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SPECIAL LAWS

OF THE

TENTH LEGISLATURE,

OF THE

STATE OF TEXAS.

PUBLISHED BY AUTHORITY.

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1864.

THE HISTORY OF THE

STATE OF MASSACHUSETTS

FROM 1780 TO 1800

BY JOHN GARDNER

SPECIAL LAWS.

CHAPTER I.

AN ACT to authorize the holding of an Election for Representative in Dallas county, to fill the vacancy created by the action of the Tenth Legislature declaring the seat of H. J. Moffat vacant.

SECTION 1. *Be it enacted by the Legislature of the State of Texas, That the Governor be and he is hereby authorized to issue a writ of election to fill the vacancy aforesaid, and that the Chief Justice of Dallas county be required to order said election, in five days after the usual notice in such cases, and the returns thereof be made within three days after the day of election, and the certificate of election be issued forthwith to the successful party.*

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

Approved November 20th, 1863.

CHAPTER II.

AN ACT for the relief of A. J. Vaughan, of Lamar county.

SECTION 1. *Be it enacted by the Legislature of the State of Texas, That the Comptroller of the State of Texas be authorized and required to issue duplicate warrants to A. J. Vaughan, of Lamar county, in lieu of the following original warrants: No. 1195, for \$139 25, issued to J. W. Hicks; No. 1196, for \$101 22, issued to W. S. Kennedy, attorney for C. C. Miller; No. 1639, for \$85 34, issued to J. Jemison; Provided, the said A. J. Vaughan shall first file with the Comptroller his affidavit, stating that the original warrants are lost, and that they were his property at the time; and, further provided, that he shall file a bond, with good and sufficient securities in double the amount, payable to the State of Texas, and approved by the Chief Justice of the county that he resides in, that the original warrants shall not become a charge upon the State of Texas.*

SEC. 2. *That this act take effect from its passage.*

Approved November 27th, 1863.

CHAPTER III.

AN ACT to relieve Carro M. Quarles of the disability of minority.

SECTION 1. *Be it enacted by the Legislature of the State of Texas, That Carro M. Quarles, a minor, resident of the county of Anderson, State of Texas, be and he is hereby relieved of the disability of minority, and declared of full and lawful age for all purposes of managing and controlling his own property, and subject to all the legal liabilities appertaining to the same.*

SEC. 2. *That this act take effect and be in force from and after its passage.*

Approved December 21, 1863.

LEWIN T. BARRINGER, ATTY.

CHAPTER IV.

AN ACT for the relief of Robert Price.

SECTION 1. *Be it enacted by the Legislature of the State of Texas*, That the Commissioner of the General Land Office is hereby authorized to issue to Robert Price a patent for three hundred and twenty acres of land, upon the head-right of A. J. Viser, of Lamar county, upon the same terms that a patent could issue for land outside of the Memphis, El Paso and Pacific Railroad reserve; and that this act be in force from and after its passage.

Approved December 2d, 1863.

CHAPTER V.

AN ACT for the relief of Henry K. Harrison

SECTION 1. *Be it enacted by the Legislature of the State of Texas*, That Henry K. Harrison, a minor in the service of his country, be and he is hereby authorized and empowered to dispose of his estate, both real, personal and mixed, by last will and testament; which said will shall be as effectual as if he were of age.

Approved December 4th, 1863.

CHAPTER VI.

AN ACT to incorporate the Sulphur Fork Iron Company.

SECTION 1. *Be it enacted by the Legislature of the State of Texas*, That J. C. Moore, A. H. Chappell, G. H. Kelly, R. H. H. Moores, David Moores, J. M. Ball, Lewis Moody, and Warren Hooks, citizens of the State of Texas, their associates and successors, be and are hereby created a body corporate and politic, under the name and style of "The Sulphur Fork Iron Company," with capacity to own property, real and personal, in such quantities as may be necessary for the legitimate objects of this corporation, make contracts, have succession and a common seal, to make by-laws for its government, and in their corporate name to sue and be sued, to grant and receive, and generally to do and perform such things and acts as may be necessary and proper for, or incident to, the fulfillment of their objects, or maintenance of their rights under this act, not inconsistent with the Constitution of the State.

SEC. 2. That said company is hereby created with the right to erect, own, maintain, and operate, a manufactory of iron and steel of every description whatever, and all other articles of which iron and steel may form a part, at such place, or places, as said company may select, within the county of Davis.

SEC. 3. The capital stock of said company shall be divided into shares of one thousand dollars each, and the holders of said shares shall constitute said company, and said capital stock shall not exceed eight hundred thousand dollars.

SEC. 4. The corporators, mentioned in section first of this act, shall, within ninety days from its passage, cause an election to be held for a board of directors, of not less than three nor more than seven in number, who shall be elected by the stockholders at such time and place as may be appointed, and annually thereafter: *Provided*, That in case of failure to elect, at the stated time, the board of directors incumbent shall continue in office until there be an election; the time for which shall be fixed by said board, whereof notice shall be given as required by law governing other corporations. The corporators under this act shall be considered a board of directors, until the first election of directors has taken place.

SEC. 5. No person shall be eligible as a director, unless he is the owner of at least two shares of stock of the company. The said board shall elect a president from their number, fill vacancies until the next succeeding stockholders' meeting, and appoint such officers as they may deem necessary, and require

security for the faithful performance of their respective duties; also, they shall have power to prescribe the time and place for the payment of instalments or assessment on stock, declare the forfeiture of stock for non-payment, and to do, or cause to be done, all other acts and things which they may deem necessary and proper in conducting the business of said company. A majority of the board of directors shall constitute a quorum for the transaction of business, but in no case shall a director vote by proxy.

SEC. 6. This act shall be in force and take effect from and after its passage, and continue in force for the term of twenty years.

Approved December 4th, 1863.

CHAPTER VII.

AN ACT defining the duties of the Agent for the Alabama, Coshatta and Muscoga tribes of Indians.

SECTION 1. *Be it enacted by the Legislature of the State of Texas*, That the agent appointed for the Alabama, Coshatta and Muscoga Indians, or that may be hereafter appointed for said Indians, shall make a quarterly return to the Governor of this State of the condition of his agency and the situation of said Indians, and what he has furnished them; on the failure of said agent to make his return as required by this act, within sixty days from the end of each quarter, he shall be removed from his office as such agent.

SEC. 2. That this act take effect and be in force from and after its passage.

Approved December 4th, 1863.

CHAPTER VIII.

AN ACT to establish and define the boundaries of the Counties of Live Oak and McMullen, and to repeal certain Acts therein named.

SECTION 1. *Be it enacted by the Legislature of the State of Texas*, That the boundaries of the county of McMullen shall be and the same are hereby declared to be as follows, to wit: Beginning at the south-east corner of Frio county; thence run due south forty-two miles; thence due east twenty-eight miles; thence north forty-two miles; thence west twenty-eight miles to the beginning; and all the territory comprised within said boundaries shall be and constitute the county of McMullen.

SEC. 2. That the boundaries of Live Oak county shall be and the same are hereby declared to be as follows, to wit: Beginning at the west corner of San Patricio county, on the Nueces river; thence running east to, and northward with, the boundaries of San Patricio and Bee counties, to the north-west corner of a survey for B. I. Ijams; thence north, forty degrees west, with the county of Karnes, to the line of Attascosa county; thence with the lines of Attascosa, McMullen, Duval, and Nueces counties, to the place of beginning; and all the territory comprised within said boundaries shall be and constitute the county of Live Oak.

SEC. 3. That "An Act to define the boundaries of Live Oak county," approved January 3d, 1862, and "An Act to define the boundaries and provide for the organization of McMullen county," approved January 3d, 1862, be and the same are hereby repealed.

SEC. 4. That this act take effect and be in force from and after its passage.

Approved December 4th, 1863.

CHAPTER IX.

AN ACT to define the county line between the Counties of Harrison and Marion.

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

LEWIS & CLARK

county line between the counties of Harrison and Marion shall be as follows : Commencing at a point in the centre, or channel, of Big Cypress Bayou, opposite the north-east corner of Upshur county ; then down said Cypress Bayou to a point opposite the north-east corner of a survey for 2214 acres, made by virtue of the head-right of Alexander Johnson ; thence south-east to the centre of Little Cypress Bayou ; thence down said stream to its junction with Ferrey Lake and Caddo Lake, to the south-east corner of Marion county ; which said line shall hereafter be known and recognized as the boundary line between said counties.

SEC. 2. That the Surveyor of Upshur county be and he is hereby appointed a Commissioner to run said line, who shall proceed, within sixty days, to run said line, and report the same to the Chief Justice of each of the counties ; and that the county of Marion shall pay all charges incurred in running said line ; and that this act be in force from its passage.

Approved December 8th, 1863.

CHAPTER X.

AN ACT for the relief of Capt. Joseph M. Bound's company, of Colonel William C. Young's regiment of State troops.

SECTION 1. *Be it enacted by the Legislature of the State of Texas,* That whenever the Lieutenant-Colonel, or Major, of Colonel William C. Young's regiment of State troops, called out in the year 1861, shall approve the muster roll of Captain J. M. Bound's company of said regiment, and certify thereon the length of time said company were in the State service, the Comptroller shall audit the claims of said company, in the same manner and at the same rates of pay allowed the other companies of said regiment.

SEC. 2. That the sum of fifteen thousand dollars, or so much thereof as may be necessary, out of the appropriation heretofore made by an act of the Legislature, approved March 6th, 1863, be and the same is hereby re-appropriated to pay said company, and to pay the claims against the State for transportation and supplies furnished the same.

SEC. 3. This act take effect from its passage.

Approved, December 8th, 1863.

CHAPTER XI.

AN ACT to incorporate the Waco Manufacturing Company.

SECTION 1. *Be it enacted by the Legislature of the State of Texas,* That George E. Burney, H. M. Hood, J. Thomason and J. B. Earl and their associates and successors, are hereby created a body politic and corporate, under the name and style of "The Waco Manufacturing Company," and by that name may sue and be sued, plead and be impleaded in any of the courts of this State. They shall, by their corporate name, be capable of contracting and being contracted with, and of acquiring, by purchase, donation or otherwise, real and personal estate, and of selling and conveying the same, or any part thereof, as the said corporation may deem fit, *provided, however,* the said corporation shall not acquire, or hold, more real estate than is necessary for the purposes of said corporation in constructing and carrying on their corporate business.

SEC. 2. Said company may manufacture cotton and woolen fabrics, cotton yarns, wool rolls, flour and corn meal, and any other fabrics that may be useful to the country.

SEC. 3. The capital stock shall be five hundred thousand dollars, to be divided into shares of one thousand dollars each.

SEC. 4. When one hundred thousand dollars shall be subscribed, the stockholders may elect four directors, who shall hold their office for two years, said

directors may proceed to elect one of their number President, who shall hold his office for and during the term of two years.

SEC. 5. That when a suit shall be brought against the company, it shall be sufficient to execute process, on the President, either in person or by leaving a copy at the office of the company, with some white person attached to the company over the age of eighteen years.

SEC. 6. *Be it further enacted*, That this act shall continue in force for and during the term of twenty years from its passage.

Approved December 8th, 1863.

CHAPTER XII.

AN ACT to repeal an act entitled "An Act to consolidate in one act, and to amend the several Acts Incorporating the City of Galveston," approved August 27th 1856, and to grant a new Charter of Incorporation to said City.

SECTION 1. *Be it enacted by the Legislature of the State of Texas*, That all the free white inhabitants of the City of Galveston, shall continue to be a body politic and corporate, with perpetual succession, by the name and style of "The City of Galveston," and as such, by that name, shall be capable of contracting and being contracted with, suing and being sued, impleading, and being impleaded, answering and being answered unto, in all courts and places, and in all matters whatsoever; may purchase and hold real, personal and mixed property, and dispose of the same for the benefit of the said City; and may have and use a corporate seal, and change and renew the same at pleasure.

SEC. 2. That the limits of the said City shall continue to be all that section of territory lying between Seventh Street, on the East, and Forty-first Street on the West, as defined on a certain Chart, or Town Plat, heretofore laid off by the Galveston City Company, and between the waters of the Gulf of Mexico, on the South, and Galveston Bay on the North; *Provided, nevertheless*, That the Municipal Regulations of the said City shall extend over the harbor and anchorage immediately North of the same; *and provided further*, That the said limits may be hereafter extended by adding additional territory to the same, whensoever the majority of the inhabitants of said territory shall indicate a desire to be included within the limits of said City.

SEC. 3. That the municipal affairs of the said City shall be administered by a Mayor, a Recorder, twelve Aldermen, a Treasurer, an Assessor and Collector, a Clerk, a Marshal, a Superintendent of Streets, and such other subordinate officers as the Board of Aldermen may, in their sound discretion, deem necessary to the due regulation thereof.

SEC. 4. That every free white male person, not disqualified by law, who shall have attained the age of twenty-one years, and become a citizen of this State, and shall have resided within the limits of the said City for twelve months next preceding the election, and who shall be possessed of real estate in the same, to the value of three hundred dollars or upwards, or who shall have served in the army or navy of the Confederate States, or in the State Troops, and have been honorably discharged, and none other, shall be entitled to vote for Mayor and Aldermen of the said City, *Provided, nevertheless*, That no person belonging to the regular army or navy of the Confederate States, shall be so entitled.

SEC. 5. That, as it is eminently just and proper that those who levy the taxes and expend the money of the people, should be themselves of those who pay the taxes; therefore, to encourage economy in the administration of the affairs of said City, no person shall be eligible to the office of Mayor, Recorder, or Aldermen of said City, unless, in addition to his being qualified to be a voter therein, he be possessed, in his own right, of real estate within the limits of said City, to the value of three thousand dollars (including the improvements) free from incumbrance.

