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L A W S

OF THE

STATE OF MISSISSIPPI.

PASSED AT A CALLED SESSION

OF THE

MISSISSIPPI LEGISLATURE,

HELD IN

MACON,

AUGUST, 1864:



MERIDIAN, MISS.

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

1864.



# L A W S

OF THE

## STATE OF MISSISSIPPI.

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### CHAPTER I.

AN ACT to authorize the Governor of the State to extend the time allowed the Commissioners appointed to examine the several Military funds, the vouchers, books and accounts of the Quartermaster General, and Ordnance Department, and Executive Department, and for other purposes.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the Governor be, and he is hereby authorized to extend the time allowed said Commissioners, provided said Commissioners shall not be able to complete their investigation within the time allowed by the act approved April 5th, 1864, to such time as the Governor shall think necessary to enable said Commissioners to complete the same.

Time for investigation extended.

SEC. 2. *Be it further enacted,* That said Commissioners shall have full power and authority to send for persons and papers and to take affidavits, and to administer oaths necessary and proper to the performance of their duty.

Commissioners to send for persons and papers.

SEC. 3. *Be it further enacted,* That when any paper, receipt or voucher, which may

May obtain any  
duplicate original  
papers.

have been filed in the proper department, shall have been destroyed, lost or mislaid, so that the same cannot be found, the said Commissioners may obtain from any one holding the same, any duplicate original paper, receipt or voucher, that may exist, and use the same in lieu of the one so destroyed, lost or mislaid, and the said Commissioners are hereby authorized to give a receipt or certified copy for the same, which shall be as valid and binding to all intents and purposes as the original.

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

Approved, August 10, 1864.

## CHAPTER II.

A BILL to be entitled "an act to amend an act entitled an act to provide for the speedy recovery of personal property wrongfully taken or detained," approved December 3d, 1863.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That so much of the 1st Section of said act, as provides that the "proceeding shall be brought within six months next after the plaintiff's right of action has accrued and not after," be, and the same is hereby repealed.

Suit may be  
brought in  
twelve months.

SEC. 2. *Be it further enacted,* That hereafter all proceedings under the provisions of the act to which this is an amendment, shall be brought within twelve months after the plaintiff's right of action has accrued, and not after.

Appeal not to  
act as superse-  
deas.

SEC. 3. *Be it further enacted,* That no appeal taken under the provisions of the eighteenth section of the act to which this is an amendment, shall operate as a supersedeas, provided the Appellee, in case the property is in his possession, or shall be delivered to him in pursuance of the judgment, shall enter into



bond with security, to be approved by said justices or one of them, payable to the appellant, in double the value of the property in controversy, as assessed by the jury, conditioned to have such property forthcoming, to abide the judgment of the Circuit Court, to which the appeal is taken, and to pay such damages as may be awarded against him on the trial of said appeal, and that this act shall take effect from its passage.

Property to  
abide the judgment of Circuit  
Court

Approved, August 11, 1864.

### CHAPTER III.

AN ACT to repeal so much of Article 2, of the 32d chapter of the Revised Code, as relates to Rangers advertising in the nearest newspapers, and for other purposes.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That so much of Article 2, of the XXXII chapter of the Revised Code, as requires Rangers to advertise in the nearest newspapers, be, and the same is hereby repealed.

Rangers not  
compelled to ad-  
vertise in news-  
papers

SEC. 2. *Be it further enacted,* That hereafter it shall be the duty of County Rangers, when the appraisment exceeds twenty dollars, to advertise by posting notices in three public places in his county, one of which shall be at the Court-House door of the county.

SEC. 3. *Be it further enacted,* That this act shall take effect and be in force from its passage, and remain in force until one year after the present war.

Approved, August 11, 1864.

## CHAPTER IV.

AN ACT to amend an act to authorize and require the Governor to cause to be prepared and printed, a sufficient amount of Bonds, bearing eight per cent. interest, for the purpose of calling in and taking up the notes issued by law for Military defence of this State, approved December 5th, 1863.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the bonds issued in redemption of the Treasury notes of this State, shall be signed by the Governor and countersigned by the Treasurer and Auditor, as contemplated by the original act entitled "an act authorizing the issuance of Treasury notes on behalf of this State," approved January 29th, 1862.

Bonds to be signed by the Governor, and countersigned by the Treasurer and Auditor.

SEC. 2. *Be it further enacted,* That if any bonds have heretofore been issued, it shall be the privilege of the holder to present the same to the Governor for his signature, and the same shall be as binding and valid when so signed by the Governor as if they had been signed before they were issued.

Bonds heretofore issued to be signed by the Governor.

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

Approved, August 9, 1864.

## CHAPTER V.

AN ACT to amend an act entitled an act to authorize and require the Governor to cause to be prepared and printed, a sufficient amount of bonds bearing eight per cent. interest, for the purpose of calling in and taking up the Treasury notes issued by law for military defence of this State, approved December 5, 1863.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the form of the

Bonds prescribed in the first Section of the above recited act, be changed by substituting the word "*date*" instead of the word *day*, wherever it occurs in the said form, and that this act take effect from its passage.

Approved, August 12, 1864.

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## CHAPTER VI.

AN ACT to authorize the Boards of Police to dispose of certain trust funds and for other purposes.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the Boards of Police of the various counties in this State be, and they are hereby, authorized to convert the certificates, or bonds of the Confederate States held by them on account of the Military Relief Fund, into money, and distribute the same amongst the destitute families of soldiers in their respective counties according to the mode now established by law.

Boards of Police authorized to convert certificates or Bonds of Confederate States belonging to Military Relief Fund into money.

SEC. 2. *Be it further enacted,* That the Presidents of the Board of Police be, and they are hereby, authorized to transfer or assign in their official character, any certificates or bonds which may be sold or disposed of under the provisions of this act to the purchaser or purchasers thereof, and that this act take effect from and after its passage.

President of Board authorized to transfer or assign Bonds or certificates.

Approved August 10, 1864.

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## CHAPTER VII.

AN ACT to provide for the publication of an act therein named.

WHEREAS, 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 them under the recent legislation of Congress, and for other purposes," was passed by both branches of the Legislature of Mississippi, at the called session thereof in March, 1864, and was approved by the Governor of said State, April 5th, 1864; And whereas, the act aforesaid, was not published with the laws aforesaid, at said called session, as required by law, Therefore—

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the Secretary of State be, and he is hereby authorized, and required to cause the act aforesaid, to be published with the laws passed at the present session of the Legislature, and that this act shall take effect and be in force from and after its passage.

Approved August 12, 1864.

## CHAPTER VIII.

AN ACT to authorize the 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.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That in all cases where county officers, Executors, Guardians, Administrators and other persons holding Confederate Treasury notes in a fiduciary capacity, have funded the bills so held by them in four per cent. bonds or certificates, authorized by the recent act of Congress, their action in the premises is hereby ratified and confirmed and the Boards, of Police of the several counties of this State, are hereby authorized and required to order a sale of such bonds or certificates in the hands of county officers at the earliest practicable period, and such Executors, Administrators, Guardians

County officers,  
Executors, Guar-  
dians, Admini-  
strators, and oth-  
ers who have  
funded money  
held by them in  
a fiduciary char-  
acter, authoriz-  
ed to sell bonds  
and certificates  
under the order  
of the Board of  
Police of their  
several counties

and other persons holding such bonds or certificates, are hereby authorized to sell the same for the new issue of Confederate States notes.

SEC. 2. *Be it further enacted,* That all such county officers and other persons holding Confederate Treasury notes in a fiduciary capacity, under the denomination of one hundred dollars, shall be authorized to exchange the same for the new issues to be issued under the recent legislation of Congress, and shall be allowed the discount of thirty-three and one third per cent. in the settlement of their accounts.

County officers and others holding Confederate Treasury notes in a fiduciary capacity under the denomination of one hundred dollars, authorized to exchange the same for new issue at the discount.

SEC. 3. *Be it further enacted,* That in the event there shall remain in the hands of the County Treasurer any Confederate notes of the denomination of one hundred dollars, the Boards of Police are hereby directed to invest the same in such Confederate Bonds as they may deem best, for the interest of the county, and for that purpose may in their discretion deposit said Confederate notes of the denomination of one hundred dollars in the hands of the Treasurer of the State, to be by him exchanged for six per cent. bonds of the Confederate States, if the Board of Police of any county in the State may so desire, and the bonds so obtained shall be delivered by the Treasurer of the State to the Treasurer of any county upon the order of the Board of Police of such county.

