

A  
DIGEST  
OF THE  
LAWS  
OF

*MISSOURI TERRITORY*

COMPREHENDING :

AN ELUCIDATION OF THE TITLE OF THE UNITED STATES TO LANDS—  
CONSTITUTION OF THE UNITED STATES—TREATY OF 1804—  
ORGANIC LAWS—LAWS OF MISSOURI TERRITORY,  
(*alphabetically arranged*)—SPANISH RECORDS—  
METHODS FOR ALLOTMENT OF LANDS—  
LAWS OF THE UNITED STATES  
FOR ABANDONING CITIES  
TO LANDS, &c. &c.

TO WHICH ARE ADDED,

*A variety of FORMS, useful to Magistrates.*

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By HENRY S. GEYER.

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ST. LOUIS:

PRINTED FOR THE PUBLISHER, BY JOSEPH CHARLESS,  
AT THE MISSOURI GAZETTE OFFICE.

1818.

## TREATY OF CESSION.

and if no person have such majority, then from the persons having the highest numbers, not exceeding three, on the list of those voted for as president, the house of representatives shall choose immediately, by ballots, the president. But in choosing the president, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two thirds of the states, and a majority of all the states shall be necessary to a choice. And if the house of representatives shall not choose a president whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the vice-president shall act as president, as in the case of the death or other constitutional disability of the president.

2. The person having the greatest number of votes as vice-president, shall be the vice president, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest numbers on the list, the senate shall choose the vice president: a quorum for the purpose shall consist of two thirds of the whole number of senators; and a majority of the whole number shall be necessary to a choice.

3. But no person constitutionally ineligible to the office of president, shall be eligible to that of vice president of the United States.

### ARTICLE 15.

If any citizen of the United States shall accept, claim, receive, or retain any title of nobility or honor, or shall, without the consent of congress, accept and retain any present, pension, office, or emolument of any kind whatever, from any emperor, king, prince, or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them.

### *Treaty between the United States of America and the French Republic.*

Desire of the parties to remove all source of misun- derstand- ing relative	The president of the U. States of America, and the first consul of the French republic, in the name of the French people, desiring to remove all source of	Le premier consul de la république Française, au nom du peuple Français, et le président des États Unis d'Amérique, désirant prévenir tout sujet d'incerti-
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[See, as connected with this subject, ante, sec. 1, clause 7, page 6.]

# LAWS

OF THE

## State of Missouri:

REVISED AND DIGESTED

BY AUTHORITY

OF THE

**GENERAL ASSEMBLY.**

*IN TWO VOLUMES.*

WITH AN APPENDIX.

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VOL. I.

.....



Published according to an act of the General Assembly, passed

11th February, 1825.

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ST. LOUIS:

Printed by E. Charless, for the State.

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1825.

and if no person have a majority, then from the two highest numbers on the list, the senate shall choose the vice-president: a quorum for the purpose shall consist of two thirds of the whole number of senators, and a majority of the whole number shall be necessary to a choice.

3. But no person constitutionally ineligible to the office of president, shall be eligible to that of vice-president of the United States.

## ARTICLE 13.

If any citizen of the United States shall accept, claim, receive, or retain any title of nobility or honor, or shall, without the consent of congress, accept and retain any post, pension, office, or emolument of any kind whatever, from any emperor, king, prince, or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them.

[See, as connected with this subject, ante. art. 1, sec 9, clause 7, page 20.]

[NOTE.—The 11th article of the amendments to the constitution, was proposed at the second session of the third congress: the 12th article, at the first session of the eighth congress: and the 13th article, at the second session of the eleventh congress.]

## TREATY OF CESSION.

Treaty between the U. States of America and the French republic.

