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L A W S

OF THE

STATE OF MISSISSIPPI,

PASSED AT A CALLED SESSION

OF THE

MISSISSIPPI LEGISLATURE,

HELD IN

COLUMBUS,

FEBRUARY AND MARCH, 1865.

MERIDIAN, MISS,
J. J. SHANNON & CO., STATE PRINTERS.

1865.

in of decedent, to any sum not to exceed the sum appropriated for that purpose by the order of the court.

Sec. 3. *Be it further enacted*, That the appraisers of an estate in setting apart one year's provisions for the widow and children, or an allowance to purchase the same, as now provided by law, shall have reference to the articles of provisions embraced in the assignment of personal estate exempt from execution, and shall only set apart, or make allowance of money to buy such additional necessary articles as together with those assigned as exempt property, may be necessary for the comfortable support of the widow and children, and the probate court shall take care that this rule is observed by appraisers, and shall correct their reports accordingly.

APPROVED Feb 8 1860

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1865.

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

PHYSICS 309

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LAWS

OF THE

STATE OF MISSISSIPPI.

CHAPTER I.

An Act entitled An Act to amend An Act entitled "An Act better to provide for the families of soldiers." Approved December 2, 1863.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That in order the better to provide for the families of soldiers, a tax in kind of two per centum be, and is hereby levied, on the gross amount of all corn, wheat and bacon grown or produced in the year 1865, and each successive year thereafter; on the tolls from all grain mills for the same period; on the gross profits of leather, manufactured or to be manufactured, for sale, or received on shares, or as commission, by all tanneries, for the same period; and on all woolen and cotton fabrics and yarns manufactured for sale by any manufacturing company or establishment during the same period: *Provided,* that no tax in kind shall be levied on corn, when the gross amount grown does not exceed one hundred bushels, or on wheat, when the amount does not exceed twenty-five bushels, or on bacon, when the amount does not exceed three hundred pounds; and *Provided further,* that no tax shall be levied under this section upon corn, bacon or wheat of

Tax in kind of two per cent. on corn, wheat, bacon, &c., and on gross profits.

Cases where no tax is levied.

P25362

these persons who are beneficiaries under this act: *Provided further*, that no tax shall be collected under the provisions of this act on five bushels of corn for each one hundred pounds of pork raised and fattened.

Special tax of one hundred and fifty per cent. on State tax of 1865, levied for a Reserve Fund.

SEC. 2. *Be it further enacted*, That a special tax of one hundred and fifty per centum on the regular State tax for the year 1865, and each successive year until otherwise ordered, be and is hereby levied, to be collected as other taxes are now provided by law to be collected, which said tax, when so collected, shall be paid over to the Auditor, and the same shall constitute a part of a *reserve fund*, to be applied in such manner as is hereinafter provided: *Provided*, that this tax shall not be levied on the slaves, stock and plantations, the products of which are taxed in kind by this act, or slaves employed in the production of anything taxed in kind.

Additional tax of two per cent on gross profits of iron foundries, machine shops, &c., dealers in grain, provisions, &c., for the Reserve Fund.

SEC. 3. *Be it further enacted*, That in addition to the subjects of revenue enumerated in an Act entitled "An Act amendatory of the revenue laws of this State," approved December 9, 1863, there shall be, and is hereby levied, for the fiscal year 1865, and thereafter, a tax of two per centum on the gross profits of all iron foundries, machine shops, saw mills, and of all blacksmiths, shoemakers, carpenters, saddlers, harness makers and other mechanics, and of all dealers and speculators in grain, provisions, tobacco, salt, horses, mules, hogs or cattle, which shall be assessed and collected as other taxes, and paid over to the Auditor, to constitute a further part of the reserve fund.

Board of Police to levy tax in kind of one-half of one per cent. on corn, wheat and bacon of 1864.

SEC. 4. *Be it further enacted*, That to provide for the deficit in the Indigent Fund, for the fiscal year 1864, the Boards of Police of the several counties shall meet as early as practicable after the passage of this act, and levy a tax in kind of one-half of one per cent. on all corn, wheat and bacon grown and produced in the year 1864: *Provided*, that if any tax-payer shall make oath before the commissioner, who is hereby, for all the purposes of this act, authorized to administer oaths, that he or she had consumed or

sold the whole quantity of wheat raised during the said year, then the tax in kind of wheat may be paid in corn, bushel for bushel.

SEC. 5. *Be it further enacted*, That an additional special tax of twenty-five per centum, upon the regular State tax for the fiscal year 1864, be and is hereby levied, to be collected as other taxes are now provided by law to be collected, which tax, when so collected, shall be paid over by the Tax Collectors to the Auditor, and shall constitute a part of the "Military Relief Fund," now being collected, and to be distributed in accordance with the provisions of the act to which this is an amendment: *Provided*, that the tax provided for in this section shall not be levied on slaves and plantations, the products of which are taxed in kind by this act.

Additional special tax of twenty-five per cent. on State tax of 1864, for Military Relief Fund.

SEC. 6. *Be it further enacted*, That for the purpose of ascertaining and collecting the tax in kind on corn, wheat and bacon, the Boards of Police shall order the Commissioners in their respective districts to adopt, as a basis upon which they are to assess said tax, the amount of products of each producer, as returned to the Confederate States Assessors: *Provided*, that when no such return can be had the Boards of Police shall order their Commissioners to make such assessments and all other assessments necessary under the provisions of this act; and for the purpose of an equitable distribution of the tax in kind aforesaid, each Commissioner shall make out a roll of the number of indigent families, with the number and age of each beneficiary of such family, with concise remarks accompanying the same, and deposit the same with the Clerk of the Board of Police, which said roll shall include all indigent families of soldiers resident in the county, without reference to the place of enlistment, or of residence of said soldiers or families at the time of enlistment, which rolls shall be a guide for distribution. Should the Boards of Police have doubts as to the correctness of any such roll or rolls, such Board shall institute inquiries and summon a sufficient number of witnesses, upon whose testi-

County Commissioners to adopt as a basis of assessment Confederate tax in kind assessment.

Commissioner to make out roll of indigent families, and deposit with Clerk of the Board of Police.

Beneficiaries
to be divided in-
to three classes.

Board to fur-
nish classified
lists to each Dis-
trict Commis-
sioner

Allowance to
each benefi-
ciary.

mony, on oath, they shall correct and perfect the same, and, with the assistance of the Commissioners, shall proceed to classify the beneficiaries into *three classes*. The first class shall include such as are entirely dependent; the second class such as are deficient in *breadstuffs*; and the third class such as are deficient in *bacon*. When this classification is completed, the Board of Police shall cause a copy of the same to be furnished to each District Commissioner, and shall, with the assessment returns from each district, sum up the total aggregate of the tithing of corn, wheat and bacon in their county, and shall proceed to set apart to each Commissioner his distributive share of tithing for the support of the indigent in his district: *Provided*, that no beneficiary shall receive more than six bushels of corn, one bushel of wheat and fifty pounds of bacon for his or her support during the year. The Boards of Police may authorize the Commissioners to draw orders for said tax upon any producer within his district, to be delivered by him to such person or persons as may be designated, and in such portions as the Commissioners may direct, and such order shall be a voucher as payment: *Provided*, that no producer shall be compelled to deliver said produce at a greater distance than twelve miles, without due compensation for the distance exceeding said twelve miles, and any person failing or refusing to deliver to the Commissioner when required, or to his order, or to the order of the Board of Police of his county, the tax in kind, or any portion thereof, which may be ordered or required (within the amount due from any such party) shall be liable to pay a tax of double the amount so refused to be delivered or paid, and the President of the Board of Police, upon information of such delinquency, shall forthwith furnish the Sheriff with the name of such party so failing or refusing, and the amount of tax due, and thereupon the Sheriff shall proceed to collect said tax by distraining and seizing double the amount of such tax in kind, which he shall deliver to the Commissioners entitled to receive the same, or

in the event that the tax in kind of the tax-payer failing to deliver, as aforesaid, cannot be found by the Sheriff, then said delinquent tax-payer shall be liable to pay double the market value of his tax in kind, which shall be forthwith collected by the Sheriff as other taxes are collected :

Delinquent tax-payer liable to pay double the market value of the tax in kind.

Provided, that nothing in this section shall be construed to require any producer of bacon, corn or wheat, to haul his tithe of the same to any beneficiary, unless it be shown that the party or beneficiary who is to receive the same, cannot haul the bacon, corn or wheat which he is to receive under the provisions of this act, nor can get any of his friends or relations to haul it for him.

SEC. 7. *Be it further enacted*, That the Boards of Police shall assemble on the first Monday of April next, or as soon thereafter as practicable, and shall cause to be made an accurate list of the indigent families, classified as provided for in section 6, and shall forward the same to the Auditor of Public Accounts, and shall cause to be kept by their clerk a record of all its proceedings in reference to indigent families, and of their indigent fund, and shall make quarterly reports of the same to the Auditor's office, such reports to be kept on file by the Auditor for future reference ; and the clerk, for his services, as aforesaid, shall receive such reasonable compensation as the Board of Police may allow, payable out of any moneys belonging to the indigent fund.

Board of Police to assemble on the first Monday in April, and have list of indigent families classified.

SEC. 8. *Be it further enacted*, That when any county shall have an excess of corn, wheat and bacon, or either, the President of the Board of Police shall cause the same to be included in their regular quarterly reports and the owner or owners of any mill or tannery, his, her or their agent shall make their quarterly returns, on oath, to the Commissioner of his respective district, the first quarterly report commencing with the first day of April, 1865, and in failure thereof the delinquent shall suffer such action of law as is provided for in section 6 of this act.

Excess of corn, &c., how disposed of.

SEC. 9. *Be it further enacted*, That where there may be an excess of corn, wheat or bacon in any

When said excess is to be sold.

