

ACT OF JANUARY 18, 1837.

Further in regard to the establishment of a mint and regulation of coins of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the officers of the Mint of the United States shall be a Director, a treasurer, an assayer, a melter and refiner, a chief coiner and an engraver, to be appointed by the President of the United States, by and with the advice and consent of the Senate.

Act of Apr. 2,
1792, ch. 14.
Act of Mar. 3,
1835, ch. 37.
Act of Feb. 27,
1843, ch. 46.
Act of Apr. 2,
1844, ch. 7.
Officers.

SEC. 2. *And be it further enacted,* That the respective duties of the officers of the Mint shall be as follows:

Duties of—

First. The Director shall have the control and management of the Mint, the superintendence of the officers and persons employed therein, and the general regulation and supervision of the business of the several branches. And in the month of January of every year he shall make report to the President of the United States of the operations of the Mint and its branches for the year preceding. And also to the Secretary of the Treasury, from time to time, as said Secretary shall require, setting forth all the operations of the Mint subsequent to the last report made upon the subject.

Director.

Second. The treasurer shall receive, and safely keep all moneys which shall be for the use and support of the Mint; shall keep all the current accounts of the Mint, and pay all moneys due by the Mint, on warrants from the Director. He shall receive all bullion brought to the Mint for coinage; shall be the keeper of all bullion and coin in the Mint, except while the same is legally placed in the hands of other officers, and shall, on warrants from the Director, deliver all coins struck at the Mint to the persons to whom they shall be legally payable. And he shall keep regular and faithful accounts of all the transactions of the Mint, in bullion and coins, both with the officers of the Mint and the depositors; and shall present, quarter-yearly, to the Treasury Department of the United States, according to such forms as shall be prescribed by that Department, an account of the receipts and disbursements of the Mint for the purpose of being adjusted and settled.

Treasurer.

- Assayer. *Third.* The assayer shall carefully assay all metals used in coinage, whenever such assays are required in the operations of the Mint; and he shall also make assays of coins whenever instructed to do so by the Director.
- Melter and refiner. *Fourth.* The melter and refiner shall execute all the operations which are necessary in order to form ingots of standard silver or gold, suitable for the chief coiner, from the metals legally delivered to him for that purpose.
- Chief coiner. *Fifth.* The chief coiner shall execute all the operations which are necessary in order to form coins, conformable in all respects to the law, from the standard silver and gold ingots, and the copper planchets, legally delivered to him for this purpose.
- Engraver. *Sixth.* The engraver shall prepare and engrave, with the legal devices and inscriptions, all the dies used in the coinage of the Mint and its branches.
- Appointment of assistant and clerks. *SEC. 3. And be it further enacted,* That the Director shall appoint, with the approbation of the President, assistants to the assayer, melter and refiner, chief coiner, and engraver, and clerks for the Director and treasurer, whenever, on representation made by the Director to the President, it shall be the opinion of the President that such assistants or clerks are necessary. And it shall be the duty of the assistants to aid their principals in the execution of their respective offices, and of the clerks to perform such duties as shall be prescribed for them by the Director.
- Their duties. *SEC. 4. And be it further enacted,* That whenever any officer of the Mint shall be temporarily absent, on account of sickness, or any other sufficient cause, it shall be lawful for the Director, with the assent of said officer, to appoint some person attached to the Mint, to act in the place of such officer during his absence, and that the Director shall employ such workmen and servants in the Mint as he shall from time [to time] find necessary.
- Vacancies in case of temporary absence, how filled. *SEC. 5. And be it further enacted,* That every officer, assistant, and clerk of the Mint, shall, before he enters upon the execution of his office, take an oath or affirmation before some judge of the United States, or judge of the superior court or any court of record of any State, faithfully and diligently to perform the duties thereof.
- Employment of workmen and servants. *SEC. 6. And be it further enacted,* That the following officers of the Mint, before entering upon the execution of their respective offices, shall become bound to the United States, with one or more sureties, to the satisfaction of the Secretary of the Treasury, in the sums hereinafter mentioned, with condition for the faithful and diligent performance of the duties of their offices, viz: The treasurer in the sum of ten thousand dollars; the assayer in the sum of five thousand dollars; the melter and refiner in the sum of ten thousand dollars; the chief coiner in the sum of ten thousand dollars. And that similar bonds may also be required of the assistants and clerks, in such sums as the Director shall determine, with the approbation of the Secretary of the Treasury.
- Oath to be taken. *Bonds required.*

