

**STATE** (Lat. *stare*, to place, establish).  
In **(Governmental) Law**. A self-sufficient  
body of persons united together in one com-  
munity for the defence of their rights and to  
do right and justice to foreigners.) In this  
sense, the state means the whole people united  
into one *body politic*; and the state, and the  
people of the state, are equivalent expressions.

1 Pet. Cond. Rep. 37-39; 2 Dall. Penn. 425;  
3 *id.* 93; 2 Wilson, Lect. 120; Dane, Appx.  
§ 50, p. 63; 1 Story, Const. § 361. The  
positive or actual organization of the legis-  
lative or judicial powers; thus, the actual  
government of the state is designated by the  
name of the state: hence the expression, the  
state has passed such a law or prohibited  
such an act. The section of territory occu-  
pied by a state: as, the state of Pennsylvania.

One of the commonwealths which form the  
United States of America.

2. The constitution of the United States  
makes the following provisions in relation to  
the states. Art. 1, s. 9, § 5. No tax or duty  
shall be laid on articles exported from any  
state. No preference shall be given by any  
regulation of commerce or revenue to the  
ports of one state over those of another; nor  
shall vessels bound to or from one state be  
obliged to enter, clear, or pay duties in  
another. Art. 1, s. 10, § 1. No state shall  
enter into any treaty, alliance, or confeder-  
ation; grant letters of marque and reprisal;  
coin money; emit bills of credit; make any  
thing but gold and silver coin a tender in pay-  
ment of debts; pass any bill of attainder, ex-  
post-facto law or law impairing the obligation  
of contracts; or grant any title of nobility.  
No state shall, without the consent of con-  
gress, lay any imposts or duties on imports  
or exports, except what may be absolutely  
necessary for executing its inspection laws;  
and the net produce of all duties and imposts  
laid by any state on imports or exports shall  
be for the use of the treasury of the United  
States, and all such laws shall be subject to  
the revision and control of congress. No  
state shall, without the consent of congress,  
lay any duty on tonnage, keep troops or ships  
of war in time of peace, enter into any agree-  
ment or compact with another state, or with  
a foreign power, or engage in war, unless  
actually invaded or in such imminent danger  
as will not admit of delay.

3. The District of Columbia and the terri-  
torial districts of the United States are not  
states within the meaning of the constitution  
and of the judiciary act, so as to enable a  
citizen thereof to sue a citizen of one of the  
states in the federal courts. 2 Cranch, 445;  
1 Wheat. 91.

The several states composing the United  
States are sovereign and independent in all  
things not surrendered to the national govern-  
ment by the constitution, and are considered,  
on general principles, by each other as foreign  
states; yet their mutual relations are rather  
those of domestic independence than of for-  
eign alienation. 7 Cranch. 481; 3 Wheat.  
324; 1 Greenleaf, Ev. §§ 489, 504.

See, generally, Mr. Madison's report in the  
Legislature of Virginia, January, 1800; 1  
Story, Const. § 208; 1 Kent, Comm. 189,  
note b; Curtis, Const.; Sedgwick, Const. Law;  
Grotius, b. 1, c. 1, s. 14; *id.* b. 3, c. 3, s. 2;  
Burlamaqui, vol. 2, pt. 1, c. 4, s. 9; Vattel,  
b. 1, c. 1; 1 Toullier, n. 202, note 1; Cicero,  
*de Respub.* l. 1, s. 25.

**In Society.** That quality which belongs  
to a person in society, and which secures to  
and imposes upon him different rights and  
duties in consequence of the difference of  
that quality.

4. Although all men come from the hands of  
nature upon an equality, yet there are among them  
marked differences. The distinctions of the sexes,  
fathers and children, age and youth, etc. come from  
nature.

The civil or municipal laws of each people have  
added to these natural qualities distinctions which  
are purely civil and arbitrary, founded on the  
manners of the people or in the will of the legis-  
lature. Such are the differences which these laws  
have established between citizens and aliens, be-  
tween magistrates and subjects, and between free-  
men and slaves, and those which exist in some  
countries between nobles and plebeians, which  
differences are either unknown or contrary to  
natural law.

Although these latter distinctions are more par-  
ticularly subject to the civil or municipal law,  
because to it they owe their origin, it nevertheless  
extends its authority over the natural qualities, not  
to destroy or to weaken them, but to confirm them  
and to render them more inviolable by positive rules  
and by certain maxims. This union of the civil or  
municipal and natural law forms among men a  
third species of differences, which may be called  
mixed, because they participate of both, and derive  
their principles from nature and the perfection of  
the law: for example, infancy, or the privileges  
which belong to it, have their foundation in natural  
law; but the age and the term of these prerogatives  
are determined by the civil or municipal law.

Three sorts of different qualities which form the  
state or condition of men may, then, be distinguished:  
those which are purely natural, those purely civil,  
and those which are composed of the natural and  
civil or municipal law.

See 3 Blackstone, Comm. 396; 1 Toullier, n. 170,  
171; CIVIL STATE.

In Practice. To make known specifically;  
to explain particularly: as, to state an account  
or to show the different items in an account;  
to state the cause of action in a declaration.

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1870.

FOURTEENTH EDITION, REVISED AND GREATLY ENLARGED.

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