What to be done with the Treasury notes of \$100.

SEC. 4. *Be it further enacted,* That all Guardians, Executors, Administrators and other Trustees holding in their hands Confederate Treasury notes of the denomination of one hundred dollars, are hereby authorized to invest the same in such Confederate Bonds as they may deem best for the interest of those whom they represent in accordance with the recent legislation of the Confederate Congress.

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

Approved April 5, 1861.

## CHAPTER IX.

AN ACT to amend 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 them under the recent legislation of Congress, and for other purposes.

County Treasurers may deposit their Confederate notes of any denomination with the State Treasurer who may exchange for six per cent. bonds, as provided in act to which this is an amendment.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the third section of the above recited act, be so amended, as to authorize the parties therein named, to dispose of Confederate States Treasury notes of any denomination in the manner prescribed in said section.

SEC. 2. *Be it further enacted,* That so much of the first section of the act aforesaid as requires the Boards of Police of the several counties of this State, to order a sale of the bonds or certificates specified in said section, 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 August 6, 1864.

## CHAPTER X.

AN ACT to amend the act to authorize the collection of taxes in the currency therein mentioned and for other purposes, approved April 5th, 1864.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the old issue of Confederate States Treasury notes, under the denomination one hundred dollars, shall be received in payment of taxes due for the years 1862 and 1863, at the discount of thirty-three and one third per cent until the 15th day of November, 1864, and that it shall be the duty of the Tax Collectors to pay the amount of such notes so received by them into the State

Old issue may be received for taxes of 1862 and 1863, at the discount, until Nov. 15th, 1864.

Tax Collectors to pay same into State Treasury, by Dec. 15th, 1864.

Treasury, on or before the 15th day of December, 1864, and that this act shall take effect from its passage.

Approved, August 13th, 1864.

## CHAPTER XI.

AN ACT to require Tax Collectors to collect taxes of 1863 and 1864, by the assessment rolls of the fiscal year 1862.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the Tax Collectors of the counties in which no assessment for the taxes of the fiscal years 1863 and 1864, has been or shall be made, shall have authority, and they are hereby required to collect the taxes for said fiscal years 1863 and 1864, according to the assessment rolls of the fiscal year 1862; *Provided,* The Tax payers shall be entitled to the relief provided by an act for the relief of tax payers in certain cases and for other purposes, approved December 1st, 1863, and by an act of the same title, approved April 4th, 1864, and to such other relief as may hereafter be provided by law.

Provisions of this act suspended by supplemental act. See chapter 12.

SEC. 2. *Be it further enacted,* That in counties where no assessment rolls for the years 1862 and 1863, have been returned to the Auditor's office, the tax collectors thereof shall be controlled by the assessment rolls of the fiscal year 1861, according to the provisions of this act.

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

Approved August 10, 1864.

## CHAPTER XII.

AN ACT supplemental to an act entitled an act to require Tax Collectors to collect taxes of 1863 and 1864 by the assessment rolls of the fiscal year 1862, passed at the present session of the Legislature.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That it shall be the duty of the Sheriff and Tax Collectors of the several counties in which no assessment has been made for the year 1863 and 1864 to assess and collect the tax in accordance with the tax law now in force, and the taxes by them so assessed and collected, shall be returned to the Auditor's office and paid into the Treasury according to law.

Tax Collectors of the counties in which no assessment has been made for 1863 and 1864, to assess and collect taxes according to laws now in force.

SEC. 2. *Be it further enacted,* That the provisions of an act entitled an act to require tax collectors to collect taxes of 1863 and 1864 by the assessment rolls of the fiscal year 1862, passed by the House on the 8th and by the Senate on the 10th August, 1864, so far as the same conflict with the provisions of this act, be and the same are hereby suspended until the 1st day of November 1865.

Provisions of act to which this is supplemental, suspended until Nov. 1st, 1865.

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

Approved, August 13, 1864.

## CHAPTER XIII.

AN ACT to relieve Tax Collectors in certain cases.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That in all cases where the Tax Collector of any county in this State shall have paid or may pay into the State Treasury a larger amount than is shown by his settlement with the Auditor of Public Accounts, to have been due from said Collector, the Auditor



of Public Accounts is hereby authorized and required to draw his warrant on the State Treasurer in favor of such person for the amount of money so paid over, specifying in said warrant to be paid in Confederate States Treasury notes, at their value previous to the first of April, 1864; except in the case of J. L. Mayfield, Tax Collector of Issaquena county, who over paid on account of Taxes of 1861, which shall be paid in State money or new issue of Confederate States notes.

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

Approved August 11, 1864.

#### CHAPTER XIV.

AN ACT to authorize the Governor of the State of Mississippi to exchange the Treasury Notes and Bonds of the Confederate States belonging to the State, and for other purposes.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the Governor be, and he is hereby authorized and required to exchange the Confederate Treasury notes, bonds and certificates that now belong or may hereafter belong to this State for the new issue of Confederate States Treasury Notes and four per cent. coupon Bonds, as provided by the act of Congress, approved February 17th, 1864, and the amendatory acts thereto, approved June 14th and 15th, 1864.

SEC. 2. *Be it further enacted,* That the Governor be, and he is hereby authorized and required to sell and dispose of all the Bonds of the Confederate States which he may receive in the exchange, provided for in the first section of this act, or which may belong to the State for the highest price he can obtain for the same, and to this end he may exercise his

Governor authorized to exchange the Confederate notes, bonds &c. of the State for new issue and four per cent. Bonds.

Governor to sell Bonds received in exchange, and proceeds to be applied to expenses of State.

discretion in selecting the best time and place for said sale, and the money so obtained shall be used for the purpose of meeting the appropriations heretofore made, or which may hereafter be made by the Legislature, and for the further purpose of defraying the expenses of the State in the present emergency.

SEC. 3. *Be it further enacted,* That the Governor be, and he is hereby authorized to employ such agents as he may think necessary in the sale of the Bonds provided for in the Second Section of this act, and for their services, he is hereby authorized to pay said agent or agents any amount of compensation not exceeding one per cent upon the amount of sales made by the agent, and he may require from him or them bonds in such sums as he may think proper.

Governor may employ agents to sell bonds; their compensation not to exceed one per cent.

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

Approved, August 13, 1864.

## CHAPTER XV.

AN ACT to provide for perfecting and preserving the records of Mississippi troops.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the Governor of the State be, and he is hereby authorized and required to appoint a suitable person to be known as Superintendent of Army Records of the State of Mississippi, whose duties and compensation shall be as hereinafter prescribed.

Governor authorized to appoint a Superintendent of Army Records.

SEC. 2. *Be it further enacted,* That the said superintendent immediately after his appointment, shall proceed at once to collect the names of all Mississippians—Officers, non-commissioned officers, musicians and privates, who have been or may hereafter be, mustered into the

A Record to be kept of all Mississippi soldiers, designating the Company, battalion or regiment.

service of the Confederate States or of the State of Mississippi, and have them transcribed into suitable books of record, designating the company, battalion or regiment to which each belong, with his christian name and surname in full, rank, age, nativity, place, date and term of enlistment, in what actions engaged, time of actual service, and how such service terminated.

SEC. 3. *Be it further enacted,* That the said Superintendent shall also obtain from the commanding officers of companies or regiments the final statements of deceased soldiers, and shall file the same in the office of the Second Auditor of the Treasury of the Confederate States; and in case such deceased soldier shall have died or have been killed in battle while serving in the State troops of this State, or in the militia thereof, under Confederate authority, he shall obtain from the proper source the like statement of his account, and forward the same to the party thereto entitled, without, in either case charging therefor.

The Superintendent to obtain final statements of deceased soldiers.

SEC. 4. *Be it further enacted,* That the Superintendent provided for in the first section of this act, shall, for the duties by this act imposed upon him, and for the faithful discharge thereof, be entitled to the sum of twenty-five hundred dollars per annum, while engaged in the duties prescribed by this act, to be paid quarterly out of any money in the Treasury not otherwise appropriated.

Pay per annum, while engaged in this work.

SEC. 5. *Be it further enacted,* That the appointment of the Superintendent herein before provided, shall be evidenced by a commission under the hand of the Governor, with the great seal of the State thereto affixed, in which said Governor shall certify that the person therein named has, in pursuance of law, been appointed by him Superintendent of Army Records for Mississippi troops.

