

TITLE LXX.

CRIMES.

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GENERAL PROVISIONS.

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5324. Accessory after the fact to robbery or piracy.	5327. Whipping and the pillory abolished.
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SEC. 5323. Every person who knowingly aids, abets, causes, procures, commands, or counsels another to commit any murder, robbery, or other piracy upon the seas, is an accessory before the fact to such piracies, and every such person being thereof convicted shall suffer death.

Accessory before the fact to piracy, &c.

30 April, 1790, c. 9, s. 10, v. 1, p. 114.

3 Mar., 1875, c. 145, v. 18, pp. 479, 480.

SEC. 5324. Every person who receives or takes into custody any vessel, goods, or other property feloniously taken by any robber or pirate against the laws of the United States, knowing the same to have been feloniously taken, and every person who, knowing that such pirate or robber has done or committed any such piracy or robbery, on the land or at sea, receives, entertains, or conceals any such pirate or robber, is an accessory after the fact to such robbery or piracy. [See § 5323.]

Accessory after the fact to robbery or piracy.

30 April, 1790, c. 9, s. 11, v. 1, p. 114.

SEC. 5325. The manner of inflicting the punishment of death shall be by hanging. [See §§ 5340, 5400.]

Punishment of death by hanging.

Ibid., s. 33, p. 119.

SEC. 5326. No conviction or judgment shall work corruption of blood or any forfeiture of estate.

No conviction to work corruption of blood or forfeiture of estate.

Ibid., s. 24, p. 117.

SEC. 5327. The punishment of whipping and of standing in the pillory shall not be inflicted.

Whipping and the pillory abolished.

28 Feb., 1833, c. 36, s. 5, v. 5, p. 322.

SEC. 5328. Nothing in this Title shall be held to take away or impair the jurisdiction of the courts of the several States under the laws thereof.

Jurisdiction of State courts.

3 Mar., 1795, c. 65, s. 26, v. 4, p. 122.

SEC. 5329. The benefit of clergy shall not be used or allowed, upon conviction of any crime for which the punishment is death.

Benefit of clergy.

30 April, 1790, c. 9, s. 31, v. 1, p. 119.

SEC. 5330. Whenever, by the judgment of any court or judicial officer of the United States, in any criminal proceeding, any person is sentenced to two kinds of punishment, the one pecuniary and the other corporal, the President shall have full discretionary power to pardon or remit, in whole or in part, either one of the two kinds, without, in any manner, impairing the legal validity of the other kind, or of any portion of either kind, not pardoned or remitted.

Pardoning power.

20 Feb., 1863, c. 46, s. 1, v. 12, p. 656.

CHAPTER TWO.

CRIMES AGAINST THE EXISTENCE OF THE GOVERNMENT.

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Treason.

30 April, 1790, c. 9, s. 1, v. 1, p. 112.

3 Mar., 1875, c. 145, v. 18, pp. 479, 480.—*Gearing v. U. S.*, 3 N. & H., 165.

Punishment of treason.

17 July, 1862, c. 195, ss. 1, 3, v. 12, p. 589.

U. S. v. The Insurgents, 2 Dall., 385; U. S. v. Mitchell, 2 Dall., 348; U.

S. v. Villato, 2 Dall., 370; *Ex parte Bolman and Swartwout*, 4 Cr., 75; U. S. v. Pryor, 3 Wash., 234; U. S. v. Hanway, 2 Wall. Jr. C. C., 139; 1 Burr's Trial, 14-16; 2 Burr's Trial, 402, 405, 417; U. S. v. Hoxie, 1 Paine, 265; U. S. v. Greathouse, 2 Abb. C. C., 364; Confiscation Cases, 20 Wall., 92; Wallack et al. v. Van Riswick, 92 U. S., 202; Windsor v. McVeigh, 93 U. S., 274.

Misprision of treason.

30 April, 1790, c. 9, s. 2, v. 1, p. 112.

U. S. v. Wiltberger, 5 Wh., 97; Confiscation Cases, 1 Woods, 221; U. S. v. Tract of Land, 1 Woods, 475.

Inciting or engaging in rebellion or insurrection.

17 July, 1862, c. 195, s. 2, v. 12, p. 590.

Criminal correspondence with foreign governments.

30 Jan., 1799, c. 1, v. 1, p. 613.

SEC. 5331. Every person owing allegiance to the United States who levies war against them, or adheres to their enemies, giving them aid and comfort within the United States or elsewhere, is guilty of treason.

SEC. 5332. Every person guilty of treason shall suffer death; or, at the discretion of the court, shall be imprisoned at hard labor for not less than five years, and fined not less than ten thousand dollars, to be levied on and collected out of any or all of his property, real and personal, of which he was the owner at the time of committing such treason, any sale or conveyance to the contrary notwithstanding; and every person so convicted of treason shall, moreover, be incapable of holding any office under the United States.

SEC. 5333. Every person, owing allegiance to the United States and having knowledge of the commission of any treason against them, who conceals, and does not, as soon as may be, disclose and make known the same to the President or to some judge of the United States, or to the governor, or to some judge or justice of a particular State, is guilty of misprision of treason, and shall be imprisoned not more than seven years, and fined not more than one thousand dollars.

SEC. 5334. Every person who incites, sets on foot, assists, or engages in any rebellion or insurrection against the authority of the United States, or the laws thereof, or gives aid or comfort thereto, shall be punished by imprisonment not more than ten years, or by a fine of not more than ten thousand dollars, or by both of such punishments; and shall, moreover, be incapable of holding any office under the United States. [See §§ 5297-5322.]

SEC. 5335. Every citizen of the United States, whether actually resident or abiding within the same, or in any foreign country, who, without the permission or authority of the Government, directly or indirectly, commences or carries on any verbal or written correspondence or intercourse with any foreign government, or any officer or agent thereof, with an intent to influence the measures or conduct of any foreign government, or of any officer or agent thereof, in relation to any disputes or controversies with the United States, or to defeat the measures of the Government of the United States; and every person, being a citizen of, or resident within, the United States, and not duly authorized, who counsels, advises, or assists in any such correspondence, with such intent, shall be punished by a fine of not more than five thousand dollars, and by imprisonment during a term not less than six months, nor more than three years; but nothing in this section shall be construed to abridge the right of a citizen to apply, himself or his agent, to any foreign government or the agents thereof for redress of any injury which he may have sustained from such government, or any of its agents or subjects. [See §§ 1738, 2113.]

SEC. 5336. If two or more persons in any State or Territory conspire to overthrow, put down, or to destroy by force the Government of the United States, or to levy war against them, or to oppose by force the authority thereof; or by force to prevent, hinder, or delay the execution of any law of the United States; or by force to seize, take, or possess any property of the United States contrary to the authority thereof; each of them shall be punished by a fine of not less than five hundred dollars and not more than five thousand dollars; or by imprisonment, with or without hard labor, for a period not less than six months, nor more than six years, or by both such fine and imprisonment. [See §§ 5518-5520.]

SEC. 5337. Every person who recruits soldiers or sailors within the United States to engage in armed hostility against the same, or who opens within the United States a recruiting station for the enlistment of such soldiers or sailors, to serve in any manner in armed hostility against the United States, shall be fined not less than two hundred dollars, nor more than one thousand dollars, and imprisoned not less than one year, nor more than five years.

SEC. 5338. Every soldier or sailor enlisted or engaged within the United States, with intent to serve in armed hostility against the same, shall be punished by a fine of one hundred dollars, and by imprisonment not less than one year, nor more than three years.

Seditious conspiracy.

31 July, 1861, c. 33, v. 12, p. 284.

20 April, 1871, c. 22, s. 2, v. 17, p. 13.

Ex parte Lange, 18 Wall., 163.

Recruiting soldiers or sailors to serve against the United States.

6 Aug., 1861, c. 56, s. 1, v. 12, p. 317.

Enlistment to serve against the United States.

Ibid., s. 2.

CHAPTER THREE.

CRIMES ARISING WITHIN THE MARITIME AND TERRITORIAL JURISDICTION OF THE UNITED STATES.

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Murder.

30 April, 1790, c. 9, s. 3, v. 1, p. 113.
 3 Mar., 1825, c. 65, s. 4, v. 4, p. 115.
 3 Mar., 1875, c. 145, v. 18, pp. 479, 480.

U. S. v. McGill, 4 Dall., 426; *U. S. v. Bevans*, 3 Wh., 336; *U. S. v. Furlong*, 5 Wh., 184; *U. S. v. Holmes*, 5 Wh., 412; *U. S. v. Marchant* and *Colson*, 12 Wh., 480; *U. S. v. Magill*, 1 Wash., 463; *U. S. v. Ross*, 1 Gallis, 624; *U. S. v. Cornell*, 2 Mas., 91; *U. S. v. Freeman*, 4 Mas., 505; *U. S. v. Drew*, 5 Mas., 28; *U. S. v. Douglass*, 2 Blatch., 207.

Delivery of offender's body for dissection, when.

30 April, 1790, c. 9, s. 4, v. 1, p. 113.

Manslaughter.

Ibid., s. 7.
 3 Mar., 1857, c. 116, s. 1, v. 11, p. 250.

U. S. v. Imbert, 4 Wash., 702.

Attempt to commit murder or manslaughter.

3 Mar., 1857, c. 116, s. 2, v. 11, p. 250.

Punishment of manslaughter.

30 April, 1790, c. 9, s. 7, v. 1, p. 113.
 3 Mar., 1857, c. 116, s. 3, v. 11, p. 250.

Officers and owners of steamboats through whose misconduct, &c., life is lost, guilty of manslaughter.

28 Feb., 1871, c. 100, s. 57, v. 16, p. 456.

U. S. v. Farnham, 2 Blatch., 523; *U. S. v. Warren*, 4 McLean, 463; *U. S. v. Taylor*, 5 McLean, 42.

Rape.

3 Mar., 1825, c. 65, s. 4, v. 4, p. 115.

Assault with a dangerous weapon.

Ibid., s. 22, p. 121.

U. S. v. Grush, 5 Mas., 290.

U. S. v. Arwo, 19 Wall., 486.

SEC. 5339. Every person who commits murder—

First. Within any fort, arsenal, dock-yard, magazine, or in any other place or district of country under the exclusive jurisdiction of the United States;

Second. Or upon the high seas, or in any arm of the sea, or in any river, haven, creek, basin, or bay within the admiralty and maritime jurisdiction of the United States, and out of the jurisdiction of any particular State;

Third. Or who upon any such waters maliciously strikes, stabs, wounds, poisons, or shoots at any other person, of which striking, stabbing, wounding, poisoning, or shooting such other person dies, either on land or at sea, within or without the United States, shall suffer death.

[See §§ 5323-5326.]

U. S. v. Magill, 1 Wash., 463; *U. S. v. Ross*, 1 Gallis, 624; *U. S. v. Cornell*, 2 Mas., 91; *U. S. v. Freeman*, 4 Mas., 505; *U. S. v. Drew*, 5 Mas., 28; *U. S. v. Douglass*, 2 Blatch., 207.

SEC. 5340. The court before which any person is convicted of murder, may, in its discretion, add to the judgment of death, that the body of the offender be delivered to a surgeon for dissection; and the marshal who executes such judgment shall deliver the body, after execution, to such surgeon as the court may direct; and such surgeon, or some person by him appointed, shall receive and take away the body at the time of execution. [See § 5402.]

SEC. 5341. Every person who, within any of the places or upon any of the waters described in section fifty-three hundred and thirty-nine, unlawfully and willfully, but without malice, strikes, stabs, wounds, or shoots at, or otherwise injures another, of which striking, stabbing, wounding, shooting, or other injury such other person dies, either on land or sea, within or without the United States, is guilty of the crime of manslaughter.

SEC. 5342. Every person who, within any of the places or upon any of the waters described in section fifty-three hundred and thirty-nine, attempts to commit the crime of murder or manslaughter, by any means not constituting the offense of assault with a dangerous weapon, shall be punished by imprisonment, with or without hard labor, not more than three years, and by a fine of not more than one thousand dollars.

SEC. 5343. The punishment of manslaughter shall be imprisonment, with or without hard labor, not more than three years, and by a fine of not more than one thousand dollars, except as otherwise specially provided by law.

Amended 3 Mar., 1875, c. 138, ss. 1, 2, v. 18, p. 473.

SEC. 5344. Every captain, engineer, pilot, or other person employed on any steamboat or vessel, by whose misconduct, negligence, or inattention to his duties on such vessel, the life of any person is destroyed, and every owner, inspector, or other public officer, through whose fraud, connivance, misconduct, or violation of law, the life of any person is destroyed, shall be deemed guilty of manslaughter, and, upon conviction thereof before any circuit court of the United States, shall be sentenced to confinement at hard labor for a period of not more than ten years. [See §§ 4252-4259, 4390-4500.]

SEC. 5345. Every person who, within any of the places or upon any of the waters specified in section fifty-three hundred and thirty-nine, commits the crime of rape shall suffer death.

SEC. 5346. Every person who, upon the high seas, or in any arm of the sea, or in any river, haven, creek, basin, or bay, within the admiralty jurisdiction of the United States, and out of the jurisdiction of any particular State, on board any vessel belonging in whole or part to the United States, or any citizen thereof, with a dangerous weapon, or with intent to perpetrate any felony, commits an assault on another shall be punished by a fine of not more than three thousand dollars, and by imprisonment at hard labor not more than three years.

SEC. 5347. Every master or other officer of any American vessel on the high seas, or on any other waters within the admiralty and maritime jurisdiction of the United States, who, from malice, hatred, or revenge, and without justifiable cause, beats, wounds, or imprisons any of the crew of such vessel, or withholds from them suitable food and nourishment, or inflicts upon them any cruel and unusual punishment, shall be punished by a fine of not more than one thousand dollars, or by imprisonment not more than five years, or by both. [See §§ 4300-4305.]

3 Sumn., 209; U. S. v. Collins,

Maltreatment of crew by officers of vessels.

3 Mar., 1835, c. 40, s. 3, v. 4, p. 776.

U. S. v. Freeman, 4 Mas., 511; U. S. v. Taylor, 2 Sumn., 584; U. S. v. Winn., 2 Curt. C. C., 194.

Maiming, &c.

30 April, 1790, c. 9, s. 13, v. 1, p. 115.

SEC. 5348. Every person who, within any of the places upon the land under the exclusive jurisdiction of the United States, or who, upon the high seas, in any vessel belonging to the United States, or to any citizen thereof, maliciously cuts off the ear, cuts out or disables the tongue, puts out an eye, slits the nose, cuts off the nose or lip, or cuts off or disables any limb or member of any person, with intent to maim or disfigure such person, shall be imprisoned at hard labor not more than seven years, and fined not more than one thousand dollars.

SEC. 5349. Every master, officer, seaman, or other person employed on board of any American vessel who, during the voyage, under promise of marriage, or by threats, or the exercise of authority, or solicitation, or the making of gifts or presents, seduces and has illicit connection with any female passenger, shall be punished by imprisonment not more than twelve months, or by a fine of not more than one thousand dollars; but subsequent intermarriage of the parties may be pleaded in bar of conviction. [See §§ 4275, 4276.]

Seduction of female passengers on vessels.

24 Mar., 1860, c. 8, s. 1, v. 12, p. 3.

SEC. 5350. When any person is convicted under the provisions of the preceding section, the court may, in its discretion, by an order entered on its minutes, direct the amount of the fine, when imposed and collected, to be paid for the use of the female seduced or her child, if she have any.

Payment of fine to female seduced.

Ibid., s. 4, p. 4.

SEC. 5351. No conviction shall be had on the testimony of the female seduced, without other evidence, nor unless the indictment is found within one year after the arrival of the vessel on which the offense was committed at the port for which it was destined.

Evidence required; limitation of indictment.

Ibid., s. 5.

SEC. 5352. Every person having a husband or wife living, who marries another, whether married or single, in a Territory, or other place over which the United States have exclusive jurisdiction, is guilty of bigamy, and shall be punished by a fine of not more than five hundred dollars, and by imprisonment for a term not more than five years; but this section shall not extend to any person by reason of any former marriage whose husband or wife by such marriage is absent for five successive years, and is not known to such person to be living; nor to any person by reason of any former marriage which has been dissolved by decree of a competent court; nor to any person by reason of any former marriage which has been pronounced void by decree of a competent court on the ground of nullity of the marriage contract.

Bigamy.

1 July, 1862, c. 126, s. 1, v. 12, p. 501.

SEC. 5353. Every person who knowingly transports, or delivers or causes to be delivered, nitro-glycerine, nitro-leum or blasting-oil, or nitrated oil, or powder mixed with any such oil, or fiber saturated with any such substance or article, on board any vessel or vehicle whatever, employed in conveying passengers by land or water between any place in a foreign country and any place within the United States, or between a place in one State, Territory, or district of the United States and a place in any other State, Territory, or district thereof, shall be punished by a fine of not less than one thousand dollars nor more than ten thousand dollars; one-half to the use of the informer. [See §§ 4278-4280.]

Transportation of nitro-glycerine, &c., in passenger-conveyances.

3 July, 1866, c. 162, s. 1, v. 14, p. 81.

SEC. 5354. When the death of any person is caused by the explosion of any quantity of such articles, or either of them, while the same is being placed upon any vessel or vehicle, to be transported in violation of the preceding section, or while the same is being so transported, or while the same is being removed from such vessel or vehicle, every person who knowingly placed or aided, or permitted the placing of such articles upon such vessel or vehicle, to be so transported, is guilty of

Death caused by such transportation deemed manslaughter.

Ibid., s. 2.

manslaughter, and shall suffer imprisonment for a period not less than two years. [See §§ 4278-4280.]

Transportation of
nitro-glycerine,
&c., how allowed.

Ibid., s. 3.

Larceny.

30 April, 1790, c.
9, s. 16, v. 1, p. 116.
23 Aug., 1842, c.
188, s. 4, v. 5, p. 517.

U. S. v. Davis, 5
Mas., 356.

Receiving stolen
goods.

3 Mar., 1825, c.
65, s. 8, v. 4, p. 116.
30 April, 1790, c.
9, s. 17, v. 1, p. 116.

Plundering ves-
sels in distress, &c.

3 Mar., 1825, c.
65, s. 9, v. 4, p. 116.

U. S. v. Coombs,
12 Pet., 72; *U. S.*
v. Kessler, Baldw.,
15.

Inciting revolt or
mutiny on ship-
board.

3 Mar., 1835, c.
40, s. 2, v. 4, p. 776.
30 April, 1790, c.
9, s. 12, v. 1, p. 115.

U. S. v. Kelly, 11
Wh., 417; *U. S. v.*
Smith, 1 Mas., 147;
U. S. v. Hamilton,
1 Mas., 443; *U. S.*
v. Keefe, 3 Mas.,
475; *U. S. v. Hen-*
ner et al., 4 Mas.,
105; *U. S. v. Savage*, 5 Mas., 460; *U. S. v. Mathews*, 2 Sumn., 470; *U. S. v. Cassidy*, 2
Sumn., 582; *U. S. v. Rogers*, 3 Sumn., 342; *U. S. v. Kelly*, 4 Wash., 528; *U. S. v. Staly*,
1 Wood. & M., 338; *U. S. v. Smith*, 3 Wash., 78; *U. S. v. Sharp*, Peters C. C., 118; *U. S.*
v. Bladen, Peters C. C., 213; *U. S. v. Haines*, 5 Mas., 272; *U. S. v. Nye*, 2 Curt. C. C.,
225; *U. S. v. Gardner*, 5 Mas., 402; *U. S. v. Barker*, 5 Mas., 404; *U. S. v. Borden*, 1 Sprague,
374; *U. S. v. Morrison*, 1 Sumn., 448; *U. S. v. Ashton*, 2 Sumn., 13; *U. S. v. Givings*, 1
Sprague, 75; *U. S. v. Henry*, 4 Wash., 428; *U. S. v. Thompson*, 1 Sumn., 168; *U. S. v.*
Lawrence, 1 Cr. C. C., 94; *U. S. v. Seagrist*, 4 Blatch., 420.

