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**LAWS**  
OF  
A PUBLIC AND GENERAL NATURE,  
OF THE  
**DISTRICT OF LOUISIANA,**  
OF THE  
**TERRITORY OF LOUISIANA,**  
OF THE  
**TERRITORY OF MISSOURI,**  
AND OF THE  
**STATE OF MISSOURI,**  
UP TO THE YEAR  
**1824.**

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## CHAPTER 264.

## SEAT OF GOVERNMENT.

CHAP. 278, 321, 326, 351, 365, 414, 415, 416, 446.

*AN ACT providing for the location of the permanent seat of government, for the State of Missouri.\**

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|---|---|
| 1. Commissioners appointed.   | sections cannot be obtained as aforesaid.                 |
| 2. To take an oath that they are not interested, and also for faithful discharge of their duties                    | 5. Compensation of commissioners.                         |
| 3. Shall select four sections of land for permanent seat of government, and report proceedings to general assembly. | 6. To meet at Cote sans dessein on 1st Monday May next.   |
| 4. Duty of commissioners in case four suitable  | 7. Auditor to draw warrants for their pay.                |
|   | 8. Governor to notify commissioners of their appointment. |

*Be it enacted by the General Assembly of the State of Missouri, [as follows:]*

1. John Thornton, from the county of Howard, Rob't. Gory Watson, from the county of New Madrid, John B. White, from the county of Pike, James Logan, from the county of Wayne, and Jesse B. Boon, from the county of Montgomery, in the state of Missouri, shall be and they are hereby appointed commissioners, for the purpose of selecting a suitable place for the location of the permanent seat of government for said state; and for the better enabling them to make such selection, the said commissioners are hereby authorised to obtain such information from the office of the land department, as may be necessary, which expense shall be paid by the state, according to the provisions of the constitution thereof.

2. The commissioners aforesaid, shall, before entering upon the duties of their appointment, make oath or affirmation before some judge or justice of the peace, that they are not proprietors of, nor directly or indirectly in any tract of land, town, town sites, or town lots within forty miles of the mouth of the river Osage, upon the Missouri river, nor will they become interested during the time of performing such service; and moreover take an oath or affirmation faithfully and impartially to discharge the duties of their appointment, according to the best of their judgment, certificates of which oath or affirmation shall be returned to, and filed in the office of secretary of state.

3. The commissioners aforesaid, or a majority of them, shall proceed to select four sections of land, belonging to the United States, which shall not have been exposed to public sale, situated on the bank of the Missouri river, and within forty miles of the mouth of the Osage river, if such quantity of land within the limits aforesaid can be found, which shall not have been exposed to public sale as aforesaid, in a suitable and proper situation for the permanent seat of government for said state of Missouri, and shall make a report of their proceedings to the next general assembly of said state.

4. If the aforesaid commissioners, or a majority of them, shall be of opinion that

\* Repealed, R. L. 1825, p. 500, sec. 13.

four sections of land, to be selected as aforesaid, be not in a suitable and proper situation for the location of the permanent seat of government of said state, they shall select such other place, not exceeding four hundred and fifty acres, as they may deem most suitable and proper for that purpose, within the limits aforesaid; and they are hereby authorised to receive proposals from the proprietor or proprietors of the land of such site for the sale thereof, to the state, or if they are of opinion it is expedient, they shall receive proposals from different persons for different places, stating the advantages and dis-advantages of each, with such other matter as they may deem worthy of the consideration of the general assembly relative to the case, and report their proceedings to the next general assembly at the time of making their report, provided for in the third section of this act.

5. The commissioners aforesaid shall receive from the treasury of said state, as a compensation for their services aforesaid, the sum of four dollars per day for each and every day they shall be engaged in discharging the duties assigned them by this act, including the time spent in going from and returning to their respective places of residence.

6. The said commissioners shall meet at Cote sans dessein on the first Monday in May next, or as soon thereafter as may be, and thence proceed to the performance of their duties; and said commissioners shall not be allowed pay for more than twenty-five days in making such selection, exclusive of going to, and returning from the place so selected.

7. The auditor of public accounts shall be, and he is hereby authorised, from time to time to issue his warrant or warrants on the treasury of the state of Missouri, for so much as may appear due and coming to each of said commissioners for their services as aforesaid, until they shall have completed the duties of their appointment.

8. It shall be the duty of the governor of the state of Missouri, on or before the first day of January, one thousand eight hundred and twenty-one, officially to notify the commissioners aforesaid of their respective appointments.

This act shall take effect and be in force from and after the passage thereof.

*Approved, November 16, 1820.*

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## CHAPTER 278.

## SEAT OF GOVERNMENT.

CHAP. 264, 321, 326, 351, 355, 414, 415, 416, 446.

*AN ACT fixing the temporary seat of government of the State of Missouri, agreeably to the requisition of the constitution.†*

1 Seat of government fixed at St. Charles until 1st October, 1826. | 2 Secretary of state to transmit documents, &c.

*Be it enacted by the General Assembly of the State of Missouri, [as follows:]*

1. The seat of government of this state [shall] be, and the same is hereby fixed at the town of St. Charles, in the county of St. Charles, until the first day of October, in the year of our Lord one thousand eight hundred and twenty-six.

\* Repealed, chap. 363, sec. 64.

†Continued in force. R. L. 1825, p. 494, sec. 1.

