

CHAP. CCXII.—*An Act to restrain the circulation of small notes, as a currency, in the District of Columbia, and for other purposes.*

STATUTE II.

July 7, 1838.

Act of July 7, 1838, ch. 185.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, after the tenth day of April next, it shall be unlawful for any individual, company, or corporation, to issue, pass, or offer to pass, within the District of Columbia, any note, check, draft, bank-bill, or any other paper currency, of a less denomination than five dollars, and if any person or corporation shall violate the provisions of this section, the person so offending, or, in case of any corporation so offending, the officers of any such corporation for the time being, shall be liable to indictment by the grand jury of the county within the District where the offence shall have been committed; and the person so offending, or the officers of the corporation so offending, shall, on conviction thereof, be fined in a sum not exceeding fifty dollars, at the discretion of the court, for every offence; one half of said fine shall be paid to the prosecutor, the other half shall be for the use of the county where the offence shall have been committed: *Provided,* That should the prosecutor offer himself, or be admitted, as a witness for the prosecution, he shall forfeit all claim to any part of the penalty, and the whole shall go to the county, and the court shall give judgment accordingly; and the person so offending, and the officers of any corporation, shall also be liable to pay the amount of any note, bill, check, draft, or other paper, constituting part of such currency, to any holder thereof, with all costs incident to the protest and legal collection thereof, with fifty per cent. damages for non-payment on demand, to be recovered by action of debt; and in case of judgment for the plaintiff, execution thereon shall be had forthwith; and it shall be the duty of the district attorney of the District of Columbia to commence prosecutions against all persons and every corporation offending against this section, of which he shall have knowledge or probable information; and, in case of corporations, the prosecution shall be against the president or any director or cashier thereof, for the time being; and it shall be the duty of the grand jurors to present all such offences of which they shall have knowledge or probable information; and, that no member of a grand jury shall be ignorant of his duty in this particular, it shall be the duty of the court having cognizance of all offences against this section to give the same in charge to the grand juries at the commencement of the term after the passage of this act.

Unlawful, after 10th April next, to issue, &c. in the D. C., any note, &c. less than \$5.
Violations of this section to render the offenders liable to indictment.

Penalty.

Disposition of the fine.

Proviso.

SEC. 2. *And be it further enacted,* That from and after the passage of this act, it shall be unlawful for any individual, company, or corporation, to issue, de novo, or knowingly to pass, or procure to be issued, passed or circulated, within the District aforesaid, any note, check, bank-bill, or other paper medium, of the denomination aforesaid, evidently intended for common circulation, as for and in lieu of small change in gold or silver, or for any other pretence whatever, and which shall be issued and circulated for the first time after the period above limited in this section, under the penalties provided in the foregoing section.

Unlawful, after the passage of this act, to issue, de novo, or knowingly to pass, &c. any note &c. of less than \$5.

APPROVED, July 7, 1838.

STATUTE II.

July 9, 1838.

CHAP. CCLXIV.—*An Act authorizing the printing of the Madison papers.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Joint Committee on the Library be authorized to cause the Madison papers to be printed and published; and that a sum not exceeding five thousand dol-

Madison papers.
Act of Oct. 14, 1837, ch. 6.