SEC. 6. *Be it further enacted,* That the said Superintendent, upon the authority of the Governor, shall have printed such blank forms

Necessary Blanks to be printed by State Printers.

as are necessary to the proper discharge of the duties imposed by this act, said printing to be classed as State printing, executed by the same parties, and paid for in the same manner, and under the same rules and regulations as are now prescribed by law. He shall also keep a correct account of other stationery and postage, and upon the certificate of the Governor, the expense thereof shall be paid, out of any money in the Treasury not otherwise appropriated.

SEC. 7. *Be it further enacted*, That the Governor be, and he is hereby authorized, upon the neglect or failure of said Superintendent to discharge the duties required of him, to remove him from his position; and in case of the death, resignation or removal of such Superintendent, the vacancy occasioned thereby shall be filled by appointment of the Governor.

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

Approved August 11, 1864.

## CHAPTER XVI.

AN ACT to amend an act entitled "an act to provide for organizing and disciplining the Militia of this State," approved Dec. 9th, 1863.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That the Governor be, and he is hereby directed to order into the military service of the State, all free white male persons capable of bearing arms, who are between the ages of sixteen and fifty-five years, including all those exempted or detailed by the Confederate States, not actually in the military or naval or other service of the Confederate States. *Provided*, That judges and clerks of courts of public record, extending to

the principal clerk alone; the Legislative department of the government; one Sheriff to each county, commissioners appointed to distribute the fund for the relief of destitute families of soldiers, not exceeding one in each police district; physicians above the age of forty five years, who are engaged in the practice in the county of their citizenship; such public millers absolutely necessary to the necessities of the country; are not to be held liable to the call of the Governor, but shall under the summons of the Sheriff be held liable as a posse for such police duty as the country may require.

Persons exempted from militia duty.

SEC. 2. *Be it further enacted,* That in case of an emergency, to be determined by the Governor, arising from an invasion or threatened invasion of the State by the enemy, all persons between the ages aforesaid shall, upon the call of the Governor, proceed forthwith to the place of rendezvous appointed by him, and be then, in accordance with the provisions of the Constitution, organized in such manner as he may direct, and shall perform such military service as he may order, and so long as he may deem absolutely necessary for the purpose of repelling the invasion and protecting the State: *provided,* such term of service shall not exceed thirty days at one time.

Persons liable to assemble at place of rendezvous on the call of Governor.

SEC. 3. *Be it further enacted,* That any person who fails to report in accordance with orders or proclamations issued by the Governor, without sufficient reason and excuse therefor, the sufficiency of which to be determined by a court martial, shall be arrested and brought before a court martial for trial, and upon conviction shall be retained in active service for the period of twelve months, or suffer such other punishment as the court may impose, not extending to life or limb.

Term of service not to exceed thirty days at one time.

SEC. 4. *Be it further enacted,* That companies of minute men may be formed under the order of the Governor, to be subject to service under his order, and to consist of such number as he may direct, who may be furnished with arms, accoutrements and ammunition, giving bond for the proper use and safe keeping of the same, as the Governor may order, and who may be organized

Penalty on failure to report.

Companies of minute men may be formed under order of Governor.

as he shall direct, but to receive the same compensation as officers, non-commissioned officers and privates receive in Confederate service, in like branches of service.

SEC. 5. *Be it further enacted*, That the twenty-seventh section of the act to which this is an amendment, authorizing companies of independent scouts be and the same is hereby repealed, and that such companies now in service be disbanded after the expiration of ninety days, and in the mean time that companies organized as independent scouts shall be ordered by the Governor into active service to repel the invasion of the State.

SEC. 6. *Be it further enacted*, That all acts and parts of acts conflicting with the provisions of this act, be repealed and that this act shall take effect from and after its passage.

Approved, August 13, 1864.

## CHAPTER XVII.

AN ACT to exempt certain persons, therein named from Military service in this State.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That the members of the Boards of Police of the different counties of this State, and the County Treasurer of each county thereof, and Physicians over thirty years of age, who are now, and have been engaged in the practice of their profession for seven years past, together with all ministers of the gospel who are by the laws of the Congress of the Confederate States exempt from military service, in the army of the Confederate States, be, and they are hereby declared exempt from militia service in this State, so long as they continue to hold their respective offices, or are engaged in the practice of their profession, and engaged in the discharge of their ministerial duties.

Companies of independent scouts to be disbanded after ninety days.

List of exemptions from military service.

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

This act was returned by the Governor with his objections thereto, and upon a reconsideration of the same, by a vote determined by yeas and nays, two thirds of the Senate, and two thirds of the House of Representatives, respectively did agree to pass the same and it has passed accordingly.

August 13, 1864.

### CHAPTER XVIII.

AN ACT to authorize the payment of interest on certificates of the State Treasurer issued in certain cases.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That upon any certificate of deposit issued by the Treasurer of this State to applicants for the purchase of State bonds, authorized to be sold under the provisions of an act, approved January 29, 1862, which certificate was made necessary for the want of the blank bonds provided by law to be supplied. The person or holder of the Treasurer's certificate for such money deposited in his office, shall be authorized to receive the interest on the money deposited up to the date of the bond, which may thereafter be issued in redemption of the certificate; and the Auditor of Public Accounts is authorized to draw his warrant on the Treasury for the amount of the interest at the rate provided in the bond, from the date of the certificate of deposit up to the date of the bond.

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

Approved August 13, 1864.

CHAPTER XIX.

AN ACT amendatory of an act entitled "An act for the relief of the first Battalion Mississippi State Troops, commanded by Major Harper," Approved December 9, 1863.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the Quartermaster General of the State of Mississippi be and he is hereby authorized and required in addition to the pay already provided, to pay commutation value of clothing the same as was allowed by army regulations in force at the date of the service of the troops composing the said first Battalion of Mississippi State troops, commanded by Major Harper: *Provided,* however, that all the forms and the army regulations be observed as provided in the act to which this is amendatory.

Quartermaster General to pay commutation.

SEC. 2. *Be it further enacted,* That the said Quartermaster General is hereby authorized to pay said commutation money on such muster and pay rolls as may be received and now on file in his office, to any private applying for the same, or to the Captain commanding the company, or to their duly authorized agent or agents.

To be paid on muster rolls.

SEC. 1. *Be it further enacted,* That this act shall take effect and be in force from and after its passage. Approved, August 13, 1864.

CHAPTER XX.

AN ACT to authorize Attorneys and Counsellors at Law, being Clerks of the Probate Court, to practice law in certain other courts for a limited period.

SEC. 1. *Be it enacted by the Legislature of the State of Mississippi,* That when an Attorney and Counsellor at Law may be a Clerk of the Probate Court, he be and is hereby authorized



to practice law in any of the courts of the State excepting the court of which he may be Clerk, during the continuance of the war between the United States and the Confederate States, and that this act take effect from and after its passage.

Approved, August 13, 1864.

## CHAPTER XXI.

AN ACT amending the act and the amendment thereto providing for the examination of the offices of Auditor of Public Accounts, and State Treasurer— approved respectively December 1, 1863, and April 5, 1864.

SEC. 1. *Be it enacted by the Legislature of the State of Mississippi,* That the Commissioners appointed under the above recited acts, be required to carry their examination of the books, vouchers, accounts, &c., as therein specified up to the first day of August, 1864; and that the Commissioners so appointed to examine the offices of Auditor of Public Accounts and State Treasurer be required to count the cash balance in the Treasury on the said first day of August 1864.

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

Approved, August 12, 1864.

## CHAPTER XXII.

AN ACT to amend an act authorizing the issuance of Treasury notes on behalf of the State, approved Jan. 20th, 1862.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That in order to pro-

Governor and Auditor to contract for printing two millions of Treasury Notes.

vide for the defence of the State, the Governor and Auditor are hereby required as soon as possible to contract for the printing upon electrotype plates of Two Millions of Dollars of the Treasury notes of this State, signed by the Treasurer and countersigned by the Auditor, or by persons duly authorized by them, in accordance with the forms and of the denominations specified in section one of the act to which this is an amendment. The said plates shall be soldered up in a tin box, and deposited in the office of the Treasury.

Notes to be deposited in the State Treasury.