2. It shall be the duty of the secretary of the state of Missouri to transport at the expense of the state, all the laws, journals, records, public documents, and furniture, which belong or appertain to this state, to said town of St. Charles, on or before the first Monday of November, in the year of our Lord one thousand eight hundred and twenty-one.

This act shall take effect and be in force from and after the first day of April next.

*Approved, November 28, 1820.*

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## CHAPTER 311.

## CHAP. 312.

*A SOLEMN PUBLIC ACT, declaring the assent of this State to the fundamental condition contained in a resolution passed by the Congress of the United States, providing for the admission of the State of Missouri into the Union on a certain condition.*

WHEREAS, the Senate and House of Representatives of the United States, by their resolution approved on the second day of March, in the year of our Lord eighteen hundred and twenty-one, did declare that Missouri shall be admitted into this Union, upon an equal footing with the original States in all respects whatever, upon the fundamental condition, that the fourth clause of the twenty sixth section of the third article of the constitution, submitted on the part of said state to Congress, shall never be construed to authorise the passage of any law, and that no law shall be passed in conformity thereto, by which any citizen of either of the States in this Union, shall be excluded from the enjoyment of any of the privileges and immunities to which such citizen is entitled under the constitution of the United States; *provided*, that the legislature of the said state, by a solemn public act, shall declare the assent of said state, to the said fundamental condition, and shall transmit to the President of the U. States, on or before the fourth Monday in November next, an authentic copy of the said act; upon the receipt whereof, the President, by proclamation shall announce the fact, whereupon, and without any further proceeding on the part of Congress, the admission of said state into this Union shall be considered as complete.

Now, for as much as the good people of this state have by the most solemn and public act in their power, virtually assented to the said fundamental condition, when by their representatives in full and free convention assembled, they adopted the constitution of this state, and consented to be incorporated into the federal Union, and governed by the constitution of the United States, which among other things provides that the said constitution, and the laws of the United States made in pursuance thereof, and all treaties made, or which shall be made under the authority of the United States, shall be the supreme law of the land, and the judges in every state shall be bound thereby, any thing in the constitution or law of any state to the contrary notwithstanding; and although this general assembly are of opinion that the congress of the United States have no constitutional power to annex any condition to the admission of this state into the federal Union, and that this general assembly have no power to change the operation of the constitution of this state, except in the mode prescribed by the constitution itself; *Nevertheless*, as the congress of the United States have desired this general assembly to declare the assent of this state to said fundamental condition, and forasmuch as such declaration

will neither restrain, or enlarge, limit or extend the operation of the constitution of the United States, or of this state, but the said constitutions will remain in all respects as if the said resolution had never passed, and the desired declaration was never made, and because such declaration will not divest any power or change the duties of any of the constituted authorities of this state, or of the United States, nor impair the rights of the people of this state, or impose any additional obligation upon them, but may promote an earlier enjoyment of their vested federal rights, and this state being moreover determined to give to her sister states, and to the world, the most unequivocal proof of her desire to promote the peace and harmony of the Union, Therefore,

*Be it enacted and declared by the General Assembly of the State of Missouri, and it is hereby solemnly and publicly enacted and declared,*

That this state has assented and does assent that the fourth clause of the twenty-sixth section of the third article of the constitution of this state, shall never be construed to authorise the passage of any law, and that no law shall be passed in conformity thereto, by which any citizen of either of the United States shall be excluded from the enjoyment of any of the privileges and immunities to which such citizens are entitled under the constitution of the United States.

*Approved, June 26, 1821.*

#### CHAPTER 312.

##### CHAP. 311.

*Resolved by the Senate and House of Representatives of the State of Missouri, [as follows:]*

That the governor of this state be, and he is hereby required, to transmit by mail, to the president of the United States, and to each of the senators, and to the representatives from this state in congress, duplicate certified copies of the act, entitled a solemn public act, declaring the assent of this state to the fundamental condition contained in a resolution passed by the congress of the United States, providing for the admission of the State of Missouri into the Union, on a certain condition.

*Approved, June 26, 1821.*



## CHAPTER 321.

## SEAT OF GOVERNMENT.

CHAP. 264, 278, 326, 351, 365, 414, 415, 416, 446.

*AN ACT supplementary to an act, entitled an act, providing for the location of the permanent seat of government for the State of Missouri.\**

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| 1 Vacancy of commissioner filled.                                 |  | sembly—report to be kept secret.   |
| 2 Further time for making report—to meet at<br>Cote Sans Dessein. |  | 5 Additional oath.   |
| 3 Additional duties.  |  | 6 Secretary of state to transmit copies of this<br>law to commissioners. |
| 4 Proposals to be returned sealed to gen'l as-                    |  |  |

*Be it enacted by the General Assembly of the State of Missouri, [as follows:]*

1. Daniel Morgan Boon, of the county of Gasconade be, and he is hereby appointed, a commissioner, for the purpose of selecting a suitable place for the location of the permanent seat of government of this state, to fill the vacancy occasioned by the death of Jesse B. Boon, one of the commissioners heretofore appointed, and the said commissioner hereby appointed, shall take the same oath, possess the same powers, and perform the like duties as other commissioners appointed by the act to which this is a supplement.

2. The said commissioners shall be allowed further time to perform their duties, and make their report, until the next session of the general assembly, and the said commissioners shall meet at Cote sans dessein, on the 15th day of September next, and thence proceed to the further performance of their duties, and the said commissioners shall not be allowed pay for more than twenty-five days, exclusive of allowance for travelling.