SEC. 7. *And be it further enacted*, That there shall be allowed to the officers of the Mint the following salaries per annum: To the Director, for his services, including traveling expenses incurred in visiting the different branches, and all other charges whatever, three thousand five hundred dollars; to the treasurer, assayer, melter and refiner, chief coiner, and engraver, each, two thousand dollars; to the assistants and clerks, such annual salaries shall be allowed as the Director may determine, with the approbation of the President: *Provided*, That an assistant shall not receive more than fifteen hundred dollars; and that a clerk shall not receive more than twelve hundred dollars; to the workmen and servants shall be allowed such wages, to be determined by the Director, as may be customary and reasonable, according to their respective stations and occupations; and that the salaries provided for in this section shall be payable in quarterly instalments.

Salaries of officers, clerks, and assistants.

Proviso.

Wages of workmen and servants.

SEC. 8. *And be it further enacted*, That the standard for both gold and silver coins of the United States shall hereafter be such, that of one thousand parts by weight, nine hundred shall be of pure metal, and one hundred of alloy; and the alloy of the silver coins shall be of copper; and the alloy of the gold coins shall be of copper and silver, provided that the silver do not exceed one half of the whole alloy.

Standard for gold and silver coins.

See act of June 23, 1834, s. 1.

Alloys.

SEC. 9. *And be it further enacted*, That of the silver coins, the dollar shall be of the weight of four hundred and twelve and one half grains; the half dollar of the weight of two hundred and six and one fourth grains; the quarter dollar of the weight of one hundred and three and one eighth grains; the dime, or tenth part of a dollar, of the weight of forty-one and a quarter grains; and the half dime, or twentieth part of a dollar, of the weight of twenty grains and five-eighths of a grain. And that dollars, half dollars and quarter dollars, dimes and half dimes, shall be legal tenders of payment, according to their nominal value, for any sums whatever.

Weight of silver coins.

See act April 2, 1792, s. 9.

Act February 21, 1853.

Act February 12, 1873, s. 15.

Act February 28, 1878.

Dollars, &c., shall be legal tenders, &c.

Ibid.

SEC. 10. *And be it further enacted*, That of the gold coins, the weight of the eagle shall be two hundred and fifty eight grains; that of the half eagle one hundred and twenty nine grains; and that of the quarter eagle sixty four and one half grains. And that for all sums whatever, the eagle shall be a legal tender of payment for ten dollars; the half eagle for five dollars, and the quarter eagle for two and a half dollars.

Weight of gold coins.

See act of April 2, 1792, s. 9.

Eagles, &c., shall be legal tender, &c.

SEC. 11. *And be it further enacted*, That the silver coins heretofore issued at the mint of the United States, and the gold coins issued since the thirty-first day of July, one thousand eight hundred and thirty four, shall continue to be legal tenders of payment for their nominal values, on the same terms as if they were of the coinage provided for by this act.

Silver coins heretofore issued and gold coins issued since July 31, 1834, shall continue to be legal tenders.

SEC. 12. *And be it further enacted*, That of the copper coins, the weight of the cent shall be one hundred and sixty-eight grains, and the weight of the half cent eight four grains. And the cent shall be considered of the value of one

Weight of copper coins.

Proportional value of a dollar.

hundredth part of a dollar, and the half cent of the value of one two hundredth part of a dollar.

Devices and legends of coins.

SEC. 13. *And be it further enacted*, That upon the coins struck at the Mint there shall be the following devices and legends: upon one side of each of said coins there shall be an impression emblematic of liberty, with an inscription of the word Liberty, and the year of the coinage; and upon the reverse of each of the gold and silver coins, there shall be the figure or representation of an eagle, with the inscription United States of America, and a designation of the value of the coin; but on the reverse of the dime and half dime, cent and half cent, the figure of the eagle shall be omitted.

Gold and silver bullion brought for coinage shall be received and coined.
Proviso.