SEC. 2. *Be it further enacted,* That the said notes, when procured, shall be deposited with the Treasurer, in the Treasury of the State, and shall constitute a military fund to be expended in defense of the State.

Notes may be funded.

SEC. 3. *Be it further enacted,* That said notes may be funded in the manner specified in the third section of the act to which this is an amendment, for funding the Treasury notes referred to in said section, and the liability of the State for the notes herein provided for, and for the payment of the same, shall be regulated and governed in all respects by the provisions of the act to which this is an amendment.

Treasurer may re-issue Treasury notes redeemed.

SEC. 4. *Be it further enacted,* That the Treasurer of this State be and he is hereby authorized to re-issue the Treasury notes which may be redeemed at the Treasury by the eight per cent. bonds of the State, and pay out the same as other funds are by law authorized to be paid out of the Treasury, first printing across the face of each bill "re-issued:" *Provided,* that in no event shall a larger amount be issued under this act than two millions of dollars, and that parties holding the notes so re-issued may fund the same according to the provisions of this act, and the liability of the State for the same shall be regulated and governed in all respects by the provisions of the act to which this act is an amendment.

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

Approved August 12, 1864.

### CHAPTER XXIII.

**AN ACT** supplemental to an act entitled "An act to amend an act authorizing the issuance of treasury notes on behalf of the State, approved January 29, 1862."

**SECTION 1.** *Be it enacted by the Legislature of the State of Mississippi,* That the Governor be, and he is hereby authorized to sell and dispose of the bonds of this State, to the extent of two millions of dollars, which said bonds shall be issued in sums of five hundred dollars each, payable ten years after date, and bearing interest at eight per centum per annum, which said interest shall be payable annually at the office of the Treasurer of this State.

Governor authorized to sell bonds of State.

**SEC. 2.** *Be it further enacted,* That the Governor may sell said bonds at any price he may be able to obtain, *Provided,* that no sale shall be made for less than their par value; and for this purpose he may employ agents, taking bonds in such amounts as he may deem proper, and pay said agents any sum for their services not exceeding one per cent. upon the amount of sales.

**SEC. 3.** *Be it further enacted,* That no treasury notes provided to be issued in the act to which this is a supplement, shall be issued until the Governor has ascertained that he cannot sell or dispose of the said bonds as provided for in this act, and should he be able to sell a portion only of said sum of two millions of bonds, and should therefore be compelled to resort to the issue of treasury notes, he shall issue treasury notes for such amount only, as shall, with the bonds issued, amount to the said sum of two millions of dollars; so that under no circum-

No Treasury Notes to be issued if sufficient amount of bonds can be sold.

stances shall a greater amount of bonds and notes when added together be issued or sold than the said sum of two millions of dollars.

SEC. 4. *Be it further enacted,* That the proceeds of the sales of the bonds herein provided for, shall be paid into the treasury of this State, and that their proceeds, as well as the treasury notes which may be issued, shall constitute a military fund to be expended for the military defense of the State.

Proceeds of sales and notes issued to constitute a military relief fund.

SEC. 5. *Be it further enacted,* That the faith of the State is hereby pledged for the payment of said bonds and the interest thereon.

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

Approved, August 13, 1864.

CHAPTER XXIV

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.

SEC. 1. *Be it enacted by the Legislature of the State of Mississippi,* That the Governor of this State shall not be authorized to sell or dispose of the two millions of State bonds authorized to be sold under the provisions of an act or supplemental act passed at the present session of the Legislature below the minimum of fifty per cent. premium, and all acts or parts of acts in conflict with this act (so far as the conflict extends) be and the same are hereby suspended until the first day of December, 1864.

No State bonds to be sold for less than fifty per cent. premium.

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

Approved, August 13, 1864.

## CHAPTER XXV.

AN ACT for the relief of the Mississippi River Levee Fund.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That no land belonging to the Mississippi River Levee Fund shall be sold for taxes under the law of this State, during the war between the Confederate States and the United States of America, nor for the period of twelve months thereafter.

No land belonging to the Mississippi River Levee Fund to be sold during war.

SEC. 2. *Be it further enacted,* That if any Sheriff or Tax Collector within the levee district may have failed to collect the taxes due the State or county for the years 1861, 1862, or 1863 (there being no funds for payment, or person to represent said fund) then and in that case the said Sheriff shall be released from liability to pay, and the tax is hereby suspended during the war between the United States and the Confederate States of America.

Sheriff released from liability to pay when taxes are uncollectible.

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

Approved, August 13, 1864.

## CHAPTER XXVI.

AN ACT to authorize and require the Secretary of State to give to members of the Legislature certificates of their membership under the seal of the State, and for other purposes.

Whereas Sec. 19, of Article Three, of the Constitution of the State of Mississippi declares that Senators and Representatives shall in all cases, except for treason, felony or breach of the peace, be privileged from arrest during the session of the Legislature, and in going to and returning from the same, allowing one day for every twenty miles such member may reside from the place at which the Legislature is convened; and whereas the military authorities of this department have

issued orders to permit no person to pass north or west of Meridian, without first procuring a pass from the Provost Marshal, or from the Provost Marshal General at Meridian, requiring all persons to take a prescribed oath not to go within the lines of the enemy, nor attempt to do so without defying the lines, leaving it to the discretion of railroad guards or other subaltern officers to fix the lines of the enemy, thereby subjecting members of the Legislature who live on the borders of the State to arrest and detention to or from the place where the Legislature is held on; and whereas the Constitution in Article one, Section twenty-four, declares that the military shall in all cases be in strict subordination to the civil power, therefore,

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That it shall be the duty

of the Secretary of State to furnish each member of the Legislature with a certificate with the seal of the State attached, who may apply for the same, which certificate shall be a sufficient passport for the member producing the same, so long as he is a member of the Legislature of this State, to travel in any part of this State, free from arrest, delay, or detention, by any military order whatever.

Duty of Secretary of State to furnish members of Legislature with a certificate with seal of State attached.

SEC. 2. *Be it further enacted,* That any military officer or soldier, arresting or detaining any member of the Legislature holding and presenting such certificate for his inspection, shall be deemed guilty of a breach of the privilege of this Legislature, and also of a misdemeanor, and shall be subject to indictment, and on conviction shall be punished by fine and imprisonment, or both, in a sum not less than Five Hundred Dollars, and imprisonment in the common jail of the county for a term of not less than one month, nor more than six months.

Penalty for arresting member presenting such certificate.

SEC. 3. *Be it further enacted,* That this act shall take effect and be in force from and after its passage, and that the Public Printer forthwith publish this act.

Approved, August 13, 1864.

## CHAPTER XXVII.

AN ACT to amend an act entitled "An act to better provide for the families of soldiers," approved Jan. 3, 1863.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the Auditor of Public Accounts be and he is hereby directed to turn over to the Treasurer all the money that he now has on hand, and all that he may receive from time to time, and as fast as received, which was authorized to be issued by 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.

Auditor to turn over to Treasurer money received for redemption of Treasury Notes of State.

SEC. 2. *Be it further enacted,* That the sum of one million of dollars be and the same is hereby appropriated, one half of said sum to be paid out of the money specified in the first section of this act, and the other half out of any money in the Treasury not otherwise appropriated, for the relief of indigent families of our soldiers; and that the Governor, Auditor and Treasurer be and they are directed to cause the sum to be distributed from time to time amongst said indigent families as in their discretion shall seem right and proper upon the basis fixed by the law to which this is an amendment.

One million dollars appropriated to relief of indigent families of soldiers.

SEC. 3. *Be it further enacted,* That an additional sum of one hundred thousand dollars be appropriated toward the support of indigent families, out of any money in the Treasury not otherwise appropriated; which sum is intended to supply the deficiency caused by the discount on the Confederate treasury notes now on hand and belonging to said fund.

Governor, Auditor and Treasurer to cause the sum to be distributed.

Additional sum appropriated.

SEC. 4. *Be it further enacted,* That the Commissioners who may be ordered to impress provisions for the benefit of needy soldiers' families, be allowed to impress the surplus of all persons who have taken the benefit of the Confederate exemption law as agriculturists, both in their own and other counties, if necessary, at the

Commissioners may impress the surplus of exempted agriculturists.

prices fixed by the Confederate commissioners in the State.

