

pany can change its located line after the approval of its map by the Secretary of the Interior in such cases where the topography of the country, in the opinion of the president of the railway company, justifies such change; but such change of line shall not vary more than five miles in either direction from the location shown on the map so approved, and an additional map showing such change shall be filed with and approved by the Secretary of the Interior before the construction of that portion of the road shall be commenced, and thereupon shall have the same force and effect as if originally filed with and approved by him.

Approved, May 24, 1900.

CHAP. 549.—An Act To detach the county of Dyer from the eastern division of the western district of Tennessee and to attach the same to the western division of the western district of said State of Tennessee.

May 24, 1900.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the county of Dyer, in the State of Tennessee, be, and the same is hereby, detached from the eastern division of the western judicial district of the State of Tennessee and attached to the western division of the western judicial district of said State of Tennessee.

Tennessee western judicial district. Dyer county transferred from eastern to western division.

SEC. 2. That all process, civil and criminal, hereafter issued against persons residing in said county of Dyer shall be made returnable to the courts held at Memphis, in the State of Tennessee, and all suits and prosecutions now pending in the circuit or district courts of the United States against persons residing in the said county of Dyer at Jackson, in the State of Tennessee, shall be determined in said courts.

Process.

Pending suits.

SEC. 3. That this Act shall take effect thirty days after its passage.

Effect.

Approved, May 24, 1900.

CHAP. 550.—An Act To amend section five of an Act to relieve certain appointed or enlisted men of the Navy and Marine Corps from the charge of desertion, approved August fourteenth, eighteen hundred and eighty-eight.

May 24, 1900.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter eight hundred and ninety, volume twenty-five, of the United States Statutes at Large, entitled "An Act to relieve certain appointed or enlisted men of the Navy and Marine Corps from the charge of desertion," approved August fourteenth, eighteen hundred and eighty-eight, be, and the same is hereby, revived and reenacted.

Navy and Marine Corps. Removal of charge of desertion from enlisted men. Chap. 890, vol. 25, p. 442, reenacted.

SEC. 2. That section five of the said Act be, and is hereby, so amended as to remove the limitation of time within which applications for relief may be received and acted upon under the provisions of said Act.

Limit of time for filing claims removed.

Approved, May 24, 1900.

CHAP. 552.—An Act Making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

May 25, 1900.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sums of money herein provided for be, and the same are hereby, appropriated, out of

Fortifications appropriations.

any moneys in the Treasury not otherwise appropriated, to be available until expended, namely:

Fortifications.

FORTIFICATIONS AND OTHER WORKS OF DEFENSE.

- Gun and mortar batteries. For construction of gun and mortar batteries, two million dollars.
- Pneumatic dynamite batteries. For pneumatic dynamite batteries, one hundred and eighty thousand dollars.
- Range, etc., finders. For installation of range and position finders, one hundred and fifty thousand dollars.
- Sites. For the procurement of land, or right pertaining thereto, needed for the site, location, construction, or prosecution of works, for fortifications and coast defenses, two hundred thousand dollars.
- Sullivan's Island, S. C. For the purchase of suitable building sites, and improvements and leases thereon, necessary to properly provide for the garrison at Sullivan's Island, Charleston, South Carolina, one hundred and thirty-five thousand dollars, or so much thereof as may be necessary: *Provided*, That no part of this sum shall be expended until valid title to all the land, and improvements and leases thereon, necessary for this purpose shall have been acquired by the United States.
- Proviso.*
—legal title. For the protection, preservation, and repair of fortifications for which there may be no special appropriation available, one hundred thousand dollars.
- Repairs. For preparation of plans for fortifications, five thousand dollars.
- Plans. For tools, electrical and engine supplies, for use of the troops for maintaining and operating electric light and power plants in gun and mortar batteries, twenty-five thousand dollars.
- Electric light, etc., plants. For construction of sea walls and embankments, fifty thousand dollars.
- Sea walls, etc. For construction of a sea wall and for necessary filling in at the reservation at Fort Caswell, North Carolina, one hundred and fifty thousand dollars.
- Fort Caswell, N. C. For the purchase of submarine mines and necessary appliances to operate them for closing the channels leading to our principal seaports, needful casemates, cable galleries, and so forth, to render it possible to operate submarine mines, and continuing torpedo experiments, fifty thousand dollars.
- Mines, etc.

Armament.

ARMAMENT OF FORTIFICATIONS.

