power and authority upon complaint made and cause shewn by any security of any administrator or guardian, that his principal is mismanaging his estate upon which he is the administrator or guardian, to pass an order requiring such administrator or guardian to shew cause, if any they have, at the next term, why such security should not be discharged from his securityship, and such administrator or guardian compelled to give new security, or their administration or guardianship revoked, as to the said court shall seem expedient, and upon the revocation of such administration, or upon the revocation of any letters testamentary as provided by law, and granting administration de bonis non, suits brought by or against the former administrator, shall not for this cause be abated; but the removal of such administrator or executor being suggested on record, a sci. fa. may issue to make such administrator de bonis non, a party at any time after the granting of such letters de bonis non.

Sec. 9. And be it further enacted, That all laws militating against this act, be, and they are hereby repealed.

BENJAMIN WHITAKER, Speaker of the House of Representatives.

JARED IRWIN, President of the Senate.

Executive Department, Georgia,

Assented to, 15th December, 1810.

DAVID B. MITCHELL, Governor.