

society may enact, amend, or repeal by-laws regulating the government of said society; prescribing the number, character, and duties of their officers, and the manner of their election; defining the terms on which members may be admitted to it, and shall cease to be such; and providing in all things for the management of the affairs of said society, or for securing its interests and welfare.

By-laws.

SEC. 3. *And be it further enacted*, That the powers of this corporation shall vest in a board of trustees, who shall be chosen as provided by the by-laws, and shall consist of five persons, and shall have perpetual succession, each one holding his office until his successor is chosen and qualified.

Powers of corporation to vest in board of trustees.

Number and term of office of trustees.

APPROVED, January 31, 1867.

CHAP. XXVI. — *An Act to punish certain Crimes in Relation to the Public Securities and Currency, and for other Purposes.*

Feb. 5, 1867.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if any person or persons shall buy, sell, exchange, transfer, receive or deliver, any false, forged, counterfeited or altered bond, bill, certificate of indebtedness, certificate of deposit, coupon, draft, check, bill of exchange, money order, indorsement, United States note, treasury note, circulating note, postage stamp, revenue stamp, postage-stamp note, fractional note, or other obligation or security of the United States, or circulating note of any banking association organized or acting under the laws of the United States, which has been issued or may hereafter be issued under any act of Congress heretofore passed, or which may hereafter be passed, with the intent, expectation, or belief, that the same shall or will be passed, altered, published or used as true and genuine, such person or persons so offending, shall be deemed guilty of felony, and on conviction thereof shall be imprisoned not more than ten years, or fined not exceeding five thousand dollars, or both, at the discretion of the court.

Penalty for buying, selling, &c. forged bonds, notes, &c. with intent that they shall be passed or used as genuine.

SEC. 2. *And be it further enacted*, That it shall not be lawful to design, engrave, print, or in any manner make or execute, or to utter, issue, distribute, circulate or use, any business or professional card, notice, placard, circular, handbill, or advertisement, in the likeness or similitude of any bond, certificate of indebtedness, certificate of deposit, coupon, United States note, treasury note, circulating note, fractional note, postage-stamp note, or other obligation or security of the United States, or of any banking association organized or acting under the laws thereof, which has been or may be issued under or authorized by any act of Congress heretofore passed or which may hereafter be passed. And any person or persons offending against the provisions of this section shall be subject to a penalty of one hundred dollars, to be recovered by an action of debt, one half to the use of the informer.

The making or using cards, circulars, &c. in the similitude of any United States security declared unlawful.

Penalty, how recovered and to whose use.

SEC. 3. *And be it further enacted*, That it shall not be lawful to write, print, or otherwise impress upon any bond, certificate of indebtedness, or other instrument specified in the last preceding section, any business or professional card, notice or advertisement, or any notice or advertisement of any goods, wares or merchandise, or of any drug or medicine, or of any invention or patent, or of any other matter or thing whatsoever; and any person or persons offending against the provisions of this section, shall be subject to a penalty of one hundred dollars, to be recovered by an action of debt, one half to the use of the informer.

The printing, &c. of any business card or notice, &c. on any United States security, made unlawful.

Penalty, how recovered, and to whose use.

SEC. 4. *And be it further enacted*, That if any person shall, without authority from the United States, take, procure, make, or cause to be taken, procured or made, upon lead, foil, wax, plaster, paper, or any other substance or material, an impression, stamp, or imprint of, from, or by the use of, any bed-plate, bed-piece, die, roll, plate, seal, type, or other tool,

Penalty for making, &c. impressions upon any material by any tool, &c. used, &c. in

printing, &c. or in making other tools, &c. to be used in printing, &c. any security, &c. to be issued by or for the United States.

Penalty for having in possession, without authority and with intent to defraud, any impression, &c. of any tool, &c. used or intended for printing, &c. any security to be issued by or for the United States;

for secreting, carrying away, &c. without authority, from any place of deposit, any tool, &c. used or intended, for printing, &c. or for making tools, &c. to be used for printing, &c. any security, currency, &c. to be issued by or for the United States; for taking, &c. without authority, any material prepared and intended to be used in making such stamps or currency, or printed, &c. in whole or in part, and intended for circulation and use, as such currency, &c.;

for taking without authority from any place of deposit, any paper prepared or intended for use to procure the payment of money from, or allowance of claims against, the United States, whether such

implement, instrument or thing, used, or fitted or intended to be used, in printing, stamping or impressing, or in making other tools, implements, instruments or things to be used, or fitted or intended to be used, in printing, stamping or impressing any kind or description of bond, bill, note, certificate, coupon, or other paper, obligation, security or instrument now authorized, or hereafter to be authorized, by law, to be executed, altered, delivered, given, issued or put in circulation by, for, or in behalf of the United States, such person shall be deemed guilty of felony, and, on conviction, be punished by imprisonment not more than ten years, or by fine not exceeding five thousand dollars, or both, at the discretion of the court.

SEC. 5. *And be it further enacted*, That if any person shall, with intent to defraud, have in his possession, keeping, custody, or control, without authority from the United States, any imprint, stamp or impression, taken or made upon any substance or material whatsoever, of any tool, implement, instrument, or thing used or fitted, or intended to be used, for any or either of the purposes mentioned in the last foregoing section; or if any person shall, with intent to defraud, sell, give, or deliver any such imprint, stamp or impression to any other person; such person, so offending, shall be deemed guilty of felony, and on conviction be punished by imprisonment not more than ten years, or by fine not exceeding five thousand dollars.