- Army Gun Factory. For finishing and assembling eight-inch, ten-inch, and twelve-inch guns at the Army Gun Factory, one hundred and fifty thousand dollars.
- Twelve-inch, etc., guns.
- Steel. For oil-tempered and annealed steel for eight-inch, ten-inch, and twelve-inch seacoast guns, five hundred and thirty thousand dollars: *Provided*, That no contract for oil-tempered and annealed steel for high-power coast-defense guns and mortars shall be made at a price exceeding twenty-two cents per pound: *Provided*, That in the discretion of the Secretary of War a portion of this money may be used for the purchase of material for steel-wire seacoast guns.
- Provisos.*
Maximum price per pound. For carriages for eight, ten, and twelve-inch seacoast guns, including one carriage for sixteen-inch type gun, four hundred and ninety-two thousand dollars.
- Steel-wire seacoast guns.
- Carriages. For mortars. For twelve-inch steel breech-loading mortars, three hundred thousand dollars.
- carriages. For carriages for twelve-inch steel breech-loading mortars, one hundred and eighty-three thousand dollars.
- Mortars. For powders, projectiles, and explosives for reserve supply for cannon, six hundred and twenty-four thousand dollars.
- Reserve supply powder, etc. For rapid-fire guns, including their mounts and ammunition, three hundred and fifty thousand dollars.
- Rapid-fire guns.

For eight, ten, and twelve-inch guns manufactured by contract under the provisions of the fortification Acts approved August eighteenth, eighteen hundred and ninety, and February twenty-fourth, eighteen hundred and ninety-one, three hundred and sixty-one thousand four hundred and eighty-eight dollars.

Contract guns.
Vol. 26, pp. 319, 770.

For test of one sixteen-inch type of breech-loading gun, sixty thousand dollars.

Sixteen-inch gun test.

For proof of eight-inch, ten-inch, and twelve-inch guns, thirty-three thousand dollars.

Proof of eight-inch, etc., guns.

For powder and projectiles for the proof of twelve-inch breech-loading seacoast mortars, four thousand dollars.

Ammunition for proof, twelve-inch mortars.

For armor plates and deck plates for testing armor and deck piercing projectiles, twenty-three thousand five hundred dollars.

Armor plates, etc.

For powders and projectiles for artillery instruction and practice, eighty-eight thousand dollars.

Ammunition for practice, etc.

For armament chests for siege and seacoast guns and mortars, nine thousand eight hundred dollars.

Armament chests.

For machine guns of caliber thirty, army model, including metallic carriages, with limbers and protective shields complete for same, fifty thousand dollars.

Machine guns.

For range finders for coast defense, thirty-five thousand dollars.

Coast defense range finders.
Equipments, etc.

For implements and equipments for service, and also for mounting, repairs, care and preservation of armament, including range finders, twenty-five thousand dollars.

To enable the Secretary of War, in his discretion, to purchase for the United States the patent of Gregory Gerdom for a gas check for breech-loading guns, fifty thousand dollars, or so much thereof as may be necessary: *Provided*, That before payment is made to said Gerdom for said patent he shall file with the Secretary of War a release of all claims against the United States for accrued royalties for the use of said patent or for any other claim in connection therewith.

Purchase of patent of Gregory Gerdom, etc.

Proviso.
—release of claims to be filed.

For steel field guns, one hundred and five thousand dollars.

Steel field guns.
—carriages.

For carriages for steel field guns, three hundred and ninety-eight thousand dollars.

For mountain guns, with their carriages and ammunition, seventy thousand dollars.

Mountain guns, etc.

For steel field mortars of three and six-tenths inch caliber, eight thousand dollars.

Steel field mortars.

For carriages and platforms for steel field mortars of three and six-tenths inch caliber, including implements and equipments, three thousand eight hundred dollars.

—carriages, etc.

For sights for cannon, twenty-five thousand dollars.

Sights for cannon.

For fuses and primers for cannon, nineteen thousand dollars.

Fuses and primers.

For inspecting instruments, gauges, and templates for the manufacture of cannon and projectiles, five thousand dollars.

Inspecting instruments.

For completing the equipment of field and siege batteries now in service, and for fully equipping four additional siege batteries according to the requirements of general orders of the War Department under date of February twenty-fourth, nineteen hundred, one hundred and fifteen thousand one hundred and forty dollars.

Equipping field and siege batteries.

PROVING GROUND, SANDY HOOK, NEW JERSEY.

Sandy Hook proving ground.

For current expenses and maintenance of the ordnance proving ground, Sandy Hook, New Jersey, including expenses incident to the transportation of men and material therefor, general repairs and alterations, and accessories incidental to testing and proving ordnance, including hire of assistants for the Ordnance Board, skilled mechanical labor, purchase of instruments and other supplies, building and repairing butts and targets, clearing and grading ranges, thirty-seven thousand dollars.

Maintenance.

- Expenses of officers. For the necessary expenses of officers while temporarily employed on ordnance duties at the proving ground and absent from their proper stations, at the rate of two dollars and fifty cents per diem while so employed, and the compensation of draftsmen while employed in the Army Ordnance Bureau on ordnance construction, eighteen thousand seven hundred dollars.
- Railroad sidings. For sidings on the Government reservation adjoining the Highland Beach Station of the Central Railroad of New Jersey, three thousand four hundred dollars.
- Repairs of tracks. For repairs of railroad tracks connecting the proving ground with the Central Railroad of New Jersey, three thousand dollars.

