

Texas Laws, statutes, etc

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L.C.

THE

LAWS OF TEXAS

1822-1897

556
1049
Old Binding

Austin's Colonization Law and Contract; Mexican Constitution of 1824; Federal Colonization Law; Colonization Laws of Coahuila and Texas; Colonization Law of State of Tamaulipas; Fredonian Declaration of Independence; Laws and Decrees, with Constitution of Coahuila and Texas; San Felipe Convention; Journals of the Consultation; Proceedings of the General Council; Goliad Declaration of Independence; Journals of the Convention at Washington; Ordinances and Decrees of the Consultation; Declaration of Independence; Constitution of the Republic; Laws, General and Special, of the Republic; Annexation Resolution of the United States; Ratification of the same by Texas; Constitution of the United States; Constitutions of the State of Texas, with all the Laws, General and Special, passed thereunder, including Ordinances, Decrees, and Resolutions, with the Constitution of the Confederate States and the Reconstruction Acts of Congress.

COMPILED AND ARRANGED BY
H. P. N. GAMMEL
OF AUSTIN.

WITH AN INTRODUCTION BY C. W. RAINES.

VOLUME II.

[1838-1846]

AUSTIN:
THE GAMMEL BOOK COMPANY.

1898

agement and control of said estate, the profit of which after deducting expenses of said management, shall be paid over to the child or children entitled to the same for his, her or their maintenance and support, and it shall be lawful at any time, for the court of probate in the county where such estate may be situated or where such trustee or trustees may reside, to take cognizance of the same, and to remove such trustee or trustees from the management of the same; Provided, it shall be made to appear that such estate is wasted or improperly managed, and to appoint other trustees for the management thereof, taking bond and security from such trustees, in a sum at least equal to the value of such estate, for the faithful performance of the trust; and if the child or children entitled to such estate, or any part thereof, shall at any time make it appear to the satisfaction of said court that the causes for leaving said estate in trust no longer exist, and that there is no danger of its being squandered by idleness, dissipation or extravagance, it shall be the duty of said court to dissolve said trust, and place the said estate in the hands of the person or persons who would have been entitled to the same, had such trust not been created.

DAVID S. KAUFMAN,
Speaker of the House of Representatives.
DAVID G. BURNET,
President of the Senate.

Approved January 28th, 1840.

MIRABEAU B. LAMAR.

AN ACT

Concerning Slaves.

Sec. 1. Be it enacted by the Senate and House of Representatives of the Republic of Texas, in Congress assembled, That if any person shall hereafter sell to any slave, without the written consent of his or her master, mistress or overseer, any ardent spirits or intoxicating liquors, he or she so offending, shall forfeit and pay on conviction thereof, any sum not less than twenty nor more than two hundred dollars.

Sec. 2. Be it further enacted, That if any person shall buy from any slave, any cotton, corn, meat or other valuable produce or article whatever, without the written consent of his or her master, or mistress, or overseer, he or she so offending, shall

on conviction thereof, be fined in any sum not less than twenty nor more than two hundred dollars, with the value to the owner of any property so sold.

Sec. 3. Be it further enacted, That if any person shall unreasonably or cruelly treat, or otherwise abuse any slave, he or she shall be liable to be sued in any court of competent jurisdiction, and on conviction thereof shall be fined in a sum, not less than two hundred and fifty dollars nor more than two thousand dollars.

Sec. 4. Be it further enacted, That if any person or persons shall murder any slave, or so cruelly treat the same as to cause death, the same shall be felony, and punished as in other cases of murder.

Sec. 5. Be it further enacted, That it shall be the duty of the District Judges, within said Republic, to carry into effect the foregoing provisions of this act.

Sec. 6. Be it further enacted, That no slave in this Republic shall carry a gun or other deadly weapon without the written consent of his master, mistress or overseer; such arms or other weapons shall be liable to be taken by any person from any such negro, and all such property forfeited, if it does not exceed ten dollars in value; but any such property may be reclaimed by the owner on paying ten dollars to the person who may have so taken the same.

DAVID S. KAUFMAN,

Speaker of the House of Representatives.

DAVID G. BURNET,

President of the Senate

Approved February 5th, 1840.

MIRABEAU B. LAMAR.

AN ACT

To Repeal certain Acts therein named.

Sec. 1. Be it enacted by the Senate and House of Representatives of the Republic of Texas in Congress assembled, That from and after the passage of this act, the following named acts and joint resolutions, to wit:—a “Joint Resolution, authorizing the President to receive forty thousand volunteers, approved December 22d, 1836; — a Joint Resolution, authorizing the President to draw funds for transporting arms, munitions, troops,