**SEC. 5.** *Be it further enacted,* That when the said commissioners may be unable to procure the necessary provisions in their own county, they may proceed to any other county in this State and there make application to the Sheriff of the county, accompanying said application with an affidavit setting forth the fact of their inability to obtain by purchase or impressment the provisions necessary in their own county, and that they have not been able to purchase the same at impressment prices in the county of the Sheriff; thereupon it shall be the duty of the Sheriff, by himself or deputy, immediately to impress from the excess above the necessities of the people of his county the amount and kind of food required, and said Sheriff is likewise required to impress wagons, teams and drivers sufficient to transport the provisions to the place desired: *Provided,* the commissioners shall make oath that there are no teams sufficient for the purpose liable to impressment in their own county, (except when the teams are desired to bear the provisions to a depot, then no affidavit shall be required) and in all cases when teams are impressed under the provisions of this act, the owner or owners shall be paid according to the prices fixed by the Confederate government for like labor.

**SEC. 6.** *Be it further enacted,* That the said commissioners be also authorized with the approbation of the Governor to impress railroad cars for the transportation of provisions for the destitute families of soldiers.

**SEC. 7.** *Be it further enacted,* That in any county where the provisions of this act shall be inadequate for the support of needy families of soldiers, the Police Court may lay any tax they may think needful: *Provided,* they shall in no case exceed 300 per cent. on the State tax.

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

Approved August 13, 1864.

When they may impress in other counties.

When wagons and teams may be impressed.

New Rail Road Cars impressed.

Board of Police may levy tax.



## CHAPTER XXVIII.

AN ACT to amend an act entitled "An act to amend an act to authorize the State Treasurer to receive from delinquent Tax Collectors of the several counties in this State Military Treasury bonds or notes falling due the first of June, 1863 and 1864, in payment of the amounts due by them on account of the military taxes for the year 1861," approved April 5, 1864.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the first section of said amended act be so changed as to extend the time for payment of balance due by Tax Collectors, on account of military tax of 1861, until the first day of January, 1865, and that this act take effect and be in force from and after its passage.

Time for payment extended to January, 1865

Approved, August 12th, 1864.

## CHAPTER XXIX.

AN ACT to authorize the State Treasurer to exchange the Treasury notes of this State for certain bonds therein specified, and for other purposes.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the Treasurer of the State be and he is hereby authorized upon the application of the President of the Board of Police of any of the counties of this State, who have deposited, or who may hereafter deposit with said Treasurer the Confederate notes held by them in a fiduciary capacity, to be by said Treasurer funded in accordance with the provisions of the third section 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 them under the recent legislation of Congress, and for other purposes," approved April 5, 1864, or in accordance with the provisions of an act amendatory to the act aforesaid, approved August 6, 1864, to exchange the treasury notes of

Confederate notes held by Board of Police in a fiduciary capacity may be exchanged for State notes.

this State for the six per cent. bonds, authorized by said acts to be purchased at par.

Board of Police  
may dispose of  
bonds.

SEC. 2. *Be it further enacted*, That the Presidents of the Boards of Police aforesaid, may in their discretion exchange the six per cent. bonds, as provided for in the foregoing section, or they may dispose of said bonds in the same manner that the States are now allowed by law, or any future law, to dispose of them.

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

Approved August 13, 1864.

## CHAPTER XXX.

AN ACT to amend an act entitled "An act to provide for the payment of certain informal claims against the State." Approved Dec. 9, 1863.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That so much of said act requiring the Governor to appoint suitable agents to carry out the provisions thereof be repealed, and the duties therein named be devolved upon the Quartermaster General of the State, in the following manner to-wit: The Quartermaster General shall appoint two or more suitable agents, whose duty it shall be if practicable to go into each county in the State, where the Quartermaster General cannot give it his personal attention, and where he may have evidence of the existence of such claims, and gather up all the informal claims against the State, with the evidence of their justice and validity, and forward the same to the Quartermaster General, who shall examine the same, and, if satisfied of their justice and validity, he shall pay them according to the provisions of the act to which this is an amendment.

Quartermaster  
General to ap-  
point agents to  
obtain evidence  
of informal  
claims.

SEC. 2. *Be it further enacted*, That the agents appointed under the first section of this amend-

atory act shall only hold their appointment and receive the same pay and allowance as is granted to the agent authorized to be appointed by the Governor, under the act to which this is an amendment, and that all parts of the original act which come in conflict with the provisions of this act be and the same are hereby repealed.

Compensation  
of Agents.

SEC. 3. *Be it further enacted*, That the Quartermaster General shall receive no additional compensation for said service, but shall be entitled to such allowance as is granted to military officers travelling under orders, when visiting any other county or counties other than the one in which his office is located.

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

Approved, August 12, 1864.

## CHAPTER XXXI.

AN ACT to continue in force the present assessment of lands until the year 1869.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That no assessment of land shall be made during the year 1865, but the present assessment of lands shall continue in force until the year 1869, with the same effect as if made during the year 1865, and that this act take effect from its passage.

Approved August 12, 1864.

## CHAPTER XXXII.

AN ACT to amend Article 78, Section 7, Chapter 6, of the Revised Code of Mississippi.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That so much of Article 78, Section 7, Chapter 6, of the Revised Code, which requires the Constitution of the State to be inserted in the acts of each session of the Legislature be so amended that hereafter it shall only be inserted in the sheet acts of each regular session.

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

Approved, August 12, 1864.

## CHAPTER XXXIII.

AN ACT to amend an act entitled "An act to amend an act entitled an act better, to provide for families of soldiers, approved March 31, 1864," so far as the same relates to the county of Yazoo, and for other purposes.

Whereas it is ascertained that the clerk of the Board of Police of the county of Yazoo has not been enabled to make a return of a roll of the names of the beneficiaries under an act entitled an act better to provide for families of soldiers, approved Dec. 2, 1863, on account of raids in said county by the public enemy, and whereas there are other counties similarly situated for like causes, therefore,

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the first section of an act entitled an act to amend an act entitled an act better to provide for the families of soldiers, approved March 31st, 1864, be and the same is hereby so amended as to give the clerk of the Board of Police of Yazoo county until the first day of October next to transmit to the Auditor of Public Accounts a roll of the names of

The beneficiaries under the act entitled an act to better provide for the families of soldiers, approved Dec. 2d, 1863. *Provided*, That nothing herein contained shall operate to delay the distribution of such funds to such counties as have transmitted their rolls to the Auditor, and that in the subsequent distribution of the funds for the relief of families of said soldiers, the said county shall be made equal *pro rata* to other counties to which such funds may have been distributed prior to the said first day of October.

SEC. 2. *Be it further enacted*, That the provisions of this act shall apply to all other counties in this State that may be now or hereafter may become similarly situated for like causes.

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

Approved August 12, 1864.

## CHAPTER XXXIV.

AN ACT to amend Article 16, Section 5, Chapter 33, Page 238, Revised Code.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That in addition to Justice of the Peace, the Probate Judge, Probate and Circuit Clerks, be and are hereby empowered to commit runaway slaves, and to do any and all things required of Justice of the Peace in said section, receiving therefor the same fees allowed to Justices of the Peace.

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

Approved August 12, 1864.

## CHAPTER XXXV.

AN ACT to amend article 115, section 10, page 122, of the Revised Code.

SEC. 1. *Be it enacted by the Legislature of the State of Mississippi,* That article 115, section 10, page 122 of the Revised Code, be so amended as to read, That every Sheriff shall have power to appoint one deputy and no more for each county.

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

Approved, August 13, 1864.

## CHAPTER XXXVI.

AN ACT making certain appropriations therein named.

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

To A. J. Gillespie, for hire of negroes	\$ 177 00
“ Dr. E. M. Blackbourne,	672 50
“ Jno. Verner, Sheriff of Monroe county,	47 80
“ C. R. Dickson, for postage,	688 00
“ E. C. Eggleston, Sheriff of Lowndes county,	301 00
“ Reuben Wigle,	156 50
“ J. G. Morey,	883 00
“ James D. Stewart,	988 00
“ W. M. Haley, Sheriff Copiah county,	20 00
“ W. H. Wright, Jailor, &c.,	358 00
“ R. H. Fielder,	15 20
“ Same,	40 60

" J. L. Power, Sup't Army Re-	669	66
ords, : : : :		
" J. J. Shannon & Co., for print-	568	75
ing, : : : :		
" Mississippi State Armory,	30	00
" A. J. Gillespie, repairs Senate		
Chamber and House, :	80	00
" Cooper & Kimball, for print-		
ing, &c., : : : :	3,251	12
" G. T. Yates, over assessment,	37	50
" R. M. Gunn, over assessment		
in currency, : : :	131	65
" R. M. Gunn, over assessment		
in specie, : : : :	12	42
" Quartermaster General for ex-		
penses paid by him for civil		
department, : : :	683	65
" John L. Armstead, :	300	50
" M. D. Haynes, : :	2,490	00
" J. T. Griffin, : : :	800	00

SEC. 2. *Be it further enacted*, That this act shall be sufficient authority for the payment of the respective sums of money hereinbefore specified: *Provided*, that the Auditor of Public Accounts be and he is hereby required to take from the persons respectively, to whom appropriations are herein made, a receipt in full to this date, for services and items stated in their respective claims, and that this act take effect and be in force from and after its passage.