SEC. 6. That for the purpose of holding elections for city officers, the said City shall be divided, as now, into four Wards, to contain, as nearly as may be

practicable and convenient, an equal number of voters, and it shall be the duty of the Board of Aldermen to alter said Wards from time to time, in such a manner as to preserve, as nearly as may be, an approximate equality of voters. The Mayor shall be elected by the qualified voters of the City, voting by ballot, in their respective wards, and shall hold his office for one year from the date of his election, and until his successor shall be elected and qualified. At the first election held under this Charter, there shall be elected by the same voters, voting in their respective wards, three Aldermen from the First Ward, three Aldermen from the Second Ward, three Aldermen from the Third Ward, and three Aldermen from the Fourth Ward, according to the provisions of the next succeeding section of this act. At the first meeting of the said Board of Aldermen so elected, it shall proceed to divide, by lot, the three members from each ward, into three classes; and those of the first class, shall hold their offices for one year, those of the second class for two years, and those of the third class for three years, and until their respective successors are duly elected and qualified; so that thereafter there shall be elected at each annual election of Mayor, one Alderman from each ward, who shall hold their offices for three years, and until their successors are elected and qualified. The said Mayor and Aldermen, before entering upon the duties of their offices, shall take and subscribe the following oath, to be administered by the Chief Justice or any Justice of the Peace of the county: "You do solemnly swear, (or affirm) that you are duly qualified by law for the office to which you have been elected, and that you will faithfully perform the duties thereof to the best of your ability, so help you God!"

SEC. 7. That the said city election shall be held on the first Monday of March in each and every year, and shall be conducted as follows: There shall be chosen by the Board of Aldermen, at least fifteen days previously thereto, for each and every ward, three good and discreet men as managers of the election, of which appointment, and of the time and places of election, the Mayor shall give at least ten days public notice. On the day of election the said managers shall meet at the places designated, and having appointed two Clerks, and being, themselves and their clerks, first duly sworn by any Justice of the Peace, to the faithful performance of their duties without fear or favor, shall proceed to receive the votes of their ward for one Mayor and such Aldermen as are to be elected, administering to each voter of whose qualification there may be doubt, previously to his voting, the following oath "You do solemnly swear, (or affirm) that you are qualified, by law, to vote for officers of this City, so help you God!" The managers shall hold the polls open from 10 o'clock A. M., until 4 o'clock P. M., and shall keep a correct list of all persons admitted by them to vote, numbering each voter and marking his ticket with a corresponding number, as in the case of State elections. As soon after the closing of the poles as practicable, they shall proceed to count the votes, and shall make due return thereof, certified under their hands and seals, which said return, together with a certified list of the persons voting, they shall envelope, under seal, and transmit by one of themselves to the Mayor incumbent. The said Mayor incumbent, shall, within twenty-four hours after receiving the said returns, call together the Board of Aldermen, who shall, in public meeting, proceed to open the returns and decide upon the election. The person having received the greatest number of votes for Mayor, being declared elected Mayor, and the persons having received the highest number of votes in each ward for Aldermen, being declared elected Aldermen of their ward. In accordance wherewith the Mayor incumbent shall deliver to the Mayor and Aldermen elect, the certificates of their election under his hand and the seal of the City; and in case the Mayor incumbent be absent, indisposed or for any other reason, unable, or refuse to receive said returns, or having received the same neglect to call a meeting of the Board of Aldermen, or having called a meeting thereof, the said Board shall not meet, or having met within the time prescribed, shall not open the returns and declare the election, then, and in either case, the election shall not be void, but the managers shall make out duplicate returns of the said election, and having certified, sealed

and enveloped the same as before, shall transmit them to the Chief Justice of the county, who shall forthwith proceed to determine the election and deliver certificates of the same, under his hand and official seal, to the persons elected, in the same manner as the Board of Aldermen and the Mayor should have done. The Mayor and Aldermen elect, shall, on the first Monday after their election, or as soon thereafter as practicable, be regularly installed into their offices, in conformity with the last clause of the sixth section of this act. Should any of the managers of the election fail to attend at the proper time and place, the one or two who may be present, shall select, from among the bystanders, a suitable person, or persons, to fill the vacancy so occasioned; and should none of said managers be present, then the bystanders, being voters, shall themselves select three suitable persons to conduct said election, who shall proceed to hold the election, and make returns thereof, in the same manner as the regular managers should have done, had they been present.

SEC. 8. That the Board of Aldermen, at its first meeting after that in which the members were installed into office, shall proceed to elect, from without their own body, a Recorder, a Treasurer, an Assessor and Collector, a Clerk, a Marshal, and a Superintendent of Streets, and such other subordinate officers as may have been created under the third section of this act. The candidate receiving a majority of the whole number of votes, being declared elected. The Treasurer, Assessor and Collector, Clerk and Marshal, shall each enter into bond, payable to the Mayor of the city, and his successors in office, with two good and sufficient sureties, in such sum as the Board of Aldermen shall direct, conditioned for the faithful performance of the duties of their several offices; whereupon the Board of Aldermen shall, by motion, order the Treasurer, Assessor and Collector, Clerk and Marshal lately incumbent, to deliver over to those several officers elect, all moneys, books, papers, records, and all matters and things whatsoever which they, or either of them, may have in his or their possession, belonging to their said several offices, without which order, under the hand and seal of the Mayor, the said several officers shall not permit any moneys, books, papers, records and other things, to be taken from the possession of them, or either of them; and if the said several officers, or either of them, shall, upon the receipt of such order so certified, refuse or neglect to deliver over to their several successors, the said moneys, books, papers, records and other things, or any of them, they, or either of them so offending, shall be deemed guilty of contempt, and upon conviction thereof in the city court, shall be adjudged to pay a fine not exceeding one hundred dollars, and to be imprisoned not exceeding seven days for every week that he, or they, shall so retain the same, said fine to be collected by execution, issued from the said court, against the estate of them and their securities.

SEC. 9. That the Mayor of the said city shall be the Chief Executive Magistrate thereof, and as such shall be vigilant and active in causing the laws, ordinances and regulations of the city to be executed and enforced. He shall take instant measures for the quelling of all riots, and disorders, and the dispersion of all unlawful assemblages of persons in said city. He shall exercise a general supervision over the conduct of all subordinate officers, and cause their violations of law, or neglect of duty to be reported to the Board of Aldermen. to be punished by fine, not to exceed one hundred dollars, or by dismission from office, as they shall see fit. He shall, at the request of three Aldermen, or whensoever he may deem it advisable, call special meetings of the Board of Aldermen, causing due notice to be given to each member thereof, and shall preside at all meetings of the said Board, but shall have no vote, unless there be a tie, in which case he shall give the casting vote. He shall from time to time communicate to the Board of Aldermen, such information, and recommend such measures as the welfare of the city may, in his opinion, render necessary, and generally shall do and perform all such acts and duties which the said Board of Aldermen may lawfully require of him as the Chief Magistrate of the city; and for his services as Mayor, he shall receive a salary to be determined by the Board of Aldermen, payable at stated periods, which salary shall be

neither increased nor diminished during the term of service of any incumbent, for or under any pretext whatever.

SEC. 10. That the Recorder of the said City shall be the Chief Judicial Magistrate thereof, and as such shall hold a City Court, within said City, which said court shall have cognizance of all misdemeanors, breaches of the peace, infractions of the ordinances, and all other cases arising under the laws of said city, and shall be deemed always open for the trial of said cases. The said Recorder, as Judge thereof, shall have power to issue subpoenas, writs, executions, and all other process known to the law, which a Justice of the Peace of this State may lawfully issue, and the said subpoenas, writs, executions, and other process, shall be issued, served and executed under the same forms, and in the same manner, as the like process should be, when issued by a Justice of the Peace. He shall have power to punish all contempts, and generally shall do and perform all other acts which the Board of Aldermen may lawfully require of him as the Judge of the City Court. And for his services, the said Recorder shall receive such stated salary as the Board of Aldermen may deem sufficient, the said salary to be neither increased nor diminished during the term of service of any incumbent. The said Recorder shall hold his office for two years, and until his successor is elected and qualified, and before entering upon the duties of his office, shall take the like oath of office as is required by law of the Chief Justice of the county.

SEC. 11. That the Board of Aldermen shall be composed of three Aldermen from each of the four Wards of said City, and shall have full power and authority to make and establish such ordinances, regulations, laws, and by-laws as they shall deem necessary for their own government, and to preserve the peace, cleanliness, comfort and salubrity of said City; to secure the safety and convenience of passing in the streets, alleys, squares, levees, and other public ways; to direct the construction, maintenance and repairs of side-walks in the said streets, at the cost of the proprietors of neighboring houses and lots, and to determine the dimensions thereof; to establish rules and regulations in relation to partition walls and fences; to require all low grounds and lots in said city to be drained and filled up by the proprietors thereof, and in case of their refusing, or neglecting so to do when ordered, to cause the same to be drained and filled up, and the premises to be sold to defray the expenses thereof, *provided, nevertheless*, That the proprietor of the lots, or lands, so sold, shall be entitled to receive that part of the purchase money which may remain after defraying the expenses of draining, filling and selling the same. The said Board shall have power to fix the place, and anchorage, for all vessels and water craft in the port of Galveston, and to establish quarantine, and all other regulations which may be necessary to prevent the introduction or spread of contagious, epidemic or infectious diseases; to organize a fire department, and to regulate the same, and to pass such other laws as may be deemed necessary for the prevention and extinguishment of fires; to establish a city guard or patrol, and to regulate the same; to establish an active system of inspection over the conduct and habits of slaves; to provide for the lighting the streets; to establish one or more market places, and to provide for the inspection of all comestibles offered for sale therein, or elsewhere, and otherwise to regulate the same; to prevent forestalling and regrating, and to punish the same; to establish and enforce, by suitable penalties, the proper weights and measures; to regulate the assize and quality of bread, and every thing that relates to butchers, bakers, tavern-keepers, and other persons keeping public houses, beer saloons or grog shops, draymen, hack drivers, horse drivers, water carriers, and slaves employed as day laborers; to prevent the establishment, within the said city, of houses ill-fame, or any other place of resort for gambling, or other vicious purposes; to establish hospitals for the accommodation of destitute sick persons, poor-houses for the infirm and indigent, and work-houses for the confinement of common beggars, vagrants, and other idle and vicious persons; and to pass such laws, and appoint such officers as they may deem necessary for the due management thereof; to provide places for the storing of powder, the burying

of the dead, and the reception of all carrion, offals, tainted provisions, and other filth from within the said city, and to prevent the use of any other place within the said limits, for the same purposes; to prohibit the establishment of slaughter houses, or any other nuisance within said city; and generally to do all such other acts, and to pass such ordinances, not inconsistent with the Constitution and laws of this State, or of the Confederate States, as may conduce to the interest and welfare of said City, *Provided*, That no ordinance, law, or by-law, passed in pursuance of this act, shall go into effect unless the same be approved by the Mayor, or being disapproved by him, it be passed by a vote of two-thirds of the whole Board, nor until ten days after the same shall have been published in one of the newspapers of the city, unless in the opinion of two-thirds of said Board, the emergency may be such as to require a departure from this rule. An attendance of two-thirds of the members of the Board shall be necessary to form a quorum; and the said Board, by a vote of three-fourths of the whole Board, may, at any time, for cause assigned, dismiss any officer elected by the Board, except the Recorder, and elect a new incumbent. And to defray the expenses of said City, the said Board are hereby fully authorized and empowered to impose a direct property and license tax upon all such persons, property and employments as are liable to taxation under the Constitution and laws of this State, and to make and execute all laws necessary to enforce the collection of the same, *Provided*, nevertheless, That no property tax (unless for special purposes, and specially provided for by act of this Legislature,) shall for any one year exceed the one-half of one per cent. of the value of the property, nor any license tax, the sum of fifty dollars; nor shall any tax be levied without the concurrence of two thirds of the whole Board in its favor. And in order the more effectually to enforce the ordinances of the said city, the said Board of Aldermen shall impose, upon the violation thereof, such fines and penalties, not exceeding one hundred dollars, and such imprisonment, not exceeding fifteen days, to be collected and inflicted through the City Court, hereinbefore provided, as they may deem necessary and proper.

SEC. 12. That the Treasurer of said City, shall receive, and securely keep, all moneys belonging to the said City, and make all payments for the same, upon the order of the Mayor, attested by the Clerk, and the seal of the City. He shall keep regular and correct accounts of their real, personal and mixed property, and shall render a correct statement of his receipts and payments to the Board of Aldermen at their first regular meeting in every quarter, and whensoever, at other times, he may be required by them to do so, and at the end of every half year, shall cause to be published, at the expense of the city, a statement showing the amount of receipts and expenditures for the six months next preceding, and the general condition of the treasury, and shall do and perform such other acts and duties as the Board of Aldermen may lawfully require of him as the Treasurer of the city. And for his services, the said Treasurer, shall receive such compensation as the Board of Aldermen may deem sufficient, the said compensation not to be changed during the term of service of any incumbent.

SEC. 13. That the Assessor and Collector of the city shall make up the assessments of all property taxed by the city, and collect the taxes of every kind as they shall become due and owing, and generally perform all the duties in relation to city taxes, as are required of the State Assessors and Collectors in regard to the State and County taxes, under such forms and regulations as the Board of Aldermen may prescribe; and shall pay over to the Treasurer, every month, the moneys which he shall have received, and make a report thereof to the Board of Aldermen at their first regular meeting in every quarter. All assessments of property shall be made under oath by the party returning the same: if the appraisement be unsatisfactory to the Assessor, it shall be referred to a board of three commissioners, being owners of real estate in the city to the value of three thousand dollars, and entirely disconnected with the administration of the city, who shall be appointed by the Board of Aldermen, and whose decision shall be final. The same commissioners shall assess the value

of all property whose owners are unknown, or which may not have been returned, and shall receive for their services such remuneration not being a per centage, as the Board of Aldermen shall think proper.

SEC. 14. That the Clerk of the said city shall be Secretary to the Board of Aldermen, and as such shall, in person, or by his deputy, attend at their meetings, keep a correct minute of all their proceedings, and take charge of all books, records and papers which the said Board shall have for the recording of their ordinances, and the preservation of all other matters and things pertaining to their official acts. He shall be Clerk of the City Court, and as such shall have charge of, and faithfully keep, all books, records and papers whatsoever belonging to the said Court, and do all other acts and duties which he may lawfully be required to do and perform as Secretary of said Board or Clerk of said Court, and for his services he shall receive such fees as the District Clerk receives for similar services, and such other compensation, as the Board of Aldermen shall deem sufficient.

