

A

COMPILATION OF THE LAWS

OF THE

STATE OF GEORGIA,

PASSED BY THE GENERAL ASSEMBLY, SINCE THE YEAR 1819 TO THE YEAR 1829, INCLUSIVE

COMPRISING

ALL THE LAWS PASSED WITHIN THOSE PERIODS, ARRANGED UNDER TITLES, WITH MARGINAL NOTES, AND NOTES OF REFERENCE TO THE LAWS OR PARTS OF LAWS WHICH ARE AMENDED OR REPEALED.

TO WHICH ARE ADDED,

SUCH CONCURRED AND APPROVED RESOLUTIONS

AS ARE EITHER OF GENERAL, LOCAL, OR PRIVATE NATURE.

CONCLUDED WITH A FULL AND AMPLE

INDEX TO THE LAWS,

AND

A SEPARATE ONE TO THE RESOLUTIONS.

BY WILLIAM C. DAWSON,

OF GREENSBORO.

MILLEDGEVILLE:

PUBLISHED BY GRANTLAND AND ORME.

1831.

TITLES CONTAINED IN THIS BOOK.

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Time of holding election for Commissioners.

Provision in case no election should be held at the time prescribed.

White persons subject to work on the streets not compelled to work on the road.

The trustees of the German Lutheran Congregation appointed Commissioners of the town of Ebenezer in the County of Effingham.

Commissioners to have the town, garden lots, &c. resurveyed, and the plan thereof recorded.

Authorized to sell vacant lots and garden lots.

Money therefrom how applied.

May remove obstructions to the streets, &c.

an election for commissioners of said town shall be on the first Monday in February, annually, and all the citizens of said town that are entitled to vote for members of the State Legislature shall be allowed to vote at said election; and in case any circumstance should at any time occur whereby the said commissioners should not be elected on the day pointed out by this act, then and in that case it shall and may be lawful for the commissioners of the preceding year to advertise at the court-house door when said election shall be held, giving thereby at least ten days' notice, and the commissioners so elected shall be deemed and considered as lawfully such as if they had been elected on the day pointed out by this act.

§ 11. *And be it further enacted*, That no person residing within the limits of said corporation, subject to work on the streets of said town, shall be compelled to work on any public road further than the limits of said corporation, except the black population therein subject to work on the roads by the several road laws of this State; any law to the contrary notwithstanding.

DAVID ADAMS,
Speaker of the House of Representatives.
MATTHEW TALBOT,
President of the Senate.

Assented to, December 2d, 1820.

JOHN CLARK, Governor.

[No. 1232.] *AN ACT to appoint Commissioners for the town of Ebenezer, in the County of Effingham, and to authorize the said Commissioners to sell the vacant Lots and Garden Lots of said town, for the benefit of the German Lutheran Congregation and School in that place.*

Be it enacted by the Senate and House of Representatives [of the State of Georgia], in General Assembly met, and it is hereby enacted by the authority of the same, That from and immediately after the passage of this act, Jonathan Kaher, Gottlieb Ernst, Lewis Wietman, Frederick Bergman, Ephraim Keiffer, Emanuel Rahe, Jacob Guann, jun., Israel Wietman, and Joshua Zant, trustees of the German Lutheran Congregation at Ebenezer, in the county of Effingham, and their successors in office, be, and they are hereby appointed commissioners of the town and commons of the said town of Ebenezer.

§ 2. *And be it further enacted by the authority aforesaid*, That the said commissioners, or a majority of them, be, and they are hereby authorized, after giving three months' public notice in one of the gazettes in Savannah, and at three of the most public places in the county of Effingham, to have the said town of Ebenezer, together with the garden lots and commons thereof, resurveyed and laid out agreeable to the original charter and plan thereof, and have the plat thereof recorded in the office of the county surveyor, and in the surveyor general's office of this State.

§ 3. *And be it further enacted*, That the commissioners aforesaid shall have, and are hereby vested with full power and authority, after giving at least one month's notice in one of the Savannah gazettes, and at three of the most public places in said county, to sell at public auction, in the said town of Ebenezer, or at the court-house of said county, all, or as many of the town or garden lots that are now vacant as they may think proper, and make and execute titles accordingly; and the money arising from the sale of said lots shall be applied for the support of a school for the orphans of said town and German Lutheran Congregation, in such manner as the said commissioners may think proper to direct.