Approved, August 13, 1864.

## CHAPTER XXXVII.

AN ACT to authorize the Commissioners to give M. D. Haynes, State Treasurer, credit for certain warrants lost or mislaid.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That the Commissioners

to examine the Treasurer's office shall give M. D. Haynes, State Treasurer, credit for three warrants lost or mislaid, viz: one payable to T. W. Caskey for \$8,000, out of the military fund; one payable to P. D. Roddy for \$5,000, out of same fund; and one payable to T. T. Swann for \$20, out of appropriations. The one payable to T. W. Caskey was dated on 6th February, 1862; those payable to P. D. Roddy and T. T. Swann were dated on the 28th January, 1862. *Provided*, the said Haynes shall make satisfactory proof of his having paid said warrants.

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

Approved, August 13, 1864.

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### CHAPTER XXXVIII.

AN ACT to authorize the Secretary of State to furnish the counties of Newton and Scott with copies of the Reports of the High Courts of Errors and Appeals, and published laws of this State.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That the Secretary of State be and he is hereby authorized and directed to furnish the Clerks of the Circuit Courts of Newton and Scott counties with copies of the Reports of the High Court of Errors and Appeals, the Revised Code, and the sheet acts of the Legislature passed since November, 1857.

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

Approved August 13, 1864.



## CHAPTER XXXIX.

AN ACT to authorize the Board of Police of Covich county to sell certain property belonging to the Poor Fund.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the Board of Police of Covich county be and said Board is hereby authorized and empowered to sell any and all the property, both real and personal, belonging to the Poor Fund of said county, said Board may think proper, for cash, at public sale, after notice as required in other sales by Sheriffs, and to place the proceeds of such sale or sales in the hands of the Treasurer of said county, and the President of the said Board of Police to execute deeds or deed<sup>s</sup> as in case of Sheriff's sale.

SEC. 2. *Be it further enacted,* That said Board of Police be and is hereby authorized and empowered to borrow any part or all of such Poor Fund if deemed needful to aid in the purchase of supplies for the families and persons to be provided for under the provisions of "an act better to provide for soldiers' families," approved Dec. 2, 1863.

SEC. 3. *Be it further enacted,* That it is the duty of the Treasurer of said county to loan the money belonging to such Poor Fund to the Board of Police at such rate of interest as may be agreed upon by the parties.

SEC. 4. *Be it further enacted,* That when said Board shall borrow any of said Poor Fund, the President shall execute a bond, signed by himself as such president, and countersigned by the clerk of said Board, under seal of office.

SEC. 5. *Be it further enacted,* That such bond or bonds shall be binding in law or equity till paid, and that this act be in force from and after its passage.

Approved, August 12, 1864.

## CHAPTER XL.

## AN ACT for the relief of Yazoo City.

WHEREAS, by reason of the proximity of the public enemy, the authorities of Yazoo City were unable to hold the regular charter election for mayor and members of the common council of said city, on the 1st Monday of April last, as provided for and directed by the charter of said city, and,

Whereas, the persons elected to said offices at the general election immediately preceding the said first Monday of April last, have continued to hold over until their successors in office should be qualified, and,

Whereas, the charter of said city makes no provisions for a special election of such officers in such cases, therefore,

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the persons filling the offices of mayor and common council of Yazoo City on the first Monday of April last be and they are hereby continued and confirmed in said offices until the next regular election of their successors in office, at the time and in the manner prescribed by the charter of said city, and that all the official acts and proceedings of said officers, done in pursuance of the charter and ordinances of said city, from and after the second Monday of April last, and until the next regular election of their successors in office, be and are hereby declared legal in all respects, and of as binding force and efficacy in law as if they had been regularly and constitutionally elected to said offices, on the said first Monday of April last, anything in the charter and ordinances of said city to the contrary notwithstanding.

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

Approved August 10, 1864.

## CHAPTER XLI.

AN ACT to authorize the Boards of Police of Lauderdale, Newton and Harrison counties to borrow the money belonging to or known as the Swamp Land Fund, and for other purposes.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That the Boards of Police of the counties of Lauderdale, Newton and Harrison are hereby authorized to borrow any or all of the money now on hand or that may hereafter be collected, known as the Swamp and Overflowed Land Funds.

SEC. 2. *Be it further enacted*, That said Boards of Police shall apply the funds so borrowed to the relief of the destitute families of soldiers of Lauderdale, Newton and Harrison counties.

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

Approved, August 10, 1864.

## CHAPTER XLII.

AN ACT to restore the corporate powers of the city of Canton, in Madison county, and to provide for the election of officers thereof.

WHEREAS, by reason of the occupation of said city in the month of March, 1864, by the public enemy, an election for mayor and selectmen, and other officers of said city, was prevented from being held at the time required by the charter thereof, therefore,

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That the late mayor of said city be and he is hereby empowered to order an election for a mayor and six selectmen, and a Treasurer, for said city, to be held at such time as he may deem proper and may prescribe, upon not less than ten days' notice, to be given

by him, and to appoint not more than three persons, of the qualified electors of said corporation, to hold said election, any one or more of whom may hold said election: which said mayor and selectmen, and other officers, so elected, shall hold their offices until the regular elections under the 5th section of the original charter of said city, and for the terms therein prescribed. or until their successors shall be elected and qualified.

SEC. 2. *Be it further enacted,* That persons not already registered as voters, may become competent to vote at the election, hereby authorized, by registering their names and making the declaration as required by the first section of the act, chapter 129, approved Dec. 19, 1861, at any time before the day of said election.

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

Approved, August 10, 1864.

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## CHAPTER XLIII.

AN ACT to repeal an act entitled "An act to incorporate the Bank of Jackson, and other Banks," approved January 17th, 1862, and all acts amendatory thereof.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That an act entitled "An act to incorporate the Bank of Jackson and other Banks," approved Jan. 17, 1862, and all acts and parts of acts amendatory thereof, be and the same are hereby repealed; but this act shall not affect any bank that has been organized and gone into operation under the provisions of the said act before the passage of this act.

Approved, August 8, 1864.

## CHAPTER XLIV.

AN ACT for the relief of Dempsey Sherrod.

SEC. 1. *Be it enacted by the Legislature of the State of Mississippi,* That in consideration of the active exertions of Dempsey Sherrod in endeavoring to raise a fund to print a systematic series of text books, in raised print, for the use of the Blind, the trustees of the Institution for the Blind be and they are hereby authorized to arrange with said Sherrod for the board and lodging of his sister at said institution, free of charge, while said Sherrod remains in said Institution pursuing his studies.

SEC. 2. *Be it further enacted,* That the trustees of said Institution shall permit the use of a furnished room and board at the Institution, free of charge, to said Sherrod, after his studies are completed, at such times as he may desire the same, and that this act take effect from its passage.

Approved, August 12th, 1864.

## CHAPTER XLV.

AN ACT for the relief of G. C. Chandler.

Whereas, it has been proven that auditor's warrant No. 1010, issued on the 20th April, 1864, for (\$375) three hundred and seventy-five dollars, to G. C. Chandler, has been lost or mislaid, and has not been paid by the Treasurer of the State, therefore,

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the Auditor of Public Accounts is hereby directed to issue to the said G. C. Chandler a duplicate of said warrant, and to endorse on the back thereof that it is a duplicate with the date of the issue of the original warrant, and the Treasurer of this State shall pay the duplicate warrant

when thus endorsed, but it shall not be lawful for him to pay the original.

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

Approved, August 13, 1864.

