

DIGEST

OF THE

L A W S

OF

MISSOURI TERRITORY.

COMPRISING :

AN ELUCIDATION OF THE TITLE OF THE UNITED STATES TO LOUISIANA:—
CONSTITUTION OF THE UNITED STATES:—TREATY OF SESSION:—
ORGANIC LAWS:—LAWS OF MISSOURI TERRITORY,
(*alphabetically arranged*):—SPANISH REGULA-
TIONS FOR THE ALLOTMENT OF LANDS:—
LAWS OF THE UNITED STATES,
FOR ADJUSTING TITLES
TO LANDS, &c.

TO WHICH ARE ADDED,

A variety of Forms, useful to Magistrates.

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him by legal authority. He shall duly attend upon all courts of record at their respective terms or sessions in his county. *ib. p. 18. ib.*

Sec. 4. It shall be the duty of the grand jurors, in the respective counties of this territory, to make presentments of all neglects and omissions of any sheriff, or for making a false return, or neglecting or refusing to make return of any civil or criminal process to him directed, and it shall be the duty of the court before whom the trial is had, upon conviction of any sheriff of any of the above mentioned neglects omissions or offences, to certify the same to the governor of the territory, stating the nature and aggravation of the offence. *L. M. T., Dec. sess. 1815. p. 58. pass'd 21, Jan. 1816.*

Neglects and omissions by sheriff.

SLANDER.

Sec. 1. It shall be and is hereby declared to be actionable to publish maliciously in any manner whatever, that any person has been guilty of fornication or adultery and the defendant may plead the general issue and give the truth of the charge in evidence for justification: *Provided*, That nothing in this act contained shall be so construed as to affect any person for any transaction or thing done or performed previous to the taking effect of the same. *L. M. T., Dec. sess. 1815, p. 41. pass'd 20, Jan. in force 1. June, 1816.*

Charging a person with adultery &c.

Def't. may plead gen. issue &c.

Proviso.

SLAVES.

Sec. 1. No slave shall go from the tenements of his master, or other person with whom he lives without a pass, or some letter or token whereby it may appear that he is proceeding by authority from his master, employer or overseer; if he does, it shall be lawful for any person to apprehend and carry him before a justice of the peace, to be by his order punished with stripes or not in his discretion.* *L. L. T. pt. 1. p. 13. pass'd 1. Oct. 1804.*

Leaving home without permission.

Punished by stripes.

Sec. 2. If any slave shall presume to come, and be upon of any person whatsoever without leave in writing from his or her owner or overseer, not being sent upon lawful business, it shall be lawful for the owner or overseer of such plantation, to give or order such slave

Coming on any plantation &c.

* See post sec. 28.

Punished by stripes.

Not to keep gun &c.

Arms and ammunition may be seized.

Slave punished by stripes.

Free negro may carry one gun, &c.

And all negro's, &c. may carry guns in certain cases.

Riots, routs, &c.

Punished by stripes.

Meetings of slaves.

Persons permitting any slaves to remain, &c.

Or at any time not more than 5.

ten lashes on his or her bare back for every such offence. *ib. ib. ib.*

Sec. 3. No slave or mulatto whatsoever, shall keep or carry a gun, powder, shot, club or other weapon whatsoever, offensive or defensive; but all and every gun weapon and ammunition found in the possession or custody of any negro or mulatto, may be seized by any person and upon due proof made before any justice of the peace of the district [county] where such seizure shall be, shall by his order be forfeited to the seizor, for his own use, and moreover, every such offender shall have and receive by order of such justice any number of lashes not exceeding thirty nine on his or her bare back well laid on for every such offence. *ib. p. 13-14. ib.*

Sec. 4. Every free negro or mulatto, being a house-keeper may be permitted to keep one gun, powder and shot; and all negroes or mulattoes bond or free, living at any frontier plantation, may be permitted to keep and use guns, powder shot and weapons, offensive and defensive, by license from a justice of the peace of the district [county] wherein such plantation lies, to be obtained upon the application of free negroes or mulattoes, or of the owners of such as are slaves. *L. L. T. pt. 1. p. 14.*

Sec. 5. All riots, routs unlawful assemblies and seditious speeches by a slave or slaves, shall be punished with stripes, at the discretion of a justice of the peace and he who will may apprehend and carry him, her or them before such justice. *ib. p. 15. ib.*

Sec. 6. To prevent the inconvenience arising from the meetings of slaves, if any master mistress or overseer of a family shall knowingly permit or suffer any slave not belonging to him or her, to be and remain on his or her plantation, above four hours at any one time, without leave of the owner or overseer of such slave, he or she so permitting shall forfeit and pay three dollars for every such offence and every owner or overseer of a plantation, who shall so permit or suffer more than five negroes or slaves, other than his or her own, to be and remain upon his or her plantation, or quarter at any other time, shall forfeit and pay one dollar for each negro or slave above that number, which said several forfeitures shall be to the informer, and be recoverable before any justice of the peace of the district [county,] with costs, where such offence shall be com-