§ 4. *And be it further enacted*, That the said commissioners be, and they are hereby authorized to keep open the streets of said town, by removing any obstruction which may be laid therein, and to prevent encroachments or trespass on the lanes, public squares, or commons thereof, and to make such rules and regulations for that purpose, and for the government of said town, as they may think proper;

Provided, the same be not repugnant to the constitution and laws of said State.

§ 5. *And be it further enacted*, That all laws and parts of laws militating against this act be, and the same are hereby repealed.

DAVID ADAMS,
Speaker of the House of Representatives.
VAL. WALKER,
President of the Senate, *pro tem*.

Assented to, December 8th, 1820.

JOHN CLARK, Governor.

[No. 1233.] *AN ACT to alter and amend an Act passed 18th December, 1817, to amend an Act passed 27th November, 1812, to incorporate the Town of Sandersville, in the County of Washington, and to vest certain powers in the Commissioners thereof.*

Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That Morgan Brown, Shadrick Perry, George Kelly, Charles Williamson, and Williams Rollings be, and they are hereby appointed commissioners of said town, and any three of said commissioners shall constitute a board, who shall have full power to proceed to the business of said incorporation; and they, and their successors in office, shall have full power and authority to pass all by-laws and regulations which may be necessary for the improvement and repairing the streets, springs, and internal police of said town: *Provided, nevertheless*, that such by-laws and regulations shall not be repugnant to the constitution of the United States and the constitution and laws of this State, and that no penalty thereby imposed shall extend to corporal punishment, except to people of colour, and in that case not to extend further than whipping, agreeable to the laws of this State relative to slaves; nor shall any tax upon the people of said town be imposed which shall exceed one dollar on each poll for the same year.

§ 2. *And be it further enacted*, That when any vacancy in the commissioners of said corporation shall happen by death, resignation, or otherwise, the commissioners in office shall have full power to appoint some other person within the limits of said corporation to fill such vacancy until the time appointed for the election.

§ 3. *And be it further enacted*, That the said commissioners, or a majority of them, shall have full power to appoint a clerk, marshal, and such other officers as they may deem necessary to carry into effect all proceedings which they may adopt under the authority of this act; and the said commissioners shall be ex-officio justices of the peace, so far as respects the carrying into effect the said act of incorporation, and they shall be hereby authorized to impose fines for the violation of their corporation rules, issue executions for fines, penalties, and taxes; shall likewise have power to exact a tax not exceeding ten dollars per day from all itinerant traders and pedlers who may offer any goods, wares, and merchandise for sale within the corporation, shows which at any time may be exhibited or exposed to view for money within their limits; which shall be collected by the marshal in the same manner as by exceptions from the justices' courts: all fines and forfeitures so collected to be applied to the improvement of said corporation, and the balance to county purposes.

§ 4. *And be it further enacted*, That the said commissioners shall continue in office until the first Tuesday in May, 1822, at which time all persons residing within the incorporation eligible to vote by the election law of this State shall be privileged to vote for commissioners of said incorporation; and on the first Tuesday in May in each and every year thereafter, the said election shall be held by one justice and one freeholder of said county, they not being candidates; and in case of failure to hold said election as

Repealing clause.

Commissioners appointed; three to constitute a board.

May pass by-laws.

Proviso.

Vacancies.

May appoint a Clerk, &c.

May impose fines, &c.

Tax pedlers.

Shows.

Fines, &c. how applied.

Election of Commissioners.

Who to preside thereat. Provision in case no

election is held at the time prescribed.

prescribed by this act, it shall be the duty of any justices of the peace of said county, on notice given to him by one or more of said commissioners, to give ten days' notice by advertising at the court-house said election, which shall be sufficient authority to proceed to elect said commissioners, provided such election is conducted agreeable to the manner before prescribed in this act.

To sue and be sued.

§ 5. *And be it further enacted*, That the said commissioners shall be capable of suing and being sued in their corporate capacity, in the same manner as all other corporate bodies.

Corporate limits.

§ 6. *And be it further enacted*, That the jurisdiction of the said incorporation shall extend to and comprehend all the land one-fourth of a mile, in each and every direction, from the court-house in said town, which shall be considered the centre of said corporation, and no further.

Repealing clause.

§ 7. *And be it further enacted*, That so much of the before-recited acts as is repugnant to the provisions of this act be, and the same are hereby repealed.