Proceeds of sale sent to Auditor.

county, which the Auditor may not deem desirable or practicable for transportation, he may order the President of the Board of Police of such county to sell such excess to the highest bidder, for cash, after giving ten days' notice of such sale, and all monies arising from such sale or forfeitures, or revenues arising from the provisions of this act, the President of such Board of Police so acting shall forward, through the Sheriff of his county or some other reliable person, within the quarter for which such sales or revenue may have been made; and all such revenues arising from the provisions of this act shall be held by the Auditor as a reserve fund, to be applied to such county or counties as may be deficient in supplies for their indigent list. The affidavit of the President of the Board of Police for such county, with a tabular statement of its beneficiaries, with its accompanying estimate of the amount of corn and bacon necessary for their support, shall be a basis for which the Auditor shall pay over to such county the amount necessary for the support of the indigent of the same, provided that in no instance shall the Auditor exceed the value of the amount of corn, wheat and bacon mentioned in section 6, the value of the same to be governed by the schedule prices of the district in which said county is situated: *Provided, further*, that when the Auditor has a doubt as to the correctness of such affidavit and tabular statement, he shall compare such statement with the quarterly returns from such county, and if a doubt still remains or a discrepancy arise, the same may be referred to the Governor, and they two shall determine what amount shall be appropriated to such county: *Provided*, that the provisions of this section shall also apply to any excess that may arise in any county under the tax of one-half of one per cent. to be levied under the provisions of section 4.

When property taxed is destroyed by enemy, tax remitted.

SEC. 10. *Be it further enacted*, That all property, products and profits liable to be assessed under the provisions of this act, which may be taken, lost or destroyed by the public enemy, or the casualties of war, shall be relieved from the

tax levied by this act, and the Boards of Police of the several counties, upon the affidavit of the tax-payer, endorsed by the Commissioner attesting the fact, shall allow the Commissioner of such district a credit to the amount the taxes due on such lost or destroyed property; and the Boards of Police shall allow all such credits in their settlement with the Commissioners: *Provided*, the Commissioners shall, in all cases before releasing any party from the payment of the taxes due, administer to him an oath as to the loss or destruction of the property, products or profits sought to be released from taxation, and any person who shall swear falsely in the premises shall be guilty of perjury, and, upon conviction, shall suffer the punishment now prescribed for that crime.

SEC. 11. *Be it further enacted*, That it shall be the duty of the Commissioners to make strict inquiry into the absolute wants of the indigent families in their respective districts, and to distribute to only such as cannot supply themselves, and only in such quantities as the necessities of each person may require.

SEC. 12. *Be it further enacted*, That should the Commissioner, by evidence satisfactory to him, ascertain that any beneficiary or beneficiaries are harboring or concealing any deserter or absentee, who is from his command without leave, he shall withhold all supplies of provisions or money, until he shall have received satisfactory evidence that such conduct has been abandoned by such beneficiary: *Provided, however* that the families of deserters or soldiers absent without leave from their commands for the space of fifteen days shall not be included on the list of indigent families; nor shall such families be entitled to the benefit of the provisions of this act: *Provided, further*, that no person shall be deprived of the benefit of this act when it shall sufficiently appear to the Commissioner that he or she is in good faith trying to induce the party charged with desertion to return to his command.

Benefits of law not to apply to families of deserters or absentees without leave.

SEC. 13. *Be it further enacted*, That the coun-

ty of Yazoo shall be exempt from the provisions of this act, so far as it requires the Boards of Police to discharge the duties now imposed on the Commissioners for the relief of the indigent families in said county.

SEC. 14. *Be it further enacted*, That the act to which this is an amendment, and all other acts, so far as they shall come in conflict with the provisions of this act, be and they are hereby repealed, and that this act take effect from and after its passage, and that the Secretary of State be directed to have printed, at once, one thousand copies of this act for distribution among the different counties of this State.

Approved March 9th, 1865.

CHAPTER II.

AN ACT in relation to the venue in suits against defaulting public officers and debtors to the State.

Suits against defaulters and those indebted to the State may be brought in any county.

No change of venue allowed.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That during the continuance of the present war, all civil actions against defaulting tax collectors, and other public officers, and their sureties, and against all persons indebted to the State on any account, may be commenced in the circuit court of the county in which the defendants or any of them may be found, or may reside, or, at the discretion of the Attorney General, in any county of the judicial district, in which the defendants or any of them, may reside, or in any adjoining judicial district; and process in such actions may be issued against the defendants to any other county; and such actions shall be proceeded in, in the same manner, as if brought in the county of the residence of the defendants; and no change of venue shall be allowed in such action, on the ground that the defendants, or any of them, are sued out of the county of their freehold and residence; and that this act shall take effect from its passage.

Approved March 1, 1865.

CHAPTER III.

AN ACT to authorize Probate Judges and Justices of the Peace to administer oaths in certain cases.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That probate judges and justices of the peace may administer oaths in all cases where the same may be necessary and proper for any purpose, before any enrolling or other officer, civil or military, of the State or Confederate Government.

SEC. 2. *Be it further enacted,* If any person shall swear falsely in an oath so taken, such person shall be held and deemed guilty of perjury, and be proceeded against and punished in like manner as is now by law for perjury.

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

Approved March 1, 1865.

CHAPTER IV.

AN ACT further to amend the act providing for the establishing Probate Courts.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That upon the application of any guardian, whose ward now is, or hereafter may be, in the cavalry service, either of the Confederate States or of this State, the Probate Courts may authorize such guardian to purchase a horse for such ward, from time to time, as may be necessary to enable him to continue in such service, and direct payment to be made therefor out of the principal of the estate of such ward, in case the income of his estate shall not be sufficient for such purpose.

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

Approved March 1, 1865.

CHAPTER V.

AN ACT to amend an act entitled an act to amend Article 22, Section 8, of the Revised Code, approved Dec. 8, 1863.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That so much of section 1 of said amendatory act, providing that the fact of any slave found going at large, shall be sufficient proof that the master, hirer, employer, or other person having control of such slaves, gave such slave license or permission to trade as a free man, be and the same is hereby repealed.

SEC. 2. *Be it further enacted,* That so much of section 2 of said amendatory act, as provides that if horses and vehicles, or either, are found under the control of any slave, the same shall be sufficient evidence of a violation of said section 2, be and the same is hereby repealed.

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

Approved March 6, 1865.

CHAPTER VI.

AN ACT to amend an act entitled an act to amend the law relative to suing out the writ of Habeas Corpus, approved December 5, 1863.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That when any person, detained in custody, shall, by himself or other credible person, make affidavit that he is desirous to sue out a writ of Habeas Corpus, it shall be unlawful for any person to remove the party so detained in custody, out of the county where he then may be, until after the expiration of ten days from the making of said affidavit; and if any person, after notice of the making of such affidavit, shall remove the party so detained in custody, or shall cause, or procure, or aid, or assist in such removal out of the county where he shall be at the time of making such affidavit,

Party suing out writ of habeas corpus not to be removed out of county until after ten days.

before the expiration of ten days from the time of making the same, such person, in addition to the remedies now provided by law, shall be liable to an indictment, and on conviction, shall be imprisoned in the penitentiary, not less than one year, nor more than three years, and shall also be liable to an action for damages at the suit of the party aggrieved.

Violation of this act punished by imprisonment in the penitentiary.

SEC. 2. *Be it further enacted*, That it shall be the duty of every person having or detaining another in his custody, to permit such person so detained, at all seasonable hours, to be visited by, and to consult without molestation; with counsel, and any person offending against the provisions of this section shall be liable to indictment, and on conviction shall be imprisoned in the penitentiary not less than one year nor more than three years, and fined not less than five hundred dollars nor more than five thousand dollars, or punished by both such fine and imprisonment.

SEC. 3. *Be it further enacted*, That if any person shall willfully fail or refuse to make return to any writ of Habeas Corpus to him directed and served on him, together with the cause of the commitment and detainer of the prisoner, or other person, or to bring the body of the person named in such writ before the Judge according to the command of such writ, or to do or perform what the Court or Judge shall consider and adjudge therein; or if any person, except a court of competent jurisdiction, shall afterwards confine for the same cause any person discharged by the Court or Judge upon a writ of Habeas Corpus, such person, so offending besides the remedies now prescribed by law, shall be liable to indictment, and on conviction, shall be imprisoned in the penitentiary not less than one year nor more than three years, or fined not less than five hundred dollars nor more than five thousand dollars, or punished by both such fine and imprisonment.

Penalty for failure or refusal to make return on writ.

SEC. 4. *Be it further enacted*, That this act shall take effect in ten days from its passage.

Approved March 6, 1865.

CHAPTER VII.

AN ACT fixing the fees of Jailors for Feeding Prisoners.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That hereafter it shall be lawful for the jailors of the several counties of this State, to charge and receive two dollars per day for feeding prisoners confined in their respective jails.

SEC. 2. *Be it further enacted,* That this act shall take effect and be in force from and after its passage, to continue during the present war between the United States and the Confederate States.

Approved March 3, 1865.

CHAPTER VIII.

AN ACT making an Appropriation for repairing the Capitol.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That there be, and is hereby appropriated, the sum of three thousand (3,000) dollars out of any money belonging to the Treasury not otherwise appropriated, to be used in repairing the roof, gutters, doors and locks of the Capitol, for which sum the Auditor is directed to issue his warrant on the Treasurer payable to the Keeper of the Capitol, taking a receipt for the same: said appropriation to be used under the direction of the Governor.

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

Approved March 3, 1865.

CHAPTER IX

AN ACT to authorize the State Treasurer to re-issue one hundred and fifty thousand dollars of the Treasury Notes of this State, which have been funded in eight per cent. Bonds, and to destroy a similar amount of the small warrants authorized by act of April 5, 1864, and for other purposes.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the Treasurer of this State be, and is hereby authorized to re-issue one hundred and fifty thousand dollars of the Military Treasury Notes of this State, issued under the act of 29th of January, 1862, and funded in the eight per cent. Bonds; and after printing across the face of each bill, "Re-issued," pay them out in lieu of a similar amount of the issue authorized by act approved April 5, 1864, entitled an "An act to authorize the redemption of the Treasury notes of the State by warrants in small sums drawn upon the Treasurer by the Auditor, and for other purposes"; and it shall be the duty of the Treasurer, in the presence of the Governor and Auditor of Public Accounts, to burn one hundred and fifty thousand dollars of the small warrants authorized by act of the 5th of April, 1864.