SEC. 14. *And be it further enacted*, That gold and silver bullion brought to the mint for coinage, shall be received and coined, by the proper officers, for the benefit of the depositor: *Provided*, That it shall be lawful to refuse, at the mint, any deposits of less value than one hundred dollars, and any bullion so base as to be unsuitable for the operations of the mint; *And provided also*, That when gold and silver are combined, if either of these metals be in such small proportion that it cannot be separated advantageously, no allowance shall be made to the depositor for the value of such metal.

Further proviso.

Receipt to be given for bullion.

SEC. 15. *And be it further enacted*, That when bullion is brought to the Mint for coinage, it shall be weighed by the treasurer, in the presence of the depositor, when practicable, and a receipt given which shall state the description and weight of the bullion: *Provided*, That when the bullion is in such a state as to require melting before its value can be ascertained, the weight after melting shall be considered as the true weight of the bullion deposited.

Proviso.

Bullion deposited for coinage to be assayed.

SEC. 16. *And be it further enacted*, That from every parcel of bullion deposited for coinage, the treasurer shall deliver to the assayer a sufficient portion for the purpose of being assayed; but all such bullion remaining from the operations of the assay shall be returned to the treasurer by the assayer.

Assayer to report the quality. &c.

SEC. 17. *And be it further enacted*, That the assayer shall report to the treasurer the quality or standard of the bullion assayed by him; and he shall also communicate to the treasurer such information as will enable him to estimate the amount of the charges hereinafter provided for, to be made to the depositor, for the expenses of converting the bullion into standard metal fit for coinage.

Charges to which the depositor is subjected.

SEC. 18. *And be it further enacted*, That the only subjects of charge by the Mint to the depositor shall be the following: For refining when the bullion is below standard; for toughening when metals are contained in it which render it unfit for coinage; for copper used for alloy when the bullion is above standard; for silver introduced into the alloy of gold; and for separating the gold and silver when these metals exist together in the bullion: and that the rate of these charges shall be fixed, from time to time, by the Director, with the concurrence of the Secretary of the Treasury, so as not to exceed, in their judgment, the actual ex-

Rate of, how fixed.

pense to the Mint of the materials and labor employed in each of the cases aforementioned; and that the amount received from these charges shall be accounted for, and appropriated for defraying the contingent expenses of the Mint.

Disposition of amount received.

SEC. 19. *And be it further enacted*, That from the report of the assayer, and the weight of the bullion, the treasurer shall estimate the whole value of each deposite, and also the amount of the charges or deductions if any; of all which he shall give a detailed memorandum to the depositor; and he shall also give, at the same time, under his hand, a certificate of the nett amount of the deposite, to be paid in coins of the same species of bullion as that deposited.

Value of deposit, &c., how estimated.

SEC. 20. *And be it further enacted*, That parcels of bullion shall be, from time to time, transferred by the treasurer to the melter and refiner; that a careful record of these transfers, noting the weight and character of the bullion, shall be kept; and that the bullion thus placed in the hands of the melter and refiner shall be subjected to the several processes which may be necessary to form it into ingots of the legal standard, and of a quality suitable for coinage.

Transfers of bullion by treasurer to melter and refiner.

SEC. 21. *And be it further enacted*, That the ingots thus prepared shall be assayed by the assayer, and if they prove to be within the limits allowed for deviation from the standard, they shall be transferred by the melter and refiner to the treasurer, accompanied by the assayer's certificate of their fineness; and that a careful record of the transfer shall be kept by the treasurer.

Ingots to be assayed, &c.

SEC. 22. *And be it further enacted*, That no ingots of gold shall be used for coinage of which the quality differs more than two thousandths from the legal standard; and that no ingots of silver shall be used for coinage of which the quality differs more than three thousandths from the legal standard.

Deviation from legal standard allowed in ingots of gold and silver.

SEC. 23. *And be it further enacted*, That in the treasurer's account with the melter and refiner, the melter and refiner shall be debited with the standard weight of all the bullion placed in his hands, that is to say, with the weight of metal of legal standard fineness which it will make; and that he shall be credited by the standard weight of all the ingots delivered by him to the treasurer; and that once at least in every year, at such time as the Director shall appoint, the melter and refiner shall deliver up to the treasurer all the bullion in his possession, in order that his accounts may be settled up to that time; and, in this settlement, he shall be entitled to a credit for the difference between the whole amount of bullion delivered to him, and received from him, since the last settlement, as an allowance for necessary waste: *Provided*, That this allowance shall not exceed two thousandths of the whole amount of gold and silver bullion, respectively, that had been delivered to him by the treasurer.