Revolt and muti-
ny on ship-board.

3 Mar., 1835, c.
40, s. 1, v. 4, p. 775.
30 April, 1790, c.
9, s. 8, v. 1, p. 113.

SEC. 5355. Every person who knowingly ships, sends, or forwards any quantity of the articles mentioned in section fifty-three hundred and fifty-three, or who transports the same by any mode of conveyance upon land or water, between any of the places specified in that section, unless such articles be securely inclosed, deposited, or packed in a metallic vessel surrounded by plaster of Paris, or other non-explosive material when saturated with such oil, and separated from all other substances, and the outside of the package be marked, printed, or labeled in a conspicuous manner with the words "NITRO-GLYCERINE; DANGEROUS," shall be punished by a fine of not less than one thousand nor more than five thousand dollars; one-half to the use of the informer. [See §§ 4277-4280.]

SEC. 5356. Every person who, upon the high seas, or in any place under the exclusive jurisdiction of the United States, takes and carries away, with intent to steal or purloin, the personal goods of another, shall be punished by a fine of not more than one thousand dollars, or by imprisonment not more than one year, or by both such fine and imprisonment.

SEC. 5357. Every person who, upon the high seas, or in any place under the exclusive jurisdiction of the United States, buys, receives, or conceals any money, goods, bank-notes, or other thing which may be the subject of larceny, and which has been feloniously taken or stolen from any other person, knowing the same to have been taken or stolen, shall be punished by a fine of not more than one thousand dollars, and by imprisonment at hard labor not more than three years.

SEC. 5358. Every person who plunders, steals, or destroys any money, goods, merchandise, or other effects, from or belonging to any vessel in distress, or wrecked, lost, stranded, or cast away, upon the sea, or upon any reef, shoal, bank, or rocks of the sea, or in any other place within the admiralty and maritime jurisdiction of the United States; and every person who willfully obstructs the escape of any person endeavoring to save his life from such vessel, or the wreck thereof; and every person who holds out or shows any false light, or extinguishes any true light, with intent to bring any vessel, sailing upon the sea, into danger, or distress, or shipwreck, shall be punished by a fine of not more than five thousand dollars, and imprisoned at hard labor not more than ten years. [See §§ 4674, 4676.]

SEC. 5359. If any one of the crew of any American vessel on the high seas, or other waters within the admiralty and maritime jurisdiction of the United States, endeavors to make a revolt or mutiny on board such vessel, or combines, conspires, or confederates with any other person on board to make such revolt or mutiny, or solicits, incites, or stirs up any other of the crew to disobey or resist the lawful orders of the master, or other officer of such vessel, or to refuse or neglect their proper duty on board thereof, or to betray their proper trust, or assembles with others in a tumultuous and mutinous manner, or makes a riot on board thereof, or unlawfully confines the master, or other commanding officer thereof, he shall be punished by a fine of not more than one thousand dollars, or by imprisonment not more than five years, or by both such fine and imprisonment.

U. S. v. Savage, 5 Mas., 460; *U. S. v. Mathews*, 2 Sumn., 470; *U. S. v. Cassidy*, 2 Sumn., 582; *U. S. v. Rogers*, 3 Sumn., 342; *U. S. v. Kelly*, 4 Wash., 528; *U. S. v. Staly*, 1 Wood. & M., 338; *U. S. v. Smith*, 3 Wash., 78; *U. S. v. Sharp*, Peters C. C., 118; *U. S. v. Bladen*, Peters C. C., 213; *U. S. v. Haines*, 5 Mas., 272; *U. S. v. Nye*, 2 Curt. C. C., 225; *U. S. v. Gardner*, 5 Mas., 402; *U. S. v. Barker*, 5 Mas., 404; *U. S. v. Borden*, 1 Sprague, 374; *U. S. v. Morrison*, 1 Sumn., 448; *U. S. v. Ashton*, 2 Sumn., 13; *U. S. v. Givings*, 1 Sprague, 75; *U. S. v. Henry*, 4 Wash., 428; *U. S. v. Thompson*, 1 Sumn., 168; *U. S. v. Lawrence*, 1 Cr. C. C., 94; *U. S. v. Seagrist*, 4 Blatch., 420.

SEC. 5360. If any one of the crew of an American vessel on the high seas, or on any other waters within the admiralty and maritime jurisdiction of the United States, unlawfully and with force, or by fraud, or intimidation, usurps the command of such vessel from the master or other lawful officer in command thereof, or deprives him of authority

and command on board, or resists or prevents him in the free and lawful exercise thereof, or transfers such authority and command to another not lawfully entitled thereto, he is guilty of a revolt and mutiny, and shall be punished by a fine of not more than two thousand dollars, and by imprisonment at hard labor not more than ten years.

Crabbe, 558; U. S. v. Borden, 1 Sprague, 374; U. S. v. Peterson, 1

U. S. v. Kelly, 11 Wh., 417; U. S. v. Smith, 3 Wash., 78; U. S. v. Stevens, 4 Wash., 547; U. S. v. Haskell, 4 Wash., 402; U. S. v. Forbes, 1 Wood. & M., 305.

SEC. 5361. Every person who, upon the high seas, or in any arm of the sea, or in any river, haven, creek, basin, or bay, within the admiralty and maritime jurisdiction of the United States, and out of the jurisdiction of any particular State, by surprise or by open force, maliciously attacks or sets upon any vessel belonging to another, with an intent unlawfully to plunder the same, or to despoil any owner thereof of any moneys, goods, or merchandise laden on board thereof, shall be punished by a fine of not more than five thousand dollars, and by imprisonment at hard labor not more than ten years.

Attacking vessel with intent to plunder.

3 Mar., 1825, c. 65, s. 6, v. 4, p. 116.

SEC. 5362. Every person who, upon the high seas, or in any other of the places mentioned in the preceding section, with intent to commit any felony, breaks or enters any vessel, or maliciously cuts, spoils, or destroys any cordage, cable, buoys, buoy-rope, head-fast, or other fast fixed to the anchor or moorings belonging to any vessel, shall be punished by a fine of not more than one thousand dollars, and by imprisonment at hard labor not more than five years.

Breaking and entering vessel, &c.

Ibid., s. 7.

SEC. 5363. Every master or commander of any vessel belonging, in whole or part, to any citizen of the United States, who, during his being abroad, maliciously and without justifiable cause forces any officer or mariner of such vessel on shore, in order to leave him behind in any foreign port or place, or refuses to bring home again all such officers and mariners of such vessel whom he carried out with him as are in a condition to return and willing to return, when he is ready to proceed on his homeward voyage, shall be punished by a fine of not more than five hundred dollars, or by imprisonment not more than six months. [See §§ 4300-4305.]

Forcible abandonment of officer or mariner in foreign port.

Ibid., s. 10, p. 117.

U. S. v. Ruggles, 5 Mas., 192; U. S. v. Coffin, 1 Sumn., 394; U. S. v. Netcher, 1 Story, 307; U. S. v. Riddle, 4 Wash., 644.

SEC. 5364. Every person who, on the high seas, or within the United States, willfully and corruptly conspires, combines, and confederates with any other person, such other person being either within or without the United States, to cast away or otherwise destroy any vessel, with intent to injure any person that may have underwritten or may thereafter underwrite any policy of insurance thereon or on goods on board thereof, or with intent to injure any person that has lent or advanced, or may lend or advance, any money on such vessel on bottomry or respondentia; and every person who, within the United States, builds, or fits out, or aids in building and fitting out, any vessel with intent that the same be cast away or destroyed with the intent hereinbefore mentioned, shall be punished by a fine of not more than ten thousand dollars, and by imprisonment at hard labor not more than ten years.

Conspiracy to cast away vessel.

3 Mar., 1825, c. 65, s. 23, v. 4, p. 122.

U. S. v. Cole, 5 McLean, 513; U. S. v. Hand et al., 6 McLean, 274.

SEC. 5365. Every person who, on the high seas, willfully and corruptly casts away or otherwise destroys any vessel of which he is owner, in whole or part, with intent to prejudice any person that may underwrite any policy of insurance thereon, or any merchant that may have goods thereon, or any other owner of such vessel, shall suffer death. [See § 5323.]

Owner destroying vessel at sea.

26 Mar., 1804, c. 40, s. 2, v. 2, p. 290.

U. S. v. Johns, 4 12 Pet., 135; U. S.

Dall., 512; U. S. v. Amedy, 11 Wh., 392; Beaston v. Farmers' Bank, v. Johns, 1 Wash., 363.

SEC. 5366. Every person, not being an owner, who, on the high seas, willfully and corruptly casts away or otherwise destroys any vessel to which he belongs, being the property of any citizen, shall suffer death. [See § 5323.]

Other persons destroying vessel at sea.

2 Mar., 1804, c. 1 Wash., 363; U.

40, s. 1, v. 2, p. 290. 3 Mar., 1875, c. 144, v. 18, p. 479.—U. S. v. Johns, S. v. Van Rantz, 3 Wash., 146.

SEC. 5367. Every person, not being an owner, who, on the high seas, willfully, with intent to destroy the same, sets fire to any vessel, or other-

Attempt to destroy vessel at sea.

29 July, 1850, c. 27, s. 7, v. 9, p. 441. wise attempts the destruction thereof, being the property of any citizen, shall suffer imprisonment at hard labor for a term not more than ten years nor less than three years.

Piracy under the law of nations. SEC. 5368. Every person who, on the high seas, commits the crime of piracy as defined by the law of nations, and is afterward brought into or found in the United States, shall suffer death. [See §§ 5322-5326, 5532.]

3 Mar., 1819, c. 77, s. 5, v. 3, p. 513. 15 May, 1820, c. 113, s. 2, v. 3, p. 600. 30 Jan., 1823, c. 7, v. 3, p. 721.—U. S. v. Smith, 5 Wh., 153; U. S. v. Furlong, 5 Wh., 184; U. S. v. Baker, 5 Blatch., 6; U. S. v. Henry, 4 Wash., 428; Davison v. Sealskins, 2 Paine, 324.

Seaman laying violent hands on his commander. SEC. 5369. Every seaman who lays violent hands upon his commander, thereby to hinder and prevent his fighting in defense of his vessel or the goods intrusted to him, is a pirate, and shall suffer death.

30 April, 1790, c. 9, s. 8, v. 1, p. 113.

Robbery upon the high seas. SEC. 5370. Every person who, upon the high seas, or in any open roadstead, or in any haven, basin, or bay, or in any river where the sea ebbs and flows, commits the crime of robbery, in or upon any vessel, or upon any ship's company of any vessel, or the lading thereof, is a pirate, and shall suffer death.

U. S. v. Palmer, 3 Wh., 610; U. S. v. Jackalow, 1 Bl., 484; U. S. v. Baker, 5 Blatch., 6.

Robbery on shore by crew of piratical vessel. SEC. 5371. Every person engaged in any piratical cruise or enterprise, or being of the crew of any piratical vessel, who lands from such vessel and on shore commits robbery, is a pirate, and shall suffer death.

Ibid. SEC. 5372. Every person who commits upon the high seas, or in any river, harbor, basin, or bay, out of the jurisdiction of any particular State, murder or robbery, or any other offense which, if committed within the body of a county, would be punishable with death by the laws of the United States, is a pirate, and shall suffer death.

30 April, 1790, c. 9, s. 8, v. 1, p. 113. U. S. v. Palmer, 3 Wh., 610; U. S. v. Klintock, 5 Wh., 144; U. S. v. Furlong, 5 Wh., 184; U. S. v. Holmes, 5 Wh., 412; U. S. v. Ross, 1 Gallis., 624; U. S. v. Kessler, 1 Bald., 15; U. S. v. Gilbert, 2 Sumn., 19; U. S. v. Jones, 3 Wash., 209; U. S. v. Howard, 3 Wash., 344; U. S. v. Henry, 4 Wash., 428.

Piracy under color of a commission from a foreign power. SEC. 5373. Every citizen who commits any murder or robbery, or any act of hostility against the United States, or against any citizen thereof, on the high seas, under color of any commission from any foreign prince, or state, or on pretense of authority from any person, is, notwithstanding the pretense of such authority, a pirate, and shall suffer death.

30 April, 1790, c. 9, s. 9, v. 1, p. 114. U. S. v. Baker, 5 Blatch., 6.

Piracy by subjects or citizens of a foreign state. SEC. 5374. Every subject or citizen of any foreign state, who is found and taken on the sea making war upon the United States, or cruising against the vessels and property thereof, or of the citizens of the same, contrary to the provisions of any treaty existing between the United States and the state of which offender is a citizen or subject, when by such treaty such acts are declared to be piracy, is guilty of piracy, and shall suffer death.

Piracy in confining or detaining negroes on board vessels. SEC. 5375. Every person who, being of the crew or ship's company of any foreign vessel engaged in the slave-trade, or being of the crew or ship's company of any vessel owned wholly or in part, or navigated for or in behalf of any citizen, forcibly confines or detains on board such vessel any negro or mulatto, with intent to make such negro or mulatto a slave, or, on board such vessel, offers or attempts to sell, as a slave, any negro or mulatto, or on the high seas, or anywhere on tide-water, transfers or delivers to any other vessel any negro or mulatto with intent to make such negro or mulatto a slave, or lands or delivers on shore from on board such vessel any negro or mulatto with intent to make sale of, or having previously sold such negro or mulatto as a slave, is a pirate, and shall suffer death. [See §§ 5325, 5531-5560.]

Piracy in landing, seizing, &c., negroes, on any foreign shore. SEC. 5376. Every person who, being of the crew or ship's company of any foreign vessel engaged in the slave-trade, or being of the crew or ship's company of any vessel, owned in whole or part, or navigated for, or in behalf of, any citizen, lands from such vessel, and, on any foreign shore, seizes any negro or mulatto with intent to make such negro

Ibid., s. 4, p. 600.

or mulatto a slave, or decoys, or forcibly brings, or carries, or receives such negro or mulatto on board such vessel, with like intent, is a pirate, and shall suffer death.

SEC. 5377. Every person who brings within the jurisdiction of the United States, in any manner whatsoever, any negro, mulatto, or person of color, from any foreign kingdom or country, or from sea, or holds, sells, or otherwise disposes of, any negro, mulatto, or person of color, so brought in, as a slave, or to be held to service or labor, shall be fined not more than ten thousand dollars nor less than one thousand, one-half to the use of the United States, and the other half to the use of the party who prosecutes the indictment to effect, and, moreover, shall suffer imprisonment at hard labor not more than seven years, nor less than three years.

SEC. 5378. Every person who builds, fits out, equips, loads, or otherwise prepares, or sends away, either as master, factor, or owner, any vessel, in any port or place within the jurisdiction of the United States, or causes such vessel to sail from any port or place whatsoever, within such jurisdiction, for the purpose of procuring any negro, mulatto, or person of color from any foreign kingdom or country, to be transported to any port or place whatsoever, to be held, sold, or otherwise disposed of as a slave, or held to service or labor, shall be punished by a fine of not less than one thousand dollars, nor more than five thousand dollars, one-half to the use of the United States and the other half to the use of the person prosecuting the indictment to effect, and shall, moreover, be imprisoned at hard labor for a term not more than seven years, nor less than three years. [See §§ 5551, 5552.]

SEC. 5379. Every citizen or other person resident within the jurisdiction of the United States, who takes on board, receives, or transports from any foreign kingdom or country, or from sea, any negro, mulatto, or person of color, in any vessel, for the purpose of holding, selling, or otherwise disposing of such person as a slave, or to be held to service or labor, shall be punished as prescribed in the preceding section.

[See §§ 5524, 5553, 5554, 5556.]

SEC. 5380. Every captain, master, or commander of any American vessel found in any river, port, bay, harbor, or on the high seas, within the jurisdictional limits of the United States, or hovering on the coast hereof, having on board any negro, mulatto, or person of color for the purpose of selling them as slaves, or with intent to land the same for any such purpose, shall be fined not more than ten thousand dollars, and be imprisoned at hard labor not less than two years, nor more than four years. [See § 5556.]

SEC. 5381. Every citizen of the United States, or other person residing therein, who voluntarily serves on board of any American vessel employed or made use of in the transportation of slaves from any foreign country or place to another, shall be punished by a fine of not more than two thousand dollars, and by imprisonment not more than two years. [See § 5556.]

SEC. 5382. Every citizen of the United States who voluntarily serves on board of any foreign vessel employed in the slave-trade, shall be punished as prescribed in the preceding section. [See § 1046.]

SEC. 5383. Every captain, other officer, or mariner, of a vessel on the high seas, or on any other waters within the admiralty and maritime jurisdiction of the United States, who piratically or feloniously runs away with such vessel, or with any goods or merchandise thereof, to the value of fifty dollars, or who yields up such vessel voluntarily to any pirate, shall be fined not more than ten thousand dollars, or imprisoned at hard labor not more than ten years, or both.

Gallis., 247; U. S. v. Ross, 1 Gallis., 624; U. S. v. Kessler, 1 Baldw.; U. S. v. Haskell, 4 Wash., 402.

SEC. 5384. If any person attempts or endeavors to corrupt any commander, master, officer, or mariner to yield up or to run away with any

Bringing into United States or holding or selling persons as slaves.

20 April, 1818, c. 91, s. 6, v. 3, p. 452.

Equipping vessels for slave-trade.

Ibid., s. 3, p. 451.

Transporting persons to be held as slaves.

Ibid., s. 4.

Hovering on coast of United States with slaves on board.

2 Mar., 1807, c. 22, s. 7, v. 2, p. 428.

Serving in vessels engaged in transporting slaves.

10 May, 1800, c. 51, s. 2, v. 2, p. 70.

Serving in foreign vessels employed in the slave-trade.

Ibid., s. 3, p. 71.

Running away with or yielding up vessel or cargo.

8 Aug., 1846, c. 98, s. 5, v. 9, p. 73.

30 April, 1790, c. 9, s. 8, v. 1, p. 113.

U. S. v. Tully, 1

Confederating, &c., with pirates.

30 April, 1790, c.
9, s. 12, v. 1, p. 115.

vessel, or with any goods, wares, or merchandise, or to turn pirate, or to go over to or confederate with pirates, or in any wise to trade with any pirate, knowing him to be such, or furnishes such pirate with any ammunition, stores, or provisions of any kind, or fits out any vessel knowingly and with a design to trade with, supply, or correspond with any pirate or robber upon the seas; or if any person consults, combines, confederates, or corresponds with any pirate or robber upon the seas, knowing him to be guilty of any piracy or robbery; or if any seaman confines the master of any vessel, he shall be imprisoned not more than three years, and fined not more than one thousand dollars.

Arson of dwelling-house within a fort, &c.

3 Mar., 1825, c.
65, s. 1, v. 4, p. 115.

SEC. 5385. Every person who, within any fort, dock-yard, navy-yard, arsenal, armory, or magazine, the site whereof is under the jurisdiction of the United States, or on the site of any light-house, or other needful building belonging to the United States, the site whereof is under their jurisdiction, willfully and maliciously burns any dwelling-house, or mansion-house, or any store, barn, stable, or other building, parcel of any dwelling or mansion-house, shall suffer death.

Arson of armory, arsenal, &c.

Ibid., s. 2.

SEC. 5386. Every person who, in any of the places mentioned in the preceding section, maliciously sets fire to, or burns, any arsenal, armory, magazine, rope-walk, ship-house, warehouse, block-house, or barrack, or any store-house, barn, or stable, not parcel of a dwelling-house, or any other building not mentioned in such section, or any vessel built, or begun to be built, or repairing, or any light-house, or beacon, or any timber, cables, rigging, or other materials for building, repairing, or fitting out vessels, or any pile of wood, boards, or other lumber, or any military, naval, or victualing stores, arms, or other munitions of war, shall be punished by a fine of not more than five thousand dollars, and by imprisonment at hard labor not more than ten years.

Arson of vessel of war.

Ibid., s. 11, p. 117.

SEC. 5387. Every person who maliciously sets on fire, or burns, or otherwise destroys, any vessel of war of the United States, afloat on the high seas, or in any arm of the sea, or in any river, haven, creek, basin, or bay within the admiralty jurisdiction of the United States, and out of the jurisdiction of any particular State, shall suffer death.

Depredations on timber lands.

3 Mar., 1859, c.
78, v. 11, p. 408.

SEC. 5388. Every person who unlawfully cuts, or aids or is employed in unlawfully cutting, or wantonly destroys, or procures to be wantonly destroyed, any timber standing upon lands of the United States, which, in pursuance of law, may be reserved or purchased for military or other purposes, shall pay a fine of not more than five hundred dollars, and be imprisoned not more than twelve months. [See §§ 2460-2463.]

Circulation of obscene literature.

3 Mar., 1873, c.
258, s. 1, v. 17, p. 598.

SEC. 5389. Every person who, within the District of Columbia or any of the Territories of the United States, or other place within the exclusive jurisdiction of the United States, sells, or lends, or gives away, or in any manner exhibits, or offers to sell, or to lend, or to give away, or in any manner to exhibit, or otherwise publishes or offers to publish in any manner, or has in his possession, for any such purpose, any obscene book, pamphlet, paper, writing, advertisement, circular, print, picture, drawing, or other representation, figure, or image on or of paper or other material, or any cast, instrument, or other articles of an immoral nature, or any drug or medicine, or any article whatever, for the prevention of conception, or for causing unlawful abortion, or who advertises the same for sale, or writes or prints, or causes to be written or printed, any card, circular, book, pamphlet, advertisement, or notice of any kind, stating when, where, how, or of whom, or by what means, any of the articles in this section hereinbefore mentioned can be purchased or obtained, or manufactures, draws, or prints, or in any wise makes any of such articles, shall be imprisoned at hard labor in the penitentiary for not less than six months nor more than five years for each offense, or fined not less than one hundred dollars nor more than two thousand dollars, with costs of court. [See §§ 1785, 2491, 2492, 3893.]

Misprision of felony.

30 April, 1790, c.
9, s. 6, v. 1, p. 113.

SEC. 5390. Every person who, having knowledge of the actual commission of the crime of murder or other felony upon the high seas, or within any fort, arsenal, dock-yard, magazine, or other place or district of country under the exclusive jurisdiction of the United States, con-

ceals, and does not as soon as may be disclose and make known the same to some one of the judges or other persons in civil or military authority under the United States, is guilty of misprision of felony, and shall be imprisoned not more than three years, and fined not more than five hundred dollars.

SEC. 5391. If any offense be committed in any place which has been or may hereafter be, ceded to and under the jurisdiction of the United States, which offense is not prohibited, or the punishment thereof is not specially provided for, by any law of the United States, such offense shall be liable to, and receive, the same punishment as the laws of the State in which such place is situated, now in force, provide for the like offense when committed within the jurisdiction of such State; and no subsequent repeal of any such State law shall affect any prosecution for such offense in any court of the United States.

Certain offenses committed in places ceded to United States, how punished.

3 Mar., 1825, c. 65, s. 3, v. 4, p. 115.
5 April, 1866, c. 24, s. 2, v. 14, p. 13.

CHAPTER FOUR.

CRIMES AGAINST JUSTICE.

Sec.

5392. Perjury.

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5394. Stealing or altering process, procuring false bail, &c.

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5412. Deposit of fraudulent papers in archives.

SEC. 5392. Every person who, having taken an oath before a competent tribunal, officer, or person, in any case in which a law of the United States authorizes an oath to be administered, that he will testify, declare, depose, or certify truly, or that any written testimony, declaration, deposition, or certificate by him subscribed is true, willfully and contrary to such oath states or subscribes any material matter which he does not believe to be true, is guilty of perjury, and shall be punished by a fine of not more than two thousand dollars, and by imprisonment, at hard labor, not more than five years; and shall, moreover, thereafter be incapable of giving testimony in any court of the United States until such time as the judgment against him is reversed. [See § 1750.]

4 Dall., 372; U. S. v. Bailey, 9 Pet., 238; U. S. v. Wood, 14 Pet., 430; U. S. v. Nickersen, 17 How., 204; U. S. v. Clark, 1 Gallis., 497; U. S. v. Kendrick, 2 Mas., 60.

SEC. 5393. Every person who procures another to commit any perjury is guilty of subornation of perjury, and punishable as in the preceding section prescribed. [See § 1750.]

9, s. 18, v. 1, p. 116. 3 Mar., 1825, c. 65, s. 13, v. 4, p. 118.

SEC. 5394. Every person who feloniously steals, takes away, alters, falsifies, or otherwise avoids any record, writ, process, or other proceeding, in any court of the United States, by means whereof any judgment is reversed, made void, or does not take effect, and every person who acknowledges, or procures to be acknowledged, in any such court, any recognizance, bail, or judgment, in the name of any other person not privy or consenting to the same, shall be fined not more than five thousand dollars or be imprisoned at hard labor not more than seven years; but this provision shall not extend to the acknowledgment of any judgment by an attorney, duly admitted for any person against whom any such judgment is had or given.

Perjury.

3 April, 1790, c. 9, s. 18, v. 1, p. 116.
3 Mar., 1825, c. 65, s. 13, v. 4, p. 118.
13 Mar., 1874, c. 55, s. 18, p. 22.
3 Mar., 1875, c. 145, v. 18, pp. 479, 480.
12 July, 1876, c. 180, s. 10, v. 19, p. 86.

U. S. v. Passmore,

Subornation of perjury.

30 April, 1790, c. 9, s. 15, v. 1, p. 115.
22 June, 1874, c. 391, s. 19, v. 18, p. 190.

Stealing or altering process, procuring false bail, &c.

30 April, 1790, c. 9, s. 15, v. 1, p. 115.
22 June, 1874, c. 391, s. 19, v. 18, p. 190.

Taking false oath in naturalization.

14 July, 1870, c. 254, s. 1, v. 16, p. 254.

Form of indictment for perjury.

30 April, 1790, c. 9, s. 19, v. 1, p. 116.

Indictment for subornation of perjury.

Ibid., s. 20.

Obstructing process or assaulting officer.

Ibid., s. 22, p. 117.

U. S. v. Lowry, 2 Wash., 169; *U. S. v. Lukins*, 3 Wash., 335; *U. S. v. Slaymaker*, 4 Wash., 169; *U. S. v. Tinklepaugh*, 3 Blatch., 25; *U. S. v. Stowell*, 2 Curt. C., 153; *U. S. v. Keen*, 5 Mas., 453.

Intimidation or corruption of witnesses or officers.

2 Mar., 1831, c. 99, s. 2, v. 4, p. 488.

Ex parte Robinson, 19 Wall., 505.

Rescue at executions.

30 April, 1790, c. 9, s. 23, v. 1, p. 117.

Rescue of prisoners.

Ibid.

Rescue of body after execution.

Ibid., s. 5, p. 113.

Destroying, &c., public records.

26 Feb., 1853, c. 81, s. 4, v. 10, p. 170.

SEC. 5395. In all cases where any oath or affidavit is made or taken under or by virtue of any law relating to the naturalization of aliens, or in any proceedings under such laws, any person taking or making such oath or affidavit who knowingly swears falsely, shall be punished by imprisonment not more than five years, nor less than one year, and by a fine of not more than one thousand dollars. [See §§ 2165-2174.]

SEC. 5396. In every presentment or indictment prosecuted against any person for perjury, it shall be sufficient to set forth the substance of the offense charged upon the defendant, and by what court, and before whom the oath was taken, averring such court or person to have competent authority to administer the same, together with the proper averment to falsify the matter wherein the perjury is assigned, without setting forth the bill, answer, information, indictment, declaration, or any part of any record or proceeding, either in law or equity, or any affidavit, deposition, or certificate, other than as hereinbefore stated, and without setting forth the commission or authority of the court or person before whom the perjury was committed.

SEC. 5397. In every presentment or indictment for subornation of perjury, it shall be sufficient to set forth the substance of the offense charged upon the defendant, without setting forth the bill, answer, information, indictment, declaration, or any part of any record or proceeding either in law or equity, or any affidavit, deposition, or certificate, and without setting forth the commission or authority of the court or person before whom the perjury was committed, or was agreed or promised to be committed.

SEC. 5398. Every person who knowingly and willfully obstructs, resists, or opposes any officer of the United States in serving, or attempting to serve or execute, any mesne process or warrant, or any rule or order of any court of the United States, or any other legal or judicial writ or process, or assaults, beats, or wounds any officer or other person duly authorized in serving or executing any writ, rule, order, process, or warrant, shall be imprisoned not more than twelve months, and fined not more than three hundred dollars.

SEC. 5399. Every person who corruptly, or by threats or force, endeavors to influence, intimidate, or impede any witness, or officer in any court of the United States, in the discharge of his duty, or corruptly, or by threats or force, obstructs or impedes, or endeavors to obstruct or impede, the due administration of justice therein, shall be punished by a fine of not more than five hundred dollars, or by imprisonment not more than three months, or both.

SEC. 5400. Every person who, by force, sets at liberty or rescues any person found guilty of any capital crime, while going to execution or during execution, shall suffer death.

SEC. 5401. Every person who, by force, sets at liberty or rescues any person who, before conviction, stands committed, for any capital crime against the United States, or who by force sets at liberty or rescues any person committed for or convicted of any offense other than capital, shall be fined not more than five hundred dollars, and imprisoned not more than one year.

SEC. 5402. Every person who, after execution, by force rescues or attempts to rescue the dead body of any offender out of the custody of the marshal or his officers during the conveyance of such body to any place for dissection, as provided in section fifty-three hundred and forty, or by force rescues or attempts to rescue such body from the house of any surgeon, where the same has been deposited in pursuance of that section, shall be liable to a fine of not more than one hundred dollars, and an imprisonment not more than twelve months.

SEC. 5403. Every person who willfully destroys or attempts to destroy, or, with intent to steal or destroy, takes and carries away any record, paper, or proceeding of a court of justice, filed or deposited with any clerk or officer of such court, or any paper, or document, or record filed

or deposited in any public office, or with any judicial or public officer, shall, without reference to the value of the record, paper, document, or proceeding so taken, pay a fine of not more than two thousand dollars, or suffer imprisonment, at hard labor, not more than three year, or both. [See §§ 5408, 5411, 5412.]

SEC. 5404. Every person who, corruptly, or by threats or force, or by threatening letters, or any threatening communications, endeavors to influence, intimidate, or impede any grand or petit juror of any court of the United States in the discharge of his duty, or who corruptly, or by threats or force, or by threatening letters, or any threatening communications, influences, obstructs, or impedes, or endeavors to influence, obstruct, or impede, the due administration of justice therein, shall be punishable by a fine of not more than one thousand dollars, or by imprisonment not more than one year, or by both such fine and imprisonment.

Corruption or intimidation of jurors, &c.

10 June, 1872, c. 420, v. 17, p. 378.

SEC. 5405. Every person who attempts to influence the action or decision of any grand or petit juror upon any issue or matter pending before such juror, or before the jury of which he is a member, or pertaining to his duties, by writing or sending to him any letter or any communication, in print or writing, in relation to such issue or matter, without the order previously obtained of the court before which the juror is summoned, shall be punishable by a fine of not more than one thousand dollars, or by imprisonment not more than six months, or by both such fine and imprisonment.

Attempt to influence juror.

Ibid.

SEC. 5406. If two or more persons in any State or Territory conspire to deter, by force, intimidation, or threat, any party or witness in any court of the United States from attending such court, or from testifying to any matter pending therein, freely, fully, and truthfully, or to injure such party or witness in his person or property on account of his having so attended or testified, or to influence the verdict, presentment, or indictment of any grand or petit juror in any such court, or to injure such juror in his person or property on account of any verdict, presentment, or indictment lawfully assented to by him, or of his being or having been such juror, each of such persons shall be punished by a fine of not less than five hundred nor more than five thousand dollars, or by imprisonment, with or without hard labor, not less than six months nor more than six years, or by both such fine and imprisonment. [See §§ 1980, 1981.]

Conspiring to intimidate party, witness, or juror.

20 April, 1871, c. 22, s. 2, v. 17, p. 13.

SEC. 5407. If two or more persons in any State or Territory conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws, each of such persons shall be punished by a fine of not less than five hundred nor more than five thousand dollars, or by imprisonment, with or without hard labor, not less than six months nor more than six years, or by both such fine and imprisonment. [See §§ 1977-1991, 2004-2010, 5506-5510.]

Conspiracy to defeat enforcement of the laws.

Ibid.

SEC. 5408. Every officer, having the custody of any record, document, paper, or proceeding specified in section fifty-four hundred and three, who fraudulently takes away, or withdraws, or destroys any such record, document, paper, or proceeding filed in his office or deposited with him or in his custody, shall pay a fine of not more than two thousand dollars, or suffer imprisonment at hard labor not more than three years, or both; and shall, moreover, forfeit his office and be forever afterward disqualified from holding any office under the Government of the United States.

Destroying records by officer in charge.

26 Feb., 1853, c. 81, s. 5, v. 10, p. 170.

SEC. 5409. Whenever any marshal, deputy marshal, ministerial officer, or other person, has in his custody any prisoner by virtue of process issued under the laws of the United States by any court judge, or commissioner, and such marshal, deputy marshal, ministerial officer, or other person, voluntarily suffers such prisoner to escape, he shall be fined not more than two thousand dollars, or imprisoned for a term not more than two years, or both.

Allowing prisoners to escape.

21 June, 1860, c. 164, v. 12, p. 69.

Application of preceding section.

Ibid.

Altering, &c., records in surveyor-general's office in California.

18 May, 1858, c. 39, s. 3, v. 11, p. 290.

Deposit of fraudulent papers in archives.

Ibid., s. 4.

SEC. 5410. The preceding section shall be construed to apply not only to cases in which the prisoner who escaped was charged or found guilty of an offense against the laws of the United States, but also to cases in which a prisoner may be in custody charged with offenses against any foreign government with which the United States have treaties of extradition.

SEC. 5411. Every person who, without lawful authority, willfully takes from the archives of the surveyor-general's office in California, any expediente, map, diseño, book, paper, writing, record, document, seal, stamp, or die; or willfully alters, defaces, mutilates, injures, or destroys any expediente, book, paper, map, diseño, instrument of writing, document, record, seal, stamp, or die, deposited in such archives; or conceals or unlawfully withholds from the possession of the surveyor-general, or on demand refuses to deliver to him any expediente, map, diseño, official book, paper, writing, document, archive, record, seal, stamp, or die relating to or used in the administration of government in the department of Upper California, and belonging to the government during the existence of Spanish or Mexican authority in that department; or who willfully alters, defaces, mutilates, makes away with, or destroys any such official book, expediente, map, diseño, paper, writing, document, archive, record, seal, stamp, or die, shall pay a fine of not more than ten thousand dollars, and be imprisoned for a term not more than ten years. [See §§ 2471-2473.]

SEC. 5412. Every person who secretly or fraudulently places, or causes to be placed, in or among the archives of the surveyor-general's office in California, any expediente, book, paper, diseño, map, draught, record, or any instrument of writing purporting to be a petition, decree, order, report, concession, grant, confirmation, map, diseño, expediente or part of an expediente, denouncement, title-paper, or evidence of right, title, or claim to any land, mine, or mineral, or any book, writing, paper, or document whatever, shall pay a fine of not more than five thousand dollars, or be imprisoned for a term not more than three years; or be both fined and imprisoned within such limits. [See §§ 2471-2473.]

CHAPTER FIVE.

CRIMES AGAINST THE OPERATIONS OF THE GOVERNMENT.

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FORGERIES, FRAUDS, ETC.

SEC. 5413. The words "obligation or other security of the United States" shall be held to mean all bonds, certificates of indebtedness, national [bank] currency, coupons, United States notes, Treasury notes, fractional notes, certificates of deposit, bills, checks, or drafts for money, drawn by or upon authorized officers of the United States, stamps and other representatives of value, of whatever denomination, which have been or may [be] issued under any act of Congress.

Obligations or other securities of the United States defined.

30 June, 1864, c. 172, s. 13, v. 13, p. 222.

18 Feb., 1875, c. 80, v. 18, p. 320.

3 Mar., 1875, c. 145, v. 18, pp. 479, 480. 27 Feb., 1877, c. 69, v. 19, p. 253.

SEC. 5414. Every person who, with intent to defraud, falsely makes, forges, counterfeits, or alters any obligation or security of the United States shall be punished by a fine of not more than five thousand dollars and by imprisonment at hard labor not more than fifteen years.

Forging or counterfeiting United States securities.

30 June, 1864, c. 172, s. 10, v. 13, p. 221.

SEC. 5415. Every person who falsely makes, forges, or counterfeits, or causes or procures to be made, forged, or counterfeited, or willingly aids or assists in falsely making, forging, or counterfeiting, any note in imitation of, or purporting to be in imitation of, the circulating notes issued by any banking association now or hereafter authorized and acting under the laws of the United States; or who passes, utters, or publishes, or attempts to pass, utter, or publish, any false, forged, or counterfeited note, purporting to be issued by any such association doing a banking business, knowing the same to be falsely made, forged, or counterfeited, or who falsely alters, or causes or procures to be falsely altered, or willingly aids or assists in falsely altering any such circulating notes, or passes, utters, or publishes, or attempts to pass, utter, or publish as true, any falsely altered or spurious circulating note issued, or purporting to have been issued, by any such banking association, knowing the same to be falsely altered or spurious, shall be imprisoned at hard labor not less than five years nor more than fifteen years, and fined not more than one thousand dollars.

Counterfeiting national-bank notes.

25 Feb., 1863, c. 58, s. 57, v. 12, p. 680.

3 June, 1864, c. 106, s. 59, v. 13, p. 117.

SEC. 5416. Every person who falsely makes, forges, counterfeits, or alters any letters-patent granted, or purporting to have been granted by the President of the United States; or who passes, utters, or publishes, or attempts to pass, utter, or publish as genuine, any such forged, counterfeited, or falsely altered letters-patent, knowing the same to be forged, counterfeited, or falsely altered, shall be punished by a fine of not more than five thousand dollars, and by imprisonment at hard labor not more than ten years.

Forgery of letters-patent.

3 Mar., 1825, c. 65, s. 17, v. 4, p. 119.

Forgery of certificate of entry.

1 Mar., 1823, c. 21, s. 24, v. 3, p. 737.

Forging, &c., bid, public record, &c.

5 April, 1866, c. 24, s. 1, v. 14, p. 12.

U. S. v. Lawrence, 13 Blatch., 211.

Forging signature of judge, &c.

2 Mar., 1867, c. 176, s. 46, v. 14, p. 539.

Forging, counterfeiting, or passing military bounty-land warrants.

5 Feb., 1859, c. 23, v. 11, p. 381.

Forging deed, power of attorney, &c.

3 Mar., 1823, c. 38, s. 1, v. 3, p. 771.

U. S. v. Moore, 2 Low., 232.

SEC. 5417. Every person who forges, counterfeits, or falsely alters any certificate of entry made or required to be made in pursuance of law by any officer of the customs, or who uses such forged, counterfeited, or falsely altered certificate, knowing the same to be forged, counterfeited, or falsely altered, shall be punished by a fine of not more than ten thousand dollars and by imprisonment at hard labor not more than three years.

SEC. 5418. Every person who falsely makes, alters, forges, or counterfeits any bid, proposal, guarantee, official bond, public record, affidavit, or other writing, for the purpose of defrauding the United States, or utters or publishes as true any such false, forged, altered, or counterfeited bid, proposal, guarantee, official bond, public record, affidavit, or other writing, for such purpose, knowing the same to be false, forged, altered, or counterfeited, or transmits to or presents at the office of any officer of the United States any such false, forged, altered, or counterfeited bid, proposal, guarantee, official bond, public record, affidavit, or other writing, knowing the same to be false, forged, altered, or counterfeited, for such purpose, shall be imprisoned at hard labor for a period not more than ten years, or be fined not more than one thousand dollars, or be punished by both such fine and imprisonment. [See § 5479.]

SEC. 5419. Every person who forges the signature of any judge, register, or other officer of any court of the United States, or of any Territory thereof, or forges or counterfeits the seal of any such court, or knowingly concurs in using any such forged or counterfeit signature or seal, for the purpose of authenticating any proceeding or document, or tenders in evidence any such proceeding or document with a false or counterfeit signature of any such judge, register, or other officer, or a false or counterfeit seal of the court, subscribed or attached thereto, knowing such signature or seal to be false or counterfeit, shall be fined not less than five hundred dollars and not more than five thousand dollars, and be imprisoned not more than five years.

SEC. 5420. Every person who falsely makes, alters, forges, or counterfeits any military bounty-land warrant, or military bounty-land warrant certificate, issued or purporting to have been issued by the Commissioner of Pensions under any act of Congress, or any certificate of location of any military bounty-land warrant, or any duplicate thereof, or military bounty-land warrant certificate upon any of the lands of the United States, or any certificate of the purchase of any of the lands of the United States, or any duplicate certificate of the purchase of any of the lands of the United States, or any receipt for the purchase-money of any of the lands of the United States, or any duplicate receipt for the purchase-money of any lands of the United States, issued or purporting to have been issued by the register and receiver at any land-office of the United States, or by either of them, or who passes, utters, or publishes as true any false, forged, or counterfeited military bounty-land warrant, military bounty-land warrant certificate, certificate of location, or duplicate certificate of location, certificate of purchase, duplicate certificate of purchase, receipt or duplicate receipt, for the purchase-money of any of the lands of the United States, knowing the same to be false or forged, shall be imprisoned at hard labor not less than three years nor more than ten years.

SEC. 5421. Every person who falsely makes, alters, forges, or counterfeits; or causes or procures to be falsely made, altered, forged, or counterfeited; or willingly aids or assists in the false making, altering, forging, or counterfeiting, any deed, power of attorney, order, certificate, receipt, or other writing, for the purpose of obtaining or receiving, or of enabling any other person, either directly or indirectly, to obtain or receive from the United States, or any of their officers or agents, any sum of money; or who utters or publishes as true, or causes to be uttered or published as true, any such false, forged, altered, or counterfeited deed, power of attorney, order, certificate, receipt, or other writing, with intent to defraud the United States, knowing the same to be false, altered, forged, or counterfeited; or who transmits to, or presents at, or causes

or procures to be transmitted to, or presented at, any office or officer of the Government of the United States, any deed, power of attorney, order, certificate, receipt, or other writing, in support of, or in relation to, any account or claim, with intent to defraud the United States, knowing the same to be false, altered, forged, or counterfeited, shall be imprisoned at hard labor for a period of not less than one year nor more than ten years; or shall be imprisoned not more than five years, and fined not more than one thousand dollars.

SEC. 5422. Every person who, knowingly and with intent to defraud the United States, has in his possession any false, altered, forged, or counterfeited deed, power of attorney, order, certificate, receipt, or other writing, for the purpose of enabling another to obtain from the United States, or any of their officers or agents, any sum of money, shall be fined and imprisoned at the discretion of the court.

SEC. 5423. If any person falsely makes, forges, counterfeits, or alters any instrument in imitation of, or purporting to be, an abstract or official copy, or certificate of the recording, registry, or enrollment of any vessel, in the office of any collector of the customs, or a license to any vessel, for carrying on the coasting trade, or fisheries of the United States, or a certificate of ownership, pass, passport, sea-letter, or clearance, granted for any vessel, under the authority of the United States, or a permit, debenture, or other official document, granted by any collector or other officer of the customs, by virtue of his office; or passes, utters, or publishes, or attempts to pass, utter, or publish, as true, any such false, forged, counterfeited, or falsely altered instrument, abstract, official copy, certificate, license, pass, passport, sea-letter, clearance, permit, debenture, or other official document herein specified, knowing the same to be false, forged, counterfeited, or falsely altered, with an intent to defraud, he shall be punished by a fine of not more than one thousand dollars and by imprisonment at hard labor not more than three years. [See § 4191.]

SEC. 5424. Every person applying to be admitted a citizen, or appearing as a witness for any such person, who knowingly personates any other person than himself, or falsely appears in the name of a deceased person, or in an assumed or fictitious name, or falsely makes, forges, or counterfeits any oath, notice, affidavit, certificate, order, record, signature, or other instrument, paper, or proceeding required or authorized by any law relating to or providing for the naturalization of aliens; or who utters, sells, disposes of, or uses as true or genuine, or for any unlawful purpose, any false, forged, ante-dated, or counterfeit oath, notice, certificate, order, record, signature, instrument, paper, or proceeding above specified; or sells or disposes of to any person other than the person for whom it was originally issued any certificate of citizenship, or certificate showing any person to be admitted a citizen, shall be punished by imprisonment at hard labor not less than one year, nor more than five years, or by a fine of not less than three hundred nor more than one thousand dollars, or by both such fine and imprisonment.

SEC. 5425. Every person who uses, or attempts to use, or aids, or assists, or participates in the use of any certificate of citizenship, knowing the same to be forged, or counterfeit, or ante-dated, or knowing the same to have been procured by fraud or otherwise unlawfully obtained; or who, without lawful excuse, knowingly is possessed of any false, forged, ante-dated, or counterfeit certificate of citizenship, purporting to have been issued under the provisions of any law of the United States relating to naturalization, knowing such certificate to be false, forged, ante-dated, or counterfeit, with intent unlawfully to use the same; or obtains, accepts, or receives any certificate of citizenship known to such person to have been procured by fraud or by the use of any false name, or by means of any false statement made with intent to procure, or to aid in procuring, the issue of such certificate, or known to such person to be fraudulently altered or ante-dated; and every person who has been or may be admitted to be a citizen who, on oath or by affidavit, knowingly denies that he has been so admitted, with intent to evade or avoid any duty or liability

Having forged papers in possession.

Ibid., s. 2, p. 772.

Forging or altering ship's papers or custom-house documents.

3 Mar., 1825, c. 65, s. 19, v. 4, p. 120.

False personation, &c., in procuring naturalization.

14 July, 1870, c. 254, s. 2, v. 16, p. 254.

U. S. v. Tynen, 11 Wall., 88.

Using false certificate of citizenship, &c.

Ibid.

U. S. v. Tynen, 11 Wall., 88.

imposed or required by law, shall be imprisoned at hard labor not less than one year nor more than five years, or be fined not less than three hundred dollars nor more than one thousand dollars, or both such punishments may be imposed.

Using false certificate, &c., as evidence of a right to vote.

Ibid.

Aiding or abetting violation of preceding sections.

Ibid.

Falsely claiming citizenship.

Ibid., s. 3, p. 255.

Provisions applicable to all courts of naturalization.

Ibid., s. 4.

Using plates to print notes without authority, &c.

30 June, 1864, c. 172, s. 11, v. 13, p. 221.

Ex parte Holcomb, 2 Dill., 392.

SEC. 5426. Every person who in any manner uses for the purpose of registering as a voter, or as evidence of a right to vote, or otherwise, unlawfully, any order, certificate of citizenship, or certificate, judgment, or exemplification, showing any person to be admitted to be a citizen, whether heretofore or hereafter issued or made, knowing that such order or certificate, judgment, or exemplification has been unlawfully issued or made; and every person who unlawfully uses, or attempts to use, any such order or certificate, issued to or in the name of any other person, or in a fictitious name, or the name of a deceased person, shall be punished by imprisonment at hard labor not less than one year nor more than five years, or by a fine of not less than three hundred nor more than one thousand dollars, or by both such fine and imprisonment.

SEC. 5427. Every person who knowingly and intentionally aids or abets any person in the commission of any felony denounced in the three preceding sections, or attempts to do any act therein made felony, or counsels, advises, or procures, or attempts to procure, the commission thereof, shall be punished in the same manner and to the same extent as the principal party.

SEC. 5428. Every person who knowingly uses any certificate of naturalization heretofore granted by any court or hereafter granted, which has been or may be procured through fraud or by false evidence, or has been or may be issued by the clerk, or any other officer of the court without any appearance and hearing of the applicant in court and without lawful authority; and every person who falsely represents himself to be a citizen of the United States, without having been duly admitted to citizenship, for any fraudulent purpose whatever, shall be punishable by a fine of not more than one thousand dollars, or be imprisoned not more than two years, or both.

SEC. 5429. The provisions of the five preceding sections shall apply to all proceedings had or taken, or attempted to be had or taken, before any court in which any proceeding for naturalization may be commenced or attempted to be commenced. [See §§ 2165-2174.]

SEC. 5430. Every person having control, custody, or possession of any plate, or any part thereof, from which has been printed, or which may be prepared by direction of the Secretary of the Treasury for the purpose of printing, any obligation or other security of the United States, who uses such plate, or knowingly suffers the same to be used for the purpose of printing any such or similar obligation, or other security, or any part thereof, except as may be printed for the use of the United States by order of the proper officer thereof; and every person who engraves, or causes or procures to be engraved, or assists in engraving, any plate in the likeness of any plate designed for the printing of such obligation or other security, or who sells any such plate, or who brings into the United States from any foreign place any such plate, except under the direction of the Secretary of the Treasury or other proper officer, or with any other intent, in either case, than that such plate be used for the printing of the obligations or other securities of the United States; or who has in his control, custody, or possession any metallic plate engraved after the similitude of any plate from which any such obligation or other security has been printed, with intent to use such plate, or suffer the same to be used in forging or counterfeiting any such obligation or other security, or any part thereof; or who has in his possession or custody, except under authority from the Secretary of the Treasury or other proper officer, any obligation or other security, engraved and printed after the similitude of any obligation or other security issued under the authority of the United States, with intent to sell or otherwise use the same; and every person who prints, photographs, or in any other manner makes or executes, or causes to be printed, photographed, made, or executed, or aids in printing, photographing, mak-

ing, or executing any engraving, photograph, print, or impression in the likeness of any such obligation or other security, or any part thereof, or who sells any such engraving, photograph, print, or impression, except to the United States, or who brings into the United States from any foreign place any such engraving, photograph, print, or impression, except by direction of some proper officer of the United States, or who has or retains in his control or possession, after a distinctive paper has been adopted by the Secretary of the Treasury for the obligations and other securities of the United States, any similar paper adapted to the making of any such obligation or other security, except under the authority of the Secretary of the Treasury or some other proper officer of the United States, shall be punished by a fine of not more than five thousand dollars, or by imprisonment at hard labor not more than fifteen years, or by both.

SEC. 5431. Every person who, with intent to defraud, passes, utters, publishes, or sells, or attempts to pass, utter, publish, or sell, or brings into the United States with intent to pass, publish, utter, or sell, or keeps in possession or conceals with like intent any falsely made, forged, counterfeited, or altered obligation, or other security of the United States, shall be punished by a fine of not more than five thousand dollars, and by imprisonment at hard labor not more than fifteen years.

SEC. 5432. Every person who, without authority from the United States, takes, procures, or makes, 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, 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 obligation or other security of the United States, now authorized or hereafter to be authorized by the United States, or circulating note or evidence of debt of any banking association under the laws thereof, shall be punished by imprisonment at hard labor not more than ten years, or by a fine of not more than five thousand dollars, or both.

SEC. 5433. Every person who, with intent to defraud, has 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 of the purposes mentioned in the preceding section; or who, with intent to defraud, sells, gives, or delivers any such imprint, stamp, or impression to any other person, shall be punished by imprisonment at hard labor not more than ten years, or by a fine of not more than five thousand dollars.

SEC. 5434. Every person who buys, sells, exchanges, transfers, receives, or delivers, any false, forged, counterfeited, or altered obligation or other security of the United States, or circulating note of any banking association organized or acting under the laws thereof, which has been or may hereafter be issued by virtue of any act of Congress, with the intent that the same be passed, published, or used as true and genuine, shall be imprisoned at hard labor not more than ten years, or fined not more than five thousand dollars, or both.

SEC. 5435. Every person who falsely personates any true and lawful holder of any share or sum in the public stocks or debt of the United States, or any person entitled to any annuity, dividend, pension, prize-money, wages, or other debt due from the United States, and, under color of such false personation, transfers or endeavors to transfer such public stock or any part thereof, or receives or endeavors to receive the money of such true and lawful holder thereof, or the money of any person really entitled to receive such annuity, dividend, pension, prize-money, wages, or other debt, shall be punished by a fine of not more than five thousand dollars, and by imprisonment at hard labor not more than ten years.

Passing, selling, concealing, &c., forged obligations.

Ibid., s. 10.

Taking impressions of tools, implements, &c.

5 Feb., 1867, c. 26, s. 4, v. 14, p. 383.

Having in possession unlawfully such impressions.

Ibid., s. 5, p. 384.

Buying, selling, or dealing in forged bonds, notes, &c.

Ibid., s. 1, p. 383.

False personation of holder of public stocks.

3 Mar., 1825, c. 65, s. 18, v. 4, p. 120.

False demand on
fraudulent power
of attorney.

Ibid.

Circulating bills
of expired corpora-
tions.

7 July, 1838, c.
185, s. 1, v. 5, p. 297.

Making or pre-
sented false
claims.

2 Mar., 1863, c.
67, ss. 1, 3, v. 12, pp.
696, 698.

SEC. 5436. Every person who knowingly or fraudulently demands or endeavors to obtain any share or sum in the public stocks of the United States, or to have any part thereof transferred, assigned, sold, or conveyed, or to have any annuity, dividend, pension, prize-money, wages, or other debt due from the United States, or any part thereof, received or paid by virtue of any false, forged, or counterfeited power of attorney, authority, or instrument, shall be punished by a fine of not more than five thousand dollars, and by imprisonment at hard labor not more than ten years.

SEC. 5437. In all cases where the charter of any corporation which has been or may be created by act of Congress has expired or may hereafter expire, if any director, officer, or agent of the corporation, or any trustee thereof, or any agent of such trustee, or any person having in his possession or under his control the property of the corporation for the purpose of paying or redeeming its notes and obligations, knowingly issues, re-issues, or utters as money, or in any other way knowingly puts in circulation any bill, note, check, draft, or other security purporting to have been made by any such corporation whose charter has expired, or by any officer thereof, or purporting to have been made under authority derived therefrom, or if any person knowingly aids in any such act, he shall be punished by a fine of not more than ten thousand dollars, or by imprisonment not less than one year nor more than five years, or by both such fine and imprisonment. But nothing herein shall be construed to make it unlawful for any person, not being such director, officer, or agent of the corporation, or any trustee thereof, or any agent of such trustee, or any person having in his possession or under his control the property of the corporation for the purpose hereinafter set forth, who has received or may hereafter receive such bill, note, check, draft, or other security, bona fide and in the ordinary transactions of business, to utter as money or otherwise circulate the same.

SEC. 5438. Every person who makes or causes to be made, or presents or causes to be presented, for payment or approval, to or by any person or officer in the civil, military, or naval service of the United States, any claim upon or against the Government of the United States, or any department or officer thereof, knowing such claim to be false, fictitious, or fraudulent, or who, for the purpose of obtaining or aiding to obtain the payment or approval of such claim, makes, uses, or causes to be made or used, any false bill, receipt, voucher, roll, account, claim, certificate, affidavit, or deposition, knowing the same to contain any fraudulent or fictitious statement or entry, or who enters into any agreement, combination, or conspiracy to defraud the Government of the United States, or any department or officer thereof, by obtaining or aiding to obtain the payment or allowance of any false or fraudulent claim, or who, having charge, possession, custody, or control of any money or other public property used or to be used in the military or naval service, who, with intent to defraud the United States or willfully to conceal such money or other property, delivers or causes to be delivered, to any other person having authority to receive the same, any amount of such money or other property less than that for which he received a certificate or took a receipt, and every person authorized to make or deliver any certificate, voucher, receipt, or other paper certifying the receipt of arms, ammunition, provisions, clothing, or other property so used or to be used, who makes or delivers the same to any other person without a full knowledge of the truth of the facts stated therein, and with intent to defraud the United States, and every person who knowingly purchases or receives in pledge for any obligation or indebtedness from any soldier, officer, sailor, or other person called into or employed in the military or naval service any arms, equipments, ammunition, clothes, military stores, or other public property, such soldier, sailor, officer, or other person not having the lawful right to pledge or sell the same, every person so offending in any of the matters set forth in this section shall be imprisoned at hard labor for not less than one nor more than

five years, or fined not less than one thousand nor more than five thousand dollars. [See § 3490, 3491.]

Embezzling arms, stores, &c.

SEC. 5439. Every person who steals or embezzles, or knowingly applies to his own use, or who unlawfully sells, conveys, or disposes of, any ordnance, arms, ammunition, clothing, subsistence stores, money, or other property of the United States, furnished or to be used for the military or naval service, shall be punished as prescribed in the preceding section.

Ibid.

SEC. 5440. If two or more persons conspire either to commit any offense against the United States, or to defraud the United States in any manner or for any purpose, and one or more of such parties do any act to effect the object of the conspiracy, all the parties to such conspiracy shall be liable to a penalty of not less than one thousand dollars and not more than ten thousand dollars, and to imprisonment not more than two years.

All parties to a conspiracy equally guilty.

2 Mar., 1867, c. 169, s. 30, v. 14, p. 484.

U. S. v. Boyden et al., 1 Low., 266; U. S. v. Hammond,

U. S. v. Donan, 11 Blatch., 168; U. S. v. Fehrenback, 2 Woods, 175; 2 Woods, 197.

SEC. 5441. Every person who willfully does any act or aids or advises in the doing of any act relating to the bringing in, custody, preservation, sale, or other disposition of any property captured as prize, or relating to any documents or papers connected with the property, or to any deposition or other document or paper connected with the proceedings, with intent to defraud, delay, or injure the United States or any captor or claimant of such property, shall be punished by a fine of not more than ten thousand dollars, or by imprisonment not more than five years, or both. [See §§ 4613-4652.]

Delaying or defrauding captor or claimant, &c., of prize-property.

30 June, 1864, c. 174, s. 31, v. 13, p. 315.

SEC. 5442. Every consul, vice-consul, commercial agent, or vice-commercial agent, who knowingly and falsely certifies to any invoice, or other papers to which his certificate is by law authorized or required, shall be punished by a fine of not more than ten thousand dollars, and by imprisonment for a term not more than three years. [See §§ 1715, 1717.]

False certification by consular officers.

3 Mar., 1835, c. 33, v. 4, p. 773.

SEC. 5443. Every person who willfully conceals or destroys any invoice, book, or paper relating to any merchandise liable to duty, which has been or may be imported into the United States from any foreign port or country, after an inspection thereof has been demanded by the collector of any collection-district, or at any time conceals or destroys any such invoice, book, or paper for the purpose of suppressing any evidence of fraud therein contained, shall be punished by a fine of not more than five thousand dollars, or by imprisonment not more than two years, or both.