SEC. 15. That the Marshal shall be the Chief Constable of the said city, and shall, either in person or by one of his deputies, attend upon the City Court while the said Court may be in session, and shall faithfully execute all process issued from the said court. He shall be active in quelling riots, disorders and disturbances of the peace within the limits of said city, and shall take into custody all persons so offending against the peace of the community, and him, her or them, have before the City Court, if in session; if the said court be not then in session, the said Marshal shall commit the person, or persons so offending to the city jail, there to be securely kept in custody until the City Court shall be in session, when he, she or they, shall forthwith be taken before the said court, there to be fined and punished according to the laws of the city and the sound discretion of the court, *Provided*, That said Marshal may, at his discretion, take suitable and sufficient bail, for the appearance before the City Court, of any person charged with an offence against the ordinances or laws of the city, being himself responsible for the appearance of said accused. The said Marshal, for the more efficient discharge of his duties, may appoint one or more deputies, who shall have the same powers and perform the same duties as the Marshal has or should perform, the said Marshal being responsible for the faithful performance of their duties by his said deputies; and for his services the Marshal shall receive the same fees as the Sheriff of the county does by law receive for like services, and such other compensation, if necessary, as the Board of Aldermen may deem sufficient.

SEC. 16. That the Superintendent of Streets shall supervise all work undertaken by the Board of Aldermen upon the streets, alleys and public squares of the city; direct the grading of the same and the construction of sidewalks, so as to preserve a due uniformity in their height and width; inspect the draining and filling up of all such lots and low grounds as may be ordered by the City; superintend the building of all culverts and bridges; control all gangs of workmen employed by the City upon the streets; and remove all obstructions that may be unlawfully put in any of said streets, alleys, squares or other public thoroughfares, and generally do all other acts and things which the Board of Aldermen may lawfully require of him, and for his services shall receive such stated salary as the said Board may determine.

SEC. 17. That such other officers, as may be created by the Board of Aldermen, under the third section of this act, shall have such powers, perform such duties, be subject to such penalties and receive such compensation as the Board may direct, and, the said "City of Galveston" shall always be responsible to any person, or persons, for any trespass, wrong, injury or damage done to such person, or persons, contrary to law, by any of the officers of said City under color or pretence of his office, and the said City of Galveston may be amerced in damages for the same in any suit, or suits, brought against the said City, in the courts of this State.

SEC. 18. That for the more efficient discharge of their several duties, the Mayor, and the Recorder of said City, shall be *ex officio* Justices of the Peace

and as such, they, and each of them, shall take cognizance of all crimes and misdemeanors under the laws of this State, committed within the limits of said City, and do and perform all other acts and duties which a Justice of the Peace may lawfully do, except that they shall, in no case, entertain jurisdiction over civil suits. And the said Mayor, the Recorder and the Marshal and his deputies, are hereby fully authorized and empowered to call to their aid, the assistance of any person resident in the said city, whenever, in the discharge of their several duties, in cases of riot, disorder, breach of the peace, or resistance to their lawful authority, they may need the same; and any person, or persons, who shall, when so called upon, neglect or refuse to render his assistance, shall, on conviction thereof in the City Court, be liable, to such fine, not exceeding one hundred dollars, and such imprisonment, not exceeding ten days, as the said court shall, in its sound discretion, impose.

SEC. 19. That whensoever a vacancy shall occur in the Board of Aldermen, or any other office in said city, by death, resignation, removal, or otherwise, or whensoever, from any cause, the regular elections shall not be held at the proper time, the Board of Aldermen may, and shall, as soon as practicable thereafter, order an election to fill such vacancy, or to supply the place of such omitted election, and the said election, so ordered, shall be conducted, in all things, in the same manner as hereinbefore prescribed for the regular elections. And in case of the sickness of any officer, and until the vacancy shall be filled by such election, the Board of Aldermen are hereby fully authorized and empowered to appoint other persons (if it be the office of Mayor, from their own body, and if any other office, from without their body,) to fill such office until such sick person shall recover, or such vacancy be filled by election by the people, or by the Board of Aldermen; and the person so appointed shall have the same powers, perform the same duties, be subject to the same penalties, and receive the same compensation for the time being, as if he had been duly elected to said office.

SEC. 20. The Board of Aldermen shall hold their regular meetings on the first and third Mondays of each and every month, and may meet at any other time that the Mayor shall, in his discretion, call them together, or any three of themselves shall deem necessary. Each member of said Board shall receive, for every regular meeting which he shall attend, the sum of three dollars, any member who shall fail to attend a regular meeting, shall, for each and every such failure, be fined three dollars, unless prevented from attending by sickness of himself, or in his family; and no member of said Board shall be appointed to any employment, contract or office under the said corporation, except to the office of Mayor *pro tempore*, as provided in the next preceding section.

SEC. 21. That all real estate, which may be sold by, or under the direction of the corporate authorities of said city, for taxes, or to pay the expenses of draining, and filling up the same, as provided in the eleventh section of this act, may be redeemed at any time within two years from the date of sale, by the proprietor, his heirs, executors or administrators, paying to the purchaser thereof, his representatives or assigns, or depositing with the Assessor and Collector, for his or their benefit, double the amount of the purchase money and of the taxes which he, or they, may have subsequently paid thereon; nor shall any title issue to said purchaser before the expiration of said two years, but only a certificate of purchase, saving, nevertheless, to infants *femes covert* and persons *non compos mentis*, in addition to the two years, the period of infancy, coverture, or mental disability.

SEC. 22. That in any suit or action, in any court in this State, in which the said City of Galveston shall be a party, it shall be no exception to the competency of a witness, that he is an inhabitant of, or the owner of taxable property in the said City; and all writs, notices, and other process served upon the Mayor, or the person acting in his stead for the time being, shall be deemed to be served upon the City of Galveston.

SEC. 23. That all laws, and parts of laws, heretofore passed in relation to the incorporation of the City of Galveston be, and the same are hereby repealed. *Provided, nevertheless,* That all ordinances, laws and by-laws, passed by the

corporate authorities of said City under said acts, and which are now in force, shall remain in force until the same are altered, amended or repealed by the said authorities under the present act; nor shall any thing in this act contained, be so construed as to alter or impair any contract or obligation which may heretofore have been entered into by the duly constituted authorities of said City, but all such obligations and contracts, and all debts and liabilities due and owing to and from the said City, shall be and remain to all intents and purposes as binding upon the parties as if this act had not been passed.

SEC. 24. That so much of this act, as relates to the City elections shall go into effect from and after its passage, and the next annual election shall be held under the provisions of the same; and that this act go into operation, in all its parts, from and after the day of said election.

Approved December 9th, 1863.

CHAPTER XIII.

AN ACT for the relief of the heirs of Francis L. Toncary.

SECTION 1. *Be it enacted by the Legislature of the State of Texas,* That the Commissioner of the General Land Office be and he is hereby authorized and required to issue to the heirs of Francis L. Toncary, a bounty certificate for six hundred and forty acres of land; said certificate, when issued, shall be located, surveyed, and patented, as other certificates of like character.

SEC. 5. That this act take effect from and after its passage.

Approved December 8th, 1863.

CHAPTER XIV.

AN ACT for the relief of George E. Burney.

SECTION 1. *Be it enacted by the Legislature of the State of Texas,* That the sum of six hundred dollars, in Confederate money, be and the same is hereby appropriated to reimburse George E. Burney, for actual expenses incurred by him in going to the State of Mississippi, by order of the Governor, to demand the delivery of George B. Payne, William Payne, Hezekiah Payne, and John T. Berry, fugitives from justice, charged with forging and uttering counterfeit Confederate Treasury notes.

SEC. 2. That this act take effect from its passage.

Approved December 11th, 1863.

CHAPTER XV.

AN ACT to incorporate San Saba Masonic College.

SECTION 1. *Be it enacted by the Legislature of the State of Texas,* That "San Saba Masonic College," in San Saba county, be incorporated, and that John W. Hudson, J. B. Harrell, John H. Brown, J. S. Williams, and William Thaxton, and their successors, be and they are hereby constituted a board of trustees for said College, and they and their successors made a body corporate, capable in law of suing and being sued; they shall have succession and hold property to the value of twenty thousand dollars, and shall have a common seal, and do all things necessary to carry out the designs of said incorporation in the maintenance of a good Collegiate School in San Saba county: *Provided,* the privileges granted in this act shall continue in force for twenty-five years, and no longer.

SEC. 2. That said College shall be under the general direction, supervision, and patronage of the Masonic Lodge, No. 225, at San Saba; but no religious test or qualification of any kind whatever shall be a requisite, in order to become a trustee, president, professor, or student, in said College.

SEC. 3. That whenever a vacancy shall occur, from any cause, in the board of trustees, the board shall have power to fill it; and, at any time hereafter, the board may increase their number, not to exceed nine, subject, however, to the ratification of the Masonic Lodge, No. 225, at San Saba.

SEC. 4. That the trustees shall have power, by the president and faculty of said College, to grant and confer such degree or degrees, in arts and sciences and learned professions, to the students of said College, and to other persons worthy thereof, as are usually granted and conferred in other Colleges in the Confederate States, and to give certificates thereof, or diplomas, signed by them and sealed with the common seal of the trustees of the College, to authenticate and perpetuate the memory of such graduations.

SEC. 5. That no misnomer of said College shall defeat or annul any gift, grant, devise, or bequest, to the same.

SEC. 6. That this act take effect and be in force from and after its passage.

Approved December 11th, 1863.

CHAPTER XVI.

AN ACT amendatory of "An Act to amend a Joint Resolution, entitled 'Joint Resolution for the relief of the heirs and assignees of Benjamin D. Nobles, deceased,' approved December 31st, 1849.

SECTION 1. *Be it enacted by the Legislature of the State of Texas, That the first section of the above recited act shall hereafter read as follows: That the first section of the above recited Joint Resolution be and the same is hereby amended so as to read as follows: That the Comptroller be and he is hereby authorized to receive the amount due on lots number one and three, in block number sixty-seven, and lot number twelve, in block number fifty-five, in the city of Austin, from the legal representatives of Benjamin D. Nobles, deceased; and, upon the receipt thereof, that he issue the usual certificate for patent.*

SEC. 2. That this act take effect from and after its passage.

Approved December 11th, 1863.

CHAPTER XVII.

AN ACT to incorporate the Parsons Female Seminary.

SECTION 1. *Be it enacted by the Legislature of the State of Texas, That E. D. Towns, T. M. Rector, N. S. Rector, Isaac Wildbahn, Edward Harrington, James Manor, Joseph Barnhart, trustees of the Parsons Female Seminary, situated in the county of Travis, be and are hereby created a body corporate, under the name and style of "The Board of Trustees of the Parsons Female Seminary," and by that name sue and be sued, plead and be impleaded, enact by-laws, rules and regulations, purchase, take, hold, and enjoy, all property of every and all kinds, for the benefit of the said institution; to convert said property into money, and dispose of the same; and shall have a common seal for the transaction of its business.*

SEC. 2. That the rights and privileges herein granted shall extend to the trustees named in the preceding section and their survivors, and to no other person. In the event of the death of one or more of said trustees, all the rights and privileges, granted by the provisions of this act, shall be taken, exercised, and enjoyed, by their survivors; and, on the death of all the said trustees, then the corporation herein created shall become extinct.

SEC. 3. That the board of trustees shall have power, upon the recommendation of the faculty, to confer degrees in the arts and sciences upon the graduates of said Seminary, and upon such other persons as they may deem worthy, and give diplomas of the same, by the president and faculty of the Seminary and by the president of the board of trustees.

SEC. 4. That all donations or bequests of said Seminary shall be good and

binding, although the corporate name may have not been properly stated by the person making such bequest or donation.

SEC. 5. The board of trustees may elect from their own number, under such rules and regulations as they may adopt, and for such terms and times as they may see proper, a president, secretary, and treasurer, or any other officer or agent, necessary in the board; they shall also have the power to construct, enlarge, or alter, or remove, all necessary buildings for the purpose of said Seminary, and to do all things necessary to the proper conduct and management of said Seminary, not contrary to law or inconsistent with this charter.

SEC. 6. That this act take effect and be in force from and after its passage. Approved December 14th, 1863.

CHAPTER XVIII.

AN ACT to validate the official acts of Joseph Wallis, as Notary Public of Washington county.

SECTION 1. *Be it enacted by the Legislature of the State of Texas.* That the official acts and deeds of Joseph Wallis, acting as Notary Public within and for Washington county, from and after the 9th day of March, A. D., 1861, and before the 21st day of November, A. D., 1863, be and the same are hereby declared to be as legal and valid, to all intents and purposes, as though he had been duly nominated and confirmed, as the law requires.

SEC. 2. That this act take effect and be in force from and after its passage. Approved December 14th, 1863.

CHAPTER XIX.

AN ACT to incorporate the Rusk County Iron Company.

SECTION 1. *Be it enacted by the Legislature of the State of Texas.* That William Davenport, W. W. Morris, Taylor Brown, William L. McMurray, R. W. McClane, A. S. Hayter, John Borham, John Buckner, and W. W. Bell, citizens of the State of Texas, their associates and successors, be and they are hereby created a body corporate and politic, under the name and style of "The Rusk County Iron Company," with capacity to own property, real, personal and mixed, in such quantities as may be necessary for the legitimate purposes of this corporation, to make contracts, have a common seal, establish by-laws for its government, and, in their corporate name, to sue and be sued, to grant and receive, and generally to do and perform such things and acts as may be essential and incident to the fulfilment of their objects, or the maintenance of their rights under this act, and not inconsistent with the constitution of this State.

SEC. 2. That said company is hereby created with the right to erect, own, maintain, and carry on, a manufactory of iron and steel of every description whatever, and all other articles of which iron or steel forms a part, at such place or places as said company may select, in the county of Rusk.

