

case in the circuit court of the United States; and thereupon said circuit court shall have jurisdiction therein, and may, upon proof of such refusal or neglect of the clerk of the State court, and upon reasonable notice being given to the plaintiff, require him to file a declaration or petition therein; and upon his default may order a nonsuit, and dismiss the case at the costs of the plaintiff, which dismissal shall be a bar to any further suit touching the matter in controversy.

APPROVED, May 11, 1866.

If clerk does not furnish copies, case may be docketed in U. S. Court, and plaintiff ordered to file declaration, &c. therein.

Nonsuit, &c.

CHAP. LXXXI. — *An Act to authorize the Coinage of Five-cent Pieces.*

May 16, 1866.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, so soon as practicable after the passage of this act, there shall be coined at the mint of the United States a five-cent piece composed of copper and nickel, in such proportions, not exceeding twenty-five per centum of nickel, as shall be determined by the director of the mint, the standard weight of which shall be seventy-seven and sixteen hundredths grains, with no greater deviation than two grains to each piece; and the shape, mottoes and devices of said coin shall be determined by the director of the mint, with the approval of the Secretary of the Treasury; and the laws now in force relating to the coinage of cents, and providing for the purchase of material, and prescribing the appropriate duties of the officers of the mint and the Secretary of the Treasury, be, and the same are hereby, extended to the coinage herein provided for.

Five-cent pieces to be coined of copper and nickel.

Weight, shape, devices, &c.

Laws relating to coinage of cents, &c., to apply to this coinage.

SEC. 2. *And be it further enacted,* That all laws now in force relating to the coins of the United States, and the striking and coining of the same, shall, so far as applicable, be extended to the coinage herein authorized, whether said laws are penal or otherwise, for the security of the coin, regulating and guarding the process of striking and coining, for preventing debasement or counterfeiting, or for any other purpose. And the director of the mint shall prescribe suitable regulations to insure a due conformity to the required weights and proportions of alloy in the said coin, and shall order trials thereof to be made from time to time by the assayer of the mint, whereof a report shall be made in writing to the director.

Laws relating to coins extended to this act so far as applicable.

Regulations as to alloy.

SEC. 3. *And be it further enacted,* That said coin shall be a legal tender in any payment to the amount of one dollar. And it shall be lawful to pay out such coins in exchange for the lawful currency in the United States, (except cents, or half cents, or two-cent pieces, issued under former acts of Congress,) in suitable sums, by the treasurer of the mint, and by such other depositaries as the Secretary of the Treasury may designate, and under general regulations approved by the Secretary of the Treasury. And under the like regulations the same may be exchanged in suitable sums for any lawful currency of the United States, and the expenses incident to such exchange, distribution, and transmission may be paid out of the profits of said coinage; and the net profits of said coinage, as ascertained in the manner prescribed in the second section of the act entitled "An act relating to foreign coins and the coinage of cents at the mint of the United States," approved February twenty-first, eighteen hundred and fifty-seven, shall be transferred to the treasury of the United States: *Provided,* That from and after the passage of this act no issues of fractional notes of the United States shall be of a less denomination than ten cents; and all such issues at that time outstanding shall, when paid into the treasury or any designated depository of the United States, or redeemed or exchanged as now provided by law, be retained and cancelled.

To be legal tender to amount of a dollar.

To be paid in exchange for currency.

1857, ch. 56, § 2.
Vol. xi. p. 163.

No fractional currency of less than ten cents to be issued, and old issues to be cancelled.

SEC. 4. *And be it further enacted,* That, if any person or persons not lawfully authorized shall knowingly make, issue, or pass, or cause to be made, issued, or passed, or aid in the making, issuing, or passing of any

Unauthorized making, &c., of such coins punished.

coin, card, token, or device whatsoever, in metal or its compound, intended to pass or be passed as money for the coin authorized by this act, or for coin of equal value, such person or persons shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, be punished by a fine not exceeding one thousand dollars, and by imprisonment for a term not exceeding five years, at the discretion of the court.

May be redeemed in sums of not less than one hundred dollars.

SEC. 5. *And be it further enacted*, That it shall be lawful for the treasurer and the several assistant treasurers of the United States to redeem in national currency, under such rules and regulations as may be prescribed by the Secretary of the Treasury, the coin herein authorized to be issued, when presented in sums of not less than one hundred dollars.

APPROVED, May 16, 1866.

May 16, 1866.

CHAP. LXXXII. — *An Act imposing a Duty on live Animals.*

Duty on live animals imported.

Proviso.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That on and after the passage of this act, there shall be levied, collected, and paid, on all horses, mules, cattle, sheep, hogs, and other live animals imported from foreign countries, a duty of twenty per centum ad valorem: *Provided*, That any such animals now bona fide owned by resident citizens of the United States, and now in any of the provinces of British America, may be imported into the United States free of duty until the expiration of ten days next after the passage of this act.

APPROVED, May 16, 1866.

May 16, 1866.

CHAP. LXXXIII. — *An Act to change the Place of holding the Courts of the United States for the northern District of Mississippi.*

Court in northern district of Mississippi to be held at Oxford.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the district courts of the United States for the northern district of Mississippi, now required to be held at the town of Pontotoc, shall hereafter be held at the town of Oxford, in said State.

APPROVED, May 16, 1866.

May 16, 1866.

CHAP. LXXXIV. — *An Act to amend "An Act to establish the Grade of Vice-Admiral in the United States Navy."*

1864, ch. 6, § 2. Vol. xiii. p. 420.

Vice-Admiral to have a secretary.

Rank and pay of.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second section of an act to establish the grade of vice-admiral in the United States navy, approved December twenty-first, eighteen hundred and sixty-four, be, and the same is hereby, amended by adding thereto the following: "And he shall be allowed a Secretary, with the rank and sea pay and allowances of a lieutenant in the navy."

APPROVED, May 16, 1866.

May 18, 1866.

CHAP. LXXXV. — *An Act making Appropriations for the Service of the Post Office Department during the fiscal Year ending the thirtieth of June, eighteen hundred and sixty-seven, and for other Purposes.*

Appropriation for Post Office Department.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated for the service of the Post Office Department for the year ending June thirtieth, eighteen hundred and sixty-seven, out of any moneys in the treasury arising from the revenues of said department, in conformity to the act of the second of July, eighteen hundred and thirty-six: