

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

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.

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.

APPROVED, July 7, 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-

STATUTE II.

July 7, 1838.

Act of July 7, 1838, ch. 185.

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.

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

STATUTE II.

July 9, 1838.

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

lars be appropriated for that purpose out of any money in the Treasury not otherwise appropriated.

APPROVED, July 9, 1838.

RESOLUTIONS.

March 19, 1838. No. 1. *Joint Resolution, authorizing the Commissioner of the Public Buildings to cause the removal of the walls of the late Post Office Building.*

The walls of the late Post Office building to be taken down, &c.

Expenses, how paid.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of the Public Buildings be, and he hereby is, authorized and directed to cause the walls of the late Post Office building to be taken down, and the materials secured for use in the construction of any of the public buildings authorized by law, and to which they may be advantageously applied; and to defray the expenses of the work, he be authorized to apply any unexpended balances of appropriations in his hands, but not exceeding in amount the sum of five hundred dollars.

APPROVED, March 19, 1838.

April 4, 1838. No. 2. *A Resolution to authorize the Secretary of War to purchase a site for a fort at or near the western boundary of Arkansas.*

Appropriation for the purchase of a site for a fort.
1836, ch. 62.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That out of the appropriation of fifty thousand dollars, made in the year eighteen hundred and thirty-six, to remove the United States troops from Fort Gibson, the Secretary of War be authorized and directed to take a sum not exceeding fifteen thousand dollars to purchase for the United States a site for a fort at or near the western boundary of Arkansas.

APPROVED, April 4, 1838.

May 31, 1838. No. 4. *A Resolution relating to the public revenue and dues to the Government.*

No difference to be made between the different branches of the revenue, as to the money of payment.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall not be lawful for the Secretary of the Treasury to make or to continue in force, any general order, which shall create any difference between the different branches of revenue, as to the money or medium of payment, in which debts or dues, accruing to the United States, may be paid.

APPROVED, May 31, 1838.

June 12, 1838. No. 5. *A Resolution to disapprove and disaffirm an act of the Legislative Council of the Wisconsin Territory chartering a bank.*

Congress dissent from, disapprove, and disaffirm the act of the Legislative Council of Wisconsin, incorporating the State Bank of Wisconsin.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress do, hereby, dissent from, disapprove, and disaffirm the act of the Legislative Council of Wisconsin, entitled "An act to incorporate the stockholders of the State Bank of Wisconsin at Prairie du Chien," a copy of which said act has, during the present session of Congress, been presented for its action, and for confirmation or disapproval; and the said act of the Legislative Council of the said Territory is hereby declared to be null and void, and to have no force or effect whatsoever as a law of the said Territory.

APPROVED, June 12, 1838.