SEC. 3. The capital stock of said company shall be divided into shares of one hundred dollars each, and the holders of said shares shall constitute said company, and the capital stock of the company shall not exceed five millions of dollars.

SEC. 4. The business of said company shall be conducted by a board of directors of not less than three nor more than five, chosen by the stockholders out of their number, at such time and place as the corporators herein mentioned, or a majority of them, may prescribe, and annually thereafter: *Provided*, That in case of failure to elect at the stated time, the board of directors incumbent shall hold their office until there be an election, the time and place for which may be fixed by said board, of which there shall be reasonable notice, of not less than twenty days.

SEC. 5. That no person shall be eligible as director, unless he be a member of said company. The board shall elect from their number a president, fill vacancies, and appoint such officers as they may deem necessary, and exact security for the faithful performance of their duties, and fix the time for the payment of all instalments, to declare forfeitures of stock for non-payment, and to do and perform all things which they may deem necessary to a successful prosecution of the business of the company. A majority of said board of directors shall constitute a quorum for business.

SEC. 6. The members of said company shall be entitled to the benefits of any bonus, loan, or other benefits, that may be granted to companies, or to individuals, who engage in the manufacture of iron, by any law passed by the Legislature.

SEC. 7. That the parties named in the first section of this act, are hereby invested with the right to organize said company, and that this charter shall expire at the expiration of ninety years from the passage of this act.

SEC. 8. This act shall take effect from its passage.

Approved December 15th, 1863.

CHAPTER XX.

AN ACT to incorporate the Seguin Mutual Aid Association.

SECTION 1. *Be it enacted by the Legislature of the State of Texas.* That the officers and members of the Seguin Mutual Aid Association, as now organized, be and they are hereby constituted a body corporate and politic, under the name and style of "The Seguin Mutual Aid Association," and by that name they and their successors are declared capable in law of suing and being sued, in any of the Courts of this State, of holding property, real, personal and mixed, of selling and conveying the same at pleasure, of having a common seal, and of doing and performing whatever may be proper and necessary to be done for the conducting of a general mercantile establishment, not contrary to the constitution and laws of this State.

SEC. 2. That the officers and members of said association may enact such by-laws for their government as they may, from time to time, deem necessary and proper, and shall have all such rights and privileges as are by law incident to, or necessary for, corporations of a similar character; and that this act take effect from and after its passage, and shall continue in force until one year after the close of the war between the Confederate States and the United States.

Approved December 15th, 1863.

CHAPTER XXI.

AN ACT to incorporate the Gonzales Mutual Aid Association.

SECTION 1. *Be it enacted by the Legislature of the State of Texas.* That the officers and members of the Gonzales Mutual Aid Association, as now organized, be and they are hereby constituted a body corporate and politic, under the name and style of "The Gonzales Mutual Aid Association," and by that name they and their associates and successors, on such legal terms as they may adopt for the purposes herein stated, shall be a corporate body, by the name of "The Gonzales Mutual Aid Association," and in that name shall have all the ordinary privileges of a corporation.

SEC. 2. The business of the Association shall be to furnish necessaries for its members, for families and other dependents of officers and soldiers who have been, or may be, in the service of either the Confederate or State Government, and for general market, at prices which shall not exceed the aggregate of cost and twenty-five per centum thereon, allowing for current rates of exchange.

SEC. 3. For accomplishing said objects, the association may trade in any suitable manner.

SEC. 4. The capital stock may be one hundred and twenty thousand dollars, or any less amount, in shares of one hundred dollars, or any less amount, as the association may determine.

SEC. 5. This act shall be in force from and after its passage, and remain in force for twelve months after the ratification of a treaty of peace between the Confederate States and the United States.

Approved December 15th, 1863.

CHAPTER XXII.

AN ACT to relieve Joseph A. Black from the disabilities of minority.

SECTION 1. *Be it enacted by the Legislature of the State of Texas,* That Joseph A. Black, of Brazoria county, be and is hereby relieved from the disability of minority, and empowered to contract, and do, and perform all acts, as if he were of full age: and that this act take effect and be in force from and after its passage.

Approved December 15, 1863.

CHAPTER XXIII.

AN ACT to authorize the Comptroller to issue a duplicate ten per cent. Treasury warrant.

SECTION 1. *Be it enacted by the Legislature of the State of Texas,* That the Comptroller is hereby authorized to issue, to the original parties, a duplicate ten per cent. Treasury warrant, No. 1521, of date March 19th, 1861: *Provided,* the same has not already been returned to the Treasury, or been cancelled and other warrants without interest, been issued in lieu thereof.

SEC. 2. That before the Comptroller issues a duplicate, a bond shall be filed with him, conditioned that, in the event of the original being presented, the parties shall indemnify the State.

SEC. 3. That this act take effect and be in force from its passage.

Approved December 15th, 1863.

CHAPTER XXIV.

AN ACT for the relief of Carey Watson and his assigns.

SECTION 1. *Be it enacted by the Legislature of the State of Texas,* That the Commissioner of the General Land Office is required to issue a patent for three hundred and twenty acres of land to Carey Watson, or his assigns, in a survey made by virtue of unconditional certificate, No. 42, located within the Memphis, El Paso and Pacific railroad reservation, in the same manner as if the field notes had been returned within twelve months after the date of survey: *Provided,* said certificate is genuine, and that the file for the appropriation of said land was made before the date of reservation of said land from location.

SEC. 2. That this act take effect and be in force from its passage.

Approved December 15th, 1863.

CHAPTER XXV.

AN ACT to ascertain and establish the dividing line between Falls and Limestone counties.

SECTION 1. *Be it enacted by the Legislature of the State of Texas,* That the Chief Justice of Falls county be and is hereby authorized, at any time before the first day of April, 1864, to appoint one commissioner to act on the part of said county, and shall immediately notify the Chief Justice of Limestone county

of such appointment. Upon the receipt of such notice, it shall be the duty of the Chief Justice of said Limestone county to appoint a like commissioner, to act on the part of Limestone county. The two commissioners so appointed shall, within one month after their appointment, select a third; and the three, so appointed and selected, shall, upon the first day of June, 1864, procure said line to be run and marked by such competent surveyor as they, or a majority of them, may select.

SEC. 2. In order to ascertain said line, said commissioners and surveyor shall commence at the upper corner of league No. 5, in the name of L. B. Franks, on the west bank of the Brazos river, and run thence north, sixty degrees east, fourteen miles; thence south, thirty degrees east, to the boundary of Robertson county.

SEC. 3. Should said line not be run and marked, as provided for in the preceding sections in this act, by the first day of June, 1864, then, and in that event, the line heretofore run and marked by Thomas J. Oliver, District Surveyor of Robertson Land District, (a plat and field note of which are on file in the County Clerk's office of Limestone county,) shall be deemed and held to be the true and established line between said counties, unless the failure to have said line run and marked, as herein provided, by the first day of June, 1864, shall have been caused by the neglect, or refusal, of the Chief Justice or commissioner of Limestone county to co-operate with the Chief Justice or commissioner of Falls county.

SEC. 4. The surveyor herein provided for, upon completing said survey, shall make out a plat and the field notes thereof, in duplicate, and deliver a copy to each of said Chief Justices.

SEC. 5. The expenses of making said survey shall be paid, in equal proportions, by each of said counties.

SEC. 6. This act shall take effect and be in force from and after its passage. Approved December 15th, 1863.

CHAPTER XXVI.

AN ACT to provide for the organization of McMullen county, and to attach the same to the Fourteenth Judicial District.

SECTION 1. *Be it enacted by the Legislature of the State of Texas,* That within sixty days from the passage of this act, or so soon thereafter as practicable, the Chief Justice of Live Oak county shall order an election to be held in the county of McMullen for county officers, by giving at least twenty days notice of the time and places of holding the same, and designating presiding officers. The presiding officers at such election shall swear the managers and shall themselves be sworn by the judges; said election shall be governed by the General Election law; shall be returned to the officer ordering the same; and said returns opened by him not sooner than the tenth, nor later than the twentieth, day after said election; he shall issue certificates of election to the officers elected, and administer to the Chief Justice elect the oath of office; and said Chief Justice shall, immediately thereafter, administer the oath of office to the other officers elect in the county, shall organize the County Court and complete the qualification of officers and the organization of the county, and make a return to the Secretary of State of the names of the officers elected, and the fact of their qualification, certifying thereto under his hand and seal of the Court.

SEC. 2. That immediately after the organization of the County Court, said Court shall select, not exceeding three, places suitable for a county seat, within five miles of the centre of the county, having due respect to donations or other advantages, and shall order an election for county seat, giving at least twenty days notice thereof, which election shall be conducted under the General Election laws, and the returns made to, and opened by, said Court, on the tenth day after the election. The place receiving a majority of all the votes cast shall be the county seat; and, if neither place shall receive a majority of all the votes

cast, a second election shall be immediately ordered between the two places having the largest number, in the same manner as aforesaid; and the final result of said election shall be entered in the minutes of the County Court, and a decree entered by them declaring the result, and giving the name adopted by them for said county seat; a copy of which decree shall be forwarded to the Secretary of State.

SEC. 3. The County Court shall have the power to acquire by donation, purchase, or otherwise, land for a county site, at the point selected as herein provided, not to exceed three hundred and twenty acres; or, should the point selected be upon vacant public domain, then the State hereby relinquishes the same, not to exceed three hundred and twenty acres, to such county; and, upon the return of the field notes thereof, certified as correct by a lawful surveyor, a patent shall be issued to the county for the same; and the Court shall proceed to lay out the land, acquired under this act, into lots, blocks, and streets, setting apart ground for public purposes, churches, school-houses, and cemeteries; and, after giving at least twenty days notice, sell the same at such times, and on such terms, as said Court may deem best for the interest of the county. The proceeds of all such sales shall be appropriated exclusively to the erection of public buildings. Should all, or any portion, of said lots be sold on a credit, the county shall hold a lien on the same, to secure payment or reversion of the land to the county, in case of non-payment.

SEC. 4. That said county of McMullen, until organized, shall be attached to Live Oak county for judicial, revenue and military purposes, and, when organized, shall be attached to the fourteenth judicial district. All laws and parts of laws, conflicting with the provisions of this act, are hereby repealed; and this act shall take effect and be in force from and after its passage.

Approved December 15th, 1863.

CHAPTER XXVII.

AN ACT to incorporate the Comal Oil Company.

SECTION 1. *Be it enacted by the Legislature of the State of Texas*, That Herman Iken and his associates, and successors, be and they are hereby created a body corporate and politic by the name of "The Comal Oil Company," with power to sue and be sued, plead and be impleaded, to acquire, hold and convey property, real and personal, to have succession, and a common seal, and do such other things as are necessary to carry out the purposes of this act.

SEC. 2. The said corporation shall have power to erect and use buildings and machinery for the manufacture of oils, and of such other useful articles as shall not be prohibited by law: *Provided*, That said property shall never exceed in value one hundred thousand dollars.

SEC. 3. The capital stock of said company shall consist of shares of five hundred dollars each, which may be issued to the number of two hundred, the shareholders shall make by-laws for the government of the affairs of the company, and create such board of management as they think proper.

SEC. 4. That this act take effect from its passage, and continue in force for twenty years.

Approved December 15th, 1863.

CHAPTER XXVIII.

AN ACT to incorporate the East Texas Manufacturing Company.

SECTION 1. *Be it enacted by the Legislature of the State of Texas*, That William M. Freeman, Asa W. Wright, Martin D. Rogers, Bailey Johnson, John Wilkes, M. F. Locke, and S. W. Beasley, and their associates, be and they are hereby incorporated a body politic, under the name and style of "The East Texas Manufacturing Company." for the purpose of manufacturing cotton and woolen

goods, spinning of thread, and other fabrics for home or public use, and to perform all other acts and things necessary to the successful prosecution of the objects of the association, to hold real and personal property, to sue and be sued, plead and be impleaded, and take all other legal ways and means to carry out the objects of said corporation.

SEC. 2. The capital stock of said company shall not exceed the sum of two hundred thousand dollars, and may be invested in any way best calculated to insure the successful prosecution of the business of the company, who shall have the right to locate their manufactory at any point not over one hundred miles from the town of Jefferson, in Marion county, in this State. The parties named and appointed by this act, are hereby invested with the rights and power of directors, until directors are elected or chosen by the stockholders, when the power of said directors shall cease.

SEC. 3. When twenty-five thousand dollars of the capital stock is subscribed on the books of the company, the directors shall proceed to organize said company by calling the stockholders together and dividing the capital stock into shares of one hundred dollars, each share entitling the owner thereof to one vote, by himself or by written proxy; any stockholder may transfer his or her stock in writing, properly attested, which may show that the stock has changed hands.

SEC. 4. The government of the affairs of said company shall be vested in a board of five directors, a majority of whom shall constitute a quorum for the transaction of business; the stockholders shall elect one of their number president of the company. The directors shall give at least ten days notice to each stockholder of the time and place of election of new directors and president, who shall be chosen from among the stockholders, and hold their office for two years, and have the power to fill any vacancy that may occur in their board, until the next regular election; they shall also have power to appoint such other officers as they may find to be necessary, and require bonds for the faithful performance of their several duties; the books of said company shall be open to inspection of the stockholders at all times.

SEC. 5. The board of directors shall be convened by the president, who shall preside at all meetings of the board and stockholders, and, in his absence, a president *pro tem.* may be elected.

SEC. 6. Any stockholder failing or refusing to pay in his stock, or any instalment, after ninety days notice from the directors, without good cause shown, said stock shall be forfeited to the company, together with all instalments previously paid: no stockholder shall be liable for any debt or liability of said company for more than the amount of stock subscribed by him.

SEC. 7. The rights, powers, privileges, and immunities, hereby granted and conferred under this act, shall remain in force for the term of twenty-five years.

SEC. 8. This act shall take effect from and after its passage.

Approved December 15th, 1863.

CHAPTER XXIX.