30 April, 1803

The president of the United States of America, and the first consul of the French republic, in the name of the French people, desiring to remove all source of misunderstanding relative to objects of discussion mentioned in the second and fifth articles of the convention of the 8th Vendemiaire, an 9 (30th September, 1800) relative to the rights claimed by the United States, in virtue of the treaty concluded at Madrid the 27th October, 1795, between his catholic majesty and the said United States, and willing to strengthen the union and friendship which at the time of the said convention was happily re-established between the two nations, have, respectively named their plenipotentiaries, to wit, the president of the United States of America, by and with the advice and consent of the senate of the said states, Robert R. Livingston, minister plenipotentiary of the United States, and James Monroe, minister plenipotentiary and envoy extraordinary of the said states, and the government of the French republic; and the first consul, in the name of the French people, the French citizen Barbe Marbois, minister of the public treasury, who, after having respectively exchanged their full powers, have agreed to the following articles:

Desire of the parties to remove all source of misunderstanding relative to the construction of the treaty of Madrid, of the 27th October, 1795, &c.

And to strengthen the union and friendship of the two nations.

THE  
REVISED STATUTES  
OF THE  
STATE OF MISSOURI,

REVISED AND DIGESTED BY THE EIGHTH GENERAL ASSEMBLY, DURING THE YEARS  
ONE THOUSAND EIGHT HUNDRED AND THIRTY-FOUR, AND ONE  
THOUSAND EIGHT HUNDRED AND THIRTY-FIVE.

TOGETHER WITH  
THE CONSTITUTIONS OF MISSOURI AND OF THE UNITED STATES.

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Second Edition.

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PRINTED BY ORDER OF THE LEGISLATURE OF MISSOURI, BY WM. N. CAMPBELL.

CRAMBERS, KNAPP & CO.  
SAINT LOUIS.

1840.

## ARTICLE XI.

The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another state, or by citizens or subjects of any foreign state.

## ARTICLE XII.

1. The electors shall meet in their respective states, and vote by ballot for president and vice-president, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as president, and in distinct ballots the person voted for as vice-president; and they shall make distinct lists of all persons voted for as president, and of all persons voted for as vice-president, and of the number of votes for each, which lists they shall sign and certify, and transmit, sealed to the seat of the government of the United States, directed to the president of the senate; the president of the senate shall, in the presence of the senate and house of representatives, open all the certificates, and the votes shall then be counted; the person having the greatest number of votes for president, shall be the president, if such number be a majority of the whole number of electors appointed; and if no person have such a majority then from the persons having the highest numbers, not exceeding three, on the list of those voted for as president, the house of representatives shall choose immediately, by ballot, the president. But in choosing the president, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two thirds of the states, and a majority of all the states shall be necessary to a choice. And if the house of representatives shall not choose a president whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the vice-president shall act as president, as in the case of the death or other constitutional disability of the president.

2. The person having the greatest number of votes as vice-president, shall be vice-president, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest numbers on the list, the senate shall choose the vice-president; a quorum for the purpose shall consist of two thirds of the whole number of senators, and a majority of the whole number shall be necessary to a choice.

3. But no person constitutionally ineligible to the office of president, shall be eligible to that of vice-president of the United States.

## ARTICLE XIII.

If any citizen of the United States shall accept, claim, receive, or retain any title of nobility or honor, or shall, without the consent of congress, accept and retain any present, pension, office or emolument of any kind whatever, from any emperor, king, prince, or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them or either of them.

[NOTE.—The 11th article of the amendments to the constitution, was proposed at the second session of the third congress; the 12th article, at the first session of the eighth congress; and the 13th article, at the second session of the eleventh congress.]

THE  
REVISED STATUTES  
OF THE  
**STATE OF MISSOURI**

*Revised and Digested*

BY THE

**Eighth General Assembly,**

DURING THE YEARS ONE THOUSAND EIGHT HUNDRED AND THIRTY-FOUR, AND  
ONE THOUSAND EIGHT HUNDRED AND THIRTY-FIVE.

TOGETHER WITH

THE CONSTITUTIONS OF MISSOURI AND OF THE UNITED STATES.

