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ACTS

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF GEORGIA,

PASSED IN

MILLEDGEVILLE,

AT AN

ANNUAL SESSION

IN

NOVEMBER AND DECEMBER,

1862:

ALSO EXTRA SESSION OF 1863.

PUBLISHED BY AUTHORITY.

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TABLE OF TITLES, DIVISIONS, &c.

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PART 1.

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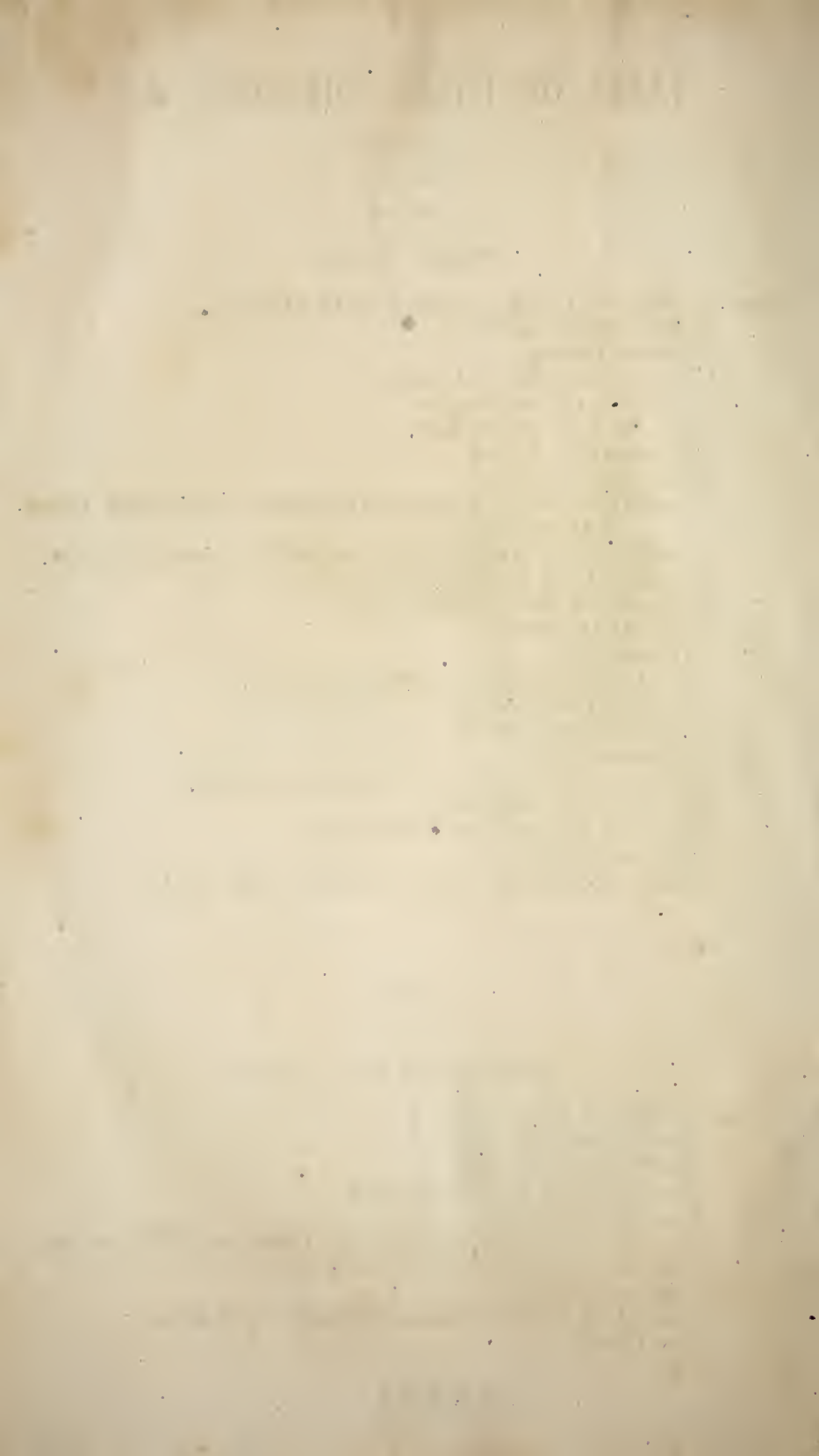
PUBLIC LAWS.

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- “ III.—ASYLUMS.
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3-5-32

F. Lawrence

STATUTES OF GEORGIA

PASSED BY THE

GENERAL ASSEMBLY OF 1862.

PART I.---PUBLIC LAWS.

TITLE I.

AGRICULTURE, MANUFACTURES, &c.

- | | |
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| Sec. 1. Number of acres in cotton to the hand limited. | Sec. 11. Agents. |
| " 2. Penalty for violation. | " 12. \$100,000 appropriated for manufacture of wool and cotton cards. |
| " 3. Order for survey. | " 13. Contract with Messrs. Divine, Jones and Lee. |
| " 4. Number of hands must be given in. | " 14. Issue of Treasury Notes. |
| " 5. This Act to be given in charge. | " 15. Sale and distribution of cards. |
| " 6. \$500,000 appropriated for salt supply. | " 16. Names of stockholders in factories to be published. |
| " 7. How invested. | " 17. Penalty for failure. |
| " 8. Transportation of Salt. | |
| " 9. Further supply. | |
| " 10. Distribution. | |

(No. 1.)

An Act to prevent and punish the planting and cultivating, in the State of Georgia, over a certain quantity of land in Cotton, during the war with the Abolitionists.

1. SECTION I. *The General Assembly of Georgia do enact, That it shall not be lawful for any person or persons, whether residing in this State or not, to plant and cultivate in any county in this State, by themselves, their agents or employees, or allow the same to be done, a greater number of acres of land in cotton than three (3) acres for each hand owned or employed by them between the ages of fifteen and fifty-five; and when said person or persons may own or employ hands over fifty-five years of age and under sixty-five, or over twelve years of age and under fifteen, two of said hands shall be counted as one hand; and therefore, said per-*

No. of same to the hand.

Hands how counted.

Supply of salt to the people of State.

son or persons may plant and cultivate three acres of land in cotton, and no more, for every two of said hands so owned or employed by them.

2. SEC. II. That every violator of this law shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined, for every acre so planted more than three to the hand or hands, or six to the two hands or hands, or nine acres to three hands or hands, and so on in proportion to the number of hands employed, the sum of five hundred dollars for each and every acre so planted above the number specified; one-half of which sum shall be, in cases where there is a prosecutor or informer, paid to said prosecutor or informer, and the other half paid to the Inferior Court of the county where the conviction takes place, for the benefit of indigent soldiers' families in said county.

3. SEC. III. That any person or persons who may intend or desire to prosecute any person or persons for the violation of this Act, may, upon application to any Justice of the Inferior Court of said county, supported by affidavit that he has good reason to believe that said law has been violated, obtain an order requiring the County Surveyor, or his lawful deputy, to enter the premises of said person, and make a survey of all the lands so planted and cultivated in cotton; and said person shall pay said Surveyor for making said survey, his usual fees, which shall be taxed in the bill of costs on the final adjudication of the same.

4. SEC. IV. That all owners of slaves or employees shall give in, to the Tax Receiver, the number of hands owned or employed by them, between the ages of twelve and fifteen, and fifteen and fifty-five, and fifty-five and sixty-five, each year during said war.

5. SEC. V. That the Judges of the Superior Courts be required to give this law specially in charge to the Grand Juries, at each term of their courts, during said war with the Abolitionists.

Assented to December 11th, 1862.

(No. 2.)

An Act to provide for the supply of the people of Georgia with salt, and to appropriate money for the accomplishment of that object.

6. SECTION I. *The General Assembly of Georgia do enact*, That the sum of five hundred thousand dollars be, and the same is hereby appropriated, to be used for the purpose of supplying the people of Georgia with salt, as hereinafter directed.

7. SEC. II. For the purpose of supply for the present packing season, the Governor is hereby authorized to invest the sum above appropriated, or such part or parts thereof as in his discretion may seem best, either in the purchase or manufacture and transportation of salt on State account, or in giving encouragement and substantial aid to any responsible individual or association who may be engaged, or who may hereafter engage, in the purchase or manufacture of salt for distribution without speculation, in Georgia, by

Supply of salt to the people of Georgia

advancing to them funds, upon proper security, for the purchase, manufacture, or transportation to such convenient place or places in Georgia as the Governor may designate, of such salt as they may make or otherwise obtain for the aforesaid purposes; *Provided*, That in all such arrangements as he may make with individuals or associations, he shall preserve such lien upon the salt as to secure its early distribution, and to secure in that distribution, that a sufficient sum is paid by the consumer to cover all costs, including charges of transportation and storage, &c., to the end that the expenditures of said fund may be reimbursed to the treasury.

Lien upon salt entire.

Selling price must cover cost.

8. SEC. III. The Governor is hereby authorized and empowered to draw his warrant or warrants upon the treasurer, to be paid out of the funds above appropriated, for all such expenses as may be incurred, not exceeding fifty thousand dollars, in sending trains to Saltville, Virginia, and elsewhere, to aid in the transportation to Georgia of salt which may have been made or purchased, or which may hereafter be made or purchased, by individuals, associations, or corporations for supply to the people of Georgia, or any portion thereof, without speculation; *Provided*, That in each and every instance the money so drawn and expended shall be promptly refunded to the treasury of the State by the individuals, associations, or corporations for whose benefit, or at whose instance the expenditure may have been made.

Transportation of salt provided for.

Expenses of salt to be refunded.

9. SEC. IV. For further supply of salt to the people of Georgia, the Governor is authorized to cause salt to be manufactured on State account, at such place or places as he may deem best, or by making advancements to individuals, associations or corporations, on proper security, on such time, and upon such terms as he may deem best, or to purchase salt, if deemed by him the most economical method. For this purpose, the sum of five hundred thousand dollars is hereby appropriated, to be raised out of such sums as will be refunded under the preceding provisions of this law, or such other funds as may remain in the treasury not otherwise appropriated. The Governor is hereby authorized to draw his warrant or warrants upon the treasurer, for so much of said fund as he may, from time to time, deem necessary for the purposes aforesaid.

Further supply of salt provided for.

10. SEC. V. All distributions of salt that may be manufactured or purchased under this Act, shall be made so soon as practicable after the manufacture or purchase, to the people of Georgia, at such convenient places as the Governor shall designate: and in all distributions of salt, whether obtained through purchase, manufacture on State account, or the action of individual associations or corporations, under the encouragement and approval of the Governor, a sufficient price shall be required and received to refund to the treasury the money expended for the salt so distributed.

Distribution of salt.

11. SEC. VI. The Governor is hereby authorized to employ all such agents as he may deem necessary to carry out the provisions of this law, and to provide by contract what sum is to be paid to such person or persons as he may thus employ for his or their services; and he shall pay for the same, as well as for all expenses in-

Employ and payment of Agents.

curring in the premises, out of the funds hereinbefore appropriated.

Assented to December 2, 1862.

(No. 3.)

An Act to appropriate money for the manufacture of wool and cotton cards, and card clothing for Factories, and to provide for the raising and disbursement of the same.

WHEREAS, the supply of wool and cotton cards, and of card clothing for Factories, in consequence of the existing war, is very limited in Georgia and in the Confederate States of America, and whereas, these articles are necessary to the clothing of our soldiers in the field and their families at home; and of the people generally, as also of our slaves.

Treasuries.

\$100,000 appropriated.

Machinery to be erected.

12. SECTION I. *The General Assembly of Georgia do enact*, That the sum of one hundred thousand dollars, or so much thereof as may be necessary, be and the same is hereby appropriated out of any funds not otherwise appropriated in the Treasury, for the purpose of procuring the necessary machinery and materials and the erection of necessary buildings and appurtenances and carrying on the work of manufacturing wool and cotton cards, and card clothing for Factories, and to encourage the manufacture of either or all of the aforesaid articles by individuals within this State. The Governor is hereby authorized to put all such machinery as he may purchase or cause to be made for the purposes aforesaid, into operation in the Penitentiary of the State in or near the armory, and to employ such convicts therein confined, as may be needed in the manufacture, under the direction of the State Armorer or other Superintendent to be appointed by the Governor, together with as many master workmen and other operatives as may be necessary. He is also hereby empowered, in the event he thinks best to do so, to locate such machinery, tools, implements and materials at such other place or places in the State, as he may in his discretion prefer, and to employ all such superintendents, workmen and operatives as he may deem necessary to the active and efficient performance of the work.

Contract with Messrs. Divine, Jones & Lee authorized.

13. SEC. II. His Excellency the Governor is hereby authorized and empowered to contract with Messrs. Divine, Jones and Lee, for one half interest in their machines for manufacturing wool and cotton cards, and the manufacture of card clothing for Factories, together with all their stock on hand and purchased, consisting of wire, sheepskins, leather and wood suitable for backs and handles, and other articles used in the business, with the privilege of duplicating the machines as often as necessary, and increasing the works as may be desirable to the State, and also of locating the works at such place or places as may be desirable to the Governor, or the agent appointed on the part of the State to conduct the same; for all which he is authorized to pay out of the fund here-

Factories to publish lists of Stockholders.

inbefore appropriated, a sum not exceeding sixty thousand dollars. In any such contract as he may make with the parties aforesaid, the Governor is hereby authorized to so adjust the terms, as in his judgment, will be best calculated to carry into effect, the object of this Act.

14. SEC. III. If, at any time, there should be a deficiency of money in the Treasury, not otherwise appropriated, necessary to meet in whole, or in part, as it may be needed, the appropriation hereinbefore made, the Governor is hereby authorized to raise the required sum by issuing Treasury notes of the State in such denominations as he thinks best, redeemable six months after a treaty of Peace between the Confederate States and the United States, in six per cent bonds, or in gold and silver coin.

Treasury notes may be issued to meet appropriation

15. SEC. IV. The Governor is hereby authorized to make all such arrangements as he may think necessary for the sale of the articles to be manufactured under this law; and so soon as any considerable number of wool and cotton cards shall have been manufactured, it shall be his duty to cause the same to be sold at such places in the State as he may designate, and at such prices as will reimburse to the State, the cost and expenses incurred in the necessary preparations for, and in the manufacture and disposal of the same. He is also empowered, in such disposals of cards as he may make within this State, to equitably apportion to the Inferior Courts of the respective counties of the State, a reasonable number of cotton and wool cards, to be judged of by him, to be distributed amongst the poor, by said Inferior Courts.

Sale of cards.

Distribution to the poor.

Assented to December 6th, 1862.

(No. 4.)

An Act to require the incorporated Cotton and Wool Factories in this State to publish lists of their stockholders.

16. SECTION I. *Be it enacted by the General Assembly of the State of Georgia,* That all companies chartered under the laws of this State for the manufacture of cotton or woolen goods, or cotton yarn or thread, shall be required to have published twice during each year, in a public gazette nearest to their respective places of business, a list containing the names of each and every stockholder, with the amount of stock owned by him or her.

Publication how made.

17. SEC. II. Any such corporation failing to have such publication made, shall forfeit, for each failure to have published, the sum of five thousand dollars, to be recovered by action in the Superior Court of the county in which the business of such company or companies may be located, one-half to go to the informer, and the other half to go to the county where the suit may be instituted.

Penalty for failure.

SEC. III. Repeals conflicting laws.

Assented to December 9th, 1862.

Salary of Governor—Of State House officers.

TITLE II.

APPROPRIATIONS.

- SEC. 1. Salaries of Governor, Secretary of State, Treasurer and Comptroller General. Extra Pay to Comptroller. Salaries of Secretaries of Executive Department, Messenger, Librarian, Attorney and Solicitors General, and Reporter of Supreme Court. Contingent Expenses of Supreme Court. Salaries of Judges of Supreme Court and Judges of Superior Courts.
- " 2. Contingent Fund. Printing Fund. Salary of Chaplain of Penitentiary. Pay for taking care of Senate Chamber and Rep. Hall and State House Clock. Pay of State House Guard.
- " 3. Pay and Mileage of Members of General Assembly.
- " 4. Pay of Secretary of Senate and Clerk of House of Representatives. Clerk of Senate Committees.
- " 5. Pay of Messengers and Doorkeepers and for Lighting Chandeliers.
- " 6. Salaries fixed by law.
- " 7. Advances by Treasurer.
- " 8. Services ordered by General Assembly.
- " 9. Salary of Hon. Thomas Butler King, and expenses of Mission.
- " 10. Appropriation for obstructing navigable streams. For Apalachicola, Chattahoochee and Flint Rivers.
- SEC. 11. Georgia Relief and Hospital Association.
- " 12. Purchase of Clothing, &c., for Georgia Soldiers.
- " 13. Support of Soldiers and Soldiers' families.
- " 14. Supply of Salt. Manufacture of Wool and Cotton Cards.
- " 15. To reimburse Tr. of W. & A. R. R.
- " 16. Payment of Public Debt, &c.
- " 17. Salary of Superintendent of Georgia Military Institute.
- " 18. Pay of Guard of State Magazine. Military Store-keeper.
- " 19. Military Fund.
- " 20. Issue of Treasury Notes provided for.
- " 21. Appointment of Clerks to sign, &c.
- " 22. Form of Notes—When and how payable.
- " 23. Expenses, &c., of various Committees.
- " 24. Appropriation to Hon. O. H. Cook.
- " 25. For removal of non-combatants.
- " 26. To Z. M. Winkler.
- " 27. Estate of Hon. F. S. Bartow.
- " 28. Georgia Military Institute.
- " 29. Advances to Members and Officers of General Assembly.
- " 30. To Public Printer.

(No. 5.)

An Act to provide for raising a revenue for the political year 1863, and to appropriate money for the support of the Government during said year, and to make certain special appropriations, and for other purposes therein mentioned.

1. SECTION I. *Be it enacted by the General Assembly of Georgia,* That the following sums of money be, and the same are hereby appropriated to the respective persons and objects hereinafter named, viz: The sum of four thousand dollars to His Excellency the Governor, as his salary for the year 1863; and the further sum of sixteen hundred dollars, each, to the Secretary of State and Treasurer; and the sum of two thousand dollars to the Comptroller General, for the year 1863; and the further sum of one thousand dollars for extra services in signing Treasury Notes in the months of March, April, and May last, and for superintending the issue of Treasury Notes; also, for extra services and expenses in visiting Augusta and examining the Confederate War Tax books, by which service, and previous extra service, the Comptroller General detected errors amounting to \$66,684.62, made against Georgia by the Confederate authorities in assessing the War Tax, said officer thereby saving to the State, according to the Governor's late annual message, the net sum of \$60,016.16; and

Salary of Governor.

Secretary of State and Treasurer.

Comptroller General and pay for extra services.

Salaries of various officers.

the sum of thirteen hundred and fifty dollars, each, to the Secretaries (not exceeding two,) employed in the Executive Department for the year 1863, and no more; and the sum of five hundred dollars to pay the Messenger to the Executive Department for the year 1863; and the sum of five hundred dollars to the State Librarian, as his salary for the year 1863, and no more; and the sum of two hundred and twenty-five dollars, to each, the State's Attorney and the Solicitors General for the year 1863; and the sum of eight hundred dollars to the Reporter of the Decisions of the Supreme Court, as his salary for the year 1863; and the further sum of one hundred dollars be, and the same is hereby appropriated to pay the Clerk of the Supreme Court for the Correction of Errors, for stationery and advertising notices of the meeting of said Court in the year 1863; and the sum of thirty-five hundred dollars to each Judge of the Supreme Court whose commission bears date prior the 29th day of November, 1861; and the sum of two thousand dollars to each Judge of the Supreme Court whose commission bears date since the 29th day of November, 1861, for his salary for the year 1863; and the sum of twenty-five hundred dollars to each Judge of the Superior Courts whose commission bears date prior to the 29th day of November, 1861; and the sum of fifteen hundred dollars to each Judge of the Superior Courts whose commission bears date since the 29th day of November, 1861, as his salary for the year 1863.

2. SEC. II. *Be it further enacted*, That the sum of twenty thousand dollars be, and the same is hereby appropriated as a contingent fund for the year 1863; and the sum of thirty thousand dollars be appropriated for a printing fund for the current year, and in case of a deficiency in this appropriation, the Governor is hereby authorized to draw his warrant on the Treasury for the deficit, to be paid out of any money in the Treasury not otherwise appropriated; and the sum of one hundred and fifty dollars to pay the Chaplain of the Penitentiary for the year 1863; and the sum of fifty dollars to the person selected by the Governor to keep clean, scour, air the chambers, &c., of the Senate Chamber and Representative Hall for the year 1863; and the sum of fifty dollars, or so much thereof as may be necessary, to pay for repairing and keeping in order the State House Clock for the year 1863; and the sum of twelve hundred dollars to pay the State House Guard for the year 1863.

3. SEC. III. *And be it further enacted*, That the sum of six dollars, each, per day, be paid to the President of the Senate and Speaker of the House of Representatives, during the present session of the General Assembly, and the sum of four dollars for every twenty miles of travel, going to and returning from the seat of government, the distance to be computed by the nearest route usually travelled; and that the sum of five dollars, each, per day, [be paid?] to the members of the General Assembly, during the present session, and four dollars for every twenty miles of travel, going to and returning from the Capital, under the same rules which

Secretaries of Ex Dep.

Messenger.

Librarian.

Attorney and Solicitor General.

Reporter of Supreme Ct.

Appropriation to Clerk of Supreme Court for stationery and advertising.

Judges of Supreme Court.

Judges of Superior Court.

Contingent fund.

Printing fund for current year.

Chaplain of Penitentiary.

Taking care of Senate Chamber and Rep. Hall.

State House Clock.

State House Guard.

Pay of President and Speaker.

Mileage.

Pay of Members.

Mileage.

Officers and members of General Assembly.

- apply to the President of the Senate and Speaker of the House of Representatives; *Provided*, that no member of the General Assembly shall receive pay for the time he may be absent, unless his absence was caused by the sickness of himself or family, or he had leave of absence granted by the Senate or House, for satisfactory reasons.
4. SEC. IV. *And be it further enacted*, That the Secretary of the Senate be paid eighty-seven dollars and fifty cents per day, for the present session; and the Clerk of the House of Representatives be paid the sum of one hundred dollars per day, for the present session, out of which sums they shall pay all their assistants and sub-clerks; *Provided*, that no warrant shall be issued in favor of either, until his Excellency the Governor shall have satisfactory evidence that they have carefully marked and filed away all reports of standing committees, and all other papers of importance, connected with either House; and the sum of seventy-five dollars, or so much thereof as may be necessary, is hereby appropriated, each, to the Secretary of the Senate, and Clerk of the House of Representatives, to defray the contingent expenses of their respective offices, at the present session of the General Assembly; and that the sum of five dollars *per diem* be appropriated to pay the Clerk of the Senate Committees on the Judiciary and Military for as many days as he has served said committees; and that the Auditing Committee of the Senate shall not be authorized to audit said Clerk's account for any greater number of days than shall be certified to by the Chairman of said Judiciary Committee and Military Committee.
5. SEC. V. *And be it further enacted*. That the sum of six dollars per day, be paid to each of the Messengers and Doorkeepers of the Senate and House of Representatives at the present session of the General Assembly, and the sum of fifty dollars, or so much thereof as may be necessary, is hereby appropriated to pay for cleaning, lighting and keeping in order the chandeliers of the Senate Chamber and Representative Hall, during the session of the General Assembly.
6. SEC. VI. *And be it further enacted*, That the various sums of the annual salaries of all the officers of this State, whose salaries are fixed by law, be and the same is hereby appropriated annually, to pay said salaries until they are otherwise altered by law.
7. SEC. VII. *And be it further enacted*, That the Treasurer be authorized to pay from time to time, to the officers of the Government, whose salaries are appropriated by this act, seventy-five per cent of the amount, for which service has been actually rendered at the date of such payment, taking receipts from said officers for the same, which receipts shall be his vouchers, and are hereby declared offsets to the extent of said payments, to executive warrants drawn at the end of the quarter, for said officer's salary.
8. SEC. VIII. *And be it further enacted*, That in all cases, when the General Assembly directs the performance of any service or labor, for which no provision for compensation is made, the Gov-

Proviso.

Secretary of Senate.

Clerk of House.

Proviso.

Contingent expenses of Secretary and Clerk.

Pay of Clerk of Senate Committees.

Messengers and Doorkeepers.

Lighting, &c. chandeliers.

Salaries fixed by law.

Advances by Treasurer.

Salary and pay to T. Butler King, &c.

ernor is hereby authorized to draw his warrant on the Treasury for such sum or sums, as in his judgment may be a just compensation.

Governor to pay for services directed by General Assembly.

9. SEC. IX. *And be it further enacted,* That the sum of twenty-five hundred dollars be, and the same is hereby appropriated as a salary, to be paid the Hon. Thomas Butler King, in compensation for his valuable services, rendered to this State and the country, during his mission to Europe, as a Commissioner from the State of Georgia; and that the further sum of four hundred dollars, is hereby appropriated, to be paid to the Hon. Thomas Butler King, to refund to him that amount paid out by him, of his own funds, as expenses of his said mission.

Salary of Hon. Thos. Butler King.

Expense of mission referred.

10. SEC. X. *And be it further enacted,* That the sum of five hundred thousand dollars, or so much thereof as may be necessary, be, and the same is appropriated to be expended by His Excellency the Governor, in obstructing the navigable streams of this State, against the incursions of the enemy, as provided for by an act passed by this General Assembly; and the sum of forty-five thousand dollars in addition, is hereby appropriated to obstruct the Apalachicola, Chattahoochee, and Flint rivers, to be applied in the mode and manner as directed by an act passed by this General Assembly, appropriating money therefor.

Appropriated for obstructing navigable streams.

For Apalachicola, Chattahoochee, and Flint rivers.

11. SEC. XI. *And be it further enacted,* That the sum of four hundred thousand dollars, be, and the same is hereby appropriated for the Georgia Relief and Hospital Association, to be drawn and expended according to an Act passed at the present session.

Georgia Relief and Hospital Association.

12. SEC. XII. *And be it further enacted,* That the sum of one million five hundred thousand dollars, or so much thereof as may be necessary, be, and the same is hereby appropriated for the purchasing and procuring clothing, shoes, caps or hats, for all the privates and non-commissioned officers, who are now, or may hereafter be in the army of the Confederate States, from this State, during the present war; and if necessary, His Excellency, the Governor, is required to issue State Treasury notes, to the amount, and for the purpose aforesaid, in such sums as may be needed, from time to time, to effect the object of said appropriation, as required by an Act passed at the present session.

For clothing, shoes, caps, and hats for privates and non-commissioned officers.

13. SEC. XIII. *And be it further enacted,* That the sum of two and a half millions of dollars, or so much thereof, as may be necessary, be, and the same is hereby appropriated, for the support of indigent widows and orphans of soldiers, who have died, or been killed in the service of this State, or the Confederate States, for the support of indigent families of soldiers, who may be in the public service, and for the support of indigent soldiers who may have been, or may hereafter be disabled by wounds, or disease, in the service of this State or the Confederate States, for and during the year 1863; said appropriation to be drawn and expended according to an Act passed at the present session.

For support of indigent widows and orphans of soldiers, and for support of indigent families of soldiers, and for support of indigent soldiers who may have been, or may hereafter be disabled by wounds, or disease.

14. SEC. XIV. *And be it further enacted,* That the sum of five hundred thousand dollars, or so much thereof as shall be necessa-

Supply of salt—Wool and Cotton Cards, &c.

ry, be, and the same is hereby appropriated to be used for the purpose of supplying the people of Georgia, with salt, as directed by an Act passed at the present session of the General Assembly; that the sum of one hundred thousand dollars, or so much thereof, as shall be necessary, be, and the same is hereby appropriated, out of any funds in the Treasury, not otherwise appropriated for the purpose of procuring the necessary machinery and materials, and the erection of necessary buildings and appurtenances, for carrying on the works of manufacturing wool and cotton cards, and card clothing for factories, and to encourage the manufacture of either, or all of the aforesaid articles by individuals within this State; said appropriation to be raised, drawn, and applied according to an Act passed at the present session.

Procuring
supply of salt.

Manufacture
of wool and
cotton
cards, &c.

To reimburse
Treasurer of
W. & A. Rail-
road.

15. SEC. XV. *And be it further enacted*, That the sum of one hundred thousand dollars, or so much thereof, as may be necessary, be, and the same is hereby appropriated to reimburse the Treasurer of the Western and Atlantic Rail Road, such money as he has heretofore advanced, to enable the Governor to carry out his contract for the manufacture of salt in Virginia, for distribution amongst the families of soldiers, and others in Georgia.

For payment
of public debt,
&c.

16. SEC. XVI. *Be it further enacted*, That the further sum of one million of dollars, or so much thereof as may be necessary, be, and the same is hereby appropriated, to pay any portion of the public debt, which may become due within the present political year, and to pay the interest on such Treasury notes and State bonds, as may be issued under authority of any law passed during the present session of the legislature; the same to be paid out of any money in the Treasury, not otherwise appropriated.

Salary of Sup.
Ga. Mil. In-
stitute.

17. SEC. XVII. *And be it further enacted*, That the sum of two thousand dollars is hereby appropriated to pay the salary of the Superintendent of the Georgia Military Institute, at Marietta.

Guard of State
Magazine.

18. SEC. XVIII. *And be it further enacted*, That the sum of four hundred dollars, or so much thereof as shall be necessary, be, and the same is hereby appropriated, to pay for the Guard at the State magazine at Milledgeville, for the year 1863; and the sum of six

Military store-
keeper.

hundred dollars, to pay the Military Storekeeper, in the city of Milledgeville.

Military fund.

19. SEC. XIX. *And be it further enacted*, That the sum of one million of dollars, or so much thereof as may be necessary, be, and the same is hereby appropriated, as a military fund for the year eighteen hundred and sixty-three; to be drawn from the Treasury, on warrants of the Governor, from time to time, as the same may be required to defray the expenses for military purposes.

Treasury
notes may be
issued.

20. SEC. XX. *And be it further enacted*, That in case there should not at any time be money in the Treasury to meet any appropriation made by this General Assembly, it shall be the duty of the Governor of this State, to raise such sums as may be needed for that purpose, by the issue of Treasury notes of this State, to be signed by the Treasurer and Comptroller General, or such persons as the Governor shall select to sign for them; and when an or-

Issue of State Treasury notes, &c.

der shall be placed upon the Executive minutes, making such appointment, the signature of such person or persons shall be as legal and valid as if the note were signed by the Treasurer and Comptroller General; any person counterfeiting any note or notes, signed by such persons so appointed, shall be subject and liable to all the pains and penalties contained in the Penal laws of this State, against counterfeiting bank notes or other currency of this State.

By whom signed.

Penalties for counterfeiting.

21. SEC. XXI. *And be it further enacted*, That the Governor shall appoint such clerks as he may find to be necessary, to assist in preparing said Treasury notes, including the labor of numbering, dating, recording and stamping them.

Clerks may be appointed to prepare the notes.

22. SEC. XXII. *And be it further enacted*, That after the notes now engraved shall be exhausted, which are to be issued in the form of the notes of that character heretofore issued; in the discretion of the Governor, all Treasury notes issued under the provisions of this Act, shall be payable six months after a treaty of peace shall have been ratified between the United States and Confederate States of America, in specie, or the six per cent bonds of this State.

Form of notes.

When and how payable.

23. SEC. XXIII. *And be it further enacted*, That the sum of two hundred dollars, or so much thereof as may be necessary, be, and the same is hereby appropriated to pay expenses, &c., incurred by R. T. Gibson, A. B. Culverson, P. B. Monk, S. F. Alexander, and James Simmons, the committee appointed by the General Assembly, to visit Cave Springs, examine into the condition of the Institution for the education of the Deaf and Dumb, and report to this session; and the sum of one hundred and twenty-five dollars be appropriated to pay expenses incurred by D. R. Mitchell, S. F. Alexander, Lewis Zachry, Robert Hester and Milton A. Candler, the committee appointed by a resolution passed at this session, to investigate an alleged fraud, practiced in the purchase of shoes from the Penitentiary for soldiers in the Confederate service; and six dollars each to the Committee on the Academy for the Blind, in visiting the Academy; and the sum of sixty dollars to pay the expenses of a sub-committee of three, who went to Atlanta, to examine into the Commissary and Quartermaster's department.

Expenses of Committee visiting Deaf and Dumb Asylum.

Expenses of Committee investigating alleged fraud on Penitentiary.

Committee visiting Academy for the Blind.

Sub-Committee examining Commissary and Quartermaster's Department.

24. SEC. XXIV. *And be it further enacted*, That the sum of forty-five dollars be appropriated to pay to the Hon. O. H. Cook, Representative from Irwin county, for nine days' service at last session undrawn, as appeared by the books in the Treasurer's office.

To Hon. O. H. Cook, for services as Rep.

25. SEC. XXV. *Be it further enacted*, That the sum of three hundred thousand dollars is hereby appropriated for the purpose of removing from any part of this State threatened with invasion or attack, to a place of better security, all indigent white non-combattants, when it may be thereafter deemed necessary by the military authorities of the Confederate States, and for the support of all such non-combattants so removed, or to be removed as aforesaid.

For removal and support of indigent non-combattants.

26. SEC. XXVI. *And be it further enacted*, That the sum of one hundred and eighty dollars and eighty cents be, and is hereby ap-

For Z. M. Winkler re- funding double tax. appropriated for the payment of a double tax, to Z. M. Winkler, of the county of Chatham.

For services of Hon. F. S. Bartow in State Convention. 27. SEC. XXVII. *And be it further enacted*, That such sum is hereby appropriated in favor of the legal representatives of the estate of the late Hon. Francis S. Bartow, as shall be found to be due and unpaid to him, as a member of the Convention of Georgia.

Repairing dormitories & procuring lot for W. M. I. 28. SEC. XXVIII. *And be it further enacted*, That the sum of three thousand dollars be appropriated for repairs of the dormitories at the Georgia Military Institute, and for the purchase of an eight acre lot immediately south of the Institute.

SEC. XXIX. Repeals conflicting laws.

Assented to December 13th, 1862.

(No. 6.)

An Act to authorize and require the Treasurer of this State to make certain advances, and for other purposes.

Advances to members and officers of General Assembly. 29. SECTION I. *The General Assembly of the State of Georgia do enact*, That the Treasurer of this State be, and he is hereby authorized and required, to make advances to any of the members and officers of this General Assembly; in no case to exceed the probable per diem pay and mileage of any members of the same.

To Public Printer. 30. SEC. II *Be it further enacted*, That the sum of two thousand dollars be, and the same is hereby appropriated as an advance to the Public Printer for the current year, to be drawn by Executive warrant on the Treasury.

SEC. III. Repeals conflicting laws.

Assented to December 2d, 1862.

TITLE III.

ASYLUMS.

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| SEC. 1. Salary of Superintendent of Lunatic Asylum. | SEC. 5. Rate per cent. of State tax to be increased. |
| " 2. Salaries of other officers and hire of servants. | " 6. \$6,000 appropriated to Georgia Academy for the Blind. |
| " 3. Support of pauper patients. | " 7. Repeal of acts making annual appropriations to Asylum for Deaf and Dumb. |
| " 4. Appropriations, how drawn, subject to what conditions. | |

(No. 7.)

An Act to appropriate money for the support of the State Lunatic Asylum for the year 1863, and for other purposes.

1. SECTION I. *Be it enacted by the General Assembly*, That the sum of twenty-four hundred dollars be, and the same is hereby appro-

State Lunatic Asylum—Georgia Academy for the Blind.

appropriated to pay the salary of the Superintendent and resident Physician of the State Lunatic Asylum for the year 1862. Salary of Superintendent.

2. SEC. II. *Be it further enacted*, That the sum of twelve thousand dollars be, and the same is hereby appropriated to pay the salaries of Trustees, Treasurer, sub-officers, attendants, and hire of servants for the said Asylum, for the year 1863; *Provided*, such an amount is found necessary for said purposes. Salaries of officers, hire of servants.

3. SEC. III. *Be it further enacted*, That the sum of thirty thousand dollars, or so much thereof as may be necessary, is hereby appropriated for the support of pauper patients in said Asylum for the year 1863. Support of pauper patients.

4. SEC. IV. *Be it further enacted*, That the money herein appropriated shall be drawn by Executive warrant on the Treasury, in the same manner as heretofore practiced; *Provided*, however, that the amounts appropriated in Sections second and third of this act, shall be drawn and used subject to the conditions, restrictions and regulations prescribed in the fourth Section of "An Act* to provide for raising a revenue for the political year 1861, and to appropriate money for the support of the government during said year, and to make certain special appropriations, and for other purposes," assented to December 19th, 1860, so far as said fourth Section contains provisions applicable to similar items of appropriations as are contained in the second and third sections of this Act. Money to be drawn hereafter. Appropriations in said 3rd section subject to restrictions and regulations.

5. SEC. V. *And be it further enacted*, That the Governor and Comptroller General shall, in applying the rate per centum of taxation to support the Government for the political year 1863, so to increase the rate per centum thereof, as will be necessary to pay the foregoing items of appropriation. Rate per cent. of State tax to be increased.

SEC. VI. Repeals conflicting laws.

Assented to December 15th, 1862.

*For this Act see Acts of 1860, p.

(No. 5.)

An Act for the support of the Georgia Academy for the Blind.

6. SECTION I. *The General Assembly of the State of Georgia do enact*, That the sum of six thousand dollars is hereby appropriated for the support of the Georgia Academy for the Blind, during the current political year; and that his Excellency the Governor is authorized to draw his warrant for the same in favor of the Trustees of said Academy. 1862.

SEC. II. Repeals conflicting laws.

Assented to December 9th, 1862.

(No. 9.)

*An Act to repeal An Act and the Acts of which it is amendatory, entitled An Act to provide for the indigent deaf and dumb citizens of this State; and also to provide for the appointment of a Commissioner, to regulate his duties, affix his salary, and appropriate money therefor, by increasing annual appropriation, and for other purposes, approved January 13th, 1852.**

Repeals acts making annual appropriations

7. SECTION I. *Be it enacted, &c.,* That the above recited Act, together with all Acts of which it is amendatory, be, and the same are hereby repealed.

SEC. II. Repeals conflicting laws.

Assented to December 15th, 1862.

*See Acts of '51-2, p. 80.

TITLE IV.

BANKS AND BANKING.

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| <p>SEC. 1. Penalties for failure to pay specie suspended till Dec. 1st, 1863. Proviso. Issue of small bills. What notes must be received. Percentage on deposits.</p> <p>" 2. Penalty for issuing change bills not signed by both President and Cashier not to be enforced. Bills must be redeemed.</p> <p>" 3. Treasurer and Comptroller General required to issue change bills.</p> <p>" 4. How prepared and signed.</p> <p>" 5. Redemption of bills.</p> <p>" 6. Quality of paper.</p> <p>" 7. Penalty for counterfeiting.</p> <p>" 8. To be registered and numbered by Comptroller General.</p> <p>" 9. To be turned over to Treasurer.</p> | <p>SEC. 10. Treasurer to distribute.</p> <p>" 11. When authority to issue shall cease.</p> <p>" 12. Treasurer may use in payments.</p> <p>" 13. Expenses of issuing. Employment and compensation of Clerks.</p> <p>" 14. Cotton Planters' Bank authorized to take subscriptions for stock payable in cash or bonds. Penalty for failure to redeem bills. Proviso.</p> <p>" 15. Authorized to issue bills to three times amount of capital paid in.</p> <p>" 16. Shares and transfer of stock.</p> <p>" 17. Certificates of stock. Transfer of.</p> <p>" 18. Liability of stockholders.</p> <p>" 19. 16th Section of original Act repealed.</p> <p>" 20. 9th Section of Act of incorporation not repealed.</p> |
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(No. 10.)

An Act to grant relief to the Banks and People of this State.

1. SECTION I. *The General Assembly of Georgia do enact,* That all and every the pains and penalties heretofore imposed upon the several Banks in this State and their officers, by any previous legislation of the General Assembly of the same, for the failure or refusal of said Banks to redeem their liabilities in gold and silver, be, and the same are hereby suspended until the 1st day of December, 1863; *Provided,* such Banks shall at all times give the Treasury notes of this State or of the Confederate States at par, in exchange for their own bank notes, when demanded in sums of one hundred dollars; *And provided also,* that each of the chartered Banks of this State, claiming the provisions of this Act, shall be and they are hereby required to issue and keep in cir-

Relief of Banks extended to Dec. 1, 1863.

Banks relieved from any penalty on account of the manner in which Change Bills are signed.

ulation, during their suspension, small bills of the denomination of five, ten, twenty-five, fifty, and seventy-five cents, to the extent of five *per centum* upon their capital stock; and that the said banks are authorized to issue said small bills to the extent of ten *per centum* on their capital stock; and which said small bills shall be redeemed in Confederate Treasury notes, when presented in sums of five dollars and upwards; and the said Banks are also authorized to issue, in addition to their heretofore issued bills of the denomination of one, two, and three dollars, not exceeding ten *per centum* on their capital stock; *Provided*, the benefit and provisions of this bill shall not extend to any Bank or other corporation which does not, at its principal Bank or place of business, and also at its Branches and Agencies, receive the Treasury notes of the State of Georgia and of the Confederate States, and bills of all solvent Banks in this State, such solvency to be determined by the judgment of the Bank with which the deposit is sought to be made, in payment of all dues, and also upon deposit at *par value*; *Provided further*, That all such deposits may be paid in State or Confederate States Treasury notes, current bank notes, or specie; *Provided further*, that each Bank and Bank Agency which shall receive deposits as aforesaid, shall be entitled to charge one-eighth of one per cent. for receiving and paying out the same.

Issue of small bills provided for.

What notes must be received in payment and on deposit.

Deposits how paid.

Per centage charged.

SEC. II. Repeals conflicting laws.

Assented to November 29, 1862.

(No. 11.)

An Act to relieve the Banking Corporations of this State from any penalty for and on account of the manner in which the Change Bills now issued, or which may hereafter be issued by them, by authority of Act of the General Assembly, assented to 30th November, 1861, are signed, and to legalize the same.

WHEREAS, The charters of many of the Banking Corporations of this State require the bills issued by them to be signed by both the President and Cashier; *And whereas*, the Change Bills issued by them by authority of the Act of the General Assembly, assented to November 30th, 1861, are generally signed by but one of these officers, and the corporations which have issued them may thereby have subjected themselves to the penalties in their respective charters and the Penal Code of this State, prescribed. For remedy whereof, therefore,

Preamble.

2. SECTION I. *The General Assembly of the State of Georgia do enact*. That all Banking Corporations of this State which have issued or may hereafter issue Change Bills by authority of the said Act of the General Assembly of this State, assented to 30th November, 1861, and which have been or may be signed by either the President or Cashier, or other persons by them authorized, be and they are hereby relieved and released from any and all penalty or liability they may have incurred thereby, by reason

Penalty not to be enforced for issuing change bills not signed by both President and Cashier.

Treasurer and Comptroller General authorized to issue Change Bills for the State of Georgia.

of any clause in their respective charters, or any section of the Penal Code of this State; *Provided*, that nothing in this Act shall be so construed as to relieve said corporations from any liability to which they are by law subject for and on account of the non-redemption of said Change Bills which now are, or which may hereafter be issued; nevertheless the said corporations or Banks shall be liable as though said Change Bills had been signed by the President and Cashier, under their charter.

Assented to December 6, 1862.

(No. 12.)

An Act to authorize the Treasurer and Comptroller General of this State, to issue change bills for the State of Georgia, under the supervision of His Excellency the Governor.

3. SECTION I. *The General Assembly of the State of Georgia do enact*, That the Treasurer and Comptroller General are hereby authorized and required, under the supervision of the Governor, to have prepared, issued, and put in circulation, change bills of this State, of the denominations of four, three, two and one dollars, seventy-five cents, fifty cents, twenty-five cents, twenty cents, fifteen cents, ten cents and five cents; the aggregate amount of which shall not exceed one million of dollars.

4. SEC. II. The change bills authorized and required under the provisions of this Act, shall be stamped (if practicable) by the Treasurer, and shall be signed by the Treasurer and Comptroller General, or persons for them, or the signatures of the said officers shall be engraved or lithographed, as may be best for the speedy issue of said change bills.

5. SEC. III. *Be it further enacted*, That the said change bills shall be redeemable at the Treasurer's office in Milledgeville, in Confederate Treasury notes, when presented in sums of five dollars or upwards; and that this provision shall be expressed on the face of the change bills.

6. SEC. IV. *Be it further enacted*, That the change bills so issued shall be printed or engraved upon the best paper that can be obtained.

7. SEC. V. *Be it further enacted*, That if any person or persons shall alter or counterfeit any change bill or bills issued under the provisions of this Act; or shall knowingly pass any change bill so altered or counterfeited, he she or they so offending, shall be guilty of a felony, and on conviction shall be punished by confinement at hard labor in the Penitentiary, for a period of not less than two years, or more than ten years.

8. SEC. VI. *Be it further enacted*, That the Comptroller General shall have registered and numbered, in a well bound book to be kept in his office for that purpose, the number and amount of all change bills issued under this act, subject to the inspection of the

Bills must be redeemed.

Denominations and amount of change bills.

How prepared and signed.

Redemption of bills.

Quality of paper.

Pecalty for counterfeiting.

To be registered and numbered.

Charter of Cotton Planters' Bank of Georgia amended.

Governor or any committee of either branch of the General Assembly.

9. SEC. VII. *Be it further enacted*, That it shall be the duty of the Comptroller General to turn over said change bills to the Treasurer of this State, when they have been registered and numbered as required by this Act, and take his receipt for the same. To be turned over to Treasurer.

10. SEC. VIII. *Be it further enacted*, That it shall be the duty of the Treasurer of this State to furnish counties, towns, and villages, as also private parties, change bills for current bank, Confederate or State Treasury notes, when desired for change, in such a manner as to distribute the same as nearly as possible all over the State. Treasurer to distribute.

11. SEC. IX. *Be it further enacted*, That the authority to issue change bills under the provisions of this Act, shall cease and determine whenever the Banks of this State shall resume specie payment. Limitation of authority to issue.

12. SEC. X. The Treasurer is hereby authorized to use said change bills in the payment of any claims against this State. May be paid out.

13. SEC. XI. *Be it further enacted*, That the Governor be and he is hereby authorized to draw his warrant upon the Treasury of this State, for such sums of money as will be sufficient to defray the expenses of issuing the change bills authorized to be issued under the provisions of this Act; and that the Comptroller General shall have power to employ such number of clerks, not exceeding two, as may be necessary to issue said bills at an early day; and that the said clerk or clerks, shall have such compensation for his or their services as the Governor may deem just, not to exceed twelve hundred dollars per annum. Expenses of issuing. Employment and compensation of clerks.

Assented to December 5th, 1862.

(No. 13.)

*An Act to alter and amend An Act entitled An Act to incorporate the Cotton Planters' Bank of Georgia, and to confer certain powers and privileges on said Corporation. **

14. SECTION I. *Be it enacted by the General Assembly of Georgia*. That the President and Directors of said Cotton Planters' Bank of Georgia, shall, in addition to the rights and powers conferred upon them by the Act to which this is amendatory, be authorized to open books of subscription for stock, to be paid in cash or Confederate or State bonds, at the time of subscription; and that, if said corporation shall, within the usual banking hours, refuse or neglect to pay on demand any of its notes, bills, or obligations, issued by the said corporation, under this act, according to contract, the rights and privileges conferred by this Act, shall be forfeited; Subscriptions in cash, &c., authorized. Penalty for failing to redeem bills. *Provided*, however, that whenever a demand shall be made upon the Bank by any bank or its branches, by itself or its agents, the Bank shall have the right of redeeming the bills thus demanded, Proviso. with the bills of the Bank or its branches making the demand.

15. SEC. II. *Be it further enacted*, That the said Cotton Planters'

* See Acts of 1831, p. 20.

Cotton Planters' Bank of Georgia.—Code of Georgia.

Issue of bills authorized. Bank of Georgia shall be permitted, and is hereby authorized, to issue bills or notes of credit; but the total amount of debts which the said corporation shall owe at any time, whether by bond, bill, note, or other contract, shall not exceed three times the amount of the capital stock paid in.

16. SEC. III. *Be it further enacted*, That a share shall consist of one hundred dollars, and that each share shall be entitled to one vote, and that stock may be transferred upon the same terms and liabilities as provided in the Act of incorporation, of which this is amendatory.

17. SEC. IV. *Be it further enacted*, That certificates of stock shall be issued to stockholders, on the payment of the sum required at the time of subscription; which shall be transferable on the books of the Company only, and by the personal entry of the stockholder, or his legal attorney or representative, duly authorized for that purpose; and upon the non-payment of stock when required, the same shall be forfeited at the discretion of the Directors.

18. SEC. V. *Be it further enacted*, That the property of each stockholder shall be bound for the ultimate redemption of the bills of said Bank in proportion to the amount of stock held by each stockholder; and no transfer of stock shall relieve the stockholder from his liability as aforesaid, until six months after the transfer of his said stock.

19. SEC. VI. *And be it further enacted*, That the sixteenth section of said Act of which this is amendatory, be, and the same is hereby repealed.

20. SEC. VII. *And be it further enacted*, That all laws and parts of laws militating against this act, be, and the same are hereby repealed; *Provided*, that nothing herein contained shall be so construed as to repeal the 9th section of the Act incorporating said Bank, so far as said section relates to subscriptions of stock in cotton.

Assented to December 13th, 1862.

TITLE V.

CODE OF GEORGIA.

SEC. I. Acts of 1861 and 1862 to be the law if in conflict with Code.

(No. 14.)

An Act to settle the conflicts between the Code of Georgia and the legislation of this General Assembly.

1. SECTION I. *The General Assembly of Georgia do enact*, That wherever the provisions of the Code of Georgia shall conflict with the Acts passed by the General Assembly in the years 1861 and 1862, the latter shall be the law of this State; any law to the contrary notwithstanding.

Assented to December 13, 1862.

TITLE VI.

COUNTY OFFICERS.

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| <p>Sec. 1. Sheriffs being in service, Deputies may make titles.</p> <p>" 2. Certain Sheriffs' sales declared legal.</p> <p>" 3. Extra compensation may be allowed Clerks of Superior Courts and Sheriffs.</p> | <p>Sec. 4. To Clerks of Inferior Courts and Sheriffs.</p> <p>" 5. Certain counties excepted.</p> <p>" 6. Jailors' fees increased 50 per cent.</p> |
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(No. 15.)

An Act to authorize Deputy Sheriffs in this State to make titles to land and other property sold by them, in certain cases.

WHEREAS, Many of the Sheriffs of this State are, or may be absent from their respective counties, in the military service of the Confederate States; *And whereas*, the law of this State does not authorize Deputy Sheriffs to make titles to land sold by them as such officers; for remedy whereof.

11. SECTION I. *The General Assembly do enact*, That the Deputy Sheriffs are hereby authorized and empowered to make and execute as good and sufficient titles to all land and other property sold by them, (while their principal Sheriffs respectively are in said military service), as the Sheriffs could do, if sold by them as Sheriffs.

SEC. II. Repeals conflicting laws.

Assented to December 12, 1862.

(No. 16.)

An Act to make legal and valid sales made by Sheriffs and their Deputies, in certain cases therein mentioned.

2. SECTION 1. *The General Assembly of the State of Georgia, do enact*. That all public sales of property, which have been heretofore made by any Sheriff of this State or his Deputy, which has been legally advertised, and sold as the law directs, shall be legal and valid, although the Constable who made the levy and returned the same to the said Sheriff or his Deputy, may not have taken the oath; and given the bond and obtained the certificate now required by law.

SEC. II. All laws conflicting with this law are hereby repealed.

Assented to Dec. 12th, 1862.

(No. 17.)

An Act to compensate Clerks and Sheriffs, in certain cases therein mentioned.

3. SECTION I. *The General Assembly of the State of Georgia, do enact*, That from and after the passage of this Act, the several Judges of the Superior Courts of this State, be and they are hereby authorized to allow extra compensation to the Clerks of said Courts for issuing *venires*, furnishing stationery, etc., and also, to the Sheriffs, for summoning Grand and Petit Jurors; for other extra services in attending upon the Courts, as in their judgment, shall be reasonable and just; which said allowance, by an order shall be entered upon the minutes of said Court; and upon presentation of a certified copy of the same to the county Treasurer, the said Treasurer is hereby authorized and required to pay the same, out of any money in the county Treasury not otherwise appropriated.

Extra compensation to Clerks of Superior Courts and Sheriffs.

4. SEC. II. *And be it enacted by the authority aforesaid*, That the Justices of the Inferior Courts, be, and they are hereby authorized and required, when sitting at any session of said Inferior Courts, to allow the Clerks of said Courts, such compensation as shall be reasonable and just, for extra services, in keeping the records of the Courts for county purposes, and at the regular sessions for making out *venires*, furnishing stationery, &c., and also, to the Sheriffs for summoning juries, and attending upon the Courts; which shall be placed upon the minutes of said Courts; and upon presentation of a certified copy of such order to the County Treasurer, he shall pay the same, out of any money in his hands not otherwise appropriated.

To Clerks of Inferior Courts and Sheriffs.

5. SEC. III. *And be it further enacted*, That the provisions of this Act, shall not apply to any county in this State, where the same matters are regulated by local laws.

What counties excepted.

SEC. IV. Repeals conflicting laws.

Assented to Dec. 12th, 1862.

(No. 18.)

An Act to increase Jailors' fees in this State.

6. SECTION I. *The General Assembly of the State of Georgia enacts*, That the Jailors' fees in this State shall be increased fifty per cent. on the fees now allowed by law.*

Jailors' fees increased 50 per cent.

SEC. II. Repeals conflicting laws.

Assented Dec. 13th, 1862.

*For laws in relation to Jailors' fees heretofore, see T. R. R. Cobb's new Digest, pp 351-2; also acts of 1857, p. 53.

Act to prevent the unnecessary consumption of grain in the manufacture of spirituous liquors.

TITLE VII.

DISTILLATION.

<p>SEC. 1. Distillation of grain prohibited. Pen- alty.</p> <p>" 2. What constitutes offense.</p> <p>" 3. Exportation of grain for distillation prohibited.</p> <p>" 4. Fines, how applied.</p> <p>" 5. Licenses to distil.</p> <p>" 6. Preference in granting licenses.</p> <p>" 7. Affidavit of application. False swear- ing.</p>	<p>SEC. 8. Proclamation by Governor.</p> <p>" 9. Act to be given in charge.</p> <p>" 10. To continue in force during war.</p> <p>" 11. <i>Bona Fide</i> Contractors with Confed- erate Government relieved from pen- alties.</p> <p>" 12. Must take license. Distilleries already located.</p> <p>" 13. Inferior Courts to assess compensation for stills seized by order of Governor.</p>
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(No. 19.)

An Act to prevent the unnecessary consumption of grain by distillers and manufacturers of spirituous liquors in Georgia.

1. SECTION I. *The General Assembly do enact*, That from and after the expiration of ten days from the publication of the Govern-
or's proclamation hereinafter provided for, it shall not be lawful Distillation prohibited. for any person or persons to make, or cause to be made within this State, any whiskey, alcohol, or other spirituous or malt liquors, out of any corn, wheat, rye, or other grain, except for medicinal, hospital, chemical or mechanical purposes, as hereinafter allowed; and any person so offending, shall be deemed guilty of a mis-
demeanor, and, on conviction thereof, shall be fined for every such offense, not less than two thousand dollars, nor more than five thousand dollars; and be also subject to imprisonment in the county jail, not exceeding twelve months, in the discretion of the Court. Penalty.

2. SEC. II. Every day's or part of a day's distillation contrary What quanti-
ties allowed. to the provisions of this Act, shall be deemed a separate and distinct offense.

3. SEC. III. Any person or persons, who shall, by any means of transportation whatever, take or send, or cause to be taken or sent out of the limits of this State, any article of grain, ground or unground, with the intent that said article, or any portion of it, is to be distilled into spirituous liquors of any kind, shall be deemed guilty of a misdemeanor, and be subject to the penalties hereinbefore provided. Exportation of grain for distillation prohibited.

4. SEC. IV. The fines to be imposed by the Court under the provisions of this Act, shall be paid one half to the informer, and the other half to the Justices of the Inferior Court of the county wherein the conviction is had; to be by said Justices applied to the support of the wives, widows and families of such soldiers of this State as have been, now are, or hereafter may be in the military service of the Confederate States, or of the State of Georgia. Fines how ap-
plied.

5. SEC. V. That the Governor may, in his discretion, grant li-

Act to prevent the unnecessary consumption of grain in the manufacture of spirituous liquors.

Licenses to citizens. censes in writing to citizens of this State only, for the manufacturing of such an amount of alcohol or other spirituous liquors, as may in his judgment, be needed by the Government of the Confederate States, or for chemical, mechanical or medical purposes generally; *Provided* His Excellency is hereby directed to grant licenses to the officers and agents of, and contractors with the Confederate Government for the distillation of whisky to an amount not exceeding one million of gallons, for the use of said Confederate Government; *and Provided further*, That the same shall be distilled at the distance of at least twenty miles from any Railroad or stream usually navigated by steamboats. But no person distilling under any license aforesaid, shall sell any whisky or any other spirituous liquors, for more than one dollar and fifty cents per gallon, nor alcohol at more than two dollars and fifty cents per gallon, under the penalties aforesaid. Any license granted under this Act, shall be revocable at the pleasure of the Governor; and it shall be his duty to revoke the same whenever he shall have reason to believe that it is abused, or perverted from the uses intended by this Act.

To Agents of Confederate Government.

Restrictions.

Licenses revocable.

Preference to be given. 6. SEC. VI. In granting the licenses hereinbefore provided for, the Governor shall give the preference to those sections of the State where grain may be most abundant, and at points most remote from Railroad or water transportation.

Affidavit of applicant. 7. SEC. VII. That each person applying to the Governor for a license to distill any grain as provided for in this Act, shall, before obtaining such license, make and subscribe his written affidavit before some Justice of the Peace, Justice of the Inferior Court, or Notary Public, of this State, and file the same in the Executive office of this State; in which affidavit, he shall swear that he will not make, or cause to be made, more whisky or other spirituous liquors out of grain, than the number of gallons specified in said license; and any person violating said oath, by making a larger amount than the amount which he is authorized by said license to make, shall be guilty of false swearing, and, on conviction thereof, shall be punished in such manner, as is provided by the laws of this State for the punishment of offenders guilty of false swearing.

False swearing.

Proclamation by the Governor. 8. SEC. VIII. It shall be the duty of the Governor, immediately after the passage of this Act, to issue his proclamation announcing this law, and calling upon all officers of this State, and it shall be the duty of all such officers, civil and military, to see to the faithful enforcement of this Act.

Grand Jurors to be charged. 9. SEC. IX. It shall be the duty of the Judges of the Superior Courts to give this Act in special charge to the Grand Juries at each term.

Limitation. 10. SEC. X. This Act shall continue in force only during the existing war.

Approved November 22d, 1862.

(No. 20.)

*An Act supplementary to An Act entitled An Act to prevent the unnecessary consumption of grain by distillers and manufacturers of spirituous liquors in Georgia, assented to 22d day of November, 1862.**

WHEREAS, The above recited Act, in the 5th Section thereof, provides that the Governor may, in his discretion, grant licenses to citizens of this State, only for the manufacture of such an amount of alcohol and other spirituous liquors as may, in his judgment, be needed by the Government of the Confederate States, or for chemical, mechanical or medical purposes generally; *Provided*, his Excellency is hereby directed to grant licenses to the officers and agents of, and contractors with the Confederate Government, for the distillation of whiskey to an amount not exceeding one million of gallons, for the use of said Confederate Government; *And provided further*, that the same shall be distilled at the distance of at least twenty miles from any railroad or stream usually navigated by steamboats. *And whereas*, by the operation of the said 5th Section, persons who, previous to the 22d day of November, 1862, made contracts with the Confederate Government for the distillation of alcohol or whisky, and located their distilleries within twenty miles of a railroad or a stream usually navigated by steamboats, will, if they continue to distill within such distance of railroads or navigable streams, subject themselves to the penalties prescribed by said Act against persons so distilling as aforesaid; and thus manifest injustice will be done to such persons, either by inflicting the penalties aforesaid upon them, if they continue to distil within the aforesaid distance of a railroad or navigable stream, or by compelling them to discontinue their works or remove them. For remedy whereof,

11. SECTION I. *Be it enacted by the General Assembly of Georgia*, That any and all persons in this State who have made *bona fide* contracts with the Confederate Government or its authorized agents, previous to said 22d day of November, 1862, located their works and distilleries within twenty miles of a railroad or navigable stream, shall be exempt from the penalties prescribed by said act against persons violating the same, until they shall have fulfilled the contracts aforesaid; but if, after fulfilling such contract, they, or any of them, shall continue to distil alcohol or whisky within twenty miles of a railroad or navigable stream, every one so offending shall be subject to the pains and penalties in said act prescribed; *Provided*, that no distiller shall buy or consume any grain grown within twenty miles of any railroad or navigable stream; nor shall any grain be used under the provisions of the former Act, so grown, except that they may consume the grain they now have on hand.

12. SEC. II. *Be it further enacted*, That the persons or company who have made contracts with the Confederate Government, before they shall have the privileges conferred under this Act, shall

*See Act No. 19, supra.

Compensation for Stills seized by the Governor.

Contractors
must take li-
cense—How
obtained.

What distil-
leries need
not be renav-
ed.

be required to take a license from the Governor, which he is here-
by required to issue upon such party exhibiting satisfactory evi-
dence of such contract; and in no event shall licenses be granted
for the manufacturing of a greater amount than is authorized to
be made for the Confederate Government in said original Act;
Provided further, that when any distilleries are already located,
such owner shall not be required to remove the same; but upon
such person making an affidavit that no corn will be purchased
at a point less than twenty miles from a railroad or navigable
stream, the Governor may, by his license, permit the distillation
at the point where the distillery is located.

SEC. III. Repeals conflicting laws.

Assented to December 11, 1862.

(No. 21.)

An Act to provide compensation for stills seized by the Governor of this State.

Proviso.

WHEREAS, Stills owned by individuals of this State have been
seized in accordance with the proclamation of the Governor of
this State, issued in February last, and for which no compensation
has been provided or paid; for remedy whereof,

Duty of In-
ferior Courts.

Rule of com-
pensation.

Awards car-
ried out.

13. SECTION I. *The General Assembly of the State of Georgia do enact*, That in all cases where a still or stills have been seized and taken away from the owners thereof by order of the Governor of this State, or by any person acting under the authority of the Governor's proclamation, dated in the month of February last, and for which just compensation has not been paid, it shall be the duty of the Justices of the Inferior Court, or a majority thereof, of the county where such seizure may have been made, upon complaint of any person whose still has been seized, to assess a just compensation for said seized still or stills; the rule of compensation to be, the value of the still at the time that it was seized, with interest from that time up to the time of payment, in cases where the still itself cannot be returned; but when the still can be so returned, the amount shall be a return of the still, with interest on its value at the time of seizure, from that time up to the time of its return. All awards made under this act shall be transmitted by the Justices of the Inferior Court, or Justices of the Peace, to the Governor of this State, who shall draw his warrant upon the Treasury in favor of the owner, for the money compensation, and also cause the stills to be returned in cases where the award so directs; *Provided*, they shall be returned in as good condition as when seized.

SEC. II. Repeals conflicting laws.

Assented to December 9th, 1862.

TITLE VIII.

ELECTIONS.

SEC. 1. Representatives to Congress, to be elected at same time with Governor and members of Legislature.

(No. 22.)

An Act to change the time of holding elections for Members of Congress.

1. SECTION I. *The General Assembly of the State of Georgia do enact,* That the election of Representatives to the Congress of the Confederate States, shall be held in the respective Congressional Districts in this State, at the same time and places as are now prescribed by law for the election of Governor and members of the Legislature, and the returns thereof made as heretofore prescribed by law.*

Representatives to Congress, when elected.

SEC. II. Repeals conflicting laws.

Assented to 13th December, 1862.

*Act of 1859, p. 31.

TITLE IX.

EXECUTORS, ADMINISTRATORS, GUARDIANS, &c.

SEC. 1. Guardians, Administrators and Executors may be represented by agents during war.

" 2. Agents' returns for 1861.

" 3. Interest not compounded against Executors, &c., during operation of stay Law.

" 4. Executors, &c., failing to make returns during war do not forfeit commissions.

SEC. 5. Twelve months support of widows and orphans, how obtained. Estate less than \$500.

" 6. Vested in widow and orphans.

" 7. Widow may pay debts of husband.

" 8. 5th Section of Act of 1856 repealed.

(No. 23.)

An Act for the benefit of Guardians, Administrators, Executors and Minors.

11. SECTION I. *Be it enacted by the General Assembly of the State of Georgia,* That for and during the continuance of the present war, all Guardians, Administrators and Executors be, and they are hereby authorized to appoint agents to represent them; and that all agents so appointed, shall have the power to make annual returns, &c., the same as could be done by the principal in person.

Executors, &c., may appoint agents when.

2. SEC. II. *And be it further enacted,* That said agents so appointed, shall be allowed to make returns for the year 1861, without loss of commissions on said returns.*

Returns for 1861.

SEC. III. Repeals conflicting laws.

Assented to December 11, 1862.

*T. R. R. Cobb's Digest, pp. 292 to 341.

(No. 24.)

An Act to suspend temporarily the computation of compound interest against Executors, Administrators, Guardians, and other Trustees.

3. SECTION I. *Be it enacted by the General Assembly of Georgia,* That from and after the first day of January next, all laws and parts of laws which justify the computation of compound interest against Executors, Administrators, Guardians, and other Trustees, be and they are hereby suspended during the operation of an Act generally known as the Stay Law.

Inter's which
not com-
pounded
against Exe-
cutors, &c.

Assented to December 6, 1862.

(No. 25.)

An Act for the relief of Executors, Administrators and Guardians.

4. SECTION I. *Be it enacted by the General Assembly,* That Executors, Administrators and Guardians, shall not, during the continuance of the present war, forfeit their commissions for a failure to make their annual returns to the Ordinary in the time now required by law; *Provided,* they shall, in the first returns made after such failure, make oath that they could not, by reason of their absence in the service of the State or Confederate States, make their returns in due time.*

What Exors,
&c., do not
forfeit com-
missions.

Oath required

Assented to December 8, 1862.

*Cobb's Digest 299 to 341.

(No. 26.)

An Act to amend An Act entitled "An Act to point out the mode of ascertaining the relief and support to which widows and orphans are entitled out of the estates of their deceased husbands and parents, where letters testamentary or of administration shall have been granted, and for other purposes," approved 19th of February, 1856, and to repeal the fifth section of said Act, and to render administration unnecessary in certain cases.

App'l'ation
made.

Duty of Ordi-
nary and Ad-
ministrators.

Estate less
than \$200.

5. SECTION I. *The General Assembly of the State of Georgia do enact,* That the before recited Act be so amended that, in all cases hereafter, when widows and orphans of any deceased husbands or parents shall apply for the allowance for a twelve months support, as provided by said Act, such application shall be made to the Ordinary having jurisdiction of the case; whose duty it shall be to appoint the appraisers, whether letters of administration had been granted or not; and it shall be the duty of said appraisers appointed in pursuance of said Act, if it shall appear upon a just appraisalment of such estate that it does not exceed in value the sum of five hundred dollars, to set apart the whole of such estate for the support and maintenance of such widow and child, or children; or if there be no surviving widow, then to the lawful guardian of such child or children, for the purposes aforesaid.

6. SEC. II. *Be it further enacted by the authority aforesaid,* The

Appropriation to Georgia Relief and Hospital Association.

property and effects so set apart shall come under the provisions of said Act, and be vested in such widow and child, or children, and shall not be administered as the estate of such deceased. Vests in widow and orphans.

7. SEC. III. *Be it further enacted by the authority aforesaid,* That the widow may pay so much and such parts of the debts of her deceased husband as she may think proper, consistently with her means, with the advice and consent of the Ordinary. Debts of husband.

8. SEC. IV. *Be it further enacted,* That the fifth section of the before recited Act be, and the same is hereby repealed. Repeals section.

SEC. V. Repeals conflicting laws.

Assented to December 9, 1862.