Treasurer's account with melter and refiner.

Allowance for necessary waste. Proviso.

SEC. 24. *And be it further enacted*, That the treasurer shall, from time to time, deliver over to the chief coiner, ingots for the purpose of coinage; that he shall keep a careful record of these transfers, noting the weight and descrip-

Ingots for coinage.

tion of the ingots; and that the ingots thus placed in the hands of the chief coiner shall be passed through the several processes necessary to make from them coins, in all respects conformable to law.

Deviation from legal standard allowed in the weights of coins, in single pieces.

In a large number together.

SEC. 25. *And be it further enacted,* That in adjusting the weights of the coins, the following deviations from the standard weight shall not be exceeded in any of the single pieces: In the dollar and half dollar, one grain and a half; in the quarter dollar, one grain; in the dime and half dime, half a grain; in the gold coins, one-quarter of a grain; in the copper coins, one grain in the pennyweight; and that in weighing a large number of pieces together, when delivered from the chief coiner to the treasurer, and from the treasurer to the depositors, the deviations from the standard weight shall not exceed the following limits: Four pennyweights in one thousand dollars; three pennyweights in one thousand half dollars; two pennyweights in one thousand quarter dollars; one pennyweight in one thousand dimes; one pennyweight in one thousand half dimes; two pennyweights in one thousand eagles; one and a half pennyweight in one thousand half eagles; one pennyweight in one thousand quarter eagles.

Coins to be weighed.

SEC. 26. *And be it further enacted,* That the chief coiner shall, from time to time, as the coins are prepared, deliver them over to the treasurer, who shall keep a careful record of their kind, number, and weight; and that, in receiving the coins, it shall be the duty of the treasurer to see whether the coins of that delivery are within the legal limits of the standard weight; and if his trials for this purpose shall not prove satisfactory, he shall cause all the coins of this delivery to be weighed separately, and such as are not of legal weight shall be delivered to the melter and refiner, as standard bullion, to be again formed into ingots and recoined.

Coins to be preserved for the annual trial.

SEC. 27. *And be it further enacted,* That at every delivery of coins made by the chief coiner to the treasurer, it shall be the duty of the treasurer, in the presence of the assayer, to take indiscriminately a certain number of pieces of each variety for the annual trial of coins, (the number being prescribed by the Director,) which shall be carefully labelled, and deposited in a chest appropriated for the purpose, kept under the joint care of the treasurer and assayer, and so secured that neither can have access to its contents without the presence of the other.

Dispositions of clippings, &c.

SEC. 28. *And be it further enacted,* That the chief coiner shall, from time to time, deliver to the treasurer the clippings and other portions of bullion remaining after the process of coining, and that the treasurer shall keep a careful record of their amount.

Treasurer's account with chief coiner.

SEC. 29. *And be it further enacted,* That in the treasurer's account with the chief coiner, the chief coiner shall be debited with the amount in weight of standard metal of all the bullion placed in his hands, and credited with the amount, also by weight, of all the coins, clippings, and other bullion delivered by him to the treasurer; and that once at least in every year, at such time as the Director shall appoint, the chief coiner shall deliver to the treasurer all the coins

and bullion in his possession, so that his accounts may be settled up to that time; and, in this settlement, he shall be entitled to a credit for the difference between the whole amount of the ingots delivered to him, and of the coins and bullion received from him, since the last settlement, as an allowance for necessary waste: *Provided*, That this allowance shall not exceed two thousandths of the whole amount of the silver, or one and one-half thousandth of the whole amount of the gold, that had been delivered to him by the treasurer.

Allowance for
necessary waste.

Proviso.

SEC. 30. *And be it further enacted*, That when the coins which are the equivalent to any deposit of bullion are ready for delivery, they shall be paid over to the depositor, or his order, by the treasurer, on a warrant from the Director; and the payment shall be made, if demanded, in the order in which the bullion shall have been brought to the Mint, giving priority according to priority of deposit only; and that in the denominations of coin delivered, the treasurer shall comply with the wishes of the depositor, unless when impracticable or inconvenient to do so; in which case, the denominations of coin shall be designated by the Director.