3. The said commissioners shall, in addition to the duties required of them by the act aforesaid, to select a suitable site for the location of the permanent seat of government upon any of the lands of the United States, which may have been offered for sale, and not sold; if any be found within the limits prescribed by the constitution, and report the same specially to the general assembly.

4. The proposals to be received by the commissioners by virtue of the fourth section of the act to which this act is a supplement, shall be sealed and returned to the general assembly without being opened, and the said commissioners shall in their report, state the advantages and disadvantages, of each place, for which such sealed proposals shall be received, with such other matter in relation thereto, as they may deem worthy of consideration, and the report, decisions, and determinations to be by them made, shall be sealed, and the contents thereof, and every part thereof, shall be kept secret by the commissioners.

5. In addition to the oath required by the act to which this is a supplement, each commissioner shall swear or affirm, that he will well and truly keep secret the actings, doings, reports and determinations required by this act to be kept secret.

\* Repealed, R. L. 1825, p. 500. sec. 13.

6. It shall be the duty of the secretary of state, to transmit to the said commission in time, to be received by them on the day appointed for their meeting at Cote sans dessein, authentic copies of this act, and the act to which this is a supplement.

This act shall take effect and be in force from and after the passage thereof.

*Approved, June 28, 1821.*

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CHAPTER 326.

SEAT OF GOVERNMENT.

CHAP. 264, 278, 321, 351, 365, 414, 415, 416, 446.

*RESOLUTION relative to the selection of land whereon to locate the Permanent Seat of Government.\**

*Resolved by the Senate and House of Representatives of the State of Missouri, [as follows:]*

That the governor of this state do, and he is hereby required to notify the surveyor for the state of Illinois and Missouri, and territory of Arkansas, and also the register of the land office in which the land is situated, that the commissioners ap-

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\*Obsolete.



## CHAPTER 351.

## SEAT OF GOVERNMENT.

CHAP. 264, 278, 326, 321, 326, 414, 415, 416, 446.

*AN ACT fixing the Permanent Seat of Government.\**

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| <p>1 Certain lands accepted for use of the state.</p> <p>2 Seat of Government to be located thereon and lots to be sold.</p> |  | <p>3 Copies of this act to be sent to the surveyor general.</p> |
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*Be it enacted by the General Assembly of the State of Missouri, [as follows:]*

1. The four sections of land situate on the south side of the Missouri river, in fractional township forty-four north, in range eleven west of the fifth principal meridian, to wit: the fractional sectional sections six, seven and eight; the entire sections seventeen, and eighteen, and so much of the north part of sections nineteen and twenty, as will make up the entire four sections, selected by the commissioners on behalf of the state, according to the provisions of the constitution, and in pursuance of an act of congress, approved the sixth day of March, one thousand eight hundred and twenty, be, and the same are hereby accepted for the use and benefit of the state.

2. The permanent seat of government of this state shall be located upon the

\*Continued in force. R. L. 1825, p. 495, sec. 1.

said four sections of land accepted as aforesaid, and a town shall be laid out thereon, and the lots sold in such manner as shall be prescribed by law.

3. It shall be the duty of the governor to transmit an authenticated copy of this act, immediately after the passage thereof, to the surveyor of the United States for the states of Illinois and Missouri, and territory of Arkansas.

*Approved, December 31, 1821.*

## CHAPTER 365.

## SEAT OF GOVERNMENT.

CHAP. 264, 278, 321, 326, 351, 414, 415, 416, 446.

*AN ACT supplementary to the act fixing the Permanent Seat of Government.\**

1 Commissioners to meet and lay out town.		Commissioners to receive proposals from those claiming any part of the land.
2 Out lots.		5 Compensation to commissioners—power to settle with surveyor.
3 Report plan of said town to general assembly—sell lots—terms of sale.		6 Premium for a plan of public buildings.
4 Town to be called "City of Jefferson"—surveyor appointed to lay out town—commis-		

*Be it enacted by the General Assembly of the State of Missouri, [as follows:]*

1. The commissioners appointed to select a permanent seat of government, shall meet on the first Monday in March next, or as soon thereafter as may be, on the land selected by the act to which this is a supplement, and proceed immediately to lay out a town thereon, to contain at least one thousand lots, and in blocks or squares of such size and dimensions as the commissioners or a majority of them shall agree, and the principal street of said town shall be not less than one hundred, nor more than one hundred and twenty feet wide, the other streets not less than eighty feet, and the alleys twenty feet wide.

2. The said commissioners shall lay off the remaining part of the four sections of land selected as aforesaid, into lots of five, ten, twenty and forty acres, and divide the same by alleys, so as to secure to each lot free and open communication with the said town.

3. The said commissioners shall report to the next session of the general assembly, a plan of said town and of the other lots laid off as aforesaid, and shall, on the first Monday, which will be in the month of May, in the year eighteen hundred and twenty-three, proceed to sell all of the said town lots and out lots on the premises, to the highest bidder, for equal instalments, one third payable on the said first Monday in May, and the remaining two thirds in two equal annual instalments, except such lots as may be reserved for public use, and such as may be reserved by the next general assembly, unless otherwise directed by law.

