

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

DOCUMENTS

PRINTED BY ORDER OF

THE LEGISLATURE

OF THE

STATE OF MAINE,

DURING ITS SESSION

A. D. 1836.

AUGUSTA:
SMITH & ROBINSON,.....PRINTERS.

1836.

SIXTEENTH LEGISLATURE.

No. 38.

HOUSE.

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT
HUNDRED AND THIRTY SIX.

AN ACT prohibiting the emission and circulation
of Bank Bills of a small denomination and certain
others.

SECT. 1. *Be it enacted by the Senate and
2 House of Representatives in Legislature as-
3 sembled, That from and after the passage of
4 this Act, no Bank in this State shall issue, or
5 put into circulation, or pass directly or indirect-
6 ly, by any business transaction or otherwise, any
7 Bank bill or note of a less denomination than*

8 three dollars, nor of any denomination between
9 five and ten, or ten and twenty dollars; nor from
10 and after the first day of June next shall any
11 Bank in this State, issue or put into circulation,
12 or pass, as aforesaid, any Bank bill or note of a
13 less denomination than five dollars, issued by
14 any Bank, banker or person whatever; *Provi-*
15 *ded, however,* any Bank may so far pass any of
16 the aforesaid bills or notes excepting its own, as
17 to send or transmit the same directly to any
18 Bank whatever in its course of business with
19 such Bank.

SECT. 2. *Be it further enacted,* That from
2 and after the first day of June next, no person
3 in this State or body corporate shall pass, or put
4 into circulation, directly or indirectly, any Bank
5 bill or note of a less denomination than three
6 dollars, issued by any Bank in this State; and
7 from and after the first day of February next
8 no person or body corporate in this State, shall
9 pass or put into circulation as aforesaid any Bank
10 bill or note of a less denomination than five dol-
11 lars, issued by any Bank, banker or person in
12 this State.

SECT. 3. *Be it further enacted,* That if any
2 person, after the passage of this Act, shall bring
3 into this State any bill or bills, note or notes
4 payable to bearer, issued by any Bank not es-
5 tablished in this State, or by any banker or per-
6 son whatever, of a denomination or value less
7 than five dollars, or of any intermediate denom-
8 ination between five and ten, or ten and twenty
9 dollars, with the intent to put the same into cir-
10 culation in this State, or shall pass or attempt
11 to pass the same directly or indirectly, or leave
12 the same in this State so that they may be put
13 in circulation, such person shall forfeit and pay
14 for each and every such offence a sum not less
15 than one hundred nor more than five hundred
16 dollars; And if any person from and after the
17 first day of June next shall receive, in this State,
18 any bill or bills, note or notes of the kind and
19 denomination aforesaid in this section, and shall
20 pass or attempt to pass or put into circulation,
21 directly or indirectly, any such bill or bills, note
22 or notes as aforesaid in this section, such person
23 shall forfeit and pay for each and every such of-
24 fence twenty dollars; and if said offence be re-

25 peated by any person, such person shall forfeit
26 and pay forty dollars; *Provided, however,* that
27 any person may so far pass any bill or note pro-
28 hibited by this Act, as to pass or pay the same,
29 directly, into any Bank whatever.

SECT. 4. *Be it further enacted,* That if
2 any person in this State shall violate the second
3 section of this Act, the person so offending shall
4 forfeit and pay for each and every such offence a
5 sum not less than five nor more than fifteen dol-
6 lars. And if any Bank in this State shall vio-
7 late any of the provisions of this Act, such Bank
8 shall forfeit and pay for each and every such of-
9 fence five hundred dollars; And if any body
10 corporate in this State, other than a Bank, or
11 the agent of any such body corporate acting in
12 said capacity, or any person acting in said agent's
13 stead, shall violate any of the provisions of this
14 Act, such body corporate shall forfeit and pay
15 for each and every such offence, a sum not less
16 than twenty-five, nor more than one hundred
17 dollars. And each and every body corporate in
18 this State, Banks not excepted, offending as
19 aforesaid, shall be liable to forfeiture of charter.

SECT. 5. *Be it further enacted,* That it shall
2 be the duty of the Attorney General and the
3 County Attorneys, to prosecute for all offences
4 against this Act, which may come to their
5 knowledge. And if any person holding office
6 in this State by the appointment and during the
7 pleasure of the Executive, shall violate any of
8 the provisions of this Act, or neglect any duty
9 enjoined, it shall be the duty of the Executive,
10 on satisfactory evidence thereof, to remove such
11 person forthwith from office. And if any per-
12 son holding office during good behavior, or for a
13 term of years, shall violate any of the provis-
14 ions of this Act, such officer shall be liable to
15 impeachment therefor, and removal from office.

SECT. 6. *Be it further enacted,* That any
2 and every fine or forfeiture, in a penal sum, for
3 any violation of the provisions of this Act, may
4 be recovered by an action of debt to the use of
5 any person who shall first sue therefor, *provided*
6 *however,* that when such fine or forfeiture, so
7 recovered, is fifty dollars or upwards, one half
8 shall be to the use of the State; also, any fine
9 or forfeiture as aforesaid, may be recovered by

10 complaint before any Justice of the Peace, to
11 the use of the State, when such fine or forfeit-
12 ure is not more than twenty dollars, or by in-
13 dictment, to the use of the State, in any Court
14 of competent jurisdiction.

SECT. 7. *Be it further enacted,* That the
2 Act entitled "An Act to regulate Banks by pro-
3 hibiting the emission and circulation of Bank
4 bills or notes of a small denomination," passed
5 March 21st, 1835, be, and the same is hereby
6 repealed, *provided* that the repeal of the Act
7 aforesaid shall not effect the rights of any party
8 in any suit now pending.



STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
February 24, 1836. }

This Bill, offered by Mr Perkins of Kennebunk-port, as *an amendment* to the Bill of the two Branches, now under consideration in the House, and 500 copies ordered to be printed.

[Extract from the Journal.]

ATTEST: JAMES L. CHILD, Clerk.