*Sec Acts of 1855-6, p. 149.

TITLE X.

GEORGIA RELIEF AND HOSPITAL ASSOCIATION.

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| Sec. 1. \$100,000 appropriated. How expended. Branch Hospitals.
" 2. Fund how drawn.
" 3. Annual Meeting and Report of Board.
" 4. Executive Committee—Meetings and Reports. | | Sec. 5. Monthly Statement. Duty of Governor.
" 6. Balance of former appropriation.
" 7. Issue of Treasury Notes.
" 8. Pay of Agents. |
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(No. 27.)

An Act to appropriate funds to the uses of the Georgia Relief and Hospital Association.

1. SECTION I. *The General Assembly of the State of Georgia do enact,* That the sum of four hundred thousand dollars be, and the same is hereby appropriated and set apart to the uses and purposes of the Georgia Relief and Hospital Association, to be expended by them in providing medical attendance, hospital rooms, stores, supplies, accommodation and transportation for the sick and wounded, the suffering and destitute soldiers of the State of Georgia that may need relief; and in establishing wayside homes at Richmond, or elsewhere, in the discretion of the Executive Committee of said Association; and in establishing an agency at Richmond for the collection of the claims of Georgia soldiers, and the representatives of deceased Georgia soldiers, against the Confederate States Government; and further, in establishing the necessary agency or agencies for the forwarding and transportation of supplies intended for Georgia troops: *Provided,* that all soldiers who may become sick or wounded within the limits of the State of Georgia, and in her defense, shall be included in the benefits of this appropriation, in the discretion of the managers of the Georgia Relief and Hospital Association, which said Association shall be located at Augusta, Georgia; and the managers shall have full power to establish branch hospitals at Dalton, Rome, \$400,000 appropriated—How expended. Provide. Branch Hospitals.

Appropriation to Georgia Relief and Hospital Association.

Knoxville, Kingston, Athens, Atlanta, Savannah, Chattanooga, and Union Point, and such other places as they, in their discretion, may think necessary. The said Association, in the establishment of branch hospitals, shall so locate them as will be most convenient and acceptable to the troops intended to be benefitted thereby; *Provided*, that the benefits of the Georgia Relief and Hospital Association shall extend to all the Georgia troops, without regard to their location.

Proviso.

From how drawn.

2. SEC. II. *And be it further enacted*, That the said fund shall be drawn from the Treasury only in such sums, and at such times, as they may be needed to carry out the purposes of the Association; and when any amount is needed, it shall be ordered by the Executive Committee to be drawn; and their order to that effect shall be signed by their chairman, or, in his absence, by the vice-chairman, and countersigned by the recording or corresponding Secretary; and upon said order being submitted to his Excellency the Governor, and approved by him, he shall draw an Executive warrant on the Treasury of this State for the amount expressed in said order; and then the Treasurer shall pay the same out of the sum appropriated by this Act.

Annual meeting and Report of Board.

3. SEC. III. That, on the last Monday in October in each year during the war, or while any part of the funds hereby appropriated shall remain unexpended, the Board of Superintendents shall meet in Augusta—a majority of said Board constituting a quorum—and at each such meeting the Board shall elect a President and Secretary, to serve for the term of one year thereafter; and shall prepare an annual report of the condition of the Association, and receive the annual report of the Executive Committee of its expenditures, to be submitted to the General Assembly of Georgia.

Executive Committee Meetings and Reports.

4. SEC. IV. That, at the first regular meeting in January of each year during the war, or while any of the funds hereby appropriated shall remain unexpended, the Executive Committee shall elect a chairman and a vice chairman to serve the year next ensuing; and it shall be the further duty of the Executive Committee to make an annual report of their actings and doings to the Board of Superintendents at the annual meeting of said board, on the last Wednesday of October of each year; and in case of the failure of the Board to hold such meeting, then the Executive Committee shall make their annual report direct to the Governor and General Assembly of Georgia.

Monthly statement.

5. SEC. V. *The General Assembly do further enact*, That the Executive Committee shall submit to his Excellency the Governor a monthly statement of the expenditures of said Association, giving the specific items and details of such expenditures; *Provided further*, that upon failure of said Committee to make the monthly exhibit to his Excellency the Governor, as required by this Act, then the Governor shall withhold any further warrant upon said fund until said Committee shall have duly filed in the Executive Department said exhibit, which shall show a full, complete and plain statement of all receipts and disbursements by said Com-

Date of Governor.

Act to prevent the spread of Small Pox.

mittee. *And be it further provided*, that if the Governor shall be of the opinion, from the said statement, that the disbursements have been extravagant or wasteful, he shall be authorized to withhold said fund until a satisfactory explanation shall be made.

6. SEC. VI. *And the General Assembly do further enact*, That the balance of the sum appropriated by the Legislature at its last session, and remaining unexpended by the said Association, be added to and merged in the sum hereby appropriated, subject to the same uses and limitations. Balance of former appropriation.

7. SEC. VII. *And the General Assembly do further enact*, That if no money in the Treasury, not otherwise appropriated, shall be available for said appropriation, then his Excellency the Governor be, and he is hereby authorized to issue Treasury notes, in such sums as may be needed from time to time, to effect the object of said appropriation; said Treasury notes to be redeemable in six per cent. bonds or specie, six months after a treaty of peace, or when the Banks of Savannah and Augusta resume specie payment. if before that time. Issue of Treasury notes.

8. SEC. VIII. *And be it further enacted*, That the Board of Superintendents be, and they are hereby authorized to allow and pay the several agents appointed by them to carry out the provisions of this Act, such compensation as, in their judgment, may be reasonable and just. Pay of Agents

SEC. IX. Repeals conflicting laws.

Assented to December 12, 1862.

TITLE XI.

HEALTH AND QUARANTINE.

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| SEC. 1. Hospitals to be provided for Small Pox patients and quarantine enforced.
" 2. Account to be made of expenses occurring. | SEC. 3. How paid.
" 1. Vaccine matter to be procured. |
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(No. 25.)

An Act to prevent the spread of Small Pox in this State.

WHEREAS, The Small Pox has been introduced and is likely to spread into every county in this State, by the return of our soldiers, thereby causing great expense:

1. SECTION 1. *Therefore be it enacted by the General Assembly of the State of Georgia*, That the Justices of the Inferior Court of each county, or the Corporate authorities of any town or city in this State, within the limits of which, any case or cases of Small Pox may appear, or has appeared, are hereby authorized and empowered to provide a suitable Hospital for those so afflicted, and Hospitals to be provided and quarantine enforced.

Small Pox.

Proviso.

to furnish them with medical, and any other attention, that in their judgment, those so afflicted may require; also to provide proper quarantine regulations, to prevent the spread of said disease, *Provided*, that no person or persons shall be forced to leave his or her home, to go to said Hospital when they are properly provided for and guarded at their own expense; said Court shall not pay any expense of any case so situated.

Expenses ac-
cruing.

2. SEC. II. *And be it further enacted*, That said Courts or corporate authorities shall make or cause to be made, a proper and just account of all expenses accruing from such quarantine, and other attention, either medical or nursing, of all whom they have under their control, and who submit to the regulations of said Court or corporate authorities.

How paid.

3. SEC. III. *And be it further enacted*, That said Courts or corporate authorities have all accounts properly audited, and forward them to His Excellency the Governor, who shall draw his warrant on the Treasury for the amount set forth in said account or accounts.

Vaccine mat-
ter to be pro-
cured.

4. SEC. IV. *Be it further enacted*, That His Excellency the Governor be, and he is hereby requested and required to procure the necessary quantity of genuine vaccine matter, either by purchase or manufacture, at such reasonable compensation as he may contract for, and have the same transmitted to the Justices of the Inferior Courts of each county in this State, for immediate use.*

SEC. V. Repeals conflicting laws.

Assented to Dec. 13th, 1862.

*See T. R. R. Cobb's New Digest for former laws on this subject, pp. 368-377, inclusive. Also see Code of Georgia, Sections 1315 to 1319, inclusive.

TITLE XII.

INSURANCE COMPANIES.

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| <p>SEC. 1. Planters' Insurance Trust and Loan Company authorized to issue Bank notes. Limit of issue. How redeemed. Penalty for failure. Company's property liable. Bonds to be deposited equal in amount to notes issued. Notes to be countersigned. On failure to redeem notes, Treasurer may sell the bonds. Compensation of Treasurer. Principal office of Company.</p> <p>" 2. Athens Georgia Insurance Company incorporated.</p> <p>" 3. Amount of Capital Stock.</p> <p>" 4. Company may take marine and fire risks, advance money upon bottomry or respondentia bonds, &c.</p> <p>" 5. May make insurance on lives, deal in reversinary payments, interest contracts, &c.</p> <p>" 6. May hold real estate.</p> <p>" 7. Power to enforce by-laws and maintain suits.</p> <p>" 8. Liability of stockholders.</p> | <p>SEC. 9. Central Georgia Insurance Company. Capital stock and size of shares.</p> <p>" 10. Incorporation. Name. General powers.</p> <p>" 11. Election of Directors and other officers.</p> <p>" 12. Powers of President and Directors. May appoint agents and locate offices; sell stock of delinquent stockholders; regulate dividends and transfer of stock. Stockholder being indebted to Company, his stock not transferable or liable.</p> <p>" 13. Company may take fire, marine and inland risks and upon lives. When contracts of Company binding. May receive deposits, loan money, discount notes, &c.</p> <p>" 14. Liability of Company. Of stockholders.</p> <p>" 15. When losses to be paid.</p> <p>" 16. Legal effect of notes &c., payable at office of Co.</p> <p>" 17. Expiration of Charters.</p> |
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(No. 29.)

An Act supplementary to an Act, entitled an Act to incorporate the Planters' Insurance, Trust and Loan Company, and to confer certain powers and privileges thereon, assented to December 12th, 1861.

SECTION I. *Be it enacted by the General Assembly of the State of Georgia, That the Company chartered by an Act, entitled an Act to incorporate the Planters' Insurance, Trust and Loan Company, and to confer certain powers and privileges thereon, assented to December 12th, 1861,* be and are hereby authorized to issue an amount of Bank notes as currency, for a sum not exceeding one-half their actual capital paid up in Confederate or State bonds; provided, the sum thus issued, shall at no time exceed one million of dollars; and provided further, that whenever the other banks of this State shall be required to resume specie payments, then the said Company, shall redeem their said notes with gold or silver, and that until such resumption of specie payments, they shall redeem their notes with the Treasury notes of this State or the Confederate States, in like manner, as the other banks are required to do; and for any failure to redeem their notes as aforesaid, they shall be liable to the payment of the same rate of interest, and to the same forfeiture and penalties as are, or may be, imposed or required by law in case of the failure of the other banks of this State to redeem their notes, and as they may be by law required; and be it further provided, that all the property of the said Company shall be liable for the redemption of the bills issued as aforesaid; and*

Company authorized to issue bank notes.

Limit.

How redeemed.

Penalty.

Company's property liable.

*For this Act, see Acts of 1861, pp. 40-1-2.

Athens Georgia Insurance Company.

the company shall deposit with the Treasurer of this State, an amount of the bonds of this State or of the Confederate States, equal to the sum of bank notes by them issued as aforesaid; which bonds shall be held by the Treasurer in trust, as a collateral security for the payment of the said notes; which notes before they are put into circulation, shall be countersigned by a competent, trustworthy person, selected with the assent of the said company by the Treasurer, who for countersigning the same, shall receive a reasonable compensation, to be paid by the said company; and in case of non-payment by the said bank of any of the said notes, the holder may cause protest to be made, and upon proof thereof, thirty days notice having been given to the bank, if the requisite funds be not otherwise provided, then it shall be the duty of the Treasurer to sell so many of the said bonds as may be requisite therefor, and with the proceeds of such sale, he shall redeem the said protested notes and the Treasurer shall receive the interest on the said bonds, which in case it be not wanted to redeem notes protested as aforesaid, shall be paid over to the said company, deducting a reasonable sum, not exceeding five hundred dollars per annum, as compensation for his services; and their principal office may be located at such place in this State as the stockholders may select.

SEC. II. Repeals conflicting laws.

Assented to December 6th, 1862, and reasons for giving assent, endorsed upon the enrolled Act.

(No. 30.)

An Act to incorporate the Athens Georgia Insurance Company.

2. SECTION I. *Be it enacted by the General Assembly of Georgia,* That Albon Chase, R. S. Moss, Henry Hull, jr., Joseph T. Lumpkin, Thomas Crawford, Edward R. Ware, F. W. Adams, and John W. Nicholson, of the town of Athens, and their associates and successors shall be, and they are hereby erected into a body politic and corporate, in law and in fact, under the name, style and title of "The Athens Georgia Insurance Company," and by the same name, style and title, shall have succession of officers and members, and all the powers, privileges and franchises incident to corporations, and shall be capable of taking, holding and disposing of their capital stock, according to their present or future rules, regulations and instructions; and also of taking, holding and disposing of, or investing as the said corporation shall from time to time, judge fit, the increased profits and emoluments of their capital stock, to their own proper use; and shall have full power and authority to make, have and use a common seal with such device and inscription as they shall deem proper, and the same to break, alter and amend at their pleasure; and by the name, style and title aforesaid, shall be able and capable in law and equity, to sue and be sued, to im-

Athens Georgia Insurance Company.

plead and be impleaded to, answer and be answered unto, in all or any courts or tribunals of this State, in all manner of suits, pleas and demands whatever; and they are hereby authorized and empowered to appoint a President, and other officers and directors, in such numbers, at such periods, and with such duties as they shall see fit; and also to make rules, by-laws and ordinances, and to do everything needful for the good government and management of the affairs of the said corporation. *Provided*, always that the said rules, by-laws and ordinances, shall not be repugnant to the Constitution and laws of the Confederate States, or of this State.

3. SEC. II. That the said corporation shall be and they are hereby authorized and empowered, to receive subscriptions for capital stock to the amount of two hundred thousand dollars; and it shall not be lawful for the said corporation to make any contract of indemnity or underwrite any policy of insurance upon risks of vessels, or of goods and merchandize, or make any contract of indemnity or underwrite any policy of insurance against fire, or make any insurance on life, or contract for, or grant any annuity, until the sum of one hundred thousand dollars shall have been subscribed and actually paid; and the said corporation are hereby authorized at any future period, to increase their capital stock to any amount not exceeding four hundred thousand dollars.

4. SEC. III. That the said corporation shall have the right and power, by their said name, and by the signature of their President for the time being, or by the signature of such other person or persons, and with such ceremonies of authenticity as they shall, from time to time, in and by their rules and by-laws, ordain and appoint: to make contracts and underwrite policies of insurance and indemnity upon marine risks of vessels, or of goods and merchandise, in whole or in part foreign or domestic, whether lying in foreign ports or shipped upon the high seas, or in any part of the Confederate States, or within any of the rivers, bays, creeks, canals, or waters of this State, lying, being laden, or to be laden; and also in like manner to make contracts, and underwrite policies of insurance and indemnity against fire, on all buildings, goods, wares, merchandize and other property, situate, lying, or being or deposited in this State or elsewhere; and also in like manner, to advance money upon bottomry or respondentia bonds, and generally to perform and transact all the business relating to the objects aforesaid, according to the usage and custom of merchants, and by such contracts effectually to bind and pledge their said capital stock.

5. SEC. IV. That the said corporation shall have the right and power, by their said name, and in manner and form aforesaid, to make insurance on lives, by sea and on shore, and to contract for, grant and sell immunities, and reversionary payment, and generally to make all kinds of contracts, in which casualties of life, and interest of money are principally involved; and to make, execute, and perfect such and so many contracts, agreements, bargains, pol-

By-Laws.

Capital.

May take marine and fire risks of insurance.

Advance money on bottomry and respondentia bonds.

May make insurance on lives and deal in reversionary payments, interest contracts &c.

Central Georgia Insurance Company.

icies and other instruments, as shall or may be necessary, and as the nature of the case shall or may require.

They hold real estate.

6. SEC. V. That the said corporation shall have a right and power to purchase, acquire, take and hold, in their said corporate name, lands and real estate, to any amount necessary for the purpose of the same, and the same to grant, sell, assign, and convey, in fee or otherwise.

Power to enforce by-laws and maintain suits.

7. SEC. VI. That the said corporation shall be, and they are hereby invested with full power to enforce on their own members, the due observance of all legal by laws and regulations for their better government, under such penalties as they shall, in and by such by-laws, limit and prescribe; and to that end, if need be, shall and may institute and maintain, in their said corporate name, against any one or more of their members, either at law or in equity, all just and necessary suits, actions and pleas, for the recovery of all or any sum or sums of money, to the use of said corporation, in as ample manner as suits might be maintained against persons not members of the said corporation.

Liability of stockholders.

8. SEC. VII. Every stockholder shall be liable to the creditors of said company upon all the debts and contracts of said company, to the amount of his or her stock.

Assented to December 9th, 1862.

(No. 31.)

An Act to incorporate an Insurance Company in the city of Macon, to be called the Central Georgia Insurance Company.

Capital stock and size of shares.

9. SECTION I. *Be it enacted*, That there shall be established in the city of Macon an Insurance Company, the capital stock of which shall be three hundred thousand dollars, but which may be increased to a further sum not exceeding one million of dollars; should the interest of the company require it, to be divided into shares of twenty dollars each; but said company may organize and proceed to business when one hundred thousand dollars shall have been subscribed, and twenty per cent paid thereon.

Company incorporated.

Macon.

General powers.

10. SEC. II. *Be it further enacted*, That for the purpose of organizing said corporation, Nathan C. Monree, Jackson DeLoache, Albert Mix, Leroy Napier, Thurston R. Bloom, John S. Hutton and John T. Napier, or any five of them, citizens of Macon and its vicinity, their associates and successors, are hereby created a body corporate under the name and style of the Central Georgia Insurance Company; by which name they may have, purchase, receive, possess, enjoy and retain, and sell property of all kinds, sue and be sued, have and use a common seal which they may break, alter and renew at pleasure, elect its own officers and make such by-laws, rules and regulations as may be deemed necessary to carry into effect the objects of this corporation.

11. SEC. III. That said corporation shall be managed by not less than five Directors, a majority of whom shall constitute a quorum

Central Georgia Insurance Company.

for the transaction of business; each of which Director shall be a stockholder to an amount not less than one hundred shares, who shall be elected at such time and place as the incorporators or their successors may designate, and hold their offices for one year, or until their successors are elected; the Directors aforesaid shall out of their number elect a President who shall serve for twelve months or until a successor is elected, and fill any vacancy occasioned by death or otherwise in the office of President; and with the advice and consent of the President, elect a Secretary, Actury or any other officers or Agents whose services may be needed in carrying out the objects of this corporation. A vacancy in the board of Directors occurring during the period of their election, may be filled by the remaining Directors until the next annual election by the stockholders. At all elections by the stockholders, a stockholder may vote by proxy, none but a stockholder acting as such proxy.

Election of
Directors and
other officers.

12. SEC. IV. *Be it further enacted*, That the President and Directors shall have power to appoint and remove at pleasure, all officers or agents of said corporation; they shall have power to appoint Agents, and locate offices in such places, and at such times, as they shall deem best for the interest of said company; to prescribe the duties of Agents, and officers, to take from them bonds for the faithful permanence thereof, to appoint a President *pro tem*, in the absence of the President; and further, that said President and Directors shall have power and authority from time to time, to sell for the payment of the unpaid stock in such sums as they may deem proper; and said stock shall be considered and held as personal property; and upon the neglect or refusal of any stockholder to pay the instalments as called for by the President and Directors therefor, thirty days notice being given in one or more of the city papers, said board may sell such stock at public outcry; and said delinquent stockholders shall be held liable for any balance due, or which may become due by him or them to said corporation, and may be sued therefor in any Court having jurisdiction; and the said President and Directors shall have further power to make dividends, and fix the place and define the manner of paying the dividend, paying interest and transferring stock; and no stockholder shall have power to transfer his stock in said corporation; and said stock shall not be liable for any other obligation, so long as he is a debtor to said corporation for money borrowed, premiums due, or installments unpaid.

Power of
President and
Directors.

To appoint
agents and lo-
cate offices.

To sell stock
of delinquent
stockholders.

Regulate div-
idends and
transfer of
stock.

Stockholder
indebted to
company, his
stock not
transferable
or liable.

13. SEC. V. *Be it further enacted*, That said corporation shall have authority to insure against losses by fire in all kinds of property, real, personal or mixed; also against all the hazards of ocean or inland navigation and transportation of every kind; also to make insurance on lives, and all and every insurance appertaining to the duration of human life, for net premiums as it may determine; and said company shall be liable to make good, and pay to the several persons who may insure in said company, for the losses they may sustain, or for life insurance, in accordance with the terms

May take fire,
marine and
inland risks of
insurance, and
upon lives.

Central Georgia Insurance Company.

When con-
tracts of com-
pany binding.

of the contract, or policy issued by said company; and no policy or other contract of said company shall be binding, except it be signed by the President or Vice President, secretary or actuary of said company; and said company shall have power to receive money on deposit, to loan and borrow money, to take and give such securities therefor as may be considered best, to invest its moneys upon such terms as may be best, and transfer its property at pleasure, to purchase and discount notes and bills of exchange, and do all other acts it may deem advisable for the safe keeping and securing investments of its funds; and said company shall have power and authority to make reinsurances of any risks that may be taken by them.

Power to re-
ceive deposits
—loan money
—discount
notes &c.

Liability of
company.
Of stockhold-
ers.

14. SEC. VI. *Be it further enacted*, That said company shall be responsible to its creditors to the extent of its property; and the stockholders shall be liable to the extent of double the amount of their respective stocks for the debts of the company, in proportion to the number of shares held by each.

When losses
to be paid.

15. SEC. VII. *Be it further enacted*, That all claims for losses against said company shall be due and payable sixty days after proof of the loss has been furnished at the office of said company; and in disputed cases, in ten days after final decision of the proper tribunal; and in each case named, the sum ascertained to be due shall bear interest from the time made due and payable.

Legal effect of
Notes &c.,
payable at of-
fice of Co.

16. SEC. VIII. *Be it further enacted*, That all bills, bonds and promissory notes made payable at the office of said company, shall have the same legal effect, and may be subject to all legal remedies, the same as if they were made payable at any bank in this State.

Expiration of
Charter.

17. SEC. IX. *Be it further enacted*, That this charter shall be in full force and effect for the term of thirty years; and that upon the termination of its charter, the said corporation shall have the right to settle up its business, pay its liabilities and divide among its stockholders, its remaining property according to the several interests held by each.

SEC. X. Repeals conflicting laws.

Assented to December 12th, 1862.

Stay law re-enacted—Securities on Recognizances.

TITLE XIII.

JUDICIARY.

SEC. 1. Stay law re-enacted.

" 2. Principal in recognizance being in service and offence charged not amounting to a felony, surety to be exonerated.

" 3. Clerk being J. P., may exercise all the functions of such.

" 4. Houston Superior Court changed to third Monday in February and August; Inferior Court to 3d Monday in May and November.

SEC. 5. Writs returnable to.

" 6. Law continued in force providing for two weeks of Superior Court.

" 7. Gilmer Superior Court changed to 2d Monday in May and October. Fannin Thursdays after.

" 8. Ordinary of Pike county authorized to hold a court on the 2d Monday in December, 1862.

" 8. Acts of Ordinary's deputies in Oglethorpe county legalized.

(No. 32.)

*An Act to continue in force the fourth section of an act passed over the Governor's veto on the 30th day of November, 1860, entitled an act to provide against the forfeiture of the several bank charters of this State on account of non-specie payments for a given time, and for other purposes, passed in the year 1857, and to suspend the pains and penalties imposed upon the several banks and their officers in this State for non-payment of specie, and for other purposes; and also an act to add a proviso to the 4th section of an act entitled an act for the relief of the people and banks of this State, and for other purposes, passed on the 30th of November, 1860, and to add an additional section to said act, assented to December 20th, 1860.**

1. SECTION I. *Be it enacted*, That the before recited part of an act, and also the before recited act, be and the same are hereby re-enacted and continued in force until the first day of January, eighteen hundred and sixty-four.

Stay law re-enacted.

Assented to November 29th, 1862.

*Acts of 1860, pp. 21-22-23.

(No. 33.)

An Act to exonerate securities on recognizances in certain cases therein mentioned.

2. SECTION I. *The General Assembly of Georgia do enact*, That, in any and all cases where the principal or principals to any recognizances requiring him or them to appear and answer to a charge of riot, or any other offence less than a felony, has or have heretofore entered, or shall hereafter enter the military service of the Confederate States, or of the State of Georgia, during the existing war between the United States and the Confederate States, and this fact shall be found by a jury, in any case where the principal shall fail to appear, the Judge before whom the fact is found, may, in his discretion, enter an exonerator on such recognizance, as to the surety or sureties thereto; and the surety or sureties shall pay the costs of the proceeding.

Principal being in service charge less than felony, surety exonerated.

Assented to December 15, 1862.

(No. 34.)

*An Act to alter and amend the first section of An Act entitled An Act to alter and amend the several Judiciary Acts now in force in this State, as far as relates to Justices' Courts, approved December 14th, 1811.**

Clerk being Justice, may exercise all the functions of such.

3. SECTION I. *Be it enacted by the General Assembly of the State of Georgia, That from and after the passage of this Act, the first section of the above recited Act be so altered and changed as to give to any Justice of the Peace in this State, being a clerk, full power to exercise all the functions of a Justice of the Peace, as if he were not clerk.*

SEC. II. Repeals conflicting laws.

Assented to December 12, 1862.

*See T. R. R. Cobb's New Digest, p. 639.

(No. 35.)

An Act to change and fix the time of holding the Superior and Inferior Courts of the county of Houston, and to change the time of holding the Superior Courts in the counties of Gilmer and Fannin, and for other purposes.

The General Assembly of the State of Georgia enacts as follows:

Superior Court of Houston.

Inferior Court of Houston.

4. SECTION I. That from and after the passage of this Act, the Superior Courts of the county of Houston shall be held on the third Mondays in February and August in each year, instead of the fourth Monday in April and October, as heretofore; and that the Inferior Courts of said county be held in future on the third Mondays in May and November in each year, instead of the fourth Mondays in January and July, as heretofore held.

Writs &c.

5. SEC. II. That all bills, writs, precepts, processes and every other proceeding in said Courts, issued, or to be issued, returnable to either of said Courts, together with all and every person bound or held under obligation to appear, or answer to, or before said Courts according to the now existing law, shall be held and made returnable and answerable before said Courts at the times specified in the first section of this Act, in the same manner and in all respects the same as if the time of holding said Courts had not been changed by this Act.

Court for two weeks.

6. SEC. III. That the law now existing authorizing and requiring, upon certain contingencies therein declared, the Superior Courts of said county to be continued two weeks, be continued in full force.

Supr. Courts of Gilmer and Fannin.

7. SEC. IV. That the Superior Courts of the county of Gilmer be so changed as to be held on the second Mondays in May and October; and in the county of Fannin on the Thursdays after the second Monday in May and October.

SEC. V. Repeals conflicting laws.

Assented to December 12th, 1862.

Ordinary of Pike county.—Court of Ordinary of Oglethorpe county.

(No. 36.)

An Act to authorize the Ordinary of Pike county to hold a term of his Court on the second Monday in December, 1862, instead of the first Monday, as required by law.

WHEREAS, The Judge of Ordinary for the county of Pike has been in the military service of his country for a long period of time, and as no letters of administration could be granted in his absence, a large amount of business has accumulated; he having recently resigned, and a successor having been elected, but cannot be commissioned in time to hold a court on the first Monday in December, 1862, as required by law: Preamble.

8. SECTION I. *The General Assembly of the State of Georgia do enact*, That the Ordinary of the county of Pike is hereby authorized to hold a court on the second Monday in December, 1862, for the transaction of any business appertaining to his office; and that all his official acts at said court shall be as legal and binding as if passed or acted upon on the first Monday in said month; any law, usage or custom to the contrary notwithstanding. Ordinary of Pike authorized to hold a Court on 2d Monday in Dec. 1862.

Assented to November 26th, 1862.

(No. 37.)

An Act to legalize the proceedings of the Court of Ordinary of the county of Oglethorpe.

WHEREAS, Owing to the sickness and infirmity of Henry Britian, Ordinary of the county of Oglethorpe, the duties of said office were discharged by his deputies, John G. Gibson and Jonathan Sanders, at different times during the years 1861 and 1862; *And whereas*, doubts exist as to the legality of the acts of said deputies, therefore: Preamble.

9. SECTION I. *Be it enacted by the General Assembly of the State of Georgia*, That all the acts and deeds of the said deputies, John G. Gibson and Jonathan Sanders, during the years 1861 and 1862, are hereby made legal and valid; and they are relieved from all liabilities and penalties for any informalities in their proceedings as deputies aforesaid. Legalize acts of deputies of Ordinary of Oglethorpe co

SEC. II. Repeals conflicting laws.

Assented to December 13th, 1862, with reasons for assent endorsed upon the enrolled Act.

Certain parcels of land in the cities of Augusta and Macon purchased by Confederate States.

TITLE XIV.

LANDS.

SEC. I. Assent of State given to purchase by Confederate States of lots in Savannah and Macon and land in Bibb county. Jurisdiction ceded.

(No. 38.)

An Act to give the consent of the State of Georgia to purchases made by the Confederate States to certain parcels of land in the cities of Savannah and Macon, and also to two tracts of land proposed to be purchased in the county of Bibb.

Assent of Georgia to purchases of land by Confederate States.

Lot in Savannah.

Lots in Macon.

Land in Bibb county.

Lot in Macon.

Jurisdiction ceded.

1. SECTION I. *The General Assembly of the State of Georgia do enact*, That the assent of said State is hereby given to the purchases heretofore made by the Confederate States of the following pieces or parcels of land, viz: A lot of land three hundred feet square on Gwinnett street in the city of Savannah, being a portion of what is known on the city map as part of the Springfield plantation, and which was deeded to the Confederate States by John R. Hambit and Elbert Swaine, and upon which a magazine has been built; also, a parcel of land, with the improvements thereon, in the city of Macon, and known in the plan of said city, as part of lot number seven in square number forty-one, commencing at the corner of the alley next below the ware-house of Adams and Reynolds, fronting ninety feet on Poplar street, the same deeded to the Confederate States by James Dean, being enclosed by a brick wall and used as a Laboratory; also, all that lot or parcel of land in the city of Macon, bounded on three sides by Calhoun, Hazel and Lamar streets, on the other side by the Macon and Western Railroad; and which was deeded to the Confederate States by the city of Macon for an Armory and other purposes, the same containing about forty-three acres; also, a tract of about one hundred and fifty acres of land in Bibb county on the Macon and Western Railroad, about two miles from Macon, proposed to be bought by the Confederate States from the executors of Charles J. McDonald, J. A. and S. S. Virgin, Willis Wood, and others, upon which is to be located and erected Laboratories and other public works therewith connected; also, square number forty-nine in the city of Macon, bounded by Calhoun, Ash, Ross and Elm streets, containing about four acres, proposed to be purchased from the city of Macon for the purpose of erecting thereon one or more buildings and other works connected with the Armory; and the jurisdiction of the State of Georgia of, in, to and over the same, and all improvements now or hereafter to be placed thereon, is being ceded to the Confederate States, to be held and exercised by them so long as said lots or parcels of land shall be used for the purposes aforesaid.

SEC. II. Repeals conflicting laws.

Assented to December 5th, 1862.

James R. Wilson.

TITLE XV.

PARDONS AND COMMUTATIONS.

SEC. I. Sentence of death upon James R. Wilson commuted to confinement in the Penitentiary for ten years.

(No. 39.)

An Act to commute the punishment of James R. Wilson, of Fulton county, who is now under sentence of death.

WHEREAS, James R. Wilson, of the county of Fulton, is now under sentence of death for the murder of Thomas Terry, of said county: *And whereas*, as it appears from the testimony adduced on the trial of said Wilson, and since discovered, that there is at least doubt as to the malice and intention on the part of the said Wilson, which are necessary to constitute the crime of murder, and the time-honored rule of law in all such cases [is] to give the accused the benefit of all doubts:

1. SECTION I. *Be it therefore enacted by the General Assembly of Georgia.* That the sentence of death against the said James R. Wilson be, and the same is hereby commuted to punishment at hard labor in the Penitentiary of this State, for and during the term of ten years.

SEC. II. Repeals conflicting laws.

Assented to December 4th, 1862.

TITLE XVI.

PATROL LAWS.

SEC. 1. Free white male citizens between 18 and 61 years liable to patrol duty. | SEC. 2. Rabun county excepted from provisions of 6th section of Act of 1851.

(No. 40.)

An Act to amend the Patrol Laws of this State.

1. SECTION I. *The General Assembly do enact,* That from and after the passage of this Act, the Patrol Laws of this State be so amended as to make all free white male citizens of this State, between the ages of eighteen and sixty years, liable to do and perform patrol duty, notwithstanding any law or custom of this State to the contrary.*

Assented to December 9, 1862.

*For general laws on this subject heretofore, see T. R. R. Cobb's Digest, pp. 966, 996.

(No. 41.)

*An Act to alter the sixth section of an act to amend the Patrol Laws of this State, approved February 20th, 1854.**

2. SECTION I. *Be it enacted by the General Assembly, That the provisions of the sixth section of an act to amend the Patrol Laws of this State, approved February 20th, 1854. be altered so as not*
 Rabun Co., to include the county of Rabun, and that the provisions of said act extend to the county of Rabun.

SEC. II. Repeals conflicting laws.

Assented to December 9th, 1862.

*See Acts of 1853-4, p. 103.

TITLE XVII.

PENAL CODE.

SEC. 1. Poisoning fish declared a misdemeanor.

(No. 42.)

An Act to prevent the poisoning of fish in any of the counties of this State, and to provide certain penalties against the same.

1. SECTION I. *Be it enacted by the General Assembly, That any person or persons, hereafter, who shall poison any lake, river, stream, or pond, in any of the counties of this State, or either of*
 Offences and penalty. them, with a view of poisoning fish therein, shall be guilty of a misdemeanor, and on conviction thereof, shall be fined in a sum not exceeding fifty dollars, at the discretion of the Court.

Assented to December 9th, 1862.

TITLE XVIII.

ROADS.

Sec. 1. Age for Road duty from 16 to 60, | Sec. 2. Who are able-bodied hands.

(No. 43.)

An Act to change the second section of an Act entitled an Act to alter and amend the Road Laws of this State, approved December 19th, 1818, so as to extend and define the ages to which persons shall be liable to work upon Public Roads.*

1. SECTION I. *Be it enacted, &c.,* That from and after the passage of this Act, the second section of the above recited Act be so altered and amended as to make all persons therein named, between the ages of sixteen and sixty, liable to perform Road duty. Who are liable to Road duty.

2. SEC. II. *And be it further enacted,* That all male persons are and shall be considered as able-bodied hands who are able to do ordinary field work. Able-bodied hands defined

SEC. III. Repeals conflicting laws.

Assented to December 4th, 1862.

*T. R. R. Cobb's New Digest, p. 947.

TITLE XIX.

SOLDIERS AND SOLDIERS' FAMILIES.

<p>Sec. 1. \$1,500,000 appropriated for clothing, &c., of Georgia soldiers.</p> <p>" 2. Treasury notes.</p> <p>" 3. Requisitions for clothing, &c.</p> <p>" 4. Distribution of supplies.</p> <p>" 5. Appointees must take oath and give bond.</p> <p>" 6. \$2,500,000 appropriated for support of indigent widows and orphans of soldiers, &c.</p> <p>" 7. Inferior court to make out schedule. Statement forwarded to Comptroller General. Digests consolidated and apportionment made.</p>	<p>Sec. 8. Treasury notes.</p> <p>" 9. Immediate relief.</p> <p>" 10. Inferior Courts to disburse fund.</p> <p>" 11. May adopt regulations and appoint agents.</p> <p>" 12. Who shall not receive aid.</p> <p>" 13. Defaulting agents</p> <p>" 14. Distribution to be at stated intervals. Misapplication of fund.</p> <p>" 15. Grand Juries to make inquiry and report.</p> <p>" 16. Freight from Railroads on salt for soldiers' families to be paid.</p> <p>" 17. Inferior Courts to certify to amount</p>
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(No. 44.)

An Act to appropriate money to procure and furnish clothing, shoes, caps or hats, and blankets for the soldiers from Georgia, and to provide for raising the same.

1. SECTION I. *Be it enacted by the General Assembly of the State of Georgia,* That the sum of one million and five hundred thousand dollars, or so much thereof as may be necessary, be and the same is \$1,500,000 appropriated

Soldiers' Families.

hereby appropriated for the purpose of purchasing and procuring clothing, shoes, caps or hats, and blankets, for all the privates and non-commissioned officers who are now, or may hereafter be in the army of the Confederate States from this State during the present war.

2. SEC. II. *And be it further enacted*, That the Governor of this State be, and he is hereby required, if necessary, to issue State treasury notes, on the same basis as heretofore issued, to the amount aforesaid, to purchase and procure said clothing, shoes, caps or hats, and blankets.

3. SEC. III. *And be it further enacted*, That his Excellency the Governor be, and he is hereby authorized and required to issue, or cause to be issued, clothing, shoes, caps or hats, and blankets, upon such requisition as may be made by the Regimental Quartermasters of the Regiments, Battalions, or Captains of independent companies, in the service from the State of Georgia, said requisitions being approved by the commanders of the Regiments, Battalions, or independent companies; *Provided*, the Governor shall not comply with any requisition which may be made, unless accompanied with the certificate of the officers making the same, of the number of men present in the Regiment, Battalion or company, and the number destitute of the articles required.

4. SEC. IV. *And be it further enacted*, That the Governor be, and he is hereby required to appoint such officers and use such means as shall be necessary to carry out the provisions of this act, acting through the instrumentality of the Georgia Hospital and Relief Association, at his discretion, and using the agency of all such persons as may be sent or designated from any Regiment, Battalion, or company to receive articles the Governor is hereby authorized to transmit and distribute; and the Governor is hereby required in all such arrangements as he may make for the transmission of any of the said articles to the Georgia troops, to enforce a regulation requiring the return to the Executive office of proper vouchers and receipts in each case, showing that the same have been received and appropriated to the purposes intended by this Act; and in all cases where the Governor chooses to make the distribution through persons in the Confederate service, if the Quartermaster or other person to whom said clothing has been furnished, shall not in a reasonable time, return to the Governor, or to such persons as he may appoint to receive such returns, a full receipt from the captain or captains of companies, or the commanders of Battalions or Regiments, for said clothing, shoes, caps or hats, and blankets, the Governor shall inform the Secretary of War of such delinquency; *Provided*, said officers so appointed are over the age of forty-five years, or are such as are not subject to the provisions of the Conscrip Acts passed by the Confederate Congress.

5. SEC. V. *And be it further enacted*, That all appointees by his Excellency under the provisions of this Act, shall be required to take and subscribe an oath faithfully to discharge the duties re-

Treasury notes to be issued.

Requisition for clothing &c., how made.

Certificate required.

Supplies how distributed.

Vouchers and receipts to be returned.

Delinquents in Confederate service to be reported to Sec. of War.

Who may be appointed.

Oath to be taken and bond given.

Indigent widows and orphans of soldiers.

quired of him as such appointee, and to give such bond and security as shall be approved by his Excellency the Governor.

Assented to December 2d, 1862.

(No. 45.)

An Act for the support of indigent widows and orphans of soldiers who have died or been killed in the service of this State, or of the Confederate States; for the support of the indigent families of soldiers who may be in the public service, and for the support of indigent soldiers who may be disabled by wounds or disease in the service of this State or of the Confederate States, for and during the year 1863; to provide for raising funds to carry into effect said appropriation, and to provide for the application of the same to the purposes aforesaid.

6. SECTION I. *The General Assembly do enact, That the sum of two millions five hundred thousand dollars, or so much thereof as* \$2,500,000 appropriated. *may be necessary, be, and the same is hereby appropriated out of any money in the treasury not otherwise appropriated, for the support of indigent widows and orphans of soldiers who have died or been killed in the service of this State or the Confederate States; for the support of indigent families of soldiers who may be in the public service, and for the support of indigent soldiers who may have been, or may hereafter be disabled by wounds or disease in the service of this State, or the Confederate States, for and during the year 1863; Provided, the word families, whenever used in this Act, shall be taken and held to mean all persons who were dependent for support on any such person who has gone, or may go into the military service from Georgia.*

7. SEC. II. *And be it further enacted, That it shall be the duty of the Governor, immediately after the passage of this Act, to cause a copy thereof to be furnished to the Inferior Court of each county in this State, with such instructions, if any, as he may think proper to give them; and upon the receipt thereof by said Inferior Court,* Duty of Inferior Courts. *it shall be their duty forthwith to proceed, under the rules hereinafter prescribed, to make out a schedule of the persons within their respective counties, who may be entitled to the benefits of this Act, and file the same in their respective offices; and to forward to the Comptroller General, before the first day of February in the* Statement forwarded to Comptroller General. *year 1863, a statement from said schedule, of the number of widows residing within their respective counties, of soldiers who have died or been killed in the military service of the State, or of the Confederate States, during the existing war, or have died after being discharged, of sickness contracted, or wounds received in the service, and who are unable to support themselves, and have not the means of support; the number of soldiers who have been discharged and who are residing within the county, disabled by sickness or wounds in the service, and who are not able to support themselves, and have not the means of support; the number of women, whether they are the wives of soldiers in service, or di-*

Indigent Soldiers.—Soldiers Families.

bled discharged soldiers, or whose son or other person upon whom they have usually depended for support heretofore, has died, been killed, disabled, or is then absent in the military service, and who are indigent and have not the means of support; also, the number of orphans under the age of twelve years, of soldiers hereinbefore described; and also, the number of children of other women not widows, as hereinbefore set forth, who are under the age of twelve years; and children of indigent disabled soldiers who have been discharged, and who are under said age, and which said orphans and other children are indigent and have not the means of support; and also including in said schedule and statement, all children and other indigent persons usually dependent on the soldier for support, over said age, who, from bodily infirmity or other like cause, are unable to support and maintain themselves; which said statement to the Governor shall be accompanied by the affidavit of the Justices making out the schedule, that the same is of file in their office, and is just and true and impartial, to the best of their knowledge and belief. So soon as the said first day of February A. D. 1863 shall have expired, the Comptroller General shall consolidate the digests into one general digest; and he, together with the Governor, shall, upon the basis thus formed, apportion to each county the amount of funds to be disbursed for the purposes aforesaid, to each county.

Digests to be consolidated and apportionment made.

Treasury notes may be issued when.

8. SEC. III. In the event of there being a deficiency of funds in the treasury to meet said appropriation, then and in that case, his Excellency the Governor is hereby authorized to issue treasury notes to an amount sufficient to meet such deficiency, redeemable in six per cent. bonds or specie, six months after a treaty of peace between the United States and the Confederate States; *Provided*, in that event, that the payment to the several Inferior Courts shall be made in treasury notes, whenever practicable.

Immediate relief provided for.

9. SEC. IV. For the purpose of affording immediate relief to the beneficiaries of this Act, whose necessities will admit of no delay, his Excellency the Governor is hereby authorized and directed to distribute the sum of four hundred thousand dollars to the Justices of the Inferior Courts of the several counties in this State, and to apportion the amount among the counties applying for relief, in such amounts as in his discretion, may be deemed necessary to effect the object herein contemplated; *Provided*, that no county shall receive, as an advance payment, exceeding five thousand dollars; and the amount so advanced to each county shall be deducted from the amounts apportioned to them respectively in the final distribution.

Proviso.

Inferior Courts to disburse funds.

10. SEC. V. The funds to be disbursed in each county shall be delivered to the Inferior Court of the county, or to their order, under the seal of the Court; and shall, by said Court, be appropriated to the purposes aforesaid, in such manner as they shall deem most efficient, and in substantial compliance as to the application of the funds, with the act assented to November 29th, A. D. 1861; or in cases when special acts have been passed for any of the counties,

then, in such county or counties, in substantial compliance with the local act in force in such county or counties.

11. SEC. VI. The Inferior Courts respectively of the several counties of the State, are hereby authorized to make all such arrangements and regulations as they may deem necessary, to secure the custody and application of the fund they may severally receive; and they shall have power to appoint one or more fit and discreet person, in each militia district, to receive the fund from them, and appropriate it for the use of the beneficiaries of this law, by purchasing articles of prime necessity for them, or otherwise, as may be found most to the advantage of the persons interested, and to receive and appropriate all such articles as may be delivered to them in lieu of money, under any provision of this law.

May adopt regulations.

May appoint an Agent in each militia district.

12. SEC. VII. It shall be the duty of the Inferior Courts of the several counties of this State, and all such agents and other persons as they shall employ or appoint to aid in carrying out any of the provisions of this act, or the act of 1861, to make diligent enquiries and to see that no person shall receive any aid or assistance under either act, who has sufficient property, or means of support, or income, or who might have a sufficiency, by using proper industry and labor.

Who shall not receive aid.

13. SEC. VIII. If any agent appointed to receive and pay out and appropriate this fund, or such articles as may be delivered to him in lieu of money, for the purposes aforesaid, shall apply the same, or any part thereof, to any other use or uses than those set forth in this law, or shall trade or speculate on the same, or any part thereof, or shall fail or refuse to come to a full and fair account, on demand, with the Inferior Court of the county in which he may have been appointed, or to such agent as the Inferior Court may appoint to demand and make such settlement, he shall be deemed guilty of larceny after trust delegated and confidence reposed, and on conviction thereof, shall be punished by imprisonment in the Penitentiary for a term not less than two, nor more than seven years; *Provided*, that this Act shall not in any manner repeal or affect an Act assented to 29th day of November, 1861, or any local acts now in force for the relief of the widows and children of indigent soldiers.

Defaulting agents.

Offence and penalty.

Proviso.

14. SEC. IX. *Be it further enacted*, That in all distributions subsequent to the \$400,000 required to be first distributed, the Governor shall make distribution of the fund herein appropriated, to the several Inferior Courts of the respective counties of the State, in quarterly instalments, or at such other stated intervals of time as he may think best, and if at any time he shall receive information, or be otherwise induced to an opinion, that the fund, or any part thereof, has been misapplied in any way in any county of the State, he is hereby authorized, before making any further distribution of the fund to the county in relation to which he may have received such information or come to such conclusion, to require a full explanation and report from the Justices of the Inferior Court of such county, requiring in said report, that the said

Distributions to be at stated intervals.

Misapplication of fund—remedy for

Freight on Salt.

Justices shall state, on oath, to the best and utmost of their information and belief, the amount and nature of the property held by any and all persons who have been allowed to become beneficiaries of this Act, in their particular county.

Grand Juries
to make in-
quiry and re-
ports.

15. SEC. X. *Be it further enacted*, That it is hereby made the duty of the Grand Jury in each county, to make diligent enquiry into the returns, accounts and disbursements of the Inferior Courts, and such agents as may be appointed by said Courts under this Act, and to make report thereon in their general presentments, and to make special presentments in case they can obtain information and evidence of the violation of this Act by any person or persons charged with its execution in their county.*

Assented to December 13th, 1862.

* For Act of 29 Nov., 1861, see Acts of 1861, p. 76.

(No. 46.)

An Act to authorize and instruct the Governor to pay the freights on salt, in the cases therein mentioned.

Freight from
Railroads to
be paid.

16. SECTION I. *The General Assembly of the State of Georgia do enact*, That his Excellency the Governor be, and he is hereby authorized and instructed, to pay out of any money in the Treasury, not otherwise appropriated, the cost of freight for the transportation of all the salt from the Railroads, which he has or may hereafter have sent to the different counties in this State, for distribution among the families of soldiers.

Duty of Infe-
rior Courts.

17. SEC. II. *And be it further enacted*, That the Justices of the Inferior Courts of the several counties be required to ascertain and certify to the Governor the amount of freight paid or due for the transportation of such salt to their respective counties; upon which certificate alone the same shall be paid, as provided in the first section of this Act.

SEC. III. Repeals conflicting laws.

Assented to December 9th, 1862.

\$15,000 appropriated to obstruct Apalachicola, Chattahoochee and Flint rivers.

TITLE XX.

STATE DEFENSE.

Sec. 1. \$15,000 appropriated to obstruct Apalachicola, Chattahoochee and Flint Rivers. \$15,000 for each river.
 " 2. Commissioners for the Apalachicola and Flint Rivers. They may draw \$30,000, and disburse the same.
 " 3. Commissioners for Flint River. May draw \$15,000, and disburse same.
 " 4. Commissioners to render accounts for moneys disbursed by them. Must return to Treasury any unexpended funds.
 " 5. Vacancy in either board of Commissioners, how filled.

Sec. 6. Appropriation how disbursed.
 " 7. Commissioners may receive voluntary contributions. Must keep record of transactions. May appoint agents, &c.
 " 8. \$500,000 appropriated for obstructing navigable streams. Negro labor to be contracted for or impressed.
 " 9. \$10,000 appropriated for removal of non-combatants.
 " 10. By whom arrangements to be made for disbursement of food and removal and support.

(No. 47.)

An Act to appropriate the sum of forty-five thousand dollars towards obstructing the Apalachicola, Chattahoochee and Flint Rivers, and to appoint Commissioners to receive and disburse the same.

1. SECTION I. *Be it enacted, &c.*, That the sum of forty-five thousand dollars be, and the same is hereby appropriated for the purpose of obstructing the Apalachicola, Chattahoochee and Flint Rivers: that is to say, the sum of fifteen thousand dollars for the obstructing of each river, at such place or places as may be designated by the engineer who may have charge of said works, so as to prevent the enemy from ascending said rivers with boats or other water craft.

\$45,000 appropriated to obstruct Apalachicola, Chattahoochee and Flint rivers.

\$15,000 to each river.

2. SEC. II. *Be it further enacted*, That James M. Chambers, Jas. F. Bozeman and William H. Young, citizens of this State, be, and are hereby appointed Commissioners for the Apalachicola and Chattahoochee Rivers, who shall have power and authority to draw from the Treasury the sum of thirty thousand dollars; that the said Commissioners shall give the Treasurer their receipt for the same, and shall have the disbursement thereof for the purposes aforesaid.

Jas. M. Chambers, Jas. F. Bozeman and Wm. H. Young, Comrs. for the Apalachicola and Flint rivers.

Said Comrs. may draw \$30,000, and disburse the same.

3. SEC. III. *Be it further enacted*, That James E. Dickinson and Daniel Bradwell, of Decatur county; William D. Williams and John M. Cutliff, of Baker county; John Davis and Charles E. Mallary, of Dougherty county; and Merrill P. Calloway, of Mitchell county, all citizens of Georgia, be, and are hereby appointed Commissioners for Flint River, who shall have power and authority to draw from the State Treasury the sum of fifteen thousand dollars, they giving the Treasurer their receipt for the same; and they, the said Commissioners, shall have the disbursement of the same for the purposes aforesaid.

Comrs. for Flint river.

May draw \$15,000, and disburse same.

4. SEC. IV. *Be it further enacted*, That the said Commissioners shall account to the Treasurer for said sums of money as drawn

Apalachicola, Chattahoochee and Flint Rivers.

Com'rs. to
render acts
for money dis-
bursed by
them.
And referred
to Treasury
any unexpen-
ded balance.
Vacancy in
either board
of Com'rs.,
how filled.

by them, (producing their vouchers and filing them,) for the disbursement of the same; and they shall pay into the Treasury any unexpended balance of said appropriation.

5. SEC. V. *Be it further enacted*, That either Board of Commissioners be hereby authorized to fill any vacancies that may occur.

Assented to December 13, 1862.

(No. 48.)

A supplemental Act to amend and explain an Act entitled an Act to appropriate the sum of forty-five thousand dollars towards obstructing Apalachicola, Chattahoochee and Flint Rivers, and to appoint Commissioners to receive and disburse the same, approved 13th November, 1862.

Appropriation
how dis-
bursed.

6. SECTION I. *Be it enacted by the General Assembly of Georgia*, That the said Commissioners are hereby clothed with full power and authority, if a majority of each Board shall concur therein, to disburse the whole or any part of the sums of money in said original bill for the obstructing the Chattahoochee and Flint Rivers, towards constructing defences on, or placing obstructions in, the Apalachicola River; and such sums of money as the Commissioners for Flint may concur in, having disbursed on the Apalachicola River, they shall pay over to the Commissioners for the Chattahoochee and Apalachicola Rivers, who shall have the disbursement of the same.

Com'rs. may
receive volun-
tary contribu-
tions.

Must keep
record of
transactions.

May appoint
agents &c.

7. SEC. II. *Be it further enacted*, That the said Commissioners shall have the right to receive voluntary contributions of labor, money, provisions or other property, which any person may desire to give for the purpose aforesaid, and shall disburse the same, and shall keep a correct record of all their transactions, subject to the inspection of all persons interested; and they are hereby clothed with full authority to appoint agents, and superintendents and treasurers, removable at the pleasure of a majority of each Board, and may require bond and good security from such persons so appointed, for the faithful discharge of their duties; and upon a breach of said bond, suit shall be instituted thereon, and the amount of damages which may be recovered thereon shall, after the payment of expenses, be paid into the Treasury of this State.

Assented to December 2, 1862.

(No. 49.)

An Act to appropriate money for obstructing the navigable streams of this State, and to authorize His Excellency the Governor to expend the same, or so much thereof as may be necessary.

\$500,000 ap-
propriated for
obstructing
navigable
streams.

1. SECTION I. *The General Assembly of the State of Georgia do enact*, That the sum of five hundred thousand dollars, or so much thereof as may be necessary, be, and the same is hereby placed at

Indigent White Non-combatants.

the disposal of his Excellency the Governor, to be expended in obstructing the navigable streams in this State against the incursions of the enemy; and that he be authorized to contract for negro labor, if possible, or impress the same, if necessary, for carrying out the aforesaid purpose; said impressment to commence in those counties in which the obstructions are made; *Provided*, that the authority to impress negro labor shall be understood to include both free negroes and slaves, and that just compensation therefor shall be made.

Negro labor to be contracted for or impressed.

SEC. II. Repeals conflicting laws.

Assented to November 28, 1862.

(No. 50.)

An Act to provide for the better defense of the State, by the removal and support of all indigent white non-combatants of this State, in certain cases.

9. SECTION I. *The General Assembly of Georgia do enact*, That the sum of three hundred thousand dollars be, and the same is hereby appropriated from the Treasury of this State, for the purpose of removing from any part of this State threatened with invasion or attack by the enemy, to a place of better security therein, all indigent white non-combatants of the same, where it may be ordered or thought necessary by the military authorities of the Confederate States in command in this State, for the better defense of said State, and for the support of all such non-combatants who may have been, or may hereafter be, removed in the manner or by the authority aforesaid; and the Governor is hereby authorized to draw his warrant on the Treasury in favor of the persons hereinafter designated to disburse the same, for said sum or so much thereof as may be necessary for the purposes aforesaid.

\$500,000 appropriated for removal and support of non-combatants.

10. SEC. II. *Be it further enacted*, That when such removal shall be of the inhabitants of a city or town, the arrangements for such removal and support, and the disbursement therefor, shall be made by the Mayor and Aldermen, or Council, or Mayor, Aldermen, or Council of said city or town; and when said removal shall be of the inhabitants of any county at large, then said arrangements for such removal and support and disbursements shall be made by the Inferior Court of said county from whence the removal is made, *provided*, there is an Inferior Court acting in said county; and if not, then the same shall be done by the Mayor of any city in said county; and all such persons chargeable with such disbursements, shall make a full and complete statement of the same to the Governor, when he shall require them to do so.

By whom arrangements for removal and disbursement of funds to be made.

Assented to December 15, 1862.

Comptroller General.

TITLE XXI.

STATE HOUSE OFFICERS.

SEC. I. Comptroller General allowed a Clerk. Salary of.

(No. 51.)

An Act to allow the Comptroller General a Clerk, and to provide for the compensation of the same.

1. SECTION I. *Be it enacted by the General Assembly of the State of Georgia, That from and after the passage of this Act, the Comptroller General be, and he is hereby allowed a Clerk, to be appointed and be removable by the Comptroller General; and to enable said officer to secure the services of an intelligent, experienced business man, the sum of one thousand dollars is hereby annually appropriated to pay the salary of said Clerk, in the same manner that the salaries of other officers are paid.*

SEC. II. All conflicting laws are hereby repealed.

Assented to December 12th, 1862.

TITLE XXII.

TAXES.

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| <p>Sec. 1. Not exceeding \$1,500,000 to be raised for 1863.</p> <p>" 2. Single commissions only allowed for collecting tax of persons not on the first digest.</p> <p>" 3. Return to be made by Receiver and Collector. Oath. Penalty for failure.</p> <p>" 4. Return and tax of foreign Insurance Companies. Default and penalty.</p> <p>" 5. When agent or deputy appointed by Receiver and Collector. Penalty for violation of this Act.</p> <p>" 6. Deputies how appointed. His authority. Principal responsible. Penalty. Assistant allowed.</p> <p>" 7. Bonds held by corporations, when taxed.</p> <p>" 8. When cotton, grain, &c., taxable.</p> <p>" 9. Commission merchants and other agents to keep register and make returns.</p> <p>" 10. Duty of Receiver and Collector. Defaulting agents.</p> | <p>Sec. 11. Tax how secured and collected.</p> <p>" 12. Warehousemen to make returns and retain enough property to pay taxes.</p> <p>" 13. Cotton, not held by producer to be taxed.</p> <p>" 14. Tax-payers to give in R. R. and Bank Stock.</p> <p>" 15. When R. R. Stock not taxed.</p> <p>" 16. No soldier double taxed.</p> <p>" 17. Double tax refunded.</p> <p>" 18. Privates in service exempted from professional tax.</p> <p>" 19. Defaulting free persons of color may be hired out for taxes.</p> <p>" 20. Comptroller General to issue execution against Tax Collectors failing to make return of tax collected from defaulters.</p> <p>" 21. Oath by Collector.</p> <p>" 22. Penalty on such defaulting Collectors.</p> |
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(No. 52.)

An Act to levy and collect a tax for the political year 1863, and for other purposes.

1. SECTION I. *The General Assembly do enact as follows, That His Excellency the Governor of this State, with the assistance of the*

Tax for the political year 1863—Revenue Laws.

Comptroller General, shall assess on the entire amount of taxable property, (including bonds of this State, and of the Confederate States,) in this State, such a rate per cent. as will raise an amount of revenue not exceeding one and a half millions of dollars, for the support of the government of this State, for the political year 1863, any law to the contrary notwithstanding.

Not exceeding one and a half millions to be raised.

Assented to December 13th, 1862.

(No. 53.)

An Act to alter and amend the Revenue Laws of this State, and to provide a penalty for the violation thereof.

2. SECTION I. *The General Assembly of Georgia do enact, That so much of the first Section of an Act assented to the 11th day of December, 1858, as relates to allowing Tax Receivers and Collectors double commissions for returning the property and collecting the tax thereon of persons not on the first, or Receiver's digest, be, and the same is hereby repealed; and hereafter Tax Receivers and Collectors shall only be allowed single commissions, on the tax thus collected.*

Single commissions only allowed.

3. SEC. II. *Be it further enacted, That on or before the 15th day of December in each and every year, the Tax Receivers and Collectors shall make out, under oath, their returns of property not on the first, or Receiver's digest, as provided for under the first Section of the Act of the 11th day of December, 1858, and forward the same on the 20th day of December, in each and every year, or such other day as may be designated by law as a day of final settlement by Tax Collectors; and if up to the 15th day of December, said officers have not been able to find any property in the county, omitted on the first or Receiver's digest, they shall swear that they have not been able to find any of said property, and send their affidavits to the Comptroller General's office; and any Tax Receiver and Collector who shall have collected money from tax-payers not on the first, or Receiver's digest, and who shall fail or refuse to make his returns, and pay said money into the Treasury by the 20th day of December in each and every year, or at such time as may be designated by law for the final settlement by Tax Collectors, said officers shall be deemed and held in default, and shall be liable to a penalty or tax of five hundred dollars; said penalty or tax, in addition to the amount of money belonging to the State, retained by said Collectors, to be collected by an execution against said defaulting Receiver and Collector, and his securities, to be issued upon information by the Comptroller General; one half of the five hundred dollars to go to the informer who will produce to the Comptroller General any receipt of the Collector, or other paper showing that the Collector has such money in his hands, belonging to the State; *Provided, that so much of this section as relates to rewarding informers shall not go into effect until after the first day of April next.**

Return by Tax Receiver and Collector

Oath.

Penalty for failure.

How collected.

Proviso.

4. SEC. III. *Be it further enacted*, That all foreign Insurance Companies, organized, controlled, and managed by persons without the limits of this State, be, and they are hereby required to make their returns, under oath, and to pay their tax to the State Treasurer, on the thirty-first day of December in each and every year; said companies shall pay a tax of one per cent. upon the premiums they receive in this State for the year closing the 31st December; and each and every agent of said company who shall fail or refuse to make their returns and pay their tax as so directed, within ten days after the thirty-first of December, shall be deemed and held as a defaulter; and upon the information, the Comptroller General is hereby directed to issue execution against said defaulting agent, for a default tax of five hundred dollars; and if said execution shall not be paid within ninety days after the date thereof, any person or persons who, as agent or otherwise, shall issue a policy of said Company within the State of Georgia, shall be deemed and held guilty of a misdemeanor, and on conviction thereof, shall be subject to be fined in the sum of not less than five hundred dollars, nor more than one thousand dollars, and shall also be confined in the county jail for a period of not less than three months nor more than six months.

5. SEC. IV. *Be it further enacted*, That it shall not be lawful for any Tax Receiver and Collector, or Receiver of Tax Returns, to appoint an agent or deputy, unless from providential cause or disability that occurs after his election; and in case any Tax Receiver and Collector, or Receiver of Tax Returns, shall violate the provisions of this Act, upon satisfactory evidence being furnished to the Inferior Court, or a majority of the same, it shall be their duty to dismiss from office said offending officer, and appoint another person to fill the vacancy, and take from said person so appointed the usual bond required by law of said officers.

6. SEC. V. *Be it further enacted*, That whenever, from providential cause, or disability incurred after election, any Tax Receiver and Collector, or Receiver of Tax Returns, or Tax Collector, finds it necessary to appoint an agent or deputy to discharge his duties within the time prescribed by law, it may be lawful for said officer to appoint an agent or deputy, by first obtaining the written consent of his securities, and obtaining also the sanction of a majority of the Justices of the Inferior Court as to the appointment he may make; said agent or deputy must take the same oaths as his principal; and he is hereby authorized to administer the usual oaths to tax-payers and others, that the Tax Receivers and Collectors are now authorized to administer, but the principal (together with his securities) shall be responsible on his bond for the acts of the agent or deputy. Any Tax Receivers and Collectors, or Receiver of Tax Returns, or Tax Collector, violating the provisions of this Act, shall suffer the penalty named in the preceding section of this Act. Nothing in this or the preceding Section shall be so construed, as to prohibit a Tax Receiver and Collector, or a Receiver of Tax Returns, from employing some one to assist him in mak-

Estimate and tax of foreign insurance Cos

Default and penalty.

When agent or deputy may be appointed by Receiver and Collector.

Penalty for violation of this Act.

Agency how appointed.

His authority

Principal responsible.

Penalty.

Assistant allowed.

Certain articles of Merchandise in this State.

ing out and adding up his books, after the tax returns have been received.

7, SEC. VI. *Be it further enacted*, That no bank or other corporation shall be required to pay tax on any bonds, either of this State or the Confederate States, in any case in which said bonds are already taxed as part of their capital stock, but shall pay on the whole of their capital stock, and on all such bonds held by such bank, or other corporation, over and above their capital stock.*

Bonds held
by corporations,
when
taxed.

SEC. VII. Repeals conflicting laws.

Assented to Dec. 15th, 1862.

*See Acts of 1858, pp. 104-105.

(No. 54.)

An Act to secure the tax upon certain articles of merchandise in this State.

WHEREAS, From the Report of the Comptroller General, it is believed that a large amount of revenue has been lost to the State, on cotton and other produce sold in this State, in consequence of the misconstruction of that portion of the Act of 1852 exempting from taxation the annual crops and provisions of the citizens of this State; for remedy whereof,

Produce.

8. SECTION I. *Be it enacted by the General Assembly of the State of Georgia*, That all cotton and grain, or other produce, in this State, held for barter or sale, on the first day of April in each and every year, and not belonging to the original producer, are hereby declared to be merchandise, and therefore taxable as other property.

When sold &
Sec. taxable.

9. SEC. II. *Be it further enacted*, That all warehouse-men, commission merchants, or other merchants and agents, be required to keep a register of all cotton or other produce received by them, or stored with them; and that, on the first day of April in each and every year, they shall, under oath, make a return to the Tax Receiver and Collector, or Receiver of Tax Returns, of all cotton or other produce in their possession belonging to persons who are not the original producers, swearing both as to the ownership and value of said property, to the best of their knowledge and belief.

Agent, &c. to
keep register
and make re-
turn.

10. SEC. III. *And be it further enacted*. That on or immediately after the first day of April, in each and every year, it shall be the duty of the Tax Receiver and Collector, or Receiver of Tax Returns, to call upon all warehouse-men, commission or other merchants, or agents, suspected or believed by him to have any of the above specified property in possession, for a schedule and valuation, under oath, of said property; and in the event that said warehouse-men, commission or other merchants, or agents, fail or refuse to make a return under oath, within five days after being thus called upon by the Tax Receiver and Collector, or Receiver of Tax Returns, the said warehouse-men, commission merchants and agents, shall be deemed and held as defaulters for said prop-

Date of Tax
Receiver and
Collector.

Defaulters
agents.

Railroad and Bank Stock.

erty, and be taxed as such—the sum of one thousand dollars, in every case of failure or refusal as aforesaid, to be collected by the Tax Collector; *Provided*, said warehouse-men, commission merchants or agents, shall say it is out of his power to state who is the owner or owners; in that event, he shall state who consigned the same to him.

11. SEC. IV. *And be it further enacted*, That when said return is made to the Tax Receiver and Collector, or Receiver of Tax Returns, it shall be his duty to enter the same on his digest against the respective owners or consignor of said cotton or other produce; and, to secure the payment of said tax, he shall immediately notify the warehouse-man, commission merchant or other agent, of the amount of tax due from each owner or consignor of such cotton or other produce, who shall retain in his or their possession a sufficient amount of such cotton or other produce, to pay said tax when due, and upon failure to do so, shall be personally liable for the same; and the Tax Collector shall issue executions therefor against the warehouse-man, commission merchant, or other agent, as in other cases of defaulting tax-payers.

12. SEC. V. *Be it further enacted*, That all the warehouse-men in the State shall also be required to return to the Receiver of the Tax Returns in this State, all the property stored with them by parties resident and non-resident of this State, on the first day of April next, and annually thereafter, together with the value thereof, for the purpose of having the same taxed under the provisions of this bill; and that all such warehouse-men shall be required to retain in their hands a sufficient amount of said goods to pay the taxes that may be assessed upon them by this State.

13. SEC. VI. *Be it further enacted*, That all cotton held by any merchant, or other parties in this State, on the first day of April next, and annually thereafter, shall be required to give in and pay taxes thereon as for other property, unless said owners are the producers of the same.

Assented to December 12, 1862.

(No. 55.)

An Act to compel all tax-payers of this State who are the owners of any Railroad or Bank Stocks, to pay county tax on the same in the respective counties that they are residents thereof.

14. SECTION I. *Be it enacted by the General Assembly of the State of Georgia*, That all tax-payers in and for the several counties in this State, who are the owners, either in their own right, or in the right of any other person or persons, of any Railroad or Bank stock, shall be compelled to give in annually the number of shares of stock so owned, and the value of such shares so owned; and the Inferior Courts of the several counties in this State shall levy a per cent. for county purposes, on said Railroad or Bank stock, in proportion to the per cent. made and levied upon all other

Received.

Tax to be secured and collected.

Warehouse-men to make returns of property stored and return enough to pay taxes.

Cotton and held by producer to be taxed.

Tax-payers to give in R. R. and bank stock.

Taxed for county purposes.

