

deposite, not authorized by the provisions of their respective charters.

SEC. 5. *And be it enacted*, That no bank in this state shall, from and after the first day of May next, issue any bank note, certificate of deposite, or any paper intended to be used as a circulating medium, of a less denomination than five dollars. Notes of less than \$5 prohibited.

SEC. 6. *And be it enacted*, That the governor may direct the attorney-general to cause a scire facias to be issued against any bank, or savings institution, that may fail to comply with the provisions of this act, and in that case the same proceedings shall be had in all respects as are directed by the act of eighteen hundred and eighteen, chapter one hundred and seventy-seven, in regard to banks refusing to pay specie for their notes. Proceedings against banks not complying.

SEC. 7. *And be it enacted*, That any officer, or officers, who shall make a false and fraudulent report, required to be made by the provisions of this act, shall be subject to all the pains and penalties of wilful and corrupt perjury. Fraudulent report. Corrupt perjury.

CHAPTER 320.

AN ACT relating to the Maryland Penitentiary.

See 1838, ch. 400.

SEC. 1. *Be it enacted, by the General Assembly of Maryland*, That after the passage of this act, the governor, by and with the advice and consent of the senate, shall, on or before the first day of March, appoint six persons, residents of the city or county of Baltimore, who shall be directors of the Maryland penitentiary; and the governor, at the first appointment under this act, shall divide the said directors into three classes, of two each, and the term of service of the first class shall expire at the end of one year; that of the second class at the end of two years; and that of the third class at the end of three years from their first appointment; and at the expiration of the term of service of any of said directors, they shall be re-appointed, or others may be appointed in their stead, to serve for three years, or until a new appointment, so that two directors shall be appointed every year; and upon the happening of a vacancy in the board of directors, another shall be appointed for the unexpired term of the former incumbent. Annual appointment of six directors. Classified. Term of 3 years.

SEC. 2. *And be it enacted*, That the governor, by and with the advice and consent of the senate, shall also appoint, on or before the first day of March in every year, a warden to the penitentiary, who shall serve for one year, or until a new appointment; and no director, clerk or other officer of the institution shall be eligible to the office of warden until twelve months after the expiration of the term for which he may have been appointed director, clerk or other officer, as the case may be; and upon the said office becoming vacant, a new appointment Appointment of warden. Disqualification.