DAVID ADAMS,
Speaker of the House of Representatives.
MATTHEW TALBOT,
President of the Senate.

Assented to, December 18th, 1820.

JOHN CLARK, Governor.

[No. 1334.] AN ACT* to make valid the acts of the present acting Commissioners of the town of Milledgeville, and to legalize their appointments.

Preamble.

Whereas, the present acting commissioners of the town of Milledgeville were not elected in the manner pointed out by the charter of said town, and doubts having arisen as to the legality of their appointments, and as to the validity of their acts;

The appointments of the Commissioners of Milledgeville made valid.

Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That the appointments of the present acting commissioners of the town of Milledgeville be, and they are hereby declared as lawful, and their acts as valid, as if such appointments had been made in the manner pointed out by the charter of said town; any law to the contrary notwithstanding.

Provision in case no election is held at the time prescribed.

§ 2. *And be it further enacted*, That whenever from any cause the citizens of said town shall fail to hold an election for commissioners, in conformity with their charter, it shall be lawful for any three freeholders to give ten days' notice of an election to be held according to the forms heretofore used, and the persons so elected shall be as lawfully entitled to their appointments as if elected in strict conformity with the charter of said town.

DAVID WITT,
Speaker of the House of Representatives.
MATTHEW TALBOT,
President of the Senate.

Assented to, December 22d, 1820.

JOHN CLARK, Governor.

That the third section of the above-recited act be, and the same is hereby repealed.

§ 2. *And be it further enacted*, That if any member of council, being present in the said town, shall neglect or refuse to appear in council at the times appointed for such meetings for three months in succession, that his seat shall be vacated, except he should be prevented by sickness, or absent on public business, of which he shall be bound to make oath before the council; and that an election shall take place for another member in his place, after giving five days' notice.

§ 3. *And be it further enacted by the authority aforesaid*, That all laws or parts of laws militating against this act be, and the same are hereby repealed.

DAVID WITT,
Speaker of the House of Representatives.
MATTHEW TALBOT,
President of the Senate.

Assented to, December 22d, 1820.

JOHN CLARK, Governor.

AN ACT* to authorize the Justices of the Inferior Court for the County of Madison to designate and appropriate a lot or lots in the village of Danielsville, for the purpose of erecting an Academy and Meeting-house thereon.

Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That the justices of the Inferior Court for the county of Madison may, and they are hereby authorized to designate and appropriate any number of public lots in the village of Danielsville in said county, not exceeding two out of any of the lots in said village which remain unsold or unappropriated, for the express purpose of erecting thereon an academy, a meeting-house, or other buildings, for county purposes.

§ 2. *And be it further enacted*, That the justices of the Inferior Court of the county aforesaid be, and they are hereby authorized to sell and dispose of all other public lots in the said village which remain unsold or unappropriated, and to appropriate the proceeds thereof to the building of a house for an academy, and the remainder, if any, for the purpose of erecting a meeting-house, both of which buildings to be erected in the said village on the lots appropriated for that purpose; and if there should be any balance remaining after the expense of erecting the said buildings shall be defrayed, the same shall become a part of the funds of said county, and shall be subject to be appropriated for county purposes.

§ 3. *And be it further enacted*, That all laws militating against this law be, and the same are hereby repealed.

DAVID ADAMS,
Speaker of the House of Representatives.
VAL. WALKER,
President of the Senate, pro tem.

Assented to, December 8th, 1820.

JOHN CLARK, Governor.

AN ACT to amend an Act, entitled An Act to incorporate the Town of Darien, and for altering the time of election in the same.

Be it enacted by the Senate and House of Representatives of the State of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the second Monday in January next, the election of aldermen for the city of Darien shall take place on the first Monday in September ensuing, and on the first Monday in September in every year thereafter.

§ 2. *And be it further enacted*, That the aldermen elected

* See Acts relating to, Nos. 1347, 1424, 1437.
† See Acts amendatory, &c., Nos. 1353, 1396, 1409, 1437.

* See Act No. 1351, amendatory of.

The third section of said act repealed. Any member of Council who is absent for three months in succession, his seat to be vacant, and his vacancy filled.

Repealing clause.

The Inferior Court of Madison County authorized to appropriate a lot or lots in Danielsville for erecting an Academy and meeting-house.

To sell unsold lots and apply the proceeds to said purposes, &c.

Repealing clause.

The Aldermen of the city of Darien to be elected on the first Monday in September annually.