Concealment or destruction of invoices, &c.

3 Mar., 1863, c. 76, s. 8, v. 12, p. 740.

SEC. 5444. Every officer of the revenue who, by any means whatever, knowingly admits or aids in admitting to entry any goods, wares, or merchandise, upon payment of less than the amount of duty legally due thereon, shall be removed from office, and shall be fined not more than five thousand dollars, or be imprisoned not more than two years.

Admitting merchandise to entry for less than legal duty.

Ibid., s. 4, p. 739.

U. S. v. One thousand two hundred and ninety-one Bales Tobacco, 2 Low., 107.

SEC. 5445. Every person who, by any means whatever, knowingly effects, or aids in effecting any entry of any goods, wares, or merchandise at less than the true weight or measure thereof, or upon a false classification thereof as to quality or value, or by the payment of less than the amount of duty legally due thereon, shall be fined not more than five thousand dollars, or be imprisoned not more than two years, or both.

Entry by false samples, &c.

Ibid., s. 3.

U. S. v. Lawrence, 13 Blatch., 211; U. S. v. Bettilini, 1 Woods, 654.

SEC. 5446. Every person who dispossesses or rescues, or attempts to dispossess or rescue, any property taken or detained, by any officer or other person under the authority of any revenue law of the United States, or aids or assists therein, shall be imprisoned not more than twelve months, and fined not more than three hundred dollars. [See § 934.]

Taking seized property from custody of revenue officer.

30 April, 1790, c. 9, s. 22, p. 117.

13 July, 1866, c. 184, s. 67, p. 171.

SEC. 5447. Every person who forcibly assaults, resists, opposes, prevents, impedes, or interferes with any officer of the customs, or his

Resisting revenue officers rescu-

ing or destroying
seized property,
&c.

18 July, 1866, c.
201, s. 6, v. 14, p.
179.

U. S. v. Rines-
koff, 6 Biss., 259.

Falsely assuming
to be a revenue of-
ficer.

2 Mar., 1867, c.
169, s. 28, v. 14, p.
484.

Bribery of a
judge.

30 April, 1790, c.
9, s. 21, v. 1, p. 117.

Bribery of mem-
ber of Congress.

26 Feb., 1853, c.
81, s. 6, v. 10, p. 171.

Clark & Fulton's
Case, 12 C. Cls., 597.

Bribery of any
United States offi-
cers.

Ibid.
3 Mar., 1833, c.
76, s. 6, v. 12, p. 740.
13 July, 1866, c.
184, s. 62, v. 14, p.
168.

18 July, 1866, c.
201, s. 35, v. 14, p.
186.

U. S. v. Worrall,
2 Dall., 388.

Offering presents
to revenue officers.

deputy, or any person assisting him, in the execution of his duties, or any person authorized to make searches or seizures, in the execution of his duty, or who rescues or attempts to rescue, or causes to be rescued, any property which has been seized by any person so authorized, or who, before, at, or after such seizure, in order to prevent the seizure or securing of any goods, wares, or merchandise by any person so authorized, staves, breaks, throws overboard, destroys, or removes the same, shall be fined not less than one hundred dollars nor more than two thousand dollars, or be imprisoned not less than one month nor more than one year, or both; and every person who discharges any deadly weapon at any person authorized to make searches or seizures, or uses any deadly or dangerous weapon in resisting him in the execution of his duty, with intent to commit a bodily injury upon him, or to deter or prevent him from discharging his duty, shall be imprisoned at hard labor for a term not more than ten years or less than one year.

SEC. 5448. Every person who falsely represents himself to be a revenue officer, and, in such assumed character, demands or receives any money or other article of value from any person for any duty or tax due to the United States, or for any violation or pretended violation of any revenue law of the United States, shall be deemed guilty of a felony, and shall be fined five hundred dollars, and imprisoned not less than six months and not more than two years.

SEC. 5449. Every person who, directly or indirectly, gives any sum of money, or other bribe, present, or reward, or any promise, contract, obligation, or security for the payment or delivery of any money, present, or reward, or any other thing of value, to obtain or procure the opinion, judgment, or decree of any judge of the United States, in any suit, controversy, matter, or cause depending before him, shall be fined and imprisoned at the discretion of the court, and shall forever be disqualified to hold any office of honor, trust, or profit under the United States. [See § 5499.]

SEC. 5450. Every person who promises, offers, gives, or causes or procures to be promised, offered, or given, any money or other thing of value, or makes or tenders any contract, undertaking, obligation, gratuity, or security for the payment of money, or for the delivery or conveyance of any thing of value, to any member of either House of Congress, either before or after such member has been qualified or has taken his seat, with intent to influence his vote or decision on any question, matter, cause, or proceeding which may be at any time pending in either House of Congress, or before any committee thereof, shall be fined not more than three times the amount of money or value of the thing so offered, promised, given, made, or tendered, or caused or procured to be so offered, promised, given, made, or tendered, and shall be, moreover, imprisoned not more than three years. [See § 5500.]

SEC. 5451. Every person who promises, offers, or gives, or causes or procures to be promised, offered, or given, any money or other thing of value, or makes or tenders any contract, undertaking, obligation, gratuity, or security for the payment of money, or for the delivery or conveyance of anything of value, to any officer of the United States, or to any person acting for or on behalf of the United States in any official function, under or by authority of any department or office of the Government thereof, or to any officer or person acting for or on behalf of either House of Congress, or of any committee of either House, or both Houses thereof, with intent to influence his decision or action on any question, matter, cause, or proceeding which may at any time be pending, or which may by law be brought before him in his official capacity, or in his place of trust or profit, or with intent to influence him to commit or aid in committing, or to collude in, or allow, any fraud, or make opportunity for the commission of any fraud, on the United States, or to induce him to do or omit to do any act in violation of his lawful duty, shall be punished as prescribed in the preceding section. [See § 5501.]

SEC. 5452. Every person engaged in the importation of goods, wares, or merchandise into the United States, or interested, as principal [,] clerk,

or agent, in the entry of any goods, wares, or merchandise, who at any time makes, or offers to make, to any officer of the revenue, any gratuity or present of any money, or other thing of value, shall be fined not more than five thousand dollars or be imprisoned not more than two years.

SEC. 5453. Every person who, without authority from the United States, secretes within, embezzles or takes and carries 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 or hereafter authorized by law to be printed, stamped, sealed, prepared, issued, uttered, or put in circulation on behalf of the United States, or who, without such authority, so secretes, embezzles, or takes and carries away any paper, parchment, or other material prepared and intended to be used in the making of any such papers, instruments, obligations, devices, or documents, or who, without such authority, so secretes, embezzles, or takes and carries away any paper, parchment, or other material printed or stamped, in whole or part, and intended to be prepared, issued, or put in circulation on behalf of the United States as one of the papers, instruments, or obligations hereinbefore named, or printed or stamped, in whole or part, in the similitude of any such paper, instrument, or obligation, whether intended to issue or put the same in circulation or not, shall be punished by imprisonment, at hard labor, not more than ten years, or by a fine of not more than five thousand dollars, or both.

SEC. 5454. Every person who takes and carries 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 who presents or uses or attempts 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, shall be imprisoned at hard labor not more than ten years, or fined not more than five thousand dollars.

SEC. 5455. Every person who entices or procures, or attempts or endeavors to entice or procure, any soldier in the military service of the United States, or who has been recruited for such service, to desert therefrom, or who aids any such soldier in deserting or attempting to desert from such service, or who harbors, conceals, protects, or assists any such soldier who may have deserted from such service, knowing him to have deserted therefrom, or who refuses to give up and deliver such soldier on the demand of any officer authorized to receive him, shall be punished by imprisonment not less than six months nor more than two years, and by a fine not exceeding five hundred dollars; and every person who entices or procures, or attempts or endeavors to entice or procure, any seaman [or other person] in the naval service of the United States, or who has been recruited for such service, to desert therefrom, or who aids any such seaman [or other person] in deserting or in attempting to desert from such service, or who harbors, conceals, protects, or assists any such seaman [or other person] who may have deserted from such service, know-

3 Mar., 1863, c. 76, s. 6, v. 12, p. 740.
18 Feb., 1875, c. 80, v. 18, p. 320.

Secreting or removing tools or material used for printing bonds, notes, stamps, &c.

5 Feb., 1867, c. 26, s. 6, v. 14, p. 384.

Unlawfully taking or using papers relating to claims.

Ibid., s. 7.

Enticing desertions from the military or naval service.

3 Mar., 1863, c. 75, s. 24, v. 12, p. 735.

1 July, 1864, c. 204, v. 13, p. 343.

27 Feb., 1877, c. 69, v. 19, p. 253.

ing him to have deserted therefrom, or who refuses to give up and deliver such sailor [or other person] on the demand of any officer authorized to receive him, shall be punished by imprisonment not less than six months nor more than three years, and by a fine of not more than two thousand dollars, [to be enforced in any court of the United States having jurisdiction.]

Robbery or larceny of personal property of the United States.

2 Mar., 1867, c. 193, v. 14, p. 557.

SEC. 5456. Every person who robs another of any kind or description of personal property belonging to the United States, or feloniously takes and carries away the same, shall be punished by a fine of not more than five thousand dollars, or by imprisonment at hard labor not less than one nor more than ten years, or by both such fine and imprisonment.

COUNTERFEITING COIN.

Counterfeiting gold or silver coin.

12 Feb., 1873, c. 131, s. 61, v. 17, p. 434.

16 Jan., 1877, c. 24, v. 19, p. 223.

U. S. v. Gardner, 10 Pet., 618; U. S. v. Marigold, 9 How., 560; U. S. v. King, 5 McLean, 208; U. S. v. Burns, 5 McLean, 23; U. S. v. Morrow, 4 Wash., 733.

SEC. 5457. [*Every person who falsely makes, forges, or counterfeits, or causes, or procures to be falsely made, forged, or counterfeited, or willingly aids, or assists in falsely making, forging, or counterfeiting any coin or bars in resemblance or similitude of the gold or silver coins or bars which have been, or hereafter may be, coined or stamped at the mints and assay-offices of the United States, or in resemblance or similitude of any foreign gold or silver coin which by law is, or hereafter may be made, current in the United States, or are in actual use and circulation as money within the United States, or who passes, utters, publishes, or sells, or attempts to pass, utter, publish, or sell, or bring into the United States from any foreign place, or has in his possession, any such false, forged, or counterfeited coin or bars, knowing the same to be false, forged, or counterfeited, shall be punished by a fine of not more than five thousand dollars, and by imprisonment at hard labor not more than ten years.*]

[Every person who falsely makes, forges, or counterfeits, or causes or procures to be falsely made, forged, or counterfeited, or willingly aids or assists in falsely making, forging, or counterfeiting any coin or bars in resemblance or similitude of the gold or silver coins or bars which have been, or hereafter may be, coined or stamped at the mints and assay-offices of the United States, or in resemblance or similitude of any foreign gold or silver coin which by law is, or hereafter may be, current in the United States, or are in actual use and circulation as money within the United States, or who passes, utters, publishes, or sells, or attempts to pass, utter, publish, or sell, or bring into the United States from any foreign place, knowing the same to be false, forged, or counterfeit, with intent to defraud any body politic or corporate, or any other person or persons whatsoever, or has in his possession any such false, forged or counterfeited coin or bars, knowing the same to be false, forged or counterfeited, with intent to defraud any body politic or corporate, or any other person or persons whatsoever, shall be punished by a fine of not more than five thousand dollars, and by imprisonment at hard labor not more than ten years.]

Counterfeiting minor coins.

12 Feb., 1873, c. 131, s. 62, v. 17, p. 434.

SEC. 5458. Every person who falsely makes, forges, or counterfeits, or causes, or procures to be falsely made, forged, or counterfeited, or willingly aids, or assists in falsely making, forging, or counterfeiting, any coin in the resemblance of similitude of any of the minor coinage which has been, or hereafter may be, coined at the mints of the United States; or who passes, utters, publishes, or sells, or brings into the United States from any foreign place, or has in his possession, any such false, forged, or counterfeited coin, with intent to defraud any person whatsoever, shall be punished by a fine of not more than one thousand dollars and by imprisonment at hard labor not more than three years.

Mutilating coinage.

Ibid., s. 63.

SEC. 5459. Every person who fraudulently, by any art, way, or means, defaces, mutilates, impairs, diminishes, falsifies, scales, or lightens the gold and silver coins which have been, or which may hereafter be, coined at the mints of the United States, or any foreign gold or silver coins which are by law made current or are in actual use and circulation as money within the United States, shall be imprisoned not more than two years and fined not more than two thousand dollars.

Debasement of coinage, &c., by

SEC. 5460. If any of the gold or silver coins struck or coined at any of the mints of the United States shall be debased, or made worse as to

the proportion of fine gold or fine silver therein contained; or shall be of less weight or value than the same ought to be, pursuant to law; or if any of the weights used at any of the mints or assay-offices of the United States shall be defaced, increased, or diminished through the fault or connivance of any of the officers or persons who are employed at the said mints or assay-offices, with a fraudulent intent; and if any of the said officers or persons shall embezzle any of the metals at any time committed to their charge for the purpose of being coined, or any of the coins struck or coined at the said mints, or any medals, coins, or other moneys of said mints or assay-offices at any time committed to their charge, or of which they may have assumed the charge, every such officer or person who commits any or either of the said offenses shall be imprisoned at hard labor for a term not less than one year nor more than ten years, and shall be fined in a sum not more than ten thousand dollars.

SEC. 5461. Every person who, except as authorized by law, makes or causes to be made, or utters or passes, or attempts to utter or pass, any coins of gold or silver or other metal, or alloys of metals, intended for the use and purpose of current money, whether in the resemblance of coins of the United States or of foreign countries, or of original design, shall be punished by a fine of not more than three thousand dollars, or by imprisonment not more than five years, or both.

SEC. 5462. Every person not lawfully authorized, who makes, issues, or passes, or causes to be made, issued, or passed, any coin, card, token or device in metal or its compounds, which may be intended to be used as money for any one-cent, two-cent, three-cent, or five-cent piece, now or hereafter authorized by law, or for coins of equal value, shall be punished by a fine of not more than one thousand dollars, and by imprisonment not more than five years.

POSTAL CRIMES.

SEC. 5463. Any person who shall, with intent to defraud, falsely make, forge, counterfeit, engrave, or print, or cause or procure to be falsely made, forged, counterfeited, engraved, or printed, or willingly aid or assist in falsely making, forging, counterfeiting, engraving, or printing, any order in imitation of or purporting to be a money-order issued by the Post-Office Department, or any of its postmasters or agents, or any material signature or indorsement thereon; any person who shall falsely alter, or cause or procure to be altered, or willingly aid or assist in falsely altering any such money-order; any person who shall, with intent to defraud, pass, utter, or publish, or attempt to pass, utter, or publish, as true, any such false, forged, counterfeited, or altered money-order, knowing the same, or any signature or indorsement thereon, to be false, forged, counterfeited, or altered, shall be punishable by a fine of not more than five thousand dollars, or by imprisonment at hard labor for not less than two years and not more than five years.

SEC. 5464. Any person who shall forge or counterfeit any postage-stamp, or any stamp printed upon any stamped envelope, postal card, or any die, plate, or engraving therefor; any person who shall make, or print, or knowingly use or sell, or have in possession, with intent to use or sell, any such forged or counterfeited postage-stamp, stamped envelope, postal card, die, plate, or engraving; any person who shall make, or knowingly use or sell, or have in possession, with intent to use or sell, any paper bearing the water-mark of any stamped envelope, postal card, or any fraudulent imitation thereof; any person who shall make or print, or authorize or procure to be made or printed, any postage-stamp, stamped envelope, or postal card, of the kind authorized and provided by the Post-Office Department, without the special authority and direction of the Department; any person who shall, after such postage-stamp, stamped envelope, or postal card, have been printed, and with intent to defraud the postal revenue, deliver the same to any person not authorized by an instrument of writing, duly executed under the hand of the Postmaster-General and the seal of the Post-Office Department, to re-

officers of the mint.

Ibid., s. 64

Making or uttering coin in resemblance of money.

8 June, 1864, c. 114, v. 13, p. 120.

U. S. v. Bejandio, 1 Woods, 294.

Making or issuing devices of minor coins.

22 April, 1864, c. 66, ss. 2, 5, v. 13, p. 55.

16 May, 1866, c. 81, s. 4, v. 14, p. 47.

Forging postal money-orders.

8 June, 1872, c. 335, s. 116, v. 17, p. 298.

Counterfeiting postage-stamps, &c.

Ibid., s. 178, p. 305.

Counterfeiting,
&c., foreign
stamps.

Ibid., s. 179, p. 306.

Injuring mail-
matter.

Ibid., s. 278, p. 318.

Embezzlement,
&c., of letters con-
taining inclosures.

Ibid., s. 279.

U. S. v. Hardy-
man, 13 Pet., 176;
U. S. v. Nott, 1 Mc-
Lean, 499; U. S. v.
Martin, 2 McLean,
256; U. S. v. Whit-
aker, 6 McLean,
342; U. S. v. Em-
erson, 6 McLean,
406; U. S. v. Pat-
terson, 6 McLean,
466; U. S. v. San-
der, 6 McLean, 598;
U. S. v. Belew, 2
Brock., 280; U. S.
v. Golding, 2 Cr. C.
C., 212; U. S. v.
Clark, Crabbe, 584;
U. S. v. Okie, 5
Blatch., 516; U. S.
v. Randall, 1
Deady, 524; U. S.
v. Laws, 2 Low.,
115.

Meaning of words
“intended to be
conveyed by mail.”

Ibid., s. 280.

Stealing or fraud-
ulently obtaining
mail, opening val-
uable letters, &c.

Ibid., s. 281.

U. S. v. Parsons,
2 Blatch., 104; U.
S. v. Marselis, 2
Blatch., 108; U. S.
v. Cottingham, 2
Blatch., 470; U. S.
v. Foye, 1 Curt. C.
C., 164; U. S. v.

ceive them, shall be punished by a fine of not more than five hundred dollars, or by imprisonment at hard labor not more than five years, or by both such fine and imprisonment.

SEC. 5465. Any person who shall forge or counterfeit or knowingly utter or use any forged or counterfeited postage-stamp of any foreign government, shall be punished by imprisonment at hard labor of not less than two nor more than ten years.

SEC. 5466. Any person who shall willfully or maliciously injure, deface, or destroy any mail-matter deposited in any letter-box, pillar-box, or other receptacle established by authority of the Postmaster-General for the safe deposit of matter for the mail or for delivery, or who shall willfully aid or assist in injuring such mail-matter, shall be punishable by a fine of not more than five hundred dollars, or by imprisonment for not more than three years.

SEC. 5467. Any person employed in any department of the postal service who shall secrete, embezzle, or destroy any letter, packet, bag, or mail of letters intrusted to him, or which shall come into his possession, and which was intended to be conveyed by mail, or carried or delivered by any mail-carrier, mail-messenger, route-agent, letter-carrier, or other person employed in any department of the postal service, or forwarded through or delivered from any post-office or branch post-office established by authority of the Postmaster-General, and which shall contain any note, bond, draft, check, warrant, revenue stamp, postage-stamp, stamped envelope, postal card, money-order, certificate of stock, or other pecuniary obligation or security of the Government, or of any officer or fiscal agent thereof, of any description whatever; any bank-note, bank post-bill, bill of exchange, or note of assignment of stock in the funds; any letter of attorney for receiving annuities or dividends, selling stock in the funds, or collecting the interest thereof; any letter of credit, note, bond, warrant, draft, bill, promissory note, covenant, contract, or agreement whatsoever, for or relating to the payment of money, or the delivery of any article of value, or the performance of any act, matter, or thing; any receipt, release, acquittance, or discharge of or from any debt, covenant, or demand, or any part thereof; any copy of the record of any judgment or decree in any court of law or chancery or any execution which may have issued thereon; any copy of any other record, or any other article of value, or writing representing the same; any such person who shall steal or take any of the things aforesaid out of any letter, packet, bag, or mail of letters which shall have come into his possession, either in the regular course of his official duties or in any other manner whatever, and provided the same shall not have been delivered to the party to whom it is directed, shall be punishable by imprisonment at hard labor for not less than one year nor more than five years.