Soldiers.—Professional Tax.

property or properties of tax-payers for county purposes; *Provided*, nothing in this Act shall be so construed as to interfere with the previous vested rights of any Railroad or Bank in this State under their charters. Proviso

15. SEC. II. *Be it further enacted*, That no Railroad stock shall be taxed when said Railroad is not in running condition. When R. R. stock not taxed.

SEC. III. Repeals conflicting laws.

Assented to December 9, 1862.

(No. 56.)

An Act to prevent soldiers in the service of the Confederate States, or the State of Georgia, from being double taxed, and for the relief of such soldiers as have been double taxed.

16. SECTION I. *Be it enacted, &c.*, That from and after the passage of this Act, no soldier in the service of the Confederate States, or of the State of Georgia, shall be double taxed by reason of his failure to give in his tax. No soldiers double taxed.

17. SEC. II. *Be it further enacted*, That when it shall be made to appear that any soldier has been double taxed as aforesaid, upon application to the Inferior Court of the county where said tax has been levied, the amount for which said soldier has been double taxed shall be refunded, the amount of the double tax for the county shall be remitted by the Justices of the Inferior Court; and upon the facts being made known to the Comptroller General, he shall remit the State's portion of said double tax. Amount refunded.

Assented to December 8, 1862.

(No. 57.)

An Act to exempt from their professional tax all physicians, lawyers, and all other persons liable to pay a professional tax, now enlisted as privates in the armies of the Confederate States, or of the State of Georgia, during their continuance in service.

18. SECTION I. *The General Assembly of Georgia do enact*, That during the continuance of the present war, all physicians, lawyers, and all other persons liable to pay a professional tax, who are, or shall be, enlisted as privates in the service of the Confederate States, or the State of Georgia, shall be exempted from the payment of the professional tax now imposed by law. Proviso to exempt from professional tax.

SEC. II. Repeals conflicting laws.

Assented to December 15th, 1862.

(No. 58.)

An Act to enforce the payment of taxes due by free persons of color.

19. SECTION I. *The General Assembly of Georgia do enact*, That

Defaulting Tax Collectors.

Defaulting
free persons
of color may
be hired out
for taxes.

in all cases where free persons of color shall fail or refuse to pay their taxes charged against them, and shall have no property on which to levy, it shall be the duty of any constable or sheriff, upon written application of the Tax Receiver and Collector, to arrest and place in the county jail, such defaulting free person of color, until the next regular county sale day, when the Tax Receiver and Collector shall hire out said free person of color, for such price as will produce the amount due the State, and all cost that may have been incurred.

SEC. II. Repeals conflicting laws.

Assented to 13th December, 1862.

(No. 59.)

An Act to secure the State against loss by defaulting Tax Collectors.

Practical.

WHEREAS, The Comptroller General complains in his Report, that in very many counties of this State, the Tax Collectors have failed to return to his office any money arising from defaulters whose names do not appear on the Receiver's digest; *And whereas*, the Comptroller cannot reach such defaulting Tax Collectors under the law as it now stands,

Comptroller
General to re-
sue execution.

20. SECTION I. *Therefore be it enacted*, That from and after the passage of this Act, the Comptroller General be empowered, and that it shall be his duty, to issue execution against such defaulting Tax Collectors and their securities, in the sum of double the amount that they may be found to be in default, to be sent to the Sheriffs of said counties to be collected, with all costs accruing thereon.

Oath of Col-
lector.

21. SEC. II. *And be it further enacted*, That each Tax Collector shall be required to make oath on his final settlement with the Comptroller, as to the amount of such collections by him.

Penalty on
defaulting
Collectors.

22. SEC. III. *And be it further enacted*, That such Tax Collectors shall be fined in the sum of five hundred dollars for every one hundred dollars that they may be found to be in default, to be collected by the Sheriffs of their respective counties—one-half to go to the Treasury, and the other to the informer.

SEC. IV. Repeals conflicting laws.

Assented to December 8, 1862.

Salaries of officers on W. & A. R. R.

TITLE XXIII.

WESTERN AND ATLANTIC RAIL ROAD.

<p>Sec. 1. Salaries and wages to be increased. Increase not to exceed 50 per cent.</p> <p>" 2. May be reduced, when.</p> <p>" 3. To be paid from earnings of Road</p> <p>" 4. \$100,000 appropriated to reimburse advances by W & A. R. R., for salt To be refunded to State Treasury from sale of salt.</p>	<p>Sec. 5. Per diem and mileage appropriated to Committee on W. & A. R. R.</p> <p>" 6. Per diem and mileage to Clerk of Com.</p> <p>" 7. Accounts to be audited.</p>
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(No. 60.)

An Act to authorize the Governor to increase the salaries, and daily or monthly wages of the several officers and employees of the Western and Atlantic Rail Road of this State.

WHEREAS, From the present high prices of all provisions and clothing, many of the hard working, honest and industrious employees of said Rail Road, whose families are dependent on their labor for food and raiment, it is almost impossible for them to procure the most common necessaries of life, by the salaries or wages they now receive, and justice requires that they should receive a reasonable compensation for their services. Provision.

1. SECTION I. *The General Assembly of the State of Georgia do enact*, That from and after the passage of this act, His Excellency the Governor of this State, be and he is hereby authorized to increase the salaries and daily or monthly wages of the several officers and employees of the Western and Atlantic Rail Road of this State, to such an amount as he may think reasonable and just in the present condition of the country. *Provided*, that said increase of salaries or daily wages shall not exceed fifty per centum, on the amount of salary said officers and employees now receive; *Provided further*, that said increase of salary and daily wages, shall cease and determine within six months after a ratification of a treaty of peace between the Confederate States and the United States; *and provided further*, that no increase of the pay of any subordinate officer or employee of said Rail Road, be made by the Governor unless upon the recommendation of the Superintendent. Increase of wages. Limited to 50 per cent.

2. Sec. II. *And be it further enacted*, That should the price of provisions or clothing be so reduced hereafter as to make the expense of living cheaper, it shall be the duty of His Excellency to reduce said salaries and daily or monthly wages in accordance with the reduced cost of living. Salaries, &c., may be reduced, when.

3. Sec. III. *And be it further enacted*, That said increased salaries and daily wages, if any, shall be paid as the salaries and wages are now paid, out of the earnings of said Rail Road. Paid from earnings of Road.

SEC. IV. Repeals conflicting laws.

Assented to Dec. 12th, 1862.

Treasurer of W. & A. R. R.—Money appropriated to certain persons.

(No. 61.)

An Act to appropriate money to reimburse the Treasurer of the Western and Atlantic Rail Road, such money as he has heretofore advanced, to enable the Governor to carry out his contract for the manufacture of salt in Virginia for distribution amongst the families of soldiers and others in Georgia.

WHEREAS, by order of the Governor of this State the Treasurer of the Western and Atlantic Rail Road, advanced to the Commissary General of the State such funds as were necessary to enable the Governor to carry out the contract made by his Excellency, for the manufacture of salt in Virginia for distribution to the families of soldiers in service from this State, and to others of the people of Georgia, which has not been refunded to him. Therefore

4. SECTION I. *The General Assembly of Georgia do enact*, That the sum of one hundred thousand dollars, or so much thereof as may be necessary, be, and the same is hereby appropriated for the purposes aforesaid, and that his Excellency the Governor is hereby authorized to draw his warrant upon the Treasury of the State for the same—such amount as may be drawn to be refunded to the Treasury of the State, when the salt made under said contract, after distributing the supply contemplated to be distributed, under regulations heretofore published by the Governor, shall be sold.

Assented to December 8th, 1862.

(No. 62.)

An Act to appropriate a sum of money therein named, to certain persons therein named, and for other purposes.

WHEREAS, Hons. P. B. Monk, George S. Black, Ben. B. Moore and James S. Hook, were appointed a committee, by resolution of the House of Representatives, at its last session, to examine into and report upon the condition of the Western and Atlantic Rail Road; and whereas, said committee, have performed that duty to the entire satisfaction of this House, and have included in their laborious report, much valuable information not otherwise communicated to the people; and whereas, said resolution appointing said committee, makes no provisions for compensation for said committee, for their services; Therefore,

5. SECTION I. *The General Assembly of Georgia do enact*, That there shall be paid to the members of said committee who were engaged in making said investigation and report, the sum of seven dollars each per day, for their services for the time they were engaged in making said investigation and report; and that there be paid to each of said committee the sum of four dollars for every twenty miles of travel in going to and returning from Atlanta, the place of the meeting of the committee, the distance to be computed by the usual route of travel from the several places of residence of the committee to Atlanta.

L. Carrington Clerk of Railroad Committee.

6. SEC. II. *And be it further enacted by the authority aforesaid,* That there shall be paid to Lafayette Carrington, the Clerk of said Rail Road Committee, the sum of seven dollars per day for the time he was actually employed in preparing the journal and copying the report of said committee; and that there be paid to said Clerk the sum of four dollars for every twenty miles of travel, in going to and returning from Atlanta, the distance to be computed by the route usually traveled from Milledgeville to Atlanta.

Par diem to Clerk.

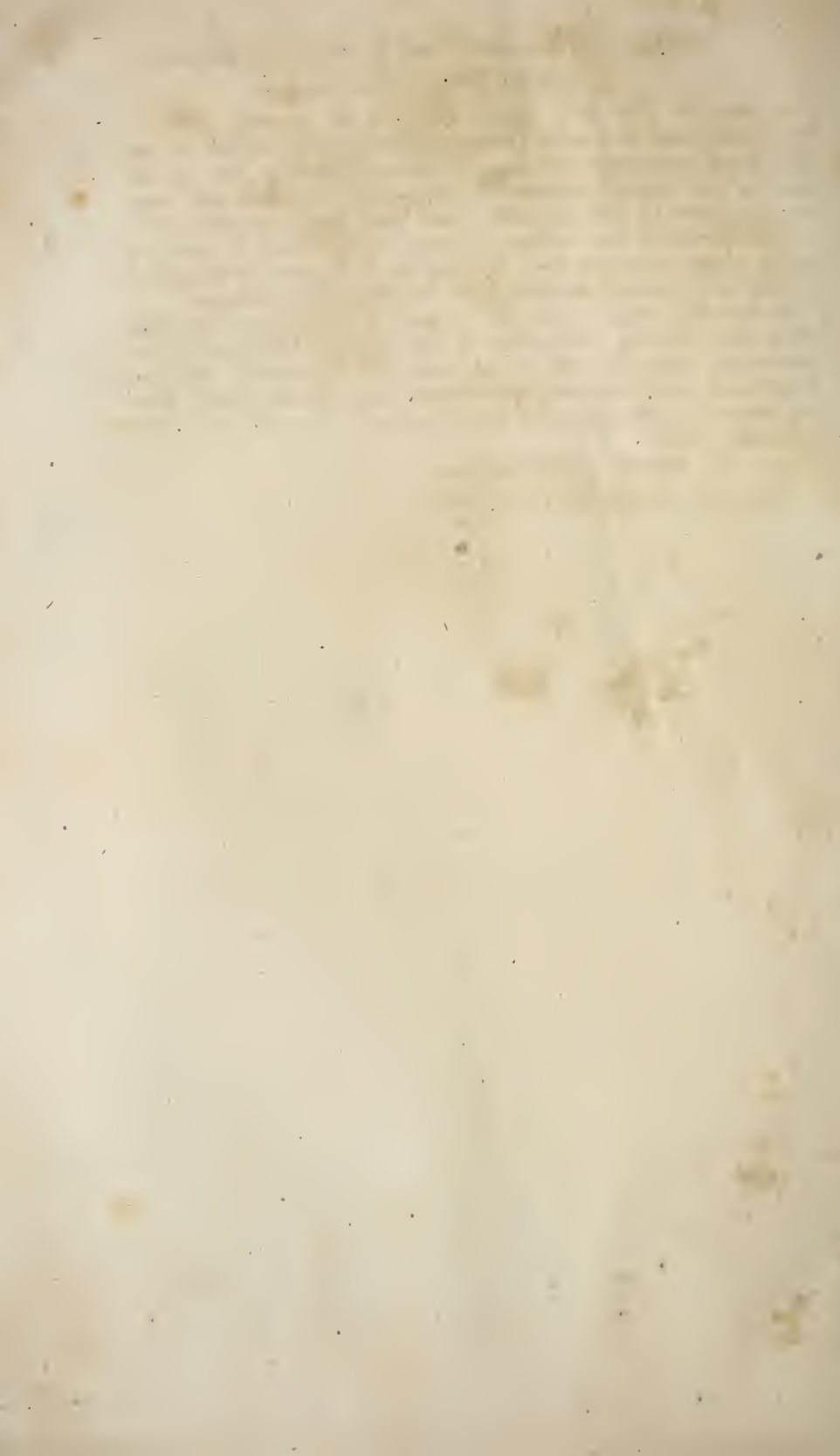
And mileage

7. SEC. III. *And be it further enacted by the authority aforesaid,* That the auditing committee of the House of Representatives shall audit and allow the accounts of said committee and their Clerk; and when so audited and allowed, the Governor shall draw his warrant on the Treasurer for the amount due said committee and their Clerk.

Accounts to be audited.

SEC. IV. Repeals conflicting laws.

Assented to December 11th, 1862.



PART II.

PRIVATE AND LOCAL LAWS.

TITLE I.—CITIES AND TOWNS.

“ II.—CORPORATIONS.

“ III.—COUNTY LINES.

“ IV.—COUNTY REGULATIONS.

“ V.—EDUCATION.

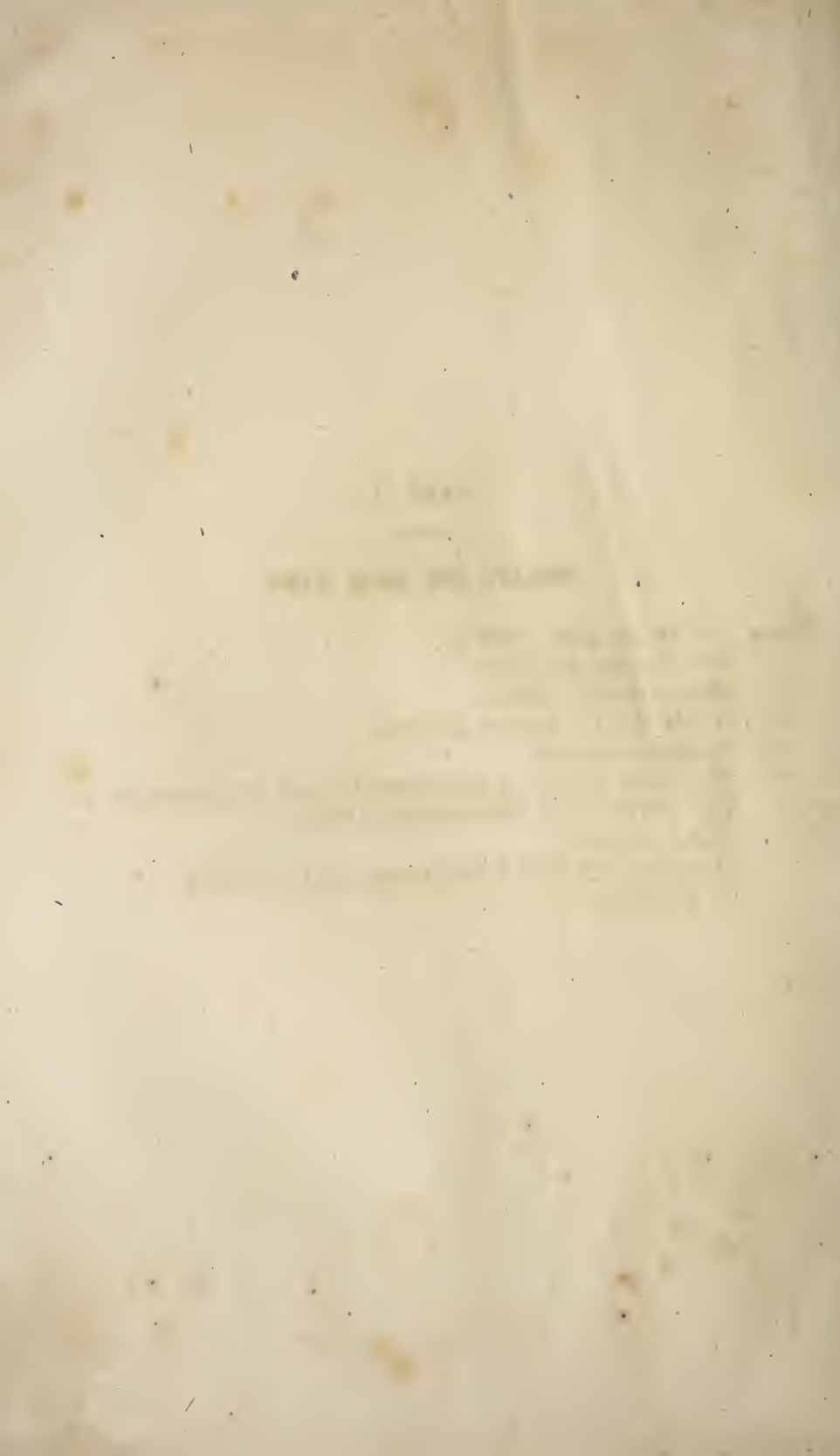
“ VI.—EXECUTORS, ADMINISTRATORS, GUARDIANS, &c.

“ VII.—INTERNAL TRANSPORTATION.

“ VIII.—RELIEF.

“ IX.—SLAVES AND FREE PERSONS OF COLOR.

“ X.—TAXES.



PART II. LOCAL AND PRIVATE LAWS.

TITLE I.

CITIES AND TOWNS.

COLUMBUS, (Nos. 63 and 64).

Sec. 1. 1st. Section of Act of Dec. 6th, 1858, repealed as to city of Columbus. Sec. 2. Mayor and Council of Columbus to elect city officers.
Certain sections of Act of Dec. 25th, 1837, revived. Proviso. " 3. May consolidate offices.

MADISON (No. 65.)

Sec. 4. Election for Commissioners may be held on 2d Saturday in December next.

TRION (No. 66.)

Sec. 5. Incorporated. Limits. Sec. 7. Election of Commissioners.
" 6. Commissioners appointed. By-laws. " 8. Corporate and other powers.
Marshal.

(No. 63.)

An Act to repeal the first section of an Act to alter and amend the charters of the cities of Columbus and Albany, assented to December 6th, 1858, and to revive the second, third, fourth, fifth, sixth, seventh and eighth sections of an Act to amend the several Acts of the Legislature of this State, incorporating the city of Columbus in the county of Muscogee, and to lay off said city into wards, and to point out the mode of electing the Mayor and Aldermen thereof, assented to Dec. 25th, 1837.

1. SECTION I. *Be it enacted &c.*, That the first section of an Act to amend the charters of the cities of Columbus and Albany, assented to Dec. 6th, 1858,* be and the same is hereby repealed, so far as the city of Columbus is concerned, and that the second, third, fourth, fifth, sixth, seventh and eighth sections of an Act to amend the several Acts of the Legislature of this State incorporating the city of Columbus in the county of Muscogee, and to lay off said city into wards, and to point out the mode of electing the Mayor and Aldermen thereof, assented to December 25th, 1837, be and the same are hereby revived and declared to be of full force and effect; *provided however*, that the election of Mayor and Aldermen for said city shall be held on the second Saturday in December, in each and every year, as now provided by law, instead of

1st sec. of act of Dec. 6th, 1858, repealed as to city of Columbus.

Certain sections of act of Dec. 25th, 1837, revived.

Proviso.

* For this Act, see Acts of 1858, p. 127.

Columbus.—Madison.

the first Saturday in January, as is prescribed in said revived sections of said Act of 1837.*

SEC. II. Repeals conflicting laws.

Assented to December 8th, 1862.

*Acts of 1837, p. 55.

(No. 64.)

An Act to vest in the Mayor and Council of the city of Columbus the power and authority to elect all city officers, to prescribe their salaries and to consolidate any two of said offices in one person.

Mayor and Council to elect city officers.

2. SECTION I. *Be it enacted &c.*, That the Mayor and Council of the city of Columbus, shall at the first annual meeting after their election, proceed to elect by ballot a City Attorney, Marshal, Deputy Marshal, Clerk of Council, City Treasurer, Sexton, Clerk of the Market and Bridge Keeper, each of whom shall remain in office until a new election for Mayor and members of Council, and until their successors shall be appointed and qualified (unless sooner removed by said Mayor and Council according to law,) and shall have such salaries as the said Mayor and Council, shall by their by-laws ordinances affix; which salary shall not be increased or diminished during their stay in office within the term for which they shall be elected; and shall before the Mayor take such oath in writing, and give such bond as the Mayor and Council shall by their by-laws and ordinances prescribe; and the said Mayor is hereby fully authorized to administer such oath.

May prescribe salaries.

3. SEC. II. *Be it further enacted*, That the Mayor and Council shall have full power and authority, at any regular meeting prior to the election of city officers, to consolidate the offices of Marshal and Deputy Marshal into one office, and the offices of Clerk and Treasurer into one office, and any other two of said city offices, into one office, devolving the duties of any two of said offices upon one person, whenever the said Mayor and Council shall deem it expedient to do so, and may likewise separate said offices whenever in their judgment the exigencies or interests of the city shall require it.

Consolidate offices.

SEC. 3. Repeals conflicting laws.

Assented to December 8th, 1862.

(No. 65.)

An Act to provide for the election of Commissioners of the town of Madison for the year 1863.

4. SECTION I. WHEREAS, the people of the town of Madison, neglected to hold the annual election for Commissioners for the year 1863, on the day prescribed by law for such election, for remedy whereof; *The General Assembly of the State of Georgia do enact*, That the election of such Commissioners may be held on the second Saturday in December next; and the Board of Commissioners

Commissioners for 1863 may be elected on 2d Saturday in Dec. next.

Trion.

then elected, shall have all the power and authority they would have been clothed with, had they been regularly elected.

SEC. II. Repeals conflicting laws.

Assented to December 2d, 1862.

(No. 66.)

An Act to incorporate the town of Trion in the county of Chattooga, and for other purposes.

5. SECTION I. *Be it enacted*, That the town of Trion in the county of Chattooga be incorporated, and that the limits of said town embrace an area of one miles (including the lands only of Trion Factory Company) in every direction, and that the Factory building be considered the centre. Incorporation limits.

6. SEC. II *Be it further enacted*, That Andrew P. Allgood, Thos. Holcombe, G. P. Clone and James D. Cochrane, be and the same are hereby appointed Commissioners for said town, who as well as their successors in office shall have power to make such by-laws and ordinances for the government and good order of said town, as may be necessary; *Provided* such by-laws and ordinances are not repugnant to the Constitution of the Confederate States of America or of the State of Georgia, and that the said Commissioners shall hold their offices until the third Saturday in December, 1863, and have power to fill any vacancy that may occur in their body by appointment; they shall also appoint a Marshal who shall give bond and security to the said Commissioners and their successors in office, for the faithful performance of his duty, and shall take and subscribe the following oath: I "A. B." do swear that I will faithfully perform every duty required of me by law, as Marshal of the town of Trion. Commissioners appointed. By-laws. Marshal.

7. SEC. III. *Be it further enacted*, That on the third Saturday in December next, and on the third Saturday in December in each and every year thereafter, an election shall be holden for Commissioners, and that all persons entitled to vote for members of the General Assembly, shall be allowed to vote; and the elections shall be held under the same rules and regulations as elections for members of the Legislature. Election of Commissioners.

8. SEC. IV. *Be it further enacted*, That said Commissioners so elected shall be a body corporate, capable of suing and being sued, of pleading and being impleaded, and shall have power to regulate or prohibit the sale of ardent spirits within the corporate limits of said town. Corporate and other powers.

SEC. V. Repeals conflicting laws.

Assented to December 9th, 1862.

TITLE II.

CORPORATIONS.

COBB COUNTY SALT MINING COMPANY (No. 67).

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| Sec. 1. Incorporated, name, powers and privileges,
" 2. By-laws and officers. | Sec. 3. Capital stock.
" 4. Liability of stockholders.
" 5. Duration of charter. |
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CASTLE ROCK COAL COMPANY OF GEORGIA (No. 68).

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| Sec. 6. Incorporated, name, purpose, duration of charter, powers and privileges.
" 7. Capital stock and shares in.
" 8. Stockholders not paying. | Sec. 9. Capital may be increased.
" 10. Directors. Annual meeting.
" 11. Debts and capital. |
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ELLIJAY GOLD AND IRON MINING COMPANY (No. 69).

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| Sec. 12. Incorporated, name, general powers.
" 13. Object. May hold real estate.
" 14. Capital stock.
" 15. Office of Co. Annual meeting. Election of Directors.
" 16. First Directors. | Sec. 17. Liability of stockholders to amount of stock, &c.
" 18. Property of stockholder held for all liabilities of corporation.
" 19. Charter may be repealed. |
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EMPIRE STATE IRON AND COAL MINING COMPANY (No. 70).

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| Sec. 20. Incorporation, name, powers and privileges.
" 21. Capital stock.
" 22. Books of subscription.
" 23. Shares.
" 24. First Directors.
" 25. Board of Directors. Election of President. Powers of Board. | Sec. 26. Death or resignation of majority of Directors.
" 27. Defaulting stockholders.
" 28. First meeting of stockholders.
" 29. Company may build railroads, &c.
" 30. Right of way.
" 31. When commence operations.
" 32. Not allowed banking privileges. |
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SAVANNAH GAS LIGHT COMPANY (No. 71).

- Sec. 33. May increase capital stock to \$400,000.

(No. 67.)

An Act to incorporate the Cobb county Salt Mining Company.

1. SECTION I. *The General Assembly do enact, That Edward Denmead and Robert A. Johnson, and such persons as now are or may hereafter become associated with them, and their assigns, be, and are hereby made a body corporate and politic, under the name and style of the Cobb county Salt Mining Company; and by said name may purchase, hold and alien at their pleasure, all such properties, real and personal, in fee simple, or by lease, as may be by them deemed convenient or necessary, in the prosecution of the business of mining for and selling salt; and by said corporate name may*

Incorporated
Name.
Powers and privileges.

Castle Rock Coal Mining Company.

sue and be sued, plead and be impleaded, in all courts of law or equity; and shall have all the rights, privileges and immunities, and be subject to the liabilities incident to corporations, and may make and use, change or abolish a common seal at their pleasure.

2. SEC. II. The said Company shall have the right to ordain and change at their pleasure, all by-laws and regulations as may be necessary or expedient, in their judgment, for the organization of said Company and its government and management, which are not contrary to the constitution or laws. Said Company may determine the number, qualifications, terms of office, and compensation of all its officers, President, Directors, &c.

By-laws and officers.

3. SEC. III. The capital stock of said Company shall be not exceed one hundred thousand dollars, to be divided into shares of one hundred dollars each; and in all elections and votes by said stockholders, each share shall entitle the holder to one vote.

Capital stock.

4. SEC. IV. The individual property of the stockholders shall be liable for the debts and liabilities of said Company, to the extent of their stock in said Company, in addition to the corporate properties.

Liability of stockholders.

5. SEC. V. This charter is to exist for thirty years.

Duration of charter.

SEC. VI. Repeals conflicting laws.

Assented to December 13th, 1862.

(No. 68.)

An Act to incorporate the Castle Rock Coal Mining Company of Georgia.

6. SECTION I. *Be it enacted by the General Assembly of the State of Georgia,* That George S. Cameron, John Thomas, S. B. Robson, Z. H. Gordon, R. C. Robson, and their associates and successors, are hereby constituted a body corporate and politic, under the name and style of the Castle Rock Coal Company of Georgia, for the purpose of exploring and mining for coal and vending the same, and to continue in existence to them and their successors for a period of ninety-nine years; with power to build or purchase or own stock in such railroads as may be necessary for transportation of coal or other purposes necessary in conducting the business of said Company in mining and transportation of coal, and the transportation of their necessary supplies; to make and use a common seal, and to alter and change the same at pleasure; to make such by-laws not inconsistent with the constitution or laws of the State, as may seem necessary and proper for its government; in its corporate name to sue and be sued, to plead and be impleaded; to hold by purchase or otherwise, and to dispose of the same in any way any real estate or personal property which may be useful or necessary for carrying on its operations, or which it may become possessed of in payment of debts due to it.

Incorporated

Name.

Purpose.

Duration of charter.

Power and privileges.

7. SEC. II. *Be it enacted,* That the capital stock of said Compa-

Castle Rock Coal Mining Company.

ny shall be three hundred and fifty thousand dollars, with liberty to increase the same as hereinafter provided, to be divided into shares of not less than one hundred dollars each. The amount of capital stock, the number and price of shares, shall be fixed and agreed upon by the corporators at their first meeting under this Act. Nothing but money or mining property shall be regarded as a basis for capital stock; the stock to be subscribed and paid for as the Board of Directors may prescribe. The stock shall be considered as personal property, and shall be transferred only on the books of the Company, in person or by attorney.

S. SEC. III. *Be it further enacted*, That the stockholders, not having paid their stock according the terms of subscription, shall be individually liable to the creditors of the Company to the amount so remaining unpaid.

9. SEC. IV. *Be it further enacted*, That said Company may, at its pleasure, and in such form and manner as the Directors shall elect and declare, increase the capital stock to any amount they may deem advisable, not exceeding six hundred thousand dollars; and said Directors shall have power to sell, dispose of, or take subscriptions for such increased and additional stock, in such manner and form, at such time and place, and on such terms as they may think proper to order and prescribe.

10. SEC. V. *Be it further enacted*, That the corporators named in the first section of this act, or any of their associates who may be chosen or elected at the first meeting of the Company shall be the Directors for the first year. Five members of the Company shall constitute a full Board of Directors, and shall hold their places until others are elected and qualified in their stead. The annual meeting of the Company shall be held at such times and places the Board of Directors may determine from year to year; thirty days' notice being given in some newspaper published near the place of business, of the time and place of such meeting. At each annual meeting, a Board of Directors shall be chosen for the ensuing year; but in case of failure to elect a Board of Directors, the charter of the Company shall not be forfeited thereby, but the Directors of the previous year shall continue in office until others are elected in their stead. The Directors shall appoint one of their number President, and shall appoint such other officers as they may deem proper, and affix their salaries.

11. SEC. VI. *Be it enacted*, That said Company shall not contract any debt over and above the amount of capital stock paid in; no part of which shall be withdrawn, or in any way or manner directed from the business of the Company, without the consent of three-fourths in interest of the stockholders.

Assented to December 15th, 1862, with reasons assigned for giving assent.

Capital stock and shares in.

Stockholders not paying.

Capital may be increased.

Directors.

Annual meeting.

Debts and Capital.

Ellijay Gold and Iron Mining Company.

(No. 69.)

An Act to incorporate the Ellijay Go'd and Iron Mining Company, and for other purposes.

12. SECTION I. *Be it enacted by the General Assembly,* That James M. Sharpe, Ezekiel Spriggs, Bartlett G. Pinson, Watson R. Coleman, Ebenezer Witzel, Maxfield Dauthit, Isaiah Pless, John W. Heath, John Green and Levi Green, and their associates, assigns and successors, are hereby created a body corporate, under the name and style of the Ellijay Gold and Iron Mining Company; and in that name shall be able and capable to sue and be sued, plead and be impleaded, answer and be answered unto in any court of law or equity having proper jurisdiction in this State; and to make and use a common seal, and to alter and change the same at pleasure, and to establish such ordinances, by-laws, rules and regulations as shall be necessary and convenient for conducting the affairs of the Company.

13. SEC. II. *And be it further enacted.* That the object of said Company is declared to be mining, smelting, refining and working iron, gold, copper and other ores and minerals, in the county of Gilmer in the State of Georgia; and for that purpose said Company is incorporated to purchase, hold, own or possess any real or personal property necessary and proper for the purposes of said Company, and to dispose of the same, or shall be disposed of, as they may see proper by said Company, and to pursue such measures as shall be expedient for the successful operation of said Company in their work.

14. SEC. III. *And be it further enacted,* That the capital stock of said Company shall be fifty thousand dollars; and that said Company shall have the power to increase the same to one hundred and fifty thousand dollars, or any such sums under that as said Company may determine upon; and the said capital stock shall be divided into such numbers of shares as shall be provided for and fixed by the laws of said Company.

15. SEC. IV. *And be it further enacted.* That the place of business of said Company shall be at Ellijay, Gilmer county; at which place the Company hereby created shall keep their office; and that there shall be an annual meeting of the stockholders of said Company at such time as shall be designated by the by-laws of said Company, for the purpose of choosing five Directors to manage all the concerns of said Company, who shall be stockholders and be elected by stockholders in person or by proxy, each share entitling the stockholder to one vote.

16. SEC. V. *And be it further enacted,* That James M. Sharp, E. M. Spriggs, Bartlett G. Pinson, W. R. Coleman, Ebenezer Witzel, Maxfield Douthit, Isaiah Pless, J. W. Heath, Levi M. Green, and J. W. Green, and their associates, successors and assigns, be and continue the Directors of said Company until the first annual meeting of stockholders. The Directors shall appoint their own President and other officers, and shall fill all vacancies that may occur

Empire State Iron and Coal Mining Company.

in their body during the time of their appointment, and they shall continue in office until new Directors are elected.

17. SEC. VI. *And be it further enacted*, That all the members of said incorporation shall be held jointly and severally liable for the debts of said corporation to the amount of stock he, she or they may hold in said corporation; and that the members of said corporation shall be liable for the debts of said company, in the manner and to the extent as ordinary corporations are.

18. SEC. VII. *And be it further enacted*, That the individual property of each stockholder be bound for the redemption of all the liabilities of said incorporation; and that no liability when once created, shall cease upon the expiration of said charter by limitation or otherwise.

19. SEC. VIII. *And be it further enacted*, That the Legislature hereby retains the right to repeal, alter or modify this charter at any time in future, when, in the opinion of the General Assembly, the interest of the State or the public good require it.

SEC. IX. Repeals conflicting laws.

Passed the House of Representatives by a constitutional majority of ayes 112, and nays 5, over the veto of his Excellency the Governor, December 12th, 1862.

PETER E. LOVE,

Speaker of the House of Reps. *pro tem.*

L. CARRINGTON,

Clerk of the House of Reps.

Passed in Senate over the veto of his Excellency the Governor, by a constitutional vote of two-thirds; yeas 26; nays 2. Dec. 12th, 1862.

WILLIAM GIBSON,

President of the Senate *pro tem.*

JAS. M. MOBLEY,

Secretary of Senate.

(No. 70.)

An Act to incorporate the Empire State Coal and Iron Mining Company, and to confer certain powers and privileges thereon.

20. SECTION I. *The General Assembly of the State of Georgia do enact*. That for the purpose of developing the mineral resources of the State, Nathan Bass, Elam Alexander, Asa Thompson, A. M. Locket, James A. Nisbet, Jerry Cowles and Thurston R. Bloom, and their associates, be, and they are hereby constituted a body politic and corporate, by the name of the Empire State Iron and Coal Mining Company; and by that name shall be able and capable to sue and be sued, to plead and be impleaded in any court whatever; and may have and use a common seal, and may alter and renew the same at pleasure; and the said body corporate shall have all the powers, facilities and franchises and rights necessary and proper for the carrying on of the mining of iron and coal and preparing the same for use, for erecting and carrying on furnaces,

Liability of stockholders to amount of stock, &c.

Property of stockholders bound for all liabilities of corporation.

Charter may be repealed.

Incorporation

Name.

Powers and privileges.

mills and all other buildings, machinery and fixtures necessary for the successful operation of the legitimate business of said Company, and the beneficial management of its property, and for the transportation of its iron and coal, and other proceeds, issues and profits of its mines, mills and property to market; and shall have power and authority to purchase, lease and hold any property, real, personal and mixed, which may be deemed by said Company necessary for its purposes.

21. SEC. II. *And be it further enacted*, That the capital stock of said Company shall be one million of dollars, divided into shares of Capital stock. the par value of one hundred dollars each; and said Company shall have the right at any time, as they may think proper, to increase said capital stock to not exceeding two millions of dollars.

22. SEC. III. *And be it further enacted*, That books of subscription to the capital stock of said Company, shall be opened under Books of subscription. the superintendence of said commissioners named in 1st section, in the city of Macon, and at such other places and at such times as they may deem expedient; which subscription shall be paid in cash, in installments as called for by the Board of Directors.

23. SEC. IV. *And be it further enacted*, That in all meetings of the stockholders of said Company, each share of stock shall entitle the holder to one vote, to be given in person or by proxy; and said shares shall be considered as personal property, and shall be transferable in such manner as may be provided by the by-laws of said Company. Shares.

24. SEC. V. *And be it further enacted*, That the affairs of said Company shall be managed by the persons named in the first section of this Act, and who are hereby constituted Directors of said Company until Directors shall be elected as hereinafter provided; and in case of the decease of any one or more of said persons, or in case of the refusal of any one or more of said persons to act as Director or Directors, the remaining person or persons shall have power to select other persons as Directors for the time being in their stead. First Directors.

25. SEC. VI. *And be it further enacted*, That the affairs of said Company shall be managed by a Board of Directors, to consist of seven persons, four of whom shall constitute a quorum, and they shall be elected annually by the stockholders, on such day and time as may be fixed by the by-laws; each stockholder being entitled to one vote for every share of the capital stock owned or held by him; and one of the Directors so elected shall be elected by them as President, a majority of votes being necessary to a choice; and the election to be held at the first regular meeting after the organization of the said Board, and annually thereafter, on such day and time as may be fixed by the by-laws; and the President shall have such powers and authority, and perform such duties as President, as may be prescribed by the by-laws of said Company; and the said Directors shall continue in office until their successors are installed, and shall have power to appoint all subordinate officers, agents and servants of said Company necessary to the man- Board of Directors. Election of President. Powers of Board.

Empire State Iron and Coal Mining Company.

agement of its affairs; and remove all officers, agents and servants of said Company, the President included, and to fill all vacancies that may occur in the Board of Directors, or in the offices of said Company, by death, resignation or otherwise; to call in, from time to time, as they may deem proper, such installments on the capital stock of said Company as may remain unpaid; to manage and conduct all its business of every kind; to borrow money at any time, and, from time to time, as in their judgment the exigencies of the Company may require, and to execute, if deemed expedient by them, any deed or deeds of mortgage as security of the fulfillment by said Company for its contracts or other liabilities.

26. SEC. VII. *And be it further enacted*, That in the event of the death or resignation of all or a majority of the Directors, the stockholders shall have the power to elect, according to the provisions of the 6th section of this charter, a new Board of Directors, at such time and with such notice, as may be provided by the by-laws of the Company.

Death or resignation of majority of.

27. SEC. VIII. *And be it further enacted*, That in the event that any of the subscribers to the capital stock of said Company shall fail to pay any installment or installments which may be required by the Board of Directors on the capital stock subscribed for or held in their names, then the said Board of Directors shall have power to declare said capital stock and all installment previously paid on it forfeited to said Company, and said defaulting subscriber or subscribers shall be thenceforth barred against all rights of recovery from said Company for the stock so forfeited; *Provided*, that said Board of Directors shall, before the said forfeiture, give to said delinquent subscriber or subscribers at least ninety days' notice.

Defaulting stockholders.

First meeting of stockholders.

28. SEC. IX. *And be it further enacted*, That the provisional Board of Directors authorized to act by the first clause of the 5th section of this Act, shall, within 30 days after the passage of this Act, through the public gazettes of the city of Macon, call a meeting of the stockholders in said Company, to be held in Macon; which meeting, when assembled, shall proceed to elect a permanent Board of Directors, a majority of the stockholders voting being necessary to a choice.

Company may build railroads.

29. SEC. X. *And be it further enacted*, That said Company be, and is hereby invested with all and singular the rights, powers and authorities which are necessary to enable it to locate, construct and maintain such railroad or railroads as the Directors may deem necessary for the convenient transaction of its business, beginning at or near the mines of said Company in Dade county, and running to such point or points in said county as will enable them to connect the same with any other railroad now constructed, or which may hereafter be constructed within said county; and may at any point on its own lands, or any other lands which it may acquire by purchase, gift or condemnation, connect such railroad with, or across any other railroad now constructed or to be con-

Savannah Gas Light Company and the Augusta Gas Light Company.

structed therein; *Provided*, that said Company do not obstruct or interfere with the free passage of said railroad or railroads.

30. SEC. XI. *And be it further enacted*, That said Company shall be authorized and empowered to acquire the right of way through any land or lands in Dade county, for their railroad or railroads in the same manner and on the same terms and conditions as are set forth in sections 4 and 5 of the Act of the Legislature of Georgia, approved on the 31st January, 1854, authorizing the right of way in Dade county to the Wills Valley Railroad Company. Right of way.

31. SEC. XII. *And be it further enacted*, That the said Empire State Iron and Coal Mining Company shall be entitled to commence operations and exercise the functions hereir, granted as soon as the sum of one hundred thousand dollars has been *bona fide* subscribed on the books of said Company. When com-
mence opera-
tions.

32. SEC. XIII. *And be it further enacted*, That nothing herein contained shall be so construed as to give the said Company banking privileges. Not allowed
Banking priv-
ileges.

SEC. XIV. Repeals conflicting laws.

Passed in the Senate, over the Governor's veto, by a constitutional vote of two-thirds. Yeas 25; nays 9.

December 9, 1862.

JOHN BILLUPS,
President of Senate.

JAMES M. MOBLEY,
Secretary of the Senate.

Passed in House of Representatives over the Governor's veto, by a constitutional vote of two-thirds. Ayes 88; nays 8.

December 9, 1862.

WARREN AKIN,
Speaker House of Reps.

L. CARRINGTON,
Clerk House of Representatives.

(No. 71.)

*An Act to amend an Act entitled an Act to incorporate the Savannah Gas Light Company, and the Augusta Gas Light Company, approved December 14th, 1849.**

33. SECTION I. *The General Assembly of Georgia do enact*, That the said Savannah Gas Light Company is hereby authorized to increase the capital stock of said Company to the sum of four hundred thousand dollars. Increase of
capital stock

SEC. II. Repeals conflicting laws.

Assented to December 13th, 1862.

* See Acts of 1849 and '50, p. 194.

TITLE III.

COUNTY LINES.

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| <p>Sec. 1. Lot in Coffee added to Clinch.
 " 2. Lot in Taylor added to Macon.
 " 3. Lot in Lee restored to Sumter.
 " 4. Portion of Lumpkin added to White.
 " 5. Line of Paulding and Haralson changed.</p> | <p>Sec. 6. Territory added to Haralson.
 " 7. Portion of Emmanuel added to Johnson.
 " 8. Lots in Schley added to Taylor.
 " 9. Portion of Macon added to Schley.
 " 10. Lot in Talbot restored to Harris.</p> |
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(No. 72.)

An Act to change the line between the counties of Coffee and Clinch, and to change the line between the counties of Macon and Taylor.

Lot in Coffee added to Clinch.

1. SECTION I. *The General Assembly of Georgia do enact*, That lot of land number one hundred and seventy (170) in the (7th) seventh district of originally Appling, now Coffee county, be, and the same is hereby added to the county of Clinch.

Lot in Taylor added to Macon.

2. SEC. II. *Be it further enacted*, That the line between the counties of Macon and Taylor shall be so changed as to include in the county of Macon lot of land number (9) nine, in the (13th) thirteenth district of originally Muscogee, now Taylor county, it being the lot whereon Zack Gaultney now resides.

SEC. III. Repeals conflicting laws.

Assented to December 12, 1862.

(No. 73.)

An Act to repeal so much of an Act assented to January 22, 1852, as includes lot of land number fifty-three (53) in the fifteenth (15) district of Sumter county, in the county of Lee.

Lot in Lee restored to Sumter.

3. SECTION I. *Be it enacted by the General Assembly of the State of Georgia*, That so much of an Act assented to 22d of January, 1852, as includes lot of land number fifty-three (53) in the fifteenth (15) district of Sumter county, in the county of Lee, be, and the same is hereby repealed.

Assented to December 9, 1862.

(No. 74.)

An Act to change the line between the counties of Lumpkin and White, so as to add a portion of the county of Lumpkin to the county of White.

Portion of Lumpkin county added to White.

4. SECTION I. *The General Assembly of the State of Georgia, do enact*, That the line between the counties of Lumpkin and White be so changed as to run as follows: commencing on the southwest corner of lot of land number twenty-five (25), in the first

Paulding and Haralson.—Johnson and Emanuel.—Schley and Taylor.

district in Lumpkin county, running thence north to the northwest corner of lot number twenty-eight (28); thence west two ranges of lots to the southwest corner of lot number fifty-three (53); thence north with the line to the northwest corner of lot number sixty-two (62), all in said district and county; thence running on the dividing ridge between the waters of Town Creek and Chestatee, to the line of Union county; but said line is to so meander, opposite Berry Turner's farm and residence, so as to leave him and all his plantation in said county of Lumpkin; *Provided*, this section shall not take effect until the county of White shall have paid, or assumed the payment of, the *pro rata* share of the citizens included in said cut-off, of the public debt of Lumpkin county, and for which said citizens are now proportionally bound.

SEC. II. Repeals conflicting laws.

Assented to December 13th, 1862.

(No. 75.)

An Act to change the line between the counties of Paulding and Haralson.

5. SECTION I. *The General Assembly of the State of Georgia do enact*, That the line between the counties of Paulding and Haralson be changed so as to take three ranges of lots of land of the nineteenth district of the third section of Paulding county, the line running north and south, commencing at the corner of Polk and Haralson counties, at the northwest corner of lot of land number (490) four hundred and ninety, in the nineteenth (19) district, third section of Paulding county, and running east to the northeast corner of lot of land number (488) four hundred and eighty-eight, in the same district; thence south along the east line of the third range of lots to the southeast corner of lot of land number (1258) twelve hundred and fifty eight, of the same district; thence by a straight line south across the first district of the third section of Paulding county, to the line of Carroll county; thence west along the Carroll county line to where it intersects the line of Haralson county.

Line of Paulding and Haralson changed

6. SEC. II. *Be it further enacted*, That the territory embraced within the bounds mentioned in the first section of this Act be, and the same is hereby included in the county of Haralson.

Territory added to Haralson

SEC. III. Repeals conflicting laws.

Assented to December 5th, 1862.

(No. 76.)

An Act to alter the county lines between Johnson and Emanuel counties, and between the counties of Schley and Taylor.

7. SECTION I. *The General Assembly of the State of Georgia do enact*, That the county lines between the counties of Johnson and

Schley and Macon.—Talbot County.

Portion of Emanuel co. added to Johnson.

Emanuel be so changed and altered as to include John G. Smith, Redding Beasley, Jacob Clements, William T. Smith, and William P. Barwick, now citizens of Emanuel county, within the limits of said Johnson county; and that the line first run by Y. K. Neal, from Pendleton Creek, on the Montgomery and Emanuel county line, to the Big Ohoopie River, be, and the same is hereby made the dividing line, at said point, between said counties.

Lots in Schley co. added to Taylor.

8. SEC. II. *And be it further enacted*, That the line between the counties of Schley and Taylor be so changed as to include lots of land numbers one hundred fifty-eight, one hundred fifty-nine, one hundred sixty, and one hundred and sixty-two, in the third district of originally Muscogee, now Schley county, the property of Augustus L. Edwards, in the county of Taylor.

SEC. III. Repeals conflicting laws.

Assented to December 9th, 1862.

(No. 77.)

An Act to change the line between the counties of Schley and Macon.

Portion of Macon county added to Schley.

9. SECTION I. *The General Assembly do enact*, That the line between the counties of Schley and Macon be so changed as to include within the county of Schley, all that portion of the three western ranges of lots of land lying and being in the twenty-ninth (29th) district of the county of Macon, as lie south of Buck Creek in said county.

SEC. II. Repeals conflicting laws.

Assented to December 9th, 1862.

(No. 78.)

An Act repealing so much of an Act as was passed in the year eighteen hundred and fifty, adding lot of land No. 6 to Talbot county.*

Part in Talbot county restored to Harris.

10. *Be it enacted by the General Assembly*, That so much of an Act as was passed in the year eighteen hundred and fifty, adding lot of land No. 6, in the 22d district of originally Muscogee, then Harris county, to the county of Talbot, be, and the same is hereby repealed.

Assented to December 2, 1862.

*See Acts of 1849-50, pp. 131-133.

TITLE IV.

COUNTY REGULATIONS.

Sec. 1. Office of County Treasurer in Stewart county abolished and Ordinary to act. Sec. 2. Salary of.

(No. 79.)

An Act to abolish the office of County Treasurer in the county of Stewart, and for other purposes.

1. SECTION I. *The General Assembly of Georgia do enact*, That from and after the first day of January, 1863, the office of County Treasurer shall be abolished, so far as the county of Stewart is concerned; and the duties now imposed upon the County Treasurer shall be performed by the Ordinary of said county, who shall be governed by all the laws now in force in reference to the County Treasurer. Office of Co. Tr in Stewart co. abolished, and Ordinary to act.

2. SEC. II. *And be it further enacted*, That for the performance of said duties, as County Treasurer, the Ordinary of said county shall be entitled to a fixed compensation of \$30 *per annum*, and no more; *Provided*, that the Ordinary shall give bond and security in terms of the law now in force. Salary of ex Treasurer.

SEC. III. Repeals conflicting laws.

Assented to December 13th, 1862, and reasons assigned for giving assent.

TITLE V.

EDUCATION.

Sec. 1. Trustees of Columbus Academies, how appointed. Sec. 2. Duty of Trustees. Sec. 3. Must make annual reports.

(No. 80.)

An Act to authorize the Mayor and Council of the city of Columbus, and the Justices of the Inferior Court of Muscogee county, to appoint Trustees for the Male and Female Academies in the city of Columbus.

1. SECTION I. *Be it enacted, &c.* That the Mayor and Council of the city of Columbus, and the Justices of the Inferior Court of Muscogee county, shall be, and are hereby authorized to meet at the Council Chamber in said city, at such time or times as they may designate, and forming one body, shall appoint or elect a Council and Inferior Court may appoint Trustees

James Castleberry, Ordinary of Chattahoochee County.

Board of Trustees not exceeding five persons, for each, the said Male and Female Academies, in the city of Columbus, and shall have their proceedings entered upon the minutes of said City Council; and it shall be the duty of said Mayor and Council, and said Justices of the Inferior Court, to meet as often as it may be necessary to fill any vacancy which may occur in either of said Boards of Trustees, to hear the reports of said Trustees, which shall be annually made, and to make such order as the interests of said institutions may require.

2. SEC. II. *Be it further enacted*, That it shall be the duty of said Boards of Trustees, to take charge of all public buildings and funds belonging to said institutions, and control the same; and to take such measures for the preservation of said buildings, the distribution of said funds, and the promotion of learning, as they may deem necessary and proper.

3. SEC. III. *Be it further enacted*, That said Boards of Trustees shall annually, on or before the first day of August in each and every year, make a report to said Mayor and Council, and Justices of the Inferior Court, of the condition of said institutions; showing who are the teachers, and the number of pupils taught during the preceding year, with such suggestions as they may deem proper for the interest of education in said institutions; and upon a failure to make such report, the defaulting Board of Trustees shall be considered dissolved; and the said Mayor and Council, and Justices of the Inferior Court, at their first meeting in August after such default, shall proceed to elect a new Board of Trustees.

SEC. IV. Repeals conflicting laws.

Assented to December 12, 1862.

TITLE VI.

EXECUTORS, ADMINISTRATORS, &c.

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| <p>Sec. 1. Election of James Castleberry as Ordinary of Chattahoochee county legalized.</p> <p>" 2. May retain executorship. Must make returns to Ordinary of Muscogee.</p> <p>" 3. Must have returns recorded by Ordinary of Muscogee.</p> <p>" 4. Ordinary of Screven co. may grant letters of administration to L. Ogilvie without bond.</p> | <p>" 5. Ordinary of Warren co. may grant letters to Mary A. Hinton without bond. Estate to be kept together.. Proviso.</p> <p>" 6. Adm'r of John H. Lewis may sell land at private sale.</p> <p>" 7. W. H. Cone, of Florida, may be Executor.</p> |
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(No. 81.)

An Act to legalize the election of James Castleberry, Ordinary of Chattahoochee county, and for other purposes.

WHEREAS, James Castleberry, of the county of Chattahoochee, while acting as executor of Seth Cobb, deceased, has been duly

Estate of P. S. S. Ogilvie.

elected and commissioned as Ordinary of Chattahoochee county, contrary to the statute in such cases; for remedy whereof,

1. SECTION I. *Be it enacted by the General Assembly of Georgia,* Election legalized.
That the election of James Castleberry as Ordinary of Chattahoochee county be, and the same is hereby legalized and made valid.

2. SEC. II. *Be it further enacted,* That said James Castleberry be authorized to hold his said executorship until it is fully administered; and that he be required to make returns thereof to the Ordinary of Muscogee county, and be by him duly dismissed according to law. May hold Executorship. Must make returns to Ordinary of Muscogee.

3. SEC. III. *Be it further enacted.* That said executor shall have made out a full and complete transcript of his returns, and have the same recorded in the Court of Ordinary of the county of Muscogee, at his own expense. Must have returns recorded by Ordinary of Muscogee.

SEC. IV. Repeals conflicting laws.

Assented to December 9th, 1862.

(No. 82.)

An Act to authorize and require the Ordinary of Scriven county to grant letters of administration on the estate of P. S. S. Ogilvie, late of said county, deceased, to his widow Luviney Ogilvie, without her giving bond and security; and to authorize the Ordinary of Warren county to grant letters of administration to Mary A. Hinton, on the estate of her deceased husband, without requiring security as required by law; and to grant an order that said estate be kept together for the support of the family.

4. SECTION I. *Be it enacted, &c.,* That from and after the passage of this Act, the Ordinary of Scriven county is hereby authorized and required to grant letters of administration on the estate of P. S. S. Ogilvie, to the widow, Luviney Ogilvie, without her giving bond and security. L. Ogilvie may take letters without giving bond.

5. SEC. II. *And be it further enacted,* That the Ordinary of Warren county be, and he is hereby authorized, in his discretion, to grant letters of administration to Mary A. Hinton, of Warren county, widow of Jasper N. Hinton, without requiring her to give security on her administration bond, as is now required by law; and to pass an order requiring said estate to be kept together, without distribution, until the youngest child becomes of age; M. A. Hinton not required to give bond. Estate to be kept together. *Provided,* the widow do not marry in the meantime; in which event, the estate shall be distributed according to the statute of distribution, unless the husband of the second marriage give the usual security on his administration bond. In said latter event, the Court of Ordinary shall exercise its discretion as to distribution, subject to the right of appeal, as in other cases. Provido.

SEC. III. Repeals conflicting laws.

Assented to December 6th, 1862, with reasons for assent endorsed on enrolled Act.

(No. 83.)

An Act to authorize Charles Dunning, administrator, and Martha Lewis, administratrix on the estate of John H. Lewis, deceased, late of the county of Quitman, to sell at private sale (they first obtaining leave of the Ordinary of Quitman county,) lot of land number (190) one hundred and ninety, in the (21st) district of originally Lee county, now Quitman county, and to make and execute good and sufficient titles to the same.

6. SECTION I. *Be it enacted, &c.,* That Charles Dunning, administrator, and Martha Lewis, administratrix of John H. Lewis, deceased, late of Quitman county, are hereby authorized and empowered (after first getting an order from the Ordinary of Quitman county for the sale thereof,) to sell at private sale, and to make good and sufficient titles to lot of land number (190) one hundred and ninety, in the (21st) district of originally Lee, now Quitman county, the property of the said John H. Lewis, deceased, any law to the contrary notwithstanding.

Assented to December 2, 1862.

(No. 84.)

An Act to authorize and empower William H. Cone, of Columbia county, Florida, to act as executor of the estate of James D. Shanks, of Lowndes county, Georgia.

WHEREAS, by the last will and testament of James D. Shanks, of Lowndes county, in this State, he saw fit to appoint his special and confidential friend, William H. Cone, of Columbia county, Florida, executor of his last will and testament, which is not allowed, except by a special enabling act for that purpose :

7. SECTION I. *The General Assembly do enact;* That William H. Cone, of Columbia county, State of Florida, be, and he is hereby authorized and empowered to take out letters testamentary on the estate of James D. Shanks, of Lowndes county, in this State, and in all respects to act as executor of said estate, subject to, and in conformity with the laws of Georgia as fully as if he were a citizen of said State, any law or usage to the contrary notwithstanding; *Provided,* that nothing in this Act shall be so construed as in any respect to oust the courts of jurisdiction over the question of the validity of said will.

Assented to December 5th, 1862, with reason for giving assent endorsed on enrolled Act

May sell land at private sale.

Prescrib

W. H. Cone may be Executor.

TITLE VII.

INTERNAL TRANSPORTATION.

Sec. 1. Charter of Georgia and Florida R. R. Company extended for ten years. | Sec. 2. South Western R. R. Company may elect seven Directors.

(No. 85.)

An Act to extend and continue an Act to incorporate the South Georgia and Florida Rail Road Company.

1. SECTION I. *Be it enacted by the General Assembly, That said Act be, and the same is hereby extended and shall continue in force for the term of ten years after the passage of this Act, and that all the rights, privileges, immunities and corporate privileges conferred by said Act to incorporate the South Georgia and Florida Rail Road Company, assented to December 22d, 1857,* be and the same are continued and kept in force for the term aforesaid.* Extended for ten years.

SEC. II. Repeals conflicting laws.

Assented to December 13th, 1862.

(No. 86.)

An Act to increase the number of Directors of the South Western Rail Road Company.

2. SECTION I. *The General Assembly of Georgia do enact, That the South Western Rail Road Company be, and it is hereby empowered and authorized to elect seven Directors instead of five, under the laws and regulations now in force for the election of Directors of said Company.* May elect seven Directors.

Assented to December 11th, 1862.

*See Acts of 1857, pp. 68--9.

TITLE VIII.

RELIEF.

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| <p>SEC. 1. \$66.30 appropriated to J. R. Anderson, Sheriff of Catoosa county.</p> <p>" 2. Letters of Administration to Martha J. Bailey from Ordinary of Camden county, cancelled.</p> <p>" 3. Ordinary of Thomas county authorized to grant letters.</p> <p>" 4. As Administratrix may sell negroes of estate to pay debts.</p> <p>" 5. Sum due to Hon. F. S. Bartow, to be paid to his legal representative.</p> <p>" 6. John Bellenger of Cobb, as Administrator authorized to sell land not legally advertised.</p> <p>" 7. Laurent DeGive, Belgian Consul, allowed to hold real estate in Fulton Co.</p> <p>" 8. Jesse Fitts and his securities relieved from payment of judgment on bond.</p> <p>" 9. James and Lucinda Jordan relieved from penalties for intermarriage during pendency of suit for divorce.</p> <p>" 10. Reuben King of McIntosh Co., relieved from tax for 1862.</p> | <p>SEC. 11. Milton Hallowes relieved from tax on property stolen from him.</p> <p>" 12. Ordinary of Darulson county authorized to appoint Sophia McBride, Guardian.</p> <p>" 13. To be dismissed on failure to make annual returns.</p> <p>" 14. Another Guardian may be appointed instead.</p> <p>" 15. Henry G. Nichols, Ex'r., permitted to sell negro.</p> <p>" 16. Joseph Slate, security, relieved from judgment on bond.</p> <p>" 17. Owen Smith and Angus Morrison empowered to make titles to land.</p> <p>" 18. Eliza A. West, Mdm'x. authorized to sell land in Chatham on five days' notice by advertisement.</p> <p>" 19. Excess of tax paid by Z. M. Winkler to be refunded.</p> |
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(No. 87.)

An Act for the relief of John R. Anderson, Sheriff of Catoosa county.

WHEREAS, John R. Anderson, Sheriff of Catoosa county, was ordered by His Excellency Gov. Brown, to proceed to the Confederate army in East Tennessee, to arrest R. T. Bridges and others, charged with the offence of murder in Catoosa county, and said Sheriff did proceed as directed, and arrest said parties, and expended the sum of \$66 30-100 in executing said Executive order.

1. Therefore be it enacted by the General Assembly of Georgia, That His Excellency, the Governor, be authorized and required to draw his warrant on the Treasury of this State for the payment of the sum of sixty-six dollars, and thirty cents to said John R. Anderson, Sheriff of Catoosa county, any law, usage or custom, to the contrary notwithstanding.

\$66.30 of pre-printed to J. R. Anderson.

Assented to December 12th, 1862.

(No. 88.)

An Act for the relief of Martha J. Bailey, widow of William Bailey, of Thomas county.

WHEREAS, Martha J. Bailey, widow of Wm. Bailey, late of the county of Camden in said State, did regularly apply for and obtain letters of administration on the estate of her said deceased husband W. Bailey, from the Court of Ordinary of said county of Camden; and whereas, the Ordinary of said county has been captured by, and is now a prisoner in the hands of the enemy, whereby it is rendered im-

Free m'le.

Estate of Hon. F. S. Bartow—John Bellenger, Adm'r.

possible to remove said administration to the county of Thomas, (the present residence of the said Martha J. Bailey) in the manner now prescribed by law; and whereas, all persons to be affected by this Act having consented thereto.

Therefore the General Assembly of the State of Georgia do enact :

2. SECTION I. That the letters of administration granted by the Ordinary of Camden county, to the said Martha J. Bailey, be and they are hereby cancelled, annulled and set aside; *Provided*, that such cancellation shall not relieve said Martha J. Bailey, from any liability she may have incurred by virtue of said administration.

Letters of Administration from Camden Co. cancelled.

3. SEC. II. *And be it further enacted*, That the Ordinary of the county of Thomas be, and he is hereby authorized upon application and security given, to grant letters of administration on said estate, to the said Martha J. Bailey.

Ordinary of Thomas Co. may grant letters.

4. SEC. III. *Be it further enacted*, That the said Martha J. Bailey, after the grant of said administration by the Ordinary of Thomas county, be, and she is by virtue of this Act, authorized to expose to public sale, on the first Tuesday in January next, as many of the negroes belonging to said estate, as may be necessary to pay the debts of the same and no more.

Adm'r. authorized to sell negroes.

SEC. IV. Repeals conflicting laws.

Assented to November 20th, 1862.

(No. 89.)

An Act for the relief of the estate of Hon. Francis S. Bartow, late of Chatham county, deceased.

5. SEC. I. *The General Assembly of Georgia do enact*, That the Governor be and he is hereby authorized to draw his warrant on the Treasury of this State, in favor of the legal representative of the estate of Hon. Francis S. Bartow, late of Chatham county, deceased, for such sum as shall be found to have been due and unpaid to him, as a member of the Convention of the State of Georgia.

Payment of sum due as member of Convention to Hon. F. S. Bartow.

SEC. II. Repeals conflicting laws.

Assented to December 13th, 1862.

(No. 90.)

An Act for the relief of John Bellenger, Administrator of William S. Dobbs, deceased.

The General Assembly do enact :

6. SEC. I. That John Bellenger, of the county of Cobb, Administrator upon the estate of William S. Dobbs, deceased, late of the county of Bartow, be and is hereby authorized to sell all the real estate of the said William S. Dobbs, deceased, to the highest bidder, on the first Tuesday in January, 1863, before the Court-house door in said county of Bartow, within the legal hours of sale, although the same has been advertised for a less time than

Adm'r. may sell real estate by public advertisement.

Laurent deGive—Jesse Fitts, John Huff and Jas. W. Burnside.

prescribed by law ; said sale being manifestly for the interest of said estate.

SEC. II. Repeals conflicting laws.

Assented to Dec. 13th, 1862.

(No. 91.)

An Act for the relief of Laurent DeGive, Belgian Consul at Atlanta, Georgia, and others who have traded with him.

7. SEC. I. *Be it enacted, &c.,* That all purchases or sales of lands and tenements by said Laurent DeGive, heretofore made or hereafter to be made in the county of Fulton, shall be as good and perfect in law as if said Laurent DeGive were a citizen of the Confederate States and of the State of Georgia.

Laurent De
Give Belgian
Consul allow-
ed to hold real
estate in Ful-
ton Co.

Assented to Dec. 5th, 1862.

(No. 92.)

An Act for the relief of Jesse Fitts, John Huff and James W. Burnside, of the county of Lumpkin.

WHEREAS, in the year 1860, said Jesse Fitts was indicted in Lumpkin Superior Court for the offense of an assault with intent to murder, and gave bond and security in the sum of five hundred dollars, for his appearance at Court, to an answer to said charge, the said John Huff and James W. Burnside, subscribing said bond as securities ; *And whereas,* at the first term of said Court after the giving of said bond, said case was called in its order, and the said Fitts by his counsel, announced himself ready for trial, and the State refused to try ; immediately thereafter the said Fitts by permission of his said securities, went to the Rocky Mountains in quest of gold, and was there detained from causes not fully known until final judgment was entered up against him, and said securities for the amount of said bond as aforesaid, and all cost ; soon after the rendition of said judgment, to-wit : in the year 1861, said Fitts returned to said county, having been unsuccessful in making gold, and being a single young man of great physical strength, at the call of his country, he enlisted into the regular service of the Confederate States service, and is now and has ever since been in said service ; said judgment being still unpaid and of full force against said Fitts, and his securities ; in consideration of the premises aforesaid,

Proceeding.

The General Assembly of the State of Georgia do enact :

8. SECTION I. That the said Jesse Fitts and his securities John Huff and James Burnside, be, and they are hereby released and fully discharged from all liability to pay said judgment, and any execution thereon except the cost ; and the Clerk of said Court is hereby ordered to enter said judgment and execution satisfied, upon the payment of all costs.

Jesse Fitts
and his secu-
rities relieved
from payment
of judgment
on bond.

SEC. II. All conflicting laws are hereby repealed.

Assented to December 13th, 1862, with reasons assigned for assent.

James and Lucinda Jordan.—Reuben King.—Minor children of Sophia and William McBride.

(No. 93.)

An Act for the relief of James and Lucinda Jordan.

WHEREAS, James and Lucinda Jordan, intermarried pending a libel for divorce on the part of the said James Jordan, against a former wife obtaining a verdict before a jury and pending the suit for the second verdict for divorce.

9. SECTION I. *Be it enacted by the General Assembly of Georgia,* That the said James Jordan and Lucinda Jordan, of Carroll county, be, and are hereby relieved from all the pains and penalties under existing laws in consequence of said marriage.

James and Lucinda Jordan relieved from penalties.

Sec. II. Repeals conflicting laws.

Assented December 13th, 1862.

(No. 94.)

An Act to relieve Reuben King, of the county of McIntosh, from the payment of his taxes for the year 1862, and to exempt Miller Hallowes, of the county of Camden from payment of taxes on certain property.

WHEREAS, the abolition invaders have come in force and stolen all the negroes about (63) sixty-three in number, ruining part of the other property of Reuben King, a citizen about ninety years old of McIntosh county; and whereas, the said Reuben King's plantation is under mortgage, leaving but a few cows and a horse, to pay the taxes for the above stolen property and to subsist upon; he having living with him a widowed daughter with five children; therefore,

Provisione.

10. SECTION I. *Be it enacted by the General Assembly of Georgia,* That the said Reuben King, be, and he is hereby relieved from the payment of all State and county taxes for the year 1862.

Reuben King relieved from tax for 1862.

11. Sec. II. *And be it further enacted,* That Miller Hallowes, of the county of Camden, be exempt from the payment of taxes on all such negro property as the enemy has stolen from him.

Miller Hallowes freed from tax on property stolen from him.

Sec. III. Repeals conflicting laws.

Assented to December 5th, 1862.

(No. 95.)

An Act for the relief of the minor children of Sophia and William McBride, of Haralson county.

WHEREAS, Kenneth McKinzy by his last will and testament bequeathed to the minor children of Sophia and William McBride, of Haralson county, the sum of about thirty thousand dollars in bonds of the State of Georgia, City Council of Augusta, and La-Grange and West Point Rail Road; and whereas, one William G. Coody, of said county of Haralson, was by the Court of Ordinary of said county, appointed Guardian of the property of said minor

Provisione.

