

PUBLIC ACTS OF THE THIRTY-FIFTH CONGRESS

OF THE

UNITED STATES.

Passed at the first session, which was begun and holden at the City of Washington, in the District of Columbia, on Monday, the seventh day of December, 1857, and ended Monday, the fourteenth day of June, 1858.

JAMES BUCHANAN, President. JOHN C. BRECKINRIDGE, Vice-President, and President of the Senate. BENJAMIN FITZPATRICK was appointed President of the Senate, pro tempore, March 29, 1858, and so acted until May 4, 1858. JAMES L. ORR, Speaker of the House of Representatives.

CHAP. I.—An Act to authorize the Issue of Treasury Notes.

Dec. 23, 1857.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States is hereby authorized to cause treasury notes for such sum or sums as the exigencies of the public service may require, but not to exceed, at any time, the amount of twenty millions of dollars, and of denominations not less than one hundred dollars for any such note, to be prepared, signed, and issued in the manner hereinafter provided.

1859, ch. 82, § 5.
Post, p. 430.
Issue of not over \$20,000,000 authorized in denominations of not less than \$100 each.

SEC. 2. And be it further enacted, That such treasury notes shall be paid and redeemed by the United States at the treasury thereof after the expiration of one year from the dates of said notes, from which dates, until they shall be respectively paid and redeemed, they shall bear such rate of interest as shall be expressed in said notes, which rate of interest upon the first issue, which shall not exceed six millions of dollars of such notes shall be fixed by the Secretary of the Treasury, with the approbation of the President, but shall in no case exceed the rate of six per centum per annum. The residue shall be issued in whole or in part, after public advertisement of not less than thirty days, as the Secretary of the Treasury may direct, by exchanging them at their par value for specie to the bidder or bidders who shall agree to make such exchange at the lowest rate of interest, not exceeding six per centum, upon the said notes: *Provided*, That after the maturity of any of said notes, interest thereon shall cease at the expiration of sixty days' notice of readiness to pay and redeem the same, which may at any time or times be given by the Secretary of the Treasury in one or more newspapers published at the seat of government. The payment or redemption of said notes herein provided shall be made to the lawful holders thereof, respectively, upon presentment at the treasury, and shall include the principal of each note and the interest which shall be due thereon. And for such payment and redemption, at the time or times herein specified, the faith of the United States is hereby solemnly pledged.

How, when, where, and to whom, issued, paid, and redeemed.

First issue not to exceed \$6,000,000.

Rate of interest not over six per cent.

Residue how issued.

Proviso. Interest when to cease.

Faith of the United States pledged for their redemption.

Form and signatures.

Separate accounts of each

SEC. 3. And be it further enacted, That such treasury notes shall be prepared under the direction of the Secretary of the Treasury, and shall be signed in behalf of the United States by the treasurer thereof, and countersigned by the register of the treasury. Each of these officers shall keep in a book or books provided for that purpose separate, full, and

note to be kept by the treasurer and by the register.

Account of notes paid and cancelled to be preserved.

Treasurer to account quarterly.

To be issued in payment of public creditors, &c. or for loans.

Proviso.

Not to be disposed of for less than the principal and interest.

Transferable by indorsement and delivery.

To be received by public officers for all dues to the United States.

Receipt to be taken and entries made and allowed accordingly to officers.

Secretary of Treasury to issue instructions, &c. to officers.

accurate accounts, showing the number, date, amount, and rate of interest of each treasury note signed and countersigned by them, respectively; and also, similar accounts showing all such notes as may be paid, redeemed, and cancelled as the same may be returned, all which accounts shall be carefully preserved in the Treasury Department. And the treasurer shall account quarterly for all such treasury notes as shall have been countersigned by the register and delivered to the treasurer for issue.

SEC. 4. *And be it further enacted*, That the Secretary of the Treasury is hereby authorized, with the approbation of the President, to cause such portion of said treasury notes as may be deemed expedient to be issued by the treasurer in payment of warrants in favor of public creditors, or other persons lawfully entitled to such payment, who may choose to receive such notes in payment at par. And the Secretary of the Treasury is further authorized, with the approbation of the President, to borrow, from time to time, such sums of money upon the credit of such notes as the President may deem expedient: *Provided*, That no treasury notes shall be pledged, hypothecated, sold, or disposed of in any way, for any purpose whatever, either directly or indirectly, for any sum less than the amount of such notes, including the principal and interest thereof.