SEC. 5468. The fact that any letter, packet, bag, or mail of letters has been deposited in any post-office or branch post-office established by authority of the Postmaster-General, or in any other authorized depository for mail-matter, or in charge of any postmaster, assistant clerk, carrier, agent, or messenger employed in any department of the postal service, shall be evidence that the same was “intended to be conveyed by mail” within the meaning of the two preceding sections.

SEC. 5469. Any person who shall steal the mail, or steal or take from or out of any mail or post-office, branch post-office, or other authorized depository for mail-matter, any letter or packet; any person who shall take the mail, or any letter or packet therefrom, or from any post-office, branch post-office, or other authorized depository for mail-matter, with or without the consent of the person having custody thereof, and open, embezzle, or destroy any such mail, letter, or package which shall contain any note, bond, draft, check, warrant, revenue-stamp, postage-stamp, stamped envelope, money-order, certificate of stock, or other pecuniary obligation or security of the Government, or of any officer or fiscal agent thereof, of any description whatever; any bank-note, bank post-bill, bill of exchange, or note of assignment of stock in the funds; any letter of

attorney for receiving annuities or dividends, selling stock in the funds, or collecting the interest thereof; any letter of credit, note, bond, warrant, draft, bill, promissory note, covenant, contract, or agreement whatsoever, for or relating to the payment or the delivery of any article of value, or the performance of any act, matter, or thing; any receipt, release, acquittance, or discharge of or from any debt, covenant, or demand, or any part thereof; any copy of record of any judgment or decree in any court of law or chancery, or any execution which may have issued thereon; any copy of any other record, or any other article of value, or any writing representing the same; any person who shall, by fraud or deception, obtain, from any person having custody thereof, any such mail, letter, or packet containing any such article of value shall, although not employed in the postal service, be punishable by imprisonment at hard labor for not less than one year and not more than five years. [See § 5535.]

SEC. 5470. Any person who shall buy, receive, or conceal, or aid in buying, receiving, or concealing, any note, bond, draft, check, warrant, revenue-stamp, postage-stamp, stamped envelope, postal card, money-order, certificate of stock, or other pecuniary obligation or security of the Government, or of any officer or fiscal agent thereof, of any description whatever; any bank-note, bank post-bill, bill of exchange, or note of assignment of stock in the funds; any letter of attorney for receiving annuities or dividends, selling stock in the funds, or collecting the interest thereof; any letter of credit, note, bond, warrant, draft, bill, promissory note, covenant, contract, or agreement whatsoever, for or relating to the payment of money or the delivery of any article of value, or the performance of any act, matter, or thing; any receipt, release, acquittal, or discharge of or from any debt, covenant, or demand, or any part thereof; any copy of the record of any judgment or decree in any court of law or chancery, or any execution which may have issued thereon[;] any copy of any other record, or any other article of value or writing representing the same, knowing any such article or thing to have been stolen or embezzled from the mail, or out of any post-office, branch post-office, or other authorized depository for mail-matter, or from any person having custody thereof, shall be punishable by a fine of not more than two thousand dollars, and by imprisonment at hard labor for not more than five years.

SEC. 5471. Any person employed in any department of the postal service who shall improperly detain, delay, embezzle, or destroy any newspaper, or permit any other person to detain, delay, embezzle, or destroy the same, or open, or permit any other person to open, any mail or package of newspapers not directed to the office where he is employed, shall be punishable by a fine of not more than fifty dollars. And if any other person shall open, embezzle, or destroy any mail or package of newspapers not being directed to him, and he not being authorized to open or receive the same, he shall be punishable by a fine of not more than twenty dollars. And any person who shall take or steal any mail or package of newspapers from any post office, or from any person having custody thereof, shall be imprisoned at hard labor for not more than three months.

SEC. 5472. Any person who shall rob any carrier, agent, or other person intrusted with the mail, of such mail, or any part thereof, shall be punishable by imprisonment at hard labor for not less than five years and not more than ten years; and if convicted a second time of a like offense, or if, in effecting such robbery the first time, the robber shall wound the person having custody of the mail, or put his life in jeopardy by the use of dangerous weapons, such offender shall be punishable by imprisonment at hard labor for the term of his natural life. [See § 5534.]

SEC. 5473. Any person who shall attempt to rob the mail by assaulting the person having custody thereof, shooting at him or his horse, or threatening him with dangerous weapons, and shall not effect such robbery, shall be punishable by imprisonment at hard labor for not less than two years and not more than ten years.

Pond, 2 Curt. C. C., 265; U. S. v. Pearce, 2 McLean 14; U. S. v. Fisher, 5 McLean, 23; U. S. v. Sander, 6 McLean, 598; U. S. v. John T. Driscoll, 1 Low., 303.

Receiving articles stolen from the mail.

Ibid., s. 283, p. 319.

27 Feb., 1877, c. 69, r. 19, p. 253.

U. S. v. Hardyman, 13 Pet., 176.

Stealing, detaining, or destroying newspapers.

8 June, 1872, c. 335, s. 284, v. 17, p. 320.

Robbery of the mail.

Ibid., s. 285.

Attempting to rob the mail.

Ibid., s. 287.

Deserting the mail.

Ibid., s. 288.

SEC. 5474. Any person who shall have taken charge of the mail and shall voluntarily quit or desert the same before he has delivered it into the post-office at the termination of the route, or to some known mail-carrier, messenger, agent, or other employé of the Post-Office Department authorized to receive the same, shall be punishable by a fine of not more than five hundred dollars, and by imprisonment for not less than three months nor more than one year.

Stealing post-office property.

Ibid., s. 290.

SEC. 5475. Any person who shall steal, purloin, or embezzle any mail-bag or other property in use by or belonging to the Post-Office Department, or who shall, for any lucre, gain, or convenience, appropriate any such property to his own or any other than its proper use, or who shall, for any lucre or gain, convey away any such property to the hindrance or detriment of the public service; if the value of the property be twenty-five dollars or more, the offender shall be punishable by imprisonment at hard labor for not more than three years, and if the value of the property be less than twenty-five dollars, the offender shall be punishable by imprisonment for not more than one year, or by a fine of not less than ten dollars and not more than two hundred dollars.

Injuring mail-bags, &c.

Ibid., s. 291, p. 321.

SEC. 5476. Any person who shall tear, cut, or otherwise injure any mail-bag, pouch, or other thing used or designed for use in the conveyance of the mail, or who shall draw or break any staple, or loosen any part of any lock, chain, or strap attached thereto, with intent to rob or steal any such mail, or to render the same insecure, shall be punishable by a fine of not less than one hundred dollars and not more than five hundred, or by imprisonment at hard labor for not less than one year and not more than three years.

Stealing or forging mail locks or keys.

Ibid., s. 292.

SEC. 5477. Any person who shall steal, purloin, embezzle, or obtain by any false pretense, or shall aid or assist in stealing, purloining, embezzling, or obtaining by any false pretense, any key suited to any lock adopted by the Post-Office Department, and in use on any of the mails or bags thereof; any person who shall knowingly and unlawfully make, forge, or counterfeit, or cause to be unlawfully made, forged, or counterfeited, or knowingly aid or assist in making, forging, or counterfeiting, any such key; any person who shall have in his possession any such mail lock or key, with the intent unlawfully or improperly to use, sell, or otherwise dispose of the same, or to cause the same to be unlawfully or improperly used, sold, or otherwise disposed of; or any person engaged as contractor or otherwise in the manufacture of any such mail locks or keys who shall deliver, or cause to be delivered, any finished or unfinished lock or key used or designed for use by the Department, or the interior part of any such lock, to any person not duly authorized, under the hand of the Postmaster-General and the seal of the Post-Office Department, to receive the same, unless the person receiving is the contractor for furnishing the same, or engaged in the manufacture thereof in the manner authorized by the contract, or the agent for such manufacturer, shall be punishable by imprisonment at hard labor for not more than ten years.

Breaking and entering post-office.

Ibid., s. 293.

SEC. 5478. Any person who shall forcibly break into, or attempt to break into any post-office, or any building used in whole or in part as a post-office, with intent to commit therein larceny or other depredation, shall be punishable by a fine of not more than one thousand dollars, and by imprisonment at hard labor for not more than five years.

Counterfeiting bid, bond, &c.

Ibid., s. 294.
27 Feb., 1877, c. 69, v. 19, p. 253.

SEC. 5479. If any person shall falsely make, alter, forge, or counterfeit, or cause or procure to be falsely made, altered, forged, or counterfeited, or willingly aid, or assist in the false making, altering, forging, or counterfeiting, any bond, bid, proposal, guarantee, security, official bond, public record, affidavit, or other writing for the purpose of defrauding the United States; or shall utter or publish as true, or cause to be uttered or published as true, any such false, forged, altered, or counterfeited bond, bid, proposal, guarantee, security, official bond, public record, affidavit, or other writing, for the purpose of defrauding the United States, knowing the same to be false, forged, altered, or counterfeited; or shall transmit to, or present at, or cause [to] [or] procure to be transmitted to, or presented at, the office of any officer of the United States, any such false,

forged, altered, or counterfeited bond, bid, proposal, guarantee, security, official bond, public record, affidavit, or other writing, knowing the same to be false, forged, altered, or counterfeited, for the purpose of defrauding the United States, shall be punishable by a fine of not more than one thousand dollars, or by imprisonment at hard labor for not more than ten years, or by both such punishments. [See § 5418.]

SEC. 5480. If any person having devised or intending to devise any scheme or artifice to defraud, or be effected by either opening or intending to open correspondence or communication with any other person, whether resident within or outside of the United States, by means of the Post-Office Establishment of the United States, or by inciting such other person to open communication with the person so devising or intending, shall, in and for executing such scheme or artifice, or attempting so to do, place any letter or packet in any post-office of the United States, or take or receive any therefrom, such person, so misusing the Post-Office Establishment, shall be punishable by a fine of not more than five hundred dollars, and by imprisonment for not more than eighteen months, or by both such punishments. The indictment, information, or complaint may severally charge offenses to the number of three when committed within the same six calendar months; but the court thereupon shall give a single sentence, and shall proportion the punishment especially to the degree in which the abuse of the Post-Office Establishment enters as an instrument into such fraudulent scheme and device.

Sending letters through the mail with intent to defraud.

8 June, 1872, c. 335, s. 301, v. 17, p. 323.

CHAPTER SIX.

OFFICIAL MISCONDUCT, ETC.

Sec.	Sec.
5481. Officer of the United States guilty of extortion.	5492. Failure to deposit as required.
5482. Inspector of steamboats receiving illegal fees.	5493. Provisions of the five preceding sections, how applied.
5483. Receipting for larger sums than are paid.	5494. Record evidence of embezzlement.
5484. Extortion by internal-revenue informers.	5495. Prima-facie evidence.
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5486. Embezzlement of pension by guardian.	5497. Unlawfully receiving, &c., to be embezzlement.
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5488. Disbursing-officer unlawfully depositing, converting, loaning, or transferring public money.	5499. Judge accepting a bribe, &c.
5489. Failure of Treasurer, &c., to safely keep public money.	5500. Member of Congress accepting bribe, &c.
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5491. Failure of officers to render accounts, &c.	5502. Forfeiture of office.
	5503. Officer of the Government contracting beyond specific appropriation.
	5504. Officers of United States courts failing to deposit moneys, &c.
	5505. Receiving loan or deposit from officer of court.

SEC. 5481. Every officer of the United States who is guilty of extortion under color of his office shall be punished by a fine of not more than five hundred dollars, or by imprisonment not more than one year, except those officers or agents of the United States otherwise differently and specially provided for in subsequent sections of this chapter.

Officer of the United States guilty of extortion.

3 Mar., 1825, c. 65, s. 12, v. 4, p. 118.

3 Mar., 1875, c. 144, v. 18, p. 479.

3 Mar., 1875, c. 145, v. 18, p. 479, 480.

SEC. 5482. Every inspector of steamboats who, upon any pretense, receives any fee or reward for his services, except what is allowed to him by law, shall forfeit his office, and be otherwise punished by a fine of not more than five hundred dollars, or by imprisonment not more than six months, or by both. [See §§ 4399-4462.]

Inspector of steamboats receiving illegal fees.

30 Aug., 1852, c. 106, s. 37, v. 10, p. 74.

SEC. 5483. Every officer charged with the payment of any of the appropriations made by any act of Congress, who pays to any clerk, or other employé of the United States, a sum less than that provided by

Receipting for larger sums than are paid.

3 Mar., 1853, c. 104, s. 4, v. 10, p. 239.

Extortion by internal-revenue informers.

13 July, 1866, c. 184, s. 8, v. 14, p. 146.

Attorney for pensions demanding more than legal fee, &c.

3 Mar., 1873, c. 234, s. 31, v. 17, p. 575.

Embezzlement of pension by guardian.

Ibid.

Pension-agent taking fee, &c.

8 July, 1870, c. 225, s. 4, v. 16, p. 194.

Disbursing officer unlawfully depositing, converting, loaning, or transferring public money.

14 June, 1866, c. 122, s. 2, v. 14, p. 64.

Failure of Treasurer, &c., to safely keep public moneys.

3 Mar., 1857, c. 114, s. 2, v. 11, p. 249.

Custodians of public money failing to safely keep, without loaning, &c.

6 Aug., 1846, c. 90, s. 16, v. 9, p. 63.

law, and requires such employé to receipt or give a voucher for an amount greater than that actually paid to and received by him, is guilty of embezzlement, and shall be fined in double the amount so withheld from any employé of the Government, and shall be imprisoned at hard labor for the term of two years.

SEC. 5484. Every person who shall receive any money or other valuable thing under a threat of informing, or as a consideration for not informing against any violation of any internal-revenue law, shall, on conviction thereof, be punished by a fine not exceeding two thousand dollars, or by imprisonment not exceeding one year, or both, at the discretion of the court, with costs of prosecution.

SEC. 5485. Any agent or attorney, or any other person instrumental in prosecuting any claim for pension or bounty land, who shall directly or indirectly contract for, demand, or receive or retain any greater compensation for his services, or instrumentality in prosecuting a claim for pension or bounty land than is provided in the Title pertaining to pensions, or who shall wrongfully withhold from a pensioner or claimant the whole or any part of the pension or claim allowed and due such pensioner or claimant, or the land-warrant issued to any such claimant, shall be deemed guilty of a high misdemeanor, and, upon conviction thereof, shall for every such offense be fined not exceeding five hundred dollars, or imprisonment at hard labor not exceeding two years, or both, at the discretion of the court. [See §§ 4785, 4786.]

SEC. 5486. If any guardian having the charge and custody of the pension of his ward shall embezzle the same in violation of his trust, or fraudulently convert the same to his own use, he shall be punished by fine not exceeding two thousand dollars, or imprisonment at hard labor for a term not exceeding five years, or both, at the discretion of the court. [EIS 4783.]

SEC. 5487. Every pension-agent, or other person employed or appointed by him, who takes, receives, or demands any fee or reward from any pensioner for any service in connection with the payment of his pension, shall be fined not more than five hundred dollars. [See § 4784.]

SEC. 5488. Every disbursing officer of the United States who deposits any public money intrusted to him in any place or in any manner, except as authorized by law, or converts to his own use in any way whatever, or loans with or without interest, or for any purpose not prescribed by law withdraws from the Treasurer or any assistant treasurer, or any authorized depository, or for any purpose not prescribed by law transfers or applies any portion of the public money intrusted to him, is, in every such act, deemed guilty of an embezzlement of the money so deposited, converted, loaned, withdrawn, transferred, or applied; and shall be punished by imprisonment with hard labor for a term not less than one year nor more than ten years, or by a fine of not more than the amount embezzled or less than one thousand dollars, or by both such fine and imprisonment. [See §§ 3620, 5497.]

SEC. 5489. If the Treasurer of the United States, or any assistant treasurer, or any public depository, fails safely to keep all moneys deposited by any disbursing officer or disbursing agent, as well as all moneys deposited by any receiver, collector, or other person having moneys of the United States, he shall be deemed guilty of embezzlement of the moneys not so safely kept, and shall be imprisoned not less than six months nor more than ten years, and fined in a sum equal to the amount of money so embezzled. [See § 3630.]

SEC. 5490. Every officer or other person charged by any act of Congress with the safe-keeping of the public moneys, who fails to safely keep the same, without loaning, using, converting to his own use, depositing in banks, or exchanging for other funds than as specially allowed by law, shall be guilty of embezzlement of the money so loaned, used, converted, deposited, or exchanged; and shall be imprisoned not less than six months nor more than ten years, and fined in a sum equal to the amount of money so embezzled. [See § 3639.]

SEC. 5491. Every officer or agent of the United States who, having received public money which he is not authorized to retain as salary, pay, or emolument, fails to render his accounts for the same as provided by law, shall be deemed guilty of embezzlement, and shall be fined in a sum equal to the amount of the money embezzled, and shall be imprisoned not less than six months or more than ten years. [See §§ 3622, 3633.]

Failure of officer to render accounts, &c.

6 Aug., 1846, c. 90, s. 16, v. 9, p. 63.
17 July, 1862, c. 199, s. 1, v. 12, p. 15, v. 16, p. 334.

593. 2 Mar., 1867, Res. 48, v. 14, p. 571. 15 July, 1870, c. 295,

SEC. 5492. Every person who, having moneys of the United States in his hands or possession, fails to make deposit of the same with the Treasurer, or some assistant treasurer, or some public depositary of the United States, when required so to do by the Secretary of the Treasury, or the head of any other proper Department, or by the accounting officers of the Treasury, shall be deemed guilty of embezzlement thereof, and shall be imprisoned not less than six months nor more than ten years, and fined in a sum equal to the amount of money embezzled.

Failure to deposit as required.

6 Aug., 1846, c. 90, s. 16, v. 9, p. 63.
3 Mar., 1857, c. 114, s. 3, v. 11, p. 249.

SEC. 5493. The provisions of the five preceding sections shall be construed to apply to all persons charged with the safe-keeping, transfer, or disbursement of the public money, whether such persons be indicted as receivers or depositaries of the same. [See §§ 3615-3652.]

Provisions of the five preceding sections, how applied.

6 Aug., 1846, c. 90, s. 16, v. 9, p. 63.
8 Feb., 1875, c. 36, s. 23, v. 18, p. 312.

SEC. 5494. Upon the trial of any indictment against any person for embezzling public money under the provisions of the six preceding sections, it shall be sufficient evidence, for the purpose of showing a balance against such person, to produce a transcript from the books and proceedings of the Treasury, as required in civil cases, under the provisions for the settlement of accounts between the United States and receivers of public money. [See §§ 3625, 3633.]

Record evidence of embezzlement.

6 Aug., 1846, c. 90, s. 16, v. 9, p. 63.

SEC. 5495. The refusal of any person, whether in or out of office, charged with the safe-keeping, transfer, or disbursement of the public money, to pay any draft, order, or warrant, drawn upon him by the proper accounting officer of the Treasury, for any public money in his hands belonging to the United States, no matter in what capacity the same may have been received, or may be held, or to transfer or disburse any such money promptly, upon the legal requirement of any authorized officer, shall be deemed, upon the trial of any indictment against such person for embezzlement, as prima-facie evidence of such embezzlement. [See § 3644.]