Minor children of Sophia and William McBride.

children, and the said William G. Coody, as such Guardian, converted the aforesaid bonds into money, and has removed without the limits of the State of Georgia; and the said Coody having been removed from said trust as Guardian by a judgment of the Court of Ordinary of said county, on account of his mismanagement of said estate, and removing out of the jurisdiction of the Court; and whereas said estate is likely (if not already lost) to be lost entirely to said minor children for the want of an immediate representative, and no person, either from indifference to the interest of said minor children, or from inability to give the security required by law in case of Guardians, has applied to the Court of Ordinary of said county, for letters of guardianship on said estate; and whereas, the said William McBride, the father of said children, is prohibited by the will of said Kenneth McKinzy, from the control or in any wise managing said estate; and inasmuch as it is represented to this General Assembly, that said minor children are now deprived, and have been for some time past, from the proceeds and interest arising from said estate, for their education and maintenance, according to said will, and are in danger of losing a part if not the whole of said estate, for the want of an immediate representative; for remedy whereof,

Provable.

Ordinary of Haralson co., authorized to appoint Sophia McBride guardian.

12. SECTION I. *Be it enacted by the General Assembly of the State of Georgia,* That the Court of Ordinary of Haralson county, be, and is hereby authorized upon application, to appoint Sophia McBride (a feme covert) of Haralson county, the mother of said children (without giving the security now required by law in case of Guardians), the Guardian of the property or estate so bequeathed by said Kenneth McKinzy to her said minor children; and she is hereby upon the issuing of said letters of guardianship by the said Court of Ordinary, clothed with all the powers that Guardians now are, under existing laws, to sue and be sued as such Guardian, and collect and receive and receipt for the same, and do all lawful acts pertaining to the same, as though she was a feme sole Guardian.

Failing to make annual returns to be dismissed.

13. SEC. II. *And be it further enacted,* That in case the said Sophia McBride should fail to make her annual returns as is now required by law of Guardians, or should in any wise mismanage said estate, it shall be the duty of the Court of Ordinary to revoke her letters of Guardianship and dismiss her from said trust, at any time in his discretion.

Another may be appointed

14. SEC. III. *And be it further enacted,* That in the event that any person should make application to said Court for letters of guardianship under existing laws and give bond and security, and is duly qualified as such, it shall then in that event be the duty of said Court forthwith to dismiss her, the said Sophia McBride from said trust as Guardian; the true intent and meaning of this Act is that she is thus appointed Guardian from the necessity of the case; and this act is not to remain in force longer than a Guardian is legally appointed and qualified under existing laws.

Guardian on application.

SEC. IV. Repeals conflicting laws.

Assented to December 2d, 1862.

Henry J. Nichols—Joseph Slate—Owen Smith and Angus Morrison.

(No. 96.)

An Act for the relief of Henry J. Nichols, of Camden county, Executor of Henry G. Gignilliat, deceased.

WHEREAS, M. A. Crawford, Ordinary of Camden county, has been captured by, and is now a prisoner in the hands of the enemy, by reason of which the legal orders authorizing the sale of property belonging to estates cannot be obtained in said county; and whereas, Henry G. Nichols, Executor of Henry G. Gignilliat, deceased, cannot execute the last will and testament of said deceased, or fully administer his estate without selling a negro boy named John, for the benefit of the heirs and creditors; and whereas, the proximity of the enemy to Camden county prevents an advantageous sale of property in said county; and whereas, all persons to be affected by the passage of this Act having consented thereto:

It is therefore enacted by the General Assembly of the State of Georgia:

15. SECTION I. That, Henry G. Nichols, Executor of Henry G. Gignilliat, deceased, be permitted to sell a negro boy named John belonging to said estate, in such manner, on such terms, and at such time and place, as may in his judgment be for the best interest of said estate and the heirs and creditors thereof.

SEC. II. Repeals conflicting laws.

Assented to December 12th, 1862.

(97.)

An Act for the relief of Joseph Slate, of Gilmer county, Georgia.

WHEREAS, Joseph Slate became the security of Joseph V. Slate, on a penal bond for the personal appearance of the said Joseph V. Slate, in the sum of three hundred dollars, before the commencement of the present war, and after becoming security as aforesaid, the said Jos. V. Slate became engaged in the defense of his country, by joining the army; and whilst being so in the army of the Confederate States, engaged in the defense of his country, said bond became forfeited, and final judgment was rendered thereon, at the May term 1862, of Gilmer county Superior Court, against the principal and security for the said sum of three hundred dollars, principal.

16. SECTION I. *Be it therefore enacted by the General Assembly of the State of Georgia,* That the said Joseph Slate security, and his property, be, and are hereby relieved from the judgment rendered as aforesaid, upon the payment of all legal cost incurred.

SEC. II. Repeals conflicting laws.

Assented to December 12th, 1862, with reason assigned written on enrolled Act.

(No. 98.)

An Act to empower Owen Smith and Angus Morrison, to make good and sufficient titles to a certain tract or parcel of land in Brooks county.

WHEREAS, Owen Smith, Angus Morrison and John J. Pike, merchants trading under the name of J. J. Pike & Co., bought at United States Marshall's sale a certain tract or parcel of land in Brooks

Creditors of Chas. W. West.—Z. M. Winkler.

county, and inadvertently received titles made to them as individuals, instead of titles to the firm of J. J. Pike & Co.; and whereas, John J. Pike is deceased, and Owen Smith and Angus Morrison surviving partners of the aforesaid firm of J. J. Pike & Co., are closing the business of said firm:

Therefore be it enacted by the General Assembly of Georgia:

17. SECTION I. That Owen Smith and Angus Morrison, of the firm of J. J. Pike & Co., of Brooks county in this State, be, and they are hereby empowered to make good and sufficient titles to a certain tract or parcel of land lying in the county of Brooks, to which tract or parcel of land they now hold and have in possession, titles made by a United States Marshal, to the aforesaid Owen Smith and Angus Morrison and John J. Pike as individuals.

SEC. II. All conflicting laws are hereby repealed.

Assented to December 2d, 1862.

(No. 99.)

An Act to relieve the heirs and creditors of Charles W. West, deceased, late of Chatham county.

WHEREAS, it is greatly to the interest of the heirs and creditors of the late Charles W. West, deceased, of Chatham county, that a certain tract of land belonging to his estate, situate near the city of Savannah should be sold, without the delay which is necessary by a due course of law.

18. SECTION I. *Therefore be it enacted by the General Assembly,* That Eliza A. West, Administratrix of the estate of Charles W. West, deceased, is hereby authorized, after five days notice by publication in one of the Savannah papers, to sell to the highest bidder, before the Court-house door of Chatham county, all that tract of land belonging to said estate, situate near the city of Savannah, containing sixty-two acres, more or less, and bounded north, south, east and west, by lands of J. G. Howard, Charles B. King, the middle Ground Road, and the Savannah Albany and Gulf Rail Road, together with the stocks, farming utensils, and appurtenances to said tract of land belonging.

Assented to November 26th, 1862, with reasons assigned for giving assent.

(No. 100.)

An Act for the relief of Z. M. Winkler, of the county of Chatham.

19. SECTION I. *The General Assembly of Georgia do enact,* That the Governor is authorized to draw his warrant on the Treasurer of this State, for the sum of one hundred and eighty-five dollars and eighty cents, in favor of Z. M. Winkler of the county of Chatham; which said sum was paid by the said Z. M. Winkler, to the Tax Receiver and Collector of Chatham county, during the present year, in excess of the just and legal claims for taxes against him, upon a true return made of his property.

Assented to December 13th, 1862.

Preamble.

Owen Smith and Angus Morrison empowered to make titles.

Preamble.

Admin. authorized to sell land in Chatham on five days notice.

Excess of tax refunded to Z. M. Winkler.

Jane Miller.—Taxes in Burke County.

TITLE IX.

SLAVES AND FREE PERSONS OF COLOR.

Sec. 1. Jane Miller, a free person of color, authorized to become a slave. | Sec. 2. Order by Inferior Court.
 " 3. Recording order.

(No. 101.)

An Act to authorize Jane Miller, a free person of color, to sell herself into perpetual slavery.

1. SECTION I. *Be it enacted, &c.*, That Jane Miller, a free person of color, in Clarke county be, and she is hereby authorized to voluntarily become the slave of E. S. Sims for life. May become slave.

2. SEC. II. That in order to carry into effect the first section of this Act, the said E. S. Sims and the said Jane Miller shall go before the Justices of the Inferior Court, or a majority of them, in said county, who shall faithfully and fully examine her as to her willingness to become the slave for life of said E. S. Sims; and upon being satisfied of the same, they shall pass an order to the effect that the said Jane Miller be held, deemed and considered the slave of the said E. S. Sims for and during her natural life, subject to all the incidents of slavery, except the liability of being sold during the lifetime of said Sims, by himself, or his creditors for his debts; the sole consideration for which voluntary enslavement on her part, shall be the obligation thereby incurred by her master of feeding, clothing and protecting her. Order by inferior Court.

3. SEC. III. It shall be the duty of the Clerk of the Inferior Court to record said order on the minutes of the Court as evidence of title; also to record the same in the book kept by him for recording other evidences of title to property; for which the said E. S. Sims shall pay to said Clerk a fee of five dollars. Recording order.

Assented to December 9th, 1862.

TITLE X.

TAXES.

Sec. 1. Receiver and Collector of Burke allowed extension of time. | Sec. 3. Produce in payment of tax for soldiers' families.
 " 2. Of Dooly allowed till 20th February, 1863. | " 4. Extra tax in Echols county legalized.
 " 5. Tax legalized in Worth county.

(No. 102.)

An Act to extend the time for the payment of the taxes for the year 1862, so far as relates to the county of Burke.

1. SECTION I. *Be it enacted, &c.*, That, in consequence of the

Receiver and Collector of Taxes in Dooly—Extra Tax in Echols.

Receiver and
Collector of
Dooly co., al-
lowed exten-
sion of time.

death of John Buford, late Receiver and Collector for said county, his Excellency the Governor be, and he is hereby authorized to allow the officer elected to fill said vacancy until the 1st day of March, 1863, to make his final payment to the Treasurer of this State; *Provided nevertheless*, that said Collector shall be required to pay into the Treasury on the first day of each month, until his final settlement, the amount of tax collected by him.

Assented to November 28, 1862.

(No. 103.)

An Act to allow the Receiver and Collector of taxes for the county of Dooly, until 20th day of February, 1863, to make a final settlement with the State Treasurer, and for other purposes.

For Dooly co.
fill 20th Feb.
1863.

2. SECTION I. *Be it enacted by the General Assembly*, That the Tax Receiver and Collector for Dooly county be, and he is hereby allowed until the 20th day of February, 1863, to make his final settlement with the State Treasurer, instead of the 20th December, 1862, as now prescribed by law; *Provided nevertheless*, that said Collector shall pay over to the State Treasurer, on the first day of each month, all tax moneys collected by him.

Produce in
payment of
tax for sol-
diers' fami-
lies.

3. SEC. II. *And be it further enacted*, That the Inferior Court of Dooly county be, and they are hereby authorized to receive (in payment of taxes assessed for the support of soldiers' families,) produce of any kind, suitable for said purpose.

SEC. III. Repeals conflicting laws.

Assented to December 15th, 1862.

(No. 104.)

An Act to legalize and make valid an order passed by the Inferior Court of Echols county, levying an extra tax upon the citizens thereof for the support of the indigent women and children, for the year 1862.

That in Echols
co. legalized.

4. SECTION I. *Be it enacted, &c.*, That the order passed by the Inferior Court of Echols county, levying an extra tax upon the citizens thereof for the support of indigent women and children, for the year 1862, is hereby made legal and valid.

SEC. II. Repeals conflicting laws.

Assented to December 6th, 1862.

(No. 105.)

An Act to legalize a tax levied by the Inferior Court of Worth county, for the year 1862, and for other purposes, &c.

WHEREAS, the Grand Jury of Worth county, at the Spring

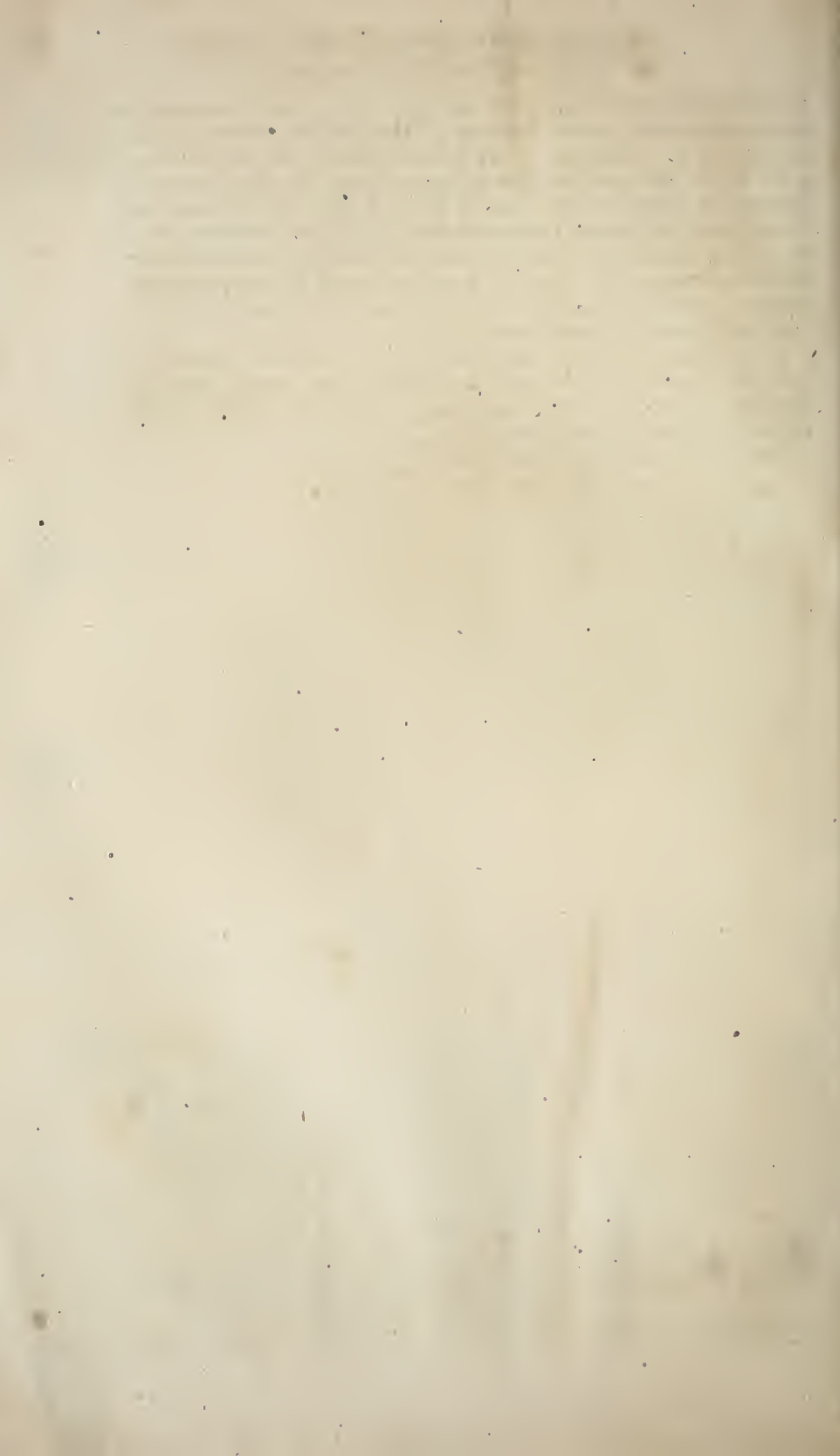
Tax levied by Inferior Court of Worth County.

term of the Superior Court for the year 1862, failed to make a recommendation to the Justices of the Inferior Court of said county, as to the amount of tax to be levied for the aid and support of the indigent families in the military service from said county, for the year 1862; and at the Fall term of said Court the Grand Jury did make a recommendation that a tax for the sum of \$6,500.00 should be levied, and did authorize the said Court to issue the bonds of the county, to raise thereon the money immediately: *And whereas*, some doubt exists as to the legality of said Act, under a strict construction of the law:

5. SECTION I. *Be it therefore enacted by the General Assembly of Georgia*, That it shall be, and is hereby made lawful, for said Justices to levy and collect said tax, and fully to carry out the recommendation of said Grand Jury. Pream 51c.
Tax legalized
in Worth Co.

SEC. II. Repeals conflicting laws.

Assented to December 5th, 1862.



RESOLUTIONS

ADOPTED BY

THE GENERAL ASSEMBLY

OF THE

STATE OF GEORGIA,

AT AN

ANNUAL SESSION IN 1862.

- | | |
|--|--|
| No. 1. Defense of Savannah. | No. 28. Committee on Lunatic Asylum consolidated. |
| " 2. Committee on Salt Supply. | " 29. Ambulance Cars &c., on W. & A. R. Road. |
| " 3. Transportation of Salt to Georgia. | " 30. Appropriating school fund of Gilmer and Scriven. |
| " 4. | " 31. Dues to W. & A. R. Road. |
| " 5. Acknowledging presence and protection of God. | " 32. Suits on claims against soldiers. |
| " 6. Committee on General Vaccination. | " 33. Substitutes for slaves liable to impressment. |
| " 7. Committee on Asylum for Deaf and Dumb. | " 34. Impressment of slaves of refugees. |
| " 8. Master Armorer to examine Card Machinery and report. | " 35. Election of Public Printer and Bank Director. |
| " 9. Seizure of Factories and Tanneries. | " 36. Payment of School fund for Butts county. |
| " 10. Appointment of Commissioner to audit claims for guns. | " 37. Return of Powder loaned to Confederate Government. |
| " 11. Seizure of Engines and Cars for transportation of Salt. | " 38. Committee on alleged fraud on Penitentiary. |
| " 12. Committee on official conduct of Quartermaster and Commissary Generals. | " 39. Payment of School fund for Rabun county. |
| " 13. Commendatory of Georgia soldiers and officers. | " 40. Two Regiments for State service authorized. |
| " 14. Enterprizes for supply of Salt. | " 41. Investigation of conduct of Confederate Quartermasters, Commissaries, Surgeons &c., requested. |
| " 15. Return to Tax Receiver of number &c. of blind, and deaf and dumb children. | " 42. Commendatory of 18th Regiment Ga. Vols. and accepting stand of colors. |
| " 16. Women of Georgia. | " 43. Distribution of Code. |
| " 17. Cars for sick and wounded soldiers. | " 44. Slaves hired by Confederate authorities and put under contractors. |
| " 18. Appointment of State Geologist. | " 45. Relative to planting cotton. |
| " 19. Shipment of corn for destitute persons. | " 46. Cotton Spinners' Association and Cotton Planters' Convention. |
| " 20. Salary and expenses of Hon. Thomas Butler King. | " 47. Committee on Flags captured by 18th Ga. Regiment. |
| " 21. Transportation of Salt for citizens of Georgia. | " 48. Relative to defenses at Savannah. |
| " 22. Impressment of Free Negroes. | |
| " 23. Commissioners of town of Madison. | |
| " 24. Clements' Patent Hand Loom. | |
| " 25. Thanks to authorities of Florida. | |
| " 26. Committee on New Work on Arithmetic. | |
| " 27. Additional time to certain Tax Collectors. | |

(No. 1.)

WHEREAS, it is evident, that the theatre of war, must soon be transferred from the battle fields of Virginia, to the seaport towns of our cotton States; and whereas, emulating the devoted heroism of the people of Vicksburg, we desire for Georgia, that her seaport city, should be defended to the last extremity, at whatever cost of life or property.

Savannah—Salt Supply—Thanks to Almighty God.

Resolved, That in the opinion of the General Assembly of Georgia, the city of Savannah should never be surrendered; that it should be defended street by street, and house by house, until if taken, the victors' spoils should be alone a heap of ashes.

Savannah never to be surrendered.

Resolved, if the House concur, That the Joint Finance Committee, be instructed to report forthwith a bill, appropriating such sum as may be necessary for the removal of the helpless women and children in Savannah, to a place of security.

Removal of women and children.

Resolved, That a copy of these resolutions be forwarded by the Governor, to the General commanding, with the assurance, that the people of Georgia, will endure any calamity, rather than suffer her soil to be polluted by the tread of the abolition invader.

Copy of resolutions to General commanding.

Cordially approved November 8, 1862.

(No. 2.)

Resolved, That a joint committee consisting of three from the House, appointed by the Speaker, and two from the Senate appointed by the President, be constituted to consider and report upon questions concerning the salt supply.

Committee upon salt supply.

Approved to November 10, 1862.

(No. 3.)

A resolution to facilitate the transportation of Salt to Georgia.

WHEREAS, it is highly important to the people of Georgia, that every facility shall be rendered to the manufacture and transportation of salt; and whereas, we are informed that the Secretary of War has given assurances to some parties engaged in the manufacture of salt, that the salt made by them for distribution in Georgia, should be facilitated in its transit to Georgia, in every reasonable way consistent with other requirements of the public service. Therefore,

1. *Resolved*, That we do most cordially approve this policy of the Confederate Government, not only so far as it concerns the State of Georgia, but as to every State in the Confederate States; and that the Governor be requested to notify the Confederate authorities at Richmond of all such arrangements as may hereafter be made by him, or with his sanction, for the transportation of salt to Georgia, and respectfully invite the co-operation of the Confederate Government in such measures as will secure its safe, uninterrupted and speedy transit to the State.

Policy of Confederate Government in facilitating supply of salt, approved.

Assented November 13, 1862.

(No. 5.)

Resolved 1st, That the General Assembly of the State of Georgia, has seen with heartfelt thankfulness, the practical demonstration of the presence of Almighty God, and His protecting Provi-

Thankfulness to Almighty God.

Small Pox—Deaf and Dumb Asylum—Cotton and Wool Cards.

dence in the many hard fought battles, and glorious victories over our common enemies since the commencement of the present war with the United States.

Resolved 2d, That we acknowledge our dependence for the success of our cause, upon the God of nations and of battles, and our obligation to unite at the throne of grace to invoke the continuance of His Divine Presence and protecting Providence.

Acknowledg-
ing depend-
ence on God.

Assented to November 19 1862.

(No. 6.)

Resolved by the General Assembly, That in view of the existence of small pox in various sections of our State, and the obvious duty of guarding our people, as far as possible, against the spread of this dangerous and loathsome disease, a joint committee of five members be appointed, two from the Senate and three from the House of Representatives, to consider and report upon the propriety of the adoption of means for the general vaccination of the people of this State.

General vac-
cination—
committee on.

Assented to November 20th, 1862.

(No. 7.)

Resolved by the General Assembly of the State of Georgia, That a committee of three consisting of one from the Senate and two from the House of Representatives, be appointed to visit Cave Spring and investigate the affairs and condition of the Deaf and Dumb Asylum; that said committee be invested with power to send for persons and papers necessary to said investigation, and that they be required to report to this General Assembly at the earliest possible day.

Asylum for
Deaf and
Dumb—com-
mittee on.

Assented to November 21 1862.

(No. 8.)

Resolved, That His Excellency the Governor be requested to send Mr. Peter Jones, the Master Armorer forthwith to Cartersville, with instructions to examine the machinery used by Messrs. John Lee & Co., in the manufacture of cotton and wool cards, and to ascertain the most favorable terms on which they will sell cards to this State for the use of the citizens thereof; also the best terms on which they will dispose of the whole or one half interest in their card factory to the State, and that the result of his visit be communicated to the General Assembly at the earliest practicable moment.

Governor re-
quested to in-
struct Master
Armorer to
examine card
machinery.

Assented to November 21 1862.

(No. 9.)

WHEREAS, reliable information is in possession of the General Assembly, that the Georgia troops in the Confederate service,

most of whom are in a comparatively frozen latitude, are destitute, many of them, of that clothing necessary to render them comfortable, and, in many instances, even to preserve life itself :

And whereas, the Georgia Relief and Hospital Association, much as it has done and is still doing, is entirely inadequate to the emergency :

And whereas, our soldiers, being not only composed of those endeared to us by the ties of blood, but also our great bulwark of defense should, from considerations of gratitude towards, and affection for them, as well as safety to ourselves as a people, be rendered as comfortable as possible, and thereby strengthened for the deadly conflict :

And whereas, the dreadful alternative now forces itself upon us as legislators, humanitarians and kindred, in all its startling import, whether our brave boys shall be clothed by extraordinary energy, unusual effort, and resorting to means apparently harsh, but really necessary, or whether they shall be suffered to shiver and die, away from home and kindred, in inhospitable climes, for the want of shoes and clothing which are in our midst, but cannot be obtained without the measure hereinafter recommended :

Therefore, Resolved by the Senate and House of Representatives, 1st. That His Excellency, the Governor of Georgia, be, and he is hereby authorized and requested, if satisfactory arrangements cannot be made with the proprietors otherwise, to seize all the factories, and tanneries, and manufactured articles in this State, or so many of them as he may find necessary, and to appropriate their whole products to the use hereinbefore indicated, till a good pair of shoes, and a good suit of clothes are furnished to every Georgia soldier in service, who needs such assistance : *Provided*, That he seize no factory now in the possession of the Confederate Government ; *And provided further*, That he interfere with no bona fide contract or contracts, which have been made with the Confederate Government, or its authorized agents, for any of said articles.

2nd. That, the following prices shall be paid by His Excellency for the articles herein set forth, viz :

For leather, per pound, one dollar ; for shoes, such as are suitable for soldiers, per pair, three dollars ; for each block or bunch of cotton yarn, (5 lbs) two and one half dollars ; for cotton osenburghs, per yard, twenty-five cents ; for woolen jeans, per yard, two dollars ; for cotton shirting $\frac{3}{4}$ yard wide, per yard, twenty cents, and in the same proportion for shirting of any other width ; for Georgia cassinere, per yard, two and one half dollars—or such other prices as will afford a reasonable profit upon the prime cost of said articles.

3d, That, should any other article made, raised, imported into, or manufactured in this State, which is not embraced in the foregoing schedule, be found necessary for the comfort of our soldiers, in such case, His Excellency the Governor is authorized to pursue the course hereinbefore pointed out in reference to the articles specified, and pay just compensation therefor.

Governor authorized and requested to seize factories and manories.

Proviso.

Prices to be paid.

These courses authorized in reference to other articles.

Cars furnished for State defense—Transportation of Salt—Quartermaster and Commissary Generals.

4th. That, in the event of His Excellency the Governor seizing any factories, tanneries and shoe shops, he be authorized to employ operatives to work therein, and pay just compensation for their services.

Governor to employ operatives.

5th. That the Governor of this State, be, and he is hereby authorized, if necessary, to extend the limit of these resolutions, for and during the year 1863, so as to insure clothing and shoes for our necessitous Georgia troops, for said year.

Resolutions embrace year 1863.

Approved November 25th, 1862.

(No. 10.)

Resolved, That the Governor be, and he is hereby authorized, to appoint a commissioner, or commissioners, to audit the claims for guns furnished by its citizens for State defense; and that the amount due each claimant be paid out of the military fund for State defense.

Commissioners to audit claims for guns.

Assented to November 25th, 1862.

(No. 11.)

Resolved by the General Assembly, That his Excellency the Governor be, and he is hereby authorized and requested to seize so many cars and locomotives of the different railroads of this State, *provided*, he cannot obtain them otherwise on reasonable terms, as may be necessary to transport the salt belonging to this State, now in Virginia, to convenient and suitable depots; and that he be required to pay said railroad companies just compensation for the use of said rolling stock—said compensation to be provided for in the general appropriation bill.

Governor authorized to seize cars for transportation of salt.

Provided, nothing contained in the foregoing resolution shall authorize the Governor to interfere with any requisition made upon said roads by the Confederate military authorities.

Provide.

Assented to November 25, 1862.

(No. 12.)

Resolved 1st, by the General Assembly, That a joint committee, consisting of three members of the Senate and five members of the House of Representatives, be appointed to investigate the official conduct of the Quartermaster and Commissary Generals of this State; and their assistants, and report fully the facts to the General Assembly, whether they shall find any evidence of improper conduct or official delinquency in the discharge of any of their official duties, or in any matter connected therewith, as these officers are desirous of such investigation.

Quartermaster and Commissary Generals—committee.

Resolved 2d, That said committee be instructed specially to enquire into kind and quality of each and all of the Quartermaster's and Commissary's stores that were on hand belonging to the State at the time the State troops were turned over to the Confederate

To inquire into kind and quality of stores, &c.

authorities, and what disposition was made of said stores; if sold, whether sold at private or public sale; and if any were sold at private sale, to whom, when sold, quantity and quality sold, and prices at which sold.

Resolved 3d, That said committee have power to send for persons and papers, if necessary, in their investigation; that, if it be consistent with a thorough investigation of the matters to be enquired into, the committee report to this General Assembly during the present session; if not practicable to make their report during the present session, then the said committee be authorized to meet in the city of Atlanta, at such time as the chairman shall designate, for the purpose of said investigation, and their report be made to the first session of the next General Assembly.

Assented to November 25, 1862.

(No. 13.)

Resolved 1st, by the Senate and House of Representatives of the State of Georgia in General Assembly met, That the officers and soldiers from this State, upon whatever field they have met our enemies, have, by their distinguished bravery and unflinching valor, conferred immortal honor upon themselves and enduring renown upon their State, and have truly illustrated the character of Georgia.

2. That the thanks of the people of this State, and of the General Assembly, are due, and are hereby tendered to them for the promptitude with which they repaired to the defense of our Confederacy, for the unyielding fortitude with which they have borne the privations, toils and fatigues incident to their service, and for the unsurpassed gallantry and courage displayed by them on every battle field.

3. That we deeply and sincerely lament the death of so many of our brave officers and men, who yielded their lives in defense of their country on the field of battle; and this General Assembly does not hesitate to declare, that when the proper time shall arrive, the State should spare no expense to erect a suitable monument to perpetuate their names and gallant deeds.

4. That the Adjutant General shall have prepared in his office, a registry containing, in alphabetical order, the names of all officers and privates who have entered, or may hereafter enter the service from this State during the existing war, designating their residences, and the companies, battalions, or regiments of which they were members; which registry shall contain, so far as can be ascertained, a list of those wounded in battle but who survive. In a separate volume shall be preserved a list of the gallant and lamented dead who fall by the hand of disease, or from wounds in battle; which registry, when completed at the end of the war, shall be deposited in the archives of the State, there to remain a sacred memorial of gallant names and glorious deeds.

5. That since our brave and chivalrous soldiers are and have been standing as guards to our homes, our firesides, our all, and

Power to send
for persons
and papers.

When to re-
port.

Officers and
soldiers com-
mended.

Thanks ten-
dered to them

Officers and
men killed in
battle—Mon-
ument to.

Adjutant
General to
have prepared
registry.

Separate reg-
istry of the
dead.

Manufacture of Salt in Virginia.

are fighting a fanatical and unscrupulous enemy to secure constitutional liberty to ourselves and to transmit the same to our posterity, common justice as well as gratitude demands that, by law, the General Assembly should, as far as practicable, maintain them in the field, and their families at home.

Soldiers and their families to be provided for.

6. That the Governor be requested to transmit a copy of these resolutions to the commanding officer of each regiment in the service from this State.

Copy of resolutions to be sent to Commanders of regiments.

Approved November 26, 1862.

No. 14.

Resolutions declaring the sanction of the State upon the contracts made for the manufacture of Salt in Washington and Smyth counties, Virginia, and authorizing the Governor to make all necessary arrangements to secure the prompt transportation of Salt obtained there and elsewhere; for supply to Georgia.

WHEREAS, we are informed that a large quantity of Salt has been manufactured at Saltville, in the counties of Washington and Smyth in the State of Virginia, and is now in store at that place awaiting transportation to Georgia :

And whereas, We are further informed, that owing to the greatly increased requirements for transportation over the several railroads leading from that place to Georgia, the transportation of Salt to Georgia has already been greatly delayed, and without some action of the State, will probably continue subject to delays :

And whereas, considerable expenditures of money and labor have been made by Georgians at that place, and the manufacture of Salt is expected to be continued there during such time as the necessities of our people require it, under a contract heretofore made by His Excellency Joseph E. Brown, Governor of Georgia, and under a contract made by the Planters' Salt Manufacturing Company, the work, under the former contract being conducted by the government of the State directly, through its appointed agent, and the work under the latter contract, being conducted under the sanction of State government, in part by the Planters' Salt Manufacturing Company, and in part by the Georgia Salt Manufacturing Company :

Preamble.

And whereas, other companies are engaged in the work at and near Saltville, for supply in Georgia, and without any element of speculation or gain, in the organization or operation of said works :

And whereas, other enterprises have been organized with private capital, and are now being organized for the purpose of manufacturing, or otherwise obtaining Salt for distribution, without speculation, in Georgia: Therefore,

Resolved 1st. That this General Assembly cheerfully accords to each of the enterprises above mentioned and referred to, the full sanction of our commendation and approval ; and that to each of said enterprises, and to all such enterprises as may now be organizing, or may hereafter be organized, for the supply of Salt, with-

Enterprises for supply of salt approved.

Salt.—Blind, Deaf and Dumb children.

out speculation, to the people of Georgia, or any portion of them, the General Assembly pledges every reasonable encouragement and assistance, within the scope of our Constitutional power as Representatives of the people of the State.

2nd *Resolved*, That His Excellency the Governor, be, and he is hereby authorized and requested, to send trains of cars to Saltville, Virginia, from the Western and Atlantic Rail Road, so early as practicable, and of sufficient capacity for the transportation of all the Salt heretofore manufactured under the contracts above referred to; and provided that, if the Governor finds the Road unable to spare a sufficiency of engines and cars for this purpose, and at the same time, keep up its necessary rolling stock, he is hereby empowered to make or cause to be made, all necessary arrangements to secure the requisite rolling stock from any corporation in the Confederacy, or from any other source. He is hereby further authorized and empowered to adopt all such measures, as in his discretion may be necessary, to secure not only the prompt transportation to Georgia of all such Salt as may have been made, but of all that may hereafter be made or obtained at Saltville, or elsewhere, for the purposes of distribution as above declared. To that end, the Governor is empowered to make all such arrangements and to employ such agent or agents as he may deem appropriate. And the Governor is hereby authorized to draw his warrant upon the Treasury, for such amounts as may be found necessary, in the performance of the duties herein created; provided such drafts shall not exceed in amount, the sum hereafter to be appropriated for the purpose aforesaid; and provided further, that for such facilities as may be afforded under these resolutions, to any individual or association, the full amount that may be expended, or incurred by the State, to obtain the same, shall be promptly refunded to the State Treasury, by the individual or association, at whose instance the expenditure was made.

3rd *Resolved*, That His Excellency, the Governor is hereby requested and empowered, to certify the sanction of the State Government, upon any arrangement for the transportation, manufacture, or otherwise obtaining Salt, for distribution in Georgia, without speculation, which may hereafter be made by any association or individual, to the end, that such encouragement and protection may be extended to every such enterprise, which the fact that they act under the approval of the government of Georgia, will insure them.

Assented to November 28th, 1862.

(No. 15.)

Resolved by the General Assembly of the State of Georgia, That the Tax Receivers of this State shall require all tax payers, when they give in their annual returns, to state the number, age and sex of all blind, and deaf and dumb children in his or her family;

Governor requested to secure transportation of salt.

Approval of State government pledged to future arrangements for salt supply.

And payers to return deaf & dumb children.

Thanks to the Ladies of the State—Sick and wounded soldiers.—State Geologist.—Shipment of corn.

which shall be entered in columns in the tax books of the Receivers, to be prepared for that purpose.

Assented to November 28th, 1862.

(No. 16.)

Resolved, That the thanks of the General Assembly of the State of Georgia are due, and are hereby tendered to the ladies of the whole State, for their active, untiring and successful efforts to aid in clothing and making comfortable our soldiers in the field, and for their zeal and devotion in ministering to the wants and sufferings of the sick and wounded, by which they have demonstrated that "God's last, best gift to man is woman," and by which they prove, too, that they merit the Bible appellation of "*blessed*."

Thanks to the women of the State.

Approved November 25, 1862.

(No. 17.)

Resolved by the General Assembly of the State of Georgia, That his Excellency the Governor be requested to instruct the Superintendent of the Western and Atlantic Railroad to furnish all the passenger cars in his power, for the transportation of sick and wounded soldiers; and in case the passenger cars cannot be furnished, he be instructed to fix up box cars with comfortable seats.

Governor requested to have comfortable cars for sick & wounded soldiers.

Assented to November 28th, 1862.

(No. 18.)

WHEREAS, it is the desire of many of the citizens of this State that a "Geologist" should be appointed, believing that his services could be made available at present in developing the varied mineral resources of Georgia:

Be it therefore resolved, That the joint standing Committee on Agriculture be instructed to take into consideration such an appointment, and report as soon as practicable, by bill or otherwise.

Appointment of State Geologist.

Assented to December 15th, 1862.

(No. 19.)

A Resolution as to shipment of corn for destitute persons, at medium rates.

WHEREAS, By reason of a very short crop of corn in Northern Georgia, many families of soldiers will suffer for bread during the coming year, unless it can be brought at reasonable rates from Southwestern Georgia. Therefore,

Resolved, That the General Assembly request the various Railroad Companies in this State, to ship corn at half rates, which is purchased for destitute persons, and not for sale or speculation; and that the Governor be requested to ship the same over the Western and Atlantic Railroad, free of charge.

Railroads requested to ship corn at reduced rates.

Assented to December 4, 1862.

Hon. T. Butler King.—Transportation of Salt.—Impressment of Free Negroes.

(No. 20.)

Resolutions relative to compensating Hon. Thomas Butler King for certain moneys expended by him while on his mission to Europe as a Commissioner from the State of Georgia.

Expenses of
Hon. T. But-
ler King.

Resolved 1st, That the Honorable Thomas Butler King be, and he is hereby relieved from all liability which he may have incurred by drawing a draft for twenty-five hundred dollars on the Governor of this State, for the purpose of defraying his expenses incurred in his mission to Europe; and that the sum of four hundred dollars be refunded to him for that amount paid out by him, of his own funds, as expenses of said mission.

Salary of

Resolved 2d, That the sum of twenty-five hundred dollars ought to be appropriated as a salary to be paid to the Hon. Thomas Butler King, in compensation for his very valuable services rendered to this State and the country, during his mission to Europe.

Amounts to
be in General
appropriation
bill.

Resolved 3d, That said sums be included in the "General Appropriation Bill."

Assented to December 4, 1862.

(No. 21.)

Governor re-
quested to
have salt of
citizens brot
as soon as pos-
sible.

Resolved by the General Assembly of the State of Georgia, That his Excellency the Governor is authorized and requested to have all salt belonging to citizens of this State, brought from Saltville and other places in Virginia, Tennessee and Alabama, so soon as the same can be done; and that he continue so to do, so long as salt may accumulate at Saltville, or other places, belonging to citizens of Georgia.

Authorized to
impress en-
gines and
cars.

2. *Resolved*, That, in case he shall not be able otherwise to obtain transportation for such salt, he is authorized and empowered to impress a sufficient number of engines and cars belonging to any one or more of the railroads of this State, to furnish such transportation, paying therefor such compensation as shall be reasonable and just; *Provided*, that the persons for the transportation of whose salt any cars may be seized and used, shall pay the expenses incurred by such use; *Provided further*, that said cars shall not be used for the transportation of salt belonging to speculators.

Assented to December 4th, 1862.

(No. 22.)

Resolutions to authorize the impressment of free negroes, as well as slaves.

Free negroes
to be impre-
sed as well as
slaves.

Resolved by the General Assembly of Georgia, That the resolutions passed at this session, authorizing the Governor, when necessary to impress negroes to work on the defences around Savannah, and to obstruct the rivers, were intended to embrace as well free negroes as slaves; and that the Governor is authorized, when necessary, to impress all free negroes for the purposes aforesaid, on the same terms and conditions as slaves are authorized to be impressed.

Commissioner for the town of Madison.—Clements' Patent Hand Loom.—State of Florida.

And be it further resolved, That the free persons of color so im-
pressed, shall be kept and worked separately from the slaves im-
pressed into the service of this State.

Assented to December 6, 1862.

(No. 23.)

WHEREAS, the Act of the General Assembly of the State of Georgia, entitled "An Act to provide for the election of Commissioners for the town of Madison for the year 1863," authorized said election to be held on the second Saturday in December next; *And whereas,* said Act, after having passed the Senate, was transmitted to the House of Representatives, and was finally acted on and passed in said House of Representatives on Saturday the 29th of November, last past; *And whereas,* said Act was assented to and approved by his Excellency the Governor, on the day when presented to him, to-wit: on the second day of December, 1862:

Therefore be it resolved by the General Assembly, That said law be so construed as to authorize said election to be held on the second Saturday in December, 1862; and that the election of said Town Commissioners on the day last above mentioned be, and the same is hereby legalized and made valid, to all intents and purposes whatsoever.

Assented to December 5, 1862.

(No. 24.)

Resolved, That a committee of three from the Senate and five from the House, be appointed to report to the General Assembly, by bill or otherwise, on the propriety of purchasing the Patent Right to Clements's Patent Hand Loom, for the benefit of the people of Georgia.

Assented to December 8, 1862.

(No. 25.)

WHEREAS, The State of Florida, through her authorities, has manifested towards the citizens of this State, a degree of liberality unusual in this day of selfishness, in that she has granted privileges and afforded protection to our citizens, in common with her own, in the manufacture of salt on the coast; be it therefore,

Resolved by the General Assembly of Georgia, That the privileges thus granted and protection thus afforded by the Governor and other authorities of Florida are duly appreciated by the Legislature of Georgia; and in behalf of our constituents, we tender his Excellency and the people of Florida, our heartfelt thanks for this token of their friendship and disinterested patriotism.

Resolved, 2d, That a copy of this preamble and resolution be transmitted to his Excellency Gov. Milton, and to the Legislature of Florida, by his Excellency Governor Brown.

Assented to December 8, 1862.

New work on Arithmetic.—Tax Collectors in certain cos.—Ambulance Cars on W. & A. R. R.

(No. 26.)

A Resolution to appoint a joint committee to examine a new work on Arithmetic.

WHEREAS, A citizen of this State has prepared a new work on Arithmetic, which he has now present to submit to the General Assembly; therefore, be it

Committee on
new Arith-
metic.

Resolved by the General Assembly, That a joint committee of three from the House and two from the Senate, be appointed to examine said work, and report back at the earliest convenient day, what action the General Assembly should take touching the same.

Assented to December 8, 1862.

(No. 27.)

A Resolution to allow additional time to the Tax Collectors of the counties of Glynn, McIntosh, Camden, Quitman and Fulton, to collect the taxes of the same.

Certain Tax
Collectors al-
lowed addi-
tional time.

Resolved by the General Assembly, That the Tax Collectors of the counties of Glynn, McIntosh, Camden, Quitman and Fulton, be allowed until the first day of March next to collect the taxes from the citizens of said counties.

Assented to December 9, 1862.

(No. 28.)

Resolution to consolidate the standing committees of the House of Representatives and the Senate, on the Lunatic Asylum.

Committee
on State Lunatic
Asylum
consolidated.

Resolved by the General Assembly, That the committees of the House of Representatives and of the Senate on the State Lunatic Asylum, be constituted a joint committee to investigate and report on the affairs of that institution.

Assented to December 9, 1862.

(No. 29.)

Resolutions to provide ambulance cars for sick and wounded soldiers on the Western & Atlantic Railroad.

Ambulance
cars to be pro-
vided.

Resolved by the General Assembly, That the Superintendent of the Western & Atlantic Railroad be instructed, and the Superintendents of other railroads in this State, be requested to attach to each passenger train, one or more ambulance cars, with bunks, upon which can be placed bed sacks filled with cotton, hay, or straw, for the purpose of transporting sick and wounded soldiers.

Transportation
to be furnish-
ed Surgeons.

Resolved further, That transportation be furnished to Surgeons on the Western & Atlantic Railroad, while attending on sick and wounded soldiers on said Western & Atlantic Railroad.

Assented to December 9, 1862.

(No. 30.)

Resolution to appropriate the school fund of the counties of Gilmer and Scriven.

Resolved by the General Assembly, That the Justices of the Inferior Courts of the counties of Gilmer and Scriven are hereby authorized to appropriate the school funds belonging to said counties for the purchase of such amount of salt as the Governor of this State may be able to furnish for the people of said counties; *Provided,* that so soon as said salt shall be distributed and sold to the people of said counties by said Justices, under the regulations prescribed by the Governor for the distribution of salt among the different counties of this State, the said Justices shall refund said money to the Ordinaries of said counties for school purposes.

Infr. Courts of Gilmer and Scriven may use school fund for purchase of salt.

Money to be refunded.

Assented to December —, 1862,

(No. 31.)

The immediate demand upon the State of Georgia for a very large amount of money to aid in the vigorous prosecution of the existing war, renders it necessary to make all its means available:

Therefore be it resolved by the General Assembly of Georgia, That it is the duty of his Excellency the Governor, and he is hereby required and directed to collect all dues to the Western and Atlantic Railroad, whether of a public or private nature, at the earliest possible day.

Governor to collect dues to W. & A. R. as soon as possible.

And be it further resolved, That the prompt payment of all debts which may hereafter become due to said Railroad, be required of all debtors, without distinction or discrimination.

Prompt payment to be required hereafter.

And be it further resolved, That all dues from the Confederate Government to the State of Georgia be paid in Confederate States Treasury Notes.

Confederate Government to pay in Treasury notes.

Assented to December 12, 1862.

(No. 32.)

Resolution relative to soldiers in the military service.

Resolved, That the Legislature of the State of Georgia request all persons holding claims against any person in the military service of the State, or Confederate States, to withhold suing said claims during the present war.

Condition of soldiers requested not to sue.

Assented to December 12, 1862.

(No. 33.)

WHEREAS, great injustice and inequality are likely to grow out of the operation of the resolutions passed by this General Assembly, authorizing the impressment of negroes for the defense of this State; for remedy whereof,

Impressment of Slaves.—Bank Director.—School Fund of Butts county.—Powder.

Be it therefore resolved, That, whenever any slave or slaves are impressed under the authority of the above recited resolutions, that the owner of said slave or slaves shall have the right of hiring others to put in the place of those liable to impressment.

Assented to December 12, 1862.

(No. 34.)

WHEREAS, there are several persons, refugees from the coast of this State, and who have had a portion of their slaves seized and carried off by the Abolitionists; and whereas, said persons have purchased lands in the interior, and are now clearing and enclosing lands for the future support of themselves and families; and whereas, the slaves of such persons are now subject to impressment for public defense. To remedy this wrong, be it

Governor requested not to impress slaves of refugees.

Resolved, That the Governor be requested to relieve the said citizens from such impressment of their slaves.

Assented to December 10, 1862.

(No. 35.)

Election of Public Printer and Bank Director.

Resolved, the House concurring, Both branches of this General Assembly will convene in the Representative Hall on Friday 21st instant, at 12 o'clock M., for the purpose of electing Public Printer, and a Bank Director on the part of the State, for the Bank of the State of Georgia.

(No. 36.)

A Resolution authorizing the payment of the School Fund of Butts county to be paid to the Deputy Ordinary of said county.

School fund for Butts county.

Resolved, That the Governor is hereby authorized to pay the School Fund due the county of Butts for the year 1862, to the order of Asa Buttrill, Deputy Ordinary, upon said Deputy giving bond in lieu of the Ordinary.

Assented to December 13, 1862.

(No. 37.)

WHEREAS, the State of Georgia has heretofore loaned to the Confederate Government about one hundred and sixty thousand pounds of powder; and whereas, the State now needs a portion of the same for its internal police:

Confederate Government requested to return powder.

Be it therefore resolved by the Senate and House of Representatives, That the Confederate Government is hereby respectfully requested to return to the Governor of Georgia, twenty-five thousand pounds

A. P. Bell.—School Fund of Rabun.—Two Regiments of Militia.

of the amount of powder so loaned, as soon as the same can be done, for the use of the State.

Be it further resolved, That a copy of this preamble and resolution be forwarded to his Excellency the President of the Confederate States.

Copy resolution to be forwarded to President.

Assented to November 22, 1862.

(No. 38.)

Resolved by the Senate and House of Representatives, That a committee of five be appointed, two from the Senate and three from the House, for the purpose of investigating the frauds suggested by a special report of the Committee on the Penitentiary, and the subject of the purchase and sale of a lot of shoes by A. P. Bell from the Penitentiary; and that said committee be vested with full power and authority to send for persons and papers; and if necessary, in their judgment, that they repair to Atlanta, or other places, for the purpose of making such investigation; and that they have power to compel the attendance of witnesses, at such time or times and places as they may select; and that said committee report to the General Assembly on the subject during the present session of the same.

Committee on alleged frauds purchase of shoes from Penitentiary.

Assented to November 22, 1862.

(No. 39.)

It being represented to the General Assembly, that the Ordinary of the county of Rabun is dead, and that his successor has not been elected and commissioned, and that there is therefore no Ordinary in said county to receive the school fund to which said county is entitled; and it being represented that the people of said county desire the Hon. F. A. Bleckley representative from said county, to draw and carry said fund to said county.

Therefore resolved by the Senate and House of Representatives, That said money be paid over to the said Bleckley on his filing his written obligation in the office of the Treasury of this State, for the payment of said money to the Ordinary of said county, so soon as one shall be elected and commissioned.

School fund for Rabun co. to be paid to Hon. F. A. Bleckley.

Assented to December 13, 1862.

(No. 40.)

Resolved by the General Assembly, That the Governor be, and he is hereby authorized to call into the service of the State, two Regiments of Militia, to consist of companies not exceeding one hundred men, rank and file, including the two companies now in service on the Western and Atlantic Rail Road; such amount of said force to be employed for guarding and protecting the Rail Road bridges of this State, as he may deem necessary; and the remainder of said force, to be used for such purposes, and at such points in this State, as to His Excellency shall seem advisable.

Governor authorized to call into service two Regiments.

Quartermasters, Commissaries, Surgeons, Agents and other officials.

Who may volunteer.

Resolved further, That His Excellency the Governor, be, and he is hereby authorized, in raising said Regiments, to advertise and call for volunteers from all the militia, except the part in actual service of the Confederacy, and from such able bodied citizens of this State, not subject to military duty, as will volunteer; stating where each Regiment will be located or expected to perform service; and the same shall be organized by the Adjutant General of this State, pursuant to the laws now of force in said State, and such rules and regulations, consistent therewith, as he may prescribe therefor.

Regiments how organized

Subject to what regulations.

Resolved further, That the Regiments so organized, shall be governed by and subject to, the rules and articles of war of the Confederate States, the military laws of the Confederate States, and the Confederate regulations for the army, so far as consistent with the Constitution of Georgia.

Pay.

Resolved further, That the pay and allowances of the officers, non-commissioned officers, musicians and privates, shall be the same as in the Confederate army, and drawn from the military fund provided for the year 1863, according to the usage now obtaining.

Assented to Dec. 13th, 1862.

(No. 41.)

Preamble.

WHEREAS, there is complaint against the Quartermasters, Commissaries, Surgeons, Agents and other officials connected with the war department of the Confederate States, in regard to the performance of various duties connected with their respective positions; and much loss to the Government, and injury to the hungry, half clothed, sick and wounded soldiers, has been and will be occasioned by their improper conduct, much of which has failed to come to the knowledge of the head of the department. Therefore.

Sec'y of War requested to investigate complaints against Confederate Quartermasters, Commissaries, Surgeons, &c.

Resolved 1st, by the Senate and House of Representatives, That the Secretary of war, be, and he is hereby earnestly requested, to institute investigation, into the conduct of all the aforesaid officers and agents, and especially as to the conduct of the Surgeons in the different Regiments and at the hospitals, and their assistants and nurses, and ward masters, and especially, as to the conduct, contracts, &c., of Quartermasters, Commissaries, and agents, in their own localities and elsewhere, and whether or not they may have been interested directly or indirectly, as silent partners or otherwise, in Government contracts, and what speculations they have engaged in on their own account while they were in the pay and employment of the Government; and the manner in which they have performed their duties in furnishing our soldiers with the necessities of life; and in all cases where the investigation discloses any want of ability or fidelity, or neglect of duty, to remove such officer or agent after seeing that he is punished for the same, and appoint such only in his place as can produce full and satisfactory evidence of his competency and good moral character.

18th Regt. Ga. Volunteers.—Code of Georgia.

Resolved 2d, That his Excellency the Governor, be requested to present this subject, with a copy of these resolutions, to the Secretary of war, with such suggestions as to the remedy for these grievances as he may think proper.

Governor requested to communicate with Sec'y of War.

Resolved 3rd, That a copy of these resolutions be forwarded to each of our Senators and Representatives in Congress, with a request that they use their influence for the passage of such laws as will most likely remedy the evils complained of.

Copy resolutions to Senators and Reps.

Assented to December 13, 1862.

(No. 42.)

1st. *Be it resolved by the General Assembly*, That the people of the State of Georgia, through their representatives, do hereby express their high appreciation of the intrepid valor, cool courage, and heroic daring of the officers and privates of the 18th regiment of Georgia Volunteers; and that they together with their brethren in arms from this State, are entitled to a prominent position in the historic page of brilliant achievements in this revolution, and to live in the hearts and memory of a grateful people.

Commending 18th Reg. Ga. Vols.

2d. The State of Georgia hereby accepts with feelings of pride and pleasure, the two stands of colors tendered by W. T. Wofford, Col. commanding the 18th Ga. regiment; and that his Excellency the Governor, be requested to have attached to each standard a suitable inscription, giving the name of the soldier capturing it, with such incidents of said battle as in his judgment, shall suitably perpetuate the same for future generations; and that the same be deposited among the archives of the State.

Accepting stand of colors

3d. That his Excellency the Governor be, and he is hereby instructed, to have two suitable medals prepared; one for private T. H. Northcutt, of Captain O'Neil's company from Cobb county, and one for private William Key, of Captain Roger's company of Bartow county; upon each of which, appropriate inscriptions shall be made, to be by him presented to these brave soldiers, in the name of the people of Georgia.

Medals to privates Northcutt & Key.

Approved December 15, 1862.

(No. 43)

Resolved, That His Excellency the Governor, be and he is hereby authorized and requested to distribute among the several officers of this State, the copies of the Code of Georgia, now on hand, in such manner as in his discretion he may think best; and that he be further requested to receive from the publisher of the Code, the remaining copies of said Code, due the State, although the same may not be bound in full leather; *provided* said volumes shall be bound in cloth, with leather tips, such as the sample shown last Summer to the Governor and codifiers, by said publisher, and distribute said last named volumes with the laws and journals.

Distribution of Code.

Copies due the State to be received & distributed.

Assented to December 13, 1862.

Slaves at work on the defences at Savannah.—Cotton.—Cotton Planters' Convention.

(No. 44.)

Preamble.

Governor re-
quested to
provide ag^t
unjust dis-
crimination
in favor of
Confederate
contractors.

WHEREAS, information has been received, that the Confederate authorities having charge of the defences at Savannah, have taken the slaves of citizens of this State, hired at a very low price, and placed them under charge of contractors, who have thus realized a large profit from the Confederate Government, which is manifestly unjust to the citizens of this State.

Be it therefore resolved by the General Assembly of Georgia, That his Excellency the Governor, be requested to provide against this unjust discrimination.

Assented to December 13, 1862.

(No. 45.)

Preamble.

Planting cot-
ten.

WHEREAS, the General Assembly of Georgia has, with great unanimity, at this session passed a law having for its object the securing the growth of an abundant supply of provisions in this State, and in which said law the cultivation of cotton has been partially prohibited; *And whereas,* it is of vital importance that the policy thus adopted by the State of Georgia, should be uniform in all the cotton growing States, in order to promote the greatest good:

Be it therefore resolved by the General Assembly of Georgia, That his Excellency the Governor be instructed to transmit to each of the Executives of the cotton growing States, a copy of the cotton Act passed by this General Assembly, accompanying said Act with an appeal to the cotton growers of said States, to make the same concessions to our common cause that have thus been made by the cotton growers of Georgia.

Assented to December 13, 1862.

(No. 46.)

Governor re-
quested to
forw'd efforts
of Cotton
Spinner's As-
sociation, &c.

Resolved by the General Assembly of the State of Georgia, That the Governor be, and he is hereby authorized to take such steps as he may deem necessary and proper, in forwarding the efforts of the Cotton Spinner's Association and Cotton Planters' Convention of this State, in promoting the spinning of cotton into yarn for home consumption to meet the wants of our people during the war, and for export to foreign countries thereafter, it being distinctly understood and stated that the power hereinbefore granted, is granted on the application of said Cotton Spinner's Association, and for the private benefit of the parties composing the same; and that no expense to the State is to be incurred under this resolution, or under any appointment that may be made, or action that may be had in pursuance thereof.

Assented to December 13, 1862.

Flags captured by the 18th Ga. Regt.---Defenses at Savannah.

(No. 47.)

Resolved, the House concurring, That the Message of His Excellency the Governor, on the subject of certain flags captured by the 18th Georgia Regiment at the late battle of Manassas, be referred to a joint committee, three from the Senate, and five from the House, to be appointed by the President of the Senate and Speaker of the House; and that said committee be instructed to report to the Houses of the General Assembly, at their earliest convenience.

Message on subject of Flags captured by 18th Ga. Reg. referred to joint Com.

Assented to December 13, 1862.

(No. 48.)

WHEREAS, H. W. Mercer, Brigadier General Commanding at the city of Savannah, has informed his Excellency the Governor that he has no power longer to hold the slaves now laboring on the defenses of said city: that he will make no further effort to secure laborers himself, and that if the people and government of the State of Georgia mean Savannah to be defended, they must themselves furnish the necessary labor;

Preamble.

And whereas, the Governor has communicated the same to the General Assembly, and requested its aid and discretion [direction?] in the premises:

Therefore resolved by the Senate and House of Representatives, That his Excellency the Governor be requested to enquire, without delay, of the War Department of the Confederate States, whether it is the sense and desire of said Department that negro labor should be employed to complete the earth defenses around the city of Savannah; and if so, whether it is the wish of the War Department that the State of Georgia shall furnish said labor.

Defenses at Savannah.

Resolved further, That should the War Department desire said labor to be furnished by the State of Georgia, the General Assembly will grant an adequate appropriation out of the Treasury, and place it in the hands of the Governor for the purpose of completing said defenses by contract, on such terms as his Excellency may be able to make; the work to be done according to plans and specifications to be furnished by the General commanding this Department.

War Dept. to be consulted.

Resolved further, That, in case the Governor cannot make the contracts necessary in the premises, (or shall be satisfied that the same cannot be made,) the Governor shall be authorized to impress the number of negroes necessary, giving due credit to the counties and individuals furnishing negroes heretofore, and to other counties in exposed positions of the State which may be engaged in making obstructions for public defense; *Provided*, that such impressment shall begin with the county of Chatham, and counties contiguous thereto; *And provided further*, That, in the event of impressment, just and reasonable compensation shall be paid for the services of the negroes so impressed.

Gov. to have work done by contract, or to impress negroes, &c.

Assented to November 14, 1862.



ACTS

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF GEORGIA,

PASSED IN

MILLEDGEVILLE,

AT THE

CALLED SESSION

IN

MARCH AND APRIL

1863.

PUBLISHED BY AUTHORITY.

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1863.

THE GREAT EASTERN

STATE OF GEORGIA

CONSTITUTION

ARTICLE I

SECTION 1

1790

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STATUTES OF GEORGIA

PASSED AT THE

EXTRA OR CALLED SESSION

IN

MARCH AND APRIL, 1863.

PART I.—PUBLIC LAWS.

TITLE I.

AGRICULTURE AND COMMERCE.

Sec. 1. Certain leases of salt lands declared void.

(No. 106.*)

An Act to prevent monopolies and speculation in renting or leasing salt lands and waters on the coast of Georgia, and for other purposes.

WHEREAS, There have been, and now are persons engaged in renting, leasing and monopolizing all the coast lands bordering on valuable and accessible localities for good salt water, with a view Preamble. to monopolize all the valuable salt making localities, thereby decreasing the quantity of salt manufactured on the Georgia coast, and increasing the price thereof, which, under the existing state of our country, is now impolitic and unjust.

1. SECTION I. *The General Assembly of the State of Georgia enacts,* That no person or persons, or company or association of persons, shall be permitted to rent or lease on the coast of this State, more lands washed by salt water than they can reasonably use and occupy for salt manufacturing purposes; and all leases and localities made for salt manufacturing purposes, that shall not be actually occupied and used for that purpose within six months after the date of such leasing or renting, are hereby declared to be null and void; and all such places and localities which have been rented or leased for salt manufacturing purposes, which shall not be actually occupied and used for that purpose within three months from the passage of this Act, shall be utterly null and void; and all places and localities which have been or hereafter may be rented or leased for salt manufacturing purposes, which have been, or may hereafter be occupied and used for that purpose, which the proprietor or lessee thereof, shall have removed or failed to occupy the same at any time for the space of six months, as an actual salt manufactory, are hereby declared to be null and void. Certain leases of salt lands declared void

SEC. II. Repeals conflicting laws.

Assented to April 18th, 1863, Repealing clause.

* To facilitate reference, it is thought best by the Compiler to begin numbering the acts passed at the called session, where those of the regular session ended.—COMPILER.

Salaries of Judges.—Per diem of President of Senate, Speaker of House and Members.

TITLE II.

APPROPRIATIONS.

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| <p>Sec. 1. Salaries of Judges.</p> <p>" 2. Increase of salaries how drawn.</p> <p>" 3. Per diem of Pres't Senate and Speaker of House—Mileage. Per diem of members—Mileage. No member to receive pay for absent time without leave.</p> <p>" 4. Pay of Secretary of Senate. Clerk of House. Proviso. App'n for contingent expenses to Sec'y of Senate and Clerk of House.</p> <p>" 5. Pay of Messengers and Doorkeepers. Pay of Clerk of Military and Judiciary Committees. App'n to pay for lights, stationery, &c.</p> | <p>Sec. 6. Advances by State Treasurer on salaries.</p> <p>" 7. App'n to John E. Erskin—to A. P. Wright. Preamble. App'n to Ass't Journalizing Clerk of Senate for 1861.</p> <p>" 8. Per diem and mileage to committee to investigate Q. Master's and Com'y General's offices. Mileage and per diem to their clerk. Distribution of app'n to members of the Com.</p> <p>" 9. App'n to certain Railroad men and iron masters invited to attend Committee on Transportation.</p> |
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(No. 107.)

An Act supplemental to An Act, assented to December 13th, 1862, to provide for raising a revenue for the political year 1863, and to appropriate money for the support of the government during said year, and to make certain special appropriations, and for other purposes.

1. SECTION I. *The General Assembly of Georgia do enact*, That the following sums of money be, and the same are hereby appropriated to the respective objects and persons hereinafter named, viz: To each Judge of the Supreme or Superior Courts, whose salary has been, or whose salary may be increased during the present session of the General Assembly, the full amount of said increased salary to be paid quarterly.

Salaries of Judges.

Increase of salaries—how drawn.

Per diem of Pres'dt. Senate and Speaker House.

Mileage.

Per diem of members.

Mileage.

No member to receive pay for absent time without leave.

2. SEC. II. *Be it further enacted*, That if the salary of any other public officer in this State shall be increased at this session of the General Assembly, it shall be the duty of his Excellency the Governor, to draw his warrant upon the Treasurer, quarterly, for said increased salary.

3. SEC. III. *Be it further enacted*, That the sum of six dollars per day be paid to each, the President of the Senate and to the Speaker of the House of Representatives, during the present extraordinary session of the General Assembly; and the sum of four dollars for every twenty miles of travel, going to and returning from the seat of Government—the distance to be computed by the nearest route usually traveled; and that the sum of five dollars each, per day, be paid to the members of the General Assembly, during the present session, and four dollars for every twenty miles of travel, going to and returning from the seat of Government, under the same rules which apply to the President of the Senate and Speaker of the House of Representatives; *Provided*, that no member of the General Assembly shall receive pay for the time he may be absent, unless his absence was caused by the sickness of himself or family, or he had leave of absence granted by the Senate or House, for satisfactory reason, or after a member shall have obtained leave of absence for the remainder of the session.

Officers of the General Assembly.—John E. Erskin—A. P. Wright.—Committees.

4. SEC. IV. *And be it further enacted*, That the Secretary of the Senate be paid eighty-seven dollars and fifty cents per day, for the present session; and the Clerk of the House of Representatives be paid the sum of one hundred dollars per day, for the present session; out of which sums they shall pay all their assistants and sub-clerks; *Provided*, that no warrant shall be issued in favor of either until his Excellency the Governor shall have satisfactory evidence, that they have carefully marked and filed away all reports of standing committees, and all other papers of importance connected with either House; and the sum of ten dollars, or so much thereof as shall be found necessary, is hereby appropriated each to the Secretary of the Senate and Clerk of the House of Representatives, to defray the contingent expenses of their respective offices, at the present session of the General Assembly.

5. SEC. V. *And be it further enacted*, That the sum of six dollars each, per day, is hereby appropriated to pay the Messengers and Doorkeepers of the Senate and House of Representatives, at the present session of the General Assembly; and the sum of six dollars per diem be appropriated to pay the Clerk of the Military and Judiciary Committees of the Senate, for so many days as he has served said committees; and that the auditing committee of the Senate shall not be authorized to audit said Clerk's account for any greater number of days than shall be certified to by the chairman of said Military and Judiciary Committees; that the sum of three hundred and six dollars and fifty cents be, and the same is hereby appropriated to pay for stationery, lights and fuel, during the present extra session, and that the Governor be, and he is hereby authorized to draw his warrant upon the Treasury in favor of N. C. Barnett, Secretary of State, for the same.

6. SEC. VI. *And be it further enacted*, That the Treasurer be authorized to pay, from time to time, to the officers of the Government whose salaries are appropriated by this act, seventy-five per cent. of the amount for which service has been rendered at the date of such payment, taking receipts from said officers for the same, which receipts shall be his vouchers, and are hereby declared to be offsets, to the extent of said payments, to the Executive warrants at the end of the quarter, for said officer's salaries.

7. SEC. VII. *And be it further enacted*, That the sum of five hundred dollars be, and the same is hereby appropriated to pay John Erskin, Esq., for services rendered as a commissioner on the part of this State, to settle and fix the boundary line between Georgia and Florida.

8. SEC. VIII, *And be it further enacted*, That the sum of five hundred dollars be, and the same is hereby appropriated to pay Arthur P. Wright, Esq., the other commissioner from Georgia, to settle the boundary line between this State and Florida, and that the money be paid to the Hon. James L. Seward, of Thomas county.

And whereas, by resolution of the Senate, passed on the 13th day of November, 1861, the Secretary of the Senate was authorized to

Assistant Journalizing Clerk of the Senate.—Committee to investigate Q. M. and Commissary's office.

appoint an assistant Journalizing Clerk, and therefore the Secretary proceeded immediately to carry out such resolution by the appointment of a competent person, who discharged his duties from thence to the close of the session; and whereas, the compensation of the Secretary and his employees had always before been passed by the auditing committee; and whereas, near the close of said session of 1861, after the labors of the assistant had been performed, the old rule of allowing compensation was abandoned, and a per diem allowed the Secretary instead, which per diem made no allowance for the pay of such assistant.

Be it therefore enacted, That the sum of two hundred dollars be, and the same is hereby appropriated as compensation for the services of the assistant Journalizing Clerk of the Senate, for the session of 1861.

App'n. to Assistant Journalizing Clerk of Senate of 1861.

Per diem and Mileage of Com. to investigate Q. M.'s & Commissary's offices.

Mileage and per diem of their Clerk.

Distribution of each app'n.

9. SEC. IX. *And be it further enacted,* That the sum of five hundred and thirty-three dollars be, and the same is hereby appropriated to pay the mileage and per diem of the committee appointed by the last General Assembly to investigate the accounts of the Commissary and Quartermaster Generals of this State, and the mileage and per diem of L. Carrington, Esq., clerk of said committee, which sum shall be distributed in the following manner, to-wit: The sum of one hundred and twenty-four dollars to the Hon. Robert Hester; the sum of thirty dollars to the Hon. A. J. Hansell; the sum of sixty-two dollars to the Hon. Samuel Sheats; the sum of thirty-six dollars and twenty cents to the Hon. A. T. Burke; the sum of nine dollars and eighty cents to the Hon. M. A. Candler; the sum of thirty-nine dollars to the Hon. George S. Black; the sum of forty-seven dollars to the Hon. John M. Jackson, the sum of forty-five dollars to the Hon. M. W. Lewis, and the sum of one hundred and forty-five dollars to L. Carrington, Esq.; which said several sums shall be paid by the Treasurer to each of said persons respectively, on his receipting the Treasurer for the same.