Treasurer to re-issue one hundred and fifty thousand dollars of Military Treasury notes

SEC. 2. *Be it further enacted,* That it shall be the duty of the Treasurer, in the presence of the Governor and Auditor of Public Accounts, to burn and destroy all the Military Convention Notes now in his office, and which have never been issued or paid out.

SEC. 3. *Be it further enacted,* That the said one hundred and fifty thousand dollars, re-issued as provided for in the first section of this act, may be again funded in eight per cent. bonds

SEC. 4. *Be it further enacted,* That this act take effect and be in force from and after its passage.

Approved March 3, 1865.

CHAPTER X.

AN ACT to regulate the action of the Police Court in certain cases.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That all contracts for public work of any description in any county in the State shall be let out at public outcry, and to the lowest bidder.

How contracts for public work let out.

SEC. 2. *Be it further enacted,* That no one member shall be authorized to let out contracts by himself, but that at least two members of the Board of Police or three commissioners appointed by the Board, shall be present, and superintend the letting out of all contracts for any public work.

Contractor to give bond with two sureties.

SEC. 3. *Be it further enacted,* That every contractor shall give bond with two good securities for the faithful performance of his contract to the amount of double the sum involved in the contract, to be approved by the Commissioners or the two members of the Police Court, who may attend the letting out of said work, and said bond shall be recoverable as other liabilities of a personal character.

No member of Board to be interested in contract.

SEC. 4. *Be it further enacted,* That no member of the Board of Police shall have any interest directly or indirectly in any contract while he is a member of said Board, and any person so offending shall be liable to indictment, and on conviction shall be fined not less than five hundred dollars and such contract shall be void.

SEC. 5. *Be it further enacted,* That all acts or parts of acts in conflict with this act be and are hereby repealed.

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

Approved March 6, 1865.

CHAPTER XI.

AN ACT to amend Section 9, Article 87, on page 445 of the Revised Code so as to authorize the Probate Courts of the several counties in this State to grant orders for the sale of perishable property at the time of the grant of letters testamentary or of administration.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the Probate Courts of the several counties in this State, at the time of granting letters testamentary or of administration upon any estate, may upon a proper showing, grant an order for the sale of the perishable property thereof upon such notice as is now prescribed by law; but no sale shall be made thereof until after the same shall have been appraised by the appraisers of the estate.

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

Approved March 8, 1865.

CHAPTER XII.

AN ACT to amend an act entitled, An act making appropriations for the military service of the next fiscal year, approved Dec. 9, 1863.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the unexpended balance appropriated by said act be and is hereby appropriated for military service for the next year, 1865, to be drawn from the Treasury upon the requisition of the Governor.

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

Approved March 8, 1865.

CHAPTER XIII.

AN ACT amendatory of article 6, chapter 5, of the Revised Code, and of the resolutions providing for the preservation of the Laws and Journals, approved Nov. 7, 1858.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That resolution, one, approved Nov. 7, 1858, providing for the preservation of the Laws and Journals be, and the same is hereby repealed.

Original Journals of Senate and House of Representatives to be furnished Public Printer.

To be returned to Secretary of State.

SEC. 2. *Be it further enacted,* That the Secretary of the Senate and the Clerk of the House of Representatives shall furnish to the Public Printer, the original journals of the Senate and House of Representatives, instead of a copy thereof, and it shall be the duty of the Public Printer to preserve the manuscript of such original journals, and, as soon as he has set in type such journals for printing and publication, it shall be the duty of the Public Printer to return and deliver such original journals to the Secretary of State, who shall keep the same in his office for future use and reference.

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

Approved March 8, 1862.

CHAPTER XIV.

AN ACT to authorize the Speaker of the House of Representatives and President of the Senate to appoint Messengers between the two Houses.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That during the time the Legislature shall be in session in the city of Columbus, the Speaker of the House of Representatives and President of the Senate shall have power to appoint, each, a suitable person, to be styled a Messenger between the two Houses, who shall deliver the messages and

perform such other duties as the Clerk of the House and Secretary of the Senate may designate, and shall receive each, during the time so employed, six dollars per day, upon the certificate of the presiding officer of each body, countersigned by the Clerk or Secretary, upon the Auditor.

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

Approved February 22, 1865.

CHAPTER XV.

AN ACT to amend Chapter 5, Articles 10 and 11, of the Revised Code.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That chapter 5, article 10, of the Revised Code, be so amended as to read, that the Secretary of the Senate shall receive twenty-four hundred dollars, and the Clerk of the House of Representatives thirty-two hundred dollars, for each session of the Legislature of sixty days' duration; but should the session be either longer or shorter, the said Secretary and Clerk shall receive a compensation, per day, at the rate of the above named sums for sixty days; that of the Doorkeeper of the House and Senate, and Sergeant-at-Arms, be increased to fifteen dollars per day.

Secretary of Senate to receive, each session of sixty days, twenty-four hundred dollars, and the Clerk of the House thirty-two hundred dollars.

Door-keeper and Sergeant-at-Arms fifteen dollars per day.

SEC. 2. *Be it further enacted*, That the provisions of this act shall embrace the present session.

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

Approved March 2, 1865.

CHAPTER XVI.

AN ACT to authorize the Quartermaster General of the State to pay to the officers and men of the Second Battalion and Sixth Regiment, Mississippi State Troops, for horses which were killed before they were appraised and valued.

WHEREAS. In different engagements with the enemy, the officers and soldiers of the Second Battalion and Sixth Regiment, Mississippi State Troops, lost a number of horses, which were killed in battle by the enemy; and whereas, said horses had not been appraised and valued before they were killed:

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the Quartermaster General of the State be, and he is hereby authorized and required, to pay to the owners of the horses so killed, as aforesaid, their value at the time they were killed.

Quartermaster General to pay, for horses killed, value at the time they were killed.

SEC. 2. *Be it further enacted,* That the owner of each horse which was killed, as aforesaid, shall first make affidavit before a magistrate, which affidavit shall state the time and place where his horse was killed, and his value at that time, and shall also file therewith the affidavit of two witnesses, which shall state that they were acquainted with the horse, and knew his value to be as set forth in the affidavit, and upon presentation of his claim to the Quartermaster General, proved, as required, accompanied by the certificate of the commanding officer of said battalion or regiment, that the horse was killed in action, the Quartermaster General shall pay the same.

Form of proof to ascertain value.

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

Approved March 3, 1865.

CHAPTER XVII.

AN ACT authorizing Sheriffs to receive certain claims in payment of County Taxes, levied for the support of destitute families.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the Sheriffs of this State be, and they are hereby authorized and required, to receive in payment of county taxes levied by the Boards of Police for the support of indigent families, any order, note or obligation of the Commissioner, given to tax-payers for supplies for said families: *Provided,* the amount of the orders, notes or obligations so received shall not, in any year, exceed the amount of taxes which may be appropriated for the use of indigent families residing in the district of the Commissioner giving such orders, notes or obligations; and that no Commissioner shall give any note, order or obligation for a larger sum than the amount of such taxes; and that this act take effect from and after its passage.

Approved March 8, 1865.

CHAPTER XVIII.

AN ACT to authorize and require the removal of criminals from insecure or unsafe jails, in this State, and for other purposes.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That hereafter, whenever, in the opinion of the Board of Police of any county of this State, the common jail of their county is considered insecure, from any cause, for the safe keeping of prisoners, it shall be lawful, and is hereby made the duty of such Board, to order the Sheriff of their county to remove such prisoners from said jail to some jail, within the limits of this State, which may be considered safe and secure; and it is hereby

Board of Police to order removal of prisoners when a jail is insecure.

made the duty of such Sheriff to comply with the order of the Board, and to remove promptly such prisoners, in accordance with such order.

Allowance to be made Sheriff by Board of Police, to be paid by the county from which the prisoners may be sent.

SEC. 2. *Be it further enacted*, That the Board of Police of every county in this State, from which prisoners may be ordered and sent, shall make to the Sheriff performing the duty a fair allowance for his trouble, including his actual expenses, to be paid out of the Treasury of the county from which such prisoners may be sent, upon the order or warrant of the Board of Police of such county, upon the County Treasurer.

Expense of removal to be paid out of State Treasury.

SEC. 3. *Be it further enacted*, That upon proper showing that payment has been made, as required by section 2 of this act, it shall be the duty of the Auditor of Public Accounts to issue his warrant upon the State Treasurer, in favor of the President of the Board of Police or County Treasurer, for the amount paid to the Sheriff for removing prisoners, as provided for in the first section of this act.

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

Approved March 8, 1865.

CHAPTER XIX.

AN ACT to amend the Militia Law of this State.

Governor authorized to employ militia for thirty days in arresting deserters and absconcers.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That hereafter the Governor is authorized to employ, for the period of thirty days; at any time, the militia of this State, in arresting absentees and deserters from the Confederate Army.

How courts martial may be organized.

SEC. 2. *Be it further enacted*, That general courts martial may consist of three commissioned officers and a judge advocate.

SEC. 3. *Be it further enacted*, That the sher-

iff and constables of their respective counties are hereby required to serve all summons issued by general courts-martial, make proper endorsements thereon, and return the same to the judge advocate.

Sheriff, and constables, to serve summons of courts-martial.

SEC. 4. *Be it further enacted*, That all delinquents, charged with offences against the military laws of this State, shall have the charges presented to him when summoned.

SEC. 5. *Be it further enacted*, That parties charged with such offences may have their cases disposed of by the courts-martial, without being present.

Parties tried without being present.

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

Approved March 9, 1865.

CHAPTER XX.

AN ACT to secure the prompt settlement of outstanding claims against the Quartermaster General's Department of the State of Mississippi.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That the Quartermaster General of the State be instructed and required to pay off the troops heretofore called out in the military service of the State, who have not been paid: *Provided*, such payment shall not be made to any troops, the payment of which has been assumed or agreed to be made by the Confederate Government.

SEC. 2. *Be it further enacted*, That the said Quartermaster shall pay off said troops on the presentation of duplicate pay rolls, or duplicate descriptive lists, certified by the commander of the company, regiment or battalion. Should such commander be in prison or dead, then upon the certificate upon said rolls or descriptive lists of a commissioned officer next in rank. The meaning and intent of this act is, that an

How State
troops to be
paid.

officer elected to an office which entitled him to a commission, whether commissioned or not, shall be recognized, for the purposes of this bill, as a commissioned officer.