4. The town to be laid out at the permanent seat of government, shall be called "City of Jefferson," that there shall be three squares laid off, each to contain four acres, and that the governor of this state shall appoint a surveyor, whose duty it

\*Continued in force. R. L. 1825, p. 495, sec. 1.



shall be to meet the commissioners at the time and place appointed, and under their direction lay out the town and lots as soon as may be, and that the said commissioners shall receive and transmit the same to the next general assembly, any proposals made by any person or persons having claim to any part of the said lands selected for the permanent seat of government, in order that any such claim or claims may be adjusted; *provided*, nothing herein contained shall in any wise be construed to legalise or acknowledge such claim as valid in law.

5. The compensation to the commissioners for services to be rendered under this act, shall be the same as heretofore allowed, and they are hereby empowered to audit and settle with the surveyor for the necessary charges and expenses of carrying this act into effect, and the auditor of public accounts shall draw on the treasury accordingly.

6. The sum of one hundred dollars shall be given as a premium to the person who will present to the next session of the general assembly the best plan for the public buildings to be erected at the permanent seat of government; *provided*, such plan be approved of by the next general assembly.

This act to be in force from and after its passage.

*Approved, January 11, 1822.*

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## CHAPTER 414.

## SEAT OF GOVERNMENT.

CHAP. 264, 278, 321, 326, 351, 365, 415, 416, 446.

*RESOLUTION* requiring the joint committee on Enrolled Bills to deposit in the office of the secretary of state, the report of the commissioners and documents relative to the Permanent Seat of Government.

*Resolved by the Senate and House of Representatives of the State of Missouri, [as follows:]*

1. It shall be the duty of the committee on enrolled bills to deposite in the office of the secretary of state, for safe keeping, the reports made by the commissioners appointed to select a place for the permanent seat of government, with the other documents on that subject.

*Approved, December 14, 1822.*

## CHAPTER 415.

## SEAT OF GOVERNMENT.

CHAP. 264, 278, 321, 326, 351, 365, 414, 416, 446.

*RESOLUTION* requiring the Governor to notify the President of the United States of the selection of land whereon to locate the permanent seat of government.

*Resolved by the Senate and House of Representatives of the State of Missouri, [as follows:]*

1. The Governor be requested to notify the President of the United States, as soon as may be, of the selection made by this state of four sections of land whereon to locate their permanent seat of government, and request him to issue a patent therefor accordingly.

*Approved, December 14, 1822.*

## CHAPTER 416.

## SEAT OF GOVERNMENT.

CHAP. 264, 278, 321, 326, 351, 365, 414, 415, 446.

*Resolved, by the Senate and House of Representatives of the State of Missouri, [as follows ;]*

I. It shall be the duty of the secretary of state, to cause the plan of the city of Jefferson to be made out on parchment, and deposited in his office, with the documents relative to the permanent seat of government, and also to furnish the trustees of the city of Jefferson, as soon as may be, with a copy of the plan of said city, for which he shall receive the sum of forty dollars, out of moneys appropriated for the expenses of the permanent seat of government.

*Approved, December 19, 1822.*

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upon failure, shall forfeit their recognizance then entered into; *provided*, that there shall be but one change of venue in any criminal case.

2. In all cases where, under the provisions of this act, or for want of a good and sufficient jail, any person charged with an indictable offence shall be sent from one county to another county, the expenses arising from the confinement of such person, if the party committed be unable to pay the same, shall be paid by the county in which the offence was committed, if the fine accrued to the county, or by the state if for a capital offence, or if the fine accrued to the state.

*Approved, December 18, 1822.*

CHAPTER 446.

SEAT OF GOVERNMENT.

CHAP. 264, 278, 321, 326, 351, 365, 414, 415, 416.

*AN ACT to provide for the sale of certain lots, and the building of a State House in the City of Jefferson, the permanent seat of government of this state.\**

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| <p>1 Trustees appointed—tenure of office—vacancies.</p> <p>2 Two hundred lots to be sold—terms of sale.</p> <p>3 Notice of sale.</p> <p>4 Four lots to be reserved for residence of governor.</p> <p>5 Notice to undertakers to be given, &amp;c.</p> <p>6 Purchasers to give bond and security—undertaker of public building to give bond.</p> <p>7 Trustees to give bond—to be approved by circuit judge, and filed in office of secretary of state—oath.</p> <p>8 Compensation of trustees.</p> <p>9 May contract for removal of New Madrid claim.</p> | <p>10 Owner of such claim refusing to remove it, eight squares to be condemned.</p> <p>11 How squares to be appropriated.</p> <p>12 Claimant may commence suit in chancery against the state—attorney general to answer—value to be assessed, and drawn on treasury.</p> <p>13 Bond for refunding to be given before decree is carried into effect—bond where deposited.</p> <p>14 Trustees to make selection of squares condemned—to report to next general assembly.</p> <p>15 Duty of attorney general, and circuit attorney in defending the state—limitation of action vs. the state.</p> <p>16 Part of former act repealed.</p> |
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*Be it enacted by the General Assembly of the State of Missouri, [as follows:]*

1. Josiah Ramsey, junior, John C. Gordon, and Adam Hope, be and they are hereby appointed trustees of the said city of Jefferson, who shall continue in office until the end of the session of the next general assembly, and until their successors shall be appointed and qualified; and if the office of any, or all, of said trustees should in any manner become vacant, the governor of this state is hereby authorised and required to fill such vacancy.