SEC. 5. *And be it further enacted*, That said treasury notes shall be transferable, by assignment endorsed thereon by the person to whose order the same shall be made payable, accompanied together with the delivery of the notes so assigned.

SEC. 6. *And be it further enacted*, That said treasury notes shall be received by the proper officers in payment of all duties and taxes laid by the authority of the United States, of all public lands sold by said authority, and of all debts to the United States of any character whatever, which may be due and payable at the time when said treasury notes may be offered in payment thereof; and upon every such payment credit shall be given for the amount of principal and interest due on the note or notes received in payment on the day when the same shall have been received by such officer.

SEC. 7. *And be it further enacted*, That every collector of the customs, receiver of public moneys, or other officer or agent of the United States who shall receive any treasury note or notes in payment on account of the United States, shall take from the holder of such note or notes a receipt, upon the back of each, stating distinctly the date of such payment and the amount allowed upon such note; and every such officer or agent shall keep regular and specific entries of all treasury notes received in payment, showing the person from whom received, the number, date, and amount of principal and interest allowed on each and every treasury note received in payment; which entries shall be delivered to the treasury, with the treasury note or notes mentioned therein, and, if found correct, such officer or agent shall receive credit for the amount, as provided in the last section of this act.

SEC. 8. *And be it further enacted*, That the Secretary of the Treasury be and he hereby is authorized to make and issue, from time to time, such instructions, rules, and regulations to the several collectors, receivers, depositaries, and all others who may be required to receive such treasury notes in behalf of, and as agents in any capacity for, the United States, as to the custody, disposal, cancelling, and return of any such notes as may be paid to and received by them, respectively, and as to the accounts and returns to be made to the Treasury Department of such receipts as he shall deem best calculated to promote the public convenience and security, and to protect the United States as well as individuals from fraud and loss.

SEC. 9. *And be it further enacted*, That the Secretary of the Treasury

be and he hereby is authorized and directed to cause to be paid the principal and interest of such treasury notes as may be issued under this act at the time and times when, according to its provisions, the same should be paid. And the said Secretary is further authorized to purchase said notes at par for the amount of principal and interest due at the time of the purchase on such notes. And so much of any unappropriated money in the treasury as may be necessary for the purpose is hereby appropriated to the payment of the principal and interest of said notes.

Payment and purchase.

Appropriation therefor.

SEC. 10. *And be it further enacted*, That, in place of such treasury notes as may have been paid and redeemed, other treasury notes to the same amount may be issued: *Provided*, That the aggregate sum outstanding, under the authority of this act, shall at no time exceed twenty millions of dollars: *And provided further*, That the power to issue and reissue treasury notes, conferred on the President of the United States by this act, shall cease and determine on the first day of January, eight hundred and fifty-nine.

May be issued in place of those redeemed.

Total outstanding not to exceed \$20,000,000.

Not to be issued after Jan. 1, 1859. See *Post*, p. 430.

Appropriation for expense of issuing, &c.

SEC. 11. *And be it further enacted*, That to defray the expenses of engraving, printing, preparing, and issuing the treasury notes herein authorized, the sum of twenty thousand dollars is hereby appropriated, to be paid out of any unappropriated money in the treasury: *Provided*, That no compensation shall be made to any officer whose salary is fixed by law, for preparing, signing, or issuing treasury notes.

No compensation to any salaried officer therefor.

SEC. 12. *And be it further enacted*, That if any person shall falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or willingly aid or assist in falsely making, forging, or counterfeiting, any note in imitation of or purporting to be a treasury note, issued as aforesaid, or shall pass, utter, or publish, or attempt to pass, utter, or publish, as true, any false, forged, or counterfeited note, purporting to be a treasury note as aforesaid, knowing the same to be falsely made, forged, or counterfeited, or shall falsely alter, or cause or procure to be falsely altered, or willingly aid or assist in falsely altering any treasury note issued as aforesaid, or shall pass, utter, or publish, or attempt to pass, utter, or publish as true, any falsely altered treasury note, issued as aforesaid, knowing the same to be falsely altered, every such person shall be deemed and adjudged guilty of felony; and being thereof convicted by due course of law, shall be sentenced to be imprisoned and kept at hard labor for a period not less than three years nor more than ten years, and to be fined in a sum not exceeding five thousand dollars.