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

Approved March 9, 1865.

CHAPTER XXI.

AN ACT amendatory of the Act providing for the examination of the offices of Auditor of Public Accounts and State Treasurer, approved December 1st, 1863, and the amendments thereof, approved April 5th and August 12th, 1864.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That instead of the two commissioners to examine the offices of the Auditor and State Treasurer, as provided in the act approved December 1, 1863, the Governor be, and he is hereby authorized, to appoint one commissioner, who shall continue the examination of the books, accounts, vouchers, &c., in the offices of the Auditor and Treasurer, until all the books, papers, vouchers and accounts in each of said offices shall be fully and thoroughly examined, and the said commissioner, in making said examination, shall have all the rights and powers which were conferred upon the commissioners by the act to which this is an amendment, and the time allowed for making such examination shall extend to the first day of June next, and as much longer as, in the opinion of the Governor, may be necessary.

One commis-
sioner to exam-
ine books, &c.
of Auditor and
Treasurer.

Time of ex-
amination may
be extended by
the Governor.

SEC. 2. *Be it further enacted*, That said commissioner be authorized, with the advice and consent of the Governor, to correct all irregularities that may have occurred in said offices, as stated in the report of said commissioners, or that may be discovered by said commissioner,

Power and du-
ties of commis-
sioner.

upon a further examination. Said commissioner may also revise the examination and report made by the commissioners heretofore appointed, and correct any errors or mistakes therein.

SEC. 3. *Be it further enacted*, That the said commissioner shall submit to the Governor a special report, relative to the accounts of M. D. Haynes, late Treasurer, to the end that a final settlement of said accounts between said Haynes and the State may be made, and the Governor is hereby authorized, if deemed expedient, in conjunction with the Attorney General, to make final settlement of said accounts, with the legal representative of M. D. Haynes, deceased; and for any money found to be due to the estate of said Haynes, in said settlement, the Governor shall issue his order on the Auditor, who shall draw a warrant on the Treasurer for the same; and any money found to be due to the State, the Governor shall receive and pay over to the State Treasurer.

Special report to be made of accounts of M. D. Haynes, late Treasurer.

SEC. 4. *Be it further enacted*, That in all cases where the interests of the State are involved, said commissioner shall report the facts particularly to the Governor, who is hereby required, in case of failure or refusal of any person to make satisfactory settlement after being notified by him, to institute suit against such delinquents.

SEC. 5. *Be it further enacted*, That when any of the State offices shall be vacated or transferred to a successor, it shall be the duty of the Governor to cause an inventory of the effects of said office to be taken and filed in the Auditor's office.

When State office vacated, Governor to cause an inventory of office to be made.

SEC. 6. *Be it further enacted*, That the inventory of the effects of the Treasurer's office, as taken on the transfer of said office to W. B. Weaver, be filed in the office of the Auditor of Public Accounts.

SEC. 7. *Be it further enacted*, That said commissioner report to the next Legislature, what-

Committee to report to next Legislature.

ever action may be taken by him under this act.

SEC. 8. *Be it further enacted*, That the said commissioner shall have power to appoint a competent clerk or book-keeper, to assist him in the duties required by this act; and the said commissioner, for his services, shall be paid at the rate of three hundred dollars per month, and the clerk shall be paid at the rate of two hundred dollars per month.

May appoint a clerk.

Salaries of commissioner and clerk.

SEC. 9. *Be it further enacted*, That in addition to the amount heretofore allowed the two commissioners appointed under the act to which this is an amendment, there be allowed the sum of eight hundred dollars each, as compensation for extra services rendered by them, in consequence of being unable to procure a suitable book-keeper, at the price fixed in the law, and also rendered after the expiration of the time limited for the duration of the commission.

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

Approved March 9, 1865.

CHAPTER XXII.

AN ACT to pay the Members of the Legislature, attending the called session in February, 1865.

SEC. 1. *Be it enacted by the Legislature of the State of Mississippi*, That there be appropriated to the members of the Legislature, in lieu of any compensation, their actual travelling expenses and expenses incurred in attending the present session of the Legislature; and the Auditor shall issue his warrant on the Treasurer for the same, on presentation of the certificate of the President of the Senate and Speaker of the House of Representatives, respectively: *Provided*, if any member shall claim the compensation now provided by law, he shall be entitled to receive the same; and that this act take effect from and after its passage.

Approved March 9, 1865.

CHAPTER XXIII.

AN ACT in relation to the appointment of Guardian^s of infants by the Chancery Courts, in certain cases, and to amend an act entitled "An Act to provide for the support of infants, in certain cases," approved February 11th, 1830.

SEC. 1. *Be it enacted by the Legislature of the State of Mississippi,* That when any infant, whose father shall be living, shall be entitled to property, in his own right, the Chancery Court of the county in which the father of such infant may reside, or, if he be a non-resident of the State, the Chancery Court of the county in which the property, or the greater part thereof, may be, may appoint a guardian of the property of such infant, giving preference to the father, or next of kin, if any such should apply, unless such applicant be unsuitable for the discharge of the duties; and the person so appointed shall take an oath of office and give bond, in the manner prescribed by law for guardians appointed by the Probate Court: but the powers of such guardians shall extend only to the estate, and not to the person of the ward.

Chancery Court may appoint guardian of property of minor when father living.

SEC. 2. *Be it further enacted,* That every guardian so appointed shall have the same power over the estate of his ward, as guardians appointed by the Probate Court, and shall perform and be held to the same duties and liable to the same penalties and proceedings; and the said courts shall have all the powers in reference to the estate of the ward and the person of the guardian that Probate Courts have in analogous cases, and may make all such rules and orders as may be necessary to secure the estate, and to cause the guardian to account properly for the same, and all other proceedings in the premises shall be according to the course and practice of the Courts of Chancery, and that this act shall take effect from its passage.

Probate Court may appoint guardian of property of minor.

Approved March 9, 1835.

CHAPTER XXIV.

AN ACT to amend An Act entitled "An act to prevent the distillation of spirituous liquors, and to declare the distilleries to be public and common nuisances, and to authorize the same to be abated, and for other purposes," approved April 5th, 1864.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the agent and officer appointed under the tenth section of the above recited act shall take and subscribe the following oath or affirmation: "I, A. B., being appointed by the Governor to carry on the distillation of spirituous liquors on behalf of the State, do swear that I will well and faithfully execute and perform all the duties required of me by law, in reference to the distillation of such spirituous liquors, so help me God," which said affidavit shall be filed in the office of the Governor.

Oath of agent
or officer en-
gaged in distilla-
tion for State.

SEC. 2. *Be it further enacted,* That the officers and agents appointed under the tenth section of the act of which this act is amendatory shall enter into bond, with good and sufficient securities, to be approved by the Governor, in the penalty of one hundred and fifty thousand dollars, conditioned that he will faithfully keep and dispose of all money or property that may come to his hand as such agent or officer, and account for the same, when thereto required by the Governor of this State or the Legislature thereof, and in all things faithfully discharge the duties imposed upon him by the laws relating to the distillation of spirituous liquors, and at the termination of his said office or agency, faithfully to deliver to the State all the money, property or effects which he may have in his hands by virtue of such office or agency, which said bond shall be filed in the office of the Secretary of State.

Officers and
agents to ex-
cute bond

SEC. 3. *Be it further enacted,* That all officers and agents heretofore appointed under

the tenth section of the act of which this act is amendatory, shall, within twenty days from and after the passage of this act, take the oath and give the bond required by the first and second sections of this act, and upon their failure to do so, their said office and agencies shall be, and they are hereby declared vacant, and the Governor is authorized and required to appoint other officers and agents to fill said vacancies.

All officers and agents must give bond, within twenty days from the passage of this act.

SEC. 4. *Be it further enacted,* That all the employees engaged by the officers or agents appointed under the tenth section of the act of which this act is amendatory, for the purpose of carrying on distilleries, or persons engaged in transporting spirituous liquors to depots or other places, in this State, from said distilleries, shall make oath faithfully to discharge the duties required of them, and deliver all spirituous liquors placed in their hands for delivery to the proper person and at the proper places, and use diligent effort to prevent all losses of said liquor by leakage or otherwise; and no person shall be engaged as such employee, or entrusted with the transportation of such liquor, until he shall have made said affidavit; and for a violation of the same, such persons shall be liable to all the pains and penalties of perjury; which said affidavit shall be filed in the office of the Secretary of State: that no man of conscript age shall be appointed superintendent, dispenser, agent, or employee of any description, under the act to which this is an amendment, unless he be otherwise exempt by law.

Oath to be made by all employees engaged in transporting liquors for State, &c.

SEC. 5. *Be it further enacted,* That alcohol may be manufactured at the establishment for the distillation of spirits, provided for in the act to which this is an amendment, which shall be of ninety per cent. proof, and may be sold by dispensers to physicians and druggists, in an amount not exceeding four gallons at any one time, and at a price not exceeding

Alcohol may be manufactured at State establishments for the Nation.

Price per gal
ten

twenty-five dollars per gallon.

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

Approved March 9, 1865.

CHAPTER XXV.

AN ACT to authorize Tax Collectors to refund certain monies therein named.

In what case
taxes to be re-
funded

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That in all cases where taxes have been collected contrary to the provisions of an act entitled an act for the relief of tax-payers, in certain cases, and for other purposes, approved April 4, 1864, the tax collectors who collected the same shall be authorized and required to refund the amount so collected to the tax-payer or tax-payers who paid the same: *Provided*, the tax payer or tax-payers shall be able to prove the justness of their claims, in accordance with the provisions of the laws now in force on that subject: *and* *Provided further*, he or they shall be able to produce the tax collector's receipt, showing the date and amount of such payment.

Auditor to
draw warrant
upon Treasurer
for amount.