2. It shall be the duty of the said trustees to offer for sale to the highest bidder,

\*Continued in force, R. L. 1825, p. 495, sec. 1.

at the said city, on the first Monday in May next, two hundred lots in the said city, to be selected by them, for cash or auditor's warrants, and to require one third of the purchase money to be paid down, one third in twelve months, and the remaining one third in eighteen months, after the said day of sale; *provided*, that if the whole of said lots are not sold on the day above mentioned, the sale may be continued from day to day until the whole are sold.

3. It shall be the duty of said trustees herein named, to give notice in at least four of the newspapers printed in this state of the time and place of sale, and the terms of payment.

4. The said trustees, and their successors, shall reserve from sale four lots, to be by them selected as the most convenient and eligible situation for the residence of the future governors of this state, and on which they shall cause to be erected, as soon as may be, a good and convenient brick building, not more than sixty feet long nor more than forty feet wide, two stories high, with suitable rooms and fire places; two of the apartments in said building shall be suitably constructed and finished for the reception and use of the general assembly until the state house shall be erected; and it shall moreover be the duty of the trustees in constructing the said building to take into consideration both the accommodation of the general assembly and its convenience, and the residence of the Governors of this state.

5. It shall be the duty of said trustees, when they advertise the sale of lots as herein before directed, to publish also a plan of the building named in the preceding section, and also that the erection and finishing of the same will be let out to the lowest bidder on the day of sale of said lots; and that the undertaker or undertakers shall receive the same kind of money as the trustees receive from purchasers of lots, and give the said trustees the same indulgence as to the time of payment as this act requires them to give to the purchasers aforesaid.

6. It shall further be the duty of said trustees to take from all persons purchasing lots as aforesaid, bonds with two good and sufficient sureties, to be by them approved, for the payment of the purchase money; *provided however*, that no titles shall be made to any purchaser until he shall have completed his payments. And it shall further be the duty of the trustees aforesaid, to take from the person or persons undertaking to erect and finish the building mentioned in the fourth section of this act, a bond with sufficient sureties, for finishing the house on a certain day to be therein named, and for the faithful performance of his or their contract; and all the bonds mentioned in this section shall be taken in the name of the Governor of this state for the time being and his successors in office, for the use of the state: *provided*, it shall be the duty of the trustees to complete said building on or before the first day of October, eighteen hundred and twenty-six.

7. Before the trustees herein before named proceed to act, they shall severally give bond, with good and sufficient sureties, to be approved by the judge of the circuit court for the county of Callaway, in the sum of twenty thousand dollars, conditioned, that they shall faithfully and truly perform all the duties required of them by the provisions of this act; which bonds shall be taken in the same man-

ner as the bonds mentioned in the preceding section are directed to be taken, and shall be filed in the office of the secretary of state; and further, before they proceed to act they shall severally take and subscribe an oath or affirmation, before some judge or justice of the peace, faithfully and impartially to discharge all the duties enjoined on them by this act, the certificate or certificates of which oath or affirmation shall be filed in the office of the clerk of the circuit court of the county of Callaway; *provided*, that the trustees may proceed to advertise the sale of lots before they shall have given bond and security as aforesaid.

8. Said trustees shall receive such compensation for their services as the next general assembly may think reasonable.

9. The trustees appointend by this act be, and they are hereby authorised and required to contract for the removal of the New Madrid claim, or claims, located on the lands selected for the permanent seat of government of this state; and if the claimants of said location or locations shall remove the same, on or before the first day of April next, then and in that case the auditor of public accounts shall draw his warrant on the treasurer of the state for the amount agreed to be paid by the trustees, not exceeding four thousand dollars, to be paid out of moneys appropriated for the expenses of the permanent seat of government.

10. In case the owner or owners of the New Madrid claim or claims located as above, shall refuse or neglect to remove the same, at the time provided for by this act, then and in that case eight squares of said land, (according to the plan of the city of Jefferson,) to be selected by said trustees, together with all the streets and alleys, (according to the plan,) shall be, and the same is hereby condemned for the public use; and all the right, title, and interest which any person or persons may have in and to the land so condemned, shall be and the same is hereby vested in the state of Missouri forever.

11. Four squares of the land condemned by this act shall be selected adjoining each other, for the erection of a state house; also, one other square, for the residence of the governor, and one other square, for the erection of a penitentiary, and one other square, for the erection of a hospital, and one other square, for the erection of a seminary of learning.

12. Any person claiming the land condemned by this act, may commence a suit in chancery, or against the state, in the circuit court for the county of Cole, setting forth this act, and the nature of his demand; and it shall be the duty of the attorney general, and the circuit attorney for the district, on behalf of the state, to answer the bill of the complainant or complainants in such manner as that the nature and validity of the title shall come fairly and properly before the court: and if it shall appear that the land does of right belong to the complainant or complainants, the court shall thereupon direct a jury to assess the value thereof in its unimproved state, and decree accordingly. And the auditor of public accounts shall draw upon the treasury of this state for the amount assessed by the jury, which shall be in full satisfaction for all claims which such persons may have in and to the land aforesaid.