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THIRD EDITION.

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SAINT LOUIS:

Printed by order of the Secretary of State,  
By CHAMBERS & KNAPP—REPUBLICAN' OFFICE.

1841 → 1811.

## CONSTITUTION OF THE UNITED STATES.

### ARTICLE XI.

The judicial power of the United States shall not be construed to extend to any case in law or equity, commenced or prosecuted against one of the United States citizens of another state, or by citizens or subjects of any foreign state.

### ARTICLE XII.

The electors shall meet in their respective states, and vote by ballot for president and vice-president, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as president, and in distinct ballots the person voted for as vice-president; and they shall make distinct lists of all persons voted for as president, and of all persons voted for as vice-president, and of the number of votes for each, which lists they shall sign and certify, and transmit, sealed to the seat of the government of the United States, directed to the president of the senate; the president of the senate shall, in the presence of the senate and house of representatives, open all the certificates, and the votes shall then be counted: the person having the greatest number of votes for president, shall be the president, if such number be a majority of the whole number of electors appointed; and if no person have such a majority then from the persons having the highest numbers, not exceeding three, on the list of those voted for as president, the house of representatives shall choose immediately, by ballot, the president. But in choosing the president, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two thirds of the states, and a majority of all the states shall be necessary to a choice. And if the house of representatives shall not choose a president whenever the right of choice shall devolve upon them, before the fourth day of March next following, the vice-president shall act as president, as in the case of the death or other constitutional disability of the president.

The person having the greatest number of votes as vice-president, shall be vice-president, and if such number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest numbers on the list, the senate shall choose the vice-president: a quorum for the purpose shall consist of two thirds of the whole number of senators, and a majority of the whole number shall be necessary to a choice.

But no person constitutionally ineligible to the office of president, shall be ineligible to that of vice-president of the United States.

### ARTICLE XIII.

No senator or representative shall accept, claim, receive, or retain any title of nobility or honor, or shall, without the consent of congress, accept and hold any present, pension, office or emolument of any kind whatever, from any foreign king, prince, or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them or either of them.

NOTE.—The 11th article of the amendments to the constitution, was proposed at the second session of the third congress; the 12th article, at the first session of the eighth congress; and the 13th article, at the second session of the eleventh congress.]



THE  
REVISED STATUTES

OF THE  
STATE OF MISSOURI,

REVISED AND DIGESTED BY THE THIRTEENTH GENERAL ASSEMBLY, DURING THE  
SESSION OF EIGHTEEN HUNDRED AND FORTY-FOUR AND EIGHTEEN  
HUNDRED AND FORTY-FIVE;

TO WHICH ARE PREFIXED

THE CONSTITUTIONS

OF THE  
UNITED STATES AND OF THE STATE OF MISSOURI,

AND

THE ACT OF CONGRESS

AUTHORIZING THE PEOPLE OF MISSOURI TERRITORY TO FORM  
A STATE GOVERNMENT,

AND

THE ORDINANCE

OF THE CONVENTION OF THE PEOPLE OF MISSOURI, BY THEIR REPRESENTATIVES,  
DECLARING THE ASSENT OF THE PEOPLE OF MISSOURI TO THE CONDITIONS  
AND PROVISIONS OF THE SAID ACT OF CONGRESS;

WITH AN

APPENDIX.

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PRINTED UNDER THE SUPERINTENDENCE OF  
**WILLIAM CLAUDE JONES**, Commissioner,  
APPOINTED IN VIRTUE OF "AN ACT TO PROVIDE FOR THE ELECTION AND COMPENSATION OF  
A COMMISSIONER TO SUPERINTEND THE PRINTING OF THE REVISED LAWS."

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ST. LOUIS:  
PRINTED FOR THE STATE, BY J. W. DOUGHERTY.  
1845.

President, the vote shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March following, then the Vice President shall act as President, as in the case of the death or other constitutional disability of the President.