Sec. 2. *Be it further enacted*, That when any tax collector shall have refunded, under the provisions of the preceding section, any taxes collected by him, he shall be authorized to call upon the Auditor of Public Accounts for the amounts so refunded, and the Auditor shall be required to draw his warrant upon the Treasurer, in favor of said tax collector, for said amount: *Provided*, the Auditor shall be satisfied, upon evidence, that the tax collector has, under the provisions of this act, refunded the amount claimed.

Sec. 3. *Be it further enacted*, That this act take effect and be in force from and after its passage.

Approved March 9, 1865.

CHAPTER XXVI.

AN ACT to amend an Act entitled "An Act to establish a minimum for the sale of two millions of State Bonds, authorized to be sold under an act passed at the present session of the Legislature," approved August 13, 1864, and for other purposes.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the Governor of this State shall be authorized to sell or dispose of five hundred thousand dollars of the bonds mentioned in the act to which this is an amendment, for such premium as he may be able to obtain in the market.

SEC. 2. *Be it further enacted,* That the Governor be, and he is hereby authorized, to sell or dispose of all the four per cent. non-taxable bonds or certificates, and all the eight per cent. bonds of the Confederate Government now belonging to the State, for such price as he may be able to obtain for the same; and he may, in the same manner, sell or dispose of all the seven-thirty Confederate notes or bonds, and also all the old issue of Confederate States Treasury notes, now in the Treasury or belonging to the State.

Governor authorized to sell or dispose of four per cent. bonds, seven-thirty notes and old issue.

SEC. 3. *Be it further enacted,* That it shall be the duty of the Treasurer, in the presence of the Governor and Auditor of Public Accounts, to burn all old liabilities of the State that have been cancelled, and all Auditor's warrants that may have been issued and paid out, under the provisions of an act entitled "An act to authorize the redemption of Treasury notes of the State, by warrants, in small sums, drawn upon the Treasurer by the Auditor, and for other purposes," approved April 5, 1864, as the same may be returned or paid into the Treasury, including those that have been received or paid into the Treasury, either for taxes or other dues to the State; and the Treasurer and Auditor shall each be required to keep a correct record and account of the amount of such cancelled liabili-

Old liabilities of the State to be burned.

ties as may be burned under the provisions of this act.

Bonds may be
transferred by
endorsement.

SEC. 4. *Be it further enacted*, That all bonds which have heretofore been issued by the State, under the act to which this is an amendment, or any other act authorizing the issuance of bonds, may be transferable by endorsement, so as to vest the legal title in the endorsee: *Provided*, that the party endorsing said bond shall not be liable in the event of a non-payment of the same, unless he enter into a special contract to that effect, independent of the endorsement: *Provided further*, that all bonds which may be hereafter issued, under any of the acts aforesaid, shall be issued payable to bearer.

SEC. 5. *Be it further enacted*, That all laws and parts of laws in conflict with the provisions of this act, be, and the same are hereby repealed, and that this act take effect and be in force from and after its passage.

Approved March 9, 1865.

CHAPTER XXVII.

AN ACT to legalize the assessment of taxes for the corporation of the town of Woodville, for the year 1864.

SEC. 1. *Be it enacted by the Legislature of the State of Mississippi*, That all assessments of taxes for the year 1864, and the returns of the same into the proper office, made by the assessor of said town of Woodville, shall be held and deemed as valid as if they were made and returned within the time now prescribed by law.

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

Approved February 27, 1865.

CHAPTER XXVIII.

AN ACT to repeal all acts incorporating the town of Oakland, Yallobusha county, Mississippi.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That all acts incorporating the town of Oakland, Yallobusha county, Mississippi, heretofore passed, be, and they are hereby repealed.

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

Approved February 29, 1865.

CHAPTER XXIX.

AN ACT for the relief of John Lee Crawford and Mary E. Crawford, of Copiah county.

WHEREAS, There are doubts whether the marriage contracted by and between John Lee Crawford and Mary E. Martin, in Copiah county, on the 24th day of February, A. D. 1850, is legal and valid. Therefore,

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the said marriage, celebrated and contracted on the 24th day of February, A. D. 1850, by and between the said John Lee Crawford and Mary E. Martin, be, and the same is hereby made valid and legal from the beginning, and that all of the issue of said marriage, heretofore born of the said Mary E. Crawford, since said 24th day of February, 1850, be, and the same are hereby made and declared to be legitimate.

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

Approved February 28, 1865.

CHAPTER XXX.

AN ACT to legalize the Assessment Roll of Itawamba County, and for other purposes.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That the assessment roll made and filed by C. A. Marshall, Tax Assessor of Itawamba county, made in October, and filed on the first day of December, 1864, be as valid as though the assessment roll had been made and filed within the time now prescribed by law.

SEC. 2. *Be it further enacted*, That C. A. Marshall, Assessor of Itawamba county, shall receive the same compensation for his official services as though the assessment had been made and filed within the time prescribed by law.

SEC. 3. *Be it further enacted*, That this act be in force from and after its passage.

Approved February 23, 1865.

CHAPTER XXXI.

AN ACT to change the name of Frances R. Blackmar, of Hinds county.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That Frances R. Blackmar, of the county of Hinds, shall hereafter be called and known by the name of Fannie R. Mosely, and by said name may sue and be sued, plead and be impleaded, in any court of law or equity.

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

Approved February 24, 1865.

CHAPTER XXXII.

AN ACT to invest the Probate Court of the county of Yazoo with jurisdiction of the last will and testament of John Campbell, deceased.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the Probate Court of the county of Yazoo be invested with full authority and jurisdiction to take the proof of the will of John Campbell, late of Carroll county, deceased, to grant letters testamentary thereon, and to conduct the administration of the estate of the deceased to a final settlement, in the same manner as if the mansion house or fixed place of residence of said Campbell had been in said county of Yazoo at the time of his death.

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

Approved Feb'y 28, 1865.

CHAPTER XXXIII.

AN ACT for the relief of Charles R. Davis.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That all the civil disabilities of Charles R. Davis, a minor, of Yallobusha county, Mississippi, existing under the laws of this State on account of his minority, be and the same are hereby removed, except the right of suffrage and holding office, and he is hereby authorized to receive and receipt for and make such other disposition of his property as he would be able to do had he arrived at the age of twenty-one years.

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

Approved March 1, 1865.

CHAPTER XXXIV.

AN ACT to remove the civil disabilities of Daniel Cohen, a minor, of Wilkinson county.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the civil disabilities of Daniel Cohen, a minor, of Wilkinson county, be and they are hereby removed, and that the said minor be and he is hereby authorized to perform all acts which he might or could do were he twenty-one years of age, except the right of suffrage and holding office.

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

Approved March 2, 1865.

CHAPTER XXXV.

AN ACT to remove the civil disabilities of Evander H. Ross, a minor, of Hancock county.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the civil disabilities of Evander H. Ross, a minor of Hancock county be removed, and that he be entitled to all the rights, powers and immunities of a citizen, the same as though he was twenty-one years of age: except the right of suffrage and the power of holding office.

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

Approved March 2, 1865.

LAWS OF MISSISSIPPI.

CHAPTER XXXVI.

AN ACT to remove the civil disabilities of Emma E. Kennedy and Walter P. Kennedy, minors, of Carroll county, Mississippi.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the civil disabilities of Emma E. Kennedy and Walter P. Kennedy, minors, of Carroll county, Mississippi, be and the same are hereby removed, and all rights, powers and privileges of adult citizens are hereby conferred upon said Emma E. Kennedy and Walter P. Kennedy, except the right of suffrage as to Walter P. Kennedy.

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

Approved March 2, 1865.

CHAPTER XXXVII.

AN ACT to authorize the Board of Police of Tippah county to borrow money from the Treasurer of the School Funds of said county.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That from and after the passage of this act it shall and may be lawful for the Board of Police of the county of Tippah to borrow the money belonging to the school fund of said county.

SEC. 2. *Be it further enacted,* That for all monies so borrowed out of said school fund the same rate of interest shall be charged as is now authorized by law to be charged when loaned to individuals, to be annually paid into the treasury of said fund.

SEC. 3. *Be it further enacted,* That when the Board of Police of said county shall borrow any money of said school fund, that the President of said Board of Police shall execute a bond for

the amount so borrowed, signed by himself officially as President of said Board, and said obligations shall be countersigned by the clerk of said court, under the seal thereof.

SEC. 4. *Be it further enacted*, That said obligation, executed as provided for in the third section of this act, shall be binding in law and equity, until said obligation is paid off and discharged.

SEC. 5. *Be it further enacted*, That this act be in force from and after its passage.

Approved March 2, 1865.

CHAPTER XXXVIII.

AN ACT to change the names of Laura Tice and George Tice.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That the names of Laura Tice and George Tice, minors, of Monroe county, Mississippi, the former about four years of age, and the latter about ten years of age, be changed to Laura Williams and George Williams.

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

Approved March 9, 1865.

CHAPTER XXXIX.

AN ACT for the relief of the State Institution for the Blind.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That a special appropriation of the sum of ten thousand dollars be and the same is hereby appropriated for the benefit of the State Institution for the Blind, and that the Auditor of Public Accounts be and he is hereby directed to issue his warrant upon the

Treasury of the State for that sum in favor of the trustees of said Institution upon their application for that purpose.

SEC. 2. *Be it further enacted*, That the additional sum of ten thousand dollars be and the same is hereby appropriated as a contingent fund, to be placed in the hands of the Governor and to be under his control for the use and benefit of said Institution for the Blind, when in his opinion the necessities of the Institution require the use of said sum, or any portion thereof. And the Auditor of Public Accounts is hereby required to issue his warrant on the Treasury for the last above named sum of money or any portion thereof, at any time, upon the requisition of the Governor.

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

Approved March 3, 1865.

CHAPTER XL.

AN ACT to amend an act entitled an act amendatory of an act, entitled an act for the relief of the 1st Battalion Mississippi State Troops, commanded by Major Harper.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That the second section of the above recited act be so amended that after the word "officers" in said section, there be inserted the words "or any properly certified muster or pay rolls."

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

Approved March 3, 1865.

CHAPTER XLI.

AN ACT for the relief of C. S. Whitcomb of Holmes county.

