

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. 46.

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; *Pro-*
15 *vided however*, any Bank may so far pass any
16 of the aforesaid bills or notes excepting its own,
17 as 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*
4 *put into circulation, directly or indirectly, any*
5 *Bank bill or note of a less denomination than*
6 *three dollars, issued by any Bank in this State;*
7 *and 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*
10 *Bank bill or note of a less denomination than*
11 *five dollars, issued by any Bank, banker or per-*
12 *son in 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 estab-
5 lished in this State, or by any banker or person
6 whatever, of a denomination or value less than
7 five dollars, or of any intermediate denomination
8 between five and ten, or ten and twenty dollars,
9 with the intent to put the same into circulation
10 in this State, or shall pass or attempt to pass
11 the same directly or indirectly, or leave the same
12 in this State so that they may be put in circula-
13 tion, such person shall forfeit and pay for each
14 and every such offence a sum not less than one
15 hundred nor more than five hundred dollars;
16 [*Provided,* That the penalty in no case shall
17 exceed ten times the amount of the bills or notes
18 brought in as aforesaid.] And if any person
19 from and after the first day of June next shall
20 receive, in this State, any bill or bills, note or
21 notes of the kind and denomination aforesaid in
22 this section, and shall pass or attempt to pass or
23 put into circulation, directly or indirectly, any
24 such bill or bills, note or notes as aforesaid in
25 this section, such person shall forfeit and pay for

26 each and every such offence *twenty* [ten] dollars ;
27 and if said offence be repeated by any person,
28 such person shall forfeit and pay *forty* [twenty]
29 dollars; *Provided, however,* that any person
30 may so far pass any bill or note prohibited by
31 this Act, as to pass or pay the same, directly,
32 into any Bank whatever.

SECT. 4. *Be it further enacted,* That if any
2 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
5 a sum not less than five nor more than fifteen
6 dollars. And if any Bank in this State shall
7 violate any of the provisions of this Act, such
8 Bank shall forfeit and pay for each and every
9 such offence five hundred dollars; And if any
10 body corporate in this State, other than a Bank,
11 or the agent of any such body corporate acting
12 in said capacity, or any person acting in said
13 agent's stead, shall violate any of the provisions
14 of this Act, such body corporate shall forfeit and
15 pay for each and every such offence, a sum not
16 less than twenty five, nor more than one hun-
17 dred dollars. And each and every body corpo-
18 rate in this State, Banks not excepted, offending

19 as aforesaid, shall be liable to forfeiture of char-
20 ter.

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*
7 *the pleasure of the Executive, shall violate*
8 *any of the provisions of this Act, or neglect*
9 *any duty enjoined, it shall be the duty of the*
10 *Executive, on satisfactory evidence thereof,*
11 *to remove such person forthwith from office.*
12 *And if any person holding office during good*
13 *behavior, or for a term of years, shall violate*
14 *any of the provisions of this Act, such officer*
15 *shall be liable to impeachment therefor, and*
16 *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 forfeiture
12 is not more than twenty dollars, or by indict-
13 ment, to the use of the State, in any Court of
14 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 affect the rights of any party
8 in any suit now pending.



STATE OF MAINE.

HOUSE OF REPRESENTATIVES, }
March 2, 1836. }

Ordered that 300 copies of this New Draft, as amended, be printed for
the use of the members.

[Extract from the Journal.]

Attest, JAMES L. CHILD, CLERK.