## CHAPTER LXVI.

AN ACT for the relief of L. D. Yates, late 2nd Lieutenant Company D, 1st Mississippi Regiment.

WHEREAS, L. D. Yates was duly commissioned as 2nd Lieutenant in company D, 1st Regiment, Mississippi State Troops, as provided for by law, and did serve as such in said regiment, and under Confederate States' authorities from the 21st day of March, A. D. 1863, to the 10th June, A. D. 1863, for which he has received no pay, and,

Whereas, The State of Mississippi is indebted to the said Yates in the sum of one hundred and eighty-six and 66-100 dollars for such service, as is shown by pay rolls duly certified to by the proper officer, and,

Whereas, The said regiment has been disbanded and the said Yates is now in the Confederate States Army, and away from home, so that he cannot comply with the law in all its provisions in order to have paid to him the sum due to him as above set forth, and,

Whereas, His wife is now in much need of the funds due to the said Yates, her husband, and can only get the same by action of the Legislature, therefore,

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That the Quarter-Master General be instructed to pay to the agent of the said L. D. Yates, the sum of one hundred and eighty-six 66-100 dollars upon such papers as are now in the possession of such agent, waiving the necessity of an affidavit by the said Yates, and any other formula now provided by law, and taking the pay account of the said Yates duly

certified to by the proper officer as evidence of the justice of the claim thus presented, and the same to be good vouchers to the Quarter-Master General in his settlement with the State of Mississippi.

SEC. 2. *Be it further enacted*, That the amount so paid shall be charged to the Confederate States and shall be a debt to be adjusted in favor of the State of Mississippi in the settlement of said State with the Confederate States.

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

Approved, August 12, 1864.

## CHAPTER XLVII.

AN ACT to authorise and empower the Board of Police of Calhoun county to borrow the School Funds from the Treasurer of said county, for the use of the indigent families of soldiers therein.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That the Board of Police of the county of Calhoun be and they are hereby authorised and empowered to borrow from the Treasurer of said county, the school funds in his hands, and that may hereafter come into his hands from time to time as they may desire, except such amount as may be necessary to pay the tuition of indigent scholars at the regular sessions of the school commissioners in each year, for the support of the indigent families of soldiers in said county.

SEC. 2. *Be it further enacted*, That said loan may be made by the Treasurer aforesaid, to the Board of Police of said county, for the purpose specified above, by his taking the note or notes, signed by the President of the board of police as such President, payable two years after date, with interest to be agreed by the parties.

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

Approved August 12, 1864.

## CHAPTER XLVIII.

AN ACT to authorise the Speaker of the House of Representatives, and President of the Senate to appoint messengers between the two bodies.

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 Macon, 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, whose duty it shall be to carry all 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 four dollars per day upon the certificate of the presiding officer of each body, countersigned by the clerk and 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 August 4, 1864.

## CHAPTER XLIX.

AN ACT to remove the civil disabilities of Heydon L. Level a minor of Rankin county.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the civil disabilities of Heydon L. Level, 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 full age of twenty-one years are hereby conferred upon said Heydon L. Level, 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 August 8, 1864.



## CHAPTER L.

AN ACT to remove the civil disabilities of T. C Rasberry, a minor of Leake county.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That the civil disabilities of Thomas C. Rasberry a minor of Leake county, Mississippi, be removed and that he be entitled to all the rights privileges and immunities of a citizen, the same as though he was twenty-one years of age, except the right of suffrage.

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

Approved August 8, 1864.

## CHAPTER LI.

AN ACT to authorize the Auditor of Public Accounts to settle the taxes of Panola county for the year 1863, with James L. Fletcher.

WHEREAS, William S. Clinton late Sheriff and Tax Collector of Panola county died after he commenced the collection of the taxes of 1863, and before settling with the Auditor, and,

Whereas, his administrator is in the army and cannot make the settlement, and,

Whereas, James L. Fletcher, his successor in office, is anxious to settle in full the tax of his county for the year 1863, therefore,

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That James L. Fletcher, the present Sheriff and Tax Collector of Panola county, be and he is hereby authorized to settle with the Auditor of Public Accounts, the taxes of 1863, collected by William S. Clinton, late Tax Collector of Panola county, and to sign all necessary receipts and vouchers in the premises.

SEC. 2. *Be it further enacted*, That this act

take effect and be in force from and after its passage.

Approved, August 10, 1864.

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### CHAPTER LII.

AN ACT for the relief of the Sheriff of Noxubee county.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the settlement made by the Police Court with the Sheriff of Noxubee county in regard to insolvencies and delinquent tax payers in said county, on Monday, the 1st day of August, 1864, be and the same is hereby ratified and shall be good in law, the same as if said settlement had been made within the time prescribed by law.

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

Approved, August 8, 1864.

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### CHAPTER LIII.

AN ACT to increase the annual salary of the Probate Judge of Newton county.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the annual salary of the Probate Judge of Newton county be increased to five hundred dollars in lieu of three hundred and fifty as now allowed by law.

SEC. 2. *Be it further enacted,* That this act take effect and be in force from and after the first Monday in January, 1865.

Approved August 10, 1864.

## CHAPTER LIV.

AN ACT for the relief of John W. Bryant, County Treasurer of the county of Wilkinson.

WHEREAS, the Board of Police of the county of Wilkinson did employ John W. Bryant, County Treasurer of the county of Wilkinson, to fund the Confederate States treasury notes belonging to the several funds of said county, and did appropriate the sum of five hundred dollars to defray his expenses in going to and returning from Summit for said purpose, therefore,

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the acts of the Board of Police of Wilkinson county in employing John W. Bryant, County Treasurer of said county to fund the Confederate treasury notes, belonging to the several funds of said county, and in appropriating the sum of five hundred dollars to defray his expenses in attending to said business, are hereby ratified and confirmed.

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

Approved August 9, 1864.

## CHAPTER LV.

AN ACT to ratify and approve the acts of the Board of Police of Wilkinson county, in relation to reports of the trustees of common schools in said county.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the acts of the Board of Police of Wilkinson county in extending the time for the trustees of common schools to make their reports to the superintendent to the second Tuesday in July, 1864, be and the same is hereby ratified and approved.

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

Approved August 9, 1864.

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## CHAPTER LVI.

AN ACT to authorize the Auditor of Public Accounts to settle with J. G. Barton, Sheriff and Tax Collector of Tishemingo county, and for other purposes.

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 to settle with J. G. Barton, Sheriff and Tax Collector of Tishemingo, for the taxes reported by him to the Auditor to have been collected for the fiscal year, 1861, and that said Sheriff and Tax Collector be and he is hereby relieved from further liability upon his official bond for the taxes yet due and uncollected in said county for said fiscal year; and the Auditor is authorized and directed to pay him in said settlement, upon the sums of money collected and paid into the Treasury of the State, the same commissions now allowed by law to Tax Collectors: *Provided*, said Sheriff and Tax Collector shall make oath or affidavit that the sums reported by him are all the moneys he has collected of the taxes of said fiscal year.

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

Approved, August 12, 1864.

## CHAPTER LVII.

AN ACT to repeal an act entitled "An act to regulate the distribution of money arising from fines, forfeitures, &c., approved April 5, 1864, so far as it relates to the county of Claiborne.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the provisions of the above recited act be and the same is hereby repealed so far as the same relates to the county of Claiborne.

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

Approved Aug. 12, 1864.

## CHAPTER LVIII.

AN ACT to authorize the Circuit Clerk and Sheriff of Madison county to draw petit jurors to serve at the September term, 1864, of the Circuit Court of said county.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the Circuit Clerk and Sheriff of the county of Madison be and they are hereby authorized to draw, in the presence of the Probate Judge of said county, petit jurors to serve at the September term, 1864, of the Circuit Court of said county from the list of names returned, or to be returned, by the Assessor of taxes, as required by Article 135, Chap. 61, Revised Code.

SEC. 2. *Be it further enacted,* That the jurors so drawn, as authorized by the 1st section of this act, shall, to all intents and purposes, be the petit jurors to serve at the September term, 1864, of the Circuit Court of Madison county, and that all their acts as jurors shall be and are hereby declared to be as valid and binding upon all parties in Court as if they had been regularly drawn in conformity with

the provisions of the existing laws of this State.

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

Approved August 10, 1864.

## CHAPTER LIX.

AN ACT for the relief of Wm. H. Mangum, Sheriff of Yazoo county.