WHEREAS, it appears that C. S. Whitcomb buried \$36 in cotton money, \$50 in military bills, and a \$100 treasury or convention bill payable June 1st, 1863, which was too much mutilated thereby to be circulated, therefore,

SEC. 1. *Be it enacted by the Legislature of the State of Mississippi,* That the Treasurer be required to receive the said mutilated military and cotton money, and give in exchange therefor \$36, which may be paid in on cotton bonds, and that said bills be cancelled as other cotton money when so paid, and that he give other bills for the damaged \$50 in military bills.

SEC. 2. *Be it further enacted,* That upon filing said mutilated \$100 (convention or treasury note) with the Auditor, it shall be his duty to issue a warrant in favor of the said Whitcomb for that sum, with ten per cent. interest from the 1st January, 1862, which shall be payable out of the same funds and receivable for all dues, the same as said bill would have been if it had not been damaged.

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

Approved March 3, 1865.

CHAPTER XLII.

AN ACT to amend an act entitled an act to incorporate the Central Female institute in the town of Canton, Madison county, Miss.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That so much of Section 4 of the above recited act as provides

that "in case of a vacancy among the trustees, by death, resignation, or otherwise, they (the trustees) may fill such vacancy at any time," be and the same is hereby repealed, and that hereafter the Board of Police of the county of Madison now in office, and their successors, be and they are hereby authorized and directed to fill by appointment any vacancy which may occur among said trustees, by death, resignation or otherwise.

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

Approved, March 3, 1865.

CHAPTER XLIII.

AN ACT to incorporate the Newton Female Institute.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That Oscar Newton, his associates and successors, be and they are hereby constituted a body politic and corporate, under the name and style of the Newton Female Institute, located in Copiah county, at the town of Crystal Springs, and by that name may sue and be sued, plead and be impleaded, in any court of law or equity in this State.

SEC. 2. *Be it further enacted*, That said Newton Female Institute shall have power to confer honorary degrees in the branches taught in said Institute as may be thought proper, and the business of said Institute is hereby declared to be the giving of instruction in all the branches of learning usually taught in the best female academies in the country.

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

Approved March 3, 1865.

CHAPTER XLIV.

AN ACT to appoint additional commissioners in Districts 1 and 5 in Panola county.

WHEREAS, police districts numbers one (1) and five (5) of the county of Panola are nearly equally divided by the Tallahatchie river, and, whereas, the facilities for crossing said river are very limited and uncertain, and the commissioners in said districts, appointed in pursuance of an act entitled "An act to better provide for the families of soldiers," approved Dec. 2, 1863, and thereby greatly impeded in the discharge of their duties, therefore,

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the Board of Police of Panola county be and are hereby authorized and empowered to appoint for each section of said police districts divided as aforesaid, one commissioner, whose power and duties shall in all respects be as full and ample as those of commissioners appointed for police districts in pursuance of all laws looking to the provisions for the families of soldiers.

SEC 2. *Be it further enacted,* That this act take effect and be in force from and after its passage. Approved March 3, 1865.

CHAPTER XLV.

AN ACT for the relief of Captain W. G. Middleton, former captain of the Panola Cavalry, and Captain J. R. Taylor, his successor in office.

WHEREAS, the Legislature of the State of Mississippi did, by act, approved Jan. 22, 1862, appropriate the sum of two thousand dollars to arm and equip the Panola Cavalry, then commanded by Capt. W. G. Middleton, and,

whereas, upon the reorganization of said company Captain J. R. Taylor was elected captain, and it having been made to appear to the satisfaction of this Legislature that the said Middleton (now deceased) did turn over to the said Taylor eighteen hundred dollars of the said sum (two hundred dollars having been expended in the purchase of pistols for said company;) and, whereas, it having been made further to appear that the house of the said Captain Taylor was robbed by the public enemy, and thirteen hundred dollars of said sum was then and there taken from his trunk, therefore,

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the Auditor of Public Accounts be and he is hereby authorized and required to enter a credit for the sum of thirteen hundred dollars on the bond of Captain W. G. Middleton, provided for and executed in accordance with the provisions of an act entitled "An act for the benefit of the Panola Cavalry and Tillalaha Greys," approved Jan. 22, 1862.

SEC. 2. *Be it further enacted,* That Capt. J. R. Taylor be permitted to return to the treasury five hundred dollars, ballance on hand of said sum, and upon his doing so, a further credit to that amount be entered upon said bond; and that this act take effect and be in force from and after its passage.

Approved March 3, 1865.

CHAPTER XLVI.

AN ACT for the relief of the Probate and Circuit Clerks of LaFayette county.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the Secretary of State be and is hereby authorized and directed to furnish the Probate and Circuit Clerks of Lafayette county with copies of the Reports of the High Court of Errors and Appeals, the Revised Code, and the sheet acts of the Legislature.

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

Approved March 3, 1865.

CHAPTER XLVII.

AN ACT to repeal an act entitled an act to secure the interest on the Chickasaw School Funds, so far as relates to the county of Pontotoc," approved Dec. 2, 1858.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the first section of said act, which limits the rate of tuition to seven and one half cents per day to teachers, be and the same is hereby repealed so far as the same relates to the counties of Pontotoc and Calhoun.

SEC. 2. *Be it further enacted,* That this act be in force from its passage.

Approved March 3, 1865.

CHAPTER XLVIII.

AN ACT to authorize and require the payment of certain funds to the parties therein named.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi.* That upon the presentation to the Auditor of Public Accounts of the receipt of M. D. Haynes, late the Treasurer of this State, for the sum of seventeen hundred and forty-seven dollars, which sum was deposited by the President of the Board of Police of Marion county with the said M. D. Haynes, to be funded in accordance with the provisions of an act entitled "An act to authorize county treasurers and other county officers, and other persons holding Confederate Treasury notes in a fiduciary capacity, to dispose of the same, under the recent legislation of Congress, and for other purposes," approved April 5, 1864, and upon the presentation of the application of said President, to have the said sum exchanged for the Treasury notes of this State, in accordance with the provisions of an act entitled "An act to authorize the State Treasurer to exchange the Treasury notes of this State for certain bonds therein specified, and for other purposes," approved August 13, 1864; that the said Auditor be, and he is hereby authorized and required, to issue a warrant upon the State Treasurer, in favor of the President of the Board of Police aforesaid, for the said sum of seventeen hundred and forty-seven dollars, payable in the Treasury notes of this State, which said warrant shall be sufficient for said Treasurer to pay, and he is hereby authorized and required to pay said sum, in accordance with said warrant, and that this act take effect and be in force from and after its passage.

Approved March 4, 1865.

CHAPTER XLIX.

AN ACT to incorporate the Pioneer Machine Company.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That Franklin R. Bridges, James G. Cummings, Harrison Hale and Abraham Murdock, their associates and successors, be, and they are hereby created a body politic and corporate, under the name of the Pioneer Machine Company; may sue and be sued, plead and be impleaded, in all courts of law or equity; may have a common seal, and the same to alter at pleasure; may make such by-laws, rules and regulations for the government of its business and the control of its property as they may deem it best: *Provided,* the same are not contrary to the Constitution and laws of the State or of the Confederate States.

SEC. 2. *Be it further enacted,* That the capital stock of said company shall be two hundred thousand dollars, divided into shares of one hundred dollars each, and that when the sum of twenty-five thousand dollars is subscribed and paid in, the said company is authorized to commence business.

SEC. 3. *Be it further enacted,* That the business of said company shall be the making and repairing of machinery and farming implements of any and all kinds, and that, for the purpose of carrying on and establishing said business, said company may employ its capital, or any part thereof, in the purchase of lands, the erection of buildings, and the employment of steam, water or any other power or thing which may be deemed necessary.

SEC. 4. *Be it further enacted,* That the corporate privileges and franchises conferred by this act shall continue for twenty years and no longer.

Approved March 4, 1865.

CHAPTER L.

AN ACT to grant freedom to male slave Loyd, the property of James N. Harper, of Tallahatchie county.

WHEREAS, Loyd, a negro slave the property of James N. Harper, of Tallahatchie county, Mississippi, has proved himself a faithful and devoted servant to his young masters, Lucius and Charles E. Harper, whom he attended in the army, and both of whom have fallen in battle, the first at Denmark, in Tennessee, the second near New Hope Church, Ga.; and whereas, the said Loyd risked his own life in recovering the body of his young master, Charles E. Harper, from the field of battle, and aided in his interment; and whereas, the said James N. Harper has expressed his desire, in writing, that the Legislature shall free said negro. Therefore,

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That said negro boy Loyd be, and he is hereby declared, freed and emancipated from the condition of a slave, and is granted all the privileges and immunities extended to free negroes by the laws of this State, and is permitted to remain in the State on his good behavior.

SEC. 2. *Be it further enacted,* That this act shall not affect the right of creditors; and that the said James N. Harper and his representatives shall be at all times liable for the support and maintenance of the said negro Loyd, so as to prevent him from ever becoming a public charge.

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

Approved March 8, 1865.

CHAPTER LI.

AN ACT for the relief of the estate and securities of B. F. Toomer, former Sheriff of Itawamba county.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the estate and securities of B. F. Toomer, former Sheriff of Itawamba, be and they are hereby allowed to pay into the Treasury, under the provisions of an act approved April 5, 1864, the sum of three hundred and seventy-three dollars and seventy eight cents in the military warrants due in 1863 and 1864, for balance of military tax due by them in 1861, provided that no interest shall be allowed on said notes beyond the time when said tax was due the State.

SEC. 2. *Be it further enacted,* That this privilege be extended to them until 1st January 1866; and the Auditor of Public Accounts shall draw his warrant upon the Treasurer for all commissions due said B. F. Toomer from the Auditor's office.

SEC. 3. *Be it further enacted,* That this act be in force from and after its passage.

Approved March 8, 1865.

CHAPTER LII.

AN ACT relative to the relief of indigent families of soldiers in Yazoo county.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That Fountain Barksdale of Yazoo county, be and he is hereby authorized, in lieu of the Treasurer of Yazoo county, to receive all monies collected and appropriated by law for the use of indigent families of soldiers in Yazoo county, and to do and perform all acts relative to the use and appropriation of said money, which the said Treasurer is required by law to do and perform.