Prima-facie evidence.

Ibid.

SEC. 5496. If any officer charged with the disbursement of the public moneys, accepts, receives, or transmits to the Treasury Department to be allowed in his favor, any receipt or voucher from a creditor of the United States, without having paid to such creditor in such funds as the officer received for disbursement, or in such funds as he may be authorized by law to take in exchange, the full amount specified in such receipt or voucher, every such act is an act of conversion, by such officer, to his own use, of the amount specified in such receipt or voucher. [See § 3652.]

Evidence of conversion.

Ibid.

SEC. 5497. Every banker, broker, or other person not an authorized depositary of public moneys, who knowingly receives from any disbursing officer, or collector of internal revenue, or other agent of the United States, any public money on deposit, or by way of loan or accommodation, with or without interest, or otherwise than in payment of a debt against the United States, or who uses, transfers, converts, appropriates, or applies any portion of the public money for any purpose not prescribed by law, and every president, cashier, teller, director, or other officer of any bank or banking association, who violates any of the provisions of this section, is guilty of an act of embezzlement of the public money so deposited, loaned, transferred, used, converted, appropriated, or applied, and shall be punished as prescribed in section fifty-four hundred and eighty-eight. [See §§ 3639, 3651.]

Unlawfully receiving, &c., to be embezzlement.

14 June, 1866, c. 122, s. 3, v. 14, p. 65.

SEC. 5498. Every officer of the United States, or person holding any place of trust or profit, or discharging any official function under, or in connection with, any Executive Department of the Government of the United States, or under the Senate or House of Representatives of the

Officers, &c., interested in claims.

26 Feb., 1853, c. 81, s. 2, v. 10, p. 170.

United States, who acts as an agent or attorney for prosecuting any claim against the United States, or in any manner, or by any means, otherwise than in discharge of his proper official duties, aids or assists in the prosecution or support of any such claim, or receives any gratuity, or any share of or interest in any claim from any claimant against the United States, with intent to aid or assist, or in consideration of having aided or assisted, in the prosecution of such claim, shall pay a fine of not more than five thousand dollars, or suffer imprisonment not more than one year, or both.

Judge accepting a bribe, &c.

30 April, 1790, c. 9, s. 21, v. 1, p. 117.

SEC. 5499. Every judge of the United States, who in anywise accepts or receives any sum of money, or other bribe, present, or reward, or any promise, contract, obligation, gift, or security for the payment of money, or the delivery or conveyance of anything of value, with the intent to be influenced thereby in any opinion, judgment, or decree in any suit, controversy, matter, or cause depending before him, shall be fined and imprisoned at the discretion of the court, and shall be forever disqualified to hold any office of honor, trust, or profit under the United States. [See § 5449.]

Member of Congress accepting bribe, &c.

26 Feb., 1853, c. 81, s. 6, v. 10, p. 171.

SEC. 5500. Any member of either House of Congress who asks, accepts, or receives any money, or any promise, contract, undertaking, obligation, gratuity, or security for the payment of money, or for the delivery or conveyance of anything of value, either, before or after he has been qualified or has taken his seat as such member, with intent to have his vote or decision on any question, matter, cause, or proceeding which may be at any time pending in either house, or before any committee thereof, influenced thereby, shall be punished by a fine not more than three times the amount asked, accepted, or received, and by imprisonment not more than three years. [See § 5450.]

United States officer accepting bribe, &c.

Ibid.
3 Mar., 1863, c. 76, s. 6, v. 12, p. 740.
13 July, 1866, c. 184, s. 62, v. 14, p. 168.

18 July, 1866, c. 201, s. 35, v. 14, p. 186.

3 Mar., 1875, c. 144, v. 18, p. 479.

SEC. 5501. Every officer of the United States, and every person acting for or on behalf of the United States, in any official capacity under or by virtue of the authority of any department or office of the Government thereof; and every officer or person acting for or on behalf of either House of Congress, or of any committee of either House, or of both Houses thereof, who asks, accepts, or receives any money, or any contract, promise, undertaking, obligation, gratuity, or security for the payment of money, or for the delivery or conveyance of anything of value, with intent to have his decision or action on any question, matter, cause, or proceeding which may, at any time, be pending, or which may be by law brought before him in his official capacity, or in his place of trust or profit, influenced thereby, shall be punished as prescribed in the preceding section. [See § 5451.]

Forfeiture of office.

26 Feb., 1853, c. 81, s. 6, v. 10, p. 171.

SEC. 5502. Every member, officer, or person, convicted under the provisions of the two preceding sections, who holds any place of profit or trust, shall forfeit his office or place; and shall thereafter be forever disqualified from holding any office of honor, trust, or profit under the United States.

Officer of the Government contracting beyond specific appropriation.

25 July, 1868, c. 233, s. 3, v. 15, p. 177.

SEC. 5503. Every officer of the Government who knowingly contracts for the erection, repair, or furnishing of any public building, or for any public improvement, to pay a larger amount than the specific sum appropriated for such purpose, shall be punished by imprisonment not less than six months nor more than two years, and shall pay a fine of two thousand dollars. [See § 3733.]

Officers of United States courts failing to deposit moneys, &c.

24 Mar., 1871, c. 2, ss. 1, 4, v. 17, pp. 1, 2.

18 Feb., 1875, c. 80, v. 18, p. 320.

SEC. 5504. Every clerk or other officer of a court of the United States, who fails forthwith to deposit any money belonging in the registry of the court, or hereafter paid into court or received by the officers thereof, with the Treasurer, [and] assistant treasurer, or [or] a designated depository of the United States, in the name and to the credit of such court, or who retains or converts to his own use or to the use of another any such money, is guilty of embezzlement, and shall be punished by fine not less than five hundred dollars, and not more than the amount embezzled, or by imprisonment not less than one year nor more than ten years, or by both such fine and imprisonment; but nothing herein shall be held to prevent

the delivery of any such money upon security, according to agreement, of parties under the direction of the court. [See §§ 3616, 3617.]

SEC. 5505. Every person who knowingly receives, from a clerk or other officer of a court of the United States, any money belonging in the registry of such court as a deposit, loan, or otherwise, is guilty of embezzlement, and shall be punished as prescribed in the preceding section.

Receiving loan
or deposit from offi-
cer of court.

24 Mar., 1871, c.
2, s. 5, v. 17, p. 2.

CHAPTER SEVEN.

CRIMES AGAINST THE ELECTIVE FRANCHISE AND CIVIL RIGHTS OF CITIZENS.

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| Sec. | Sec. |
| 5506. Preventing, &c., citizens from voting. | 5519. Conspiracy to deprive any person of the equal protection of the laws. |
| 5507. Intimidating voters by bribery or threats. | 5520. Conspiracy to prevent the support of any candidate, &c. |
| 5508. Conspiracy to injure or intimidate citizens in the exercise of civil rights. | 5521. Supervisor of election, &c., neglecting to discharge duties. |
| 5509. Other crimes committed while violating the preceding sections. | 5522. Interfering with supervisor of election, marshals, or deputies. |
| 5510. Depriving citizens of civil rights under color of State laws. | 5523. Obstructing verification of registration-lists, &c. |
| 5511. Fraudulent voting, &c., at elections for Representatives to Congress. | 5524. Receiving or carrying away any person to be sold or held as a slave. |
| 5512. Fraudulent registration, &c. | 5525. Kidnaping. |
| 5513. What deemed a registration under last section. | 5526. Holding or returning persons to peonage. |
| 5514. Voting or offering to vote in certain cases prima-facie evidence, &c. | 5527. Obstructing execution of laws prohibiting peonage. |
| 5515. Violation of duty by officers of election. | 5528. Unlawful presence of troops at elections. |
| 5516. Obstructing execution of process in civil-rights cases, &c. | 5529. Intimidation of voters by officers, &c., of Army or Navy. |
| 5517. Marshal refusing to receive or execute process. | 5530. Officers of Army or Navy prescribing qualifications of voters. |
| 5518. Conspiracy to prevent accepting or holding office under United States, &c. | 5531. Officers, &c., of Army or Navy interfering with officers of election, &c. |
| | 5532. Disqualification for holding office. |

SEC. 5506. Every person who, by any unlawful means, hinders, delays, prevents, or obstructs, or combines and confederates with others to hinder, delay, prevent, or obstruct, any citizen from doing any act required to be done to qualify him to vote, or from voting at any election in any State, Territory, district, county, city, parish, township, school-district, municipality, or other territorial subdivision, shall be fined not less than five hundred dollars, or be imprisoned not less than one month nor more than one year, or be punished by both such fine and imprisonment. [See §§ 2004-2010.]

Preventing, &c.,
citizens from vot-
ing.

31 May, 1870, c.
114, s. 4, v. 16, p. 141.
3 Mar., 1875, c.
145, v. 18, pp. 479,
480.

U. S. v. Reese, 92
U. S., 214; U. S. v.

Cruikshank et al., 92 U. S., 542; Seeley v. Koox, 2 Woods, 368.

SEC. 5507. Every person who prevents, hinders, controls, or intimidates another from exercising, or in exercising the right of suffrage, to whom that right is guaranteed by the fifteenth amendment to the Constitution of the United States, by means of bribery or threats of depriving such person of employment or occupation, or of ejecting such person from a rented house, lands, or other property, or by threats of refusing to renew leases or contracts for labor, or by threats of violence to himself or family, shall be punished as provided in the preceding section.

Intimidating
voters by bribery
or threats.

31 May, 1870, c.
116, s. 5, v. 16, p.
141.

Slaughter-house
Case, 1 Woods, 21.

SEC. 5508. If two or more persons conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or if two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured, they shall be fined not more than five thousand dollars and imprisoned not more than ten years; and shall, more-

Conspiracy to in-
jure or intimidate
citizens in the
exercise of civil
rights.

Ibid., s. 6.

U. S. v. Cruik-
shank et al., 1
Woods, 308.

Other crimes committed while violating the preceding sections.

Ibid., s. 7.

Depriving citizens of civil rights under color of State laws.

Ibid., s. 17, p. 144.

Fraudulent voting, &c., at elections for Representative to Congress.

Ibid., s. 19.

U. S. v. Souders, 2 Abb. C. C., 456.
U. S. v. Anthony, 11 Blatch., 200; *U. S. v. Hendric*, 2 Saw., 476 and 479; *U. S. v. O'Neill*, 2 Saw., 481; *U. S. v. Johnson*, 2 Saw., 482.

Fraudulent registration, &c.

28 Feb., 1871, c. 99, s. 1, v. 16, p. 433.
 31 May, 1870, c. 114, s. 20, v. 16, p. 145.

U. S. v. Quinn, 8 Blatch., 48; *U. S. v. Hirschfeld*, 13 Blatch., 330; *Harrison v. Hadley*, 2 Dill., 229.

over, be thereafter ineligible to any office, or place of honor, profit, or trust created by the Constitution or laws of the United States. [See § 5407.]

SEC. 5509. If in the act of violating any provision in either of the two preceding sections any other felony or misdemeanor be committed, the offender shall be punished for the same with such punishment as is attached to such felony or misdemeanor by the laws of the State in which the offense is committed.

SEC. 5510. Every person who, under color of any law, statute, ordinance, regulation, or custom, subjects, or causes to be subjected, any inhabitant of any State or Territory to the deprivation of any rights, privileges, or immunities, secured or protected by the Constitution and laws of the United States, or to different punishments, pains, or penalties, on account of such inhabitant being an alien, or by reason of his color or race, than are prescribed for the punishment of citizens, shall be punished by a fine of not more than one thousand dollars, or by imprisonment not more than one year, or by both. [See § 1979.]

SEC. 5511. If, at any election for Representative or Delegate in Congress, any person knowingly personates and votes, or attempts to vote, in the name of any other person, whether living, dead, or fictitious; or votes more than once at the same election for any candidate for the same office; or votes at a place where he may not be lawfully entitled to vote; or votes without having a lawful right to vote; or does any unlawful act to secure an opportunity to vote for himself, or any other person; or by force, threat, intimidation, bribery, reward, or offer thereof, unlawfully prevents any qualified voter of any State, or of any Territory, from freely exercising the right of suffrage, or by any such means induces any voter to refuse to exercise such right, or compels, or induces, by any such means, any officer of an election in any such State or Territory to receive a vote from a person not legally qualified or entitled to vote; or interferes in any manner with any officer of such election in the discharge of his duties; or by any such means, or other unlawful means, induces any officer of an election or officer whose duty it is to ascertain, announce, or declare the result of any such election, or give or make any certificate, document, or evidence in relation thereto, to violate or refuse to comply with his duty or any law regulating the same; or knowingly receives the vote of any person not entitled to vote, or refuses to receive the vote of any person entitled to vote, or aids, counsels, procures, or advises any such voter, person, or officer to do any act hereby made a crime, or omit to do any duty the omission of which is hereby made a crime, or attempt to do so, he shall be punished by a fine of not more than five hundred dollars, or by imprisonment not more than three years, or by both, and shall pay the costs of the prosecution.

SEC. 5512. If, at any registration of voters for an election for Representative or Delegate in the Congress of the United States, any person knowingly personates and registers, or attempts to register, in the name of any other person, whether living, dead, or fictitious, or fraudulently registers, or fraudulently attempts to register, not having a lawful right so to do; or does any unlawful act to secure registration for himself or any other person; or by force, threat, menace, intimidation, bribery, reward, or offer, or promise thereof, or other unlawful means, prevents or hinders any person having a lawful right to register from duly exercising such right; or compels or induces by any of such means, or other unlawful means, any officer of registration to admit to registration any person not legally entitled thereto, or interferes in any manner with any officer of registration in the discharge of his duties, or by any such means, or other unlawful means, induces any officer of registration to violate or refuse to comply with his duty or any law regulating the same; or if any such officer knowingly and willfully registers as a voter any person not entitled to be registered, or refuses to so register any person entitled to be registered; or if any such officer or other person who has any duty to perform in relation to such registration or election, in ascertaining, announcing, or declaring the result thereof, or in giving or making any certificate, document, or evidence in relation thereto, know-

ingly neglects or refuses to perform any duty required by law, or violates any duty imposed by law, or does any act unauthorized by law relating to or affecting such registration or election, or the result thereof, or any certificate, document, or evidence in relation thereto, or if any person aids, counsels, procures, or advises, any such voter, person, or officer to do any act hereby made a crime, or to omit any act the omission of which is hereby made a crime, every such person shall be punishable as prescribed in the preceding section.

SEC. 5513. Every registration made under the laws of any State or Territory, for any State or other election at which such Representative or Delegate in Congress may be chosen, shall be deemed to be a registration within the meaning of the preceding section, notwithstanding such registration is also made for the purposes of any State, territorial, or municipal election.

SEC. 5514. Whenever the laws of any State or Territory require that the name of a candidate or person to be voted for as Representative or Delegate in Congress shall be printed, written, or contained, on any ticket or ballot with the names of other candidates or persons to be voted for at the same election as State, territorial, municipal, or local officers, it shall be deemed sufficient prima-facie evidence to convict any person charged with voting, or offering to vote, unlawfully, under the provisions of this chapter, to prove that the person so charged cast or offered to cast such a ticket or ballot whereon the name of such Representative or Delegate might by law be printed, written, or contained, or that the person so charged committed any of the offenses denounced in this chapter with reference to such ticket or ballot.

SEC. 5515. Every officer of an election at which any Representative or Delegate in Congress is voted for, whether such officer of election be appointed or created by or under any law or authority of the United States, or by or under any State, territorial, district, or municipal law or authority, who neglects or refuses to perform any duty in regard to such election required of him by any law of the United States, or of any State or Territory thereof; or who violates any duty so imposed; or who knowingly does any acts thereby unauthorized, with intent to affect any such election, or the result thereof; or who fraudulently makes any false certificate of the result of such election in regard to such Representative or Delegate; or who withholds, conceals, or destroys any certificate of record so required by law respecting the election of any such Representative or Delegate; or who neglects or refuses to make and return such certificate as required by law; or who aids, counsels, procures, or advises any voter, person, or officer to do any act by this or any of the preceding sections made a crime, or to omit to do any duty the omission of which is by this or any of such sections made a crime, or attempts to do so, shall be punished as prescribed in section fifty-five hundred and [ten] [eleven.] [See § 5511.]

SEC. 5516. Every person who willfully obstructs, hinders, or prevents any officer or other person charged with the execution of any warrant or process issued under the provisions of sections nineteen hundred and eighty-four and nineteen hundred and eighty-five, Title "CIVIL RIGHTS," or any person lawfully assisting him, from arresting any person for whose apprehension such warrant or process may have been issued; or rescues, or attempts to rescue, such person from the custody of the officer or other person lawfully assisting when so arrested, pursuant to the authority herein given; or aids, abets, or assists any person so arrested, directly or indirectly, to escape from the custody of the officer or other person legally authorized to arrest the party; or harbors or conceals any person for whose arrest a warrant or process has been issued, so as to prevent his discovery and arrest, after notice or knowledge of the fact that a warrant has been issued for the apprehension of such person, shall, for any of such offenses, be subject to a fine of not more than one thousand dollars, or imprisonment not more than six months, or both.

SEC. 5517. Every marshal and deputy marshal who refuses to receive any warrant or other process when tendered to him, issued in pursuance

What deemed a registration under last section.

28 Feb., 1871, c. 99, s. 1, v. 16, p. 433.

Voting or offering to vote in certain cases, prima-facie evidence, &c.

31 May, 1870, c. 114, s. 21, v. 16, p. 145.

Violation of duty by officers of election.

Ibid., s. 22.
18 Feb., 1875, c. 80, v. 18, p. 320.

U. S. v. Clayton, 19 Am. L. Rep. 377; U. S. v. Clayton, 2 Dill., 219; Harrison v. Hadley, 2 Dill., 229.

Obstructing execution of process in civil-rights cases, &c.

31 May, 1870, c. 114, s. 11, v. 16, p. 142.

Marshal refusing to receive or execute process.

Ibid., s. 10.

Conspiracy to prevent accepting or holding office under United States, &c.

31 July, 1861, c. 33, v. 12, p. 284.
20 April, 1871, c. 22, v. 2, v. 17, p. 13.

Conspiracy to deprive any person of the equal protection of the laws.

20 April, 1871, c. 22, s. 2, v. 17, pp. 13, 14.

Conspiracy to prevent the support of any candidate, &c.

Ibid.

Supervisors of election, &c., neglecting to discharge duties.

28 Feb., 1871, c. 99, s. 11, v. 16, p. 437.

Interfering with supervisors of election, marshals, or deputies.

Ibid., s. 10, p. 436.

of the provisions of section nineteen hundred and eighty-five, Title "CIVIL RIGHTS," or refuses or neglects to use all proper means diligently to execute the same, shall be liable to a fine in the sum of one thousand dollars, for the benefit of the party aggrieved thereby.

SEC. 5518. If two or more persons in any State or Territory conspire to prevent, by force, intimidation, or threat, any person from accepting or holding any office, trust, or place of confidence under the United States, or from discharging any duties thereof; or to induce by like means any officer of the United States to leave any State, district, or place, where his duties as an officer are required to be performed, or to injure him in his person or property on account of his lawful discharge of the duties of his office, or while engaged in the lawful discharge thereof, or to injure his property so as to molest, interrupt, hinder, or impede him in the discharge of his official duties; each of such persons shall be punished by a fine of not less than five hundred nor more than five thousand dollars, or by imprisonment, with or without hard labor, not less than six months nor more than six years, or by both such fine and imprisonment. [See § 5407.]

