

Purchase of materials therefor.

SEC. 5. *And be it further enacted*, That the treasurer of the mint, under the instruction of the Secretary of the Treasury, shall, from time to time, purchase from the bullion fund of the mint the materials necessary for the coinage of such cent piece, and transfer the same to the proper operative officers of the mint to be manufactured and returned in coin. And the laws in force relating to the mint and the coinage of the precious metals, and in regard to the sale and distribution of the copper coins, shall, so far as applicable, be extended to the coinage herein provided for: *Provided*, That the net profits of said coinage, ascertained in like manner as is prescribed in the second section of this act, shall be transferred to the treasury of the United States.

Former laws extended to such cents.

Profits.

Such cents may be paid out and transmitted, &c.

SEC. 6. *And be it further enacted*, That it shall be lawful to pay out the said cent at the mint in exchange for any of the gold and silver coins of the United States, and also in exchange for the former copper coins issued: and it shall be lawful to transmit parcels of the said cents, from time to time, to the assistant treasurers, depositaries, and other officers of the United States, under general regulations proposed by the director of the mint, and approved by the Secretary of the Treasury, for exchange as aforesaid. And it shall also be lawful for the space of two years from the passage of this act and no longer, to pay out at the mint the cents aforesaid for the fractional parts of the dollar hereinbefore named, at their nominal value of twenty-five, twelve-and-a-half and six-and-a-quarter cents, respectively.

To be paid out for certain coins at old rate for two years.

Time extended. 1859, ch. 80, § 2. *Post*, p. 422.

Annual report of director of the mint to be made up to June 30.

SEC. 7. *And be it further enacted*, That hereafter the director of the mint shall make his annual report to the Secretary of the Treasury, up to the thirtieth of June in each year, so that the same may appear in his annual report to Congress on the finances.

APPROVED, February 21, 1857.

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CHAP. LVII.—*An Act to divide the State of Texas into two Judicial Districts.*

Texas divided into two judicial districts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the State of Texas be and the same is hereby divided into two judicial districts, in the following manner, to wit: All the territory of the State of Texas embraced in the counties of Newton, Jasper, Jefferson, Orange, Tyler, Polk, Liberty, Galveston, Harris, Montgomery, Austin, Fort Bend, Brazoria, Colorado, Wharton, Matagorda, Lavacca, Jackson, Calhoun, Dewitt, Victoria, Goliad, Refugio, San Patricio, Nueces, Cameron, Starr, Webb, and Hidalgo, as they existed in eighteen hundred and fifty-two, shall compose one district, to be called the eastern district of Texas; and all the remaining part of the territory of the said State shall compose another district, to be called the western district of Texas.

Terms of Court.

SEC. 2. *And be it further enacted*, That there shall be held in each year four terms of the district court of the eastern district of Texas, two of which terms shall be begun and held at Galveston on the first Mondays in December and May, respectively; and the other two shall be begun and held at Brownsville on the first Mondays of March and October, respectively; and four terms of the district court of the western district of Texas shall be held in each year, two of which terms shall be begun and held at Austin on the first Mondays of January and June, respectively; and the other two shall be begun and held at Tyler on the first Mondays of March and November, respectively; and the said courts are hereby authorized to hold adjourned terms when the business of the said courts shall, in the opinion of the judge or judges, require it.

Transfer of suits and process.

SEC. 3. *And be it further enacted*, That all suits and proceedings of whatever name or nature pending in the district court of Texas, at any of the places at which terms of the said courts were enjoined to be held, and which said places may be within the eastern district of Texas, shall be

transferred to the district court of the eastern district of Texas; and such suits and proceedings pending at any of the places at which terms of the said district court were enjoined to be held, and which said places may be within the western district, shall be transferred to the district court of the western district of Texas; and this act shall not produce a discontinuance of any such suit or proceeding, or of any order, issue, or process therein; and jurisdiction is here given to the said district courts respectively* and perform all duties appertaining to the said suits and proceedings, and to proceed to try and dispose of the same as fully as the district court of Texas was authorized to do; and all process, mesne or final, which may have issued from any of the courts of the district of Texas, shall be proceeded in and returned to the district court to be holden at the place from whence the same issued, and shall be of as full force and effect as if the said district had not been divided into two districts; and all process which may have issued from the said district court of Texas in any cause pending therein, or any penal or other process which may hereafter issue from any of the said courts to enforce any order, judgment, or decree, in any cause heretofore ended and determined therein, shall be issued from and made returnable to the court in which the said cause or the record thereof may be, and may issue and be executed by the marshal of the district from which issues in any part of the State.

SEC. 4. *And be it further enacted,* That either of the said district courts may, on application of the parties defendant, and for good cause shown, order any suit now pending, and transferred to such court by this act, to be removed to the proper court of the other district for further proceedings; and thereupon the clerk shall transmit all the papers in the cause, with a transcript of all the proceeding and orders in relation thereto, to the clerk of the court to which the suit shall be removed, and all further proceedings shall be had in the said court, as if the suit had been originally commenced therein.

