

L A W S

OF THE

STATE OF MISSISSIPPI,

PASSED AT A REGULAR SESSION

OF THE

MISSISSIPPI LEGISLATURE,

HELD IN THE

CITY OF JACKSON, OCTOBER, NOVEMBER AND DECEMBER, 1865.



JACKSON:

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

1866.

SEC. 5. Be it further enacted, That it shall be the duty of the Governor, whenever eight companies, organized by this act, and located in contiguous counties, shall make through their respective commands a written application to be formed into a regiment, to order an immediate election to be held for one colonel, one lieutenant-colonel, and one major, of said regiment, and no person shall be entitled to vote for said officers who is not a regularly enrolled member of one of said companies.

SEC. 6. Be it further enacted, That this act shall take effect from its passage.

Approved November 3, 1865.

CHAPTER XXIII.

AN ACT to punish certain offences therein named, and for other purposes.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That no freedman, free negro or mulatto, not in the military service of the United States Government, and not licensed so to do by the board of police of his or her county, shall keep or carry fire-arms of any kind, or any ammunition, dirk or bowie knife, and on conviction thereof, in the county court, shall be punished by fine, not exceeding ten dollars, and pay the costs of such proceedings, and all such arms or ammunition shall be forfeited to the informer, and it shall be the duty of every civil and military officer to arrest any freedman, free negro or mulatto found with any such arms or ammunition, and cause him or her to be committed for trial in default of bail.

SEC. 2. Be it further enacted, That any freedman, free negro or mulatto, committing riots, routes, affrays, trespasses, malicious mis-

Penalty for disturbances of the peace by freedmen.

chief, cruel treatment to animals, seditious speeches, insulting gestures, language or acts, or assaults on any person, disturbance of the peace, exercising the function of a minister of the Gospel, without a license from some regularly organized church, vending spirituous or intoxicating liquors, or committing any other misdemeanor, the punishment of which is not specifically provided for by law, shall, upon conviction thereof, in the county court, be fined, not less than ten dollars, and not more than one hundred dollars; and may be imprisoned, at the discretion of the court, not exceeding thirty days.

SEC. 3. Be it further enacted, That if any white person shall sell, lend or give to any freedman, free negro or mulatto, any fire-arms, dirk or bowie-knife, or ammunition, or any spirituous or intoxicating liquors, such person or persons so offending, upon conviction thereof, in the county court of his or her county, shall be fined, not exceeding fifty dollars, and may be imprisoned, at the discretion of the court, not exceeding thirty days: Provided, that any master, mistress or employee of any freedman, free negro or mulatto, may give to any freedman, free negro or mulatto, apprenticed to or employed by such master, mistress or employer, spirituous or intoxicating liquors, but not in sufficient quantities to produce intoxication.

Re-enacting
criminal laws
in relation to
slaves and
free negroes.

SEC. 4. Be it further enacted, That all the penal and criminal laws now in force in this State, defining offences and prescribing the mode of punishment for crimes and misdemeanors committed by slaves, free negroes or mulattoes, be and the same are hereby re-enacted, and declared to be in full force and effect, against freedmen, free negroes and mulattoes, except so far as the mode and manner of trial and punishment have been changed or altered by law.

SEC. 5. Be it further enacted, That if any freedman, free negro or mulatto, convicted of

any of the misdemeanors provided against in this act, shall fail or refuse, for the space of five days after conviction, to pay the fine and costs imposed, such person shall be hired out by the sheriff or other officer, at public outcry, to any white person who will pay said fine and all costs, and take such convict for the shortest time.

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

Approved November 29, 1865.

CHAPTER XXIV.

AN ACT for the relief of Executors, and others, in certain cases.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi,* That every executor, executrix, administrator or administratrix, whose fiduciary acts and conduct have in other respects been regular and in good faith, and the estate of whose testator, testatrix or intestate, consisted in part or in whole of negro property, and by reason of such property was deemed and held to be fully and amply solvent, and while the estate was so deemed, held and declared to be amply solvent, proceeded to pay, and did pay in good faith, any valid indebtedness of such estate, in part or in whole, and the estate has since become insolvent by reason of the emancipation of the slaves, then such executor, executrix, administrator or administratrix, shall not be held liable for the amount so paid, unless he or she can recover the same, but shall account only for the assets and effects, after such payment so made, still in his or her hands: Provided,