13. The person or persons obtaining a decree as aforesaid, shall, before the same is carried into effect, enter into bond with security, to be approved of by the court, payable to the governor and his successors in office, in a sum double the amount of the value of the land condemned, conditioned that he or they will refund the sum so paid, with legal interest, to any other claimant or claimants who may thereupon make it appear that the title of the land condemned as aforesaid, is vested in him or them; which bond shall be deposited in the office of the clerk of the circuit court for said county of Cole: and any person having another and a better claim to such land, may commence his action thereon, and if it shall appear the proper right of the land belongs to the person so suing, the court shall enter up judgment on said bond for the amount thereof, to be discharged by the amount so paid with interest as aforesaid.

14. The trustees shall, on or before the first day of May next, proceed to make selection of the eight squares condemned by this act; and the four squares adjoining each other, designed for the location of the capitol, shall include the square at present contemplated in the plan of said city for the capitol of Missonri: and the said trustees shall make a full and complete report of all their proceedings to the next general assembly of this state.

15. The attorney general and circuit attorney shall cause such witnesses to appear, and such depositions to be taken, as in their opinion may be necessary to defend the right of this state to the land claimed; and the auditor of public accounts shall from time to time draw upon the treasury for such sums as may be sufficient to defray the necessary expenses: and any and all persons who shall fail to commence their suit as herein provided, within five years from the passage of this act, shall be forever thereafter barred from prosecuting any claim therefor, excepting minors, *femme coverts*, and persons of unsound mind, who shall be allowed the term of five years after their several disabilities may be removed.

16. So much of the third section of an act entitled an act supplementary to the act fixing the permanent seat of government, approved on the eleventh day of January, one thousand eight hundred and twenty-two, as authorised the sale of all the lots in the city of Jefferson, and that the sale shall be made by the commissioners appointed to select a place for the permanent seat of government, be and the same is hereby repealed.

This act shall be in force from and after its passage.

*Approved, December 19, 1822.*



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# LAWS

OF

A PUBLIC AND GENERAL NATURE

OF THE

## STATE OF MISSOURI,

PASSED BETWEEN THE YEARS

1824 & 1836,

NOT PUBLISHED IN THE DIGEST OF

1825,

NOR IN THE DIGEST OF

1835.

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## CHAPTER 19.

CHAP. 77, 135, 287, 357, 413.

## SEAT OF GOVERNMENT.

*AN ACT appropriating money for public buildings in the City of Jefferson, and for other purposes.*

- |   |   |  |
|---|---|--|
| <p>I. Money how drawn—Undertakers to give further security if former not deemed sufficient. Amount appropriated for W. Warner J. F. Royston, Josiah Ramsey, J. C. Gordon,</p> | } | <p>A. Hope, Mrs. Ewing, Duff Green—<br/>2. Auditor directed to draw warrant for amounts due.</p> |
|---|---|--|

*Be it enacted by the General Assembly of the State of Missouri, [as follows:]*

1. The following sums of money be, and the same is hereby appropriated for the purposes following; that is to say, to James Dunnica and Daniel Colgan, for erecting the Governor's house in the City of Jefferson, the sum of eighteen thousand five hundred and seventy-three dollars; *provided*, that the said sum of eighteen thousand five hundred and seventy-three dollars thus appropriated, be drawn in the following manner, to wit: one third on the passage of this act, one third on the first day of May next, and the remaining third when the said building is completed and received by a trustee to be appointed to superintend the City of Jefferson, and certified by him to the auditor; *and provided also*, that the undertakers of the said building give further security satisfactory to the governor, if the security already given be not by him deemed satisfactory, to insure the faithful performance of their said undertaking; to Wincoop Warner, for crying the sales of lots in the city of Jefferson, the sum of eighteen dollars; to J. F. Royston the sum of eighteen dollars for his services as clerk to the trustees of the City of Jefferson; to Josiah Ramsey, jr., John C. Gordon, and Adam Hope, each the sum of one hundred dollars, for their services as trustees of the city of Jefferson; and to Mrs. Ewing, for drawing and painting a plat of the City of Jefferson, the sum of ten dollars; and to Duff Green the sum of sixteen dollars for printing.

2. The auditor of public accounts shall be, and he is hereby directed to draw on the treasury of the state in favor of the contractors, for the amount appropriated

in the first section of this act, for the public buildings, and also in favor of each of the persons named in the first section of this act, for the amount appropriated to their use.

*February 6, 1825.*

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## CHAPTER 77.

## SEAT OF GOVERNMENT.

CHAP. 19, 135, 227, 357, 413.

*AN ACT concerning the permanent Seat of Government and for other purposes.*

- |  |  |
|--|--|
| <p>1 Money expended by Commissioner for fitting up State house refunded.</p> <p>2 Ferry vested in corporation, for what term and what purpose.</p> <p>3 Roof of gov. house to be covered with sheet lead, and lots enclosed.</p> <p>4 Amount retained to be paid over to James</p> | <p>Dunnica.</p> <p>5 Lot number 28, reserved for burying ground.</p> <p>6 Treasurer, auditor and commissioner to examine town tract, select site for Seminary and Penitentiary, and report.</p> <p>7 Privy shall be erected—amount appropriated how drawn for.</p> <p>8 Stones shall be placed at intersection of streets.</p> |
|--|--|

*Be it enacted by the General Assembly of the State of Missouri, [as follows:]*

1. The sum of two hundred and thirty-five dollars and twenty-one cents, be, and the same is hereby, appropriated for the payment to the commissioner of the permanent Seat of Government of certain monies by him advanced for the fitting up of the State House, to be paid out of any lawful money of the United States in the treasury; and the further sum of eighty-eight dollars, as a compensation to said commissioner, for services by him rendered; and the Auditor is required to issue his warrant on the treasurer, whose duty it shall be to pay the same out of any monies in the Treasury not otherwise appropriated.