2. The person having the greatest number of votes as Vice President, shall be Vice President, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice President: a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice.

3. But no person constitutionally ineligible to the office of President, shall be eligible to that of Vice President of the United States.

#### ARTICLE XIII.

If any citizen of the United States shall accept, claim, receive, or retain any title of nobility or honor, or shall, without the consent of Congress, accept and retain any present, pension, office or emolument of any kind whatever, from any emperor, king, prince, or foreign power, such person shall cease to be a citizen of the United States, and shall be incapable of holding any office of trust or profit under them, or either of them.

[NOTE.—The 11th article of the amendments to the Constitution, was proposed at the second session of the third Congress; the 12th article, at the first session of the eighth Congress; and the 13th article, at the second session of the eleventh Congress.]

### TREATY OF CESSION.

*Treaty between the United States of America and the French Republic.*

The President of the United States of America, and the first consul of the French republic, in the name of the French people, desiring to remove all source of misunderstanding relative to objects of discussion mentioned in the second and fifth articles of the convention of the 8th Vendémiaire, an 9 (30th September, 1800,) relative to the rights claimed by the United States, in virtue of the treaty concluded at Madrid the 27th October, 1795, between his Catholic Majesty and the said United States, and willing to strengthen the union and friendship which at the time of the said convention was happily re-established between the two nations, have respectively named their plenipotentiaries, to-wit: the President of the United States of America, by and with the advice and consent of the Senate of the said States, Robert R. Livingston, minister plenipotentiary of the United States, and James Monroe, minister plenipotentiary and envoy extraordinary of the said States, near the government of the French republic; and the first consul, in the name of the French people, the French citizen Berbe Marbois, minister of the public treasury, who, after having respectively exchanged their full powers, have agreed to the following articles:

ART. 1. *Whereas*, by the article the third of the treaty concluded at St. Idefonso, the 9th Vendémiaire, an 9, (1st October, 1800,) between the first consul of the French Republic and his catholic majesty, it was agreed as follows: "His catholic majesty promises and engages on his part, to retrocede to the French republic, six months after the full and entire execution of the conditions and stipulations herein relative to his royal highness the duke of Parma, the colony or province of Louisiana, with the same extent that it now has in the hands of Spain, and that it had when France possessed it; and such as it should be after the treaties subsequently entered into between Spain and other States." *And whereas*, in pursuance of the treaty, and particularly of the third article, the French republic has an incontestible title to the domain and to the possession of the said territory: The first consul of the French republic desiring to give to the United States a strong proof of his friendship, doth hereby cede to the said United States, in the name of the French republic, forever, and in full sovereignty, the said territory, with all its rights and appurtenances, as fully and in the same manner as they have been acquired by the French republic in virtue of the above mentioned treaty, concluded with his catholic majesty.

ART. 2. In the cession made by the preceding article are included the adjacent islands belonging to Louisiana, all public lots and squares, vacant lands, and all public buildings, fortifications, barracks, and other edifices, which are not private property. The archives, papers, and documents, relative to the domain and sovereignty of Louisiana, and its dependencies, will be left in the possession of the commissaries of the United States, and copies will be afterwards given in due form to the magistrates and municipal officers, of such of the said papers and documents as may be necessary to them.

ART. 3. The inhabitants of the ceded territory shall be incorporated in the union of the United States, and admitted as soon as possible, according to the principles of the federal constitution, to the enjoyment of all the rights, advantages, and immunities of citizens of the United States; and in the meantime they shall be maintained and protected in the free enjoyment of their liberty, property, and the religion which they profess.

ART. 4. There shall be sent by the government of France a commissary to Louisiana, to the end that he do every act necessary, as well to receive from the officers of his catholic majesty the said country and its dependencies, in the name of the French republic, if it has not been already done, as to transmit it in the name of the French republic to the commissary or agent of the United States.

ART. 5. Immediately after the ratification of the present treaty by the President of the United States,