App'n. to Railroad men and Iron masters invited to attend committee.

10. SEC. X. *Be it further enacted,* That the sum of ten dollars per day each be appropriated to R. R. Cuyler, George W. Adams, Alfred L. Tyler, George Yonge, Charles L. Schlatter, and William L. Clark, and William T. Quimberly and Virgil Powers, Railroad managers and Iron Masters, invited here to meet the Committee on Transportation.

Assented to 18th April, 1863.

TITLE III.

ASYLUMS.

LUNATIC ASYLUM.

- Sec. 1. Additional appropriation of \$20,000 to Lunatic Asylum for 1863, for support of pauper patients.
- Sec. 2. Further appropriation of \$20,000 to be expended this fall to buy provisions and clothing for use of the Asylum next year.

(No. 10S.)

An Act to make an additional appropriation to the fund for the support of pauper patients in the State Lunatic Asylum, for the year 1863, and further to appropriate a sum of money for the special and express purpose alone, of providing the means to enable the authorities of the institution to purchase during the fall or winter seasons when favorable opportunities present, supplies of provisions and clothing for the ensuing year.

1. SECTION I *Be it enacted by the Senate and House of Representatives of the State of Georgia,* That the sum of twenty thousand dollars, be, and the same is hereby appropriated from any funds in the Treasury, not other provided for, in aid of the former appropriation, for the support of pauper patients in the State Lunatic Asylum, for the year eighteen hundred and sixty-three.

Additional appropriation of \$20,000 to Lunatic Asylum, for 1863, for support of pauper patients.

2. SEC. II. *And be it further enacted by the authority aforesaid,* That the further sum of twenty thousand dollars, be, and the same is hereby appropriated, for the sole and exclusive purpose of supplying the means to the authorities of the Institution, for making during the fall and winter seasons when it can be done on favorable terms, such purchases of provision and clothing as will be needful for the use of the Asylum during the ensuing year; *Provided,* that such sum or such proportion of it, as may not be used, shall be refunded to the Treasury, (if practicable) from the subsequent regular appropriation made by the General Assembly, for the support of pauper patients for the next year.

Further app'n of \$20,000 to be expended this fall to purchase provisions and clothing for the Asylum in 1864.

Proviso.

3. SEC. III. Repeals conflicting laws.

Assented to April 17th, 1863.

Mechanics' Savings Bank of Atlanta.

TITLE IV.

BANKS AND BANKING.

- Sec. 1. *Mechanics' Savings Bank*, incorporated.
- " 2. Capital stock \$30,000, and may be increased to \$100,000.
- " 3. By-Laws. Powers and privileges, &c., &c.
- " 4. When Bank may commence business.
- " 5. *Traders' and Importers' Bank* incorporated.
- " 6. Board of Directors. Their duties, &c.
- " 7. Capital stock to be \$300,000; which may be increased to \$600,000, Shares \$100 each. When Bank may commence business.
- " 8. Election of Board of Directors.
- " 9. Certificates and transfer of stock.
- " 10. Eligibility of voters voting for Directors. Voting may be by proxy. Eligibility of Director.
- " 11. President, Cashier and other officers.
- " 12. Bond of Cashier.
- " 13. Limitation of indebtedness of Bank.
- " 14. Personal liability of stockholders.
- " 15. Duties of Directors.
- " 16. Dividends.
- " 17. Stockholders shall not borrow money of bank on pledges of their stock.
- " 18. Settlements with other banks.
- " 19. "*The Mechanics Saving Association*" incorporated. Powers, &c. May hold real estate. By-Laws. Seal.
- " 20. Capital stock \$100,000—may be increased to \$200,000. Shares \$50 each.
- " 21. When Association may organize.
- " 22. When \$50,000 are paid in, Directors may suspend further calls.
- " 23. Terms of receiving deposits.
- " 24. Deposits and payments how made.
- " 25. How the capital stock and money of the Association, are to be invested. Limit of indebtedness of officers of the Association.
- Sec. 26. Directors to be elected annually. One vote to a share—may vote by proxy.
- " 27. Board of Directors to elect President; other officers.
- " 28. Business managed by Directors—Quorum.
- " 29. Forfeiture of stock.
- " 30. Eligibility of Directors.
- " 31. Association not to issue bills for circulation except in certain cases.
- " 32. Further powers and liabilities.
- " 33. Certificates of deposit. Transfer of stock.
- " 34. Annual statements to be published. Must be sworn to.
- " 35. Personal liability of stockholders.
- " 36. Notice of intention to transfer stock must be published.
- " 37. Duration of charter 30 years.
- " 38. "*Georgia Savings Bank*," incorporated.
- " 39. Capital stock \$50,000, may be increased to \$100,000.
- " 40. Not to be less than 5 stockholders; nor any one to own more than one third of the capital stock.
- " 41. Powers and privileges. By-Laws.
- " 42. Organization of bank. No certificate to issue for less than one dollar. Certificates issued not to exceed three times amount of capital stock paid in. Personal liability of stockholders.
- " 43. *The Cherokee Insurance and Banking Company* relieved from a certain tax *pro jure*.
- " 44. The issuing of certain change bills for the W. and A. R. R., legalized.

(No. 109)

An Act to incorporate the Mechanics Savings Bank in the city of Atlanta.

WHEREAS, there exists a class of persons who from their position and want of experience are incapable of investing and accumulating their small incomes and earnings; and believing it to be advisable to encourage economical and prudent habits in all classes, and more especially in the young, the laboring and dependent, therefore,

1. SECTION I. *Be it enacted by the General Assembly of the State of Georgia*, That J. N. Simmons, A. W. Jones, C. C. Hammock, L. S. Salmon, R. Crawford, W. P. Harden, J. W. Shackelford, E. R. Sasseen, W. Solomon, M. A. Huson, J. B. Connally, and their associates and successors, be constituted a body corporate and politic to receive deposits on interest, and to loan the same, under the name and style of the "*Mechanics Saving Bank*," to be located at Atlanta, Georgia, and by this name and style, are hereby invested with the following rights, powers, and privileges, and made subject to the following restrictions:

Traders' and Importers Bank.

2. SEC. II. The capital stock of said institution shall be thirty thousand dollars, with the privilege of increasing it to any sum not exceeding one hundred thousand dollars, as may be deemed expedient by them, to meet the wants of the community; the said capital stock shall be a fund pledged for the security of deposits.

Capital Stock
\$30,000.
May be in-
creased to
\$100,000.
Stock pledged
for security of
deposits.

3. SEC. III. The stockholders shall have power to make rules, regulations and by-laws, for the management and direction of its affairs; and in accordance with the laws of this State, through their properly constituted officers, they shall have power and authority to do all things needful for the safe and successful management of the institution: they may issue certificates of deposit at such rates of interest not exceeding seven per cent, as may be agreed upon with their customers, and specified in said certificate; *Provided* the certificates of deposits to be issued and circulated, shall not exceed three times the amount of capital paid in, and that the individual property of the stockholders shall be liable to pay all the debts and contracts of said bank, to the extent of the amount of the stock subscribed by him, her or them; *Provided further* that this institution shall not be authorized to issue any certificate of deposit of a less denomination than five dollars.

By-laws.

Powers and
privileges.

Amount of
certificates
which may be
issued.

Liability of
Stockholders.

Not to issue
certificates of
deposit for
less than \$5.

4. SEC. IV. The institution hereby incorporated shall go into operation as soon as the capital stock shall be all paid in, but not before.

When may
commence
operations.

Assented to only because this bill has been passed by a constitutional majority of two thirds.

JOSEPH E. BROWN,
Governor.

April 18th, 1863.

(No. 110.)

An Act to charter and incorporate a bank in the city of Augusta, by the name and style of the Traders' and Importers' Bank.

5. SEC. I. *The General Assembly of Georgia do enact*, That William S. Roberts, James Brown, William Gibson, Thomas B. Phin-
izy, Thomas H. Roberts, Thomas W. Coskery, Zacariah McCord, William H. Goodrich and Charles Estes, be, and they are hereby
incorporated and made a body politic, by the name and style of
"the Traders' and Importers' Bank," to be located in the city of
Augusta, and shall continue until the first day of May, 1893, and
by that name, shall be able and capable in law to have, purchase,
receive, possess, enjoy and retain to them, and their associates and
successors, lands, rents, tenements, and hereditaments, so far as
may be necessary for the erection of necessary banking houses, and
such as may be mortgaged to it as security or conveyed to it in sat-
isfaction of debts, contracted in the course of its dealings, or pur-
chased at sales upon judgments, upon any indebtedness to said
bank, and the same to sell or dispose of at pleasure; to sue or be
sued, plead or be impleaded, answer or defend in any Court of law,

Corporators.

The Traders'
and Importers'
Bank incor-
porated.

Duration of
charter.

Powers and
privileges.
May hold
real estate.

Traders' and Importers' Bank.

or equity in this State or elsewhere, having jurisdiction of the subject matter; to make, use and have a common seal, and the same to alter or change at pleasure; and to make and ordain such by-laws, rules and regulations as they may deem expedient and necessary to carry on said corporation; *provided* said by-laws, rules and regulations are not repugnant to the Constitution and laws of this State or of the Confederate States of America.

Seal.

By-laws.

Board of Directors.

Their duties.

6. SEC. II. The aforesaid corporators, or any three of them are hereby constituted a Board of Commissioners, whose duty it shall be to open books of subscription for the capital stock of said corporation at such time, place, and in such way and manner as they may deem best.

Capital stock to be \$300,000 and may be increased to \$600,000.
Shares \$100 each.

When Bank may commence business.

7. SEC. III. The capital stock of said bank shall be three hundred thousand dollars, which may be increased to six hundred thousand dollars, and shall be divided into shares of one hundred dollars, but said bank may commence business as soon as said stock is subscribed, and ten per cent of the same paid in specie, and the bonds of the State of Georgia, to the amount of one hundred thousand dollars, are deposited with the Comptroller General of this State as security, for the ultimate redemption of the liabilities of said bank, which ratio shall be continued in all future increase of said stock.

Election of Board of Directors.

8. SEC. IV. After said stock shall be subscribed and specie paid in, or bonds deposited as heretofore provided, said Commissioners may convene the stockholders, by giving five days' notice in two newspapers in the city of Augusta, of the time and place of such meeting, who may then and there, or at any time thereafter, proceed to the election of a Board of seven Directors, under such rules and regulations as they adopt for that purpose.

Certificates and transfer of stock.

9. SEC. V. The Directors shall have power to issue to the subscribers their certificates of stock; and no transfer of stock in this company shall be considered as binding upon the company, unless entered in a book or books kept for that purpose by the company, by the personal entry of the stockholder, his legal representative or attorney, duly authorized by special power for that purpose; *provided* that no stockholder indebted to the bank shall transfer his or her stock, until all debts due said bank by such stockholders shall be paid.

Eligibility of voters to vote for Directors.

10. SEC. VI. The number of votes in electing Directors to which each of the stockholders shall be entitled, shall be according to the number of shares he shall hold; each share to be entitled to one vote, from one to one hundred shares; but no stockholder shall be entitled to more than one hundred votes, yet any stockholder

Stockholder may vote by proxy.

may authorize, by power of attorney under seal, any other stockholder or person to vote for him, her or them; none but a stockholder owning ten shares of said stock, and not being a Director of any other bank, shall be eligible as a Director; and if any one shall accept office from any other bank, or cease to be a stockholder, his directorship shall cease, and be by the other members of the

Eligibility of a person to be a Director.

Board declared vacant, and his place filled until the next regular meeting of stockholders.

11. SEC. VII. The Directors so elected shall choose from their number a President, and said President and Directors may appoint a Cashier and such other officers as may be necessary for carrying on the business of said Bank, and the provisions of this Act into effect, and shall make such compensation to them for their services as shall appear reasonable, and shall be capable of exercising such other powers and authorities of making, revising, altering or enacting all such by-laws and regulations for the government of said company, and that of their officers and affairs, as they, or a majority of them shall from time to time think expedient and not inconsistent with law.

President.
Cashier and
other officers.

12. SEC. VIII. The Cashier, before he enters on the duties of his office, shall give such bond and take such oath as the Directors may establish and require.

Cashier to
give Bond.

13. SEC. IX. That from the time that this Act shall take effect, the total amount which the bank shall at any time owe, whether by bond, bill, note or other contract, shall not exceed three times the amount of its capital actually paid in.

Indebtedness
of Bank limited
to three
times amt. of
capital paid in

14. SEC. X. The persons and property of the stockholders in said bank shall be pledged and bound in proportion to the amount of the shares that each individual or company may hold in said bank, for the ultimate redemption of the bills or notes issued by or from said bank during the time he, she or they may have held such stock, in the same manner as common commercial cases or simple cases of debt, and for six months after they may have respectively transferred their stock.

Personal li-
ability of same.

15. SEC. XI. The Directors shall keep fair and regular minutes of all their proceedings, and the books and papers, correspondence and funds of the company, shall at all times be subject to the inspection of the Board of Directors or stockholders when convened according to the provisions of this Act.

Duties of Di-
rectors.

16. SEC. XII. Dividends of the profits of said bank shall be declared and paid half yearly (after said bank has been in operation twelve months) and at no time shall said dividends exceed the net profits of said bank, actually realized so that the capital stock shall never be impaired.

Dividends.

17. SEC. XIII. No stockholder shall be permitted to borrow money from said bank, upon the faith or pledge of their stock, but shall be subject to the same rules and regulations in borrowing money therefrom as any other person.

Stockholders
not to borrow
money from
the Bank on
pledge of
their stock.

18. SEC. XIV. Any bank or branches of banks, or agencies or agents of banks, who may make a demand for specie from said bank, shall be compelled to receive either the bills of said bank, or any of its branches in payment.

Settlements
with other
banks.

Assented to only because this bill has passed both Houses of the General Assembly by a constitutional majority of two thirds.

JOSEPH E. BROWN,

Governor.

April 18th, 1863.

(No. 111.)

An Act to incorporate the Mechanics Savings Association of the city of Columbus.

WHEREAS, a number of persons of the city of Columbus, Muscogee county, desires to form a voluntary association, for the purpose of encouraging habits of frugality, industry and economy, by receiving and securing to the mechanic, and others, having small sums of money, a safe place of deposit, with reasonable accumulation of interest thereon, ask this General Assembly to make them a body corporate under the title of the Mechanics Savings Association, with the rights of succession, for the purpose of receiving, holding and disposing of such real and personal estate as the said Association may become possessed of under the provisions of this charter: therefore,

Preamble.

Corporators.

"The Mechanics Savings Association incorporated.

Powers, &c.

May hold real estate.

Seal.

By-laws, &c.

19. SECTION I. *Be it enacted by the General Assembly of the State of Georgia*, That I. Rhodes Brown, William L. Clark, William R. Brown, Benjamin E. Wells, George Golden, L. Haiman and D. Adams, or so many of them as may accept this charter, and their associates, be, and they are hereby constituted a body corporate and politic under the name and style of "The Mechanics Savings Association", and by that name shall have succession and be capable, in law and equity, of suing and being sued, pleading and being impleaded, answering and being answered unto, defending and being defended, in any of the Courts of this State or of the Confederate States, to have, purchase, hold, possess, receive and retain to them and their successors, lands, tenements, hereditaments, goods, chattels and effects of any kind whatsoever, and the same to sell, grant, demise, alien and dispose of at their pleasure; and also to make, have, and use a common seal and the same to alter or renew as they may deem proper; and also to make, ordain and establish such by-laws and ordinances and regulations as shall seem necessary and convenient for the government of said corporation, not being contrary to the Constitution of this State, or of the Confederate States, or repugnant to this act of incorporation; and generally to be vested with all the rights and powers which usually appertain to corporations.

Capital stock to be \$100,000, and may be increased to \$200,000. Shares \$50 each.

When Association may be organized.

20. SEC. II. The capital stock of this corporation shall be one hundred thousand dollars, with the privilege of increasing the same to two hundred thousand dollars, and said stock shall be divided into shares of fifty dollars each.

21. SEC. III. That this Association shall be organized by the payment of two dollars on each and every share thereof, and monthly installments thereafter of one dollar on each and every share, which said payment shall be made on the first Monday of every month, and shall be paid in such currency as is taken by the banks in Savannah, Augusta and Columbus.

When \$50,000 are paid.

22. SEC. IV. Whenever thirty thousand dollars of the capital stock shall have been paid in, under the provisions of this act, it-

Mechanics' Savings Association of Columbus.

shall be legal for the Directors to suspend further calls, if*they deem it proper to do so.

in, Directors may suspend further calls.

23. SEC. V. That said corporation shall receive deposits to any amount they may deem proper, in sums of not less than one dollar, and shall pay to such depositors when required, (whose aggregate deposits shall amount to five dollars, or other larger sums,) the amount of his, her or their deposit, with such interest, "not less than four cents per annum," and under such regulations as the Board of Directors shall, from time to time, prescribe; which regulations shall be put up in some public and convenient place in the room where the business of said corporation shall be carried on, but said regulations shall not be altered so as to affect any one who may have deposited previous to such alteration.

Terms of receiving deposits.

24. SEC. VI. That the deposits and payments of this Association shall be regularly entered and made, and no money shall be drawn out in a sum less than five dollars, unless to close an account; and depositors shall only demand such bills as are current in the city of Columbus, or such bills as are received by the Treasurer of the State of Georgia:

Deposits and payments—how made.

25. SEC. VII. That the capital stock and money deposited shall be invested once a month, or oftener, as the Directors may deem advisable, by way of loans on bonds and mortgage of real or personal estate, or in the discount of promissory notes, or bills of exchange, or on the security of produce, at such rate of premiums as may be offered, in addition to interest at and after the rate of seven per cent. per annum, *provided*, that when the rate of premiums shall be the same, and the security ample, the smallest loans shall always have the preference, all other things being equal; and, *provided further*, that no President, or Director or other officer of said Association, shall ever owe to said Association, at any one time, either as principal or security, more than the sum of five thousand dollars.

How the capital stock and money of the Association are to be invested.

Proviso.

Limit of indebtedness of officers to Association.

26. SEC. VIII. That there shall be an annual election of Directors by the Stockholders, and that all elections of Directors, including the first election, which shall take place at the organization of said company, each Stockholder shall be entitled to one vote for every share he, she or they may hold, and Stockholders being absent may have his, her or their stock voted on by proxy in writing.

Directors to be elected annually.

Qualification of voters— one vote to a share. Absent stockholders may vote by proxy.

27. SEC. IX. That the Board of Directors, of whom there shall be five, at their first meeting, and annually thereafter, shall elect from their Board, a President and such other officers, as they may deem necessary to the proper management of the business of the company, and fix as salaries such compensation as they may deem just and proper, and the officers so elected shall hold their offices until their successors are elected and qualified.

President— how elected.

Other officers.

28. SEC. X. That the business of said Association shall be managed by the President and Directors, a majority of whom, including the President, shall constitute a quorum, and they shall cause

Business—by whom managed.

Minute of proceedings to be kept by Bd. of Directors.

a minute of their proceedings to be kept, which minute shall always be open to the inspection of the Stockholders.

Forfeiture of Stock.

29. SEC. XI. That if any Stockholder shall fail to pay the instalments called in monthly, his, her, or their stock shall be forfeited; if such default be notified to such delinquent Stockholder, and the same remain unpaid for ten days after such notice, said stock shall revert to the company, or the corporation at its election may sue such delinquent Stockholder for his unpaid instalments, to the amount of his whole subscription as though the entire stock had been called in, and shall be entitled to recover judgment thereon, at the first term thereafter.

Eligibility of Director.

30. SEC. XII. That no person shall be qualified to act as Director, unless such person is a resident of the State of Georgia, and the holder, in his own right, of, at least, twenty shares of the capital stock.

Powers of Association to issue bills for circulation, limited.

31. SEC. XIII. That nothing in this act shall be so construed as to give to said corporation the power to issue bills for circulation, excepting such bills as they receive on deposit, or such as are received by the Treasurer of this State.

Further powers and liabilities.

32. SEC. XIV. That in order to secure prompt payment of deposits, that all notes, bills of exchange, or bonds and mortgages, discounted by this Association, and not paid at maturity, and all deposits not paid on demand according to the terms agreed on, may be sued and judgment obtained at the first term, and in case of deposits, the jury may give, in addition to the interest, ten per cent damages against said Association.

Certificates.

33. SEC. XV. That the Directors of said Association shall issue certificates of stock to each Stockholder, and no Stockholder shall transfer his stock, except by making the transfer upon the transfer book kept by the Association, and all such transfers shall be subject to such restrictions as a majority of the Stockholders may place upon the same by the by-laws of said Association.

Transfer of stock.

Statements of condition of the Association to be published annually. Must be sworn to.

34. SEC. XVI. That the President and Directors shall publish annually, or oftener, if the Governor shall require, a statement of the condition of said Association; said statement shall be sworn to by the President and a majority of the Directors.

Personal liability of the Stockholders for indebtedness of Association.

35. SEC. XVII. That the persons composing this Association shall be held and bound in their private capacity, in proportion to the number of shares held by each and every one of them, for the ultimate redemption of all deposits made with said Association, during the time that any such persons shall remain Stockholders, and the same liability shall attach to any person or persons to whom any Stockholder may transfer his, her or their stock.

Intention of selling stock must be published 60 days in a newspaper of Columbus.

36. SEC. XVIII. That for the better security of depositors, no Stockholder shall transfer his stock or release his, her or their liability as Stockholder, without giving sixty days notice in a newspaper published in the city of Columbus, of his, her or their intention to sell his, her or their stock; and if during said sixty days, the said Association shall fail to pay any of its depositors on demand made, the said Stockholder or Stockholders, so notifying,

shall remain held and bound in the same manner as though no notice had been given, and the stock had not been sold or transferred.

37. SEC. XIX. That the privileges and franchises granted in this charter shall continue in force for thirty years. Duration of charter to be 30 years.

SEC. XX. (Repeals conflicting laws.)

Assented to, April 13th, 1863.

(No. 112.)

An Act to incorporate the "Georgia Savings Bank" of the city of Macon.

WHEREAS, there is a large class of persons with small means and earnings who, from their want of experience, are unable to invest and accumulate money; and whereas, it is advisable to encourage economical and prudent habits in all classes, but especially in the one above referred to; therefore,

38. SECTION I. *The General Assembly of the State of Georgia do enact*, That Ovid G. Sparks, I. C. Plant, Albert Mix, Thomas C. Dempsey and Asher Ayres, and their associates and successors, be constituted a body corporate and politic, under the name and style of the "Georgia Savings Bank", to receive deposits on interest, and to loan the same, and by this name and style are hereby invested with the following powers and privileges, and made subject to the following restrictions.

39. SEC. II. *Be it further enacted*, That the capital stock of said institution shall be thirty (30,000) thousand dollars, with the privilege of increasing it to any sum not exceeding one hundred thousand dollars; and the said capital stock shall be a fund pledged for the security of deposit, and for the payment of all other liabilities of the said institution.

40. SEC. III. *Be it further enacted*, That there shall not be less than five stockholders, and no stockholder shall own more than one third of the capital stock of the institution.

41. SEC. IV. *Be it further enacted*, That the stockholders of the institution shall have power to make all necessary rules and by-laws, consistent with the laws of this State, for the management of its affairs, to do all things needful for its safe and successful management, and to issue and circulate certificates of deposit; said certificates to be issued, either with or without interest, but if bearing interest, at a rate or rates not exceeding seven per cent per annum, as may be agreed on.

42. SEC. V. *Be it further enacted*, That the institution hereby incorporated shall be organized by the corporators named herein, or a majority of them, and shall go into operation as soon as the whole of the capital stock is paid in, and not before; *Provided*, no certificate of deposit shall be issued for a smaller denomination than one dollar, and the issue of said certificates shall not exceed

Cherokee Insurance and Banking Company—Change Bills issued by W. & A. R. R.

Certificates issued not to exceed three times amt. of stock paid in.
Personal liability of Stockholders.

three dollars for each dollar of capital stock paid in; *Provided further*, that the property of the stockholders shall be liable for double the amount of stock owned by each for the ultimate redemption of the certificates authorized to be issued by this Act.

SEC. VI. Repeals conflicting laws.

Assented to because passed by a constitutional majority.

JOSEPH E. BROWN.

Governor.

April 17, 1863.

No. 113.

An Act for the relief of the Cherokee Insurance and Banking Company.

Preamble.

WHEREAS, the Cherokee Insurance and Banking Company, in 1857 suspended business, and proceeded to redeem all its outstanding notes, and by the year 1860, had taken up all its notes except a few scattering ones, which were not presented; and whereas, said bank failed to pay the taxes to the State for the year 1860, from the fact, it being supposed it was not not liable, and the Comptroller General issued execution against it for the sum of \$4,657 50, under which the entire stock of the bank was sold and purchased by responsible citizens of Georgia, who have reorganized the bank and are managing it prudently and cautiously; and whereas, the bank has paid double taxes for the said year 1860, and all other taxes due from it, and by the direction of the Governor and Comptroller General, the collection of the balance of the said execution was suspended until the Legislature could act upon the question.

Cherokee Insurance and Banking Co. released from certain tax li-
a.

43. SECTION I. *Be it enacted by the General Assembly of the State of Georgia*, That the taxes already paid, be received in full satisfaction of all taxes due from said bank, and that the Comptroller General enter said execution "satisfied."

SEC. II. Repeals conflicting laws.

Assented to April 13th, 1863.

(No. 114.)

An Act to make legal the signing of certain change bills issued by the Western and Atlantic Rail Road, and signed by William Gresham, for the Superintendent of said Road, and to make penal the forging, counterfeiting, altering or issuing the same, and for other purposes.

The issue of cert'n change bills issued by W. & A. R. R. legalized.

44. SECTION I. *The General Assembly of the State of Georgia do enact*, That any and all change bills which have been, or may hereafter be signed by William Gresham, or other person for the Superintendent of the Western and Atlantic Rail Road, are hereby declared to be legal and binding on the State of Georgia; and that all such bills as have been, or may be issued in the manner aforesaid, shall be held and taken to be issued under the provision

Section 739—Section 1376.

of an Act passed and assented to December 17th, 1861,* and in all respects subject to all the terms, limitations, and provisions, and also to all the pains, penalties, and punishments in said Act contained.

SEC. II. Repeals conflicting laws.

Assented to April 6th, 1863.

*For this Act, see Acts of 1861, p. 26.

TITLE V.

CODE OF GEORGIA.

Sec. 1. Sec. 739 of Code, amended.	Sec. 7. Secs. 2488 and 2490 of Code, amended.
" 2. Sec. 1376, repealed.	" 8. This act to go into effect immediately.
" 3. Previous laws re-enacted.	" 9. Sec. 178 of Code, repealed.
" 4. Secs. 986, 987, 988, 989, 990, 992 and 993 of Code, repealed.	" 10. Old law revived.
" 5. Sec. 4706 of Code, amended.	" 11. Sec. 4317 of Code, amended.
" 6. Sec. 4592 of Code, amended.	" 12. Sec. 4592 of Code, amended.

(No. 115.)

An Act to amend the third clause of the (739th) seven hundred and thirty-ninth section of the Code of Georgia.

1. SECTION I. *Be it enacted*, That the third clause of the seven hundred and thirty-ninth section of the Code of Georgia, be amended by inserting the word "male" between the words "white" and "persons;" thereby making said clause read, "every free white male person between the ages of twenty-one and sixty, twenty-five cents." Sec. 739 of the Code, amended.

SEC. II. Repeals conflicting laws.

Assented to April 16th, 1863.

(No. 116.)

An Act to repeal the 1376th section of the Code of Georgia.

2. SECTION I. *The General Assembly of Georgia do enact*, That section 1376 of the Code of Georgia, which reads as follows: "It shall be unlawful for any church, society, or other body, or any persons, to grant any license or other authority to any slave or free person of color to preach or exhort, or otherwise officiate in church matters," be, and the same is hereby repealed. Sec. 1376 of the Code, repealed.

3. SEC. II. And that the law in reference to licensing slaves and free persons of color to preach, existing before the adoption of the Code, is hereby re-enacted.* Previous law re-enacted.

Assented to April 18th, 1863.

*For the statute hereby revised, see T. R. R. Cobb's New Digest, pp. 1665 and 1666.

Code of Georgia amended.

(No. 117.)

An Act to repeal sections nine hundred and eighty-six, nine hundred and eighty-seven, nine hundred and eighty-eight, nine hundred and eighty-nine, nine hundred and ninety, nine hundred and ninety-two, and nine hundred and ninety-three of the Code of Georgia.

Certain Secs.
of Code re-
pealed.

4. SECTION I. *Be it enacted by the Senate and House of Representatives,* That from and after the passage of this Act, sections nine hundred and eighty-six, nine hundred and eighty seven, nine hundred and eighty-eight, nine hundred and eighty-nine, nine hundred and ninety, nine hundred and ninety-two, and nine hundred and ninety-three of the Code of Georgia, be, and the same are hereby repealed.

SEC. II. Repeals conflicting laws.

Assented to April 18th, 1863.

(No. 118.)

An Act to amend section 4,708 of the Code of Georgia.

5. WHEREAS, The Code of Georgia, in enumerating the crimes committed by slaves, and fixing the punishment for the same, does not embrace the crime of burglary.

Sec. 4708 of
Code amend-
ed.

SECTION I. *The General Assembly do enact,* That the crime of burglary be included in, and made a part of section 4,708 of said Code, which section enumerates the crimes committed by slaves, which shall be punished, in the discretion of the Court, either by death or such other punishment as the Court may prescribe.

Assented to April 18th, 1863.

(No. 119.)

An Act to amend the four thousand five hundred and ninety-second section of the Code of Georgia.

Sec. 4592 of
Code amend-
ed.

6. SECTION I. *The General Assembly of Georgia do enact,* That from and immediately after the passage of this Act, the four thousand five hundred and ninety-second section of the Code of Georgia, be and the same is hereby amended as follows: immediately after the words in said section, "ready for trial," insert the words "except in those cases where the defendant is entitled by law to demand a trial."

Assented to April 18th, 1863.

(No. 120.)

An Act amendatory of the 2488 and 2490 sections of the Code of Georgia.

7. SECTION I. *The General Assembly of Georgia do enact,* That it shall and may be optional with Executors and Administrators,

Code of Georgia amended.

in making their returns, to attach copies of their vouchers, as provided in the aforesaid sections, or to file with said returns the original vouchers, with the Ordinary, which shall remain in said Ordinary's office, for the space of thirty days, and after remaining said time shall be recorded with said return, and when so recorded, shall be returned to said Executor or Administrator on demand for the same.

Secs. 2193 and 2199 of Code amended.

8. SEC. II. *Be it further enacted*, That this Act shall go into effect immediately after its approval by the Governor.

This act to go into effect immediately.

SEC. III. Repeals conflicting laws.

Assented to April 18th, 1863.

(No. 121.)

An Act to repeal the one hundred and seventy-eighth section of the Code of Georgia, and to revive and put in force the laws of this State, prescribing the manner of electing a Messenger and Door Keeper for the Senate and House of Representatives, prior to the adoption of the Code.

9. SECTION I. *The General Assembly of the State of Georgia do enact*, That the one hundred and seventy-eighth section of the Code of Georgia, be and the same is hereby repealed.

Sec. 173 of Code repealed

10. SEC. II. *Be it further enacted*, That the laws of this State prescribing the mode and manner of the electing of Messenger and Door-Keeper for the Senate and House of Representatives prior to the adoption of the Code of Georgia, be, and the same is hereby revived and put in force.*

Old law revived.

SEC. III. Repeals conflicting laws.

Assented to April 18th, 1863.

*The Compiler can find no formal act on the statute books, prescribing the mode of electing Door-Keepers and Messengers. They seem to have been elected by resolution of each House.

(No. 122.)

An Act to amend the 4317th section of the Code of Georgia.

11. SECTION I. *The General Assembly of Georgia do enact*, That from and after the passage of this Act, section four thousand three hundred and seventeenth (4317th) of the Code of Georgia, be amended by adding "Railroad car" after the word "hut," and that the same go into effect on the 25th day of April, 1863.

Sec. 4317 of Code amended.

SEC. II. Repeals conflicting laws.

Assented to 18th April, 1863.

(No. 123.)

An Act to amend the four thousand five hundred and ninety-second section of the Code of Georgia.

12. SECTION I. *The General Assembly do enact*, That from and

Sec. 4592 of
Code amend-
ed.

immediately after the passage of this Act, the four thousand five hundred and ninety-second section of the Code of Georgia, be, and the same is hereby amended as follows: by inserting therein immediately after the words "unless the defendant be in jail," the words, "or otherwise in the sound discretion of the Court."

Assented to April 18th, 1863.

TITLE VI.

COMMON CARRIERS.

Sec. 1. Liability of common carriers in certain cases. | that goods have been seized or lost by act of Confederate Government.
" 2. May plead in justification of losses, | " 3. This act to cease with the war.

(No. 124.)

An Act to define the liability of common carriers in certain cases.

Preamble.

WHEREAS, During the existence of the war, there may be occasions in which common carriers may be unable convey the freight offered for transportation; and whereas, certain common carriers have published a notice, that under such circumstances, they will not transport freight; unless the owner or shipper shall first sign an agreement relieving said common carrier from all liability; and whereas, such action is burdensome, unjust and liable to gross abuse.

Liability of
Common Car-
riers in cer-
tain cases, de-
fined.

1. SECTION I. *The General Assembly of the State of Georgia do enact.* That whenever a common carrier shall give notice that it is unable to convey the freight offered, and shall, notwithstanding said notice, receive and transport freight, they shall be responsible to the shipper or owner for all loss or damage to such freight; and all contracts under such circumstances, relieving the common carrier from liability, shall be void and of no effect.

Certain acts
may be plead
in justifica-
tion of losses.

2. SEC. II. *The General Assembly of Georgia do further enact,* That a common carrier may plead in justification of his loss, that articles entrusted to his charge have been seized by, or lost by the act of the Confederate States.

This act to
cease with
war.

3. SEC. III. This act shall continue in force only during the existence of the present war.

Assented to 18th April, 1863.

Act of November 22d, 1862, amended.

TITLE VII.

DISTILLATION.

- Sec. 1. First section of Act of 22d Nov., 1862, amended. Articles not to be distilled. Penalty for violation. Refusal to permit distillery to be visited and inspected, *prima facie* evidence of violation of act. Not to interfere with prior contract with Confederate Government.
2. Spirits may be distilled for the counties on license from Governor. License how obtained. Licenses previously issued, not affected by this act.
3. Owners of stills leased to irresponsible persons, and this act violated by them, are guilty of a violation of act.
4. Stills unlawfully run, declared a public nuisance, and may be abated as such. Proceeds of stills condemned, to go to soldiers' families.
5. Duty of officers to give information under this act.

(No. 125.)

*An Act to alter and amend an Act to prevent the unnecessary consumption of grain by distillers and manufacturers of spirituous liquors in this State, approved November 22d, 1862.**

1. SECTION 1. *The General Assembly of the State of Georgia do enact*, That the first section of the Act of which this is amendatory, ^{First Sec. of act of 22d Nov 1862, amended} be so altered and amended as to read as follows, and as such to become the law of this State from and after the 20th day of April, 1863, and for twelve months after the ratification of a treaty of peace between the United States and the Confederate States: It shall not be lawful for any person or persons to make or cause to be made within this State, any whisky, alcohol, or other spirituous or malt liquors; from the articles of corn, wheat, rye, barley, oats, millet, rice, or other grain, nor from the articles of sugar, molasses, syrup, sugar cane, honey, sweet potatoes, pumpkins, peas, Irish potatoes, or dried fruit, in any form or condition of said articles, or from any mixture thereof, except for medicinal, hospital, chemical, or mechanical purposes, and with a license as is prescribed by this Act, or the Act of which this is amendatory; and any person so offending shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be fined for every such offence not less ^{Penalty for violation.} than five hundred dollars nor more than five thousand dollars, and be also subject to imprisonment in the county jail not exceeding twelve months, in the discretion of the Court, for each day or part of a day that he, she, or they shall violate this Act or the Act of which this is amendatory; *provided*, that if any person or persons shall refuse to permit his, her, or their distillery or distilleries to be visited and inspected, such refusal shall be held and construed as ^{Refusal to allow distillery to be inspected, prima facie evidence of a violation.} *prima facie* evidence of a violation of this act; and *provided further*, that the provisions of this act shall not interfere with contracts made with the Confederate Government for the distillation of spirituous liquors or alcohol; which are hereby made subject to the ^{Not to interfere with contracts with Confederate Government.} provisions of the Act of Nov. 22d, 1862, and the act supplementary thereto.

*See Acts Nos. 19 and 20 of this pamphlet, pp. 25, 26, 27 and 28.

Act of November 22d, 1862, amended.

Spirits may be distilled for the counties, on license from Governor.

License, how obtained.

Licenses previously issued not affected.

Owners of stills leased to irresponsible persons and this act violated by them are guilty of violation of act.

Stills unlawfully run, declared a public nuisance, and may be abated as such.

Proceeds of stills confiscated to go to soldiers families.

Duty of officers to give information under this act.

2. SEC. II. *And be it further enacted*, That the Justices of the Inferior Courts of the several counties of this State be, and they are hereby authorized to contract for the manufacture of such quantity or quantities of alcohol and other spirituous liquors as may be found necessary for said counties respectively, on such terms and conditions as by them may be deemed most advantageous for said counties and the public good; *provided*, that before any license shall be issued to the contractor for any county, as now prescribed by law, it shall be the duty of the Justices of the Inferior Court of said county to make a report to the Governor of the quantity or quantities of distilled spirits considered necessary for the purposes of the same; which report shall be subject to alteration by the Governor, according to such general rules as he may establish; *and provided further*, that nothing herein contained shall alter or affect any contract on which license has already been issued.

3. SEC. III. *Be it further enacted by the authority aforesaid*, That if any person or persons shall place in charge of his, her, or their distillery or distilleries any insolvent or irresponsible person or persons, who, by using the same, shall violate any of the provisions of this Act, or if any person shall sell, give, rent or hire to any such insolvent and irresponsible person, any premises, stills, or machinery for the purposes of a distillery, knowing the purposes for which the same will be used, and if in such use there occurs any violation of the provisions of this Act, the seller, owner, giver, renter or hirer, as the case may be, shall be held as an aider and abettor to the offence, and on conviction thereof, punished in the manner and form as prescribed by the first section of this Act.

4. SEC. IV. *And be it further enacted*, That for a more summary remedy in the premises, every distillery which may be run or worked in this State, contrary to the provisions of this Act, shall be held and is hereby declared to be a public nuisance, and may be proceeded against as such, under the same rules and regulations as are prescribed by the Code of this State for the abatement of the same; *provided*, that no judgment of condemnation shall authorize more than a seizure of the still or stills in said distillery, with the machinery and fixtures therewith connected, and a confiscation of the same for the benefit of soldiers' families in the county where the violation occurred.

5. SEC. V. *Be it further enacted by the authority aforesaid*, That it shall be the duty of each Sheriff and his lawful deputy, each of the Justices of the Inferior Court, Justices of the Peace and each Grand Juror to give information of, and present all persons who may violate the provisions of this Act.

SEC. VI. Repeals conflicting laws.

Assented to April 11, 1863.

TITLE VIII.

EXECUTORS, ADMINISTRATORS, GUARDIANS, TRUSTEES, &c.

Sec. 1. Trust funds may be invested in Confederate or State Treasury Notes. Sec. 2. Representatives to be allowed 12 months in which to invest trust funds.

(No. 126.)

An Act to authorize Executors, Administrators, Trustees and Guardians to receive Confederate Treasury notes and State Treasury notes, and interest bearing Confederate notes, in payment of claims due, or to be due such estates as they may represent.

1. SECTION I. *Be it enacted by the General Assembly of Georgia,* That from and after the passage of this Act, it shall be lawful for Executors, Administrators, Trustees and Guardians to receive Confederate Treasury Notes and State Treasury Notes, and interest bearing Confederate Notes, in payment of claims due, or which may hereafter be due estates they may respectively represent; any law, usage, or custom to the contrary notwithstanding.

Investment of trust funds.

Assented to 15th April, 1863.

(No. 127.)

An Act to allow Administrators, Executors, Guardians and Trustees, twelve (12) months to invest trust funds.

2. *The General Assembly do enact,* That on and after the (20) twentieth day of April instant, all Administrators, Executors, Guardians and Trustees shall be allowed twelve months in which to invest trust funds in their hands, and no interest shall be charged against them for the time thus allowed; *Provided,* that in his or their returns he or they shall make oath that no interest has been made on the funds used, and shall account for all profits arising from the use of said funds in their hands.

Monr. Exce. to be allowed 12 months to invest trust funds.

Provided.

SEC. II. Repeals conflicting laws.

Assented to 15th April, 1863.

NOTE.—See Act No. 120, *supra*, as to vouchers when Executors and Administrators make their returns to the Ordinary.

Act of November 30th, 1861, repealed.

TITLE IX.

GENERAL ASSEMBLY.

- Sec. 1. Part of Act of Nov. 30, 1861, repeal-
ed. | 3. Per diem pay of members of next
General Assembly fixed. Pay \$6
per day, and mileage as heretofore.
- " 2. Provisions of Code on same subject
adopted.

(No. 128.)

An Act to repeal an Act entitled an Act to fix the amount of compensation of the members and officers of the General Assembly shall receive for their services and for other purposes therein mentioned, passed over the Executive veto, November 30th, 1861, and for other purposes.

Part of act of
30th Nov'r.
1861, repealed

1. SECTION I. *The General Assembly do enact*, That the Act entitled an Act to fix the amount of compensation of the members and officers of the General Assembly, shall receive for their services, and for other purposes therein mentioned, passed over the Executive veto, November 30th, 1861,* be and the same is hereby repealed, except that part which fixes the pay of the Secretary of the Senate, and Clerk of the House of Representatives, which shall be and remain in full force.

Provisions of
Code on same
subject, adop-
ted.

Proviso.

2. SEC. II. That the provisions of the Code of Georgia on the subjects embraced in the Act which is hereby repealed, be the law of force in reference to said subjects; *Provided*, that this Act shall not be so construed as to affect the *per diem* pay and mileage of the members of the present General Assembly.

Assented to 18th April, 1863.

*For this Act see Acts of 1861, pp. 70 and 71.

(No. 129.)

An Act to fix the compensation of members of the next General Assembly

Pay and mile-
age of mem-
bers of the
next General
Assembly.
fixed.

3. SECTION I. *Be it enacted by the General Assembly*, That the compensation of the members of the next General Assembly shall be six dollars per diem; and that their pay for mileage shall be as now prescribed by the Code of this State.

Assented to April 17th, 1863.

Warehouse and Insurance Company in the city of Americus.

TITLE X.

INSURANCE COMPANIES.

- | | |
|---|--|
| <p>Sec. 1 Corporators—<i>Warehouse Insurance and Deposit Company of Americus</i> incorporated.</p> <p>" 2 Powers of Board of managers. President.</p> <p>" 3 Election of Board of Managers.</p> <p>" 4 Capital stock, \$200,000. Shares \$100.</p> <p>" 5 Subjects of insurance. Losses.</p> <p>" 6 Duration of Charter 30 years.</p> <p>" 7 Liability of stockholders for debts of Company.</p> <p>" 8 <i>Stone Wall Insurance Company</i> incorporated.</p> <p>" 9 Board of Directors—President—Secretary.</p> <p>" 10 Capital stock; Shares, &c.</p> <p>" 11 When Company may begin business.</p> <p>" 12 Powers and duties of Directors.</p> <p>" 13 Subjects of insurance.</p> <p>" 14 Calling in of instalments of stock.</p> <p>" 15 Transfer of stock.</p> <p>" 16 Liability of stockholders for debts of Company.</p> <p>" 17 Payment of claims for losses.</p> <p>" 18 Duration of Charter to be 30 years.</p> <p>" 19 <i>Augusta Fire and Marine Insurance Company</i> incorporated.</p> <p>" 20 Board of Directors; President; Secretary.</p> <p>" 21 Organization of Company. Capital stock \$200,000.</p> <p>" 22 When Company may commence business.</p> <p>" 23 Subjects of insurance.</p> <p>" 24 Company may re-insure.</p> | <p>Sec. 25 Calling in of instalments to pay losses</p> <p>" 26 Principle office to be in Augusta.</p> <p>" 27 Directors not to use funds of Company.</p> <p>" 28 Capital stock, \$250,000. May be increased to \$1,000,000.</p> <p>" 29 <i>Commercial Insurance Company of Augusta</i>, incorporated.</p> <p>" 30 Board of Directors. President; Secretary.</p> <p>" 31 Powers of Board of Directors; Dividends</p> <p>" 32 Subjects of insurance. Losses, &c.</p> <p>" 33 Personal liability of stockholders for debts of Company.</p> <p>" 34 Losses.</p> <p>" 35 Legal effect of notes, &c., payable at office of Company.</p> <p>" 36 Capital stock <i>Chattahoochee Insurance Company</i>.</p> <p>" 37 <i>Chattahoochee Insurance Company</i> incorporated.</p> <p>" 38 Board of Directors; President; Secretary.</p> <p>" 39 Powers and duties of Board of Directors.</p> <p>" 40 Subjects of insurance. Other powers of Directors.</p> <p>" 41 Personal liability of stockholders for debts of Company.</p> <p>" 42 Losses when paid.</p> <p>" 43 Legal effect of notes, &c., payable to office of Company.</p> <p>" 44 Duration of Charter 30 years.</p> <p>" 45 Capital stock of the <i>Georgia Home Insurance Company</i>.</p> <p>" 46 Subscriptions to increased stock.</p> |
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(No. 130.)

An Act to incorporate a Warehouse Insurance and Deposit Company, in the city of Americus.

WHEREAS, certain citizens of the county of Sumter, and of the city of Americus, under the title of the Warehouse, Insurance and Deposit Company of the city of Americus, desire voluntarily to associate themselves together, for the sole purpose of receiving, and investing in public stocks and substantial security in real estate, such sums as may be deposited by individuals, and of offering to them the advantages of security and interest. Therefore;

1. SECTION I. *The General Assembly of the State of Georgia do enact*, That Thomas C. Sullivan, John V. Price, William R. Stewart, Washington W. Stewart, Eli S. Marshall, Robert C. Black, James W. Furlow, and Jesse W. Jackson, their associates and successors, be and they are hereby created and made a body politic and corporate, under the name and style of the Warehouse, Insurance and Deposit Company of Americus, with power of perpetual succession, to appoint a Board of Managers, consisting of five members for the government of said Company; which appointment shall be made annually on the first Monday in January, in each and

President.

Corporators.

Warehouse Insurance & Deposit Co. of Americus, incorporated.

Board of Managers.

Warehouse and Insurance Company in the city of Americus.

Powers and privileges every year; and they are hereby empowered and authorized, both in law and equity, to receive, purchase, take, hold, enjoy and retain, to themselves and successors, all lands, tenements, hereditaments, money, bonds, notes and other choses in action, stocks, goods and chattels, and effects of any kind whatever, and in any manner whatever, by gift, devise or purchase, and the same to grant, sell, demise, convey, assign, or transfer, in such manner as said Company may ordain and establish, and to use, invest and manage the same as may be most promotive of the business and interest of said association; with power to make and use a common seal, and the same to alter and amend as they may determine, with full power in law and equity, to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in all the Courts of this State, and of the Confederate States; and to make, ordain and establish such rules and regulations for the government of said corporation as the Managers may deem best for its interests; *Provided*, the same be not repugnant to the laws and Constitution of this State, or of the Confederate States; and generally to do and execute all such acts, matters and things usually pertaining to the business of such corporation.

Common Seal.**May sue and be sued, &c.****By-law.****Powers of Board of Managers.****Appointment of a Pres'dt.****Quorum. 2****Election of Bd. of Managers.****Each share entitled to one vote.****Vote by proxy.****Duties of Managers.****Dividends.****Annual report**

2. SEC. II. *Be it further enacted*, That the following rules, limitations and provisions shall constitute the fundamental principles of this association; the Board of Managers shall have power in each and every year to choose from their own number a President and Secretary or Cashier, and shall elect or appoint such other officers or agents, as may be necessary to the faithful discharge of the business and interest of said association, and shall fill all vacancies that may occur; and shall proceed to fill all such offices at their first meeting, and three of said Board shall constitute a quorum, at such or at any subsequent meeting thereof.

3. SEC. III. *Be it further enacted*, That the stockholders shall elect by ballot the Board of Managers, also remove or make new appointments whenever it may be necessary, and that each share shall be entitled to one vote, and that absent stockholders may have their stock voted on by proxy, under his, her, or their hand in writing; and whenever deposits of any kind, nature, quality or quantity, to be approved by a majority of the Board of Managers, shall be received, the same shall be regularly entered upon the books of the Company, and certificates of deposit, shall be issued to the depositors, which may be transferable by delivery, and all such deposits shall be repaid in kind or in money, according to their value, when required by the holder of such certificate, by giving ten days' notice of his intention to present the same for payment; the Board of Managers shall declare a semi-annual dividend on the interest or increased value of all sums which shall have been deposited at such rate of interest as they may determine; an annual report shall be made by said Board and officers, which shall be published, exhibiting a true statement of the financial condition of said Company.

4. SEC. IV. *Be it further enacted*, That the capital stock of said

Stonewall Insurance Company.

corporation shall not exceed two hundred and fifty thousand dollars, which shall be divided into shares of one hundred dollars each; and the Company may commence business as soon as fifty thousand dollars in money, property, goods and effects are paid in and conveyed to the corporation, so as to vest the title of the same in said corporation.

Capital stock not over \$200,000. Shares \$100 each. When Company may commence business.

5. SEC. V. *Be it further enacted*, That said Company, when organized, shall have full power and authority to insure property and effects of every kind against losses by fire or water, and all other accidents, dangers or casualties for which Insurance Companies are established, according to the usages and customs of such corporations; and to buy and sell life annuities, and shall pay all losses in property or other insurances made by them within six months of such loss or the happening of the event by which the same was determined.

Power to insure property.

Lives. When to pay losses.

6. SEC. VI. *Be it further enacted*, That said corporation shall or may continue for the term of thirty years from the organization of the same, unless forfeited by violation of any part of its charter, which may be declared by any Court having jurisdiction of such cases by *scire facias*.

Duration of Charter 30 years.

Forfeiture of Charter.

7. SEC. VII. *Be it further enacted*, That the stockholders shall be individually liable for the debts of said corporation in proportion to the amount of stock owned by them.

Liability of Stockholders for Debts of Company.

SEC. VIII. Repeals conflicting laws.

Assented to April 15th, 1863.

(No. 131.)

An Act to incorporate the Stone Wall Insurance Company, and for other purposes.

8. SECTION I. *Be it enacted by the Senate and House of Representatives*, That W. P. Inman, J. W. Shackelford, Moses Cole, W. T. Trammel, and E. R. Sassene, citizens of the city of Atlanta, their associates and successors, are hereby created a body corporate, under the name and style of "The Stone Wall Insurance Company," by which name, they may sue or be sued, have and use a common seal, and break, alter and renew the same at pleasure; elect its own officers, and make such by-laws as may be deemed necessary to carry into effect the objects of this corporation.

Corporators.

"Stonewall Insurance Co. incorporated.

Powers and privileges.

9. SEC. II. The said corporation shall be governed and managed by seven Directors, each of whom shall be a stockholder to the amount of not less than fifty shares, who shall be elected at such time and place as the corporation and their successors may designate, and hold their office for one year, and until their successors be elected; the Directors aforesaid, shall, out of their body, elect a person to be President, who shall serve twelve months, and until a successor be elected, and fill any vacancy by death or resignation in the office of President, and with the advice and consent of the President, elect a Secretary, Actuary, or any other officer

Board of Directors.

Their term of office 1 year.

President.

Secretary.

Stonewall Insurance Company.

Vacancies. or agent, whose services may be needed in carrying out the legitimate objects of this corporation; a vacancy in the Board can only be filled by the stockholders at a meeting held after notice of the time and place of meeting.

Capital stock \$200,000. Shares \$100, each. Capital stock may be increased to \$500,000. 10. SEC. III. The capital stock of said corporation, shall be two hundred thousand dollars, divided into shares of one hundred dollars, and the corporators and their successors have power in their discretion to increase the capital stock to five hundred thousand dollars; and no person shall subscribe for more than three hundred shares of said stock, and said corporation shall operate when one hundred thousand dollars stock has been subscribed.

When company may begin business. 11. SEC. IV. The said corporation may use and exercise the privileges and franchises herein granted, when each corporator or stockholder has paid in cash to the proper officer ten per centum on the amount of his stock, and has made and delivered, also, to the proper officers, a note secured to the entire satisfaction of said corporators or associates, for a sum corresponding in amount to his stock, less the sum paid in cash; these notes and cash paid in, constitute the capital of said corporation.

Powers and duties of Directors. 12. SEC. V. The Directors shall have power to inquire into the solvency of said stock notes at any time, and if the least doubt is felt as to their solvency, it shall be their duty forthwith, to give notice to the maker of such doubtful note, to strengthen the same in ten days, and if not done in that time to the satisfaction of the Directors, the membership and interest of said defaulting party in the capital and accumulated premiums, shall cease and determine from the day of default; and said defaulting member shall, notwithstanding, be liable to suit on his stock notes and bound to pay an amount equal to his pro-rata share of the losses of said corporation, prior to said default.

Defaulting Stockholders. 13. SEC. VI The said corporation shall have authority to insure against losses by fire in all kinds of property, either real or personal, or mixed, or choses in action; also against all the hazards of ocean or inland navigation, and transportation of every kind, and also upon the duration of human life, for such premiums as it may determine; and said corporation shall be liable to make good and pay to the several persons who may insure in said corporation, for the losses they may sustain, or for life insurance, in accordance only with the terms of the contract or policy issued by said corporation; and no policy or other contracts of said corporation, shall be binding, except it be signed by the President and Secretary of said corporation; and said corporation shall have power to receive money on deposit, to loan and borrow money; to take and give such securities therefor as may be considered best, to invest its moneys and transfer its property at pleasure, to purchase and discount notes and bills of exchange, and do all other acts it may deem advisable for the safe keeping and secure investments of its funds; *Provided*, that nothing herein contained shall be construed to authorize said corporation to make any note or bill to circulate as a bank bill, or to issue any security to be circulated as money;

Subjects of insurance. Property. Life. Payment of losses. May receive deposits, loan money, &c. Shall not issue bills for circulation.

Augusta Fire and Marine Insurance Company.

and it is further enacted, that the said corporation shall have power and authority to make re-insurance of any risks that may be taken by them. May re-insure.

14. SEC. VII. The Directors shall have power, to call in any portion of said stock notes; *Provided*, it is needed to pay off losses sustained by said corporation, and will also, give sixty days' notice of said call, and also have power in their discretion, to call in instalments of said notes for other purposes; *Provided*, they give sixty days' notice thereof, and do not call in more than ten per centum of said notes at any one time; and any stockholder failing to respond to the call, in either instance, in the time named, shall be liable to be sued on said notes, for the pro rata, amount called in; and said Directors in their discretion, may expel said defaulter, and forfeit to said corporation all the interest of said defaulter in the capital paid in, and accumulated premiums, and dispose of said interest so forfeited, in such manner as said Directors may think most conducive to the object and interest of said corporation. Stock may be called in to pay losses.

15. SEC. VIII. No stockholder shall have power to sell his stock to any person but a stockholder, without the consent of his co-stockholders; but when he has made sale thereof according to foregoing restrictions, and has given sixty days' notice thereof, he shall be released from any and all liabilities imposed by this charter, happening or occurring after said sale; and the person purchasing is substituted in his stead to all intents and purposes. Transfer of Stock.

16. SEC. IX. Said corporation shall be responsible to its creditors to the extent of its property, and the stockholders shall be liable to its creditors to the extent of their respective stock notes not paid up. Personal liability of Stockholders for debts of Company.

17. SEC. X. All claims against said corporation for losses in cases not disputed, shall be due and payable sixty days after proof of the loss has been furnished; and in disputed cases, in ten days after final decision of the proper tribunals; and in each case named the sum ascertained to be due, shall bear interest from the time made due and payable. Payment of claims for losses.

18. SEC. XI. This charter, and the privileges and franchises herein granted, shall continue in force thirty years from the first day of January eighteen hundred and sixty-four. Duration of Charter, 30 years.

Assented to April 16th, 1863.

(No. 132.)

An Act to incorporate the Augusta Fire and Marine Insurance Company.

19. SECTION. I. *The General Assembly do enact*, That William S. Roberts, David R. Wright, Thomas W. Coskery, Thomas W. Chichester, Wiley B. Griffin, Charles Estes, and Thomas H. Roberts, citizens of the State of Georgia, and their associates and successors, are hereby created a body corporate, under the name and style of the Augusta Fire and Marine Insurance Company; by which Corporators. Augusta Fire and Marine Insurance Co. incorporated.

Augusta Fire and Marine Insurance Company.

Powers and privileges. name they may sue and be sued, plead and be impleaded, have and use a common seal, elect its own officers, and make such by-laws as may be deemed necessary to carry into effect the object of this corporation.

Board of Directors. 20. SEC. II. *The General Assembly do further enact*, That said corporation shall be governed and managed by five Directors, each of whom shall be a stockholder, who shall be elected at such time and place as the incorporators and their successors may direct, and hold their office for one year, and until their successors are elected; one of said Directors shall be elected President, and hold his office for the same length of time; said Directors shall fill all vacancies which may occur in the office of President by death, resignation or otherwise; a majority of said Directors shall constitute a quorum for the transaction of business; and with the advice and consent of the President, elect a Secretary and Treasurer, and any other officer whose services may be necessary to carry out the legitimate objects of said incorporation; a vacancy in the Board of Directors shall only be filled by the stockholders, at a meeting held after notice of the time and place of such meeting in person or by proxy, each stockholder having as many votes as he has shares.

President.

Quorum.

Secretary.

Vacancy in Board of Directors.

Each share entitled to one vote.

21. SEC. III. *The General Assembly do further enact*. That a majority of said incorporators be, and they are hereby authorized to call a meeting of said incorporators, and may proceed in pursuance with said call to organize said company; and proceed to open books for subscription for stock, at such time as they may designate, in the city of Augusta, in said State; the capital stock of said corporation shall be two hundred thousand dollars, divided into shares of one hundred dollars each; and said incorporators and their successors shall have power, in their discretion, to increase said capital stock to the sum of five hundred thousand dollars; and no one shall be allowed to subscribe for more than two hundred shares of said stock.

Organization of Company.

Subscription to stock.

Capital stock, \$200,000. Shares \$100 each.

Capital stock may be increased to \$500,000.

22. SEC. IV. *The General Assembly do further enact*, That said corporation may use and exercise the privileges and franchises herein granted, when the sum of fifty thousand dollars is subscribed and each stockholder has paid in cash, to the proper officer, twenty per centum on the amount of his stock, and has made and delivered to the proper officer, a note secured by mortgage on real estate, or otherwise, to the entire satisfaction of said incorporators or their successors, for a sum corresponding in amount to his stock less the sum paid in cash; the notes and cash paid in, constituting the capital stock of said company.

When Co. may commence business.

23. SEC. V. *The General Assembly do further enact*, That said company be authorized to make insurance on dwelling houses, store houses, and buildings, household furniture, merchandize and all other property, against loss or damage by fire; to make marine insurance upon vessels, freight, goods, wares and merchandize, and all and every insurance appertaining to or connected with marine or inland transportation or navigation risk.

Subjects of insurance.

The Commercial Insurance Company of Augusta.

24. SEC. VI. *The General Assembly do further enact*, That said company may cause itself to be insured against risks, it has taken, on real property, take mortgages on any discription of property to secure investments of its funds, or reinvest its funds in Railroad, bank or other stocks. May re-insure

25. SEC. VII. *The General Assembly do further enact*, That the Directors shall have power to call in any portion of said stock notes; *Provided*, it is necessary to pay off any losses sustained by said company; and if any stockholder shall fail or neglect to pay in such installments as may be thus called in, within such time as said Directors may in their by-laws prescribe, his stock shall be forfeited; and every stockholder shall be liable to the creditors of said company, upon all the debts and contracts of said company, to the amount of his or her stock. Stock may be called in to pay losses. Defauling Stockholders. Personal Liability of Stockholders for debts of Co.

26. SEC. VIII. *The General Assembly do further enact*, That the principal office shall be located in the city of Augusta, where the President and Directors may declare half yearly dividends of such profits as may have been ascertained, on the first Monday in January and July, in each and every year. Principal office of Co. to be in Augusta. Dividends to be declared half-yearly.

27. SEC. IX. *The General Assembly do further enact*, That the Directors shall not be allowed to use the funds of said company; this charter and the privileges, franchises and immunities herein granted, shall continue for the term of thirty years from the passage thereof. Directors not to use funds of Co. Charter to continue 30 years.

Assented to April 18, 1863.

(No. 133)

An Act to incorporate an Insurance Company in the city of Augusta, to be called "The Commercial Insurance Company of Augusta."

28. SECTION I. *Be it enacted*, That there shall be established in the city of Augusta, an Insurance Company, the capital stock of which shall be two hundred and fifty thousand dollars, but which may be increased to one million dollars should the interest of the company require it, to be divided into shares of one hundred dollars each; but said company may proceed to organize when one hundred thousand dollars have been subscribed, and five per cent paid thereon. Capital Stock \$250,000, and may be increased to \$1,000,000. Shares \$100 each.

29. SEC. II. *Be it further enacted*, That Henry F. Russell, Barney S. Dunbar, Jacob Danforth, William Battersby, Henry E. Clark, James T. Gardiner, Daniel B. Plumb, George T. Barnes, or any five of them, citizens of the city of Augusta, their associates and successors, are hereby created a body corporate, under the name and style of the Commercial Insurance Company of Augusta; by which name they may have, purchase, receive, possess, enjoy and retain, and sell property of all kinds: sue and be sued, have and use a common seal, which they may break, alter and renew at pleasure, elect its own officers, and make such by-laws, rules incorporates. Commercial Insurance Co. of Augusta, incorporated. Powers and privileges.

The Commercial Insurance Company of Augusta.

and regulations, as may be deemed necessary to carry into effect the objects of this corporation.

Board of
Directors.
Quorum.

30. SEC. III. *Be it further enacted*, That said corporation shall be managed by not less than seven Directors, a majority of whom shall constitute a quorum for the transaction of business; each of which Directors shall be a stockholder to the amount of twenty shares, who shall be elected at such time and place as the corporators and their successors may designate; and hold their office for one year, or until their successors are elected; the Directors aforesaid shall, out of their number, elect a President, who shall serve for twelve months, or until a successor be elected, and fill any vacancy by death or otherwise, in the office of President, and with the advice and consent of the President, elect a Secretary, Actuary or any other officers or agents, whose services may be needed in carrying out the objects of this corporation; a vacancy in the Board of Directors can only be filled by the stockholders, at a meeting held after notice of the time and place of meeting; *and further*, that there shall be one vote for each share, and that absent stockholders may vote by proxy; *Provided*, the party so voting, as proxy, is himself a stockholder.

President.

Secretary.

One vote for
each share.
May vote by
proxy.

31. SEC. IV. *Be it further enacted*, That said President and Directors shall have power to appoint and remove at pleasure, all officers or agents of said corporation; they shall have power to appoint agents and locate offices, in such places, and at such times, as they shall deem best for the interest of said company; to prescribe the duties of agents and officers, to take from them bonds for the faithful performance thereof, to appoint a President pro tem, in the absence of the President; *and further*, that said President and Directors shall have power and authority, from time to time, to call for the payment of the unpaid stock, in such sums as they may deem proper; and said stock shall be considered and held as personal property; and upon the neglect or refusal of any stockholder to pay the installments as called for by the President and Directors, thereupon, ten days' notice being given in one or more of the city papers, said Board may sell such stock at public outcry; and said delinquent stockholder shall still remain liable for any balance due or which may become due, by him to said corporation, and may be sued therefor, in any Court having jurisdiction; and said President and Directors shall have further power to make dividends, and fix the place and define the manner of paying the dividends, paying interest and transferring stock; and said President and Directors shall also have the power to give the holders of the policies of said company the right to participate in the net profits of the company, to such an extent, in such manner, and upon such terms as they shall deem proper.

Other powers
of President
and Directors

Dividends.

Insurance
may be mutu-
al.

Subjects of
insurance.

Fire risks.
Navigation
and transpor-
tation risks.

32. SEC. V. *Be it enacted*, That the said corporation shall have authority to insure against losses by fire, in all kinds of property either real, personal or mixed; also against all the hazards of ocean or inland navigation and transportation of every kind, also to make insurance on lives, and all and every insurance appertain-

Chattahoochee Insurance Company.

ing to the duration of life, for such premiums as it may determine ; and said company shall be liable to make good, and pay to the several persons who may insure in said company, for the losses they may sustain, or for life insurance, in accordance only with the terms of the contract or policy issued by said company ; and no policy or other contract of said company, shall be binding except it be signed by the President or Vice President, and Secretary or Actuary of said company ; and said company shall have power to receive money on deposit, to loan and borrow money, to take and give such securities therefor as may be considered best, to invest its moneys upon such terms as may be best, and transfer its property at pleasure, to purchase and discount notes and bills of exchange, and do all other acts it may deem advisable for the safe keeping and secure investments of its funds ; and said company shall have power and authority to make reinsurances of any risks that may be taken by them.

Life insurance.

Payments of losses.

Execution of policies and contracts to be binding on Company.

Other powers and privileges of Company.

Co. may reinsure.

33. SEC. VI. *Be it further enacted,* That the said company shall be responsible to its creditors to the extent of its property, and the stockholders shall be liable to the extent of double the amount of their respective stock, for the debts of the company in proportion to the number of shares held by each.

Personal liability of Stockholders for debts of Company.

34. SEC. VII. *Be it further enacted,* That all claims for losses against said company shall be due and payable in sixty days after proof of the loss has been furnished at the office of said company ; and in disputed cases, in ten days after final decision of the proper tribunal ; and in each case named, the sum ascertained to be due, shall bear interest from the time made due and payable.

Claims for losses, when paid.

35. SEC. VIII. *Be it further enacted* That all bills, bonds, and promissory notes made payable at the office of said company shall have the same legal effect, and may be subject to all legal remedies the same as if they were made payable at any bank in this State.

Legal effect of claims made payable to office of Co.

36. SEC. IX. *Be it further enacted,* That this charter shall continue and be in full force and effect, for the term of thirty years.

SEC. X. Repeals conflicting laws.

Assented to April 18, 1863.

(No. 134.)

An Act to incorporate an Insurance Company in the town of Fort Gaines, to be called the Chattahoochee Insurance Company.

37. SEC. I. *Be it enacted,* That there shall be established in the town of Fort Gaines, county of Clay, State of Georgia, an Insurance Company, the capital stock of which shall be two hundred thousand dollars, but which may be increased to a farther sum not exceeding one million of dollars, should the interest of the company require it, to be divided into shares of twenty dollars each, but said company may organize and proceed to business when seventy-five thousand dollars shall have been subscribed and twenty per cent paid thereon.

Capital stock \$200,000.

May be increased to \$1,000,000.

Shares \$20 each.

When Co. ready to proceed.

Chattahoochee Insurance Company.

38. SEC. II. *Be it further enacted*, That for the purpose of organizing said corporation, Francis T. Tennille, George H. Tuttle, James Sutlive, R. J. F. Grist, William Mount, William A. Graham, C. C. Greene, and W. H. Wakefield, or any five of them, citizens of Clay county, their associates and successors, are hereby created a body corporate under the name and style of the Chattahoochee Insurance Company, by which name they may have, purchase, receive, possess, enjoy and retain, and sell property of all kinds, sue and be sued, have and use a common seal, which they may break, alter and renew at pleasure, elect its own officers and make such by-laws, rules and regulations, as may be deemed necessary to carry into effect the objects of this corporation.

