

*Will C. Harvey*  
*Dec 11 1847*  
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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.

PRINTED AND PUBLISHED UNDER THE DIRECTION OF THE SUPERINTENDENT  
APPOINTED BY THE GENERAL ASSEMBLY FOR THAT PURPOSE.

ST. LOUIS.  
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1835.

**STATUTE LAW**  
OF THE  
**STATE OF MISSOURI,**

REVISED AND CORRECTED BY THE EIGHTH GENERAL ASSEMBLY, AND PUBLISHED UNDER THE DIRECTION OF THE SUPERINTENDANT,  
APPOINTED BY THE LEGISLATURE FOR THAT PURPOSE.

**DANIEL DUNKLIN, GOVERNOR.**

**LILBURN W. BOGGS, LIEUTENANT GOVERNOR, AND PRESIDENT OF THE SENATE.**

**JOHN JAMESON, SPEAKER OF THE HOUSE OF REPRESENTATIVES.**

**ACCOUNT.**

*An act regulating the action of Account.*

- § 1. Joint tenants, &c. liable to account, and to whom.
2. Joint tenants may maintain action of, when and against whom.
3. Residuary legatees may maintain action of, against whom.
4. When action may be maintained against executors and administrators.
5. Of the original process and manner of service.
6. Action of account when to be referred.
7. Powers and duties of referees thereon.
8. To notify parties; and report to court.
9. Proceedings against parties refusing to account.
10. Power of referees, when either party refuse to be sworn, or answer questions.
11. Judgment on report of referees.

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

§ 1. Where one or more joint tenants, tenants in common or co-parceners, in any estate, real or personal, shall take more than his, or their due proportion of the benefit thereof, such tenant or tenants, shall account therefor to his or their co-tenant, jointly or severally.

§ 2. Joint tenants, tenants in common and co-parceners, in any estate, real or personal, may maintain actions of account against their co-tenants, who receive, as bailiffs, more than their due proportion of the benefit of such estate.

§ 3. Residuary legatees may maintain actions of account, against executors and administrators of the estate of the testator or intestate in their hands.

§ 4. Actions of account may be maintained by, and against, executors and administrators, in all cases in which the same might have been maintained by or against their testator or intestate.

§ 5. The original process in an action of account shall be the same that is provided by law for other personal actions, and shall be served and returned in the same manner.

§ 6. When judgment shall be rendered in an action of account, that the parties account, or that the defendant account to the plaintiff, the cause shall be referred to

§ 6. If any person damnified for want of such sufficient fence, shall hurt, wound, lame, kill or destroy, or cause the same to be done, by shooting, hurting with dogs or otherwise, any of the creatures in this act mentioned, such person shall satisfy the owner of such creatures in double damages, with costs.

*Approved, February 20th, 1835.*

## INDIANS.

### *An act to restrain intercourse with Indians.*

- Sec. 1. Trade and intercourse with Indians &c., prohibited; penalty.  
 2. Certain trade with Indians within this state prohibited.  
 3. Penalty to sell, exchange or give to any Indian, spirituous liquors, &c.  
 4. Penalties and fines under this act appropriated.  
 5. General and field officers of militia, when to order Indians to be removed out of the white settlements.  
 6. Militia thus ordered, to be placed under a commissioned officer; his power and duties.  
 7. For such services no compensation to be allowed.

*Be it enacted by the general assembly of the state of Missouri, as follows:*

§ 1. Any person who shall reside or attempt to reside as a trader in any hunting camp of any Indian tribe, not permanently settled within this state, shall forfeit the merchandize found in his possession and offered for sale to the Indians, and shall be fined not exceeding one hundred dollars, or be imprisoned not exceeding thirty days.

§ 2. If any person shall induce any Indian to come within this state for the purpose of trade, otherwise than is hereinafter permitted, or shall purchase or receive of any Indian in the way of trade or otherwise, a horse or gun, he shall be fined in a sum not exceeding fifty dollars.

3. Any person who shall sell, exchange, or give to any Indian, any spirituous or vinous liquors, shall forfeit a sum not less than thirty, nor more than one hundred and fifty dollars, or shall be imprisoned not exceeding thirty days nor less than ten.

§ 4. All penalties and fines accruing under this act, shall be for the use of the county in which the indictment is found.

§ 5. Whenever any general or field officer of the militia shall receive satisfactory information that any Indians are hunting or roaming within the limits of such officers command, he may order out a sufficient portion of his command to remove such Indians out of the white settlements.

§ 6. When any portion of the militia shall be so ordered into service, it shall be placed under the command of some competent commissioned officer, who shall have power, and it shall be his duty, to remove such Indians, according to the orders without delay.

§ 7. For rendering services required by the two preceding sections, no pay shall be allowed.

*Approved, March 9th, 1835.*