SEC. 5519. If two or more persons in any State or Territory conspire, or go in disguise on the highway or on the premises of another, for the purpose of depriving, either directly or indirectly, any person or class of persons of the equal protection of the laws, or of equal privileges and immunities under the laws; or for the purpose of preventing or hindering the constituted authorities of any State or Territory from giving or securing to all persons within such State or Territory the equal protection of the laws; each of such persons shall be punished by a fine of not less than five hundred nor more than five thousand dollars, or by imprisonment, with or without hard labor, not less than six months nor more than six years, or by both such fine and imprisonment. [See § 5536.]

SEC. 5520. If two or more persons in any State or Territory conspire to prevent by force, intimidation, or threat, any citizen who is lawfully entitled to vote, from giving his support or advocacy, in a legal manner, toward or in favor of the election of any lawfully qualified person as an elector for President or Vice-President, or as a member of the Congress of the United States; or to injure any citizen in person or property on account of such support or advocacy; each of such persons shall be punished by a fine of not less than five hundred nor more than five thousand dollars, or by imprisonment, with or without hard labor, not less than six months nor more than six years, or by both such fine and imprisonment.

SEC. 5521. If any person be appointed a supervisor of election or a special deputy marshal under the provisions of Title "THE ELECTIVE FRANCHISE," and has taken the oath of office as such supervisor of election or such special deputy marshal, and thereafter neglects or refuses, without good and lawful excuse, to perform and discharge fully the duties, obligations, and requirements of such office until the expiration of the term for which he was appointed, he shall not only be subject to removal from office with loss of all pay or emoluments, but shall be punished by imprisonment for not less than six months nor more than one year, or by a fine of not less than two hundred dollars and not more than five hundred dollars, or by both fine and imprisonment, and shall pay the costs of prosecution. [See §§ 2011-2031.]

SEC. 5522. Every person, whether with or without any authority, power, or process, or pretended authority, power, or process, of any State, Territory, or municipality, who obstructs, hinders, assaults, or by bribery, solicitation, or otherwise, interferes with or prevents the supervisors of election, or either of them, or the marshal or his general or special deputies, or either of them, in the performance of any duty required of them, or either of them, or which he or they, or either of them, may be authorized to perform by any law of the United States, in the execution of process or otherwise, or who by any of the means before mentioned hinders or perverts the free attendance and presence at such places of registration or at such polls of election, or full and free access and egress to and from any such place of registration or poll of election,

or in going to and from any such place of registration or poll of election, or to and from any room, where any such registration or election or canvass of votes, or of making any returns or certificates thereof, may be had, or who molests, interferes with, removes, or ejects from any such place of registration or poll of election, or of canvassing votes cast thereat, or of making returns or certificates thereof, any supervisor of election, the marshal, or his general or special deputies, or either of them; or who threatens, or attempts, or offers so to do, or refuses or neglects to aid and assist any supervisor of election, or the marshal or his general or special deputies, or either of them, in the performance of his or their duties, when required by him or them, or either of them, to give such aid and assistance, shall be liable to instant arrest without process, and shall be punished by imprisonment not more than two years, or by a fine of not more than three thousand dollars, or by both such fine and imprisonment, and shall pay the cost of the prosecution.

SEC. 5523. Every person who, during the progress of any verification of any list of the persons who may have registered or voted, which is had or made under any of the provisions of Title "THE ELECTIVE FRANCHISE," refuses to answer, or refrains from answering, or, answering, knowingly gives false information in respect to any inquiry lawfully made, shall be punishable by imprisonment for not more than thirty days, or by a fine of not more than one hundred dollars, or by both, and shall pay the costs of the prosecution. [See §§ 2016, 2026.]

Obstructing verification of registration lists, &c.

Ibid.

SEC. 5524. Every master or owner or person having charge of any vessel who receives on board any other person, with the knowledge or intent that such person is to be carried from any State, Territory, or district of the United States to a foreign country, state, or place, to be held or sold as a slave, or carries away from any State, Territory, or district of the United States any such person, with the intent that he may be so held or sold as a slave, shall be punished by a fine of not more than five thousand nor less than five hundred dollars, or by imprisonment not more than five years, or by both. [See § 5379.]

Receiving on board a vessel or carrying away any person to be sold or held as a slave.

21 May, 1866, c. 86, s. 2, v. 14, p. 50.

SEC. 5525. Every person who kidnaps or carries away any other person, with the intent that such other person be sold into involuntary servitude, or held as a slave; or who entices, persuades, or induces any other person to go on board any vessel or to any other place with the intent that he may be made or held as a slave, or sent out of the country to be so made or held; or who in any way knowingly aids in causing any other person to be held, sold, or carried away to be held or sold as a slave, shall be punished by a fine of not less than five hundred nor more than five thousand dollars, or by imprisonment not more than five years, or by both. [See § 5375.]

Kidnaping.

Ibid., s. 1.

23 June, 1874, c. 464, v. 18, p. 251.

SEC. 5526. Every person who holds, arrests, returns, or causes to be held, arrested, or returned, or in any manner aids in the arrest or return of any person to a condition of peonage, shall be punished by a fine of not less than one thousand nor more than five thousand dollars, or by imprisonment not less than one year nor more than five years, or by both. [See § 1960.]

Holding or returning persons to peonage.

2 Mar., 1867, c. 187, s. 1, v. 14, p. 546.

SEC. 5527. Every person who obstructs or attempts to obstruct, or in any way interferes with, or prevents the enforcement of, the preceding section, shall be liable to the pains and penalties therein prescribed. [See § 1991.]

Obstructing execution of laws prohibiting peonage.

Ibid., s. 2.

SEC. 5528. Every officer of the Army or Navy, or other person in the civil, military, or naval service of the United States, who orders, brings, keeps, or has under his authority or control, any troops or armed men at any place where a general or special election is held in any State, unless such force be necessary to repel armed enemies of the United States or to keep the peace at the polls, shall be fined not more than five thousand dollars, and suffer imprisonment at hard labor not less than three months nor more than five years. [See § 2002.]

Unlawful presence of troops at elections.

25 Feb., 1865, c. 52, s. 1, v. 13, p. 437.

SEC. 5529. Every officer or other person in the military or naval service who, by force, threat, intimidation, order, advice, or otherwise, prevents, or attempts to prevent, any qualified voter of any State from

Intimidation of voters by officers, &c., of Army or Navy.

Ibid., s. 2. freely exercising the right of suffrage at any general or special election in such State, shall be fined not more than five thousand dollars, and imprisoned at hard labor not more than five years. [See § 2008.]

Officers of Army or Navy prescribing qualifications of voters. *Ibid.*, s. 1. SEC. 5530. Every officer of the Army or Navy who prescribes or fixes, or attempts to prescribe or fix, whether by proclamation, order, or otherwise, the qualifications of voters at any election in any State, shall be punished as provided in the preceding section. [See § 2003.]

Officers, &c., of Army or Navy interfering with officer of election, &c. *Ibid.*, s. 2. SEC. 5531. Every officer or other person in the military or naval service who, by force, threat, intimidation, order, or otherwise, compels, or attempts to compel, any officer holding an election in any State to receive a vote from a person not legally qualified to vote, or who imposes, or attempts to impose, any regulations for conducting any general or special election in a State different from those prescribed by law, or who interferes in any manner with any officer of an election in the discharge of his duty, shall be punished as provided in section fifty-five hundred and twenty-nine.

Disqualification for holding office. *Ibid.*, ss. 1, 2. SEC. 5532. Every person convicted of any of the offenses specified in the five preceding sections, shall, in addition to the punishments therein severally prescribed, be disqualified from holding any office of honor, profit, or trust under the United States; but nothing in those sections shall be construed to prevent any officer, soldier, sailor, or marine from exercising the right of suffrage in any election district to which he may belong, if otherwise qualified according to the laws of the State in which he offers to vote.

CHAPTER EIGHT.

THE PUNISHMENT OF ACCESSORIES.

Sec. 5533. Accessory after the fact to murder, robbery, or piracy.	Sec. 5534. Accessory to robbery of the mail. 5535. Accessory to stealing mail-matter.
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Accessory after the fact to murder, robbery, or piracy. SEC. 5533. Every accessory after the fact to murder, robbery, or piracy, shall be imprisoned not more than three years, and fined not more than five hundred dollars. [See § 5324.]

30 April 1790, c. 9, s. 11, v. 1, p. 114. 3 Mar., 1875, c. 145, v. 18, pp. 479, 480.

Accessory to robbery of the mail. SEC. 5534. Every accessory after the fact to any robbery of the carrier, agent, or other person intrusted with the mail, of such mail or of any part thereof, shall be fined not more than two thousand dollars, and be imprisoned at hard labor not more than ten years. [See § 5472.]

8 June, 1872, c. 335, s. 286, v. 17, p. 320. U. S. v. Crane, 4 McLean, 317.

Accessory to stealing mail-matter. SEC. 5535. Every accessory after the fact to the offense of stealing or taking any letter, or other mail-matter, or any inclosure therein, shall be fined not more than one thousand dollars, and be imprisoned not more than five years. [See §§ 5467, 5469, 5471.]

2 July, 1836, c. 270, s. 38, v. 5, p. 88.

CHAPTER NINE.

PRISONERS AND THEIR TREATMENT.

Sec.		Sec.	
5536.	Expenses for prisoners to be paid by the United States.	5543.	Deductions from term of imprisonment for good conduct.
5537.	Places of confinement.	5544.	Application of preceding section.
5538.	Marshal to make provision for safe-keeping of prisoners.	5545.	Actual reasonable cost of subsisting prisoners to be paid.
5539.	United States convicts in State penitentiaries.	5546.	Designation of penitentiary by Attorney-General.
5540.	Selection of penitentiary where a judicial district is divided.	5547.	Attorney-General to contract for subsistence, &c.
5541.	Sentences to imprisonment for more than a year, where to be executed.	5548.	Court may order sentences executed in house of correction.
5542.	Penitentiary sentences, where to be executed.	5549.	Confinement of juvenile offenders.
		5550.	Attorney-General to contract for their subsistence, &c.

SEC. 5536. All the expenses attendant upon the transportation from place to place, and upon the temporary or permanent confinement of persons arrested or committed under the laws of the United States, as well as upon the execution of any sentence of a court thereof respecting them, shall be paid out of the Treasury of the United States in the manner provided by law.

3 Mar., 1865, c. 86, s. 3, v. 13, p. 500. 3 Mar., 1875, c. 145,

SEC. 5537. In a State where the use of jails, penitentiaries, or other houses is not allowed for the imprisonment of persons arrested or committed under the authority of the United States, any marshal in such State, under the direction of the judge of the district, may hire, or otherwise procure, within the limits of such State, a convenient place to serve as a temporary jail.

Randolph v. Donaldson, 9 Cr., 76; McNutt v.

SEC. 5538. The marshal shall make such other provision as he may deem expedient and necessary for the safe-keeping of the prisoners arrested or committed under the authority of the United States, until permanent provision for that purpose is made by law.

SEC. 5539. Whenever any criminal, convicted of any offense against the United States, is imprisoned in the jail or penitentiary of any State or Territory, such criminal shall in all respects be subject to the same discipline and treatment as convicts sentenced by the courts of the State or Territory in which such jail or penitentiary is situated; and while so confined therein shall be exclusively under the control of the officers having charge of the same, under the laws of such State or Territory.

SEC. 5540. Where a judicial district has been or may hereafter be divided, the circuit and district courts of the United States shall have power to sentence any one convicted of an offense punishable by imprisonment at hard labor to the penitentiary within the State, though it be out of the judicial district in which the conviction is had.

SEC. 5541. In every case where any person convicted of any offense against the United States is sentenced to imprisonment for a period longer than one year, the court by which the sentence is passed may order the same to be executed in any State jail or penitentiary within the district or State where such court is held, the use of which jail or penitentiary is allowed by the legislature of the State for that purpose.

SEC. 5542. In every case where any criminal convicted of any offense against the United States is sentenced to imprisonment and confinement to hard labor, it shall be lawful for the court by which the sentence is passed to order the same to be executed in any State jail or penitentiary within the district or State where such court is held, the use of which jail or penitentiary is allowed by the legislature of the State for that purpose.

SEC. 5543. All prisoners who have been, or may be, convicted of any offense against the laws of the United States, and confined in any State

Expenses for prisoners to be paid by the United States.

3 Mar., 1821, Res.

No. 2, v. 3, p. 646.

3 Mar., 1835, c. 40,

s. 5, v. 4, p. 777.

r. 18, pp. 479, 480.

Places of confinement.

3 Mar., 1821, Res.

No. 2, v. 3, p. 646.

2 Mar., 1833, c. 57,

s. 6, v. 4, p. 634.

Bland, 2 How., 9.

Marshal to make provision for safe-keeping of prisoners.

Ibid.

United States convicts in State penitentiaries.

30 June, 1834, c.

163, v. 4, p. 739.

Selection of penitentiary where a judicial district is divided.

28 Mar., 1856, c.

9, s. 1, v. 11, p. 2.

Sentences to imprisonment for more than a year, where to be executed.

3 Mar., 1865, c. 86,

s. 3, v. 13, p. 500.

Penitentiary sentences, where to be executed.

3 Mar., 1825, c. 65,

s. 15, v. 4, p. 118.

Deductions from term of imprison-

ment for good conduct.

2 Mar., 1867, c. 146, v. 14, p. 424.
5 Mar., 1872, c. 30, s. 1, v. 17, p. 35.

Application of preceding section.

14 June, 1870, c. 128, v. 16, p. 151.

Actual reasonable cost of subsisting prisoners to be paid.

12 May, 1864, c. 85, s. 3, v. 13, p. 75.
5 Mar., 1872, c. 30, s. 1, v. 17, p. 35.

Designation of penitentiary by Attorney-General.

12 May, 1864, c. 85, s. 1, v. 13, p. 74.
5 Mar., 1872, c. 30, s. 1, v. 17, p. 35.
12 July, 1876, c. 183, v. 19, p. 88.

jail or penitentiary in execution of the judgment upon such conviction, who so conduct themselves that no charge for misconduct is sustained against them, shall have a deduction of one month in each year made from the term of their sentence, and shall be entitled to their discharge so much the sooner, upon the certificate of the warden or keeper of such jail or penitentiary, with the approval of the Attorney-General.

SEC. 5544. The preceding section, however, shall apply to such prisoners only as are confined in jails or penitentiaries where no credits for good behavior are allowed; but, in other cases, all prisoners now or hereafter confined in the jails or penitentiaries of any State for offenses against the United States, shall be entitled to the same rule of credits for good behavior applicable to other prisoners in the same jail or penitentiary.

SEC. 5545. Hereafter there shall be allowed and paid by the Attorney-General, for the subsistence of prisoners in the custody of any marshal of the United States and the warden of the jail in the District of Columbia, such sum only as it reasonably and actually cost to subsist them. And it shall be the duty of the Attorney-General to prescribe such regulations for the government of the marshals and the warden of the jail in the District of Columbia, in relation to their duties under this chapter, as will enable him to determine the actual and reasonable expenses incurred.

SEC. 5546. [*All persons who have been, or who may hereafter be, convicted of crime, by any court of the United States, whose punishment is imprisonment, in a district or Territory where, at the time of conviction, there may be no penitentiary or jail suitable for the confinement of convicts, or available therefor, shall be confined during the term for which they have been or may be sentenced in some suitable jail or penitentiary in a convenient State or Territory, to be designated by the Attorney-General, and shall be transported and delivered to the warden or keeper of such jail or penitentiary by the marshal of the district or Territory where the conviction has occurred; and if the conviction be had in the District of Columbia, in such case the transportation and delivery shall be by the warden of the jail of that District; the reasonable actual expense of transportation, necessary subsistence and hire, and transportation of guards and the marshal, or the warden of the jail in the District of Columbia, only, to be paid by the Attorney-General, out of the judiciary fund. But if, in the opinion of the Attorney-General, the expense of transportation from any State, Territory, or the District of Columbia, in which there is no penitentiary, will exceed the cost of maintaining them in jail in the State, Territory, or the District of Columbia during the period of their sentence, then it shall be lawful so to confine them therein for the period designated in their respective sentences.*] [All persons who have been, or who may hereafter be, convicted of crime by any court of the United States whose punishment is imprisonment in a District or Territory where, at the time of conviction, or at any time during the term of imprisonment, there may be no penitentiary or jail suitable for the confinement of convicts or available therefor, shall be confined during the term for which they have been or may be sentenced, or during the residue of said term, in some suitable jail or penitentiary in a convenient State or Territory, to be designated by the Attorney-General, and shall be transported and delivered to the warden or keeper of such jail or penitentiary by the marshal of the District or Territory where the conviction has occurred; and if the conviction be had in the District of Columbia, the transportation and delivery shall be by the warden of the jail of that District; the reasonable actual expense of transportation, necessary subsistence, and hire and transportation of guards and the marshal, or the warden of the jail in the District of Columbia, only, to be paid by the Attorney-General, out of the judiciary fund. But if, in the opinion of the Attorney-General, the expense of transportation from any State, Territory or the District of Columbia, in which there is no penitentiary, will exceed the cost of maintaining them in jail in the State, Territory, or the District of Columbia during the period of their sentence, then it shall be lawful so to confine them therein for the period designated in their respective

sentences. And the place of imprisonment may be changed in any case, when, in the opinion of the Attorney-General, it is necessary for the preservation of the health of the prisoner, or when, in his opinion, the place of confinement is not sufficient to secure the custody of the prisoner, or because of cruel or improper treatment: *Provided, however*, That no change shall be made in the case of any prisoner on the ground of the unhealthiness of the prisoner, or because of his treatment, after his conviction and during his term of imprisonment, unless such change shall be applied for by such prisoner, or some one in his behalf.]

SEC. 5547. The Attorney-General shall contract with the managers or proper authorities having control of such prisoners, for the imprisonment, subsistence, and proper employment of them, and shall give the court having jurisdiction of such offenses notice of the jail or penitentiary where such prisoners will be confined.

Attorney-General to contract for subsistence, &c.

12 May, 1864, c. 85, s. 2, v. 13, p. 75.

5 Mar., 1872, c. 30, s. 1, v. 17, p. 35.

SEC. 5548. Whenever any person is convicted of any offense against the United States which is punishable by fine and imprisonment, or by either, the court by which the sentence is passed may order the sentence to be executed in any house of correction or house of reformation for juvenile delinquents within the State or district where such court is held, the use of which is authorized by the legislature of the State for such purpose.

Court may order sentences executed in house of correction.

3 Mar., 1835, c. 40, s. 5, v. 4, p. 777.

SEC. 5549. Juvenile offenders against the laws of the United States, being under the age of sixteen years, and who may hereafter be convicted of crime, the punishment whereof is imprisonment, shall be confined during the term of sentence in some house of refuge to be designated by the Attorney-General, and shall be transported and delivered to the warden or keeper of such house of refuge by the marshal of the district where such conviction has occurred; or if such conviction be had in the District of Columbia, then the transportation and delivery shall be by the warden of the jail of that district, and the reasonable actual expense of the transportation, necessary subsistence, and hire, and transportation of assistants and the marshal or warden, only, shall be paid by the Attorney-General, out of the judiciary fund.

Confinement of juvenile offenders.

3 Mar., 1865, c. 121, s. 1, v. 13, p. 538.

5 Mar., 1872, c. 30, s. 1, v. 17, p. 35.

SEC. 5550. The Attorney-General shall contract with the managers or persons having control of such houses of refuge for the imprisonment, subsistence, and proper employment of all such juvenile offenders, and shall give the several courts of the United States and of the District of Columbia notice of the places so provided for the confinement of such offenders; and they shall be sentenced to confinement in the house of refuge nearest the place of conviction so designated by the Attorney-General.

Attorney-General to contract for their subsistence, &c.

3 Mar., 1865, c. 121, s. 2, v. 13, p. 538.

5 Mar., 1872, c. 30, s. 1, v. 17, p. 35.