39. SEC. III. The said corporation shall be managed by not less than five Directors, a majority of whom shall constitute a quorum for the transaction of business, each of which Directors shall be a stockholder to an amount not less than one hundred shares, who shall be elected at such time and place as the incorporators or their successors may designate, and hold their office for one year, or until their successors are elected; the Directors aforesaid shall, out of their number, elect a President, who shall serve for twelve months or until a successor is elected; and said Directors shall fill any vacancy, occasioned by death or otherwise in the office of President, and, with the advice and consent of the President, elect a Secretary, Actuary and other officers or agents, whose services may be needed in carrying out the objects of this corporation; a vacancy in the Board of Directors occurring during the period for which they were elected, may be filled by the remaining Directors until the next annual election by the stockholders; at all elections by the stockholders, a stockholder may vote by proxy, none but a stockholder acting as such proxy.

40. SEC. IV. *Be it further enacted*, That the President and Directors shall have power to appoint and remove at pleasure all officers or agents of said corporation; they shall have power to appoint agents and locate offices in such places and at such times as they shall deem best for the interest of said company, to prescribe the duties of agents and officers, to take from them bonds for the faithful performance thereof, to appoint a President pro tem, in the absence of the President; and further, that said President and Directors shall have power and authority from time to time to call for the payment of the unpaid stock in such sums as they may deem proper; and said stock shall be considered and held as personal property, and upon the neglect or refusal of any stockholder to pay the installments as called for, the President and Directors therefor, thirty days' notice be given in any public manner, either by posting notices, or publishing in the nearest newspaper; said Board may sell such stock at public outcry, and said delinquent stockholder shall be held liable for any balance due, or which may become due, by him or them to said corporation, and may be sued therefor in any Court having jurisdiction, and the said President and Directors shall have further power to make dividends and fix

Chattahoochee Insurance Company.

the plan, and define the manner of paying the dividends, paying interest, and transferring stock; and no stockholder shall have power to transfer his stock in said corporation while indebted to the same, and said stock shall not be liable for any other obligation, so long as he is a debtor to said corporation, for money borrowed, premiums due, or installments unpaid.

Transfer of stock.

Subjects of insurance.

Property.

Lives.

Contracts and policies to be binding, how signed.

Other powers and privileges of Co.

May re-insure

Personal liability of Stockholders for debts of Company.

Claims for losses, when due and paid.

Legal effect of bills and notes payable to Co. at its office.

Duration of Charter, 40 years.

41. SEC. V. *Be it further enacted*, That said corporation shall have power to insure against losses by fire in all kinds of property, real, personal, or mixed, also against all the hazards of ocean or inland navigation, and transportation of every kind, also to make insurance on lives, and all, and every insurance appertaining to the duration of human life, for such net premiums, as it may determine; and said company shall be liable to make good, and pay to the several persons, who may insure in said company for the losses they sustain, or for life insurance, in accordance with the terms of the contract or policy issued by said company; and no policy or other contract of said company shall be binding, except it be signed by the President or Vice President, Secretary or Actuary of said company; and said company shall have power to receive money on deposit, to loan or borrow money, to take and give such security therefor; as may be considered best to invest its monies upon such terms as may be best, and to transfer its property at pleasure; to purchase and discount notes and bills of exchange, and do all other acts it may deem advisable for the safe keeping and securing investments of its funds; and said company shall have power and authority to make insurances of any risks that may be taken by them.

42. SEC. VI. *Be it further enacted*, That said company shall be responsible to its creditors to the extent of its property, and the stockholders shall be liable to the extent of double the amount of their respective stocks for the debts of the company in proportion to the number of shares held by each.

43. SEC. VII. *Be it further enacted*, That all claims for losses against said company shall be due and payable sixty days after proof of the loss has been furnished at the office of said company, and in disputed cases, in ten days after final decision of the proper tribunal, and in each case named the sum ascertained to be due shall bear interest from the time made due and payable.

44. SEC. VIII. *Be it further enacted*, That all bills, bonds, and promissory notes made payable at the office of said company shall have the same legal effect, and may be subject to all legal remedies the same as if they were made payable at any bank in this State.

45. SEC. IX. *Be it further enacted*, That this charter shall be in full force and effect for the term of forty years, and that upon the termination of its charter, the said corporation shall have the right to settle up its business, pay its liabilities, and divide among its stockholders its remaining property according to the several interests held by each.

SEC. X. Repeals conflicting laws.

Assented to April 18th, 1863.

Times and places of holding the Supreme Court.

(No. 135.)

*An Act to amend an Act incorporating the Georgia Home Insurance Company, assented to December 12th, 1859.**

Capital stock of the Georgia Home Insurance Co. may be increased to \$500,000.

46. SECTION I. *Be it enacted by the Senate and House of Representatives of the State of Georgia,* That the capital stock of the Georgia Home Insurance Company, located in Columbus, Georgia, may be increased at such time as the President and Directors of the same may determine, to five hundred thousand dollars, under the same terms and conditions now in force and controlling the present capital of two hundred and fifty thousand dollars.

Subscriptions to the increased stock.

Old Stockholders to have preference in subscribing to new stock.

47. SEC. II. *And be it further enacted,* That the President and Secretary of said company shall give ten days' published notice of the readiness of said company to receive subscriptions to the said increase of the capital stock as aforesaid; and said company shall not receive a subscription from any one person for an amount of stock exceeding one hundred shares; and the old stockholders in said company shall have the preference in subscribing to said increased capital stock, in the proportion of one share of the new stock to each two shares of the old stock owned by them at the time of subscribing to increased stock.

SEC. III. *Repeals conflicting laws.*

Assented to April 4, 1863.

*For this Act, see Acts of 1859, p. 233.

TITLE XI.

JUDICIARY.

I. SUPREME COURT.

II. SUPERIOR AND INFERIOR COURTS.

ART. I. SESSIONS, &C.

“ II. ACTION, PROCEEDINGS, PARTIES, &C.

“ III. TESTIMONY.

“ IV. COSTS.

III. CORONERS.

I. SUPREME COURT.

Sec. 1. Times and places of holding the Supreme Court, fixed.	Sec. 3. Cases pending in the Court at Savannah or Athens, how disposed of.
“ 2. How cases may be carried up to the Court at times and places as now fixed.	“ 4. Act to take effect from its passage, and continued till end of war.

(No. 136.)

An Act to change the times and places of holding the Supreme Court of this State, and for other purposes.

1. SECTION I. *The General Assembly do enact,* That from and after

Superior Court of Baker County.

the passage of this Act, the times and places of holding the sessions of the Supreme Court of this State shall be changed, and shall be as follows, to-wit: At Milledgeville on the second Monday in November in each year; at Macon on the second Monday in March in each year, and at Atlanta on the second Monday in July in each year.

Times and places of holding the Supreme Court, fixed.

2. SEC. II. *Be it further enacted*, That all writs of error and bills of exceptions taken to any decision or judgment, which, by law, may now be excepted to, may, at the option of the plaintiff in error, be carried to and be heard and decided by said Supreme Court, at either of the times and places aforesaid; *provided*, the defendant in error, or his counsel, shall have twenty days' notice of such time and place of hearing; *and provided further*, that the plaintiff in error shall not be allowed to pass over a term of said Supreme Court which is held earlier and nearer to the county in which the case may be pending, than the term selected.

How cases may be carried up to the Court at times and places now fixed.

3. SEC. III. That the cases now pending on the dockets of said Supreme Court at Savannah and Athens, be placed on the docket for a hearing, according to the agreement of the parties; and on failure of the parties to agree, the Court shall distribute such cases as, in their discretion, will be most convenient for the parties.

Cases now pending in the Court at Savannah or Athens, how disposed of.

4. SEC. IV. That this act take effect from and after its passage, and continue in force until the expiration of the present war.

Act to take effect from its passage and continue in force during the war.

SEC. V. Repeals conflicting laws.

Assented to 16th April, 1863.

II. SUPERIOR AND INFERIOR COURTS.

ART. I. SESSIONS, &C.

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| <p>Sec. 1. Time of holding the Superior Court of Baker county.</p> <p>" 2. Time of holding the Inferior Court of Washington county (for county purposes).</p> <p>" 3. Times of holding the Superior and Inferior Courts of Floyd county, fixed. Processes, writs, &c.</p> | <p>Sec. 4. Writs, processes, &c., made returnable to Walton Superior Court on 2d Monday in February, 1863, to be as legal as if returned to 3d Monday in Feb., 1863, of said Court.</p> |
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(No. 137.)

An Act to change the time of holding the Superior Courts of Baker county.

1. SECTION I. *The General Assembly of Georgia enacts*, That the Superior Court of Baker county shall be held on the third Mondays in May and November; and that all laws militating against this Act, be, and the same are hereby repealed.

Times of holding the Superior Court in Baker county.

Assented to 18th April, 1863.

Inferior Court of Washington county.—Superior Court of Floyd county.—Walton Superior Court.

(No. 138.)

An Act to change the time of holding the Inferior Court (for county purposes) of Washington county, Ga., from the first Tuesday to the first Wednesday in each month.

Time of holding the Inferior Court of Washington co. for county purposes.

2. SECTION I. *Be it enacted by the General Assembly, That from and after the passage of this act, the Justices of the Inferior Court of Washington county, or a majority of them, shall meet at the Court House of Washington county, Ga., on the first Wednesday of every month, for the purpose of hearing such matters as may be brought before them; and when so assembled and organized, they shall be known as the Inferior Court for county purposes.*

SEC. II. Repeals conflicting laws.

Assented to April 17, 1863.

(No. 139.)

An Act to legalize returns to Floyd Superior and Inferior Courts at the spring terms thereof, 1863, and for other purposes.

WHEREAS, By an oversight in the codifiers of the new Code of this State, the times of holding the Superior and Inferior Courts of Floyd county were changed from the times of holding said Courts, designated by law, and the returns, processes, &c., made to different times than those mentioned in the Code.

Times of holding the Sup'r and Inf'r Courts of Floyd county, fixed.

Writs, processes, &c.

3. SECTION I. *The General Assembly of the State of Georgia therefore enacts, That all returns, declarations, processes and other proceedings which have been returned or issued, returnable to said Courts according to law, as it existed before the adoption of the Code, be, and the same are hereby declared to be legal and valid; and all cases so returned shall stand for trial at the second term thereof in 1863, as though the same had been returned at the times specified for said Courts in the Code.*

Assented to April 16th, 1863.

(No. 140.)

An Act to legalize certain processes, commissions, &c., made returnable to February term, 1863, of Walton Superior Court.

WHEREAS, The Code of Georgia, which went into operation on the 1st day of January, 1863, has altered the February term of Walton Superior Court from the second to the third Monday in said month, which was unknown to the officers of said Court at the time when processes, commissions for interrogatories, notices and other papers were made; therefore,

Writs, processes, &c., made returnable to Walton Superior Court on the 2d Monday in Feb'y 1863,

4. SECTION I. *The General Assembly of the State of Georgia do enact, That all processes, commissions for interrogatories, and all notices and papers of every description, returnable to or made out and served for said second Monday of February, 1863, shall be as*

Railroads.

good and effectual in law, as if the same had been returnable to, or made and served for the third Monday in said month of February.

to be as legal as if returned to the 3rd Monday in Feb'y 1863, of said Court.

SEC. II. Repeals conflicting laws.
Assented to April 18th, 1863.

ART. II. ACTIONS, PROCEEDINGS, PARTIES, &C.

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| <p>Sec. 1. Three months allowed parties to present claims for injuries by Railroads.</p> <p>2. Such claims may be presented to nearest agent of Road, and process served on him.</p> <p>3. The Superior Courts may order dower assigned. Mode of proceeding.</p> <p>4. Commissioners may procure services of a county surveyor. The Commissioners must make return.</p> <p>5. Return of Commissioners may be traversed.</p> <p>6. When return of Commissioners made final, judgment to be entered in favor of claimant, and writ of possession issued.</p> <p>7. Lessees of a Railroad liable to suit same as owners are.</p> <p>8. Suits against banks and other corporations.</p> | <p>9. Service of process may be on agent.</p> <p>10. Process served on agent, legal; and judgment to be entered up against company.</p> <p>11. Suits against Express Companies. Process may be served on agent in county where proceedings are instituted.</p> <p>12. Suits may be brought in county where goods are received or to be delivered.</p> <p>13. Change of venue in criminal cases.</p> <p>14. Act to take effect as soon as passed.</p> <p>15. Claims arising from small pox cases, to be submitted to a special jury. When and how paid.</p> <p>16. Act of Dec. 11, 1862, repealed, except as to collecting claims which arose under it.</p> |
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(No. 141.)

*An Act to alter and amend the second section of An Act to define the liabilities of the several Railroad Companies in this State for injury to or destruction of live stock, killed or injured, or for destruction of, or injury or damage to property other than live stock, by the running of cars, locomotives or engines, or the use of any machinery whatever upon a Railroad in this State, &c., approved February 20th, 1854.**

WHEREAS, Said second section of the above recited Act, requires all parties damaged to present their accounts for damage within fifteen days after the happening of any damage or accident, and not after; and whereas, parties injured are frequently deprived of any remedy for losses sustained, by the short time allowed to present their claims; for remedy whereof,

1. SECTION I. *The General Assembly of the State of Georgia do enact*, That from and immediately after the passage of this Act, any person or persons who may hereafter sustain damage by the running of cars, engines, locomotives, or other machinery upon any Railroad in this State, including the Western & Atlantic Railroad, shall be allowed three months to present their claims, from the time such damage or injury was sustained, and not after.

2. SEC. II. *Be it further enacted*, That any party desiring remuneration for damage done by the killing of live stock, &c., may apply for and receive compensation from the next nearest agent to his or her residence; and may also serve process upon him, instead of being compelled to seek redress from the business office of the President, as heretofore.

SEC. III. Repeals conflicting laws.
Assented to 13th April, 1863.

Repealing clause.

*For this act, see acts of 1853-54, pp. 93-4-5.

Superior Courts may appoint persons to assign and set off dower.

(No. 142.)

An Act to authorize the Superior Courts of this State to appoint persons to assign and set off dower, and to prescribe the mode of proceeding therein.

3. SECTION I. *The General Assembly of the State of Georgia do enact, That the Superior Courts of this State, shall have power and authority, upon the written application of any person entitled to dower in any lands and tenements in this State, to appoint five fit and discreet freeholders of the county in which the application is made, and cause to be issued by the Clerk of the Court, a writ for that purpose, directing said freeholders, or a majority of them, to enter upon such lands and tenements, and to admeasure, lay off and assign the dower to which she is entitled by law, in such lands, having regard to the shape and valuation of the same; provided, such lands shall be without the limits of any city, town, village or place of public business; and all lands within a city, town, village or place of public business, said freeholders or a majority of them, may lay off and assign one third part of the lands and tenements to which the applicant is entitled, according to quantity or valuation, as they may think proper, just and equitable; the persons so appointed shall take the following oath to be administered by an officer authorized to administer oaths, or, before one of their number, he first swearing before the rest: I do solemnly swear that I will duly and impartially execute the laws, to the best of my understanding, so help me God. Provided, that the person so applying, shall give written notice to the representatives of such estate, or if she be the representative, then to the person or persons interested, ten days, if they reside within this State, and if they reside without the State, two months notice in some public gazette of this State, of such intended application for such assignment of dower; provided also, that such application shall not be made until after the expiration of three months from the death of the person to whom said lands and tenements belonged.*

SEC. II. *Be it further enacted, That the Commissioners so appointed, shall have power to procure the aid of the County Surveyor of the county, or other competent Surveyor of the adjoining county, in making the survey and admeasurement of dowers, who shall be required to make a certified plat of such survey of dower, which shall be recorded with the return of the Commissioners; provided, that the Commissioners shall make returns of these proceedings to the succeeding term of the Court after their appointment.*

SEC. III. *Be it further enacted, When the return of the Commissioners is made, it shall be the right of every person interested, to enter a traverse in writing, plainly stating the grounds upon which it is made; in which case it shall be the duty of the Court, to cause an issue to be made up, which shall be tried by a special jury at the same term of the Court, unless good cause be shown*

The Sup'r. Courts may order dower assigned in lands.

Five Freeholders.

Lands outside of a city or town.

Oath of Freeholders.

Written notice to be given by applicant.

Time of application.

Commissioners may procure services of County Surveyor. Their return

Issues of Courts may be removed.

for a continuance, which shall be granted for one term and no longer; If upon the return of the Commissioners there be an issue formed, or if the jury finds the issue, if one is found, in favor of the return, then the return of the Commissioners shall be confirmed, and made the judgment of the Court; but if the issue is found against the return of the Commissioners, then the Court shall order a new writ to be issued to other Commissioners named, requiring them to make the admeasurements and assignments, and make returns to the next term of the Court.

6. SEC. IV. *Be it further enacted*, That when the return of the Commissioners is made the final judgment of the Court, it shall be conclusive between all parties interested; and the Clerk shall issue writs of possession in favor of the applicant, and judgment shall be entered against the representative of the estate of the deceased husband, for all costs, including two dollars a day each for the Commissioners.

When return of Commrs. made final judgment to be entered in favor of claimant, and writ of possession issued

SEC. V. Repeals conflicting laws.

Assented to April 9th, 1863.

(No. 143.)

An Act amendatory of the laws relating to suits against Railroad Companies in this State.

7. SECTION I. *Be it enacted, &c.*, That the lessees of any Railroad, or the person or persons or company having possession of the same, shall be liable to suit of any kind in the same court or jurisdiction as the lessees or owners of the Railroads were before said lease.

Lessees of Railroads liable to suit the same as owners are.

SEC. II. Repeals conflicting laws.

Assented to 17th April, 1863.

(No. 144.)

An Act to provide for bringing suits against the several Banks of this State.

8. SECTION I. *The General Assembly of the State of Georgia do enact*, That from and after the passage of this Act, it shall and may be lawful to sue any of the incorporated banks, or other corporations of this State, in any county thereof, for any acts of their agents, where said banks or corporations may now have, or hereafter may establish an agency.

Suits against Banks and other corporations.

9. SEC. II. *Be it further enacted*, That service of the process upon the agent of any such banks shall be as legal and effectual as if served on the President, Cashier or bank at its usual place of business, as now required by law.

Process may be served on Agent.

10. SEC. III. *Be it further enacted*, That when said process is so served on such agent, as provided in the second section of this Act, the proceedings thereafter shall be conformable to the provisions of the existing laws in suits against banks; and that the judgment,

Process served on agent, legal; and judgment to be against company.

Suits against Express Companies.—Change of venue.—Small Pox claims.

when obtained, shall be as binding and effectual as judgments against banks now are by law.

SEC. IV. Repeals conflicting laws.

Assented to 17th April, 1863.

(No. 145.)

An Act to facilitate suits against Express Companies in this State.

Suits against Express Cos. Process may be served on agent.

11. SECTION I. *The General Assembly of Georgia do enact*, That all Express Companies which now do, or may hereafter do business in this State, may be effectually sued in any proceeding in law or equity against them, by serving any one of the agents in said company in the county in which any such proceeding may be instituted.

Suits may be brought in county where goods are received or are to be delivered.

12. SEC. II. *Be it further enacted*, That the Court sitting in the county where goods are received for shipment, or those where such such goods are to be delivered, shall have jurisdiction over said companies; and the judgment shall bind all the property of said companies.

SEC. II. Repeals conflicting laws.

Assented to 18th April, 1863.

(No. 146.)

An Act to carry into effect paragraph four (4) of the second section of the fourth article of the Constitution of this State.

Change of venue in criminal cases

13. SECTION I. *The General Assembly of the State of Georgia do enact*, That in all criminal cases when a jury cannot be obtained in the county where the crime was committed, it shall be lawful for said cases to be transferred to any county that may be agreed upon by the Solicitor General and the defendants or their counsel, and be tried in the county so agreed upon; and in the event the Solicitor General and the defendants or their counsel fail or refuse to agree upon any county in which to try said cases then pending, the Judge is hereby authorized to select the county in which the same shall be tried, and have the cases transferred accordingly.

Act to take effect when passed.

14. SEC. II. This act shall take effect from and immediately after its approval by the Governor.

Assented to 18th April, 1863.

(No. 147.)

An Act to provide for the payment of expenses incurred under "An Act to prevent the spread of small pox in this State," assented to Dec. 11, 1862, and to repeal said Act.

15. SECTION I. *Be it enacted by the General Assembly*, That in any county where any claim or claims may have arisen under said Act,

Testimony.

that the party interested in said claim may file his petition in the Superior Court of said county, as against the State, setting forth his claim and a bill of particulars; which claim shall be tried by a special jury, upon proof. The State shall be represented by the Solicitor General of their respective circuits, in which the case may be tried; the cost to be paid by the claimant, in all cases; and it shall be the duty of the Governor to draw his warrant upon the Treasury, to pay the amount of said claims, as they may be found to be due by the verdict of such special juries.

Claims arising from Small Pox cases, to be submitted to a special jury.

When and how paid.

16. SEC. II. *And be it further enacted*, That the said Act, assented to Dec. 11, 1862, be, and the same shall no longer be of force, only for the purpose of settling the claims that have arisen under the same.

Act of Dec. 11, 1862, repealed, except so far as to settle claims which arose under it.

Assented to 17th April, 1863.

ART. III. TESTIMONY.

- Sec. 1. Manner of taking testimony as to losses caused by the enemy or by our own troops.
- “ 2. Manner of preserving such testimony. As to loss of dwelling house of Jas. Houston.
- “ 3. Qualifications of an umpire under this act.

- Sec. 4. This act to be of force after 1st May 1863.
- “ 5. Proof to be required in a case where suit is brought for the passing of counterfeit bills or Treasury notes. Other proceedings in such cases.
- “ 6. Certain acts of Notaries Public, legalized.

(No. 148.)

An Act to provide for taking testimony in certain cases mentioned.

INASMUCH as the good people of many parts of this State, have suffered great losses by reason of the depredations and outrages of the abolition enemy, and also of our own troops, for which losses our people are entitled to a just remuneration from the State and Confederate States Government; now to the end, that the claims to be in future preferred for said remuneration may be justly ascertained, and that excessive and unreasonable demands against the government may be prevented,

Proviso.

1. SECTION I. *The General Assembly of the State of Georgia do enact*, That whenever damage or injury of any kind has been inflicted upon any of the citizens of this State, by the abolition enemy, or by our own troops, upon a demand made by an unpaid person or other person interested, the Justices of the Inferior Court of each county shall appoint some trusty person, who shall jointly with another person to be selected by the person or persons aggrieved, proceed to ascertain and estimate the damage suffered in each case, using all reliable and available means to ascertain the true extent thereof, and taking testimony under oath in all cases.

Manner of taking testimony as to losses caused by the enemy or our own troops.

2. SEC. II. That the testimony so obtained, and the estimate of the claim so established, shall be certified to, and sealed under the hands of the persons to whom it was referred, and deposited in the keeping of the Clerk of the Superior Court of each county, to be

Manner of preserving such testimony.

Testimony.

safely preserved by him for future use and reference, he giving a receipt for the parcel, for which he shall be entitled to receive the sum of one dollar; *provided*, that the testimony taken under the provisions of this act, in the case of James Houston, of Glynn county, whose dwelling house was burned, while occupied by the 3d Regiment, Georgia State Troops, as a hospital, shall be forwarded direct to the Governor, to be by him laid before the next General Assembly.

As to loss of dwelling house of Jas. Houston.

3. SEC. III. That no person shall be appointed as an umpire or appraiser as provided for above, who shall himself be a claimant for any damages whatever.

Qualifications of an umpire under this act.

4. SEC. IV. That this act shall be of force from and after the 1st day of May, 1863, all other laws or acts to the contrary notwithstanding.

This act to take effect 1st May, 1863.

Assented to 18th April, 1863.

(No. 149.)

An Act to regulate the admission of testimony in certain cases therein specified.

5. SECTION I. *The General Assembly of Georgia do enact*, That upon the trial of all suits or actions, now pending in any Court of this State, or which may be hereafter brought to recover money, the *bona fide* property of the plaintiff or plaintiffs in any suit or action, and on account of the payment or delivery of fraudulent, spurious or counterfeit bank or Treasury notes or bills, to the plaintiff or plaintiffs in action, by the defendant or defendants, his, her or their officers, agents or servants, the said plaintiff or plaintiffs may be admitted to prove, by his or her own oath, from whom he, she or they received such spurious or counterfeit bills, and to establish the identity of the same, with the notes upon which action has been brought, and the interest of such party or parties in the transaction may be allowed to affect his, her or their credibility, but not his, her or their competency; *provided*, that the said plaintiff or plaintiffs, before being allowed to testify as to the merits of the case, shall first on oath state, that he, she or they can make proof of the evidence, which it is proposed to offer, by no other witness; *and provided further*, that where the spurious notes are proven by the plaintiff or plaintiffs to have been received directly and immediately from the defendant or defendants, and not from an officer, agent or servant, said defendant or defendants may also be admitted to testify in the case, after first making oath, that he, she or they can make proof of the facts, which are to be sworn to, by no other witness, and the interest of the defendant or defendants in such case, may be carried to the account of his, or her, or their credibility, but not his, her or their competency.

Proof to be required in a case where suit is brought for damages sustained by passing counterfeit bills or treasury notes.

Other proceedings in such cases.

SEC. II. Repeals conflicting laws.

Assented to 18th April, 1863.

Costs.—Coroners.

(No. 150.)

An Act to legalize and make valid certain acts of Notaries Public in this State..

WHEREAS, Section 1448 of the Code of Georgia; in reference to Notaries Public, is in these words: "They hold their offices for four years, revocable at any time by said Justices; at the end of which time, if continued, they must be renewed upon the minutes. The Clerk must issue to them certificates of their appointment and qualification, and keep a register of their names":

And whereas, doubts are entertained as to the legality and validity of the acts of Notaries Public who have held, and had held, their offices for four years at the time said Code went into effect, and whose appointments were not and have not been renewed; for remedy whereof,

6. SECTION I. *Be it enacted by the General Assembly,* That the several acts of the Notaries Public in this State be, and are hereby declared to be legal and valid which were performed intermediate between the expiration of the four years aforesaid and the time of the renewal of their appointment.

SEC. II. Repeals conflicting laws.

Assented to April 18th, 1863.

ART. IV. COSTS.

Sec. 1. Confession and Jury fees.

(No. 151.)

An Act to make uniform the laws of this State for the collection of costs, and for other purposes.

1. SECTION I. *The General Assembly of Georgia do enact,* That the plaintiff, or party recovering a verdict, or obtaining a confession, shall not be required to pay the confession, or jury fee; but the same shall be taxed in the bill of costs of the case, and when collected shall be paid into the treasury of the county.

SEC. II. Repeals conflicting laws.

Assented to 17th April, 1863.

ART. V. CORONERS.

(No. 152.)

An Act to enable the Coroners of this State to hold inquests in certain cases, with juries consisting of six men.

1. SECTION I. *The General Assembly do enact,* That when a deceased body, upon which an inquest is to be held, is found lying without the corporate limits of any city or town of this State, it

Certain land in Richmond county ceded to C. S.

shall be lawful for the Coroner to summon or cause to be summoned by some proper officer, six persons as jurors to hold said inquest; which jury of six persons shall be fully competent to render or return a verdict, a majority of them concurring therein.

Body may be moved to a suitable place for holding an inquest.

2. SEC. II. *And be it further enacted*, That when the deceased body lies in a place inconvenient for holding an inquest, the Coroner, or any other person under his direction, shall be allowed to remove the body to a suitable spot.

SEC. III. Repeals conflicting laws.

Assented to 15th April, 1863.

TITLE XII.

LAND, GRANTS, &c.

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| <p>Sec. 1. All lands in Richmond county heretofore held by the United States, ceded and confirmed to the Confederate States of America.</p> <p>" 2. The State consents to the purchase by the Confederate States of certain other lands in Richmond county.</p> <p>" 3. Jurisdiction and right of legislation over said lands, ceded to the Confederate States.</p> | <p>Sec. 4. Cities and towns may purchase lands outside of corporate limits for cemeteries.</p> <p>" 5. This Act to go into effect 1st day of May, 1863.</p> <p>" 6. Time for taking out head-right grants, extended to 25th Dec. 1863.</p> |
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(No. 153.)

An Act to confirm to the Confederate States of America the occupancy and use of certain lands in the county of Richmond in this State, heretofore held by the late United States of America, and to assent to and confirm the purchase of other lands in said county, and to grant to the said Confederate States of America, exclusive jurisdiction over the same.

WHEREAS, the Confederate States of America, under the provisions of an ordinance of the people of the State of Georgia, passed in convention on the twentieth day of March, eighteen hundred and sixty-one, are now in the occupancy and use of certain lands in the county of Richmond in this State, heretofore held by the late United States of America, and also hold other lands in the same county, recently acquired by them for the erection, maintenance and operation of powder mills, arsenals, magazines, foundries, workshops and other needful buildings, and now apply for legislation on the part of this State, sanctioning and confirming their possession and use thereof; therefore,

Preamble.

All lands in Richmond co. heretofore owned by the U. S. ceded and confirmed to the C. S. of America.

1. SECTION. I. *Be it enacted by the Senate and House of Representatives of the State of Georgia*, That the State of Georgia hereby confirms to the Confederate States of America, for the purposes aforesaid, the property in and the possession and use of all and singular the lands in the said county of Richmond, heretofore held by the

Certain land in Richmond county ceded to C. S.

said late United States of America; to-wit: of all that tract or parcel of land, on the Augusta canal, commonly known as "the *old arsenal*" lands, and that other parcel of land in said county, containing seventy acres, more or less, about three miles above the city of Augusta, on which are the buildings and works known as the "*Augusta Arsenal*."

2. SEC. II. *Be it further enacted by the authority aforesaid*, That the State of Georgia hereby consents to the following purchases made by the said Confederate States of America for the purposes aforesaid; to-wit: of certain two contiguous parcels of land, containing, together, about one hundred and forty acres, situated on said Augusta canal, and adjoining the said lands formerly held by the United States of America, and known as aforesaid, as the "*old Arsenal lands*," also of a strip of land, ten feet in width, along the margin of said canal, used as a Road way and extending from said "old Arsenal" lands to the Washington road, so called; all which are fully ascribed in the deed whereby the same are conveyed to the said Confederate States by one Thomas Heekle, recorded with the plat thereof, in the office of the Clerk of the Superior Court of Richmond county, in Book, Q. Q. folios 214 and 215; also the purchase of an other parcel of land on said canal, conveyed to them by Ebenezer Starnes, containing about ten acres, bounded North by the river Savannah, East by Rae's creek, South by said canal, and West by land recently conveyed to them by Benjamin H. Warren; also the purchase of the said last mentioned parcel of land, so conveyed to them as aforesaid, by the said Warren, bounded North by the said river, East by the lands conveyed, as aforesaid, by Ebenezer Starnes, South by said canal, and West by other lands of said Warren; also of a small parcel of land on said canal, above the Rae's creek aqueduct, containing one acre, more or less, bounded North by said canal. West and South by a waste way of the same, and East by land of the said Ebenezer Starnes; and also the purchase from Lambeth Hopkins and others, of the lot or parcel of land in the city of Augusta, lying on the second level of said canal, bounded by Jackson street on the East, D'Antignac Street on the North, Campbell street on the West and Adam's Street on the South, heretefore known as the *Augusta Foundry and Machine Works*; and eleven smaller lots adjacent thereto, on the South side of said Adam's Street, of which ten (10) are, on the map of said city, numbered consecutively, from seventeen (17) to twenty-six (26) and the eleventh numbered twenty-eight (28); also the purchase of a small lot on the South side of Fenwick street, in said city, lying between "the Forest city" Foundry on the East and second level of said canal, on the West near the intersection of said canal and the Georgia Rail Road.

The State consents to the purchase by the C. States of America of certain other lands in Richmond co.

3. SEC. III. *Be it further enacted by the authority aforesaid*, That the State of Georgia hereby grants and cedes to the Confederate States of America, all her right and interest in the said several lots, tracts or parcels of land, and exclusive legislation, and jurisdiction

Jurisdiction and right of legislation over said lands ceded to the Confederate States.

Cities & towns authorized to purchase land outside of corporate limits for cemeteries.—Head Right Grants

over the same, so long as they shall, respectively be held by the said Confederate States, for the purposes hereinbefore mentioned.

Assented to April 18th, 1863.

(No. 154.)

An Act to authorize and empower the Mayor and Council of every city and town of this State, to purchase lands outside of their corporate limits for cemeteries and other public uses of said corporations.

Cities and towns may purchase lands outside of corporate limits for cemeteries.

4. SECTION I. *The General Assembly of Georgia do enact*, That the Mayor and Council of every city and town of this State be, and are hereby authorized and empowered to purchase such quantities of lands as in their judgment may be necessary or convenient for cemeteries and other public uses of said cities and towns, whether such lands be within or outside of their corporate limits.

This act to go into effect on 1st May, '63.

5. SEC. II. *Be it further enacted*, That this Act shall go into operation on the first day of May next.

Assented to 18th April, 1863.

(No. 155.)

An Act to amend the several laws of force in this State in relation to issuing grants on head rights, so as to extend the time for granting the same until the 25th December, 1863, and to allow purchasers in possession of lands surveyed and returned to the Surveyor General's office, to grant the same, and for other purposes.

Time for taking out head right grants extended to 25 Dec, 1863.

6. SECTION I. *The General Assembly of Georgia do enact*, That the time for granting lands surveyed on head rights, be extended to the 25th day of December, 1863, on all lands heretofore surveyed and returned to the Surveyor General's office, and in cases where other parties are in possession of such lands so surveyed, under purchase from the party in whose favor the warrant issued, shall be permitted to take out the grant in his own name; *provided*, he shall produce to the Surveyor General or Secretary of State, the certificate of the county surveyor, that he is in possession of the land; *and provided further*, that no grant shall issue under this Act where such lands have been re-surveyed or granted, or unless the party so applying shows by the certificate of the county surveyor, of all lands surveyed since first January, 1857, that no one was in possession at the time of the survey, or, if so, that the party in possession had notice under the Act of 1857.

Assented to April 17th, 1863.

TITLE XIII.

MILITARY.

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| <p>Sec. 1. Certain moneys expended in obstructing navigable streams, to be refunded.</p> <p>“ 2. Election of militia officers.</p> <p>“ 3. All conflicting laws in the 1040 Sec. of Code, repealed.</p> | <p>Sec. 4. Payment for guns furnished for militia service. Affidavit of party.</p> <p>“ 5. Gov. to pay for the gun, if claim approved.</p> <p>“ 6. In case of death of person furnishing the gun or guns.</p> |
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(No. 156.)

An Act to authorize the Governor to refund to parties or corporations any sum or sums of money which may have been expended in obstructing navigable streams in this State against incursions of the enemy.

1. SECTION I. *The General Assembly of the State of Georgia do enact*, That his Excellency the Governor be, and he is hereby authorized and required to refund out of the sum appropriated by act of the Legislature, assented to November 28th, 1862, for the purpose of obstructing navigable streams, any sum or sums of money which may have been hitherto *bona fide* expended by parties or corporations in carrying out the aforesaid purpose; *provided*, the same were expended by direction and under the supervision of competent military authority.

SEC. II. Repeals conflicting laws.

Assented to 17th April, 1863.

(No. 157.)

An Act to provide for and prescribe the mode of ordering elections for Militia officers in this State, and to repeal so much of the Code of Georgia as is in conflict with this Act.

2. SECTION I. *Be it enacted by the Senate and House of Representatives*, That from and after the passage of this Act, all elections of Militia officers in this State below the grade of General, shall be ordered by the officer next highest in command, (except in cases of vacancies in the office of Lieutenants, which shall be ordered by the Captain of the district, where said vacancy may occur, as provided by an Act of the General Assembly of this State, passed on the 11th day of February, 1850.)

3. SEC. II. *And be it further enacted*, That so much of the one thousand and fortieth section of the Code of Georgia, as is in conflict with this Act, be, and the same is hereby repealed.

Assented to 18th April, 1863.

(No. 158.)

An Act to authorize the auditing and payment of claims against the State of Georgia in favor of persons who have furnished guns to the troops of said State or of the Confederate States, by authority of the State, and which have not been returned to said persons.

4. SECTION I. *The General Assembly of the State of Georgia do enact, That in all cases where any person has furnished any gun or guns to any of the troops of said State or of the Confederate States, under any proclamation or requisition of the Governor, or requisition of any officer of said State by the authority of the Governor, and said gun or guns have not been returned to the person furnishing them, and said person shall claim payment for the same, he or she shall make an affidavit before some person authorized to administer oaths, stating to whom such gun or guns were furnished, the time when furnished, and the value at the time of furnishing such gun or guns; and shall procure the certificate, under the seal of his office, of the Clerk of the Superior Court of the county of his or her residence, that he or she is a person of truth, and as such entitled to credit; which affidavit and certificate he or she shall file in the office of the Adjutant and Inspector General, whose duty it shall be to examine the same, and if correct, approve; provided, in all cases the guns furnished have not been used or injured in attempting to alter them for service, and are not needed by the Government, State or Confederate, they shall be returned to the owners respectively, and not paid for as contemplated by the provisions of this act; and provided further, that in all cases where the gun or guns may have been delivered to the agent or officer, and a receipt given for the same, specifying the price agreed upon, the same shall be evidence of the gun or guns; and when no price is specified in the receipt, the affidavit of the party of the value thereof shall be sufficient; and provided further, that in all claims for guns, the party shall swear that the gun has not been returned to him or his agent.*

5. SEC. II. *Be it further enacted, That his Excellency the Governor be authorized, upon the examination and approval of said claims, as provided for in the first section of this act by the Adjutant and Inspector General, to draw his warrant upon the Treasury in favor of the person presenting the claim, for the amount of the claim as approved.*

6. SEC. III. *Be it further enacted, That in case the party named in this act be dead, the representative of his estate, or some other person who can do so, be authorized to make said affidavit; which, when made, shall have the same force and effect as if made by the deceased if then living.*

SEC. IV. All conflicting laws are hereby repealed.

Assented to April 16th, 1863.

Payment for
guns.

Affidavit of
claimant as to
time of furn-
ishing the
gun or guns,
and value of
same.

Governor to
pay for the
guns, if claim
approved.

In case of
death of per-
son who furn-
ished the gun
or guns.

TITLE XIV.

MINING.

- Sec. 1. Powers and privileges given to all Mining Companies, as to right of way for Railroads, &c. Sec. 2. As to diverting water courses by such companies. Sec. 3. Report of award and right of appeal.

(No. 159.)

An Act to encourage and regulate the business of Mining Iron, Coal, Copper, Gold, and other useful metals and minerals in Georgia.

WHEREAS, It is important for the public weal that the business of mining useful minerals and metals should be encouraged, and that all practicable facilities shall be provided by legislation, for ascertaining the value of rights of way, and other privileges connected with such works as are now established, and such as may hereafter be established for the purposes above referred to; therefore,

1. SECTION I. *The General Assembly of Georgia do enact*, That in all cases where any partnership, corporation, or individual may be hereafter actually engaged in the business of mining iron, copper, gold, coal, or any other useful metal or mineral, or in making cop-eras, sulphur, saltpetre, alum, or other similar articles of utility, and such partnership, corporation, or individual shall be of the opinion that it is necessary to the successful operation of their works, that they shall have the right of way for either a railroad, turnpike or common road of travel across the lands of others; upon failure to agree with the owner of the lands, across which such right of way is desirable, to have both the necessity and value of the same settled as follows: The said partnership, corporation or individual shall select one person, the owner of the land another person, and any one of the Justices of the Inferior Court of the county in which the land lies shall be the third man, who, together with the two chosen as above provided, shall summon the parties and such witnesses as they may deem necessary to appoint, after reasonable notice; and after fully hearing evidence and reasons on both sides, they shall decide both as to the necessity of the right of way and value of the same. They shall return their award to the next Superior Court of the county in which the land is situated, whereupon the same shall be made the judgment of said Court, binding and conclusive upon both parties unless then and there set aside for reasons now applicable in other cases of arbitration.

2. SEC. II. *Be it further enacted*, That in all cases where it may be deemed desirable and necessary to divert any watercourse from its usual channel for any of the purposes aforesaid, it shall be lawful to organize the board of arbitrators as provided in the next preceding section, whose duty in relation to the same shall be to decide both as to the necessity of diverting the watercourse and who

Assessment of damages for same.

are damaged, and how much. It shall be the duty of the arbitrators to summon before them all parties interested in the question, and to return their award to the Superior Court, as provided in the first section, subject to be there set aside for reasons now applicable in other cases of arbitration, otherwise to stand as the judgment of the Court.

Report of award and right of appeal.

3. SEC. III. *Be it further enacted*, That it shall be the duty of the arbitrators in all cases arising under this act, to make return of their award on the first day of the Superior Court held thereafter, in the county where the same is awarded; and at such time all and any of the parties affected thereby shall have the right of appeal to said Superior Court; *provided*, such appeal is entered within four days from the time said award is filed; the said appeal to be entered and disposed of under the same rules and regulations which now govern other cases of appeal.

SEC. IV. Repeals conflicting laws.

Assented to 18th April, 1863.

TITLE XV.

PENAL CODE.

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| Sec. 1. Certain trespasses made penal. | | Sec. 3. Enticing away apprentices made penal. |
| " 2. Receiving, passing, circulating, bills, notes, &c., issued by the United States, &c., made penal. | | " 4. Evidence on trial in such cases. |

(No. 160.)

An Act making it penal to trespass upon lands in this State.

Willfully cutting timber on lands of another, made penal.

1. SECTION I. *The General Assembly of Georgia do enact*, That any person who shall willfully cut or fell any timber upon the lands of another, and haul or carry the same away therefrom, shall be guilty of a misdemeanor, and on conviction thereof shall be fined or imprisoned, or both, at the discretion of the Court.

SEC. II. Repeals conflicting laws.

Assented to 17th April, 1863.

(No. 161.)

An Act to make it a penal offense and unlawful for any person or persons, in this State, to receive, pass or circulate, or to buy, or sell, give credit or currency in any way or manner, or to offer or propose to do the same, to any note or notes, bill or bills, draft or drafts, or any promise to pay of any kind, or of any paper or papers, having the semblance of the same, issued, made, or executed by the United States Government, or any State composing the same, or citizen or citizens, or corporators or corporations therein.

2. SECTION I. *The General Assembly of Georgia do enact*, That it shall not be lawful for any person or persons in this State to re-

Additional Section added to the eighth Division of the Penal Code,

eeive, pass, or circulate, or to buy or sell, give credit or currency to, in any way or manner, or to offer or propose to do the same, any note or notes, bill or bills, draft or drafts, or any promise or promises to pay of any kind, or of any paper or papers having the semblance of the same, issued, made, or executed by the United States Government, or any State or States composing the same, or any citizen or citizens, corporator or corporations therein; and any person or persons guilty of the same, upon conviction thereof in any of the Superior Courts of this State, shall be fined in a sum not less than one thousand dollars, nor more than ten thousand dollars, in the discretion of the Court before whom the conviction takes place, and, also, imprisoned in the Penitentiary of the State for a term not less than one year, nor longer than five years, in like discretion of said Court.

Receiving, passing, &c., bills or notes of the U. S., or of any State thereof, made penal.

Assented to 18th April, 1863.

(No. 162.)

An Act to add an additional section to the eighth division of the Penal Code of this State.

3. SECTION I. *The General Assembly of Georgia do enact*, That the following be, and is hereby added as an additional section to the eighth division of the Penal Code of the State of Georgia:

Enticing a-way apprentices made penal.

If any two or more persons shall associate themselves together in any society or organization whatever, with the intent and for the purpose of preventing in any manner whatever, any person or persons whomsoever from apprenticing himself or themselves to learn and practice any trade, craft, vocation or calling whatsoever, or for the purpose of inducing by persuasion, threats, fraud or any other means, any apprentice or apprentices in any such trade, craft, vocation, or calling, to leave the employment of their employer or employers, or for the purpose by any means whatever of preventing or deterring any person or persons whomsoever from learning and practicing any such trade, craft, vocation or calling whatsoever, every such person so associating himself in such society or organization, shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by fine and imprisonment in the common jail of the county, at the discretion of the Court.

4. SEC. II. Upon the trial of any person or persons under the preceding section, any person may be made a witness; and no statements made by him or her on such trial, shall be given in evidence against him or her, except upon an indictment for perjury.

Evidence on trial in such cases.

Assented to April 18th, 1863.

Pay of Public Printer increased.—Salaries and compensation of certain officers.

TITLE XVI.

PUBLIC PRINTER.

Sec. 1. Twenty per cent. increase of pay of Public Printer, allowed. | Sec. 2. This act to apply only to printing done for extra session, and to cease after 1st November next.

(No. 163.)

An Act to authorize an increase of the pay of the Public Printer.

Preamble.

WHEREAS, From the present high prices of provisions and of labor, and the great difficulty of getting paper, ink, glue, lights, syrup, and materials for binding, &c., and other printing materials necessary for carrying on the business of printing; and whereas, at the first session of the present General Assembly, the number of journals ordered from the State Printer was much reduced, thus greatly diminishing the pay going to the State Printer; and whereas, justice requires that the State Printer should receive reasonable compensation for his services, which the present pay will not authorize; therefore,

Twenty per cent. increase of pay allowed to the Public Printer for work hereafter done for State.

This act to apply only to the printing done for the Extra Session and to cease on the 1st Nov. next.

1. SECTION I. *The General Assembly of Georgia do enact*, That the State Printer be, and he is hereby authorized to charge and receive twenty per cent. increase on the charge now allowed by law for the work which he may hereafter do for the State.

2. SEC. II. *Be it further enacted*, That the provisions of this act shall only apply to the printing done for this extra session, and continue in force until the first day of November next.

SEC. II. Repeals conflicting laws.

Assented to April 18th, 1863.

TITLE XVII.

SALARIES AND FEES.

Sec. 1. Salaries of Judges of Supreme and Superior Courts and of the Reporter of the Supreme Court, to be same as fixed in Code. | Sec. 3. Fees of Jailors for dieting prisoners raised till close of war.
" 2. Salaries of other officers. | " 4. This act to go into effect from 1st May, 1863.

(No. 164.)

An Act to amend An Act passed on November 28, 1861, entitled An Act to fix the salaries and compensation of certain officers mentioned therein, and for other purposes.

1. SECTION I. *The General Assembly of the State of Georgia do enact*, That the above recited act is hereby so amended that from

Fees of Jailors.

and after the passage of this act, the salaries and compensation of the Judges of the Supreme and Superior Courts, and the Reporter of the Supreme Court, shall be the same mentioned and fixed for the same by the Code of Georgia; this section to go into operation from and after the 15th April, instant.

Salaries of the Judges of the Supr. Courts and of the Judges and Reporter of Supreme Court, to be same as fixed by Code.

Salaries of other officers.

2. SEC. II. *Be it further enacted*, That the compensation and salaries of all the other officers mentioned in said act of 28th November, 1861, shall be the sums fixed for the same in the Code of Georgia, from and after the termination of the present term of the present incumbents.

SEC III. Repeals conflicting laws.

Assented to April 13th, 1863.

(No. 165.)

An Act to raise the fees of Jailors in this State for dieting prisoners.

3. SECTION I. *The General Assembly of this State do enact*, That from and immediately after the passage of this act, the several Jailors in this State shall be entitled to the sum of one dollar per day for dieting each white prisoner, and seventy-five cents per day for dieting slaves, during the pendency of the present war between the Confederate States and the United States, and no longer; any law, usage or custom to the contrary notwithstanding; *provided*, that Justices of the Inferior Court of any county in this State may fix the fees of the Jailors for their counties, in all cases when they may think the fees fixed by this act are too high or too low.

Fees of Jailors for dieting prisoners, raised till close of war.

4. SEC. II. The provisions of this act shall go into effect from and after the first day of May, 1863.

This act to go into effect 1st May, '63.

Assented to 13th April, 1863.

TITLE XVIII.

TAXES.

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| <p>Sec. 1. Tax on net income or profits, from 1st April, 1862, to 1st April, 1863.</p> <p>" 2. Rates of taxation on profits.</p> <p>" 3. Assessment when no return is made.</p> <p>" 4. Proceedings in case of suspected false or fraudulent return.</p> <p>" 5. Execution may issue for the non-payment of the tax.</p> <p>" 6. Producers exempt from this tax. Proviso.</p> <p>" 7. This tax to be paid into State Treasury by 15th Dec. in each year. How it is to be disbursed.</p> | <p>Sec. 8. Certain soldiers in service released from taxation.</p> <p>" 9. Oath of tax-payers, changed.</p> <p>" 10. Penalty for failure to take the oath as fixed by this act.</p> <p>" 11. Assessment of taxes on notes, &c., to be for their value in Confederate money.</p> <p>" 12. New returns to be made by those who may have given in their taxes before the passage of this act.</p> <p>" 13. Public buildings in cities or towns, exempt from State and county taxes.</p> |
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(No. 166.)

An Act to levy and collect a tax on the net income or profits of all persons and corporate bodies in this State, arising from the sale of goods, wares and merchandise, groceries and provisions; also, on the net income or profits of all persons and corporate bodies engaged in the manufacture and sale of cotton and woolen goods, in the tanning and sale of leather, and in the manufacture and sale of any articles made thereof; and in the distillation and sale of spirituous liquors from grain of any kind, or from any other article, and to appropriate the same, when collected, for the support of indigent widows and orphans of deceased soldiers, and other persons therein named.

Tax on net income or profits, from 1st April, 1862, to 1st April '63.

1. SECTION I. *Be it enacted by the General Assembly of the State of Georgia,* That all persons and bodies corporate in this State engaged in the sale of goods, wares and merchandise, groceries and provisions; in the manufacture and sale of cotton and woolen goods; in the tanning and sale of leather, and in the manufacture and sale of any articles made thereof, and in the distillation and sale of spirituous liquors from grain of any kind, or from any other articles, when they make a return of their taxable property, shall be required to make a return, under oath, of the net income or profits which he, she, or they may have made respectively in the sale, or manufacture and sale, of any of the articles above enumerated, from the first day of April, 1862, to the first day of April, 1863.

Rates of tax—
None.

2. SEC. II. *Be it further enacted,* That when the profits for the year preceding the return, shall amount to twenty per cent. on the capital or credit invested, a tax of fifty cents on every one hundred dollars (\$100).

When they shall exceed twenty per cent. and amount to thirty per cent. or under, one dollar and fifty cents on every (\$100) one hundred dollars.

When they shall exceed thirty per cent. and amount to forty per cent. or under, two dollars (\$2) on every hundred dollars.

When they shall exceed forty per cent. and amount to fifty per cent. or under, (\$2.50) two dollars and fifty cents on every one hundred dollars.

Income Tax.

When they shall exceed fifty per cent. and amount to sixty per cent. or under, (\$3) three dollars on every hundred dollars.

When they shall exceed sixty per cent. and amount to seventy per cent. or under, (\$3.50) three dollars and fifty cents on every one hundred dollars.

When they shall exceed seventy per cent. and amount to eighty per cent. or under, four dollars (\$4) on every hundred dollars.

When they shall exceed eighty per cent. and amount to ninety per cent. or under, four dollars and fifty cents (\$4.50) on every one hundred dollars.

When they shall exceed ninety per cent. and amount to one hundred per cent. or under, five dollars on every one hundred dollars; and so on in the same ratio of per cent. profit and taxation *ad infinitum*.

3. SEC. III. *Be it further enacted*, That if any person or body corporate shall fail or refuse to make a return of his, her, or their profits, made or realized as aforesaid, he; she, or they shall be held to have made the sum of \$100,000, and shall be taxed accordingly.

Assessment when no return is made.

4. SEC. IV. *Be it further enacted*, That if, upon any return of income or profits by any person or body corporate, the Receiver of tax returns shall suspect the same to be false or fraudulent, or if a suggestion of fraud in such return shall be made to the Receiver by any citizen of the county in which the alleged default may occur, verified by affidavit to the best of affiant's knowledge and belief, in all such cases it shall be the duty of the Receiver to apply to the Justices of the Inferior Court of the county, for the appointment of three assessors to investigate the alleged fraudulent returns; and upon such appointment being made, the Receiver shall give to the person charged with making the false return, five days' notice of the time and place of making the investigation; and the assessors, before proceeding to their duty, shall be sworn to make a full, fair and impartial investigation as to the alleged false or fraudulent return, and shall require the person or persons, or body corporate alleged to have made the fraudulent returns, to produce before the assessors his, her, or their books of entry of their purchases and sales, if he, she, or they keep such books; and upon failure or refusal to produce such books, the persons so refusing shall be held to have made (1,000) one thousand per cent on (\$100,000) one hundred thousand dollars as profits, and shall be taxed accordingly; and the said assessors shall have power to compel such citizens or tax-payers to appear before them, and to give testimony in said investigation. Upon the hearing of all the testimony which may be adduced on the investigation, if the assessors shall find the return to be false or fraudulent, they shall assess the true amount of profits made according to the evidence before them, and certify it to the Receiver, who shall double tax the defaulter on the amount returned to him according to the rates hereinbefore prescribed. The assessors shall be paid two dollars each per day for every day they may be engaged in the investigation; to be paid by the delinquent, if found to have made a false return, or, if his return should be

Proceedings in case of suspected false or fraudulent return.

Assessors to be sworn.

found correct, the assessors shall be paid by the person filing the affidavit, or by the Receiver if the investigation shall be made upon his suggestion; and in either case, the Receiver shall immediately issue execution in favor of the assessors, for the amount of their fees, against the person who may fail or refuse to pay the same; *provided*, that in the case of corporations, if the President or other officer managing the same, shall file an affidavit with the assessors, that they cannot remove their books from their place of business without serious inconvenience and loss, then said assessors shall investigate the said books at the place of business of said corporation.

Execution may issue for tax not paid.

5. SEC. V. *And be it further enacted*, That if any person or body corporate shall fail or refuse to pay the tax assessed against him, her or them by the first day of December in each year, it shall be the duty of the Tax Collector to issue execution against such defaulter in double the amount assessed, which shall be levied and collected, as in other cases of execution against defaulters.

Producers exempt from this tax.

6. SEC. VI. *And be it further enacted*, That this act shall not be construed to embrace those who are mere producers of agricultural productions, but all such persons as producers only shall be exempt from its operation, and shall not be taxed on the amount of profits made from the sale of their agricultural productions, but shall not be exempt if they engage in buying and selling any of the articles before enumerated, or in the distillation of spirituous liquors from grain or from any other articles, or in the manufacture and sale of cotton and woolen goods, leather, or shoes, or any articles made of leather; *Provided*, said manufactured articles do not exceed in value the sum of two thousand dollars per annum.

Proviso.

Tax to be pd. into State Treasury by 15 Dec. each year. How disbursed.

7. SEC. VII. *And be it further enacted*, That the tax to be collected under this act, shall be paid into the State Treasury by the Tax Collectors of the several counties in this State, by the fifteenth day of December in each year; and as soon thereafter as practicable, it shall be the duty of His Excellency the Governor, to apportion and distribute the same among the counties of the State, according to representative population, the last preceding census to be taken as the basis for the apportionment; and the amount apportioned to the several counties, shall be paid to the Justices of the Inferior Courts thereof, or their order, for the support of indigent widows and orphans of soldiers who have died or been killed in the service of this State or of the Confederate States; for the support of indigent families of soldiers who may be in service, and for the support of indigent soldiers who may be disabled by wounds or disease in the service of this State or of the Confederate States; *Provided*, the tax raised under this Act, shall be in addition to the one and one-half millions of dollars raised under the general tax act.

SEC. VIII. Repeals conflicting laws.

Assented to, April 15th, 1863.

Certain soldiers exempted from payment of taxes.—Oath Tax-Payers amended.

(No. 167.)

An Act to relieve certain soldiers who now are or may hereafter be in the military service of the Confederate States, or of this State, from the payment of taxes.

8. SECTION I. *The General Assembly of the State of Georgia do enact*, That each and every soldier who is now in the military service of the Confederate States or of the State of Georgia, and whose taxable property, according to the last return, did not exceed one thousand dollars, is hereby relieved from the responsibility of making a return or the payment of any tax, either as a poll or otherwise, so long as he may remain in said service.

Certain soldiers in service, exempt from taxation

SEC. II. Repeals conflicting laws.

Assented to April 18th, 1863.

(No. 168.)

An Act to amend the oath of Tax Payers for the year 1863, and for other purposes.

9. SECTION I. *The General Assembly of the State of Georgia do enact*, That from and after the passage of this Act the oath of non-resident Tax Payers required to be taken on special return, as it now stands in the seven hundred and sixty-fourth section of the Code of Georgia, be so amended for the year 1863, as to make it read: "And that it was not worth, on the first of April in this year, more than the valuation you have affixed to it in Confederate Treasury Notes, to the best of your knowledge and belief," instead of reading as it now does, "and that it is not worth more than the valuation you have fixed to it, to the best of your knowledge and belief;" and that the oath of Tax Payers required to be taken on general return, as is now required in the same section of said Code, be changed so as to make it read, "and the value you have affixed to it is a just and true valuation on the first of April of this year in Confederate Treasury Notes," instead of reading, "and that the value you have affixed to it is a just and true valuation" as it now stands stated in said Code.

Oath of Tax-Payers, changed for 1863.

10. SEC. II. *Be it further enacted*, That in case any Tax Payer shall fail or refuse to make his return in accordance with this amended oath, he shall be deemed a defaulter, and his property shall be double taxed according to the valuation prescribed in the foregoing section of this Act.

Penalty for failure to take the oath as changed.

11. SEC. III. *And be it further enacted*, That all persons holding notes or indebtedness on any individual or incorporation, shall give in the same at its value in Confederate Treasury Notes.

Assessment of taxes on notes, &c., to be for value in Confederate money.

12. SEC. IV. *And be it further enacted*, That if any of the Tax Payers of this State shall have made a return of their property to the Receiver and Collector, previous to the passage of this Act, it shall be the duty of the said Collector and Receiver to require of

New returns to be made by those who have given in their taxes prior to the passage of this Act.

such Tax Payers that they make another return to him upon valuation as provided for in this Act.

SEC. V. Repeals conflicting laws.

Assented to April 17th, 1863..

(No. 169.)

An Act for the relief of all incorporated cities and towns in this State.

13. SECTION I. *Be it enacted by the Senate and House of Representatives of the State of Georgia,* That all public buildings owned by any incorporated city or town in this State, be, and the same are hereby declared to be exempt and free from State or county tax; and the collection of all executions or other processes heretofore issued for the same, are hereby prohibited; *provided,* that nothing in this Act shall exempt railroad, bank or other stocks, owned by said corporations, from taxation.

Public buildings in cities or towns exempt from State or county taxes.

SEC. II. All conflicting laws are hereby repealed.

Assented to 17th April, 1863.

TITLE XIX.

TRANSPORTATION.

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| <p>Sec. 1. Conditions on which Railroads must transport provisions.</p> <p>“ 2. Making affidavits falsely, false swearing.</p> <p>“ 3. Penalty against R. R. Agents for refusing to ship the provisions.</p> <p>“ 4. Penalty for seizing provisions so shipped. <i>Proviso.</i></p> | <p>Sec. 5. Certificate of Justices of Inferior Courts, to take the place of the affidavit of a person, as to provisions for families of indigent soldiers.</p> <p>“ 6. Fines under this Act, how disposed of.—Act to cease with war.</p> |
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(No. 170.)

An Act to regulate the transportation of provisions on the several Railroads in this State, and to punish officers and agents who may violate the provisions of this Act.

1. SECTION I. *The General Assembly of the State of Georgia enacts,* That from and immediately after the passage of this Act, it shall be the duty of the several officers and agents of the several Railroads in this State, (the Western and Atlantic Railroad included), whenever any lot or quantity of corn, bacon, flour, or other articles of provisions of prime necessity in the sustenance of life, shall be offered for transportation, to receive and ship the same with as little delay as practicable; and it shall be the duty of the officers and agents, at every point of transshipment on said Roads, to transship and forward said articles and provisions with as much dispatch as practicable, until the said articles and provisions shall

Conditions on which Railroads must transport provisions.

Transportation of Provisions on the Railroads of this State.

reach the place of their consignment; *provided*, the person offering and desiring to have said articles and provisions shipped, shall make and subscribe an affidavit in writing, and file, or offer to file the same in the office of the depot, or with the agent or officer thereof, from which it is desired that said shipment shall be made, swearing as near as practicable to the quantity and kind of said article and provision, and that the same was not purchased or procured for the purpose of speculation or retail for a profit, and that the same is necessary for the consumption of the person offering the same, or his family, or of other persons and their families; specifying the names and residence of such other person or persons, if for their use; and if there be more than a sufficiency of such article or provision for the use of the persons named, that the residue shall not be sold to any one other than an actual consumer, and then only at actual cost and no more, either directly or indirectly; a copy of which affidavit shall, by the agent or officer at said depot, be attached to the bill of lading thereof, and forwarded therewith, which on arrival at the delivering point, shall be filed by the agent thereof in his office, and the original affidavit shall be filed at the receiving depot.

Affidavit of person applying to have provisions shipped.

Copy of affidavit to be attached to bill of lading.

2. SEC. II. Any person swearing falsely in such affidavit, shall be deemed guilty of false swearing, and on conviction thereof, shall suffer all the pains and penalties inflicted by the laws of this State on persons guilty thereof, and shall also be fined in the sum of five thousand dollars; and the party may be indicted and convicted in either of the counties where the receiving or the delivering depot is located.

False affidavit to be false-swearing.

3. SEC. III. Any and all such railroad officers or agents having control of transportation from any point, refusing or failing to receive and ship, with as little delay as practicable, all such articles of provisions, or charging an amount therefor over and above the usual tariffs of freights, shall be guilty of a misdemeanor, and on conviction thereof, shall be fined in a sum not less than five thousand dollars, and imprisoned not less than six months.

Penalty for refusing to ship the provisions.

4. SEC. IV. If any commissary, quartermaster, or other officer of the State or Confederate Government, or professing to be such, shall seize or impress any such article or provisions, under any pretence whatever, or shall hold or attempt to hold the same, or prevent the regular and due shipment thereof to its proper destination, after receiving notice that such affidavit has been made, and filed with the agent or officer at the receiving depot, he shall be guilty of a high misdemeanor, and on conviction thereof, shall be imprisoned at labor in the Penitentiary for the term of three years, and fined in the sum of five thousand dollars; *provided*, no conviction shall take place under this Act when the party seizing has the right under the law to seize the articles so seized.

Penalty for seizing such provisions.

Proviso.

5. SEC. V. A certificate under the hands of any three Justices of the Inferior Court of any county in this State, accompanied with the certificate of the Clerk thereof, with the seal of the Court or county attached, certifying that the article or provisions ordered

Certificate of Justices of the Inferior Court, to be received in lieu of such affidavit, in certain cases.

Liability of W. & A. R. R. for damages in running Locomotives, Cars and other Machinery.

to be shipped, is alone for the use of the indigent soldiers' families of their county, as beneficiaries under the Act of — December, 1862, shall be received in lieu of the affidavit specified in the second section of this Act, and shall have the same force and effect; and any person or persons acting, or professing to act as such Inferior Court or Clerk, who shall falsely or fraudulently procure such shipment to be made under such certificate, or aid therein, shall be guilty of a misdemeanor, and on conviction thereof, shall be dismissed from office, and fined in the sum of five thousand dollars.

Fines under this act, how disposed of.

6. SEC. VI. In all cases where fines are imposed under any of the provisions of this Act, one half of the fine imposed, shall go to and belong to the prosecutor, who shall be deemed a competent witness, and the other half to the use of the county where the conviction may take place; and this Act shall remain and continue in force until the close of the present war with the United States, and no longer.

Act to cease with the war.

Assented to 18th April, 1863.

TITLE XX.

WESTERN AND ATLANTIC RAILROAD.

Sec. 1. Laws of force against other Railroads as to damages in running locomotives, to apply to W. & A. R. R. Suits against the Road.

(No. 171.)

An Act to declare the liability of the Western and Atlantic Railroad, for damages in running Locomotives, Cars and other machinery, to regulate the mode of bringing suits therefor, and to declare all suits brought against said Railroad since the adoption of the Code, legal and valid.

WHEREAS, the compilers of the Code of this State, have failed to embrace in the Code, the laws in relation to the liability of the Western and Atlantic Railroad for damages in running Locomotives, Cars and other machinery on said Railroad, for remedy whereof,

Preamble.

1. SECTION I. *The General Assembly of the State of Georgia enacts,* That all the laws now in force in this State regulating the liabilities of Railroad companies in this State, for damages done by the running of Locomotives, Cars and other machinery, be and the same are hereby declared to apply equally to the Western and Atlantic Railroad; and that hereafter, in the bringing of all suits against the Western and Atlantic Railroad, the same shall be regulated by the laws in existence on that subject, at the time of the adoption of the Code; and that all suits that may have been brought against said Railroad, since the adoption of the Code, according to the laws existing at the time of the adoption of the Code, are hereby declared to be legal and valid, as if said Code had never been adopted.

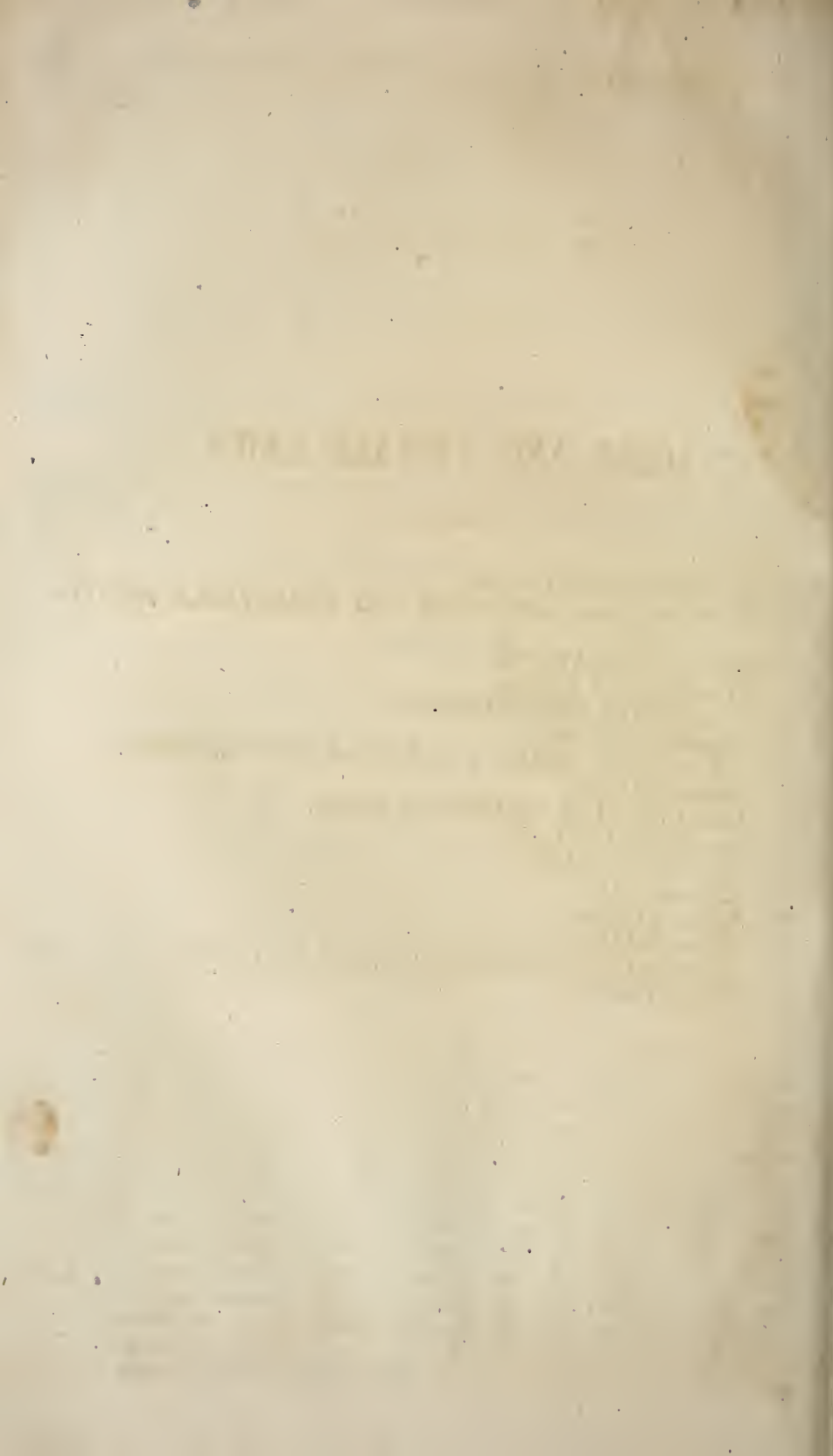
Laws of force against other Railroads as to damages by running locomotives, to apply to W. & A. R. R.

