

# THE MISSISSIPPI BLACK CODE, 1865

...All freedmen, free negroes and mulattoes in this State, over the age of eighteen years, found on the second Monday in January, 1866, or thereafter, with no lawful employment of business, or found unlawfully assembling themselves together, either the day or night time, and all white persons so assembling themselves with freedmen, free negroes or mulattoes, or usually associating with freedmen, free negroes or mulattoes, on terms of equality, or living in adultery or fornication with a freed woman, free negro or mulatto, shall be deemed vagrants, and on conviction thereof shall be fined in a sum not exceeding, in the case of a freedman, free negro, or mulatto, fifty dollars, and a white man two hundred dollars, and imprisoned at the discretion of the court, the free negro not exceeding ten days, and the white man not exceeding six months....

[I]n case any freeman, free negro or mulatto shall fail for five days after the imposition of any fine or forfeiture upon him or her for violation of any of the provisions of this act to pay the same, ... it shall be, and is hereby, made the duty of the sheriff of the proper county to hire out said freedman, free negro or mulatto, to any person who will, for the shortest period of serve, pay said fine and forfeiture and all costs: *Provided*, A preference

shall be given to the employer, if there be one, in which case the employer shall be entitled to deduct and retain the amount so paid from the wages of such freedman, free negro or mulatto, then due or to become due; and in case said freedman, free negro or mulatto cannot be hired out, he or she may be dealt with as a pauper.

... Every freedman, free negro, and mulatto shall, on the second Monday of January, one thousand eight hundred and sixty-six and annually thereafter, have a lawful home or employment, and shall have written evidence thereof as follows, to-wit: if living in any incorporated city, town, or village, a license from the mayor thereof; and if living outside of an incorporated city, town or village, from the member of the board of police of his beat, authorizing him or her to do irregular and job work; or a written contract, as provided in section six in this act, which licenses may be revoked for cause at any time by the authority granting the same.

All contracts for labor made with freedmen, free negroes, and mulattoes for a longer period than one month shall be in writing, and in duplicate, attested and read to said freedman, free negro, or mulatto by a beat, city or county officer, or two disinterested white persons of the county in

which the labor is to be performed, of which each party shall have one; and said contracts shall be taken and held as entire contracts, and if the laborer shall quit the service of the employer before the expiration of his term of service, without good cause, he shall forfeit his wages for that year up to the time of quitting.

...If any person shall persuade or attempt to persuade, entice, or cause any freedmen, free negro, and mulatto to desert from the legal employment of any person before the expiration of his or her term of service, or shall knowingly employ any deserting freedman, free negro, or mulatto, or shall knowingly give or sell to any such deserting freedman, free negro, or mulatto, any food, raiment, or other thing, he or she shall be guilty or a misdemeanor, and, upon conviction, shall be fined not less than twenty-five dollars and not more than two hundred dollars and the costs; and if said fine and costs shall not be immediately paid, the court shall sentence said convict to not exceeding two months' imprisonment in the county jail, and he or she shall moreover be liable to the party injured in damages.