Whereas, by the provisions of an act approved Jan. 29, 1864, entitled "An act to provide for the collection of arms," Wm. H. Mangum, Sheriff of Yazoo county, did, in accordance with the provisions of said act, proceed and collect a large number of guns, &c., but in consideration of the immediate demands of said arms, they were not passed through the hands of the Inspector appointed by the Chief of Ordnance, as provided for in Section 4, but were turned over to Col. John Balfour, commanding the 6th Mississippi battalion, C. S. A., therefore,

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That the Chief of Ordnance be instructed to pay Wm. H. Mangum, in trust, to be paid over to the parties entitled thereto, the sum of thirteen hundred and nineteen dollars and twenty-five cents, the value of said arms, as determined by three commissioners appointed by the Probate Judge, as provided for in section 2 of said act, and the further sum of one hundred and twenty three dollars for collecting said guns, as is provided for in section 15 of the same act.

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

Approved August 10, 1864.

## CHAPTER LX.

JOINT RESOLUTION in relation to the commissioners to examine the offices of the Quartermaster General, Ordnance and Executive Departments.

*Resolved by the Legislature of the State of Mississippi,* That the Commissioners to examine the offices of the Quartermaster General, Ordnance, and the Executive department, be and they are hereby instructed, with power, to call for persons and papers to examine what disposition Capt. D. S. Pattison made of the twenty thousand dollars placed in his hands by Ex-Gov. Pettus for the purchase of salt; and also what became of the fifty bales of cotton placed in the hands of Dr. Luke Blackburne, by Gov. Pettus; and that said commissioners report the result of their investigation in both of said cases to the Governor of this State as soon as practicable.

Approved, August 18, 1864.

## CHAPTER XLI.

JOINT RESOLUTION directing the Governor to issue his proclamation calling on every able-bodied man in the State to take up arms to repel the invasion.

WHEREAS, information has just been received by this Legislature that the enemy has again invaded the State in large force, that his advance has already reached Holly Springs, and that unless he is promptly met and repelled the State will be again devastated, the homes of our people made desolate, and their firesides outraged and insulted; and while this Legislature is confident that the regular force in the State will do all that brave men can do to drive back the invader, and to protect our people from insult and their firesides from desecration, yet it ought to be known that their efforts, to be successful, must be sustained, and promptly sustained, and immediate and cordial co-operation

given by every man now at home, who is able to shoulder a musket or fire a gun—therefore,

*Be it resolved by the Legislature of the State of Mississippi,* That the Governor be and he is hereby directed to issue his proclamation at once, calling upon every able-bodied man in the State forthwith to assemble at such place as he may designate, to be organized in such manner as he may deem best, in order to meet the present emergency, and to render the most prompt and effective service in repelling the invasion and driving the foe beyond the limits of the State.

Approved August 4, 1864.

## CHAPTER LXII.

JOINT RESOLUTION in relation to the education of the children of soldiers killed or disabled during the present war.

*Resolved by the Legislature of the State of Mississippi,* That it is the duty of the State to make provision for the education of the children of all soldiers from this State who have died, been killed, or permanently disabled, in the military service of the Confederate States, or of this State, during the present war, or who may hereafter die, be killed, or permanently disabled, in the said service, and not leaving sufficient property for the proper education of their children, and that in order to facilitate these objects the Governor be authorized and requested to appoint twenty persons who shall have power to procure and receive donations or subscriptions of money, or property of any kind, to be held by them in trust for the purposes aforesaid, subject to the control and appropriation of the Legislature, and with power to appoint assistants to canvass every county in the State for such donations and subscriptions, and that such persons report from time to time to the Governor when



required, and that the Governor shall have power to remove any person so appointed, and to appoint others in their room, and also to fill all vacancies that may arise from any cause, and that such persons shall mature and report to the next Legislature a plan by which the above policy may be properly and efficiently carried out.

Approved August 13, 1864.

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## CHAPTER LXIII.

JOINT RESOLUTIONS in regard to Major Gen. N. B. Forrest.

WHEREAS, The eminent services of Maj. Gen. N. B. Forrest have inspired the country with the highest confidence and admiration in his gallantry as an officer, and pre-eminent qualities as a commanding General; and,

Whereas, his daring bravery and consummate skill, and the devoted heroism of his brave little army, have repeatedly saved an important portion of this State from destruction by a ruthless foe, therefore,

*Be it resolved by the Legislature of the State of Mississippi,* That the Governor be and he is hereby authorized and instructed to cause to be manufactured, in the finest style of workmanship and art, a sword, the hilt, blade and scabbard to be embossed, etched or engraved with the arms of the State of Mississippi, and have engraved thereon the following inscription:—  
 “Presented by the State of Mississippi to Major Gen. N. B. Forrest, of the C. S. Army, as a testimonial of her high appreciation of him as a warrior and patriot, and for his distinguished services in defense of her soil and people.”  
 Which sword the Governor shall present, or cause to be presented to Gen. Forrest.

2d. *Resolved,* That the Governor be and he is authorized to make his requisition on the Audi-

tor for his warrant upon the Treasury for the amount necessary to pay for the manufacture of said sword.

3d. *Resolved*, That the Governor be requested to forward to Gen. Forrest a copy of these resolutions.

Approved August 12, 1864.

## CHAPTER LXIV.

JOINT RESOLUTION in relation to the exemption of certain State and county officers from the military service of the Confederate States.

WHEREAS, in the present situation of affairs it is not necessary to the proper administration of the State government that the officers, members and agents, hereinafter named, shall be held exempted from the military service of the Confederate States, and, in the absence of such necessity, the State is willing to waive her rights in the premises to all officers, members and agents, not named in the Constitution, and are not necessary to the preservation of our form of government,

*Be it Resolved by the Legislature of the State of Mississippi*, That the said State hereby waives its right to the exemption of the following State and County officers from liability to conscription in the military service of the Confederate States, to-wit: All officers of incorporated cities and towns, under the age of forty-five years; all commissioners to distribute the fund for the relief of the families of soldiers, under the age of forty-five years, (except one for each police district) all agents to dispense spirituous liquors, under the age of forty-five years; all the trustees and supervisors of the Lunatic Asylum, and Institution of the Blind, and the Deaf and Dumb, under the age of forty-five years; all overseers of roads; all Deputy Sheriffs, except one in

each county, to be designated by the Sheriff; all deputy clerks in any court in this State, excepting one deputy clerk in the Circuit Court of Hinds county, to be designated by the clerk of said Court; all trustees or commissioners of common schools of this State; and all other officers appointed by any of the courts of this State; and the State hereby declares that the above enumerated officers shall not be exempt from liability to the military service of the Confederate States by reason of their holding any of the above-mentioned offices or appointments.

*Be it further Resolved,* That these resolutions shall take effect from their passage.

Approved, August 13, 1864.

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## CHAPTER LXV.

RESOLUTION for the relief of certain citizens of Noxubee county.

Whereas, the Mississippi Relief Association at Atlanta, Georgia, did make, through Dr. E. P. Blackburn, to his excellency, Governor Clark, an appeal and earnest application for immediate relief for our wounded soldiers under their charge, and,

Whereas, the Governor not believing it to be in his power to extend such relief from the State Treasury, and therefore called upon the patriotic citizens of Macon and Noxubee county to comply with the request, and,

Whereas, the said citizens did nobly contribute by voluntary contributions the sum of seven thousand dollars; and,

Whereas, said sum not being sufficient to meet the wants of said association, certain citizens of Noxubee county did borrow from W. M. Conner the sum of five thousand dollars, to add to said sum subscribed, becoming personally responsible for the return and payment of the same, therefore,

*Be it resolved,* That the Auditor be, and he is hereby instructed to issue his warrant in favor of W. M. Conner for the sum of five thousand dollars, to discharge the debt or loan made to citizens in aid of the Mississippi Relief Association at Atlanta.

Approved August 13, 1864.

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OFFICE OF SECRETARY OF STATE,  
MACON, MISS., August 15, 1864.

This is to certify that the foregoing printed Acts, Resolutions and Memorials, passed at a called session of the Legislature of the State of Mississippi, held in Macon, in the month of August, 1864, are just and true copies from the originals in the office of the Secretary of State.

Given under my hand and the great  
[L. S.] seal of the State of Mississippi, the day  
and year first above written.

C. A. BROUGHER,  
*Secretary of State.*

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