Suits against the Road.

Assented to 18th April, 1863.

LOCAL AND PRIVATE LAWS.

- TITLE I.—CITIES AND TOWNS.
“ II.—COLLEGES, CHURCHES AND CHARITABLE INSTITUTIONS.
“ III.—CORPORATIONS.
“ IV.—COUNTY LINES.
“ V.—COUNTY REGULATIONS.
“ VI.—ELECTIONS.
“ VII.—EXR'S. ADMR'S. GUARDIANS AND TRUSTEES.
“ VIII.—GRANTS.
“ IX.—INTERLAL TRANSPORTATION.
“ X.—PENITENTIARY.
“ XI.—PHYSICIANS.
“ XII.—RELIEF.
“ XIII.—RIVERS.
“ XIV.—ROADS.
“ XV.—SLAVES AND FREE PERSONS OF COLOR.
“ XVI.—TAXES.



LOCAL AND PRIVATE LAWS.

TITLE I.

CITIES AND TOWNS.

- | | |
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| <p>Sec. 1. Fort Gaines incorporated—Corporate limits—Corporate name, Town of Fort Gaines—Election of Mayor and Councilmen—Treasurer and Marshal—Powers and privileges.</p> <p>“ 2. Who may superintend Town Elections</p> <p>“ 3. Oath of Town Officers.</p> <p>“ 4. Taxes—License to retail liquors—Itinerant Traders—collection of taxes—Costs.</p> <p>“ 5. By-laws, &c. Fines—imprisonment.</p> <p>“ 6. Clerk of Council—Salaries of Clerk and Marshal—their bonds.</p> <p>“ 7. Mayor and Council may bind over offenders.</p> <p>“ 8. Times and places of meetings of Mayor and Council—Slaves and free negroes—Tax on ten pin Alleys, &c.</p> <p>“ 9. Street tax.</p> <p>“ 10. Farming lands exempt from city tax—appropriation of fines and taxes.</p> <p>Sec. 11. Removal of Marshal.</p> <p>“ 12. Streets, &c., in Macon may be laid out and worked.</p> | <p>“ 13. To be under sole management of Mayor and Council—Crossings and side walks—Penalty against land owners.</p> <p>“ 14. Extension of city limits on west side of river.</p> <p>“ 15. Further extension of limits on west side of river.</p> <p>“ 16. Extension on east side of river.</p> <p>“ 17. Jurisdiction of city authorities extended over new territory—assent of owners of real estate in new limits, first to be had.</p> <p>“ 18. Southville <i>alias</i> Renwick, incorporated; election of 5 Commissioners.</p> <p>“ 19. Corporate limits.</p> <p>“ 20. Commissioners to appoint city officers—Taxes; Name of town may be changed; By-laws.</p> <p>“ 21. Retail of ardent spirits: Commissioners may sue and be sued; may hold property.</p> <p>“ 22. Corporate limits of Grooverville, declared.</p> |
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(No. 172.)

An Act to incorporate the town of Fort Gaines in the county of Clay; to define its jurisdictional limits, and for other purposes therein mentioned.

1. SECTION I. *The General Assembly do enact*, That the town of Fort Gaines shall have for its corporate limits as follows; commencing on the west bank of the Chattahoochee river, on the line dividing the State of Alabama and Georgia, at a point opposite the mouth of the Semochechobee creek and running across said river to the mouth of the said creek, then running east on the old dividing line between Randolph and Early counties to the north east corner of lot number 361, thence south on the east line of numbers 361, 362 and 363 to the Ledbetter Branch, thence the said branch west to the south line of number 363, thence due west across the Chattahoochee river to a point on its western bank on the line dividing the States of Georgia and Alabama, thence on said State line to the place of beginning; and that the inhabitants now living and that may hereafter reside within the said limits be, and they are hereby constituted and made a body corporate by the name and style of the town of Fort Gaines; and the said inhabitants who are entitled to vote for members of the General Assem-

Fort Gaines incorporated.

Corporate limits.

Corporate name, town of Fort Gaines.

Fort Gaines.

Election of Mayor and Councilmen, Treasurer & Marshal.

bly of the State of Georgia, shall meet at the Court-house in said town on the third Saturday of January next, and on the first Saturday of January in each year thereafter, and elect from the citizens of said town, a Mayor, four Councilmen, one Treasurer, one Marshal; and said Mayor and Councilmen, shall be vested with the municipal government of the said town of Fort Gaines, and as Mayor and Councilmen of said town, and under that name and style, have full power to have a common seal, and to hold, purchase, have and receive, enjoy, possess and retain to them and their successors, for the use of said town of Fort Gaines, any real or personal estate within the jurisdictional limits of said town of Fort Gaines, and shall be capable under the aforesaid name and style, to be sued and to sue in any Court of law or equity in this State.

Powers and privileges.

Who may superintend the town elections.

2. SEC. II. *And be it further enacted*, That the election for said officers shall be held by one Justice of the Peace and one free holder, or one Justice of the Inferiour Court and one free holder; and in the event that there shall be no election at the time herein specified, then said officers shall remain in office until their successors are elected and qualified; ten days' notice of said election in all cases to be given by a Justice of the Peace, or the said Mayor, and in the event of the death or resignation of any of said officers, an election may be at any time ordered by complying with the provisions of this Act; all of said officers to hold their offices for twelve months or until their successors are elected and qualified.

Oath of the officers.

3. SEC. III. *And be it further enacted*, That said officers, before entering on the duties of said office, shall take and subscribe the following oath, viz: I, A. B. do solemnly swear that I will faithfully perform the duties of Mayor, Councilmen, Treasurer or Marshal, (as the case may be) of the town of Fort Gaines.

Taxes.

4. SEC. IV. That the Mayor and Councilmen shall have power and authority to lay and collect taxes, within the said corporate limits to the amount of one half of the State tax, and not more; and a poll tax upon each white adult male inhabitant not over two dollars, and shall have power to tax all shows in said town of Fort Gaines, performing there for the purpose of gain; to issue license to retail spirituous liquors in said town and to charge for the same such sum as they may see fit to prescribe, and the said retailers of spirituous liquors in said town shall also comply with the law now in force, as to bond and oath, and the said Mayor and Councilmen shall have power to tax itinerant traders in said town, and to force the collection of taxes and fines by issuing executions under the hand and seal of the Mayor, directed to the Marshal, who shall proceed with the same in like manner as Sheriffs are required under the laws of this State, to collect executions; and the Marshal shall receive for his cost, the cost now allowed Constables by law for similar services; and the said Marshal at the instance of the Treasurer, may be ruled by the Mayor, as Sheriffs are ruled in the Superior Courts of this State.

License to retail spirituous liquors.

Itinerant Traders. Collection of taxes.

Costs.

By-laws, &c.

5. SEC. V. *And be it further enacted*, That the said Mayor and Councilmen shall have full power and authority to make all laws,

rules and regulations, for the proper government of said town, not inconsistent with the laws and Constitution of this State or the Confederate States, to impose and collect fines of not over fifty dollars, and imprison for not over ten days, for any one violation of the said by-laws, rules and regulations aforesaid.

Fines.
Imprisonment.

6. SEC. VI. *And be it further enacted*, That said Mayor and Councilmen shall elect a Clerk of the Council and shall fix the salaries of said Clerk and Marshall and Treasurer; and shall require bond and security from said officers for such amounts as they may think proper and right.

Clerk of Council.
Salaries of Clerk and Marshal.
Bond of Clerk and Marshal.

7. SEC. VII. *And be it further enacted*, That the said Mayor and Councilmen or either of them, shall be clothed with the authority of an acting Justice of the Peace, so far as to authorize him within said corporate limits to bind over all persons charged with violating the laws of this State, to answer for such imputed offence to the Court having jurisdiction thereof, and to act as conservators of the peace.

Mayor and Council may bind over offenders.

8. SEC. VIII. *And be it further enacted*, That said Mayor and Councilmen shall hold their meetings at such time and place as they may see fit and proper, shall pass such laws and ordinances for the control of slaves and free persons of color in said town and to suppress nuisances from hogs, dogs, horses, mules and other stock, straying at large in said town, as they may see fit; they shall have power to tax all Ten Pin or other Ball Alleys and Billiard Tables in said town.

Times and places of meeting of Mayor and Council.
Slaves and free negroes.
Tax on ten pin alleys, &c.

9. SEC. IX. *And be it further enacted*, That said Mayor and Councilmen shall have authority to levy, in addition to the other taxes, a tax not exceeding two dollars upon each and every white male person, male free person of color, and male slave in said town between the ages of sixteen and forty-five years, as a street tax; *provided*, that the person so taxed may relieve himself of said tax by working on the streets for three days under the direction and control of the Marshal.

Street tax.

10. SEC. X. *And be it further enacted*, That all lands used within said corporate limits for farming purposes shall be exempt from the payment of town or corporation tax; and all fines and taxes collected under this Act shall go to the use and benefit of said town of Fort Gaines.

Farming land exempt from city tax.
Appropriation of fines and tax moneys.

11. SEC. XI. *And be it further enacted*, That said Mayor and Councilmen shall have power and authority to dismiss from office said Marshal for failure or neglect to perform the duties of his office, and immediately give notice for the election of a successor, and shall appoint a Marshal to act in and during the time of all vacancies; *provided*, that no by-law, rule or regulation or ordinance, shall be of force which is contrary to the Constitution of this State, or the laws thereof, or of the Confederate States.

Removal of Marshal.

SEC. XII. Repeals conflicting laws.

Assented to April 15th, 1863.

Macon.

(No. 173.)

An Act to amend the charter of the city of Macon and to authorize the Mayor and Council to grade the streets, assess damages and tax for the same, and to give control and regulations of the sidewalks, pavements, streets, street-crossings and alleys in said city.

Streets &c. in city of Macon may be laid out and worked.

12. SECTION I. *The General Assembly of the State of Georgia do enact*, That from and after the passage of this Act, the Mayor and Council of the city of Macon shall have full power and authority to regulate, lay out, direct and control the streets and grading of the same, to assess a tax for the payment of the damages caused by the same, where the property of any person^s may be injured thereby.

To be under the sole management of Mayor and Council.

13. SEC. II. *Be it further enacted by the authority aforesaid*, That all streets, alleys, side-walks, pavements, and street-crossings shall be under the control, power and direction of the said Mayor and Council, and they shall have full and complete power and right to direct the mode and manner, and style, in which all street-crossings, side-walks and pavements shall be constructed, paved or unpaved; and in case of failure or refusal of any property owner, after notice, to comply with the ordinance passed by said Mayor and Council in reference to the construction, paving or repairs of side-walks, pavements or street-crossings, said Mayor and Council are hereby authorized and empowered to fine said owner in a sum not exceeding five hundred dollars, and levy and collect the same by execution, and may also direct their officers, or persons in their employment, to carry out and execute the provisions of said ordinance in reference to side-walks, pavements and street-crossings at the expense of the owner so refusing or failing to comply with the said ordinance; and the said Mayor and Council are hereby empowered to issue, levy and collect by execution, the said bill of expense against said owner.

Crossings and side walks.

Penalty against land owners.

SEC. III. Repeals conflicting laws.

Assented to April 17, 1863.

(No. 174.)

An Act to extend the limits of the city of Macon and the jurisdiction of the Mayor and Council of said city of Macon over said extended limits.

Extension of limits of city of Macon, on the West side of River.

14. SECTION I. *The General Assembly of the State of Georgia do enact*, That from and after the passage of this Act, the corporate limits of the city of Macon be, and the same are hereby extended one mile beyond, and on parallel lines with the present limits, on the west side of the Ocmulgee river, except on that side or part of said city next adjoining the city reserve.

15. SEC. II. *Be it further enacted*, That the limits of said city of Macon be, and the same are hereby extended from a point on the

Smithville alias Renwick.

Ocmulgee river, and on the west side, one mile south east of the south east boundary of the city reserve and running thence on a parallel line with the present city limits, and beyond to the point of intersection with the limits as extended, in the first section of this Act.

Further extension of limits on West side of River.

16. SEC. III. *Be it further enacted*, That the limits of said city of Macon, be extended on the east side of the Ocmulgee river, from the south eastern boundary of the city reserve, on the east side of said river, on a line parallel with the present limits of said city, to a point where said line strikes the Milledgeville road, thence to the point on the Clinton road, one hundred yards north of the shallow well, and thence on an air line to the south east corner of Rose Hill Cemetery.

Extension on East side of River.

17. SEC. IV. *Be it further enacted*, That the jurisdiction and powers of the Mayor and Council of said city are extended over said extended limits, and said extended limits are hereby declared to be subject to the charter and police regulations and ordinances of the corporation of said city; *Provided*, this Act shall not go into force until a majority of the owners of the real estate proposed to be included in said extended limits shall give their assent thereto.

Jurisdiction of city extended over new city territory.

Assent of owners of real estate in new limits first to be had.

SEC. V. Repeals conflicting laws.

Assented to April 18, 1863.

(No. 175.)

An Act to incorporate the town of Smithville, alias Renwick in' the county of Lee, and to confer powers on the same, and for other purposes.

18. SECTION I. *It is enacted by the General Assembly of Georgia*, That D. Butler, O. C. Clark, Council Clark, J. G. McCrary and others, be, and are hereby ordered and required to hold an election for five commissioners for the town of Smithville, *alias* Renwick, in Lee county, Georgia, after giving ten days' public notice, and that all persons residing in said town entitled to vote for members of the General Assembly, shall be entitled to vote at said election, subject to all the penalties of the laws of this State for illegal voting; and the returns of said election shall be made to said corporators, who shall count the same, and cause the persons to be sworn to discharge faithfully their duties as commissioners for said town and obey the Constitution of this State, and the Confederate States, who shall hold their office until their successors are elected and qualified, in accordance with ordinances, which may be passed on that subject.

Smithville incorporated.

Election of Commissioners.

19. SEC. II. *It is further enacted*, That the corporate limits of said town shall include all the territory lying within two miles of the Rail Road Depot, and all persons now, or who may hereafter reside, within said limits shall be citizens of said town, and subject to all the ordinances, which may be passed by said town authorities.

Corporate limits.

Hawkinsville.—Grooverville.

20. SEC. III. That said commissioners, when elected, shall have full power to appoint all such officers as they may deem necessary, and fix the salaries thereof; shall have power to levy and collect from the persons and property in said town, such amount of tax as they may deem necessary to support said town; to fix or change the name of said town, and to pass all ordinances which they may deem necessary for the welfare and happiness of the people of said town, not inconsistent with the Constitution of this State and of the Confederate States.

Commrs. to appoint officers.

Taxes.

Name of town may be changed.

By-laws.

Sale of ardent spirits.

Comm'rs. may sue and be sued.

May hold property.

21. SEC. IV. That said commissioners shall have full power to control or prohibit the retail of, or trade in ardent spirits, within the corporate limits of said town, and they are hereby clothed with full power to have executed all ordinances which they may pass on that subject; also all other rules, regulations and ordinances which they may pass for the prevention of crime, the protection of life and property, and the welfare of the citizens of said town; the said commissioners shall have the right to sue and shall be subject to be sued in the several Courts of law and equity in this State, and shall have the right to fix the corporate name by which they shall be known, and shall have the right to hold any property deemed by them necessary for the welfare of said town, or the citizens thereof; and all laws which conflict with this Act, be, and are hereby repealed.

Assented to April 18th, 1863.

(No. 176.)

An Act to alter and amend an Act entitled an Act to incorporate the town of Hawkinsville, in the county of Pulaski; to appoint Commissioners for the same, and to confer certain powers upon said Commissioners; also to incorporate the town of Grooverville, Brooks county, and for other purposes.

Corporate limits of Grooverville declared.

22. SECTION I. *The General Assembly of the State of Georgia do enact*, That from and after the passage of this Act, the corporate limits of the town of Grooverville, Brooks county, shall extend no further than has been laid off into acre and town lots as shown in the plan and plat of said town.

SEC. II. Repeals conflicting laws.

Assented to April 18, 1863.

TITLE II.

CHURCHES, COLLEGES AND CHARITABLE INSTITUTIONS.

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| <p>Sec. 1. Evangelical Lutheran Synod of Georgia, incorporated.</p> <p>“ 2. Forfeiture of charter of the Cassville Female College, provided against.</p> <p>“ 3. Act of March 5th, 1856, repealed.</p> | <p>Sec. 4. New Board of Trustees of Masonic Hall in Milledgeville, appointed—Made a body corporate—Powers, privileges and obligations enumerated in act of Dec. 26, 1831, extended to corporation.</p> <p>“ 5. Vacancies in Board, how filled.</p> |
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(No. 177.)

An Act to incorporate the Evangelical Lutheran Synod of Georgia.

1. SECTION I. *The General Assembly of the State of Georgia do enact*, That Daniel Kleckley, John Shealy, William Taylor, Jacob Addy, David Gable, and their successors in office as trustees, be, and they are hereby created and constituted a corporation, under the name and style of the Evangelical Lutheran Synod of Georgia, and by that name shall have perpetual succession of officers and members. and have the power to contract and be contracted with, and be capable, in law and equity, in all courts of records and elsewhere, to sue and be sued, to plead and be impleaded, answer and be answered unto, defend and be defended; and may have and use a common seal, with power to break, alter, or make anew the same at pleasure, with power to hold, possess and convey property, both real and personal; and may make, ordain and establish all such by-laws, rules, ordinances and regulations, not repugnant to the Constitution and laws of the Confederate States and the State of Georgia, as may be expedient to carry into effect the objects of this act, or as may be expedient and proper for the government and management of the affairs of the said corporation; and shall be clothed with all powers insident to corporations aggregate.

Evangelical Lutheran Synod of Ga. incorporated. Trustees.

Powers and privileges.

May sue and be sued.

Seal.

May hold property, &c.

By-laws.

Assented to April 18th, 1863.

(No. 178.)

An Act to amend An Act to incorporate the Cassville Female College, located in the town of Cassville, Georgia, and to incorporate the Cherokee Baptist College, located at the same place; and to confer on the Commissioners of Cassville the power to grant license to retail ardent spirits, and for other purposes; and to prevent the forfeiture of the charter of said Colleges, and for other purposes.

WHEREAS, By the tenth section of said act, it is provided, that “if at any time said College shall be abandoned for the space of three years, as a female college, then it shall revert to and become the property of the contributors, in proportion to the amount subscribed by each;” and by the fifteenth section of said act, said provision in the tenth section is made applicable to the Cherokee Bap-

Preamble.

Preamble.

tist College; and whereas, the present war in which the Confederate States are engaged, has caused the trustees of said colleges to suspend the exercises therein, without any intention to abandon said colleges; and to prevent any difficulty in future in relation thereto,

Forfeiture of
charter of the
Cassville Fe-
male College,
provided a-
gainst.

2. SECTION I. *The General Assembly of the State of Georgia do enact*, That the trustees of said colleges, respectively, shall have until the expiration of three years next after the ratification of a treaty of peace between the United States and the Confederate States of America, in which to resume the exercises in said colleges, without a forfeiture of their charters, or the reverting of said college buildings, grounds, and property to those who contributed to them.

SEC. II. Repeals conflicting laws.

Assented to April 14th, 1863.

(No. 179.)

An Act amendatory of An Act to incorporate the Trustees of the Masonic Hall in the town of Milledgeville, approved December 26th, 1831, and to repeal An Act similarly entitled, approved March 5th, 1856,† and to appoint and confirm a new Board of Trustees for said Masonic Hall in the city of Milledgeville.*

Preamble.

WHEREAS, By an act passed on the ninth day of December, 1828,‡ certain persons therein named were constituted commissioners and authorized to raise by lottery the sum of twenty-five thousand dollars, to be appropriated to the building of a Masonic Hall in the town of Milledgeville; and by an act, assented to December 26th, 1831, entitled an act to incorporate the Trustees of the Masonic Hall in the town of Milledgeville, certain persons were therein named as Trustees, most of whom are dead, and the others resigned, leaving only one successor under said act, who is resident out of the county of Baldwin; and whereas, by an act approved March 5th, 1856, amendatory of said act of December 26th, 1831, a number of new trustees, additional to the old ones, were sought to be appointed, which said act is alledged to be invalid as not reciting in its body, that said new trustees were additional trustees; therefore, to the end of composing all differences, and to enable said benevolent institution to accomplish the ends intended,

Act of March
5, 1856, re-
pealed.

3. SECTION I. *The General Assembly do enact*, That the afore-repited act of March 5th, 1856, be, and the same is hereby repealed.

New Board of
Trustees to
the Masonic
Hall in Mil-
ledgeville, ap-
pointed.

4. SEC. II. The following persons, to-wit: John W. L. Daniel, A. M. Nisbet, Peter Fair, G. D. Case, B. B. deGraffenreid, H. J. G. Williams and O. V. Brown, of the county of Baldwin, and their successors, shall be, and are hereby constituted and confirmed as a

* For this act, see acts of 1831, p. 249.

† See acts of 1855-6, p. 479.

‡ For this act, see acts of 1828, p. 148.

Trustees of the Masonic Hall in Milledgeville.

new Board of Trustees of said Masonic Hall in the city of Milledgeville, and are created a body corporate and politic by the name and style of the Trustees of the Masonic Hall in the city of Milledgeville; and are hereby invested with all the powers and functions, and subject to all the obligations and duties in the said act of December 26th, 1831.

Made a body corporate.
Powers, privileges and obligations enumerated in Act of Dec. 26, 1831.

5. SEC. III. *And be it further enacted*, That whenever any member of the Board of Trustees shall remove from the county of Baldwin, or his place shall become vacant by resignation, death or otherwise, the remaining Trustees are authorized to declare a vacancy, and it shall be their duty, so soon as practicable, to fill said vacancy by election, which shall be done by ballot, after due notice to each member of the Board; and the party so elected, after his acceptance under said election, shall become a member of said Board of Trustees; *provided*, that no person shall be eligible to such election unless he be a Master Mason.

Vacancies in board how filled.

SEC. IV. Repeals conflicting laws.

Assented to with some doubts as to the constitutional question, this 6th April, 1863.

JOSEPH E. BROWN,
Governor.

Confederate Express Company.

TITLE III.

CORPORATIONS.

- Sec. 1. *Confederate Express Company*, incorporated.
- " 2. Capital stock. Shares.
- " 3. When Company may commence business. Appointment of Directors.
- " 4. President.
- " 5. Election of Board of Directors. Annual meeting of stockholders may be called.
- " 6. By-laws.
- " 7. Powers of Company. Agencies. Company may be insured. Limitation of powers.
- " 8. Location of principal office of Comp'y.
- " 9. Place of regular meeting of Board.
- " 10. Sale of unclaimed freight.
- " 11. Disposal of proceeds of unclaimed freight.
- " 12. Personal liability of stockholders.
- " 13. Organization and commencement of business. Semi-annual statements.
- " 14. Suits how brought against Company.
- " 15. By whom stock must be held. Forfeiture of charter.
- " 16. *Chestatee River and Town Creek Gold Mining Co.*, incorporated. Powers and privileges.
- " 17. May mine by the hydraulic hose process.
- " 18. Right of way for conducting water. Damages for turning water courses, &c.
- " 19. Damages for right of way, &c, how paid.
- " 20. May use lands when owners not known.
- " 21. Capital stock.
- " 22. By-laws, &c.
- " 23. Charter may be modified or repealed.
- " 24. Injury to works of Co., a penal offense.
- " 25. Location of office.
- " 26. *Augusta and Dahlonega Mining Co.*, incorporated. Powers and privileges. May hold real estate. By-laws. Common seal.
- " 27. May mine by hydraulic hose process. May divert water courses.
- " 28. Right of way to conduct water to works of Company. Dams, &c. Compensation for right of way, &c. Damages.
- " 29. Assessment of damages.
- " 30. Company may use lands when owners not known. Compensation to owners when known. Damages how assessed.
- " 31. Capital stock. Shares. Personal liability of stockholders.
- " 32. Officers.
- " 33. Charter may be altered or repealed.
- " 34. Injuries to property of Co., made penal.
- " 35. Office of Company.
- " 36. *Blauccelle Salt Mining Co.*, incorporated. Powers and privileges. By-laws.
- " 37. *The Citizens' Fire Company*, incorporated. Powers and privileges. By-laws. May hold property, &c.
- " 38. Members exempt from militia and jury duty.
- " 39. *Griffin Fire and Marine Insurance Co.*, incorporated. Powers, &c. Seal. By-laws.
- " 40. Directors, President, Secretary and Treasurer. Vacancy in Board of Directors.
- " 41. Organization of Company. Capital stock. Shares.
- " 42. When Company may commence business.
- " 43. Subjects of insurance.
- " 44. Company may re-insure.
- " 45. Payment of installments of stock. Liability of stockholders.
- " 46. Principal office in Griffin. Dividends. Mutual principle may be adopted.
- " 47. Duration of charter, 30 years.
- " 48. *Augusta Fire Department*.—Name changed to, from *Augusta Fire Company*.
- " 49. The word Department substituted for word Company.
- " 50. Officers. Exempt from jury and militia duty. Exception.

(No. 180.)

An Act to incorporate the Confederate Express Company.

Corporators.

Confederate
Express Co.
incorporated.

Capital stock.

Shares.

1. SECTION I. *Be it enacted by the Senate and House of Representatives*, That Charles M. Furman, Charles V. Chamberlain, F. W. Dillard, John E. Bacon, J. A. Harmou, Adison Reese and B. F. Ficklin, and their successors and assigns, be, and they are hereby declared to be a body corporate and politic, by the name of the Confederate Express Company, for the purpose of an express transportation business.

2. SEC. II. The capital stock of said Company shall be five hundred thousand dollars, and shall be divided into shares of one hundred dollars each; and in case the said capital stock be found insufficient for its purposes, such Company may increase its capital

Confederate Express Company.

stock, from time to time, to such amount as may be deemed necessary for the purposes, not exceeding one million of dollars; such increase must be sanctioned by a vote, in person or by proxy, of two-thirds in amount of stock of the Company present or represented at a meeting of such stockholders.

3. SEC. III. The said Company may commence business as soon as its capital stock is fully subscribed, and fifty thousand dollars of the same paid up; and such subscriptions being made, any five subscribers to said stock may call a general meeting of the stockholders of the said Company, by serving a notice, signed by them, of the time and place of such meeting, twenty days at least before the time of holding the same, on each stockholder personally, or by leaving it at his residence, or by putting the same in the post office, directed to him at his usual or reported place of residence, and paying the postage thereon; *provided*, however, that any other mode or time of calling said meeting shall be lawful, if all the stockholders consent thereto in writing, or are represented thereat at the meeting convened as aforesaid. The said Company shall elect by a majority of votes there present or represented, not less than, nor more than nine persons, being stockholders of the said Company, to act as Directors of the said corporation, who shall represent the said Company and manage the business thereof. Vacancies in the Board of Directors shall be filled in such manner as shall be prescribed by the by-laws of the corporation.

When Co.
may com-
mence busi-
ness.

Appointment
of Directors.

4. SEC. IV. At the first meeting of the said Board of Directors after their election, they shall elect one of their number as President of said corporation, and may elect a Vice President of the said corporation, and such other officers as they may deem advisable. The Directors of this Company shall hold their offices for one year, and until others are chosen.

President &
other officers.

5. SEC. V. In case it shall at any time happen that an election of Directors be not made at the time designated, or on the days when, by the by-laws of said Company, it ought to be done, it shall and may be lawful to hold the same on any other day designated by said Company; and in case any annual meeting of the stockholders shall not be held by reason of the neglect of the Directors, it shall be in the power of any stockholder holding one hundred shares of the capital stock, to call such meeting, for the purpose of electing Directors and other purposes, by giving the notice hereinafter prescribed; and for that purpose they shall have access to the stock list and transfer book of said Company, and all information necessary to the giving of such notice.

Election of
Dir. of Direc-
tors.

Annual meet-
ing of stock-
holders may
be called.

6. SEC. VI. *And be it further enacted*, That the Directors of such Company shall have power to make and prescribe such by-laws and regulations as they shall deem proper respecting the management and disposition of the property and estate of said Company; the duties of the officers, agents, artificers, and servants by them to be employed; to appoint such and so many officers, clerks and servants for carrying on the business of said Company, and with such

By-laws, &c.

Confederate Express Company.

salaries or wages as to them seem reasonable; *provided*, however, that such by-laws be not inconsistent with any existing laws.

Powers of Co.

7. SEC. VII. The said Company shall have power to do an express transportation business by land or by water for the conveyance of persons and property of every kind, from, to and between any place in the Confederate States, or any place in or beyond the limits of the Confederate States, in their own conveyance or those of other persons; and to create and organize branch agencies for the same purpose; and to hire, establish and maintain storehouses; warehouses and other buildings as may be required for the safe keeping of anything entrusted to them for conveyance; and shall have power to indemnify themselves by insurance against loss or damage by fire or the risk of navigation and transportation of any goods, wares, merchandise, or other property in their custody, received by them for transportation, or held by them as their property; *provided*, that this shall not be so construed as to give the said Confederate Express Company any right or authority to build, purchase, occupy, or establish any railroad or steamboat line, except to be employed between any port in the Southern Confederacy and foreign ports, or other like means of transportation; nor shall the same be so construed as to require any railroad or steamboat line established in part or in whole within the limits of the Confederate States, to do or perform transportation service as herein contemplated, for or on account of said Confederate Express Company.

Agencie.

Comp'y. may be insured.

Limitation of powers.

Location of principal office of Co.

8. SEC. VIII. The principal office of said Company shall be kept at such place within the Confederate States as shall be agreed upon by a majority of the Directors; and said Company may establish as many branches or local offices as their business may require.

Place of regular meeting of Board.

9. SEC. IX. The regular meeting of the Board of Directors of said Company shall be held at the principal office of said Company, or at such other place in the State as the by-laws of the Board of Directors may designate; but said Company may hold special meetings of its Directors for the transaction of business, at any place which the by-laws of said Company may designate, or which the majority of the Directors, with the approval of the President, may appoint.

Sale of unclaimed freight.

10. SEC. X. If the Company shall have had unclaimed freight or baggage, not perishable, in its possession for the period of at least one year, it may proceed and sell the same at public auction, after giving notice to that effect in one or more newspapers published in the State, or at the place where such goods are to be sold, once a week for not less than four weeks, and shall also keep a notice of such sales posted for the same time in a conspicuous place in the principal office of said Company. Said notice shall contain, as near as practicable, a description of such freight or baggage, the place and time, when and where left, together with the name and residence of the owner of the freight or baggage, or person to whom it is consigned, if the same be known.

11. SEC. XI. All moneys arising from the sale of freight or bag-

Confederate Express Company.

gage as aforesaid, after deducting therefrom charges and expenses for the transportation, storage, advertising, commissions for selling the property, and any amount previously paid for advances on such freight and baggage, shall be paid by the Company to the persons entitled to receive the same; and the said Company shall keep books of record of all such sales as aforesaid, containing copies of such notices, proofs of advertisement, and posting affidavit of sale, with the amount for which each parcel was sold, the total amount held in trust for the owner; which books shall be opened for inspection by claimants at the principal office of the said Company, and at the office where the sale was made.

Disposal of moneys arising from sale of unclaimed freight.

12. SEC. XII. That the stockholders in said Company shall be personally responsible for double the amount of stock subscribed by each; and in case of insolvency by said Company, the outstanding debts of the concern shall be paid in proportion to the stock held by each one, to be recovered in any court of law or equity in this State; and any creditor holding claims against said Company, upon the insolvency of the same, may bring his action against one or more of said stockholders, and recover his entire claim of them, providing their stock amounts to a sufficiency; if not, then the amount of their stock and the balance he can recover of any other stockholder.

Personal liability of the stockholders.

13. SEC. XIII. That no right of property to this franchise shall invest until the minimum amount of capital is subscribed and fifty thousand dollars actually paid; of which fact it shall be the duty of the Company to inform the Governor, in the same manner that the officers of a bank about to be put into operation are required to do; and when said Company shall be organized and ready to go into operation, it shall be the duty of the presiding officer and treasurer to make a statement, upon oath, to the Comptroller General of the amount of capital paid in, and to make a like statement every six month thereafter, with an additional statement of their profits and gross receipts; and for failure to make such reports, they shall forfeit and pay into the public treasury one thousand dollars for each failure, to be recovered by motion after ten days' notice.

Organization and commencement of business.

Semi-annual statements.

14. SEC. XIV. Any action at law or suit in equity against the said Company may be commenced by any person residing in this State, by personal service of process on the local agent or officer of said Company, in charge of its affairs in the county in which such person considering himself aggrieved may reside, or in any county through which the lines of transportation of said Company may pass, if there shall be no local agent or officer in the county in which the person commencing such suit may reside; *provided*, that nothing herein contained shall be construed to prevent the commencement of any suit in equity or action at law in the manner heretofore provided by law.

Suits how brought against Co.

15. SEC. XV. It is hereby incorporated as an express condition of this charter, that one-half of the capital stock of said Company shall be *bona fide* held and owned by citizens of Georgia; and

By whom the stock must be held.

Chestatee River and Town Creek Gold Mining Company.

shall so appear in the semi-annual statement provided to be made to the Comptroller General in 13th section; and a failure to comply with the provisions of this section shall work a forfeiture of this charter.

Assented to April 18th, 1863.

(No. 181.)

An Act to incorporate the Chestatee River and Town Creek Gold Mining Company.

16. SECTION I. *The General Assembly of the State of Georgia do enact*, That Charles F. McCay, John Bones, Thomas H. Roberts, H. H. Hickman, James Brown, Charles A. Rowland, Thomas W. Chichester and James M. Roberts, and their associates and successors, be, and are hereby made a body politic and corporate, under the name and style of "The Chestatee River and Town Creek Gold Mining Company," and by said name shall be capable in law to sue and be sued, plead and be impleaded, answer and be answered unto, in any court in law or equity in this State; and be capable to purchase, accept, hold and convey real and personal estate, make contracts, make such by-laws, rules and regulations for its government as are not repugnant to the Constitution of the Confederate States or the State of Georgia, or the laws thereof; and to make, use and alter at its pleasure, a common seal, and to do all other acts properly incident to a corporation, and necessary and proper to be done for the transaction of the business of said corporation.

17. SEC. II. *Be it further enacted*, That said company shall have the right, in addition to the ordinary methods of mining for gold and other precious metals and precious stones, to mine by what is known as the hydraulic hose process, and that to this end they may lawfully drain and turn any creek or other water course in the vicinity of any of the mines now owned, or that may hereafter be acquired by lease, purchase or otherwise, out of its or their original bed or channel, and to convey the waters thereof by ditch, canal or aqueduct of any kind to any pounding or stamping mills, owned or controlled by said company, or to any mine or mines, either owned or leased by said company.

18. SEC. III. That said company shall have a right to conduct the water of the streams aforesaid through and over all such lands as over and through which it may be necessary to pass the same, in order to conduct successfully their mining operations, and to erect such dams, &c., as the security and permanence of said work may require; *provided*, said company shall pay the owner or owners of all such lands over and through which it may be necessary to pass as aforesaid, or upon which such dams, &c., may be erected as aforesaid, and also the owner of all lands from which any of said streams may in whole or in part be diverted, not only a fair compensation for all wood or other material used in said structures,

Chestatee River and Town Creek Gold Mining Company.

but also such damages for such use of said land and waters, where the same may be diverted, as the owners of such land and said company may agree upon.

19. SEC. IV. *Be it further enacted*, That if in any case the owner of the lands in the preceding section of this act mentioned, and the said company, shall fail to agree as to the compensation for the material used, or as to the damages in said section mentioned, then such compensation or damages, or both, as the case may be, shall be awarded by three freeholders of the county in which said lands are situated, which said freeholders shall be appointed as follows: one by the land owner or owners, one by the said company, and one by the Inferior Court of said county, which appointment said Court may make in vacation as well as in term time; and if either said land owner or owners, or company shall fail or refuse, after five days' notice in writing from the adverse party, to appoint his, their, or its freeholder for the purpose aforesaid, then the said court shall forthwith proceed to appoint a freeholder for such defaulting party. Said freeholders, when appointed, shall be sworn either by some officer authorized to administer oaths, or by each other in the absence of such officer, fairly and impartially to estimate and award such value and damages, and their award shall be rendered in writing; the concurrence of any two of said freeholders in such award shall be sufficient; said award shall be immediately returned to, filed and recorded in the clerk's office of the Superior Court of said county; and the payment or tender thereof by said company of the amount of such award thus made, shall vest in it all the rights contemplated in the preceding sections of this act; *provided*, that either party dissatisfied with such award, may enter an appeal therefrom within ten days after the same is so filed, to the Superior Court of said county, without payment of cost or giving security; which appeal shall be tried at the next term of said court, by a special jury thereof, unless good cause is shown for a continuance; *and provided further*, that said company shall have the right, pending such appeal, upon filing its bond with good security in said clerk's office, conditioned to pay all such damages as may be assessed by said jury, to prosecute their work upon said lands.

Damages for
right of way,
&c., how li-
ed.

20. SEC. V. *Be it further enacted*, That should said company, at any time in the prosecution of its work, find it necessary to pass over, use, or appropriate in the manner aforesaid any land, the owner or owners of which said company cannot ascertain, said company shall have a right to enter upon and use such land; and when the owner or owners thereof shall thereafter present their claim for damages to such land, if the same cannot be agreed upon, the same shall be assessed as provided for in the fourth section of this act; and said damages shall be assessed by said freeholders with reference to the condition of said land at the time when said company entered thereon, and not afterwards.

May use
lands where
owners not
known.

21. SEC. VI. The capital stock of said company shall consist of

Capital stock.

two hundred and fifty thousand dollars, to be divided into shares

Augusta and Dahlonega Mining Company.

of one hundred dollars each; and the individual property of said stockholders shall, in addition to the corporate properties, be bound for the payment of all the debts of said company, to the extent of their stock severally therein.

By-laws, &c.

22. SEC. VII. *Be it further enacted*, That said company shall have the power to prescribe by its by-laws or regulations, the number titles, compensation, terms of office, modes and times of election of its officers.

Charter may be modified or repealed.

23. SEC. VIII. The General Assembly reserve the right to modify or repeal this charter at any time.

Injury to works of Co. a penal offence

24. SEC. IX. *Be it further enacted*, That if any person or persons shall willfully and maliciously destroy or in any manner injure or obstruct, or shall advise, aid or assist any person or persons in any manner to destroy, injure, or obstruct any of said works, or any of their appurtenances or appendages, such person or persons so offending shall be liable to be indicted for a misdemeanor, and, on conviction thereof, shall be imprisoned at hard labor in the Penitentiary for a term of not more than three nor less than one year, and be further liable to pay all expenses of repairing or rebuilding the same.

Location of office.

25. SEC. X. Said company shall keep an office at Dahlonega, Georgia, for the management of the business of the same, which shall be held and considered its place of location for all legal and judicial purposes.

Assented to April 15th, 1863.

(No. 182.)

An Act to incorporate the Augusta and Dahlonega Mining Company.

Corporators.

26. SECTION I. *The General Assembly of the State of Georgia do enact*, That James B. Walton, Josiah Sibley, Henry Moore, William H. Goodrich, Germain T. Dortie, William S. Roberts, Benjamin Hamilton and Lemuel Divelle, and their associates and successors, be, and are hereby made a body politic and corporate, under the name and style of the Augusta and Dahlonega Mining Company; and by said name shall be capable in law to sue and be sued, plead and be impleaded, answer and be answered unto in any court of law or equity in this State, and be capable to purchase, accept, hold and convey real and personal estate; make contracts, make such by-laws, rules and regulations for its government as are not repugnant to the Constitution of the Confederate States or the State of Georgia, or the laws thereof, and to make, use and alter at its pleasure a common seal; and to do all other acts properly incident to a corporation and necessary and proper to be done for the transaction of the business of said corporation.

Augusta and Dahlonega Mining Co. incorporated.

Powers and privileges.

May hold real estate, &c.

By-laws.

Common seal.

May mine by hydraulic hose process.

27. SEC. II. *Be it further enacted*, That said company shall have the right, in addition to the ordinary method of mining for gold and other precious metals and precious stones, to mine by what is known as the hydraulic hose process, and that to this end they may

Augusta and Dahlonega Mining Company.

lawfully drain and turn any creek or other water course in the vicinity of any of the mines now owned, or that may hereafter be acquired by lease, purchase or otherwise, out of its or their original bed or channel, and to convey the waters thereof by ditch, canal or aqueduct of any kind, to any pounding or stamping mills owned or controlled by said company, or to any mine or mines, either owned or leased by said company.

May divert water courses.

28. SEC. III. *Be it further enacted*, That said company shall have the right to conduct the waters of the streams aforesaid through and over all such lands as over and through which it may be necessary to pass the same, in order to conduct successfully their mining operations, and to erect such dams, &c., as the security and permanence of said works may require; *provided*, said company shall pay the owner or owners of all such lands over and through which it may be necessary to pass as aforesaid, or upon which such dams, &c., may be erected as aforesaid, and also the owners of all lands from which any of said streams may in whole or in part be diverted, not only a fair compensation for all wood or other material used in said structures, but also such damages for such use of said land and waters, and for the diverting of said waters where the same may be diverted, as the owners of all such lands and said company may agree upon.

Right of way to conduct water courses to works of Co.

Dams, &c.

Compensation for right of way, &c.

Damages, &c.

29. SEC. IV. *Be it further enacted*, That if in any case the owners of the lands in the preceding section of this act mentioned, and the said company shall fail to agree as to the compensation for the materials used, or as to the damages in said section mentioned, then such compensation or damages, or both, as the case may be, shall be awarded by three freeholders of the county in which said lands are situate; which said freeholders shall be appointed as follows: one by the land owner or owners, one by the said company, and one by the Inferior Court of said county, which appointment said Court may make in vacation as well as term time; and if either said land owner or owners, or said company, shall fail or refuse, after five days' notice in writing from the adverse party, to appoint his their or its freeholder for the purpose aforesaid, then the said Court shall forthwith proceed to appoint a freeholder for such defaulting party. Said freeholder, when appointed, shall be sworn, either by some officer authorized to administer oaths, or by each other, in the absence of such officer, fairly and impartially to estimate and award such value and damages, and shall enter upon and view such lands, and their award shall be rendered in writing, the concurrence of any two of said freeholders in such award shall be sufficient. Said award shall be immediately returned to, filed and recorded in the clerk's office of the Superior Court of said county, and the payment or tender thereof by said company of the amount of such award thus made, shall vest in it all the rights contemplated in the preceding sections of this act; *provided*, that either party dissatisfied with such award may enter an appeal therefrom, within ten days after the same is so filed, to the Superior Court of said county, without payment of cost or giving security, which ap-

Assessment of damages when parties cannot agree.

Augusta and Dahlonega Mining Company.

peal shall be tried at the next term of said Court, by a special jury thereof, unless good cause is shown for a continuance; and *provided further*, that said company shall have the right, pending such appeal, upon filing its bond with good security in said clerk's office, conditioned to pay all such damages as may be assessed by said jury, to prosecute their work upon said lands.

30. SEC. V. *Be it further enacted*, That should said company at any time in the prosecution of its work, find it necessary to pass over, use or appropriate in the manner aforesaid any land, the owner or owners of which said company cannot ascertain, said company shall have the right to enter upon and use such land; and when the owner or owners thereof shall thereafter present their claim for damages to such land, if the same cannot be agreed upon, the same shall be assessed as provided for in the fourth section of this act; and said damages shall be assessed by said freeholders with reference to the condition of said land at the time when said company entered thereon, and not afterwards.

31. SEC. VI. *Be it further enacted*, That the capital stock of said company shall consist of two hundred any fifty thousand dollars, to be divided into shares of one hundred dollars each; and the individual property of said stockholders shall, in addition to the corporate properties; be bound for the payment of all the debts of said company, to the extent of their stock severally therein.

32. SEC. VII. *Be it further enacted*, That said company shall have the power to prescribe by its by-laws or regulations the number, titles, compensation, terms of office, and modes and times of election of its officers.

33. SEC. VIII. *Be it further enacted*, That the General Assembly reserves the right to modify or repeal this charter at any time.

34. SEC. IX. *Be it further enacted*, That if any person or persons shall willfully and maliciously destroy or in any manner injure or obstruct, or shall advise, aid, or assist any person or persons in any manner to destroy, injure or obstruct any of said works, or any of their appurtenances or appendages, such person or persons so offending shall be liable to be indicted for a misdemeanor, and, on conviction thereof, shall be imprisoned at hard labor in the Penitentiary for a term of not more than three nor less than one year, and be further liable to pay all expenses of repairing or rebuilding the same.

35. SEC. X. *Be it further enacted*, That said company shall keep an office at Dahlonega, Georgia, for the transaction of the business of said company, which shall be held and considered its place of location for all legal and judicial purposes.

SEC. XI. Repeals conflicting laws.

Assented to 18th April, 1863.

Comply may
use lands
where own-
ers are not
known.

Compensa-
tion to own-
ers when
known.

Damages how
assessed.

Capital stock.

Shares.

Personal lia-
bility of stock-
holders.

Officers of
Company.

Charter may
be altered or
repealed.

Injuries to
property of
Co. made pe-
nal.

Office of Co.

Blanceville Slate Mining Co.—Citizen Fire Co of Augusta.—Griffin Fire and Marine Insurance Co.

(No. 183.)

An Act to incorporate the Blanceville Slate Mining Company of the county of Polk, and for other purposes.

36. SECTION I. *The General Assembly do enact*, That John J. Thrasher, James F. Dever, and Alexis E. Marshall, their associates and successors, be, and they are hereby made and constituted a body politic and corporate, under the name and style of the Blanceville Slate Mining Company, vested with full power to sue and be sued, plead and be impleaded, contract and be contracted with, buy and sell property so far as may be necessary to carry on the business of said corporation; and they shall also have power to make all by-laws that may be necessary to the proper and orderly conduct of their business, not inconsistent with the Constitution and laws of this state.

Blanceville Slate Mining Company, incorporated.

Powers and privileges.

By-laws.

SEC. II. Repeals conflicting laws.

Assented to April 11th, 1863.

(No. 184.)

An Act to incorporate and confer certain powers and privileges upon the Citizen Fire Company of Augusta, called and known as No. 5.

37. SECTION I. *The General Assembly of the State of Georgia do enact*, That M. G. Dunn, Luke Rice, and H. M. Boardman, their associates and successors, (not exceeding sixty members in all at one time) shall be, and they are hereby made and constituted a body politic and corporate, by the name and style of the Citizen Fire Company, with power to sue and be sued, contract and be contracted with, make by-laws, rules and regulations, and punish violations thereof among their members by fine; and to receive, hold and control and dispose of any and all property necessary for the purposes of their association.

The Citizen Fire Company, incorporated.

Powers and privileges.

By-laws.

May hold property, &c.

38. SEC. II. *And be it further enacted*, That the members of said company shall be, and they are hereby exempted from all ordinary militia duty, and from jury duty in any court of Richmond county, or the city of Augusta.

Members exempt from militia and jury duty.

Assented to April 18th, 1863.

(No. 185.)

An Act to incorporate the Griffin Fire and Marine Insurance Company of Griffin, Georgia.

39. SECTION I. *The General Assembly of Georgia do enact*, That Miles G. Dobbins; Charles H. Johnson, James A. Beeks, Henry Moore, William Jossey, Henry P. Hill, Benson Roberts, John Stilwell and John N. Mangham, citizens of the State of Georgia, their associates and successors, are hereby created a body corporate, un-

Corporators.

Griffin Fire and Marine Insurance Company.

Griffin Fire and Marine Insurance Co. incorporated.

Powers, &c.

Seal.

By-laws.

Directors.

President.

Secretary and Treasurer.

Vacancy in Board of Directors.

Organization of Co.

Capital stock. Shares.

When Co. may commence business.

What the Co. may insure.

der the name and style of the Griffin Fire and Marine Insurance Company of Griffin, by which name they may have, purchase, receive, possess, enjoy and retain and sell property of all kinds; sue and be sued, have and use a common seal, which they may break, alter and renew at pleasure, elect its own officers, and make such by-laws, rules and regulations as may be deemed necessary to carry into effect the object of this corporation.

40. SEC. II. That said corporation shall be managed by not less than seven Directors, a majority of whom shall constitute a quorum; for the transaction of business, each of whom shall be a stockholder, who shall be elected at such time and place as the corporators and their successors may designate, and hold their office for one year, or until their successors are elected. One of said Directors shall be elected President, and hold his office for the said length of time; said Directors shall fill all vacancies which may occur in the office of President by death, resignation or otherwise; and with the advice and consent of the President, elect a Secretary and Treasurer, and any other officer whose services may be necessary to carry out the legitimate objects of said corporation. A vacancy in the Board of Directors shall only be filled by the stockholders at a meeting, held after notice of the time and place of such meeting, in person or by proxy, each stockholder having as many votes as he has shares.

41. SEC. III. *Be it further enacted*, That a majority of said corporators be, and they are hereby authorized to call a meeting of said corporators, and may proceed in pursuance of said call to organize said company; and proceed to open books of subscription for stock at such time as they may designate, in the city of Griffin in said State. The capital stock of said corporation shall be two hundred and fifty thousand dollars, divided into shares of one hundred dollars each; and no one shall be allowed to subscribe for more than two hundred shares of said stock.

42. SEC. IV. *Be it further enacted*, That said corporators may use and exercise the privileges and franchises herein granted, when the sum of fifty thousand dollars is subscribed and each stockholder has paid in cash to the proper officer not less than ten per cent. on the amount of his stock, and delivered to the proper officer a note secured by mortgage on real estate, or otherwise, to the entire satisfaction of said corporators or their successors, for a sum corresponding in amount to his stock, less the sum paid in cash; the notes and cash paid in constituting the capital stock of said company.

43. SEC. V. *Be it further enacted*, That said company be authorized to make insurance on dwelling houses, storehouses, and buildings, household furniture, merchandise and all other property against loss or damage by fire; to make marine insurance upon vessels, freight, goods, wares and merchandise, and all and every insurance appertaining to or connected with marine or inland transportation or navigation risk.

44. SEC. VI. *Be it further enacted*, That said company may cause

Griffin Fire and Marine Insurance Company.—Augusta Fire Department.

itself to be insured against risks it has taken on real property, take mortgages on any description of property to secure investments of its funds, or re-invest its funds in railroad, bank or other stock. Comp'y may re-insure.

45. SEC. VII. *Be it further enacted*, That the Directors shall have power to call in any portion of said stock notes; *provided*, it is necessary, and if any stockholder shall fail or neglect to pay in such installments as may be called in, within such time as said Directors may in their by-laws prescribe, his or her stock shall be forfeited; and every stockholder shall be liable to the creditors of said company upon all the debts and contracts of said company to the amount of his or her stock. Payment of installments. Liability of stockholder.

46. SEC. VIII. *Be it further enacted*, That the principal office shall be located in the city of Griffin, where the President and Directors may declare half yearly dividends of such profits as may have been ascertained, on the first Monday in January and July in each and every year, and fix the place and define the manner of paying the dividends and transferring stock; and said President and Directors shall also have the power to give the holders of the policies of said company the right to participate in the net profits of the company to such an extent, in such manner and upon such terms as they shall deem proper. Principal office in Griffin. Dividends. Mutual principle may be adopted.

47. SEC. IX. *Be it further enacted*, That the charter and privileges, franchises and immunities herein granted shall continue for the term of thirty years from the passage thereof. Duration of charter 30 years.

Assented to April 16th, 1863.

(No. 186.)

*An Act to amend An Act entitled An Act to incorporate the Augusta Fire Company, and to grant them certain exemptions, approved December 29, 1845.**

48. SECTION I. *The General Assembly of the State of Georgia do enact*, That from and after the passage of this act, the corporate name and style of the Augusta Fire Company, incorporated under the above recited act, shall be changed, and the same shall be called by the name and corporate style of the Augusta Fire Department, and by that name shall have perpetual succession of officers and members; and by that name shall sue and be sued, plead and be impleaded, in any court of law or equity in this State, and shall have power to make and use a common seal, and the same at pleasure to change or alter, and the full and complete powers of establishing, changing and amending such constitution, by-laws and regulations as may have been already, or may hereafter be framed and adopted by the officers and members of said company; *provided*, such constitution, by-laws and regulations be not inconsistent with the Constitution and laws of the State, or of the Confederate States. Augusta Fire Department. Name changed to.

*See Acts of 1854, p. 145

Baker and Calhoun.—Harris and Talbot.

The word
Department
to be substitu-
ted for the
word Compa-
ny.

49. SEC. II. *And be it further enacted*, That whenever the word "Company" occurs in said recited act, the word "Department" shall be substituted for and in lieu thereof.

Officers.
Exempt from
jury duty and
militia duty
except in cer-
tain cases.

50. SEC. III. *And be it further enacted*, That the officers of said Department shall consist of a Chief Engineer and two assistants, a Secretary and Treasurer, who shall be elected at each regular election by the members of said Department, in accordance with the by laws thereof, which officers shall be exempt from jury duty and from all militia duty, except in cases of invasion, rebellion or insurrection.

SEC. IV. Repeals conflicting laws.

Assented to April 18th, 1863.

TITLE IV.

COUNTY LINES.

- | | |
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| Sec. 1. Lines changed between Baker and Calhoun. | Sec. 6. Lines changed between Miller and Early. |
| " 2. Lines changed between Coffee and Clinch. | " 7. Lines changed between Pickens and Gilmer. |
| " 3. Lines changed between Irvin and Wilcox. | " 8. Lines changed between Randolph and Calhoun. |
| " 4. Lines changed between Harris and Talbot. | " 9. Lines changed between Schley and Sumter. |
| " 5. Lines changed between Madison and Hart. | |

(No. 187)

An Act to change the line between the counties of Baker and Calhoun.

1. SECTION I. *Be it enacted by the General Assembly of the State of Georgia*, That the line between the counties of Baker and Calhoun be so changed as to add lot of land No. one hundred and eighty one (181) in the seventh (7) District of Baker county, to the county of Calhoun—said lot being the land on which is the residence of Nathaniel C. Daniel.

Line changed
between Ba-
ker and Cal-
houn.

SEC. II. Repeals conflicting laws.

Assented to April 18th, 1863.

(No. 188.)

An Act to change the lines between the counties of Coffee and Clinch, and between the counties of Irvin and Wilcox.

Lines chang-
ed between
Coffee and
Clinch.

2. SECTION I. *The General Assembly of Georgia do enact*, That the line between the counties of Coffee and Clinch, be so changed as to include lot of land No. one hundred and seventy (170) in the

Irvin and Wilcox.—Harris and Talbot.—Madison and Hart.

seventh (7th) District of originally Appling now Coffee county, in the county of Clinch.

3. SEC. II. *Be it further enacted*, That the line between the counties of Irvin and Wilcox, be so altered as to include lots of land Nos. two hundred and twenty (220) and two hundred and twenty-one (221,) being lands of C. McRae and Milly Lang in the fourth (4th) District of originally Irvin now Wilcox county, in the county of Irvin.

SEC. III. Repeals conflicting laws.

Assented to April 18th, 1863.

(No. 189.)

An Act to change the lines between the counties of Harris and Talbot.

4. SECTION I. *Be it enacted by the General Assembly of Georgia*, That the line between Harris and Talbot counties, be so changed as to include lot of land No. seventy-eight, (78) and also part of lot No. sixty-seven (67), said part of lot of land being bounded as follows: commencing at the North east corner of lot No. sixty-seven (67) running west eighty-seven (87) rods, and ten (10) feet then south, twenty-four (24) rods to a certain rock corner, thence east eighty-seven (87) rods and ten (10) feet to another rock corner, on the original line, thence north twenty-four (24) rods, to the north east corner of said lot No. sixty-seven (67); both tracts or parcels of land being in the twenty-second (22d) District of originally Museogee, but now Harris county, in the county of Talbot.

Assented to, April 13th, 1863.

(No. 190.)

An Act to change the line between the counties of Madison and Hart.

5. SECTION I. *The General Assembly of the State of Georgia do enact*, That the county line between the counties of Madison and Hart, be changed as follows: beginning on the line between the counties of Elbert and Madison, at a point south of, and nearest to the residence of Robert D. Caruthers, and running north west so as to include the residence of said Robert D. Caruthers in Hart county, to the road leading from Daniel's Ferry to Hatton's Ford, near the residence of R. W. Berryway, then along said road till it strikes the Hart county line at Augus Johnson's; and that portion of territory lying east of said line be added to, and become a part of the county of Hart.

SEC. II. Repeals conflicting laws.

Assented to April 4, 1863.

Miller and Early.—Pickens and Gilmer.—Randolph and Calhoun.

(No. 191.)

An Act to change the line between the counties of Miller and Early.

Lines changed between Miller and Early.

6. SECTION I. *The General Assembly of Georgia do enact*, That from and after the passage of this Act, the line between the counties of Miller and Early, be so changed as to include the following lots of lands in the sixth District of Early county, in Miller county, to-wit: Nos. three hundred and forty (340), three hundred and eighty (380), three hundred and forty-one (341) and three hundred and eighty-one (381), known as the residences of West Sheffield, Abner Hearn and S. L. Tabb.

SEC. II. Repeals conflicting laws.

Assented to April 16th, 1863.

(No. 192.)

An Act to change the line between the counties of Pickens and Gilmer, and for other purposes.

Lines changed between Pickens and Gilmer.

7. SECTION I. *The General Assembly of Georgia do enact*, That from and after the passage of this Act, the county line between the counties of Pickens and Gilmer, be so changed as to include the residences of James Cowart, Jasper White, Franklin Mealar, and Robert Cowart on lots of land Nos. one hundred and one (101), one hundred and two (102), one hundred and three (103), seventy-eight (78), seventy-nine (79) and eighty (80), all in the fifth (5th) District of the second (2d) Section of Gilmer county, and that said lots be added to the county of Pickens.

SEC. II. Repeals conflicting laws.

Assented to April 18, 1863.

(No. 193.)

An Act to change the line between the counties of Randolph and Calhoun, so as to embrace in the county of Randolph lots of land Nos. 210, 211, 246 and 247 in the 5th District of originally Lee, now Calhoun, in the county of Randolph.

Lines changed between Randolph and Calhoun.

8. SECTION I. *The General Assembly of the State of Georgia do enact*, That the county line between the counties of Randolph and Calhoun, be change so as to embrace in the county of Randolph, lots of land Nos. 210, 211, 246 and 247 in the 5th District of originally Lee, now Calhoun in the county of Randolph.

SEC. II. Repeals conflicting laws.

Assented to April 18, 1863.

Tales Jurors for the trial of criminal cases in the Superior Court of Chatham county.

(No. 194.)

An Act to add lot of land No. 46, 30th District of originally Lee now Schley, to the county of Sumter.

9. SECTION I. *Be it enacted by the General Assembly of the State of Georgia.* That lot of land No. 46, in the 30th District, originally Lee now Schley county, be added to the county of Sumter.

Lives changed between Schley and Sumter.

SEC. Repeals conflicting laws.

Assented to April 13, 1863.

TITLE V.

COUNTY REGULATIONS.

Sec. 1. Jurors in Chatham county. 2. Act of 11th Dec. 1858 where not in conflict with this Act, still in force.	Sec. 3. Where Clerk Superior Court may keep his office in Ware county.
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(No. 195*)

An Act to prescribe the mode and manner of selecting Tales Jurors for the trial of criminal cases in the Superior Court of the county of Chatham, and for other purposes therein mentioned, approved Dec. 11th, 1858.

WHEREAS, the Justices of the Inferior Court of the county of Chatham, omitted to convene on the third Monday of January, 1863, and select the names of citizens of said county, liable to be drawn and summoned as Tales Jurors for the trial of criminal cases.

Provisione.

1. SECTION I. *Be it enacted &c.,* That it shall be the duty of the Justices of the Inferior Court of the county of Chatham, or a majority of them, together with the Sheriff of said county and the Clerk of said Inferior Court, to convene at the Court-house of said county of Chatham, on the first Monday of May, 1863, and select from the books of the Receiver of tax returns of said county, the names of all citizens of said county between the ages of twenty-one and sixty, and after so doing, to carry out the provisions and enactments of the Act approved Dec. 11th, 1858, entitled an Act to prescribe the mode and manner of selecting, drawing, and summoning Tales Jurors for the trial of criminal cases in the Superior Court of the county of Chatham, and for other purposes therein mentioned.

Insert in Chatham Co. Act of 11 Dec. 1858, where not conflicting with this of 1863.

2. SEC. II. *And be it further enacted, &c.,* That all the provisions of said Act approved Dec. 11, 1858, not conflicting with this Act, shall be, and are hereby continued in force.

Assented to April 6, 1863.

*This Act though local, properly belongs to the JUDICIARY, but by an oversight was omitted till that TITLE was in type—hence it is inserted here.

† For this Act see Acts of 1858, p. 156-7.

COMPILER.

Qualifications of voters at elections for Mayor and Aldermen of Columbus.

(No. 196.)

*An Act to repeal an Act entitled an Act, to authorize the Clerk of the Superior and Inferior Courts of the county of Ware to keep their offices at their residences if within eight miles of the Court House, and exempt the Justices of the Inferior Court from all other public duties during their continuance in office, approved March 3rd, 1856.**

Where Clerk of Sup'r Court may keep his office in Ware county.

3. SECTION I. *Be it enacted*, That the above recited Act be repealed, so far as relates to authorize Clerks of the Superior and Inferior Courts of Ware county holding their offices at their residence if within eight miles of the Court House, be and the same is hereby repealed.

Assented to April 18, 1863.

*See Acts of 1855-6, p. 401.

TITLE VI.

ELECTIONS.

- | | |
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| Sec. 1. Qualification of voters in city of Columbus for city officers. | Sec. 6. Oath of voters. |
| “ 2. Names of voters to be registered. <i>Proviso.</i> | “ 7. Swearing falsely, indictable. |
| “ 3. Right and mode of registering. Registry fee—residence to be six months in city—oath as to right of registry | “ 8. Printed lists of voters to be furnished to managers of special elections—oath of voters at special elections. |
| “ 4. List of registered voters to be made out by Clerk—list to be published. | “ 9. No compensation allowed to managers of elections in Emanuel county. |
| “ 5. Lists of registered voters to be furnished to managers of city elections. | “ 10. Act of Dec. 19, 1859, repealed as to Chattooga county. |

(No. 197.)

An Act to define the qualifications of voters at the elections to be held in the city of Columbus for Mayor and Aldermen and other officers in said city, whose election is given to said voters by law, and to provide for the registry of all persons entitled to vote at elections for city officers; to prevent persons whose names are not registered from voting, to prescribe an oath for voters, and to punish violations of this Act, in regard to said elections and voters.

1. SECTION I. *Be it enacted by the Senate and House of Representatives of the State of Georgia*, That all persons shall be qualified to vote at elections for Mayor and Aldermen of the city of Columbus, and other officers of said city, whose election is made by the people who are citizens of the Confederate States of America and have resided in the State for twelve months immediately preceding the election, and continue to do so up to the time of the election, and within the corporate limits of the city of Columbus for six months, and in the ward in which they propose to vote for twenty days,

Qualification of voters in city of Columbus, for city officers.

Qualifications of voters at Elections for Mayor and Aldermen of Columbus.

immediately preceding said election, and have paid all city taxes and assessments, or have in their own right sufficient unincumbered real estate to pay the same; who have made all returns required by the city ordinances, and whose names have been registered according to the provisions of this Act, and none other shall be entitled to vote at said elections.

2. SEC. II. *Be it further enacted*, That the Clerk of the city Council or any one appointed in his place by the Mayor and Council for that purpose, shall open a list for the registration of voters, three months prior to the annual election for Mayor and Aldermen, which list shall be kept open at the Clerk's office, until twenty days before said election in each year, when the same shall be closed finally and absolutely; *provided however*, that if any person within said twenty days, who is otherwise entitled to vote, shall make an affidavit before the Clerk, that he was absent from said city upon lawful business during the time within which he is required by this Act to register his name, he shall be entitled to register his name and vote at said election.

Names of voters to be registered.

Proviso.

3. SEC. III. *Be it further enacted*, That it shall be the duty of such Clerk or other person or officer, upon the application in person and not by proxy, of any person entitled to vote as aforesaid, within the time prescribed for the list to be kept open, to register the name of such person, expressing in said registry, his name, age, occupation, or business, and the ward in which he resides in said city, which shall be entered by the Clerk or officer on said list opposite the name of each applicant; the applicant first paying to the Clerk or office as aforesaid, for the benefit of the city treasury, the sum of one dollar, which shall be in lieu of poll tax, and no registry shall be made or certificate shall be issued, until the same is paid, but no person shall be entitled to registry, when his continued residence within the State cannot be one year, and within the corporate limits of the city of Columbus six months immediately preceding the election; the Clerk or other officer may in any case administer an oath to the applicant, touching his right to be registered.

Right and manner of registering.

Registry fee.

Residence to be 6 months in city.

Oath as to right of registry.

4. SEC. IV. *Be it further enacted*, That it shall be the duty of the Clerk or other officer immediately upon closing the list of registered voters to arrange an alphabetical list of said registered voters, designating the ward in which they resided at the time of their registry, and shall within five days after said list is closed, publish in the newspaper in which the proceedings of the Council are published for the current year, or in handbill form, as may be ordered by the Council, a full and complete list of the registered names, and designating the number of the ward of their residence, and which shall be distributed in said city, as may be directed by the Council.

List of registered voters to be made out by Clerk.

List to be published.

5. SEC. V. *Be it further enacted*, That it shall be the duty of the Clerk of the Council to furnish to the managers presiding at the election of Mayor and Aldermen in the city of Columbus, at or before the opening of the polls in the several wards or places of

Lists of registered voters to be furnished to managers of city elections.

City officers of Columbus.

voting in said city, a complete list of all the names arranged in alphabetical order which shall have been registered according to the foregoing provisions, together with the age, occupation or business, and the number of the ward of their residence in said city, of every person whose name is so registered, at the time of said registration certified under the hand of said Clerk, and the corporate seal of the city of Columbus; which list shall be kept before said managers in the several wards and places of voting, during such election, and when said election is over, it shall be deposited in the office of said Clerk of Council, to be safely kept by him.

Oath of voters 6. SEC. VI. *Be it further enacted*, That the presiding managers of said election in the several wards or places of voting in said city, shall be authorized to administer an oath as follows to any person attempting to vote: "You do solemnly swear that you are a citizen of the Confederate States, that you have resided in the State of Georgia for one year immediately preceding this election, and within the corporate limits of the city of Columbus for the last six months, and in the ward in which you propose to vote for the last twenty days, that you do in good faith, hold and claim your home and residence in said State, and city, and ward, for the time aforesaid; that you are twenty-one years of age—that you have paid all taxes due by you to the city of Columbus, or have in your own right sufficient real estate in said city, to satisfy said tax; that you have made all returns of taxable property required by the laws and ordinances of said city; that you have been duly registered, within the time prescribed by law, and are entitled to vote at this election, and that you have not yet voted this day. So help you God."

Swearing falsely, indictable. 7. SEC. VII. *Be it further enacted*, That any person who shall take the oath aforesaid before any manager, at any of said elections, for the purpose of voting at said election, and who is not entitled to vote according to law, and the terms of said oath, shall be subject to be indicted in the Superior Court of Muscogee county, and if found guilty of false swearing, shall be subject to the punishment prescribed in the Code of Georgia for said offense.

Printed list of registered voters in case of special elections to be furnished to managers. Oath of voters at special elections. 8. SEC. VIII. *Be it further enacted*, That in all cases of special election in said city or in any of the wards of said city, or of a reference by the city Council of any question to the voters of said city, the managers of said election shall be furnished with a printed list of registered voters, by the Clerk (being a copy of last registry) which shall be referred to, by said managers in ascertaining the eligibility of voters; and any person who shall claim the right to vote at said special election, whose name is not registered, and who may have become entitled to vote, since said registry was made, shall be required to swear to the oath hereinbefore prescribed, as to their qualification to vote, omitting that part of said oath in reference to said registry.