SEC. 2. *Be it further enacted,* That the duties

and powers which by law the members of the Boards of Police of the several counties are required by law to perform and authorized to exercise relative to the use, appropriation, disposition and management of funds collected for indigent families of soldiers, shall and may be exercised and performed in the county of Yazoo, in lieu of the members of the board of police, by Fountain Barksdale, who, as to such disposition, appropriation and management, is hereby vested with the powers conferred by law on such board of police.

SEC. 3. *Be it further enacted*, That the said Fountain Barksdale shall execute and deliver to the Board of Police of Yazoo county a bond with good security for the sum of twenty thousand dollars, to be approved by said Board of Police, for the faithful performance of the duties assigned him by the previous sections of this act.

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

Approved, March 8, 1865.

CHAPTER LIII.

AN ACT to remove the civil disabilities of George K. Smith, a minor, of Sunflower county.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That the civil disabilities of George K. Smith, a minor, of Sunflower county, be and the same are hereby removed, and that the said George K. Smith, be and he is hereby authorized to contract, sue and be sued, and do all other acts and things as if he were of the age of twenty-one years; *provided*, he shall not be allowed to vote or hold office. and that this act shall take effect from and after its passage.

Approved March 9, 1865.

CHAPTER LIV.

AN ACT for the relief of M. Greenhood, of Clarke county.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the Auditor of Public Accounts be and he is hereby authorized and directed to issue his warrant on the State Treasurer in favor of M. Greenhood for the sum of ninety-nine dollars and ninety-eight cents excess of taxes paid into the State Treasury in 1863, which warrant shall be paid out of any money in the Treasury not otherwise appropriated.

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

Approved March 8, 1865.

CHAPTER LV.

AN ACT for the relief of Robert Shotwell.

WHEREAS, Robert Shotwell entered, in the office of the Secretary of State of this State, a quantity of land situated in the county of Sunflower, the patents for which have become injured and defaced so as not to be legible, therefore,

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That duplicate patents shall be issued to the said Robert Shotwell for any land heretofore entered by him in the office of the Secretary of State, situated in the county of Sunflower, in this State, the said duplicate patent to have relation to, and to take effect from the date of the original entry or entries, and to have the same force and effect as the said original patents would have had if the same had not been injured or defaced; and that this act shall take effect from its passage.

Approved March 8, 1865.

CHAPTER LVI.

AN ACT to amend an act entitled an act for the relief of Dempsey Sherrod, approved August 12 h, 1864.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the second section of an act entitled "An act for the relief of Dempsey Sherrod," approved August 12, 1864, be so amended as to provide and require that the said Dempsey Sherrod while he remains in the Institution for the Blind, in accordance with the provisions of the act aforesaid, shall be subject to all the rules and regulations of said Institution; and that this act take effect and be in force from and after its passage.

Approved March 8, 1865.

CHAPTER LVII.

AN ACT for the relief of the Probate Clerk of Marion county, and for other purposes.

WHEREAS, by reason of a recent raid of the enemy through the county of Marion in this State, a greater part of the books, records and papers, belonging to the Probate, Circuit, Chancery and Police Courts of said county, were lost, mutilated and destroyed, and the seals of the Circuit and Probate Courts thereof were by said enemy carried away, therefore,

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the Clerk of the Probate, Circuit, Chancery and Police Courts of the county of Marion shall not be liable upon his official bond for his failure to record or have recorded, since the 6th day of December, 1864, any paper deposited with the clerk of said courts for record, or any other instrument of

writing required by law to be recorded in any of the offices aforesaid within the time prescribed by law: PROVIDED, his failure to do so shall have been the result of the raid aforesaid; but that all papers deposited with the clerk of said courts for the purpose of being recorded so far as to protect said clerk from liability upon his official bond, shall be considered recorded upon the receipt of said clerk for such paper, and a certificate under his private seal that the same was received by him for record and for want of proper books the same cannot now be recorded: PROVIDED, said clerk shall record the same within the time now prescribed by law, after suitable books of record shall have been procured.

SEC. 2. *Be it further enacted,* That in all cases when the seals of any of the courts aforesaid are required by law to be affixed to any paper or process issuing therefrom (except the Chancery Court) the private seal of said clerk shall be deemed valid and effectual in law and equity, until suitable seals shall have been procured for the courts wanting said seals.

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

Approved March 8, 1865.

CHAPTER LVIII.

AN ACT to authorize the Mayor and Selectmen to increase the taxes on property in the corporate limits of the town of Macon.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the mayor and aldermen of the town of Macon be and they are hereby authorized to increase the assessment and collection of taxes in the corporate limits of said town to two per cent. instead of one-

fourth of one per cent. as now provided by law; and that this act take effect and be in force from and after its passage.

Approved March 8, 1865.

CHAPTER LIX.

AN ACT for the relief of Col. T. C. Ashcraft..

WHEREAS, on the 26th day of December last, the public enemy entered the residence of Col. T. C. Ashcraft, in the town of Verona, Mississippi, and rifled the same of twenty-six hundred and eighty-eight dollars, placed in his hands to be paid over to sundry soldiers, therefore,

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the Auditor of Public Accounts be and he is hereby required to issue his warrant upon the Treasurer for twenty-six hundred and eighty-eight dollars, in favor of Col. T. C. Ashcraft, and that the same be paid out of any money not otherwise appropriated.

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

Approved March 9, 1865.

CHAPTER LX.

AN ACT to repeal an act approved Dec. 19, A. D., 1861, entitled, an act to amend an act to incorporate the town of Canton, and to repeal all former acts incorporating the same, and all acts amendatory thereof, and for other purposes.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the above recited act be and is hereby repealed.

SEC. 2. *Be it further enacted,* That the tenth

and thirteenth sections of said acts of incorporation, and the fifth section of the act amendatory thereof, approved February 11, A. D. 1860, be and are hereby restored to their original force and effect.

SEC. 3. *Be it further enacted*, That the mayor and marshal of said corporation shall each receive such annual salary as may be fixed by the board of selectmen in council, and none other except they shall be employed by said board to perform some extra service, in which case their pay for the same shall be stipulated, nor shall they receive any per diem for their attendance on the meetings of said board, nor shall they receive from the corporation any fees for suits brought at the instance or in behalf of the same which shall be dismissed or decided against it, or when the money shall not be made on suits decided in its favor.

SEC. 4. *Be it further enacted*, That the Mayor and selectmen in council are hereby authorized to specify what persons shall be subject to patrol duty, whether such be liable to such duty or not by the laws of this State.

SEC. 5. *Be it further enacted*, That the meetings of said board shall be held in the room used by the grand jury in the court house of Madison county, or, in cold, inclement weather, they may hold in any room occupied by one of the county officers by consent of said officers only; and said grand jury room is hereby declared to be the Mayor's office, in which he shall hold his court, or in the Circuit Court room, but not to the exclusion, of or interference with the grand jury or the Circuit Court.

SEC. 6. *Be it further enacted*, That all free white male persons within the city of Canton, possessing qualifications similar to those made liable by the laws of this State for road working, and all male slaves, free negroes and mulattoes, likewise liable, shall be liable to work the streets of said city, and for such time as the

said board of Mayor and selectmen may direct ; but the said board may commute said work or any part thereof for money, and may impose such pecuniary fine as may be requisite to its performance.

SEC. 7. *Be it further enacted*, That the proceedings of the board shall not be published in any newspaper, nor in any other manner at the expense of said city, provided that ordinances passed, or that shall be passed from time to time, may be printed in book or pamphlet form for distribution or preservation when it shall be deemed necessary to do so.

SEC. 8. *Be it further enacted*, That this act be in force from and after its passage.

Approved March 9, 1865.

CHAPTER LXI.

AN ACT making certain appropriations therein named.

SEC. 1. *Be it enacted by the Legislature of the State of Mississippi*, That the following sums be allowed to be paid out of any money in the Treasury not otherwise appropriated :

To E. J. Rumlens.....	\$293 66
W. F. Alford	105 00
Lewis Green	25 00
D. J. Bush	65 00
T. J. Arnold	500 00
R. Woodfin	525 00
Hardy Stevens.....	150 00
C. A. Brougher.....	21 50
James Jones,	59 50
J. W. Felts,	220 00
R. C. Miller	245 00
J. J. Shannon & Co.....	2470 62
D. R. Corley	21 00
W. R. Cannon (page).....	50 00
F. Dickinson (page).....	50 00
F. Pope (page).....	50 00
A. J. Gillespie, servant hire,..	270 00
Christian church (for use of chapel)	200 00

SEC. 2. *Be it further enacted*, That the sum of fifty thousand dollars be and the same is hereby appropriated for the relief and support of the hospitals and depots for Mississippi soldiers in the army of the Confederate States, to be paid on the order of the Governor as provided in the act for the establishment of hospitals and depots passed Dec. 16, 1861.

SEC. 3. *Be it further enacted*, That there be allowed to W. R. Poindexter, private secretary of the Governor, his actual travelling and other expenses, incurred in attending the present session of the Legislature, for which the Auditor, on the certificate of the Governor, shall draw his warrant on the Treasurer.

SEC. 4. *Be it further enacted*, That this act shall be sufficient authority for the payment of the respective sums of money herein before specified. PROVIDED, the Auditor of Public Accounts shall be and he is hereby required to take from the persons respectively to whom appropriations are herein made, a receipt in full, and that this act take effect and be in force from and after its passage.

Approved March 9, 1865.

CHAPTER LXII.

AN ACT for the relief of Henry E. Rasco, Executor, &c.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That Henry E. Rasco be and he is hereby authorized to probate the last will and testament of Dr. Zebena Conkey, deceased in the Probate Court of Lafayette, instead of Tunica county, Mississippi, and that he be allowed to qualify as executor of said will in the Probate Court of said county of Lafayette, and make all reports and settlements and

divisions through the Probate Court of Lafayette county.

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

Approved: March 2, 1865.

CHAPTER LXIII.

AN ACT in relation to the Probate Court and Board of Police of Warren county, Mississippi.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That the Probate Court of said county shall be held at the plantation of George Messenger, in said county, or at such place as the Judge may appoint, on giving ten days public notice thereof, on the fourth Monday of January, March, May, July, September and November, and may continue in session six days and no longer.