Payment for
bullion deposited
to be coined.

SEC. 31. *And be it further enacted*, That for the purpose of enabling the Mint to make returns to depositors with as little delay as possible, it shall be the duty of the Secretary of the Treasury to keep in the said Mint, when the state of the Treasury will admit thereof, a deposit of such amount of public money, or of bullion procured for the purpose, as he shall judge convenient and necessary, not exceeding one million of dollars, out of which those who bring bullion to the Mint may be paid the value thereof, as soon as practicable, after this value has been ascertained; that the bullion so deposited shall become the property of the United States; that no discount or interest shall be charged on moneys so advanced; and that the Secretary of the Treasury may at any time withdraw the said deposit, or any part thereof, or may, at his discretion, allow the coins formed at the Mint to be given for their equivalent in other money.

Deposit of pub-
lic money to be
kept in the Mint
by Secretary of
Treasury.

SEC. 32. *And be it further enacted*, That to secure a due conformity in the gold and silver coins to their respective standards and weights, an annual trial shall be made of the pieces reserved for this purpose at the Mint and its branches, before the judge of the district court of the United States, for the eastern district of Pennsylvania, the attorney of the United States, for the eastern district of Pennsylvania, and the collector of the port of Philadelphia, and such other persons as the President shall, from time to time, designate for that purpose, who shall meet as commissioners, for the performance of this duty, on the second Monday in February, annually, and may continue their meetings by adjournment, if necessary; and if a majority of the commissioners shall fail to attend at any time appointed for their meeting, then the Director of the Mint shall call a meeting of the commissioners at such other time as he may deem

Annual trial of
coins.

Act of Mar. 3,
1823, ch. 42, sec.
2, repealed.

convenient; and that before these commissioners, or a majority of them, and in the presence of the officers of the Mint, such examination shall be made of the reserved pieces as shall be judged sufficient; and if it shall appear that these pieces do not differ from the standard fineness and weight by a greater quantity than is allowed by law, the trial shall be considered and reported as satisfactory; but if any greater deviation from the legal standard or weight shall appear, this fact shall be certified to the President of the United States, and if, on a view of the circumstances of the case, he shall so decide, the officer or officers implicated in the error shall be thenceforward disqualified from holding their respective offices.

Purchase of copper bullion.

SEC. 33. *And be it further enacted*, That copper bullion shall be purchased for the Mint, from time to time, by the treasurer, under instructions from the Director; that the cost shall be paid from the fund hereinafter provided for; and that the copper bullion shall be of good quality, and in form of planchets fit for passing at once into the hands of the chief coiner.

Coinage of copper.

SEC. 34. *And be it further enacted*, That the copper planchets shall be delivered, from time to time, by the treasurer to the chief coiner, to be by him coined; and all such copper shall be returned to the treasurer, by the chief coiner, weight for weight, without allowance for waste.

Copper coins may be exchanged for other money.

SEC. 35. *And be it further enacted*, That it shall be the duty of the treasurer of the Mint to deliver the copper coins, in exchange for their legal equivalent in other money, to any persons who shall apply for them: *Provided*, That the sum asked for be not less than a certain amount, to be determined by the Director, and that it be not so great as, in his judgment, to interfere with the capacity of the Mint to supply other applicants.

Proviso.

Copper coins transported at expense of the Mint.

SEC. 36. *And be it further enacted*, That the copper coins may, at the discretion of the Director, be delivered in any of the principal cities and towns of the United States, at the cost of the Mint for transportation.

Disposition of money received in exchange for copper coins.

SEC. 37. *And be it further enacted*, That the money received by the treasurer in exchange for copper coins shall form a fund in his hands, which shall be used to purchase copper planchets, and to pay the expense of transportation of copper coins; and that if there be a surplus, the same shall be appropriated to defray the contingent expenses of the Mint.

Former acts repealed.

SEC. 38. *And be it further enacted*, That all acts or parts of acts heretofore passed, relating to the Mint and coins of the United States, which are inconsistent with the provisions of this act, be, and the same are hereby repealed.

Approved, January 18, 1837.