

Case No. 16,753. UNITED STATES v. WOOD.
[2 Cranch, C. C. 164.]¹

Circuit Court, District of Columbia.

April Term, 1819.

COUNTERFEITING BANK-NOTE—PEREMPTORY CHALLENGES.

1. A defendant indicted for counterfeiting a bank-note in Alexandria, D. C., is entitled to a peremptory challenge, it being felony without benefit of clergy, by the Virginia acts of December 19, 1792, and December 8, 1794.
2. Falsely altering a promissory note in a material part, with intent to defraud any person, is a forging within the meaning of the statutes.

Indictment [against George Wood] for counterfeiting a note of the Mechanics' Bank of Alexandria.

Mr. Mason, for defendant, contended that the statutes of December 19, 1792, and December 8, 1794, do not punish the altering of a note; that altering is not forging, or counterfeiting, or making. The note had been originally a note of the Merchants' Bank, which had failed, and was altered so as to purport to be a note of the Mechanics' Bank, which was in good credit.

THE COURT (THRUSTON, Circuit Judge, absent), on the prayer of Mr. Jones, for the United States, instructed the jury that the falsely altering of the note in a material part, with intent to defraud any person, was a forging, within the meaning of the statutes.

Verdict not guilty.

¹ [Reported by Hon. William Cranch, Chief Judge.]