SEC. 3. *Be it further enacted*, That the members of the Board of Police of said county shall hold their court at the times and place named in the first section of this act, or at such other place as the President thereof may appoint, giving ten days public notice thereof, and may continue in session for three days and no longer.

SEC. 3. *Be it further enacted*, That the clerk of the Circuit, Probate and Police Court, and the Sheriff of said county, be empowered to hold their offices at such places in said county as they may deem advisable, and that said clerks be authorized to use their private seals, until provided with official seals.

SEC. 4. *Be it further enacted*, That the per diem and mileage of the members of said Board of Police, and the salary of the Judge of the Probate Court of said county, shall be paid out of any funds in the hands of the Treasurer of said county not otherwise appropriated; and

that this act shall be in force from and after its passage.

Approved March 1, 1865.

CHAPTER LXIV.

AN ACT to change the name of Maria E. Wadlington to Maria E. King.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the name of Maria E. Wadlington be changed to Maria E. King, by which name she shall hereafter be known and designated, may sue and be sued, plead and be impleaded, and do and perform all acts whatever.

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

Approved Feb'y 28, 1865.

CHAPTER LXV.

AN ACT to remove the civil disabilities of Nathan C. Luse, a minor, of Yazoo county.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the civil disabilities of Nathan C. Luse, a minor, under the age of twenty-one years, be, and the same are hereby removed; and all the rights, powers and privileges of an adult of twenty-one years are hereby conferred upon said Nathan C. Luse, except the right of suffrage and the right to hold any civil office.

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

Approved February 28, 1865.

CHAPTER LXVI.

AN ACT to repeal an act incorporating the town of Carthage, in the county of Leake.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi.* That all acts and parts of acts incorporating the town of Carthage, in the county of Leake, be, and the same are hereby repealed.

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

Approved February 28, 1865.

CHAPTER LXVII.

JOINT RESOLUTION appointing a day of fasting, humiliation and prayer.

WHEREAS, The President of the Confederate States, in pursuance of a resolution of Congress has appointed Friday, the 10th day of March next, as a day of fasting, humiliation and prayer, (with thanksgiving;) and whereas, it is our duty, at all times, to acknowledge our dependence upon Almighty God, to confess our sins, to bow to His chastisements, and humbly to invoke His divine favor and blessing upon our undertakings. Therefore, be it

Resolved by the Legislature of the State of Mississippi. That Friday, the 10th day of March next, be appointed as a day of fasting, humiliation and prayer, and that the Governor be requested to issue his proclamation, inviting the people of the State to unite with their fellow-citizens of other States in its observance as such, and to that end, that they do assemble in their usual places of public worship, to return thanks and praise to the Great Disposer of events, for His many mercies and favours here-

tofore shown to us, to acknowledge our manifold offences against Him, to submit ourselves under the rod of His chastisement, and to offer most fervent and hearty prayers to Him, who is, indeed, the God of Battles and the Lord of Hosts, that He will inspire our people with a due sense of the perils and responsibilities of the hour, and that He will prosper our arms, bless our cause, and give peace and independence to our bleeding country.

Approved March 4, 1865.

CHAPTER LXVIII.

JOINT RESOLUTIONS in relation to General Joseph E. Johnston.

1. *Resolved by the Legislature of the State of Mississippi.* That we recognize in Gen. Joseph E. Johnston a firm patriot and an able commander, always ready to sacrifice his personal advancement to the interest of the Confederacy.

2. That the sacrifices and efforts of this illustrious person in the cause of our country, during her struggle for independence, and the affectionate interest which he has at all times manifested for the success of her armies, claim from the Government and people veneration for his virtues, gratitude for his services, and regret for his absence from the field of active operations.

3. That in the opinion of this Legislature, the services of so able a general as Joseph E. Johnston ought not, in the present exigencies of the Confederacy, be dispensed with, and that the President be respectfully requested to place him in a position of active service, suited to his rank and acknowledged ability.

4. That our Senators in Congress be requested to place these resolutions before the Presi-

dent, as expressing the sense of this Legislature, and that a copy be also sent to General J. E. Johnston.

Approved March 2, 1865.

CHAPTER LXIX.

JOINT RESOLUTIONS calling on the Confederate States Government for the payment of our troops.

Resolved by the Legislature of the State of Mississippi, That there is no debt more sacred than that which the Government owes those who are defending her existence with their lives, and that it has been most unfortunate for the good of the service that our soldiers have not been paid regularly and promptly, in the manner provided by law.

Resolved, That much of the dissatisfaction and demoralization which we now have to deplore in the army has arisen from this delinquency on the part of the Government, and we trust that such measures will be taken, at once, as will secure the prompt payment of our noble troops.

Resolved, That while we repudiate the idea that Southern soldiers are fighting for pay, we, nevertheless, claim for them their just rights, and hold that, in the present condition of affairs, some compensation is necessary for their comfort and welfare.

Resolved, That the Governor be, and he is hereby requested, to submit a copy of these resolutions to each of our Senators and Representatives in Congress.

Approved March 3, 1865.

CHAPTER LXX.

JOINT RESOLUTION in relation to School Commissioners.

Resolved by the Legislature of the State of Mississippi. The Board of Commissioners appointed under a "Joint resolution in relation to the education of the children of soldiers killed or disabled during the present war," and approved August 13, 1864, be so amended that a quorum shall consist of six members, and that such quorum be invested with all the powers of a full board.

Be it farther Resolved, That this resolution go into effect from and after its passage.

Approved February 28, 1865.

CHAPTER LXXI

JOINT RESOLUTION in relation to filling up our armies.

Resolved by the Legislature of the State of Mississippi, 1st. That this Legislature hails, with great satisfaction, the avowed purpose declared by Major General N. B. Forrest, in his recent published address, of at once taking steps to have returned to their commands all absentees, stragglers and skulkers, and of his determination to place in active service all independent scouts, where they will be of service in the great struggle in which our country is now engaged, thus lessening the burthen of those of our noble and trustworthy soldiers who have patiently borne "the heat and burden of the day" without complaint; and this Legislature, in behalf of the good people of the State, pledge themselves to give all aid in their power to assist him in consummating so laudable a purpose; and the Governor of the State is here-

by requested to use all the means at his command to effect the ends above stated, and to fully co-operate with General Forrest in such manner as may be necessary to restore all the delinquents to our army.

Resolved further, 2d. That the Governor be requested to forward a copy of these resolutions to Maj. Gen. Forrest, with the thanks of the Legislature for the earnestness with which he has entered upon the duties of his present position, and a hope that he will succeed in so restoring confidence and recruiting our armies that success will crown our every effort and independence be our reward.

Approved February 27, 1865.

CHAPTER LXXII.

RESOLUTION granting leave of absence to Hon. Wm. H. Kilpatrick.

Resolved by the Legislature of the State of Mississippi, That leave of absence be hereby granted to Hon. William H. Kilpatrick, Circuit Judge of the 9th Judicial district of this State, for three months, any time during the year eighteen hundred and sixty-five and eighteen hundred and sixty-six: PROVIDED, such absence does not interfere with the discharge of his official duties in holding the terms of his court in said district.

Approved March 2, 1865.

OFFICE OF SECRETARY OF STATE. }

MACON, MISSISSIPPI. }

This is to certify that the foregoing printed acts, resolutions, &c., passed at a called session of the Legislature of the State of Mississippi, held in Columbus, in the months of February and March, 1865, are just and true copies from the originals now on file in this office.

Given under my hand and the Great Seal of the
[L. S.] State of Mississippi, affixed this March 17, 1865.

C. A. BROUGHER.

Secretary of State.

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PLEASE READ THIS LAW.

Note—By Article 280 of Section 19, Chap. 61, of the Revised Code of the State of Mississippi, of 1857, pages 528 and 530, it is declared that "The following property shall be exempt from seizure under execution or attachment, to-wit:—

- 1st—The tools of a mechanic to carry on his trade;
 - 2d—The agricultural implements of a farmer necessary for two male laborers;
 - 3d—The implements of a laborer necessary in his usual employment;
 - 4th—The books of a student required for the completion of his education;
 - 5th—The wearing apparel of every person;
 - 6th—The libraries of licensed attorneys at law, practicing physicians and ministers of the Gospel, not exceeding two hundred and fifty dollars in value; also, the instruments of surgeons and dentists used in their professions, not exceeding two hundred and fifty dollars in value;
 - 7th—The arms and accoutrements of each person of the enrolled militia of the State; and
 - 8th—All globes, books and maps used by teachers of schools, academies and colleges.
- Also, the following property of each head of a family or housekeeper, to-wit: one work horse, four cows and calves, twenty head of stock hogs, one hundred and fifty bushels of corn, twenty bushels of wheat or rice, eight hundred pounds of pork or bacon, one yoke of oxen, one cart or wagon, household furniture to be selected by the debtor, not to exceed two hundred and fifty dollars in value, and one slave, to be selected by the debtor if he have more than one; and should such debtor, lect to retain a female slave, then all the children of such female under the age of six years, shall likewise be exempt until such children shall respectively arrive at the age of six years; and the said debtor shall not sell or dispose of such child or children, pending a judgment of execution against said debtor."
- It shall be the duty of the appraisers of an estate to set apart, out of the stock of provisions or effects of her deceased husband on hand, one year's provisions for the widow and children, and if there be no provisions or effects on hand, an allowance of money to purchase provisions may be made in lieu thereof; and said appraisers shall report their proceedings to the Probate Court."

AN ACT to amend article 172, of Section 22, of Chapter 60, of the Revised Code of Mississippi.

Section 1. *Be it enacted by the Legislature of the State of Mississippi,* That article 172, of section 22 of chapter 60, of the Revised Code of this State be so amended as to provide that the widow and children of any deceased person shall be allowed to retain and hold to their use all the personal estate of such deceased person, which is by law exempted from sale under execution for any debt contracted by such decedent, and from sale from any debt or claim which such widow may contract after the death of her husband, and where there is



345.12 M678 1865 P25362

Mississippi. Laws, statutes.

Laws...1865

DATE

ISSUED TO

345.12 M678 1865 P25362