The forging, &c. thereof, or the passing, &c. or the attempting to pass, &c. forged notes made a felony.

Penalty.

SEC. 13. *And be it further enacted*, That if any person shall make or engrave, or cause or procure to be made or engraved, or shall have in his custody and possession any metallic plate engraved after the similitude of any plate from which any notes issued as aforesaid shall have been printed, with intent to use such plate, or cause or suffer the same to be used in forging or counterfeiting any of the notes issued as aforesaid, or shall have in his custody or possession any blank note or notes engraved and printed after the similitude of any notes issued as aforesaid, with intent to use such blanks, or cause or suffer the same to be used in forging or counterfeiting any of the notes issued as aforesaid, or shall have in his custody or possession any paper adapted to the making of such notes, and similar to the paper upon which any such notes shall have been issued, with intent to use such paper, or cause or suffer the same to be used, in forging or counterfeiting any of the notes issued as aforesaid, every such person, being thereof convicted by due course of law, shall be sentenced to be imprisoned and kept to hard labor for a term not less than three nor more than ten years, and fined in a sum not exceeding five thousand dollars.

The engraving, or possession, &c. of an engraved plate, or the possession of blank notes, or paper for making such notes, with intent, &c. punishable by fine and imprisonment.

SEC. 14. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to cause a statement to be published monthly

Monthly statement of notes

issued, paid, and redeemed, to be published. of the amount of treasury notes issued, and paid and redeemed, under the provisions of this act, showing the balance outstanding each month.

APPROVED, December 23, 1857.

Jan. 27, 1858. CHAP. III.—*An Act to detach Selma in the State of Alabama from the Collection District of New Orleans, and make it a Port of Delivery within the Collection District of Mobile.*

Selma, Ala., attached to the collection district of Mobile. 1857, ch. 102. Ante, p. 199. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Selma in the State of Alabama, which was constituted a port of delivery within the collection district of New Orleans by the act of third March, eighteen hundred and fifty-seven, chapter one hundred and two, be detached from that district, and be made a port of delivery within the collection district of Mobile.*

APPROVED, January 27, 1858.

Feb. 4, 1858. CHAP. IV.—*An Act to supply an Omission in the Enrollment of a certain Act therein named.*

1857, ch. 106. Ante, p. 200.

Preamble.

Whereas, the following clause of the act entitled "An act making appropriations for the support of the army for the year ending the thirtieth June, eighteen hundred and fifty-eight," approved March third, eighteen hundred and fifty-seven, to wit: "For the manufacture of arms at the national armories three hundred and sixty thousand dollars," was omitted in the enrollment of the said act; therefore

Appropriation for manufacture of arms at the national armories. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of three hundred and sixty thousand dollars for the manufacture of arms at the national armories be and the same is hereby appropriated out of any money in the treasury not otherwise appropriated.*

APPROVED, February 4, 1858.

Feb. 10, 1858. CHAP. V.—*An Act to alter the Time of holding the Courts of the United States for the State of South Carolina.*

Terms of District Court in Charleston. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passing of this act, the terms of the district court of the United States for South Carolina, at its sitting in Charleston, shall be held on the first Monday in January, May, July, and October, in each and every year, instead of at the times heretofore appointed.*

Term of Circuit Court in Charleston.

SEC. 2. *And be it further enacted, That from and after the passing of this act, the term of the circuit court of the United States for South Carolina, at its sitting in Charleston, shall be held on the first Monday in April, in each and every year, instead of at the time heretofore appointed.*

Writs, &c., already issued, considered as made for the time herein provided.

SEC. 3. *And be it further enacted, That all writs, recognizances, and process of all kinds, already issued, taken or made returnable to the time hitherto appointed for the terms of the said courts, shall be considered and taken as made for the time herein provided for the said courts.*

APPROVED, February 10, 1858.

Feb. 10, 1858. CHAP. VI.—*An Act making Appropriations for the Payment of Invalid and other Pensions of the United States, for the Year ending the thirtieth of June, eighteen hundred and fifty nine.*

Appropriation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be and the same are hereby appropriated, out of any money in the treasury not otherwise appropriated, for the payment of pensions for the year ending the thirtieth of June, eighteen hundred and fifty-nine.