

ACTS
OF THE
GENERAL ASSEMBLY
OF THE
STATE OF GEORGIA,
PASSED IN
MILLEDGEVILLE,
AT AN
ANNUAL SESSION
NOVEMBER AND DECEMBER,
1860.

PUBLISHED BY AUTHORITY.

MILLEDGEVILLE:
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1861.

Twelfth Section Thirteenth Division—Additional Section to the Thirteenth Division.

Buying or receiving stolen goods of slaves or free negroes, Penitentiary of fence from 1 to 4 years.

That from and after the passage of this act, if any free white person or persons, shall buy or receive any money, goods, chattels, or other effects, from any negro or free person of color, that has or have been stolen, or feloniously taken, knowing the same to have been so stolen or feloniously taken, such person or persons, so offending, shall be taken and deemed to be an accessory, or accessories, after the fact; and being convicted thereof, shall be punished by imprisonment and labor in the Penitentiary, for any time not less than one year, nor longer than four years.

SEC. II. Repeals conflicting laws.

Assented to 19th December, 1860.

(No. 63.)

An Act to amend the Twelfth Section of the Thirteenth Division of the Penal Code.

Twelfth Sec. of the Thirteenth Div. of Penal Code, amended.

SECTION I. *The General Assembly of the State of Georgia do enact,* That the Twelfth Section of the Thirteenth Division of the Penal Code, be, and the same is hereby amended, by striking out the following words, "whereby the health of such slave or slaves, may be injured or impaired." *

Assented to December 19th 1860.

* The 12th section of the 13th division of the Penal Code provides that "any owner or employer of a slave, who shall cruelly treat such slave or slaves, by unnecessary or excessive whipping; by withholding proper food or sustenance; by requiring greater labor from such slave or slaves than he, she or they, are able to perform; or by not affording proper clothing, whereby the health of such slaves may be injured and impaired, or cause or permit the same to be done; every such owner or employer, shall be guilty of a misdemeanor, &c."

In order to convict under the above section, as it heretofore stood, it was necessary to prove, in addition to the fact of cruel treatment, &c., also that *thereby the health of such slave or slaves was injured or impaired*; but hereafter, under the above amendment, in order to convict, it will be only necessary to prove the fact of cruel treatment, &c. See T. R. R. Cobb's New Digest, p. 827.

(No. 64.)

An Act to add an additional Section to the 13th Division of the Penal Code, making it penal to sell to or furnish slaves or free persons of color, with weapons of offence and defence; and for other purposes therein mentioned.

Selling or furnishing weapons to slaves or free negroes, prohibited. Penalty.

SECTION I. *The General Assembly of the State of Georgia do enact,* That from and after the passage of this Act, any person other than the owner, who shall sell or furnish to any slave or free person of color, any gun, pistol, bowie knife, slung shot, sword cane, or other weapon used for the purpose of offence or defence, shall, on indictment and conviction, be fined by the Court in a sum not exceeding five hundred dollars, and imprisoned in the common Jail of the county not exceeding six months, at the discretion of the Court; *Provided,* That this Act shall not be so construed as to prevent owners or overseers from furnishing a slave with a gun for the purpose of killing birds, &c., about the plantation of such owner or overseer.

Proviso as to owners and overseers, in certain cases.

Slaves employed on Rail Roads.—Bail for slaves in certain cases.

SEC. II. *And be it further enacted*, That it shall be the duty of the several Judges of the Superior Courts of this State, to give special-ly in charge to the Grand Juries of the several Courts, the provisions of this act. Judges to give this Act in charge.

SEC. 3. Repeals conflicting laws.

Assented to 19th December, 1860.

TITLE XX.

ROADS.

Moneys received in lieu of work on Roads by negroes employed by Rail Road Contractors, to be expended on such Roads.

(No. 65.)

*An Act to repeal, [amend?] "an Act to exempt negroes employed by Contractors in the construction of Rail Roads, from liability to work on Roads, on certain conditions."**

SECTION I. *Be it enacted, &c.*, That said recited Act, be so amended as to require the several Overseers of Roads, into whose hands any moneys may come by virtue of the provisions of said recited Act, to expend said moneys in hiring hands to work on the Roads, of which they are respectively overseers. Moneys received in lieu of work on Roads by negroes employed by R. R. contractors, to be expended on such Roads.

SEC. II. Repeals conflicting laws.

Assented to 19th December, 1860.

*See Acts of 1859, p. 65.

TITLE XXI.

SLAVES AND FREE PERSONS OF COLOR.

SECTION 1. Slaves committed to jail for crime may be admitted to bail—proviso.

SECTION 2. Slaves or free persons of color may be admitted to bail, in certain cases.

(No. 66.)

An Act to authorize the owner, or owners, of Slaves charged with offences against the Laws, to give bail for such slave, or slaves.

1. SECTION. I. *The General Assembly of the State of Georgia do enact*, That when any slave, or slaves, charged with the commission of any offence against the laws of this State, may be committed to Jail, it shall and may be lawful for the owner, or owners, of said Slaves committed to jail for crime, in certain cases, may be admitted to bail.