2. The ferries belonging to the State, at the City of Jefferson, and the proceeds arising therefrom, shall be vested in the corporation of the City of Jefferson, for the term of six years, or until the first day of January, one thousand eight hundred and thirty-three; and the said corporation shall appropriate the proceeds of the same to the improvement of the streets and wharves.

3. It shall be the duty of the commissioner of the permanent Seat of Government, as soon as practicable, to cause the flat part of the roof of the Governor's house to be covered with sheet lead; and also, to have the lots upon which the house is situated, to be well enclosed with paling and cedar posts in front, and cedar posts and boards on the back part, and the surface levelled and sown in grass. And the auditor is, hereby, authorised and required to audit and allow the account of said commissioner, and draw on the treasurer, who is, hereby, required to pay the same out of any lawful money of the United States in the Treasury, not otherwise appropriated.

4. The commissioner of the permanent Seat of Government is hereby authorised and required, to pay to James Dunnica, the sum of two hundred dollars, by him retained as damages assessed; in consequence of the stone steps and plastering not being equal to the original contract, in consequence of extra work having been done upon other parts of the building equivalent thereto.

5. Lot numbered thirty-eight be; and the same is hereby, reserved from sale, and declared a public lot, to be used as a burying ground.

6. The Treasurer and Auditor of this state, and the commissioner of the permanent Seat of Government, are hereby authorised and required to examine the whole tract of land belonging to the State in the vicinity of the City of Jefferson, and report to the next General Assembly, two lots or sites, containing at least four acres each, as scites for a Seminary of Learning and Penitentiary.

7. The commissioner of the permanent seat of government, [shall] be; and he is hereby, authorised to contract for, and cause to be erected near the Governor's house, at the Seat of Government, a small brick building, to be used as a privy, and shall be allowed for the same, a sum not exceeding one hundred and fifty dollars, for which he is hereby authorised to draw on the State Treasury, when the said building shall have been completed; and the said treasurer is hereby authorised to pay the same out of any monies not otherwise appropriated.

8. The commissioner of the permanent Seat of Government be required to have stones placed in a permanent manner at the intersections of the principal streets, in all places where permanent corners do not already exist.

This act to take effect and be in force from and after the passage thereof.

*January 1, 1827.*

## CHAPTER 135.

## SEAT OF GOVERNMENT.

CHAP. 19, 77, 287, 357, 413.

*AN ACT to authorise the commissioner of the Permanent Seat of Government to sell lots, and for other purposes.\**

1 Commissioner P. S. G. authorised to sell lots, in what manner.	3 Commissioner shall cause buildings to be erected—upon what condition.
2 Commissioner authorised to purchase lots of R. A. Ewing—	4 Seminary and Penitentiary lots reserved from sale.

*Be it enacted by the general assembly of the State of Missouri, [as follows:]*

1. The commissioner of the permanent seat of government, be and he is hereby authorised, to sell on the premises, after having given four weeks previous public notice, by advertisement in some public newspaper printed in this State, and also by an advertisement, set up on the court house doors of the counties of Boone, Callaway and Cole, any number of town lots not exceeding forty, and out lots not exceeding twenty, on a credit not exceeding twelve months, taking of the purchasers bond with approved security.

2. The first money arising from the sale of the foregoing lots, may be applied by the said commissioner, to the purchase of two lots lying south of the governor's house, and numbered on the plat of said town, ninety-two and ninety-three, the same belonging to Robert A. Ewing; and the purchase if made, shall be by and with the advice and consent of the governor of this State.

3. Should it not be deemed expedient, to purchase the lots aforesaid, then, and in that case, the Commissioner is hereby authorised and instructed, to contract for and have put up, as convenient to the governor's house as may be, a brick kitchen one story high, sixteen feet in width and thirty feet in length, and a partition running through the same, so that one end will answer for a smoke house; and also a log or framed stable, both of which shall not exceed in cost the sum of five hun-

\*Continued in force, R. L. 1835, page 384 sec. 34.

dred dollars: *Provided however*, that the money arising from the sale of the lots aforesaid shall be sufficient to defray the expenses of the same.

4. The sites selected by the commissioner of the permanent seat of government and the auditor and treasurer of this State, for a seminary of learning and a penitentiary, be, and they are hereby reserved from sale, for that purpose.

This act shall take effect from and after the passage thereof.

*January 23, 1829.*

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## CHAPTER 317.

## FERRIES.

CHAP. 361, 316.

*AN ACT to authorise Jefferson Rogers to keep a Ferry at Jefferson City.*

<p>1 Jefferson Rogers authorised to keep a ferry a- cross the Missouri at Jefferson—his duties.</p> <p>2 Shall give bond to the State.</p>		<p>3 County court authorised to establish other fer- ries, when.</p>
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*Be it enacted by the General Assembly of the State of Missouri, [as follows:]*

1. Jefferson Rogers be, and he is hereby authorised to keep a public ferry across the Missouri river, within the limits of the City of Jefferson, free from license six years, and shall have the exclusive right and privilege of keeping a ferry within the aforesaid limits of the City of Jefferson; *provided*, that the said Jefferson Rogers shall, on or before the first day of September next, furnish a good and sufficient

horse ferry boat, well furnished with hands, and to be worked across the Missouri river, as a public horse ferry boat within the aforesaid limits, and keep the same in repair; *provided*, that this act shall not be construed to affect the ferries on the north side of the Missouri river.