SEC. 6. *And be it further enacted*, That if any person, whether employed under the United States or not, shall, without authority from the United States, secrete within, embezzle, or take and carry away from any building, room, office, apartment, vault, safe, or other place where the same is kept, used, employed, placed, lodged, or deposited by authority of the United States, any bed-piece, bed-plate, roll, plate, die, seal, type, or other tool, implement, or thing used, or fitted to be used, in stamping or printing, or in making some other tool or implement used or fitted to be used in stamping or printing, any kind or description of bond, bill, note, certificate, coupon, postage stamp, revenue stamp, fractional currency note, or other paper, instrument, obligation, device, or document, now authorized or hereafter to be authorized by law to be printed, stamped, sealed, prepared, issued, uttered, or put in circulation by or on behalf of the United States; or shall, without such authority, so secrete, embezzle, or take and carry away any paper, parchment, or other material prepared and intended to be used in the making of any or either of such papers, instruments, obligations, devices, or documents; or shall, without such authority, so secrete, embezzle, or take and carry away any paper, parchment, or other material printed or stamped, in whole or in part, and intended to be prepared, issued, or put in circulation, by or on behalf of the United States, as one of the papers, instruments, or obligations hereinbefore named, or printed or stamped, in whole or in part, in the similitude of any such paper, instrument, or obligation, whether it be intended to issue or put the same in circulation or not; such person or persons so offending shall, on conviction, be punished by imprisonment not exceeding ten years, or by fine not exceeding five thousand dollars, or both, at the discretion of the court.

SEC. 7. *And be it further enacted*, That if any person shall take and carry away, without authority from the United States, from the place where it has been filed, lodged, or deposited, or where it may for the time being actually be kept by authority of the United States, any certificate, affidavit, deposition, written statement of facts, power of attorney, receipt, voucher, assignment, or other document, record, file, or paper, prepared, fitted, or intended to be used or presented in order to procure the payment of money from or by the United States, or any officer or agent thereof, or the allowance or payment of the whole or any part of any claim, account, or demand against the United States, whether the same has or has not already been so used or presented, and whether such claim, account,

or demand, or any part thereof, has or has not already been allowed or paid; or, if any person shall present or use or attempt to use any such document, record, file, or paper, so taken and carried away in order to procure the payment of any money from or by the United States, or any officer or agent thereof, or the allowance or payment of the whole or any part of any claim, account, or demand against the United States; such person, so offending, shall be deemed guilty of felony, and on conviction be imprisoned not more than ten years, or fined not exceeding five thousand dollars, at the discretion of the court.

APPROVED, February 5, 1867.

Penalty for using, or attempting to use any such paper.

CHAP. XXVII. — *An Act amendatory of "An Act to amend an Act entitled 'An Act relating to Habeas Corpus, and regulating judicial Proceedings in certain Cases,' approved May eleventh, eighteen hundred and sixty-six.*

Feb. 5, 1867.
1866, ch. 80.
Ante, p. 46.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever in any suit or prosecution which has been or may be commenced in any State court, and which the defendant is authorized to have removed from said court to the circuit court of the United States, under and by virtue of the provisions of "An act relating to habeas corpus, and regulating judicial proceedings in certain cases," approved March third, eighteen hundred and sixty-three, or by virtue of an act amendatory thereof, approved May eleventh, eighteen hundred and sixty-six, and all the acts necessary for the removal of said cause to the circuit court shall have been performed, and the defendant in any suit shall be in actual custody on process issued by said State court, it shall be the duty of the clerk of the said circuit court of the United States to issue a writ of habeas corpus cum causa; and it shall be the duty of the marshal, by virtue of the said writ of habeas corpus, to take the body of the defendant into his custody to be dealt with in said circuit court according to rules of law, and the orders of the said court, or of any judge thereof in vacation; and he shall file a duplicate copy of said writ of habeas corpus with the clerk of the State court in which said suit was commenced, or deliver said duplicate to the clerk of said court; and all attachments made, and all bail and other security given in any suit or prosecution which has been or shall be removed from any State court to the circuit court of the United States, in pursuance of law, shall be and continue in like force and effect as if the same suit had proceeded to final judgment and execution in the State court.

APPROVED, February 5, 1867.

When in any suit begun in a State court and removed to the circuit court of the United States, the defendant is in actual custody under the State process, the clerk of the circuit court shall issue a habeas corpus cum causa.

1863, ch. 81.
Vol. xii. p. 755.
Proceedings thereon.

The marshal to take the body; to file duplicate copy with the clerk of the State court.

Attachments, bail, &c. to continue in full force.

CHAP. XXVIII. — *An Act to amend "An Act to establish the judicial Courts of the United States," approved September twenty-fourth, seventeen hundred and eighty-nine.*

Feb. 5, 1867.

1789, ch. 20.

Vol. i. p. 73.

See *Post*, p. 545.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the several courts of the United States, and the several justices and judges of such courts, within their respective jurisdictions, in addition to the authority already conferred by law, shall have power to grant writs of habeas corpus in all cases where any person may be restrained of his or her liberty in violation of the constitution, or of any treaty or law of the United States; and it shall be lawful for such person so restrained of his or her liberty to apply to either of said justices or judges for a writ of habeas corpus, which application shall be in writing and verified by affidavit, and shall set forth the facts concerning the detention of the party applying, in whose custody he or she is detained, and by virtue of what claim or authority, if known; and the said justice or judge to whom such application shall be made shall forthwith award a writ of habeas corpus, unless it shall appear from the petition itself that the party is not deprived of his or her liberty in

The United States courts and judges, in addition to present authority, may grant writs of habeas corpus in certain cases.

Proceedings in applications for the writ.

The writ to be awarded forthwith, unless, &c.