AN ACT to incorporate the Paluxy and Brazos Sulphur, Nitre and Powder Manufacturing Company.

SECTION 1. *Be it enacted by the Legislature of the State of Texas,* That John M. McReynolds, B. O. McReynolds, Shelby Stanfield, Jackson Berry, David McPhail, George Martin, Edward Pugh, Asa M. Wright, and Martin D. Rogers, and their associates and successors, be and the same are hereby declared and constituted a body politic, under the name and style of "The Paluxy and Brazos Sulphur, Nitre and Powder Manufacturing Company," with capacity to own property, both real and personal, to make contracts, to have succession and a common seal, to make by-laws for its government, and, in its corporate name, to sue and be sued, to grant and receive, and generally to do and perform such acts and things necessary and proper for, and incident to, the fulfilment of its

objects, or maintenance of its rights under this act, and consistent with the provisions of the constitution of the State of Texas.

SEC. 2. That the said company be and is hereby established, with the right to erect, own, maintain and operate a Nitre, Sulphur and Powder Manufactory, and other articles of a like nature, and derivable from ores, or earths, containing nitre, sulphur, or their acids, separately or conjointly, at such place or places as said company may elect.

SEC. 3. That the capital stock of said company shall be divided into shares of one hundred dollars each; and the holders of said shares shall constitute said company; and said capital stock shall not exceed fifty thousand dollars.

SEC. 4. That the affairs and business of said company shall be conducted by a board of directors, not less than three nor more than five, who shall be elected by the stockholders at their organization under this act, and annually thereafter: *Provided*, That in case of failure to elect at the stated time, or times, that the board of directors incumbent shall continue in office until there be an election, the time for which may be fixed by said board, whereof reasonable notice shall be given.

SEC. 5. That no person shall be eligible as a director, unless he be a member of the company. The said board shall elect a president from their number, fill vacancies, and appoint such officers as they may deem necessary, and require security for faithful performance of their respective duties; also, prescribe the time for payment of instalments and assessments on stock, and to declare the forfeiture of for non-payment of stock; and to do generally, or cause to be done, all other acts and things which they shall deem proper in conducting the business of said company; a majority of the board of directors shall constitute a quorum to do business.

SEC. 6. That the parties named in this act are hereby appointed commissioners and invested with the right of organizing said company, and that this charter shall expire at the end of twenty-five years from the passage of this act; and for that period the commissioners, or their associates and successors, named in this act, shall have the right to work and operate any mine or mines, cave or caves, reserved to the State, free from charge, let, or hindrance, on the part of the State of Texas.

SEC. 7. That this act take effect from and after the date of its passage.

Approved December 15th, 1863.

CHAPTER XXX.

AN ACT to authorize the Comptroller of the State to issue to A. R. Crozier duplicate ten per cent. Treasury warrants.

SECTION 1. *Be it enacted by the Legislature of the State of Texas*, That the Comptroller be and he is hereby authorized to issue to A. R. Crozier duplicates for the ten per cent. Treasury warrants No. 3163, dated July 22d, 1861, and Nos. 3835 and 3837, dated October 22d, 1861.

SEC. 2. That said Crozier shall be required to produce evidence to the satisfaction of the Comptroller, that he is the just and rightful owner of said warrants, and that he has not sold, transferred or assigned the same; and shall also execute and file with the Comptroller a bond, in double the amount of the warrants, with two or more good and sufficient sureties, to indemnify the State against any other claim that may be set up against the State on account of said warrants.

SEC. 3. That this act take effect and be in force from and after its passage.
Approved December 15th, 1863.

XXXI.

AN ACT to incorporate the Hempstead Manufacturing Company.

SECTION 1. *Be it enacted by the Legislature of the State of Texas, That* H. S. Hubby, A. Verse and W. W. Williams, of the State of Texas, their associates and successors be, and are hereby constituted and declared to be a body politic and corporate, under the name and style of the Hempstead Manufacturing Company, with capacity to own property, real and personal, not exceeding three hundred thousand dollars in value; make contracts; to have succession; a common seal; to make by laws for its government, and, in its corporate name, sue and be sued; to grant and receive, and generally to do and perform such acts and things as may be necessary and proper for, or incident to, the fulfillment of its objects, or maintenance of its rights, under this act, and consistent with the provisions of the State Constitution.

SEC. 2. That the said company be, and is hereby established, with the right to erect, own, maintain and carry on, an establishment for the manufacture of wool rolls, blankets, woolen and cotton cloth, spinning jinnies, spinning wheels, looms, reels, fire-arms and other articles of prime necessity, separately or conjointly, at Hempstead, or such place, or places, as said company may select; that said company also have the privilege of running a Grist Mill in connection with the above mentioned business, when it does not interfere with the successful operation of the manufacturing department.

SEC. 3. That the parties named in this act, are hereby invested with the right of holding as many wagons and teams as may be necessary to carry on the successful operation of said manufactory.

SEC. 4. *Be it further enacted,* That said company be allowed, for the successful prosecution of said business, the following named competent hands, to-wit: A. Gurbmett (engineer), A. Oswald (blacksmith), David Myers (wood-workman), William Wolf (weaver), A. Lendeman (wood-workman), W. C. Harney (wood-workman), and all other hands which they may employ in said factory, to be exempt from military duty so long as they shall be employed in said manufactory, and so long as said factory shall turn out a reasonable number of the articles herein mentioned, and are not sold for more than seventy-five per cent. above cost.

SEC. 5. That this act take effect and be in force from and after its passage, and remain in force for 20 years.

Approved December 16th, 1863.

CHAPTER XXXII.

AN ACT for the relief of the heirs of Miron B. Crawford.

SECTION 1. *Be it enacted by the Legislature of the State of Texas, That* the Commissioner of the General Land Office be, and he is hereby authorized and required, to issue to the heirs of Miron B. Crawford, deceased, a certificate for three hundred and twenty acres of land, which said certificate may be located and surveyed as other genuine certificates.

SEC. 2. That this act take effect and be in force from and after its passage.

Approved December 16th, 1863.

CHAPTER XXXIII.

AN ACT to incorporate the Brazos Manufacturing Company.

SECTION 1. *Be it enacted by the Legislature of the State of Texas, That* Francis P. Wood, of Brazos county, Charles Cooper and Henry E. Lockett, of Washington county, R. H. Taylor, of Bonham, State of Texas, and Thomas F. Lockett, of the State of Missouri, and their associates and successors, be, and they are hereby declared to be a body corporate and politic, under the name and style of the Brazos Manufacturing Company, with capacity to make contracts; to

have succession and a common seal ; to make by-laws for the government and regulation of its affairs, and in said corporate name to sue and be sued ; to buy, receive and possess moveable and immoveable property, and to sell, alienate and dispose of the same, and generally to do and perform, all such acts and things as may be necessary and proper for, or incident to, the fulfillment of its objects, or the maintenance of its rights under this act, and consistent with the Constitution of this State.

SEC. 2. The said Company shall have the right, power and authority to own, erect, establish, maintain and operate, machinery and buildings, with all necessary fixtures, on the Brazos river, or its tributaries, for the manufacture of cotton and woolen goods or such other articles as said company may, at any time, choose to manufacture.

SEC. 3. The capital stock of said Company shall be not less than one million, nor more than two million dollars, to be divided into shares of one thousand dollars each, and the holders of said shares shall constitute said company, and each member shall be entitled to one vote in person, or by written proxy, for each and every share, he, or she may own upon the books of the company, and under such rules and regulations as may be from time to time prescribed by the by-laws of said company.

SEC. 4. The capital stock of the said company shall be transferable only upon the books of said company, in such a manner, and subject to such regulations, as a majority of the stockholders may from time to time prescribe.

SEC. 5. All the corporate powers of the company shall be exercised by a board of directors, composed of not less than three, nor more than nine stockholders, to be elected on the first Tuesday in January, of each year, at the office of the said company, *Provided*, The first election may be held in the town of Washington, immediately after the organization of the said company, and the board so elected, shall continue in office until the first annual election thereafter, and until their successors are elected ; in all elections those persons who shall receive a plurality of votes, shall be considered elected, and in case of failure to elect at the stated time, the board of directors, then in office, shall continue until the next annual election.

SEC. 6. The Board of Directors shall elect a President from their number, fill vacancies, and appoint such other officers and agents as they may deem necessary, and remove the same at pleasure, and require security for the faithful performance of their duties ; said board shall also prescribe the time for the payment of instalments or assessments upon stock, and the amounts of such assessments and instalments ; shall have the right to declare the forfeiture of such stock for non-payment, and do, or cause to be done, all other acts and things, which they may deem necessary, or proper, in conducting the affairs of the company. A majority of said Board of Directors shall constitute a quorum for doing business, and the board shall have the right to appoint a Vice-President from their number, to act in case of the absence of the President.

SEC. 7. All instruments of writing executed by the President, or in his absence, by the Vice President, and by the Secretary, under the Seal of the company, with the consent of the board of directors, shall be valid and binding on the company.

SEC. 8. This act shall take effect and be in force from and after its passage, and continue twenty-five years, *Provided*, That no benefits shall accrue under the provisions of this act, unless the manufactory shall be put in successful operation within three years from the passage of this act.

Approved December 16th, 1863.

CHAPTER XXXIV.

AN ACT for the relief of the Tonkaway Indians.

SECTION 1. *Be it enacted by the Legislature of the State of Texas, That the sum of twenty thousand dollars, or so much thereof as may be necessary, is*

hereby appropriated out of any funds, not otherwise set apart, in the Treasury, for the support of the Tonkaway Indians.

SEC. 2. That the sum herein appropriated, is for the purpose of enabling a settlement of the accounts of the officers of the Frontier Regiment, who have furnished provisions to said Indians since the 23d day of August, 1863; and to provide for the purchase of provisions and blankets for said Indians, until such time as they may be provided for by the Confederate States Government.

SEC. 3. That while these Indians remain in Texas, and remain unprovided for by the Confederate States, the Governor be authorized to have the warriors employed on the frontier, with the frontier organization, at the same rate of pay allowed to the State organization; and that this act take effect from its passage.

Approved December 16th, 1863.

CHAPTER XXXV.

AN ACT for the relief of James P. Dumas.

SECTION 1. *Be it enacted by the Legislature of the State of Texas,* That the Comptroller of the State be authorized and required to audit the claims of James P. Dumas, for beef furnished the regiment of State Troops under the command of Col. Wm. C. Young, in the year 1861, and that he allow the said Dumas the amount due him on the contract made with the Quartermaster of said regiment.

SEC. 2. That the sum of three thousand, three hundred and twenty-five dollars and sixty-three cents, Confederate Treasury notes, or so much thereof as may be necessary, is hereby appropriated out of any moneys in the Treasury, not otherwise set apart, to pay the said Dumas, when his claim has been settled by the Comptroller, as herein provided, and that this act take effect from its passage.

Approved December 16th, 1863.

CHAPTER XXXVI.

AN ACT to incorporate the Port Sullivan Male and Female College.

SECTION 1. *Be it enacted by the Legislature of the State of Texas.* That W. H. White, J. G. Hanna, C. O. Barton, D. Cole, F. M. Hale, J. C. Livingston, B. Stratman, R. J. Davis, J. Furguson, H. A. Foster and C. C. Wilcox, and their successors in office, be, and are, hereby constituted a board of Trustees for the Male and Female College, established at Port Sullivan, in the county of Milam, and State of Texas, and which, by this act, is incorporated by the name and style of the "Port Sullivan Male and Female College," with perpetual succession for thirty years, and by which name may sue and be sued, plead or be impleaded, buy and sell property, real, personal or mixed; may have a common seal, and do and perform any and all acts, that may be necessary to carry out the provisions of this act, for the benefit of said college, and may establish such rules and regulations, for the government of the same, as they may deem necessary, and which may not be inconsistent with the constitution and laws of the State of Texas, or of the Confederate States, and, in short, may do and perform all other acts incident to similar institutions, for the benefit of the same.

SEC. 2. Said college may have a male and female department, in which may be taught all branches of education taught in such institutions, to which may be added a military department, in which the science of war shall be taught, at the discretion of the body politic.

SEC. 3. Said board, and their successors in office, shall have power to receive, as donations, or otherwise, any lands, tenements, moneys, rents, goods, chattles or effects, that may be given, granted, donated or devised to said college, for

the purposes of education, not to exceed in value, exclusive of the college grounds and buildings, five hundred thousand dollars.

SEC. 4. The before mentioned trustees shall have power to regulate their own time of service, not to exceed two years at any one time, without re-election by the stockholders, or body hereby incorporated; they shall have power to employ all necessary professors, tutors and teachers, to confer degrees, and to do any and every act usually done in similar institutions, not inconsistent as hereinbefore provided.

SEC. 5. All the acts and doings of the board of trustees, heretofore had and performed, in reference to said college, is hereby legalized and held as valid and obligatory: *Provided*, That the same be not inconsistent to the existing laws of the State.

SEC. 6. This act take effect and be in force from and after its passage.

Approved December 16th. 1863.

CHAPTER XXXVII.

AN ACT to incorporate Chappell Hill Manufacturing Company.

SECTION 1. *Be it enacted by the Legislature of the State of Texas*, That William W. Browning, Bryant L. Peel, James F. Dumble, Gabriel Felder, Charles G. Young, Alexander McGowen, James F. Harvey and S. W. Sims, and their associates and successors in office, be, and are, hereby created into a body corporate and politic, for the purpose of manufacturing woolen and cotton cloths, cotton seed oil and iron, under the name and title of the "Chappell Hill Manufacturing Company," and in this name and style shall have full power to sue and be sued, plead and be impleaded and to do and perform all other acts and exercise all the rights and privileges, and be endowed with all the power incident to corporations.

SEC. 2. That the capital stock of said company shall be the amount actually paid in by the stockholders, at any time. *Provided*, That the capital stock shall not exceed one million of dollars, and shall consist of all its property, real, personal or mixed, choses in action, franchises or rights to property inchoate or perfected, and shall be divided into shares of one hundred dollars each and be deemed and considered in law personal property and estate, and be transferable by any conveyance in writing, recorded by the proper officer of said company, in books to be kept for that purpose at its office.