2. The said Jefferson Rogers, before entitled to any of the privileges of this act, shall give to the State of Missouri a bond with sufficient security, to be approved by the county court of Cole county, and conditioned for the faithful performance of the duties required of him by this act; and all laws now in force regulating ferries and the rates of ferriage, not coming within the purview of the provisions of this act, in such sum as the court may direct; the bond to be filed and kept in the office of the county court clerk of Cole county.

3. The said county court, whenever satisfied that the aforesaid Jefferson Rogers shall have failed, neglected or refused, for the space of one month in any particular, to comply with the requisitions of this act, may establish such other ferries as public good and convenience may require, in the manner now provided for by law; the proceeds of which to be disposed of in the manner provided for by the act passed the first of January, eighteen hundred and twenty-seven.

*February 13, 1833.*

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## CHAPTER 319.

## GOVERNOR'S HOUSE.

*AN ACT making further provisions for the Executive Department of this State.*

1 Commissioner of the permanent seat of gov.	for governor.
ernment authorised to lease or build house	2 \$5,000 appropriated for building said house.

*Be it enacted by the General Assembly of the State of Missouri, [as follows:]*

1. The commissioner of the seat of government under the direction of the executive of the state, shall so soon as practicable, after the passage of this act, first, lease for a term of years; secondly, purchase, in fee; or thirdly, cause to be erected to and for the use and behoof of the State of Missouri, and suitably furnished, a house with the necessary out-buildings, in the city of Jefferson, suitable for, and adapted to, the accommodation of the Governor of this State.

2. Not exceeding the sum of five thousand dollars be, and the same is hereby appropriated for the purposes aforesaid, to be paid out of any moneys in the treasury appertaining to the state.

This act to take effect and be in force from and after the passage thereof.

*February 13, 1833.*

## CHAPTER 357.

## SEAT OF GOVERNMENT.

CHAP. 19, 77, 135, 287, 413.

*AN ACT to authorise the county court of Cole county to sell a lot in the City of Jefferson.*

*Be it enacted by the General Assembly of the State of Missouri, [as follows:]*

1. The county court of Cole county are hereby authorised to expose to public sale, lot number three hundred and forty-two, in the City of Jefferson, and the proceeds shall be applied to building a court-house in said city.

*January 20, 1835.*

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## CHAPTER 388.

## GOVERNOR'S HOUSE.

## CHAP. 319.

*AN ACT to complete and furnish the Governor's House.*

- |  |  |   |
|--|--|---|
| 1 Appropriation to furnish Governor's House. |  | 3 Authorising auditor to draw for same. |
| 2 Sum allowed to level and enclose the yard. |  |   |

*Be it enacted by the General Assembly of the State of Missouri, [as follows:]*

1. Thirteen hundred and eighteen dollars and fifty cents, are appropriated to pay for furniture purchased to furnish the house erected for the residence of the governor.
2. Six hundred and eighty-five dollars, are appropriated to pay for grading, enclosing and improving the yard, and doing other necessary work about the governor's house.
3. The auditor shall draw his warrants for the above mentioned sums, in favor of the commissioner of the permanent seat of government, payable out of any unappropriated money in the treasury.

*March 6, 1835.*

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## CHAPTER 413.

## SEAT OF GOVERNMENT.

CHAP. 19, 77, 135, 287, 413.

*AN ACT for the sale of Lots in the city of Jefferson.*

- |  |   |
|--|---|
| <p>1 Commissioner of the seat of government authorised to sell certain lots.</p> <p>2 Notice of sale, how given.</p> <p>3 Certain lots exempted from sale.</p> | <p>4 Certain lots reserved and attached to penitentiary reservation.</p> <p>5 When deeds to be made to purchasers.</p> <p>6 Moneys from sales, how disposed of.</p> |
|--|---|

*Be it enacted by the General Assembly of the State of Missouri, [as follows:]*

1. The Commissioner of the Permanent Seat of Government is hereby authorised to sell at public sale, to the highest bidder, on the second Monday in June next, fifteen in-lots, and fifteen out-lots, in the City of Jefferson: *provided*, that no in-lot shall be sold for less than five dollars, nor out-lot for less than two dollars and fifty cents per acre.

2. There shall be a public notice given of the sale of said lots by six insertions in the Boonslick Democrat, and Jeffersonian Republican, the first insertion to be two months before the day of sale.

3. No lots heretofore exempt from sale, are to be offered for sale by virtue of this act, except three blocks lying south of Main street, heretofore reserved for the location of the penitentiary.

4. Fractional blocks containing lots number two hundred and twenty-five, two

hundred and twenty-six, two hundred and twenty-seven, two hundred and twenty-eight, and two hundred and twenty-nine, are hereby reserved from sale, [and] shall be attached to the penitentiary reservation, for its use.

5. The commissioner shall not make deeds to the purchaser of any lot sold under this act, until full payment be made.

6. All moneys accruing from sales made under this act, shall be deposited by said commissioner in the State treasury.

*March 17, 1835.*

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