Same subject.

SEC. 5. *And be it further enacted,* That the present judge of the district of Texas be and he is hereby assigned to hold said courts in the eastern district of Texas, and shall exercise the same jurisdiction and perform the same duties within the said district as he now exercises and performs within his present district. There shall be appointed a district judge for the western district of Texas, who shall possess the same powers, and do and perform all such duties in his district as are now enjoyed, or in any manner appertaining to the present district judge for the district of Texas. And the district judge of each district shall be entitled to the same compensation as by law is provided for the present judge of the district of Texas.

The present district judge as signed to the eastern district.

Judge to be appointed for the western district.

SEC. 6. *And be it further enacted,* That there be appointed one person as district attorney, and one person as marshal, for said western district, whose terms of appointment and service, as well as duties and emoluments, shall be the same with those respectively appertaining to the said offices in the district of Texas; and said marshal shall give the same bond that other marshals are required to give, to be approved and recorded as now directed by law: *Provided,* That the present district attorney of the district of Texas shall be the district attorney for the eastern district, but shall retain charge of all suits already commenced until the final termination, unless the President of the United States shall otherwise direct; and the present marshal of the district of Texas shall be the marshal of the eastern district, during their respective official terms.

District attorneys and marshals for said districts.

SEC. 7. *And be it further enacted,* That all suits hereafter to be brought in either of said courts, not of a local nature, shall be brought in the court of the district where the defendant resides; but if there be more

Apportionment of jurisdiction between said districts.

* Something seems wanting here to complete the sense, but the Rolls are as is printed above.

than one defendant, and they reside in different districts, the plaintiff may issue in either, and send a duplicate writ against the defendants, directed to the marshal of the other district, on which writ an endorsement shall be made, that the writ thus sent is a copy of a writ sued out of the court of the proper district; and said writs, when executed and returned into the office from whence they issued, shall constitute one suit and be proceeded in accordingly.

APPROVED, February 21, 1857.

Feb. 26, 1857.

1858, ch. 31.
Post, p. 285.

Inhabitants of part of Minnesota authorized to form a Constitution and State Government.

CHAP. LX.—*An Act to authorize the People of the Territory of Minnesota to form a Constitution and State Government, preparatory to their Admission in the Union on an equal Footing with the original States.*

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the inhabitants of that portion of the Territory of Minnesota which is embraced within the following limits, to wit: Beginning at the point in the centre of the main channel of the Red River of the North, where the boundary line between the United States and the British possessions crosses the same; thence up the main channel of said river to that of the Boix des Sioux River; thence [up] the main channel of said river to Lake Travers; thence up the centre of said lake to the southern extremity thereof; thence in a direct line to the head of Big Stone Lake; thence through its centre to its outlet; thence by a due south line to the north line of the State of Iowa; thence east along the northern boundary of said State to the main channel of the Mississippi River; thence up the main channel of said river, and following the boundary line of the State of Wisconsin, until the same intersects the Saint Louis River; thence down said river to and through Lake Superior, on the boundary line of Wisconsin and Michigan, until it intersects the dividing line between the United States and the British possessions; thence up Pigeon River, and following said dividing line to the place of beginning—be and they are hereby authorized to form for themselves a Constitution and State Government, by the name of the State of Minnesota, and to come into the Union on an equal footing with the original States, according to the federal constitution.

Jurisdiction over bordering waters, which are declared to be common highways.

SEC. 2. *And be it further enacted,* That the said State of Minnesota shall have concurrent jurisdiction on the Mississippi and all other rivers and waters bordering on the said State of Minnesota, so far as the same shall form a common boundary to said State and any other State or States now or hereafter to be formed or bounded by the same; and said river and waters, and the navigable waters leading into the same, shall be common highways, and forever free, as well to the inhabitants of said State as to all other citizens of the United States, without any tax, duty, impost, or toll, therefor.

Convention of delegates to be held.

Voting.

SEC. 3. *And be it further enacted,* That on the first Monday in June next, the legal voters in each representative district, then existing within the limits of the proposed State, are hereby authorized to elect two delegates for each representative to which said district may be entitled according to the apportionment for representatives to the territorial legislature, which election for delegates shall be held and conducted, and the returns made, in all respects in conformity with the laws of said Territory regulating the election of representatives; and the delegates so elected shall assemble at the capitol of said Territory on the second Monday in July next, and first determine, by a vote, whether it is the wish of the people of the proposed State to be admitted into the Union at that time; and if so, shall proceed to form a constitution, and take all necessary steps for the establishment of a State government, in conformity with the federal constitution, subject to the approval and ratification of the people of the proposed State.

Meeting of convention.