SEC. IX. Repeals conflicting laws.

Assented to April 14, 1863.

Estate of S. L. Trawick, dec'd.

(No. 198.)

An Act to repeal so much of an Act assented to December 8th 1860 as relates to the compensation of the officers and freeholders for their services for holding general and county elections in the county of Emanuel.*

9. SECTION I. *The General Assembly of Georgia do enact, That* so much of the above recited Act as relates to and allows compensation to the officers and freeholders of general and county elections for their services, in the county of Emanuel, be and the same is hereby repealed.

No compensation to be allowed to Managers of elections in Emanuel co.

SEC. II. Repeals conflicting laws.

Assented to April 18th, 1863.

*For this Act, see Acts of 1860, p. 157.

(No. 199.)

An Act to repeal an Act to compensate managers of elections in Warren, Chattooga and Green counties, and for other purposes, approved December 19th, 1859, so far as relates to the county of Chattooga.*

10. SECTION I. *The General Assembly of the State of Georgia do enact, That* so much of the above recited Act as relates to the county of Chattooga, be and the same is hereby repealed.

Act of Dec. 19, 1859, repealed as to Chattooga co.

Assented to April 13th, 1863.

*See Acts of 1859, p. 296.

TITLE VII.

EXECUTORS, ADMRS, GUARDIANS, &c.

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| <p>Sec. 1. Letters of Admr. to be issued to Mrs. A. B. Trawick.</p> <p>" 2. Her removal—must give mortgage to Ordinary.</p> <p>" 3. Homestead place of John Dickson, deceased, may be sold at private sale—investment of proceeds.</p> <p>" 4. Administration on estate of W. R. Blackman.</p> <p>" 5. Annual returns—Admr. may be dismissed.</p> | <p>Sec. 6. Executors may not make returns</p> <p>" 7. E. G. Wimpey released as Exr. of B. M. Smith.</p> <p>" 8. House and lot of estate of J. Boring in Eatonton, may be sold at private sale.</p> <p>" 9. Who may be Exrs. of will of Mrs. E. E. Lowther. <i>Proviso.</i></p> |
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(No. 200.)

An Act to provide for the proper administration of the estate of Singleton L. Trawick, deceased, of Decatur county, Georgia.

WHEREAS, Singleton L. Trawick, deceased, late of Decatur county, Georgia, in the early part of the year 1860, removed to the

Proviso.

Executors of the Estate of John Dickson, dec'd.

county of Early, and shortly thereafter died, and Mrs. A. B. Trawick, widow of said deceased, moved to said estate in Decatur county, and having been unable to give the security required by law, because of the distance her relatives and friends live from her; *and whereas*, the said A. B. Trawick has managed said estate with much success, and as she has in her own right a separate estate as well as one-fifth interest in the estate of her deceased husband, Therefore,

1. SECTION I. *The General Assembly of the State of Georgia do enact*, That the Ordinary of Decatur county in this State, be authorized and required to issue to Mrs. A. B. Trawick, widow of Singleton L. Trawick, deceased, late of Decatur county of said county, letters of administration on said estate, upon her giving her bond without security, and taking the oath required of administrators.

2. SEC. II. *Be it further enacted*, That the said A. B. Trawick, shall be held liable to all the duties and liabilities of an administratrix under the laws of Georgia; and shall be liable to be removed from said administration if it shall be made to appear that she is at any time mismanaging or wasting said estate; that for the purpose of securing the heirs at law of said estate from any loss, and as further indemnity and security, the said A. B. Trawick be required to execute a mortgage in writing to the Ordinary of said county, before he shall grant or issue letters of administration to her, mortgaging the whole of her separate and individual property, both real and personal, including her interest in said estate, conditioned upon a faithful discharge of the duties of said administration, and which shall stand in lieu of her bond.

SEC. III. Repeals conflicting laws.

Assented to April 7th, 1863.

(No. 201.)

An Act to authorize David Dickson and Henry Rogers, Executors of the estate of John Dickson, late of Hancock county, deceased, to sell the real estate of said deceased, known as the homestead tract, and to invest the proceeds of such sale.

3. SECTION I. *Be it enacted by the General Assembly of the State of Georgia*, That David Dickson and Henry Rogers, Executors of the last will and testament of John Dickson, late of Hancock county, deceased, be and they are hereby authorized to sell either publicly or privately any part or all of a certain tract of land belonging to said deceased, and known as the homestead tract, situate, lying and being in the county of Hancock, near the village of Sparta, containing fifty-four hundred acres of land, more or less; and that said executors invest the proceeds of such sale in the bonds of the Confederate States of America, or of the State of Georgia, or in Rail Road or Bank stock of this State, to be held by them subject to all the limitations, restrictions, uses, and trusts as are expressed in the

Letters of Administration to be issued to Mrs. A. B. Trawick.

Liability of Mrs. A. B. Trawick.

Her removal.

Must give a mortgage to Ordinary.

Homestead place of Jno. Dickson, deed may be sold at private sale.

Investment of proceeds.

Estate of William K. Blackman, dec'd.—William W. White, dec'd.

will of said deceased, touching said homestead tract of land, all parties interested having consented to the sale aforesaid.

SEC. II. Repeals conflicting laws.

Assented to April 14th, 1863.

(No. 202.)

An Act to authorize the Ordinary of Harris county, to grant letters of Administration with the will annexed on the estate of William K. Blackman, late of said county, deceased, to Maria and Sanford Blackman, without the necessity of their giving bond and security.

WHEREAS, the nominative executor of the last will and testament of William K. Blackman, late of Harris county, deceased, refuses to act as executor; and whereas, the Clerks of the Superior and Inferior Courts would refuse under the appointment of the Ordinary of said county to accept the administration of said estate, and to give bond and security usual in cases of administration, and the Ordinary of said county has been unable to find any other fit and proper person who would accept said administration, leaving said estate without any legal representative, much to the injury of the same and inconvenience to the legatees and creditors of the said William K. Blackman. Therefore,

4. SECTION I. *Be it enacted by the General Assembly, That the Ordinary of Harris county be authorized and empowered to grant letters of administration with the will annexed on the estate of William K. Blackman, late of said county, deceased, to Maria Blackman, widow of the said deceased, and Sanford Blackman, without requiring the bond and security required by the statute in cases of administration.*

5. SEC. II. *Be it further enacted, That it shall be the duty of the Ordinary of Harris county to require the said Maria and Sanford Blackman to make their annual returns as administrators upon said estate; and should it appear, by said returns or otherwise, that the said estate is not being properly managed by said administrators, and the interest and safety of the same being jeopardized, he shall upon his own motion discharge the said Maria and Sanford Blackman from said administration.*

SEC. III. Repeals conflicting laws.

Assented to April 16th, 1863.

(No. 203.)

An Act for the relief of Louiza S. White, Executrix, and John F. White, Executor of the last will and testament of William M. White, late of Troup county, deceased.

WHEREAS, from the terms of said will of said deceased, a life estate, with certain conditions, was given to the said Louisa S. White,

Benjamin M. Smith, dec'd.

during her widowhood; and whereas, the said Executrix and Executor have been making annual returns at great expense to said estate, while from the manifest intention of the testator it could be properly omitted, and thereby save a large amount of expenses to the estate; therefore, for remedy whereof:

Executrix
may not make
returns.

6. SECTION I. *The General Assembly of the State of Georgia do enact*, That it shall not be necessary for the said Executrix and Executor of the said will of the said William M. White, deceased, to make returns of their actings and doings to the Ordinary of said county, or any other county, during the widowhood of said Executrix.

SEC. II. Repeals conflicting laws.

Assented to April 18th, 1863.

(No. 204.)

An Act to relieve and fully discharge Archibald G. Wimpy, of the county of Lumpkin, as co-executor from the further execution of the last will and testament of Benjamin M. Smith, late of said county, deceased.

Benjamin.

WHEREAS, by the last will and testament of Benjamin M. Smith, deceased, late of Lumpkin county, Georgia, Archibald G. Wimpy was appointed co-executor, together with Nancy M. Smith, widow and relict of deceased, as co-executrix; and whereas, said executor and executrix had said last will and testament duly proved and admitted to record, were qualified and entered upon the discharge of the duties imposed; and whereas, by the terms of said last will and testament, a long series of years are involved before the trust reposed can be executed; and the said Archibald G. Wimpy being desirous of being released and fully discharged from the further execution of said trust, he now having none of the property or effects of the estate in his hands, and having satisfactorily accounted with the Ordinary of said county for the past management of said estate, and having obtained the consent of said Ordinary and said co-executrix; that he be released and fully discharged; all of which appear by a certified copy of said will, the petition of said Wimpy, the written consent and certificate of said Ordinary, and said Nancy M. Smith, co-executrix as aforesaid accompanying this bill.

Therefore be it enacted by the General Assembly of the State of Georgia.

A. G. Wimpy
released
as Exr. of
B. M. Smith.

7. SECTION I. That said Archibald G. Wimpy, co-executor of said last will and testament of Benjamin M. Smith, late of Lumpkin county, Georgia, deceased, be and he is hereby released and fully discharged from the further execution of the trust reposed in said last will and testament, and from all legal liability on account thereof.

SEC. II. Repeals conflicting laws.

Assented to April 17th, 1863.

(No. 205.)

An Act to authorize J. M. Broydfield, Administrator (de bonis non) on the estate of Isaac Boring, deceased, late of Putnam county, to sell at private sale, a house and lot in the town of Eatonton, belonging to said estate.

§. SECTION I. *Be it enacted by the General Assembly of Georgia,* That J. M. Broydfield, Administrator (de bonis non) of the estate of Isaac Boring, late of Putnam county, deceased, be and he is hereby authorized and empowered to sell at private sale a house and lot in the town of Eatonton, Putnam county, belonging to said estate, and make titles to the same.

House and lot
of the estate
of J. Boring,
may be sold
at private sale

SEC. II. Repeals conflicting laws.

Assented to April 18th, 1863.

(No. 206.)

An Act to empower Elizabeth Lowther, a widow, of Jones county, to appoint Jesse J. Jordan and James R. Stewart, of the State of Alabama, or either of them, her executor, and to entitle them or either of them to have granted letters testamentary on her will, and to act thereon in the same manner as if they were citizens of Georgia.

§. SECTION I. *Be it enacted by the General Assembly of Georgia,* That in addition to the powers granted to Elizabeth Lowther, a widow, of Jones county, in an Act assented to on the eighth day of December, 1860, she is hereby empowered to appoint Jesse J. Jordan, and James R. Stewart, of the State of Alabama, or either of them, executors or executor of her will; and that they or either of them shall be entitled to have granted to them or either of them, according to law, letters testamentary on her will, and to act under such letters in the same manner as if they were residents of the State of Georgia: *provided,* that personal service on the representatives of the estate of said Elizabeth Lowther, shall not be necessary for the commencement or progress of any suit to be instituted after her death against the representatives of her estate, but publication for thirty days of an order for their appearance in any gazette in this State, to be indicated by the Judge of the Superior Court for the time being, of the county where the suit is to be brought, on application of the plaintiff or his or her attorney, either in term time or in vacation, shall be sufficient, and in lieu of personal service.

Who may be
EX'RS of the
will of Mrs.
Elizabeth E.
Lowther.

Proviso.

SEC. II. Repeals conflicting laws.

Assented to April 18th, 1863.

Certain Lot of Land in Brooks County.

TITLE VIII.

GRANTS.

Grant to issue to Jno. H. Spain, for a certain lot of land in Brooks county.

(No. 207.)

An Act to authorize the issuance of a grant to a certain lot of land in Brooks county.

Preamble.

WHEREAS, Henry Blair, Sheriff of Lowndes county, in pursuance of an Act of the General Assembly of 1832, did on the first Tuesday of October, 1833, after advertisement duly made, expose to sale within the legal hours, all of lots of land numbers 10 and 100 in the county of Lowndes, *and whereas*, lot of land number 10 of the 15th District of formerly Lowndes, now Brooks county, was duly purchased and the terms of sale complied with by J. E. Tucker, and yet said J. E. Tucker did not then nor at any subsequent date, receive a title deed to said lot, but only the Sheriff's certificate, said Sheriff's term of office having expired before the execution of such title deed; *and whereas*, said certificate was subsequently duly transferred by the said J. E. Tucker to James Allen, and by said James Allen to John W. Spain, of the county of Brooks; *and whereas*, no title has yet been executed to either of the aforementioned parties or to any other person. Therefore,

Grant to issue to John H. Spain to a certain lot of land.

1. SEC. I. *Be it enacted*, That a grant be issued to John W. Spain, of the county of Brooks, to lot of land number 10 of the 15th District of formerly Lowndes, now Brooks county, Georgia, on the payment of the usual fees.

SEC. II. Repeals conflicting laws.

Assented to April 3d, 1863.

TITLE IX.

INTERNAL TRANSPORTATION.

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| <p>Sec. 1. Atlanta and Roswell R. R. Co., incorporated—Powers and privileges; Seal; By-laws.</p> <p>“ 2. Capital stock \$500,000; Shares \$120 each; Stock may be increased; Subscriptions for stock.</p> <p>“ 3. Organization of company: Election of 7 Directors; President; one vote for each share; vacancies in Board; Salaries of officers; Quorum.</p> <p>“ 4. Power to construct a Railroad from Roswell to Atlanta; Right of way; Damages how assessed; Right of appeal to either party.</p> <p>“ 5. Bridges and crossings.</p> <p>“ 6. May connect with W. & A. R. R. at Atlanta, &c. May run its trains in Atlanta on other tracks to receive and discharge freight and passengers.</p> <p>“ 7. Books, papers, &c., of Company to be open to inspection of Directors and stockholders; Contracts of Co. must be signed by President and countersigned by Secretary.</p> <p>“ 8. Personal liability of stockholders for debts of Company.</p> <p>“ 9. Rateable portion of execution to be paid by each stockholder after one has paid it off.</p> <p>“ 10. List of stockholders to be published annually; when judgment against Co. to bind property of a stockholder. <i>Proviso.</i> Company liable for damages by running cars, &c.</p> | <p>“ 11. Charter to continue 30 years.</p> <p>“ 12. The 3d and 7th sections of Act of Dec. 16, 1861, repealed.</p> <p>“ 13. Certain rights granted to B. and A. Railroad.</p> <p>“ 14. Time in which to complete works, extended.</p> <p>“ 15. Banking privileges granted to M. and B. R. R. Company.</p> <p>“ 16. Two additional Directors allowed to Co.</p> <p>“ 17. Stock of the S. A. and G. R. R. Company and of the A. and G. R. R. Co. may be consolidated; when so consolidated, name to be “Atlantic and Gulf R. R. Co.; Former contracts still valid.</p> <p>“ 18. Powers and privileges granted to new Company.</p> <p>“ 19. Powers, privileges and liabilities of old companies, extended to new.</p> <p>“ 20. Obligations of State of old companies still binding. Rights of connecting Roads not impaired.</p> <p>“ 21. Depot rites in city of Macon granted with consent of city, to M. and B. R. R. Co. and to Milledgeville R. R. Co.</p> |
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(No. 20S.)

An Act to incorporate the Atlanta and Roswell Rail Road Company.

1. SECTION I. *The General Assembly of Georgia do enact, That* Barrington King, Nathaniel A. Pratt, Richard Peters, L. P. Grant, S. Root, James R. King, Archibald Smith, George H. Camp, Thomas E. King, Andrew J. Hansell, O. Eldridge, and their associates and successors, be, and they are hereby made a body politic and corporate under the name and style of the Atlanta and Roswell Rail Road Company; and by said corporate name, shall be able in law to buy, receive as donation, hold and sell and convey so much real and personal estate as they may deem necessary for the purposes of their business; make contracts, sue and be sued, plead and be impleaded, adopt and use a common seal, and the same at their pleasure to alter, make, and at pleasure amend or repeal all such by-laws, rules and regulations as they may think proper, not contrary to the Constitution or laws of this State or the Confederate States, and to do all other acts properly incident to a corporation and legitimate to the business of such corporations.

Corporators.
Atlanta and Roswell R. R. Company, incorporated.
Powers and Privileges.
Seal.
By-laws.

2. SEC. II. *Be it further enacted, That* the capital stock of said

Capital stock \$500,000.
 Shares \$100 each.
 Stock may be increased.
 Subscriptions for stock.

company shall be five hundred thousand dollars, to be divided into shares of one hundred dollars each; which stock may be increased by said company to any sum not exceeding the cost of its road and outfit; and the Board of Directors of said company shall prescribe the mode and condition of subscriptions for said stock, and issue certificates thereof to the stockholders.

Organization of Company.
 Election of seven Directors.
 President.
 One vote for each share.
 Vacancies in Bd of Directors.
 Salaries of officers.
 Quorum.

3. SEC. III. *Be it further enacted*, That for the organization of said company the corporators hereinbefore named, or a majority of them, shall appoint the times and places, at which subscriptions for stock in said company shall be made, and shall immediately thereafter appoint a time and place for the meeting of the subscribers to said stock, of which meeting due notice shall be given in one or more of the public gazettes of the city of Atlanta; at which meeting said stockholders shall proceed to the election of seven Directors, who shall form the first Board of Directors of said company, one of whom shall be by them elected as President of said company; and said Board of Directors and President of said company shall hold their offices for one year and until their successors are elected; said Board shall prescribe in their by-laws the manner of electing the subsequent Board of Directors; in all cases stockholders shall be allowed to vote either in person or by proxy, under a written warrant of attorney; each stockholder shall be entitled in all cases to one vote for each share held by him; the Board of Directors shall have power to fill all vacancies in their own body or in other offices of said company, until the next annual meeting of the stockholders, and to fix the compensation of the President and all other officers of said company; a majority of said Board shall constitute a quorum.

Power to construct a R. R. from Roswell to Atlanta.
 Right of way.
 Damages to be assessed.

4. SEC. IV. *Be it further enacted*, That said company shall have the right to lay out, construct, and use a Rail Road from the town of Roswell in the county of Cobb, to the city of Atlanta in the county of Fulton, and to select and purchase, or receive as donations, such strips of land as they may deem necessary and convenient for the construction and protection of said Rail Road, and of depots, stations, and turn outs; and in case of disagreement between said corporation and the owner or owners of said lands in regard to the damages done said lands or the value thereof, it shall and may be lawful for the President of said company to appoint one disinterested freeholder as an appraiser, and the owner or owners of said lands another disinterested freeholder as an appraiser, and the Justices of the Inferior Court or a majority of them of the county in which said lands may be situated, a third; and if such owner or owners after due notice shall neglect or refuse to appoint such freeholder, then said Justices shall appoint two, all of whom when appointed shall be sworn by some officer authorized to administer an oath, to make and return to the next term of the Superior Court of said county, a just, true and impartial award of the damages or value of such strip or strips of land, thus required by said Co.; the award of said appraisers shall be in writing, and signed by at least a majority of said appraisers, and shall be accompanied by a plat and a full descrip-

tion of said strip of land; which award shall be taken and held as a judgment of said Court for the amount thereof, and the cost of said appraisal against said company and may be enforced by execution to be issued from said Court; and said plat and description of said land and said award shall be recorded in said county on the record book of deeds, and shall vest the feesimple title to the said strip of land in said company: *provided*, that either party dissatisfied with such award may appeal by paying the cost and giving bond and security, to a special jury of the said Superior Court, and have the damages or values aforesaid ascertained and fixed by the verdict of such jury at the next term of said Court, unless continued for one term only by each party upon good cause shown to the Court; and the verdict of said jury shall be final and conclusive between the parties.

Right of appeal to either party.

5. SEC. V. *Be it further enacted*, That said company shall build and keep in repair substantial and convenient bridges or other safe and convenient ways of passage across said Rail Road, wherever it may cross a public road, with privilege to said company of adapting any such public road at its crossings, to the grade of said Rail Road at the expense of said company.

Bridges and crossings.

6. SEC. VI. *Be it further enacted*, That said company shall have the right to connect their road with the Western and Atlantic Rail Road, at or near Atlanta, and of constructing a track parallel to the track of the Western and Atlantic Rail Road, and on its right of way from the point of connection with said Western and Atlantic Rail Road, to the depot of said Atlanta and Roswell Rail Road; also the privilege of running their trains upon the track of the Western and Atlantic Rail Road and other Rail Roads in said city of Atlanta, for the sole purpose of receiving and discharging freights and passengers; but all the privileges in this section enumerated are to be exercised by said company only on such terms and conditions, and for such compensation as may be agreed upon by and between said company and the Superintendent of the Western and Atlantic Rail Road, and approved by His Excellency the Governor.

May connect with W. & A. R. R. at Atlanta, &c.

May run its trains on tracks in Atlanta to receive and discharge freight and passengers.

7. SEC. VII. *Be it further enacted*, That the books, papers, correspondence and funds of said company shall at all times be open and subject to the inspection of the Board of Directors; and each stockholder at any and every meeting thereof, and all bonds, notes and other evidence of debt, and all contracts, liabilities and engagements on behalf of said company shall be binding and obligatory on said corporation, when the same shall be signed by the President and countersigned or attested by the Secretary thereof; and the funds of said company shall in no case be held responsible for any such contract, agreement or stipulation, unless the same shall be so signed and countersigned or attested as aforesaid.

Books, papers &c., of Co. to be open to inspection of Directors, &c.

Contracts, &c. by Company must be signed by President, and Secretary

8. SEC. VIII. *Be it further enacted*, That the private property of each stockholder, real, personal and mixed of said company equal to the amount of his or her stock shall be liable for the debts of said company; in the event of the failure or refusal of said

Personal liability of Stockholders for debts of Co.

company to pay any of its debts or liabilities, the creditor or creditors may sue said company in its corporate name, and on obtaining execution therefor, it shall be first levied upon the corporate property of said company or any portion thereof, which shall be first liable, and upon the return of the proper officer of no corporate property to be found, said execution may then be levied upon the property of any stockholder equal to the amount of his or her stock in said company; and if such levy should prove inadequate to the satisfaction of said execution, then it may be levied upon the property of any other stockholder, equal to the amount of his or her stock, and so on, till the same be fully paid; and in all cases, the levying officer shall be the judge of the value of the property he is required to levy upon.

Rateable portion of execution to be paid by each Stockholder to the Stockholder who paid all.

9. SEC. IX. *Be it further enacted*, That in the event any stockholder of said company shall be compelled under the foregoing section to pay off, in whole, or in part, any execution against said company, said execution shall be kept open for his, her, or their benefit, and the same may be levied by him, her or them, upon the property of any or all of the other stockholders, in proportion to their respective shares of stock in said company.

List of Stockholders to be published annually.

Judgment against Co. when to bind property of Stockholder.

Proviso.

Company liable for damages to persons by running cars, &c.

Charter to continue 30 years.

10. SEC. X. *Be it further enacted*, That it shall be the duty of said company to publish annually in some public gazette of this State, a list of the stockholders in company, and the amount of stock owned by each; and that any transfer of stock, owned by any stockholder in said company, made within six months prior to the obtainment of judgment against said company, shall not discharge said stockholder, transferring the same, from his or her liability under this Act; *provided*; that nothing in this Act, shall exempt said company from liability for all damages sustained by any person or persons, from the death or crippling of any kind of stock or other species of property by the running of the Locomotives, Cars or other motive power of said Road, nor from liability for any and all injuries sustained by any individual or damage done him or her by the running of Cars, Locomotives or other motive power of said Road; and in the event death ensues from any such injury, then a right of action shall survive to his or her representative against said company.

11. SEC. XI. This charter shall continue for thirty years.

Assented to April 10th, 1863.

(No. 209.)

An Act to amend the charter of the Brunswick and Albany Rail Road Company.

The 3rd and 7th Sections of act of Dec. 16, 1861, repealed.

12. SECTION I. *Be it enacted by the General Assembly of this State*, That the Act entitled an Act* to legalize the proceedings of the Southern stockholders of the Brunswick and Florida Rail Road Company, to change the name of said company, to extend the charter thereof and to facilitate the building, be so altered and

*For the Act here recited, see Acts of 1861, 112.

Macon & Brunswick R. R. Co.—Savannah, Albany & Gulf R. R. Co. and At. & Gulf R. R. Co.

amended, as that the third and seventh sections of said Act be repealed, and that the following sections be added to said Act in lieu thereof.

13. SEC. II. *Be it further enacted*, That all the rights, powers, privileges and immunities, secured by law to the Brunswick and Florida Rail Road and the Macon and Brunswick Rail Road Companies, shall be and the same are hereby granted and secured to the Brunswick and Albany Rail Road Company. Certain rights granted to the Brunswick & Albany R. R.

14. SEC. III. *Be it further enacted*, That the Brunswick and Albany Rail Road Company, shall have ten years from and after the passage of this Act, to complete the work, authorized by the Brunswick and Florida Rail Road Company. Time in which to complete works, extended.

Assented to April 7th, 1863.

(No. 210.)

An Act to amend the Charter of the Macon and Brunswick Rail Road Company, and to give said Company banking privileges.

15. SECTION I. *The General Assembly of the State of Georgia do enact*, That the charter of the Macon and Brunswick Rail Road Company is hereby amended so as to confer on said company banking privileges, and the same are hereby conferred upon said company subject in all respects to the charter requirements and limitations of the charter of the Central Rail Road and Banking Company; and the Directors are authorized to organize said Banking Department under the provisions of the charter of said Central Rail Road and Banking Company. Banking privileges granted to the Macon & Brunswick R. R. Co.

16. SEC. II. *Be it further enacted*, That said company shall be entitled to two additional Directors to the number now allowed by law. Two additional Directors allowed to Co.

SEC. III. Repeals conflicting laws.

I yield my assent to this Bill on the ground that it has passed both Houses of the Legislature by a constitutional majority of over two thirds; which is all that would be required to overrule any objections I have to chartering new banks in the present condition of the country.

JOSEPH E. BROWN,

April 10th, 1863.

Governor.

(No. 211.)

An Act to authorize the consolidation of the stocks of the Savannah Albany and Gulf Rail Road Company, and the Atlantic and Gulf Rail Road Company, and for other purposes.

17. SECTION I. *Be it enacted by the Senate and House of Representatives of the State of Georgia*, That the Savannah, Albany and Gulf R. R. Company, and the Atlantic and Gulf R. R. Co., be, and they are hereby authorized and empowered to consolidate their stocks upon such terms and conditions as may be agreed upon by the Directors of Stocks of the S. A. & G. R. Co., and A. & G. Railroad Co. may be consolidated.

Savannah, Albany & Gulf R. R. Co. and Atlantic & Gulf R. R. Co.

When so consolidated, reason to be Atlantic and Gulf R. R. Co.

Former contracts still valid.

Powers and privileges granted to new Co.

Powers, privileges and liabilities of old companies, extended to new

Obligations to State of old companies still binding.

Rights of connecting roads not impaired.

said R. R. Companies and ratified by a majority of the stockholders thereof; and the said R. R. Companies, when so consolidated, shall be known as 'The Atlantic and Gulf Rail Road Company'; *provided*, that nothing herein contained shall relieve or discharge either of said companies from any contract heretofore entered into by either, but this company shall be liable on the same.

18. SEC. II. *Be it further enacted by the authority aforesaid*, That the stockholders of said consolidated Railroad Companies, by such corporate name and in such corporate capacity, are made capable in law to have, purchase and enjoy such real and personal estate, goods and effects as may be necessary and proper to carry out the objects herein specified and to secure the full enjoyment of all the rights herein and hereby granted; and by said name to sue and be sued, plead and be impleaded in any court of competent jurisdiction, to have and use a common seal, and the same to alter at pleasure, and to make, ordain and establish such rules, by-laws and regulations as shall seem necessary and convenient for the government and protection of said corporation, the same not being contrary to the laws or Constitution of this State, and generally to do and perform and execute all such acts, matters and things as may appertain to corporations of like character.

19. SEC. III. *And be it further enacted by the authority aforesaid*, That the several immunities, franchises and privileges granted to the said Savannah, Albany and Gulf Rail Road Company, and the Atlantic and Gulf Rail Road Company, by their original charters and the amendments thereof, and the liabilities therein imposed, shall continue in force, except so far as they may be inconsistent with this Act of consolidation.

20. SEC. IV. *And be it further enacted by the authority aforesaid*, That nothing in this Act shall be so construed as to impair the covenants and obligations of the Atlantic and Gulf Rail Road Company with and to the State of Georgia; and that so long as the State of Georgia shall continue to be a stockholder in said consolidated roads, that the seventh and eight sections of the charter granted to the said Atlantic and Gulf Rail Road Company, on the twenty-seventh day of February, in the year one thousand eight hundred and fifty-six,* shall continue in force, and that the sixth section of such charter shall remain in force permanently; *provided*, that nothing in this Act shall be so construed as to affect or impair any right or rights which connecting Railroads had or were entitled to under the charter of the Atlantic and Gulf Rail Road Company.

SEC V. Repeals conflicting laws.

Assented to April 18th, 1863.

*See Acts of 1856-6, p. 153.

Employees of the Penitentiary.

(No. 212.)

An Act to grant the use of certain grounds in the Macon Reserve to the Macon and Brunswick Rail Road Company, and the Milledgeville Rail Road Company, for depot purposes, with the consent of the city of Macon.

9. SECTION I. *Be it enacted by the General Assembly of the State of Georgia, That the State of Georgia will, and hereby does grant to the Macon and Brunswick Rail Road Company, and the Milledgeville Rail Road Company, ten acres each, out of the lands belonging to what is known as the Macon Reserve, to be used by said Rail Road Companies for depots, shops and other conveniencies, and fixtures necessary for said Rail Road Companies, (the assent of the city Council of Macon being first had thereto) upon such terms, conditions and limitations as shall be agreed upon between the city Council of Macon and said Rail Road Companies.*

Depot sites in city of Macon granted, with consent of city, to M. & B. and to Milledgeville R. Co.

SEC. II. Repeals conflicting laws.
Assented to April 16th, 1863.

TITLE X.

PENITENTIARY.

Sec. 1. Salaries of officers, raised.
2. Pay of Overseers raised

Sec. 3. Pay of Guard raised.

(No. 213.)

An Act to increase and fix the compensation of the employees of the Penitentiary of this State during the present war between the United States and the Confederate States.

1. SECTION I. *The General Assembly do enact, That from and after the first day of May, 1863, the employees of the Penitentiary of this State shall be entitled to, and receive as follows: the Principal Keeper two thousand dollars per annum, the Assistant Keeper thirteen hundred and sixty dollars per annum; the Book Keeper thirteen hundred and sixty dollars per annum; the Physician, six hundred dollars per annum, and the Chaplain two hundred dollars per annum; to be drawn quarterly from the earnings of said institution.*

Salaries of officers of the Penitentiary raised.

2. SEC. II. *Be it further enacted by the authority aforesaid, That the yearly pay of the overseers in the Shoe and Tanning departments, shall be twelve hundred dollars each, and the yearly compensation of each of the other department overseers, not exceeding six in number, shall be eight hundred dollars each, to be drawn quarterly from the earnings of said institution.*

Pay of Overseers.

3. SEC. III. *Be it further enacted, That the per diem pay of the Penitentiary Guards be, and the same is hereby raised thirty-three and one third per cent on the present compensation, to be paid in like manner with the other officers.*

Pay of Guards

SEC. IV. Repeals conflicting laws.
Assented to April 18, 1863.

Austin W. Berry.—Francis C. David.

TITLE XI.

PHYSICIANS.

Sec. 1. A. W. Berry authorized to vend drugs and medicines in Hancock county. | Sec. 2. F. C. David of Harris county allowed to practice medicine.

(No. 214.)

An Act to authorize Austin W. Berry, of Hancock county, to prepare and vend Drugs and Medicines, and to do all other matters and things pertaining to said branch of business as a regularly licensed Druggist.

Austin W. Berry authorized to vend drugs and medicines in Hancock co.

1. SECTION I. *Be it enacted by the General Assembly of the State of Georgia, That Austin W. Berry, of Hancock county, in said State, be, and he is hereby authorized to prepare and vend drugs and medicines in Hancock county alone, and to do all other things as may pertain to said branch of business, as a regularly licensed Druggist, any law to the contrary notwithstanding.*

This bill is assented to because a very large proportion of the citizens of Hancock county have petitioned for its passage, including the Physicians of the county.

JOSEPH E. BROWN,
Governor.

April 18, 1863.

(No. 215.)

An Act to authorize Francis C. David, of the county of Harris, in this State, to practice medicine and to charge and collect for the same.

Francis C.

WHEREAS, Francis C. David of the county of Harris, has attended one session of the Medical College in the city of Nashville, Tennessee, and passed through a regular course of lectures in the fall and winter of 1860; having spent three years in reading the text books of the profession, and owing to the difficulties now existing, the medical colleges have closed, and students of medicine deprived of the means of completing their professional education. Therefore,

The General Assembly of Georgia do enact.

F. C. David of Harris co. allowed to practice medicine.

2. SECTION I. That Francis C. David of the county of Harris, be, and he is hereby authorized to practice his profession of a Physician in this State, and to charge and collect for the same, the fees now allowed by law to practicing physicians.

SEC. II. Repeals conflicting laws.

Assented to, April 14th, 1863.

Andrew Hamilton.—Nathan Singeltary and William Mims.

TITLE XII.

RELIEF.

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| <p>Sec. 1. Andrew Hamilton released from bond on payment of costs.</p> <p>" 2. \$29 to be refunded to Nathan Singeltary and Wm. Mims.</p> <p>" 3. Certain fees due Sheriff, Clerk of Superior and Inferior Courts of Chatham county, to be paid out of county Treasury.</p> | <p>Sec. 4. Sheriff to be paid for summoning jurors.</p> <p>" 5. Mrs. M. A. F. Graham relieved from penalty of bigamy.</p> <p>" 6. Abner R. Zachary made heir of Josias Boswell. <i>Proviso.</i></p> <p>" 7. Repealing clause.</p> |
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(No. 216.)

An Act for the relief of Andrew Hamilton, of the county of Whitfield.

WHEREAS, Andrew Hamilton of Whitfield county, became the security of Francis W. McCurdy, upon a penal bond of five hundred dollars, returnable to the Superior Court of said county, upon a charge of kidnapping; *and whereas*, owing to the omission of a term of said Court, the said McCurdy being present for trial. Preamble.

Therefore,

Be it enacted by the General Assembly of Georgia,

1. SECTION I. That the Justices of the Inferior Court of the county of Whitfield, be, and they are hereby authorized to release the said Andrew Hamilton from the payment of all the costs of prosecution. Andrew Hamilton released from bond, on payment of costs.

SEC. II. Repeals conflicting laws.

I assent to this Bill on the ground that I am informed that the Solicitor General, the Justices of the Inferior Court and all the officers of Court, and parties at interest, desire the passage of the bill.

JOSEPH E. BROWN,
Governor.

April 14, 1863.

(No. 217.)

An Act for the relief of Nathan Singeltary and William Mims, of the county of Schley.

WHEREAS, Fraction No. 127, in the 28th District of Lee was sold on the 18th of Nov. 1828, and purchased by David Clopton of the county of Putnam, and all installments paid, making his title good, but by some oversight said Fraction was again sold on the 7th day of October, 1849, and Nathan P. Singeltary and William Mims became the purchasers, at the price or sum of ten dollars, and the further sum of three dollars for the grant, also 50-100 dollars postage, one and 50-100 dollars to the salesman with interest thereon, making in all \$29.00. Preamble.

Sheriff and Clerks of Superior and Inferior Courts of Chatham.—Mrs. M. A. F. Snead.

\$29 to be re-
funded to N.
Singletary &
Wm. Mims.

2. SEC. I. *The General Assembly do enact*, That the Governor be, and he is hereby ordered to draw his warrant on the Treasurer for the sum of twenty-nine dollars, to refund to the said Nathan Singletary and William Mims, and the same to be paid over to the Senator or Representative of the county of Schley.

SEC. II. Repeals conflicting laws.

Assented to April 17, 1863.

(No. 218.)

An Act for the relief of the Sheriff and Clerks of the Superior and Inferior Courts of Chatham county.

Certain fees
due Sheriff,
Cfk. Sup'r. &
Infr. Courts
of Chatham
co. to be paid
out of co.
Treasury dur-
ing war.

3. SEC. I. *Be it enacted, &c.*, That during the present war between the Confederate States and the United States, the Inferior Court of Chatham county, be, and they are hereby authorized to pay out of the Treasury of the county, the fees due and that may be due the Sheriff and Clerks of the Superior and Inferior Courts of said county, for services rendered in criminal cases, which have occurred during said war.

Sheriff to be
paid for sum-
moning jurors.

4. SEC. II. *Be it further enacted*, That the Judge of the Superior Court of said county is hereby authorized at the end of each term of said Court, to pass an order for reasonable compensation to be paid to the Sheriff of said county, for services rendered in summoning Grand and Petet Jurors, which said sum of money shall be paid by the Justices of the Inferior Court of said county, out of any money in the Treasury of the county not otherwise appropriated.

Assented to April 18, 1863.

(No. 219.)

An Act to relieve Mrs. M. A. F. Snead formerly Mrs. M. A. F. Graham, from the pains and penalties of bigamy, and for other purposes.

Mrs. M. A. F.
Graham re-
lieved from
penalty of
Bigamy.

5. SECTION I. *Be it enacted by the General Assembly of this State*, That Mrs. M. A. F. Graham, be, and she is hereby fully relieved, acquitted and discharged from all the pains and penalties enacted against and inflicted upon persons guilty of the offense of bigamy, and that in any prosecution which may be commenced against her for the offense of bigamy committed by her prior to the passage of this Act; this Act shall and may be plead in discharge of the same.

Assented to April 18th, 1863.

(No. 220.)

An Act to constitute Abner Roan Zachry the heir of Josias Boswell, of Putnam county.

WHEREAS, Josias Boswell of the county of Putnam, applies to this General Assembly to make his nephew Abner Roan Zachry his lawful heir, therefore,

Navigation of North Oconee River.

6. SECTION I. *The General Assembly do enact*, That Abner Roan Zachry is hereby made and constituted the lawful heir of Josias Boswell of Putnam county, and capable of inheriting his real and personal estate, in the same manner, and to the same extent, as if he were his lawful born child; *provided*, that this Act shall not operate upon so much of the property of the said Josias Boswell, as he may legally dispose of by deed, will or otherwise.

Abner R. Zachry made heir of Josiah Boswell.

Provide.

7. SEC. II. *Be it further enacted*, That no law or parts of law, or statute of this State, respecting the distribution of intestates estates, shall be construed to affect, or to operate against this Act.

Repealing clause.

Assented to April 18th, 1863.

TITLE XIII.

RIVERS.

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| <p>Sec. 1. Exclusive right to navigate Oconee River from Athens Factory down to Burns' Mill, granted to F. W. C. Cook and others for 20 years.</p> <p>" 2. May charge others for right to navigate said stream.</p> | <p>Sec. 3. Said parties bound to keep open river.</p> <p>" 4. Obstructing stream made penal.</p> <p>" 5. Damages to land owners.</p> <p>" 6. Private property of parties liable for debts incurred in opening river.</p> <p>" 7. Act of Jan'y 16, 1850, repealed.</p> |
|---|---|

(No. 221.)

An Act to authorize F. W. C. Cook, James D. Pittard, R. Nickerson, and their associates, to open and keep open the North Oconee River above the factory dam at Athens, to Burns' Mill in Jackson county, and to vest in them, their heirs and assigns, the exclusive right of navigating said river above said factory dam, for the term of twenty years, and to fix the maximum rates of transporting lumber, wood and produce thereon.

1. SECTION I. *Be it enacted, &c.*, That from and after the passage of this act, F. W. C. Cook, James D. Pittard, R. Nickerson, of the county of Clark, and their associates, be, and they are hereby authorized to open and keep open the North Oconee river from the factory dam at Athens, in the county of Clark, to Burns' Mill in Jackson county; and to keep the same, or as much as is practicable thereof, open for the space of 20 years, from the 1st day of January, 1864; and to erect locks, dams and canals for the purpose of developing and working mineral deposits upon its banks, whenever necessary for the purposes of said navigation; *provided*, that no interference shall be made with any bridge across said river.

Exclusive right to navigate Oconee river from Athens Factory down to Burns' Mill granted to F. W. C. Cook and others for 20 years.

2. SEC. II. That the said F. W. C. Cook, James D. Pittard, R. Nickerson, and their associates, their heirs and assigns, be, and they are hereby fully authorized to demand and receive from any person desiring to use said river as a highway, a reasonable compensation not to exceed one hundred dollars per annum, for the privileges as

May receive pay for allowing others to navigate stream.

Special laws concerning public roads in Burke.

aforsaid, and for a single trip either up or down said stream, a sum not to exceed five dollars, and a suitable compensation for any part of the distance used on said river for running boats thereon.

Said parties bound to keep open River.

3. SEC. III. That the said F. W. C. Cook, James D. Pittard, R. Nickerson, and their associates, their assigns, shall be bound to keep open the channel of said river from the factory dam at Athens, to Burns' Mill, for the space of twenty years as aforesaid, so that the same may be used by the citizens for the transportation of lumber, wood and produce; and their neglect to do so for the space of six weeks after notice of any obstructions, such as fallen trees and rafts collected from freshets and the like, by any two freeholders on said river, who are hereby authorized to give such notice, shall be a forfeiture of all the rights and privileges hereby granted.

Obstructing stream made penal.

4. SEC. IV. That any person wilfully obstructing the channel of said river by felling trees across the same, or otherwise, shall be subject to indictment in the Superior Court in the county where the offense is committed, and, upon conviction, shall be fined in a sum not to exceed one hundred dollars, one half to the informer, and the other half to the educational funds of the county.

Damages to land owners.

5. SEC. V. *Be it further enacted*, That shall any land owner on the banks of said river feel that he or she has been endangered by the exercise of the rights and franchises herein granted, he or she may proceed to recover damages in the manner pointed out from sections 612 to 621, inclusive, and section 623 of the Code of Georgia; and where a verdict is rendered provided in said section, the said Justice shall enter up judgment for the damages fixed by the verdict, and shall issue execution as in other cases.

Private property of the parties bound for debts incurred in opening river

6. SEC. VI. The private property of the said F. W. C. Cook, James D. Pittard, R. Nickerson, and their associates, shall be liable for all the debts they may contract in opening and navigating said stream.

Act of Jan'y. 16, 1850, repealed.

7. SEC. VII. *Be it further enacted*, That all the rights to open and navigate said river granted to William A. Carr and Peter A. Sammey by an act of the General Assembly, approved January 16th, 1850, be, and they are hereby rescinded.

SEC. VIII. Repeals conflicting laws.

Assented to 13th April, 1863.

TITLE XIV.

ROADS.

Sec. 1. All special acts in relation to public roads in Burke county repealed. Sec. 2. Road laws in Code adopted in Burke county.

(No. 222.)

An Act to repeal all special laws concerning public roads, applicable to the county of Burke in this State, and for other purposes.

1. SECTION I. *The General Assembly of the State of Georgia do en*

Slaves and Free Persons of Color in Warren and Taliaferro—Tax on Brokers in Atlanta.

act, That all laws heretofore passed of a special character relative to public roads, so far as the same are applicable to the county of Burke in this State, be, and the same are hereby repealed. All special acts as to public roads in Burke co. repealed.

2. SEC. II. *Be it further enacted*, That from and after the passage of this act, all public roads in said county of Burke be, and the same are hereby made subject to all the rules and regulations relative to public roads declared and set forth in the revised Code of laws adopted by the General Assembly, and assented to December 19th, 1860, any law usage or custom to the contrary notwithstanding. Road laws in Code adopted for Burke co.

Assented to April 4, 1863.

TITLE XV.

SLAVES AND FREE PERSONS OF COLOR.

Sec. 1. Act of 22d Dec., 1857, repealed.

(No. 223.)

*An Act to repeal An Act entitled An Act to punish all owners of slaves and guardians of free persons of color, and said slaves and free persons of color in the counties of Warren and Taliaferro, for said owners and guardians allowing said slaves and free persons of color to live alone, and to permit the same, assented to on the 22d Dec., 1857.**

1. SECTION I. *The General Assembly of the State of Georgia do enact*, That the said act is hereby repealed. Act of 22d Dec. 1857, repealed.

Assented to April 17th, 1863.

*See Acts of 1857, p. 320.

TITLE XVI.

TAXES.

Sec. 1. Tax on Brokers in the city of Atlanta. | Sec. 2. Tax on Commission Merchants in the city of Atlanta.

(No. 224.)

An Act to empower the Mayor and Council of the city of Atlanta to assess a tax on brokers.

1. SECTION I. *Be it enacted by the General Assembly of the State of*

Tax on Commission Merchants in Atlanta.

Tax on Bro-
kers in city of
Atlanta.

Georgia, That the Mayor and Council of the city of Atlanta be, and they are hereby empowered to assess a tax on each person carrying on the brokerage business in said city, of not more than three hundred dollars per annum in addition to all other tax they may be required to pay.

Assented to April 18th; 1863.

(No. 225.)

An Act to authorize the Mayor and Council of the city of Atlanta to assess and collect a tax on the proceeds of sales made by Commission Merchants in said city.

Tax on Com-
mission Mer-
chants in city
of Atlanta.

2. SECTION I. *The General Assembly of Georgia do enact*, That the Mayor and Council of the city of Atlanta be, and they are hereby empowered to assess and collect a tax of and from Commission Merchants of not exceeding one-half of one per centum upon the amount of the proceeds of sales of all goods, wares, merchandise and other articles sold by them in said city on commission, in such manner and form as such Mayor and Council may prescribe.

SEC. II. *Be it further enacted*, That this bill shall go into effect from and immediately after its passage.

Assented to April 18th, 1863.

RESOLUTIONS

ADOPTED BY

THE SENATE

AND

HOUSE OF REPRESENTATIVES,

OF THE

STATE OF GEORGIA.

AT THE CALLED SESSION OF THE GENERAL ASSEMBLY, HELD IN MARCH AND APRIL, 1863.

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| No. 49. \$200 each to Bishop Pierce and Dr. Palmer. | No. 58. Salt supply—contract with Maj. M. S. Temple. |
| “ 50. Recommending raising provisions. | “ 59. Purchase of the Smets Library. |
| “ 51. \$1,000 to Hon. David Irwin. | “ 60. Compilation of a Military Code. |
| “ 52. Recommending increase of pay to our soldiers. | “ 61. Laws and resolutions to be furnished to members. |
| “ 53. Expressive of confidence in the President. | “ 62. Application of money to soldiers' families. |
| “ 54. Spun yarns for soldiers' families. | “ 63. Governor to obtain copies of Code for distribution. |
| “ 55. Relative to transportation in Georgia. | “ 64. Resolution against blockade running by individuals. |
| “ 56. Sermons of Bishop Pierce and Dr. Palmer. | |
| “ 57. Resolution for adjourned session rescinded. | |

(No. 49.)

A Resolution to authorize his Excellency the Governor to draw his warrant on the contingent fund to compensate the Reverend B. M. Palmer.

Resolved by General Assembly, That the Governor be authorized to draw his warrant on the contingent fund for the sum of two hundred dollars to be paid to the Rev. Dr. B. M. Palmer, who visited the seat of Government by invitation from his Excellency to participate in the religious services on fast day.

Rev. B. M. Palmer to be paid \$200.

Assented to March 30th, 1863.

(No. 50.)

Resolved, That in the opinion of the General Assembly, the cotton planters of this State are in no way behind their other patriotic brethren in their devotion to our common cause, and that their vol-

Expressive of the devotion of cotton planters to our cause.

Hon. David Irwin.—Pay of privates and non-commissioned officers.

untary yielding up the planting of cotton the past year for their country's good, deserves our highest commendation. Believing that the best interests of the country require that a large supply of provisions be raised this year; therefore be it

Resolved by the Senate and House of Representatives of the State of Georgia, That every planter be, and he is hereby earnestly requested to restrict the culture of cotton, as far as practicable, and employ his available force in the raising of provision crops.

Resolved, That a committee of two from the Senate and three from the House, be appointed to address the people on the subject of the foregoing resolutions.

Assented to 9th April, 1863.

(No. 51.)

A Resolution to compensate the Hon. David Irwin for superintending the publication of the Code of Georgia.

Resolved by the General Assembly, That his Excellency the Governor is authorized and directed to pay to the Hon. David Irwin, the sum of three thousand dollars, out of the printing fund, in payment for superintending the publication of the Code of Georgia, making an index thereto, and superintending the printing of the same.

Assented to April 13th, 1863.

(No. 52.)

WHEREAS, His Excellency the Governor has brought the question of the justice and propriety of increasing the monthly pay of the privates and non-commissioned officers of the armies of the Confederate States, before the General Assembly; and whereas, the General Assembly concurs in the justice and importance of this recommendation; therefore,

Resolved 1st, That our Senators and Representatives in Congress be, and they are hereby requested to bring the question before the Congress of the Confederate States, and to do all in their power by their influence and their votes, to procure the passage of an Act to raise the monthly pay of privates in the army to twenty dollars per month, and of non-commissioned officers in like proportion; and to procure the assessment of a tax sufficient to meet the increased expenditure, to be levied as far as practicable, upon the income of speculators and extortioners, and upon the wealth of those who are not in the army.

Resolved 2d, That the Governor be requested to forward a copy of these resolutions to the President of the Confederate States, and to the Governor of each State in the Confederacy, and to each of our Representatives in Congress.

Resolved 3d, That the troops in the service of this State shall receive the same pay as the Confederate troops.

Cordially approved April 13th, 1863.

Requested to raise provisions.

Committee to address the people on the subject of raising provisions.

\$3,000 to be paid to Hon. David Irwin.

Precisable.

Recommending increase of pay to privates and non-commissioned officers in the army.

Copies of Res. to be forwarded to certain officials.

State Troops to have same pay.

Chief Magistrate of the Confederate States.—Spun yarn for soldiers' families.—Transportation.

(No. 53.)

Resolved by the Senate and House of Representatives of the State of Georgia, That the ability and success, with which the Chief Magistrate of the Confederate States of America has discharged the duties devolved upon him by his high and responsible office, have commanded the admiration and secured the confidence of his countrymen; and Georgia hereby pledges herself to furnish all the means at her disposal to enable him to bring to a successful termination the cruel and unjust war now being waged upon her citizens.

Expressive of confidence in the President

Assented to April 14th, 1863.

(No. 54.)

Resolved by the General Assembly of Georgia, That the Governor is hereby authorized to take a portion of the money which has been set apart by law for the support of the indigent families of the soldiers of this State, to purchase spun yarn from the different factories of the State, to be turned over to the Inferior Courts, to be distributed by them to such families of soldiers as are destitute of the means of supplying themselves or their families with clothing.

Spun yarn to be supplied to soldiers' families.

Resolved further, That the Inferior Courts be required to notify his Excellency the Governor, by the 15th day of June next, the amount necessary for this purpose; and that the amount of money so used shall be deducted from the proportional share of the money to which the counties are entitled.

Infr. Court to notify Gov'r. of quantity wanted in each county.

Resolved further, That this General Assembly respectfully request the factories of the State to furnish thread intended to be so used, at supply, and not at speculative prices.

Factories requested to sell such yarn at low prices.

Assented to 15th April, 1863.

(No. 55.)

Report of the Joint Committee on Transportation.

The joint committee of the Senate and House of Representatives on transportation, have had under consideration the matters referred to them by the General Assembly. We most sincerely concur with his Excellency the Governor of the State, in the important suggestions he so eloquently and feelingly presents in his message on this subject. The question of transportation is one of painful interest when considered with reference to the supply of bread, meat, salt and other necessaries to the people of the needy sections of Georgia; but its proportions and magnitude become vast when considered with reference to the general interests of the Confederacy and the final success of our cause. The supply of the rolling stock and machinery of our several Rail Roads, and the condition of their road beds, is such that, unless measures are taken to meet their necessities, the days of transportation by

Report of Committee on Transportation.

rail in the Confederacy are numbered. We are glad to have been informed by the intelligent and patriotic R. Road managers of the State, in the interesting conference the committee had with them, that there are steps that can be taken which will not only ameliorate the condition of the country, but which if promptly adopted and industriously pursued, will improve our Rail Roads and insure their continued usefulness. In this work it will be necessary to have the co-operation and favor of both the Confederate and State Governments.

The Governor and the managers of most of the Rail Roads of the State having been present at our deliberations, partaking in them freely by our invitation, many subjects of necessary supply, and plans to obtain the same, were discussed; and abuses materially interfering with the success of transportation were brought to our knowledge. Prudential considerations render it improper that we refer to these in detail; but believing that his Excellency is fully imbued with a sense of the importance of this subject, and that the willingness of the State to render aid and encouragement will be met by the R. R. companies with a determination to make every effort ingenuity can devise and industry accomplish, to keep up their needful supplies and business, and thus preserve their *status* as highly respectable and useful institutions of the country, we unanimously recommend the adoption of the following resolution:

Resolved, That the Governor is hereby requested to appoint a commissioner to repair to Richmond with plenary powers, to confer with the President and other officers of the Confederate Government upon subjects touching the providing of supplies for Rail Roads and the regulation of transportation thereon.

CORN SUPPLY.

The problem presented by this subject, is how to supply the needy of the northern part of the State with grain from the southern part of the State. The roads leading from the suffering regions into southern Georgia, in the opinion of the officers managing them, are able to carry 133,333 bushels of corn per month. These gentlemen declare their painful sense of the condition of our citizens, and pledge to do all they can to increase their carriage for them and prevent suffering. In this the managers of other roads concur. Of this amount, it is calculated that as much as 100,000 bushels per month will be needed by the Confederate Government for the army, leaving 33,333 to be supplied from the South Western R. Road and Macon and Western R. Road. The Central R. R. and Geo. R. R. companies are also heavily engaged in carrying corn to the more eastern counties, and the Atlanta and West-point Road, is taking out corn from the region along its line. We are glad to have been assured that the supply may be reasonably expected to be sent forward in time to prevent actual want. But all that can be done consistent with other necessities should be done. It is suggested that agents to purchase corn carry with them a certificate of the Inferior Court of their respective counties

Commissioner to go to Richmond to concert measures at the foregoing Report.

Corn supply.

Agents to purchase corn should carry with them certificates from Inferior Court.

Salt Supply.

under seal of the county, that their errand is to buy for supply, and be prepared to make affidavit to that effect, also that they should not all seek one market, but so distribute their purchases as to keep each and every agency of transportation that can be commanded to the work in active and regular employment. We notice with pleasure the fact that the Governor has sent a train from the Western and Atlantic R. R. to engage in this work, and unanimously recommend the following resolution :

Resolved, That the action of the Governor in sending a train from the W. and A. R. Road to South Western Georgia, to transport corn and other supplies to the suffering people of northern Georgia, meets our most hearty approval. We request him to continue the train on the work during such time as he may find it necessary, and also to adopt such other regulations and arrangements as, in his judgement, the exigencies of the case may require. We but express the sentiments of every Georgian when we say, these people are our people—with them we will live or with them we will die—their fate shall be our fate.

Approval of the Governor's sending a train from State Road to bring up corn.

Recommends continuance of running such train.

SALT SUPPLY.

Your committee are informed that there are now at Saltville, Virginia, awaiting shipment to Georgia, as much as 40,000 bushels of salt, the product of the furnaces erected and worked under the contract made by Hon. John W. Lewis, under direction of the Governor, and by the Planters' Salt Company, and the Georgia Salt Company, and that the manufacture of salt for supply in Georgia is daily progressing at that place. The Governor has set apart a train to be sent from the Western and Atlantic R. Road to Saltville, to transport the salt to Georgia and carry needful supplies for their furnaces. As the rate of daily manufacture is large, say 1500 bushels per day, further arrangements so soon as practicable, will probably be found necessary. We are informed that some negotiations are pending with intermediate R. Roads, on the subject of transportation. Without proposing to act disrespectfully to the committee on salt supply, we unanimously recommend the following resolution :

Salt supply.

Resolved, That we approve the action of the Governor, in relation to sending a special train, with a good engine and cars to Saltville, for the transportation of salt, made under the contract of Hon. John W. Lewis and the Planters' Salt Manufacturing Company, and Georgia Salt Company for supply to Georgia, and of taking needful supplies to the furnaces making the same. He is further authorized and requested to make all such contracts and arrangements with R. R. companies, as he may deem proper to facilitate transportation and to procure and send such other engine, and train or trains, as he may deem the exigencies of the work demand, having due regard to other calls for transportation.

Approval of the Governor's sending a train from W & A. R. R. to Saltville, Va.

CARS OF THE WESTERN AND ATLANTIC RAIL ROAD ON OTHER ROADS.

Your committee are informed that in doing transportation rendered indispensable by necessary requirements of the Confederate

Cars of W. & A. R. R.

Cars of W. & A. R. R.—Rolling Stock.—Certain Railroads.

service, more than 100 cars have been taken off the road which are not yet returned. It is highly important that they be again placed in possession of the road if practicable. We learn too, that the Governor has permitted a train to be used for the military service and benefit of the citizens along the route on the Brunswick and Gulf R. Road : Therefore we unanimously recommend the following :

Resolved, That the action of the Governor and general Superintendent of the Western and Atlantic R. Road, in permitting the cars of the road to leave it for the benefit of the Confederate service, is hereby approved as patriotic and right, but, it being highly important that the same should be returned if practicable, we request the Governor to send out a special agent to find said cars, wherever they may be scattered on the several roads of the Confederacy, unless used then in service of Georgia, and to bring them, or so much and such parts thereof as may be advantageous to Georgia, with power to sell or otherwise dispose of such as cannot be brought back.

Resolved, That the action of the Governor and Superintendent of the W. and A. R. R. in permitting an engine and cars to be used on the Brunswick and Gulf R. R., for the benefit of citizens along the line and convenience of military authorities, is hereby approved; and the Governor is hereby requested, under any arrangement with the officers of the road, satisfactory to himself, to permit the train to remain so long as, in his judgment, it may continue to subserve the public good and aid in the common defense.

ESTABLISHMENTS TO REPAIR AND AID IN FURTHER SUPPLYING ROLLING STOCK.

The committee learn with pleasure that there are several establishments now in operation in Georgia, and others projected for this necessary object. Without proposing any invidious distinctions, we mention the establishment of Messrs. Laughborough & Timmons at Augusta, for the manufacture and repair of car wheels, axles, &c., and an enterprise projected by Mr. McNeill, and other citizens to provide supplies for R. R. companies, to be located at Macon or Atlanta, or some other convenient place. We unanimously recommend the following :

Resolved, That the Governor is hereby requested in the management of the W. and Atlantic R. R. to furnish to the works of Messrs. Laughborough & Timmons, and such other works as are erected or may hereafter be erected to furnish R. R. supplies, such special facilities of transportation for coal, iron and other supplies as may be in his power, and consistent with other demands on the road.

REGULATIONS OF CERTAIN RAIL ROADS AS TO CONTRACTS LIMITING THEIR LIABILITIES AS COMMON CARRIERS.

Your committee are of the opinion that it is unwise, unless in cases of extreme and unusually great risk beyond the power of prudent management to control, for R. Road companies to propose and make any contract limiting their well understood liability as

Return of cars.

Agent to go after cars.

Approval of Governor's permitting an engine and cars of the W. & A. R. R. to be used on B. & G. R. R.

Supply of Rolling Stock for Railroads.

W. & A. R. R. to grant facilities to companies manufacturing Rolling stock.

Self-assumed limitation of liability of common carriers.

Discourses of Bishop Pierce and Dr. Palmer.—Contract with M. S. Temple & Co.

common carriers. They notice with pain that this has been done by several R. Road companies in Georgia, and by the Western and Atlantic R. Road. The committee recommend the passage of the bill herewith submitted, as well as the bill referred to the committee touching this important subject. It is due to several members of the committee, to state that the passage of this bill is not unanimously recommended.

Protesting against the censure contained in these resolutions against certain Railroads, including the W. and A. R. R., for limiting their liability as the Code of this State authorized them to do, but approving the main objects of the resolutions, they are assented to April 16th, 1863.

JOSEPH E. BROWN,
Governor.

(No. 56.)

A resolution directing his Excellency the Governor to have two thousand copies of each of the sermons delivered at the Capital on Fast day, Friday the 27th day of March, 1863, by the Reverends Bishop Pierce and Dr. Palmer, published for distribution.

Resolved by the Senate and House of Representatives, That so soon as the manuscript copies of each of the sermons delivered by Reverends Bishop Pierce and Dr. Palmer, in the city of Milledgeville, on Fast day, Friday, 27th of March, 1863, come to hand, and are furnished to his Excellency the Governor, he be, and is hereby authorized and requested to have two thousand copies of each of said sermons published in pamphlet form, and distributed with the laws and journals of the present session; and that each member of this General Assembly be entitled to receive five copies of each.

2000 copies each of the discourses of Bishop Pierce and Dr. Palmer to be printed.

To be distributed with laws and journals.

Five copies of each to each member of the Gen'l. Assembly.

Assented to April 17th, 1863.

(No. 57.)

Resolved by the General Assembly of the State of Georgia, That the resolution of the General Assembly passed on the 10th day of December, 1862, providing for the re-assembling of the General Assembly on the fourth Wednesday in April, 1863, be, and the same is hereby rescinded.

Rescinding Resolution for an adjourned session of the General Assembly.

Assented to April 18th, 1863.

(No. 58.)

Resolution authorizing the Governor to modify the contract with M. S. Temple & Co., for the manufacture of salt at Saltville, Virginia.

Resolved, 1st, That the Governor is hereby requested, in the management of the Western and Atlantic Railroad, to give every encouragement in his power to salt making on the coast by all special facilities for transportation, consistent with other demands

Gov. to facilitate salt-making on the coast by aid of W. & A. Railroad.

Library of the late A. A. Smets.

on the road, either by sending special trains or cars, as exigencies may require, or by giving, in the regular operations of the road, reasonable preference to shipments directly needful to the making of salt on the coast, and its transportation to the interior; and also by giving encouragement to efforts that may be made by citizens to obtain iron and kettles for that purpose.

Resolved, 2d, That we request and authorize the Governor to modify the contract made by Hon. John W. Lewis, as agent of Georgia, with M. S. Temple & Co., for the manufacture of salt at Saltville; *provided,* in such agreement as he may make for the increase of the compensation of said M. S. Temple & Co., he shall not exceed the payment of two dollars per bushel of fifty pounds to said contractors; such increased pay not to continue longer than until a treaty of peace between the Confederate States and the United States of America; this compensation to embrace all salt made and delivered since the first day of January A. D. 1863; *and provided further,* that the Governor bind said M. S. Temple & Co. in suitable stipulations, to regularly make and deliver to the State the full complement of five hundred bushels per day, and providing for payment in currency; *provided,* that the Governor shall not absolutely guarantee transportation either of supplies or of the salt; *and provided further,* that upon the happening of any future event materially affecting the work, the Governor is hereby authorized to make with said contractors such arrangements as will secure, in his discretion, either that they will promptly deliver the work to another agent to be conducted for the State, or that they will go on and make and deliver salt promptly and punctually, and without loss to them.

Resolved, 3d, That the Governor is hereby requested to pay to the agent of Georgia at Saltville, for receiving and forwarding salt, such remuneration for his services as may be found just, after full examination into his duties and the pay he is now receiving, not to exceed \$2,500 per year.

Assented to April 18th, 1863.

(No. 59.)

WHEREAS, The library of the late A. A. Smets, of Chatham county, is about to be sold by the executors of the will of said deceased; *and whereas,* it would be a public loss to the State of Georgia to permit said library to be disposed of outside of the limits of this State; *and whereas,* notwithstanding the offers made both in Europe and America for the purchase of this valuable library, the executors and surviving relatives of the deceased would prefer to see it in the possession of the State of Georgia.

Resolved, That the Governor be, and he is hereby requested to confer with the executors of said estate in reference to the purchase of said library for the State, and report to the next General Assembly the nature and extent of said library, and the terms on which it can be purchased.

Assented to 18th April, 1863.

Increase of pay to Maj. M. S. Temple for making salt for State.

Increased compensation to extend back to 1st Jan. 1863.

M. S. Temple & Co. to deliver 500 bushels per day. Transportation.

Subject to other arrangements to be made by Gov.

Pay to the Agent of Ga. at Saltville.

Preamble.

Relative to purchase by State of the library of A. A. Smets, deceased.

(No. 60.)

Resolved by the General Assembly, That the Adjutant and Inspector General of this State be, and he is hereby directed to prepare a system of military laws in accordance with the Constitution and laws of the Confederate States of America and Constitution of this State, to be presented to the General Assembly for its consideration and action at its next session.

Approved 18th April, 1863.

Adj. & Ins.
General to
prepare a new
Military
Code for Ga.

(No. 61.)

Resolved by the Senate and House of Representatives, That his Excellency the Governor be, and he is hereby directed, when the laws and journals of this extra session, as well as the regular session, shall have been printed, to cause to be forwarded to each member of the Senate and House of Representatives. also the Secretary of the Senate and Clerk of the House of Representatives, a copy thereof.

Assented to April 18th, 1863.

A copy of the
laws and res-
olutions of
present and
late sessions
to be furnish-
ed to each
member of
the General
Assembly, to
Secy of Sen-
ate and Clk.
House.

(No. 62.)

WHEREAS, A diversity of opinion exists among the Justices of the Inferior Courts of the several counties of this State, as to the distribution of the funds for the support of indigent families of soldiers; and whereas, manifest injustice has been done in certain instances, by excluding altogether from the benefit of the munificence of the State, all families unless they are entirely penniless and beggard.

Preamble.

Resolved by the General Assembly of Georgia, That the Inferior Courts of the several counties in this State, in disbursing the funds appropriated under the act of December 13, 1862, shall not confine their distribution only to such families as are utterly penniless, but shall, in their discretion, assist all indigent and needy families coming under the operation of the above named act.

Made of dis-
tributing the
funds under
act of Dec.
1862, to fam-
ilies of sold-
iers, &c.

Assented to 18th April, 1863.

(No. 63.)

WHEREAS, John H. Seals, who contracted to publish and deliver the Code of Georgia, has failed to comply with his contract; in consequence of which failure, the various officers and citizens of the State cannot be supplied with the Code as required by law.

Preamble.

1st, Be it therefore resolved by the Senate and House of Representatives, That his Excellency the Governor be, and he is hereby authorized to take and use all legal means necessary to secure the completion and delivery of such a number of copies of the Code as may be necessary for immediate use, by contract if practicable, and

Gov. to pro-
cure neces-
sary number of
copies of
Code.

Running of the Blockade.

if not, then, if necessary, to take possession of the unfinished volumes of said Code belonging to the State, and have a sufficient number of copies for immediate use, bound in the best manner in which it can be done, and the remainder of said copies be secured until materials can be obtained for completing the same.

The unpaid balance of apprn to John H. Seals to be withheld from him.

2d. *And be it further resolved,* That the balance of the appropriation heretofore made for the benefit of John H. Seals, on account of said publication, not yet paid him, be withheld from him, and applied to the payment of the expenses which may occur in and about the completion of said Code; and that his Excellency the Governor be, and he is hereby authorized to draw his warrant on the printing fund of the State for such sum as may be necessary to complete said Code as hereinbefore directed.

Approved April 18th, 1863.

(No. 64.)

Preamble.

WHEREAS, In the judgment of this General Assembly, the traffic of private citizens with foreign countries is one of the prime causes of the depreciation of the Confederate currency, and the consequent high prices of all the necessaries of life; *and whereas,* in the opinion of this General Assembly, the largest portion of the cotton exported innure, directly or indirectly, to the benefit of the abolitionists of New England; *and whereas,* this tribute to Yankee greed is abhorrent to the mind of every patriot, sustains the trade of our detested foe, and demoralizes our own citizens.

Recommending legislative enactment against running the blockade.

Therefore resolved by the General Assembly of Georgia, That our Senators and Representatives in Congress be, and they are hereby requested to secure the passage of such a law as shall prevent the "running of the blockade," either by land or water, during the existence of the present war, by any person whatever, except under the direct control and for the exclusive benefit of the Government of the Confederate States.

Assented to 18th April, 1863.

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