SEC. 3. That the above named incorporators shall be, and are, hereby constituted a provisional board of directors, a majority of whom shall constitute a quorum, and shall have power to open books for subscription to the capital stock of the company, and as soon as it shall be ascertained that fifty thousand dollars shall have been subscribed, they shall call a meeting of the stockholders who shall organize the company by the election of a new board of directors, and this corporation shall go into operation. The new board of directors, and their successors in office, shall be authorized, at their discretion, to increase the capital stock from time to time, by receiving new subscriptions, until the amount of one million shall have been subscribed, as provided in section two of this charter. The board of directors shall be authorized to fix the instalments upon subscriptions, and determine the times and manner of payment, all of which may be changed from time to time, at their discretion; they shall be authorized to receive, in payment of stock, Confederate Treasury notes, or bonds, or any kind of property, upon such terms as they may deem proper.

SEC. 4. That the business of the company shall be conducted by a board of seven directors, who shall be stockholders, four of whom shall constitute a quorum. The directors shall be elected by the stockholders, each share being entitled to one vote, which may be given in person or by proxy. The election for directors shall be held by the commissioners selected by the stockholders for that purpose. The first board elected shall hold their office until the first Mon-

day in October, 1864. The elections for directors shall be held on that day, and annually thereafter on the first Monday in October in each year; but a failure to hold the election shall not dissolve the corporation, but the board in office shall continue in office until their successors are elected. A majority of the stock subscribed shall be necessary to hold the first election for directors. At the subsequent and annual elections, the stock present and represented shall be competent to elect. Any vacancy occurring during the time for which directors are elected to serve, may be filled by a vote of the board. All elections for directors shall take place at the office of the company.

SEC. 5. That the office of the company shall be at Chappell Hill, until such time as the company shall have procured a location for their principal manufactory, and an office for the transaction of its business at said location, when, it shall be removed to, and fixed at the place where said factory shall be located.

SEC. 6. That the board of directors shall, at their first meeting after their own election, elect a President and Secretary, and fix their salaries, which shall not be increased during the time for which they shall have been elected. The board of directors shall have power to remove their officers at their pleasure, and elect others in their place. The president of the company is the officer designated as the one on whom legal service of all process or citation shall be made, and the company shall be bound by service of process or citation, whether made on the president in person, or left to his address at the office of the company, at its office in the hands of any of its officers.

SEC. 7. That the chief officer, agents and superintendents, shall be exempt from jury service, and the buildings, machinery, tools and materials, lands and slaves, and other property, used or to be used, in manufacturing things needed by the army or people, together with cotton designed for exportation, and the teams and hands employed in its transportation, shall be exempt from impressment.

SEC. 8. *Be it further enacted,* That the president and directors may make by-laws to regulate the issue of stock certificates, the declaring and paying of dividends, and for the proper and regular transaction of business, and may repeal, change, alter or amend the same, at any time they may deem proper.

SEC. 9. *Be it further enacted,* That the president and directors shall keep a record of the proceedings of their own meetings, and of the meetings of the stockholders, and accurate books of accounts of all the receipts and expenditures, to show the condition of the company, and a registry of the issue and transfer of all certificates of stock, which books and accounts shall be open at all times to the examination of the stockholders. All transfers, contracts and conveyances, made in pursuance of a vote of a majority of said board of directors, executed in writing, and signed by the president, and countersigned by the secretary, shall be valid and binding in law, and have the same force and effect as if done by a natural person. The president and directors shall be authorized to mortgage the property of the company to secure the payment of money borrowed, or any debts contracted by the company.

SEC. 10. That this charter may be altered or amended, from time to time, by the Legislature of the State of Texas, upon the petition of stockholders, holding or representing two-thirds of the capital stock of the company, setting forth the nature of the changes, or amendments desired.

SEC. 11. That this act shall take effect from and after its passage, and continue in effect twenty-five years.

Approved December 16th, 1863.

CHAPTER XXXVIII.

AN ACT to incorporate the Bastrop Iron Manufacturing Company.

SECTION 1. *Be it enacted by the Legislature of the State of Texas,* That A. W. Moore, James H. Gillespie, David L. McNeil, James R. Nichols, Henry M. DeChaums, Napoleon B. Tanner, Kenner K. Rector, Nelson Rector, and their associates and successors, be, and they are, hereby constituted and declared a

body politic and corporate, under the name and style of the "Bastrop Iron Manufacturing Company," with capacity to own property, real and personal; make contracts; to have succession; a common seal; to make by-laws for its government, and in its corporate name, sue and be sued; to grant and receive and generally to do and perform, such acts and things as may be necessary and proper for, or incident to, the fulfillment of its objects, or maintenance of its rights, under this act, and consistent with the provisions of the State Constitution.

SEC. 2. That the said company be, and is hereby established, with the right to erect, own, maintain and operate, an Iron Manufactory, including pig or bar iron, or derivable from the ores of iron separately or conjointly, at such place, or places, as said company may elect.

SEC. 3. That the capital stock of said company shall be divided into shares of one thousand dollars each, and the holders of said shares shall constitute said company, and said capital stock shall not exceed two hundred thousand dollars.

SEC. 4. That the affairs and business of said company, shall be conducted by a board of directors, not less than three nor more than five, who shall be elected by the stockholders, at such time as may be appointed, and annually thereafter, *Provided*, That in cases of failure to elect at the stated time, the board of directors incumbent, shall continue in office until there be an election, the time for which may be fixed by said board, whereof reasonable notice shall be given.

SEC. 5. That no person shall be eligible as a director unless he is a member of said company; the said board shall elect a president from their number, fill vacancies, and appoint such officers as they may deem necessary, and require security for the faithful performance of the duties; also prescribe the time for payment of instalments or assessments, to declare the forfeiture of such stock for non-payment, and to do, or cause to be done, all other acts or things which they may deem necessary, or proper, in conducting the business of said company; a majority of said board of directors shall constitute a quorum to do business.

SEC. 6. That the said company shall have the right to locate, and have surveyed and patented, any of the public domain lying in the counties of Caldwell, Gonzales or Bastrop, for the purpose of procuring iron ore, or timber, by paying into the General Land Office the sum of fifty cents per acre for said public domain; *Provided*, That the number of acres so located and patented, shall not exceed five thousand acres; and the State of Texas doth hereby relinquish to said company, all the right, title and claim, which the State of Texas has, in and to all minerals that may be found on any land so located and patented.

SEC. 7. That the parties named in this act, are hereby appointed commissioners, and invested with the right of organizing said company; and that this charter shall expire at the end of twenty years from the passage of this act.

SEC. 8. That this act shall take effect from its passage.

Passed December 16th, 1863.

CHAPTER XXXIX.

AN ACT to donate part of the State and County Taxes of Galveston County, for the year 1863, and during the continuance of the present war, to that County, for the relief of the Indigent Families of the County of Galveston.

SECTION 1. *Be it enacted by the Legislature of the State of Texas, That the State and county taxes, when assessed and collected on property which pertains to said county, as situated therein, except for existing unusual circumstances, for the year 1863, in the county of Galveston, and such taxes, State and county, as may be assessed and collected, during the continuance of the war between the United States of America and the Confederate States, in said county, be and the same are donated to said county, for the use and relief of the indigent families of Galveston county: Provided, That nothing herein contained shall be*

construed to release any person from paying to the State such taxes as may be levied in kind, or made payable in specie, which taxes in kind and specie are not donated, but shall be paid into the treasury.

SEC. 2. That the Assessor and Collector of said county be and he is hereby directed to make his return to the Comptroller of the State, as required by law.

SEC. 3. That this act take effect and be in force from and after its passage.

Approved December 16th, 1863.

CHAPTER XL.

AN ACT to release to the heirs of W. J. Mills, all the right, title and interest of the State of Texas, in and to the property owned by said Mills at the time of his death, and devised by last will.

WHEREAS, Colonel W. J. Mills, of the county of Chambers, died while acting in the Quartermaster's Department of the Confederate States of America, in the month of November, 1863, and doubts have arisen as to the effect of a devise contained in his last will: Therefore,

SECTION 1. *Be it enacted by the Legislature of the State of Texas.* That all right, title and interest, legal or equitable, existing, or which by legal proceedings might be established, in behalf of the State Texas, in and to all the property belonging to Colonel W. J. Mills at his death, and devised in his last will, be and the same is hereby relinquished, released and surrendered to the heirs of said Colonel W. J. Mills, and the same, so far as the State of Texas is concerned or has interest, shall descend and pass to them, in the same manner as if said Mills had died intestate as to the same.

SEC. 2. This act shall be in force from and after its passage.

Approved December 16th, 1863.

CHAPTER XLI.

AN ACT to incorporate the Washington Iron Manufacturing Company.

SECTION 1. *Be it enacted by the Legislature of the State of Texas,* That W. W. Bell, T. J. Jackson, and Wilson Bell, and their associates and successors, be and the same are hereby declared and constituted a body politic, under the name and style of "The Washington Iron Manufacturing Company," with capacity to own property, both real and personal, to make contracts, to have succession and a common seal, to make by-laws for its government, and, in its corporate name, to sue and be sued, to grant and receive, and generally to do and perform such acts and things as are necessary and proper for, and incident to, the fulfillment of its objects or maintenance of its rights under this act and consistent with the provisions of the constitution of the State of Texas, and to have and exercise all of the rights, privileges, and immunities, granted to other corporations of a like character.

SEC. 2. That the said company be and is hereby established, with the right to erect, own, maintain and operate an iron manufactory, including all articles manufactured from pig or bar iron, or derivable from the ores of iron, separately or conjointly, at such place or places as said company may elect.

SEC. 3. That the capital stock of said company shall be divided into shares of one hundred dollars each, and the holders of said shares shall constitute said company, and the capital stock of said company shall not exceed two hundred thousand dollars.

SEC. 4. That the affairs and business of said company shall be conducted by a board of directors, not less than three nor more than five, who shall be elected by the stockholders at their organization under this act, and annually thereafter: *Provided,* That in case of failure to elect at the stated time or times, that the board of directors incumbent shall continue in office until there be an

election; the time for which shall be fixed by said board of directors, whereof reasonable notice shall be given.

SEC. 5. That no person shall be eligible as a director, unless he be a member of the company. The said board shall elect a president from their number, fill vacancies, and appoint such officers as they may deem necessary, and require security for the faithful performance of their respective duties; also, prescribe the time for payment of instalments and assessments on stock, and declare the forfeiture thereof for non-payment of stock, and to do generally, or cause to be done, all other acts and things which they shall deem proper in conducting the business of said company. A majority of the board shall constitute a quorum to do business for the corporation.

SEC. 6. That the parties named in section one of this act are hereby appointed commissioners, and invested with the right of organizing said company, and that this charter shall expire at the end of twenty-five years from the passage of this act, and for that period the commissioners and their associates and successors, named in this act, shall have the right to work and operate any mine, or mines, reserved to the State, free from charge, let, or hindrance, on the part of the State of Texas.

SEC. 7. That this act take effect and be in force from and after its passage.
Approved December 16th, 1863.

CHAPTER XLII.

AN ACT to incorporate the Gathings Male and Female College.

SECTION 1. *Be it enacted by the Legislature of the State of Texas, That* W. T. W. Taliaferro, P. H. Shelton, J. J. Gathings, A. D. Kennard, Philip Gathings, H. C. Lyon, D. T. Lawrence, J. S. Marrow, and J. O. Church, trustees of the Gathings Male and Female College, situated in the county of Hill, be and they are hereby created a body corporate, under the name and style of "The Board of Trustees of the Gathings Male and Female College," and by that name may sue and be sued, plead and be impleaded, enact such by-laws, rules and regulations, as may be necessary for their government, purchase, hold, and enjoy, property of all kinds, or may receive the same by donation, for the benefit of said college, to convert said property into money and dispose of the same, and shall have a common seal for the transaction of its business, and shall have the power to confer any and all literary honors upon all the students considered worthy to receive the same by the faculty.

SEC. 2. That the rights and privileges herein granted shall extend to the trustees herein named and their successors, and they may elect from their own number, under such regulations as they may adopt, and for such terms as they may see proper, a president, secretary, and treasurer, or any other officer or agent necessary in the board. They shall also have the power to construct such college buildings as may be necessary for said college, and to do all things necessary to the proper conduct and management of said college, not contrary to the law or inconsistent with this charter.

SEC. 3. That this act take effect and be in force from its passage, and remain in force for twenty-five years.

Approved December 16th, 1863.

CHAPTER XLIII.

AN ACT supplementary to "An Act to prohibit the sale of Intoxicating Liquors within five miles of the town of Dallas," passed at the present session of the Legislature.

SECTION 1. *Be it enacted by the Legislature of the State of Texas, That* the provisions of the act, passed at the present session of the Legislature, to pro-

hibit the sale of intoxicating liquors within five miles of the town of Dallas, shall be so construed as to have effect and force within the limits of said town.

Approved December 16th, 1863.

CHAPTER XLIV.

AN ACT to prohibit the sale of Ardent or Spirituous Liquors within ten miles of the Court House within the town of Huntsville, Walker county, except for medicinal purposes.

SECTION 1. *Be it enacted by the Legislature of the State of Texas.* That if any person shall, within ten miles of the Court House within the town of Huntsville, Walker county, in this State, sell any ardent or spirituous liquors, except for medicinal purposes, in any quantities whatever, such person shall, upon conviction thereof, be deemed guilty of a misdemeanor, and fined in any sum not less than one hundred dollars and not more than one thousand; and the jury trying the same may add imprisonment in the county jail, not exceeding six months.

SEC. 2. That if any person shall, within the district prescribed in the first section of this act, give, barter, or exchange, any ardent or spirituous liquors to any one, with intent to evade the provisions of this law, such person shall be deemed guilty of a like misdemeanor, and, on conviction thereof, subject to the penalties prescribed in the first section of this act; and proof by the State of the delivery of liquors, the sale of which is herein prohibited within said district, shall be deemed *prima facie* evidence of intent to avoid, or evade, the provisions of this act; and it shall not be necessary for the State, in an indictment under this act, to allege or prove that the liquor sold, given, bartered, or exchanged, was not for medicinal purposes.

