

CHAP. 393.—An act to punish dealers and pretended dealers in counterfeit money and other fraudulent devices for using the United States mails.

March 2, 1889.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, "That section fifty-four hundred and eighty of the Revised Statutes be, and the same is hereby, so amended so as to read as follows:

Postal crimes.

SEC. 5480. If any person having devised or intending to devise any scheme or artifice to defraud, or to sell, dispose of, loan, exchange, alter, give away, or distribute, supply, or furnish, or procure for unlawful use any counterfeit or spurious coin, bank notes, paper money, or any obligation or security of the United States or of any State, Territory, municipality, company, corporation, or person, or anything represented to be or intimated or held out to be such counterfeit or spurious articles, or any scheme or artifice to obtain money by or through correspondence, by what is commonly called the "sawdust swindle"; or "counterfeit money fraud"; or by dealing or pretending to deal in what is commonly called "green articles," "green coin," "bills"; "paper goods," "spurious Treasury notes," "United States goods", "green cigars", or any other names or terms intended to be understood as relating to such counterfeit or spurious articles, to be effected by either opening or intending to open correspondence or communication with any person, whether resident within or outside the United States, by means of the Post-Office Establishment of the United States, or by inciting such other person or any 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 or cause to be placed, any letter, packet, writing, circular, pamphlet, or advertisement in any post-office, branch post-office, or street or hotel letter-box of the United States, to be sent or delivered by the said post-office establishment, or shall take or receive any such therefrom, such person so misusing the post-office establishment shall, upon conviction, 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, at the discretion of the court. 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."

Using mails with intent to defraud.

R. S., sec. 5480, p. 1063, amended.

Mailing letters, etc., offering to sell counterfeit money, etc.

Punishment.

SEC. 2. That any person who, in and for conducting, promoting, or carrying on, in any manner by means of the Post-Office Establishment of the United States, any scheme or device mentioned in the preceding section, or any other unlawful business whatsoever, shall use or assume or request to be addressed by any fictitious, false, or assumed title, name, or address, or name other than his own proper name, or shall take or receive from any post-office of the United States any letter, postal-card, or packet addressed to any such fictitious, false, or assumed title, name, or address, or name other than his own lawful and proper name, shall, upon conviction, be punishable as provided in the first section of this act.

Punishment for fraudulently assuming a fictitious address, etc.

SEC. 3. That the Postmaster-General may, upon evidence satisfactory to him, that any person is using any fictitious, false, or assumed name, title, or address in conducting, promoting, or carrying on, or assisting therein, by means of the Post-Office Establishment of the United States, any business scheme or device in violation of the provisions of this act, instruct any postmaster at any post-office at which such letters, cards, or packets, addressed to such fictitious, false, or assumed name or address arrive to notify the party claiming or receiving such letters, cards, or packets to appear at the post-office and

Identification may be required.

Fictitious matter to be sent to dead-letter office.

Matter relating to spurious money, etc., non-mailable.

Delivery of matter to persons not residents of place of address.

be identified; and if the party so notified fail to appear and be identified, or if it shall satisfactorily appear that such letters, cards, or packets are addressed to a fictitious, false, or assumed name or address, such letters, postal-cards, or packages shall be forwarded to the dead-letter office as fictitious matter.

SEC. 4. That all matter the deposit of which in the mails is by this act made punishable is hereby declared non-mailable; but nothing in this act shall be so construed as to authorize any person other than an employee of the dead-letter office, duly authorized thereto, to open any letter not addressed to himself.

SEC. 5. That whenever the Postmaster-General is satisfied that letters or packets sent in the mails are addressed to places not the residence or business address of the persons for whom they are intended, to enable such persons to escape identification, he may direct postmasters to deliver such letters only from the post-office upon identification of persons addressed.

Approved, March 2, 1889.

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CHAP. 394.—An act to incorporate the Washington and Western Maryland Railroad Company.

Washington and Western Maryland Railroad Company incorporated. Incorporators.

Location of road.

Proviso. Tracks to be a public highway.

Compensation.

Capital stock.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Thomas Dowling, H. P. Gilbert, Austin Herr, G. S. Dunlop, J. W. Wash, T. L. Cropley, F. A. Miller, of the District of Columbia; L. P. Wright, of the State of Illinois; Frank Hume, of the State of Virginia; R. J. Bright, of the State of Indiana; Spencer Watkins, A. B. Cropley, James Henderson, and S. Gambrill, of the State of Maryland, and all such persons as shall or may be associated with them, and their successors, are hereby created a body politic and corporate in fact and in law by the name of the Washington and Western Maryland Railroad Company, and by that name shall have perpetual succession, and shall be able to sue and be sued, plead and be impleaded, defend and be defended, in all courts of law and equity, and may make and have a common seal, and the same alter at their pleasure; and said corporation is hereby authorized to lay out, locate, construct, furnish, maintain, operate, and enjoy a continuous railroad and telegraph line, with all the necessary appurtenances, namely, beginning at a point west of the Aqueduct Bridge, thence westerly between the bank of the Chesapeake and Ohio Canal and the Potomac River to the District line at or near the Chain Bridge, as may hereafter be surveyed and agreed on by and between the parties named, or their successors, and the Commissioners of the District of Columbia: *Provided,* That the tracks of said company shall be deemed and taken to be a public highway, and may be freely used for the passage of cars and motive power of any individual or corporation upon making just compensation for such use, and in case any dispute shall arise concerning such compensation or manner of use, any party in interest may apply to the Supreme court of the District of Columbia, which court is hereby empowered to fix the amount to be paid for such use, and the mode in which such use may be enjoyed.

SEC. 2. That the capital stock of said corporation shall consist of two thousand shares, at a par value of fifty dollars per share each, which shall in all respects be deemed personal property, and shall be transferable in such manner as the by-laws of said corporation shall provide. The persons (or their assigns) hereinbefore named, or a majority thereof, shall constitute a quorum for the transaction of business. The first meeting of said incorporators shall be held within twenty days from the passage of this act, in the city of Washington: A notice of said meeting, to be signed by seven of the in-