SEC. 3. That all laws and parts of laws, in conflict with the provisions of this act, be and the same are hereby repealed.

Approved December 16th, 1863.

CHAPTER XLV.

AN ACT to incorporate the Trinity Manufacturing and Flouring Company.

SECTION 1. *Be it enacted by the Legislature of the State of Texas,* That W. A. Rhea, James C. Rhea, Francis Dowell, W. H. Beane, C. Copenhaver, and their associates and successors in office, be and are hereby created a body corporate and politic, for the purpose of manufacturing woolen and cotton yarns and fabrics, under the name and title of "The Trinity Manufacturing Company," and in this name and style shall have full power to sue and be sued, plead and be impleaded, and to do and perform all other acts, and exercise all the rights and privileges and be endued with all the powers incident to corporations.

SEC. 2. That the capital stock of said company shall be the amount actually paid in by the stockholders at any time: *Provided,* That the capital stock shall not exceed five hundred thousand dollars, and shall consist of all its property, real, personal or mixed, choses in action, franchise or rights to property, inchoate or perfected, and shall be divided into shares of one thousand (\$1000) dollars each, and be deemed and considered in law personal property and estate, and be transferable by any conveyance in writing, recorded by the proper officer of said company, in books to be kept for that purpose at its office.

SEC. 3. That the above named incorporators shall be and are hereby constituted a provisional board of directors, a majority of whom shall constitute a quorum, and shall have power to open books for subscription to the capital stock of the company; and as soon as it shall be ascertained that fifty thousand dollars shall have been subscribed, they shall call a meeting of the stockholders, who shall organize by the election of such officers as hereinafter named. The

officers elect, and their successors in office, shall be authorized, at their discretion, to increase the capital stock from time to time, by receiving new subscriptions, until the amount of five hundred thousand dollars shall have been subscribed, as provided in section two of this charter. The board of directors shall be authorized to fix the instalments upon subscriptions, and determine the times and manner of payment; all of which may be changed, from time to time, at their discretion; they shall be authorized to receive, in payment for stock, Confederate Treasury notes or bonds, or any kind of property, upon such terms as they may deem proper.

SEC. 4. That the business of the company shall be conducted by a board of directors, the number of which shall be determined by the stockholders; all of whom shall be stockholders, and a majority of whom shall constitute a quorum. The directors shall be elected by the stockholders, each share being entitled to one vote, which may be cast in person or by proxy. The first board of directors elected shall hold their office until the 1st of January, 1865; the election for directors shall be held annually thereafter, on the first Monday in January, in each year, but a failure to hold the election shall not dissolve the corporation; but the board in office shall continue in office until their successors are elected. A majority of stock subscribed shall be necessary to hold the first election for directors; at the subsequent and annual elections, the stock present and represented shall be competent to elect; any vacancy occurring during the time for which directors are elected to serve, may be filled by a vote of the board. All elections for officers shall take place at the office of the company, which shall be located at the discretion of the company.

SEC. 5. That the board of directors shall, at their first meeting after their own election, select a president and secretary and fix their salaries, which shall not be increased during the time for which they shall have been elected; the board of directors shall have power to remove these officers at their pleasure, and elect others in their place. The president of the company is the officer designated as the one on whom legal service of all process or citation shall be served, and the company shall be bound by service of process or citation, whether made on the president in person, or left to his address at the office of the company, in the hands of any of its officers.

SEC. 6. *Be it further enacted*, That the president and directors may make by-laws to regulate the issue of stock certificates, the declaring and paying of dividends, and for the proper and regular transaction of business; and may repeal, change, alter or amend the same, at any time they may deem proper.

SEC. 7. *Be it further enacted*, That the president and directors shall keep a record of the proceedings of their own meetings and of the meetings of the stockholders, and accurate books of accounts of all receipts and expenditures, to show the condition of the company, and a registry of the issues and transfers of all certificates of stock, which book and accounts shall be open at all times to the examination of the stockholders. All transfers, contracts, and conveyances, made in pursuance of a majority of said board of directors, executed in writing, and signed by the president and countersigned by the secretary, shall be valid and binding in law, and have the same force and effect as if done by a natural person; the president and directors shall be authorized to mortgage the property of the company to secure the payment of money borrowed, or any debts contracted, by the company.

SEC. 8. That this charter may be altered or amended, from time to time, by the Legislature of the State of Texas, upon the petition of stockholders, holding or representing two-thirds of the capital stock of the company, setting forth the nature of the change or amendments desired.

SEC. 9. That this act take effect from and after its passage, and continue in effect twenty-five years.

Approved December 16th, 1863.

CHAPTER XLVI.

AN ACT to prohibit the retail of Intoxicating Liquors in the neighborhood of Round Rock.

SECTION 1. *Be it enacted by the Legislature of the State of Texas,* That it shall not be lawful to retail any ardent, alcoholic, or intoxicating liquors, within the distance of four miles from the school-house in the town of Round Rock, in Williamson county, (unless sold by apothecaries for medical purposes;) and any person offending against the provisions of this act shall be deemed guilty of a misdemeanor, and, on conviction thereof, before any Court of competent jurisdiction, shall be fined in any sum not less than one hundred nor more than five hundred dollars, for each and every offence so committed.

Passed December 16th, 1863.

CHAPTER XLVII.

AN ACT to prohibit the sale of Intoxicating Liquors in the vicinity of the town of Dallas, in Dallas county.

SECTION 1. *Be it enacted by the Legislature of the State of Texas,* That it shall not be lawful to sell any intoxicating liquors, whether alcoholic, malt, distilled, or brewed, within five miles of the town of Dallas, in Dallas county, (unless sold by apothecaries for medicinal purposes;) and any person, or persons, offending against the provisions of this act, shall be guilty of a misdemeanor, and, on conviction thereof before the District Court of Dallas county, or before any Justice of the Peace, in the precinct in which the town of Dallas is situated, shall be fined in any sum not less than fifty nor more than five hundred dollars, for each and every offence against this act.

SEC. 2. That proceedings under this act shall be commenced on affidavit, view, or information, and, upon conviction by information, one-half of the fine assessed against the offender shall go to the informer and the other half to the county treasury of Dallas county, to be used in support of the families of soldiers; and that this act be in force thirty days from and after its passage.

Passed December 16th, 1863.

CHAPTER XLVIII.

AN ACT to prohibit the sale of Intoxicating Liquors in the neighborhood of San Saba Masonic College.

SECTION 1. *Be it enacted by the Legislature of the State of Texas,* That it shall not be lawful to sell any intoxicating liquors, whether the same be alcoholic, malt, distilled, or brewed, within five miles of the San Saba Masonic College, situated in San Saba county, (unless sold by apothecaries for medicinal purposes;) and any person offending against the provisions of this act, shall be deemed guilty of a misdemeanor, and, on conviction thereof before the District Court of San Saba county, or before any Justice of the Peace of the precinct in which the San Saba Masonic College is situated, shall be fined in any sum not less than fifty nor more than five hundred dollars, for each and every offence; the District Court and Justices of the Peace having concurrent jurisdiction over offences arising under this act: *Provided,* That no Justice of the Peace shall have power to assess a fine of more than one hundred dollars.

SEC. 2. That all money collected by fines, imposed under the provisions of this act, shall be paid over to the trustees of the San Saba Masonic College, for the use of said College.

SEC. 3. That prosecutions under this act shall be commenced within twelve

months after the commission of the offence; and this act take effect and be in force from and after the first day of January, A. D., 1864.

Passed December 16th, 1863.

CHAPTER XLIX.

AN ACT for the relief of Ayres Moody.

SECTION 1. *Be it enacted by the Legislature of the State of Texas, That the Commissioner of the General Land Office be and he is hereby authorized to issue to Ayres Moody a head-right certificate for twelve hundred and eighty acres of land, in lieu of the one obtained in the District Court of Harrison county, on the 11th day of September, 1840, which has been lost or mislaid.*

SEC. 2 That this act take effect and be in force from and after its passage.
Passed December 16th, 1863.

SPECIAL JOINT RESOLUTIONS.

CHAPTER I.

JOINT RESOLUTION authorizing the Military Board of the State to pay the Confederate Tax levied on Whitescarver, Campbell & Co., contractors with said Board for the Manufacture of Arms.

WHEREAS, Messrs. Whitescarver, Campbell & Co., of Rusk, Cherokee county, are under contract to manufacture guns for the Military Board of the State, and have faithfully performed their contract; and the Confederate Tax Collector has levied an occupation tax of two hundred dollars and two and one-half per cent. on the amount of sales; and, whereas, said Armory has been exclusively occupied in working for the State:

Therefore, be it resolved, That, in settlement of their account, the Military Board be directed to allow Messrs. Whitescarver, Campbell & Co. the amount paid by them for the taxes above enumerated.

Approved November 27th, 1863.

CHAPTER II.

JOINT RESOLUTION authorizing the Military Board to cancel a Contract made by them with Short, Biscoe & Co., for the Manufacture of Arms.

1. *Be it resolved by the Legislature of the State of Texas, That the Military Board be and they are hereby authorized and required to cancel and annul a contract made by them in behalf of the State, on the — day of —, A. D., —, with Short, Biscoe & Co., of Smith county, for the manufacture of arms, upon the following conditions, viz: That said Short, Biscoe & Co. shall first repay to the Military Board all sums of money which may have been advanced to them by the Military Board on said contract, together with interest thereon, at the rate of eight per cent. per annum from the date the same was received by them; and, on the further condition, that they shall produce evidence to the satisfaction of the said board, that they have sold, or firmly contracted, to the Government of the Confederate States, or its authorities, all the fixtures, machinery and material which they have constructed, or may have on hand, for the purpose of carrying out their said contract.*

2. *That this resolution be in force from and after its passage.*

Approved December 4th, 1863.

CHAPTER III.

JOINT RESOLUTION.

WHEREAS, Messrs. Billups & Hassel, of Plenitude, Anderson county, did, in the month of June, 1862, enter into contract with the Military Board to manu-

facture and deliver seven hundred guns, of the model of the Mississippi rifle, at the price of thirty dollars, payable in currency; of which number, the said parties have delivered six hundred; and, whereas, owing to the scarcity of iron and other material, and the impossibility of procuring necessary tools for the work, renders it impossible for the parties to make the remainder of the number contracted to be delivered:

Therefore, be it resolved by the Legislature of the State of Texas, That the Military Board be directed and required to cancel the contract entered into by and between the said board and Billups & Hassel; and this resolution be in force from and after its passage.

Approved December 8^h, 1863.

CHAPTER IV.

JOINT RESOLUTION requesting the Commanding General of this Military District to detail men for Texas Iron Works.

WHEREAS, the article of iron is becoming a matter of necessity, both to the Confederate and State Governments, and, under the existing military laws, conscripting and drafting all men between the ages of eighteen and fifty into the service of the country, it is difficult to obtain the mechanical aid necessary to carry on the founderies now engaged, or which may hereafter be engaged, in the manufacture of iron, &c.

1. *Be it resolved by the Legislature of the State of Texas, That the Commanding General of this Military District be requested to make such details as may be necessary to carry on all manufactories now in operation, or which may hereafter be established, for the purpose of making iron in this State.*

2. *Be it further resolved, That the Governor of this State transmit a copy of this resolution to the Commanding General of this Military District.*

Approved December 11th. 1863.

CHAPTER V.

JOINT RESOLUTION in relation to the capture of two Yankee flags, captured from the enemy.

1. RESOLUTION. *Be it resolved by the Legislature of the State of Texas, That we have received with feelings of patriotic pleasure the stands of colors of the 4th New Jersey regiment, captured by the 5th Texas Infantry, in the battle of Richmond, June 27th, 1862, and, also, a Yankee flag, captured at the battle of Lafourche, by the 4th Texas Cavalry, July 13th, 1863.*

2. RESOLUTION. That the capture of these standards from our boastful and numerous and infuriated foes, is evidence, again repeated, of the heroic and indomitable courage of the Southern soldiers, fighting for freedom and independence, evincing their firm and unalterable determination to stand by their country, through sunshine and through storm, until the unprincipled enemy is driven from the soil of our native land, and covers the name of Texas and of the Confederate States with imperishable glory, challenging the admiration of the world.

3. RESOLUTION. That these mementoes of Texan chivalry be assigned a place among the archives of the State, and preserved as trophies, glorious to the captors and to the people of Texas, proud of their invincible sons.

4. RESOLUTION. That in further token of the admiration of the people of Texas, these resolutions be forwarded by the Governor, to be read at the head of the regiments above named.

Approved December 11th. 1863.

CHAPTER VI.

JOINT RESOLUTION requesting General J. B. Magruder to detail certain persons therein named.

WHEREAS, H. Ward, a citizen of Titus county, who is the proprietor and operator of a wool-carding machine in said county, has been drafted into the military service of the State, and is now a member of Captain Epperson's company, in Major Carter's battalion, State troops; and, whereas, S. G. Watts, an engineer employed in running a steam flouring-mill for G. A. Kebburn, in Dallas county, has been drafted in like manner, and is now a member of Captain McCarney's company, in Lieutenant-Colonel Smith's command, 2d regiment State Cavalry; and, whereas, the services of the aforesaid H. Ward and S. G. Watts are much needed in their respective vocations by the communities of their respective localities:

Therefore, be it resolved by the Legislature of the State of Texas, That General Magruder, commander of this Military Department, be and he is hereby requested to detail the said H. Ward, for the purpose of running said wool-carding machine, and the said S. G. Watts, for the purpose of running the aforesaid flouring-mill; and that the Governor of the State be required to forward a copy of this resolution to General Magruder, immediately after its passage.

Approved December 11th, 1863.

CHAPTER VII.

JOINT RESOLUTION in regard to the Purchasing of Beeves and other Government supplies, in Texas, by the Messrs. Payne & Co., on Government account, with counterfeit Confederate money.

WHEREAS, during the year 1862, Messrs. J. A. Payne & Co., of the State of Kentucky, acting under authority purporting to issue from the Commanding General of the Confederate Army in the West, did purchase a large number of beeves and other property in the State of Texas, from citizens of Hill, McLennan, Falls, Bosque, and other counties, and did pay therefor counterfeit Confederate States treasury notes, amounting in the aggregate to one hundred thousand dollars, or more; and, whereas, it is a notorious and public fact, that the said Messrs. Payne were arrested by the authorities of the Confederate States, as counterfeiters, before they had delivered or received pay for said property; and that the Government of the Confederate States did, thereafter, receive the same and appropriate it to the use of its army, and has never yet paid the purchase money therefor, but holds the same in its treasury; and, whereas, the citizens of Texas acted in good faith and patriotism in selling said supplies to the Confederate Government, and are, therefore, justly entitled to a reasonable and fair compensation for the same:

1. *Therefore, be it resolved by the Legislature of the State of Texas, That our Senators in Congress be instructed, and our representatives requested, to use their best endeavors to have a law passed by Congress providing for the sending of a commissioner, or other proper officer, to some convenient locality in Texas, in the part of the country where such purchases were made by Payne & Co., with full power and authority to examine and determine the character of the money circulated by said Payne & Co., and to redeem the same with genuine Confederate money, whether the same be now in hands of the original payees or of other parties, who have given a valuable consideration therefor.*

2. *Resolved, That the Governor forward a copy of this resolution to our Senators and Representatives in Congress.*

Approved December 14th, 1863.

CHAPTER VIII.

JOINT RESOLUTION to authorize the Military Board to manufacture Salt, and making an appropriation for the same.

1. *Resolved*, That the sum of fifty thousand dollars is hereby appropriated, out of any moneys in the treasury not otherwise set apart, and placed at the disposal of the Military Board, for the purpose of manufacturing salt, at the salt springs and creeks near the Double Mountain, or at any other place in Texas where salt can be made advantageously. That the board is authorized to exercise its discretion in the outlay of the money herein appropriated, or so much thereof as may be necessary, so as to obtain the best results in obtaining salt for the use of the people.

2. *Resolved further*, That the Governor be requested to ask of the Military Commander of this Department to make such disposition of the Confederate troops, upon the north-western border of this State, as will protect the line of travel to parties engaged in making salt at the Double Mountain, or other works, hereafter to be put in operation, whenever such protection may be necessary.

Approved December 15th, 1863.

CHAPTER IX.

JOINT RESOLUTION.

1. *Be it resolved by the Legislature of the State of Texas*, That whereas, on or about the first day of March, 1862, the 4th Regiment Texas Mounted Volunteers, known as Reiley's or 1st Regiment of Sibley's Brigade, did, in the Territory of New Mexico, by request of the Commanding General, turn over to the Confederate authorities their horses, saddles, and bridles, for which said regiment has never received any pay :

2. *Therefore, be it resolved by the Legislature of the State of Texas*, That our Senators in Congress be instructed, and our Representatives requested, to use their efforts to obtain the passage of a law by which the said regiment will receive the pay that is justly due them for said property.

Approved December 15, 1863.

CHAPTER X.

JOINT RESOLUTION authorizing the Military Board to issue Percussion Caps to the members of the Senate and House of Representatives, and the officers thereof.

Be it Resolved by the Legislature of the State of Texas, That the Military Board of the State of Texas, are hereby authorized and required, to issue, to the members and officers of the Tenth Legislature, (Senate and House of Representatives,) one box of five hundred percussion caps each, at the usual market price, and that this act be in force from and after its passage.

Approved December 16th, 1863.

CHAPTER XI.

JOINT RESOLUTION accepting from Governor John R. Baylor, two Pieces of Artillery, captured in Arizona.

Be it Resolved by the Legislature of the State of Texas, That two pieces of Artillery, captured by Captain James Walker's Company, of the 2d Regiment of Mounted Rifles, in Arizona, while under the command of Governor John R.

Baylor, which have been tendered to the State of Texas by said Baylor, as a memento of the gallantry of the regiment aforesaid, that captured said artillery, now known as Pyron's Regiment, be, and the same are hereby accepted upon the terms proposed, and the Governor is hereby requested to have said guns disposed of, so as to effectuate the wishes of the patriotic donor; and to transmit a copy of this resolution to Governor John R. Baylor, as an acknowledgment of the estimation in which the State of Texas holds him and his gallant command for their brilliant achievements in Arizona.

Approved December 16, 1863.

CHAPTER XII.

JOINT RESOLUTION in relation to the name of Walker County.

WHEREAS, it is the opinion of many persons, in and out of the County of Walker, in this State, that said county was named in honor of one Robert J. Walker, then a distinguished citizen of the State of Mississippi, and who had rendered himself popular with the people of Texas by his warm advocacy of the annexation of Texas to the United States; and whereas, the said Robert J. Walker, ungrateful to the people who honored him, and nurtured him into political distinction, has deserted that people, and is now leagued with Abraham Lincoln in his vain efforts to subjugate the Southern States, now struggling for their liberties and independence, thereby rendering his name justly odious to the people of Texas and the Confederate States of America; therefore,

1. *Be it Resolved by the Legislature of the State of Texas,* That the County of Walker, in this State, be, and the same is, hereby named Walker County, in honor of Captain Samuel H. Walker, the distinguished Texas Ranger, who fell in Mexico, while gallantly fighting for the rights and honor of the State of Texas, and that henceforth no honor shall attach to the name of said Robert J. Walker, in consequence of a county in this State bearing the name of Walker.

SEC. 2. That this "Joint Resolution" take effect and be in force from and after its passage.

Approved December 16th, 1863.

THE STATE OF TEXAS,
DEPARTMENT OF STATE. }

I, ROBERT J. TOWNES, Secretary of State of the State of Texas, do certify that I have compared the foregoing Laws and Joint Resolutions of the Tenth Legislature with the originals now on file in the Department of State, and that they are true copies of such originals.

I further certify, that the Tenth Legislature of the State of Texas convened at Austin on Monday, the second day of November, one thousand eight hundred and sixty-three, and adjourned on Wednesday, the sixteenth day of December, at 11 o'clock, P. M., of the same year.

IN TESTIMONY WHEREOF, I have hereunto signed my name, and caused the Seal of the Department of State to be affixed, at Austin, this twelfth day of February, A. D., 1864.

R. J. TOWNES,

Secretary of State.



INDEX TO THE SPECIAL LAWS.

B

	PAGE-
BAYLOR, JOHN R., Joint resolution accepting two pieces of artillery from,.....	38
BASTROP IRON MANUFACTURING COMPANY, Act of incorporation,.....	27
BLACK, JOSEPH A., To relieve from disability of minority,.....	18
BILLUPS & HASSEL, Joint resolution cancelling contract of, for the manufacture of arms,	35
BOUNDS, CAPTAIN J. M., For the relief of Company of State Troops,.....	6
BRAZOS MANUFACTURING COMPANY, Act of incorporation,.....	23
BURNEY, GEORGE E., For relief of,.....	14

C

CAPS, Joint resolution authorizing the Military Board to sell Percussion Caps to the Members and Officers of the Senate and House of Representatives,.....	38
CHAPPELL HILL MANUFACTURING COMPANY, Act of incorporation,.....	26
CRAWFORD, MIRON B., Heirs of, for the relief of,.....	23
CROZIER, A. R., Act authorizing the issue of duplicate Treasury warrants,.....	22
COMAL OIL COMPANY, Act of incorporation,.....	20
COMPTROLLER, An act authorizing the issue of duplicate Treasury warrant No. 1521,	18
COUNTIES, GALVESTON—Act for the relief of indigents,.....	28
FALLS AND LIMESTONE—Act defining and establishing boundary between,.....	18
LIVE OAK AND McMULLEN—Act defining and establishing bound- ary between,.....	5
WALKER—Joint resolution in relation to the name thereof,.....	39

D

DALLAS COUNTY, Act authorizing the holding of a special election therein for Repre- sentative,.....	3
DALLAS, TOWN OF, Act to prohibit sale of intoxicating liquor therein,.....	33
Act supplemental to an act to prohibit sale of intoxicating liquor,..	30

DETAILS,	PAGE
Joint resolution requesting the detail of certain persons therein mentioned,.....	37
DUMAS, JAMES P.,	
Act for the relief of,.....	25

E

EAST TEXAS MANUFACTURING COMPANY,	
Act of incorporation,.....	20

F

FALLS COUNTY,	
An act to define the boundary line of,.....	18
FLAGS,	
Joint resolution in regard to two Yankee flags captured from the enemy,.....	33

G

GALVESTON CITY,	
Re-incorporated,.....	7
GALVESTON COUNTY,	
Act for the relief of indigents,.....	23
GATHINGS MALE AND FEMALE COLLEGE,	
Act of incorporation,.....	30
GONZALES MUTUAL AID ASSOCIATION,	
Act of incorporation,.....	17

H

HARRISON, H. K.,	
Act for the relief of,.....	4
HARRISON COUNTY,	
Act defining the boundary of,.....	5
HEIRS OF, FOR THE RELIEF OF,	
“ “ Francis L. Toncary,.....	14
“ “ Benjamin D. Nobles,.....	15
“ “ Miram B. Crawford,.....	23
“ “ W. J. Mills,.....	29
HEMPSTEAD MANUFACTURING COMPANY,	
Act of incorporation,.....	23
HUNTSVILLE, TOWN OF,	
Act to prohibit sale of intoxicating liquors therein,.....	31

I

INCORPORATIONS,	
Bastrop Iron Manufacturing Company.....	27
Brazos Manufacturing Company.....	23
Chappell Hill Manufacturing Company.....	26
Comal Oil Company.....	20
East Texas Manufacturing Company.....	20
Gathings Male and Female College.....	30
Hempstead Manufacturing Company.....	23
Parsons Female Seminary.....	15
Port Sullivan Male and Female College.....	25
Paluxy and Brazos Sulphur, Nitre and Powder Manufacturing Company.....	21
Rusk County Iron Company.....	16
San Saba Masonic College.....	14
Seguin Mutnal Aid Society.....	17
Sulphur Fork Iron Company.....	4
Trinity Manufacturing and Flouring Company.....	31
Waco Manufacturing Company.....	6
Washington Iron Manufacturing Company.....	29
INCORPORATED TOWNS,	
Galveston City, re-incorporated.....	7

	PAGE.
INDIANS,	
Act defining the duties of the agent of the Alabama, Coshatta and Muscogee Indians.....	5
Act for the relief of Tonkaway Indians.....	24
L	
LIVE OAK COUNTY,	
Act defining the boundary of.....	5
LIMESTONE COUNTY,	
Act defining the boundary of.....	18
M	
MARION COUNTY,	
Act defining the boundary of.....	5
MILITARY BOARD,	
Joint Resolution authorizing the payment of Confederate Tax levied on Whitescarver, Campbell & Co.....	35
Joint Resolution authorizing cancel of contract made with Short, Biscoe & Co., for manufacture of Arms.....	35
Joint Resolution authorizing cancel of contract made with Billups & Hassell for arms.....	35
Joint Resolution authorizing the manufacture of Salt and making appropriation therefor.....	33
Joint Resolution authorizing the sale of percussion caps to members and officers of the Senate and House of Representatives.....	38
MILLS, W. J.,	
Heirs of, for the relief of.....	29
McMULLEN COUNTY,	
Act defining boundary of.....	5
Act organizing and attaching to 14th Judicial District.....	19
MOODY, AYRES,	
Act for the relief of.....	34
N	
NOBLES, BENJAMIN D.,	
Heirs and assigns of, for relief of.....	15
P	
PRICE, ROBERT,	
Act for the relief of.....	4
PARSONS FEMALE SEMINARY,	
Act of incorporation.....	15
PAYNE & CO.,	
Joint Resolution in relation to purchase of beeves by.....	37
PORT SULLIVAN MALE AND FEMALE COLLEGE,	
Act of incorporation.....	25
PALUXY & BRAZOS SULP'R, NITRE, POWDER MANUFACTURING CO.,	
Act of incorporation.....	21
Q	
QUARLES, CARRO M.,	
Act relieving him of the disability of minority.....	3
R	
REILEY'S REGIMENT,	
Joint Resolution for the relief of.....	33
ROUND ROCK, TOWN OF,	
Act prohibiting the sale of intoxicating liquors therein.....	33
RUSK COUNTY IRON COMPANY,	
Act of incorporation.....	16
S	
SAN SABA MASONIC COLLEGE,	
Act of incorporation.....	14
Act to prohibit the sale of intoxicating liquors within five miles....	33

	PAGE.
SEGUIN MUTUAL AID ASSOCIATION, Act of incorporation.....	17
SHORT, BISCOE & CO., Joint Resolution authorizing Military Board to cancel contract for arms.....	35
STATE TROOPS, Act for the relief of Capt. Bound's company.....	6
SULPHUR FORK IRON COMPANY, Act of incorporation.....	4
SALT, Joint Resolution authorizing the Military Board to manufacture salt and making appropriation therefor.....	38

T

TEXAS IRON WORKS, Joint Resolution requesting the detail of certain persons, for manu- facturing purposes.....	36
TONKAWAY INDIANS, Act for the relief of.....	24
TRINITY MANUFACTURING & FLOURING COMPANY, Act of incorporation.....	31

V

VAUGHAN, A. J., Act for the relief of.....	3
---	---

W

WACO MANUFACTURING COMPANY, Act of incorporation.....	6
WALLIS, JOSEPH, Act to validate his official acts as Notary Public.....	16
WALKER COUNTY, Joint Resolution in relation to the name thereof.....	39
WARD & WATTS, Joint Resolution requesting the detail of men for manufacturing purposes.....	37
WASHINGTON IRON MANUFACTURING COMPANY, Act of incorporation.....	29
WATSON, CAREY, Act for relief of, and assigns.....	18
WHITESCARVER, CAMPBELL & CO., Joint Resolution authorizing State to pay Confederate Tax levied on them.....	35