WATERVLIET ARSENAL, WEST TROY, NEW YORK.

- Watervliet Arsenal. For replacing portion of metal roof of main storehouse and shops, for general repairs on roof and cornice of gun shop, including interior gutters, and so forth, repairing metal roof of blacksmith shop, and inclosing wall and bridges, eighteen thousand eight hundred dollars.

Board of Ordnance and Fortification.

BOARD OF ORDNANCE AND FORTIFICATION.

Purchases.

To enable the board to make all needful and proper purchases, experiments, and tests to ascertain, with a view to their utilization by the Government, the most effective guns, small arms, cartridges, projectiles, fuses, explosives, torpedoes, armor plates, and other implements and engines of war, and to purchase or cause to be manufactured, under authority of the Secretary of War, such guns, carriages, armor plates, and other war material as may, in the judgment of the board, be necessary in the proper discharge of the duty devolved upon it by the Act approved September twenty-second, eighteen hundred and eighty-eight; to pay the salary of the civilian member of the Board of Ordnance and Fortification provided by the Act of February twenty-fourth, eighteen hundred and ninety-one, and for the necessary traveling expenses of said member when traveling on duty as contemplated in said Act; for the payment of the necessary expenses of the board, including a per diem allowance to each officer detailed to serve thereon, when employed on duty away from his permanent station, of two dollars and fifty cents a day; and for the test of experimental guns, carriages, and other devices procured in accordance with the recommendation of the Board of Ordnance and Fortification, one hundred thousand dollars: *Provided*, That before any money shall be expended in the construction or test of any gun, gun carriage, ammunition, or implements under the supervision of the said board, the board shall be satisfied, after due inquiry, that the Government of the United States has a lawful right to use the inventions involved in the construction of such gun, gun carriage, ammunition, or implements, or that the construction or test is made at the request of a person either having such lawful right or authorized to convey the same to the Government.

Vol. 25, p. 489.
Civilian member.
Vol. 26, p. 769.

Expenses.

Proviso.
Right to use inventions.

Purchases to be of American manufacture.—exception.

That all material purchased under the foregoing provisions of this Act shall be of American manufacture, except in cases when, in the judgment of the Secretary of War, it is to the manifest interest of the United States to make purchases in limited quantities abroad, which material shall be admitted free of duty.

Emery carriage.

EMERY CARRIAGE.

Increase of contract price authorized.

To enable A. H. Emery to complete and erect the twelve-inch elevating carriage he is building for the Government, the Secretary of War is hereby authorized and directed to increase the contract price of said carriage and its foundations from one hundred and ten thousand dollars to one hundred and fifty thousand dollars; and

to enable the Secretary of War to make this increase in the price of this work and to make payment therefor, the sum of forty thousand dollars is hereby appropriated: *Provided*, That of the one hundred and fifty thousand dollars to be paid for the carriage and its foundations, ten thousand dollars shall be paid towards the construction of the foundations, of which sum one-half shall be paid to the said Emery as soon as needed by him to pay bills for materials used and labor performed in its construction and erection and the other half of this ten thousand dollars shall be paid to him when the foundations are erected ready for the carriage and all bills for the whole cost thereof entirely satisfied. Of the one hundred and forty thousand dollars balance of this money to be paid for the carriage and its foundations, advances shall be made as heretofore for material and finishing the same as provided in the contract, until such advances shall reach, for materials and finishing and erecting the same, not exceeding ninety per centum of this sum. Of the balance of the said one hundred and fifty thousand dollars, fourteen thousand shall be advanced to the said Emery, after the passage of this Act, as fast as it is needed to pay bills made and to be made in connection with the work of this contract. The ten thousand dollars authorized to be paid A. H. Emery on the supplemental contract provided for in the Fortification appropriation Act approved June sixth, eighteen hundred and ninety-six, shall be due and paid as soon as the carriage and loading apparatus provided for in said supplemental contract are completed according to contract and ready for erection. After the carriage herein provided for is completed and tested and all moneys due the said A. H. Emery thereon have been paid, the Government shall have the right to build any and all such other disappearing carriages as it may choose under any or all United States patents obtained at any time by the said Emery on his inventions embodied in this carriage. The royalty to be due and paid him or his legal representatives on all carriages built by or for the Government or carriages which they build, excepting the type carriage now under construction, embodying any of the said specified inventions, shall not exceed six per centum of the cost of the erected carriage in which such inventions are used; payment of the royalty on any such carriage to be due when such carriage is completed.

Proviso.
Amount available for foundations.

Advances for material, etc.

Payment on supplemental contract.

Vol. 29, p. 260.

Right of Government to build carriages

Royalty.

SEC. 2. The Secretary of War is hereby authorized and directed to make partial payments under the contracts now existing with the War Department for the purchase and erection of pneumatic dynamite guns, carriages, and so forth, and ammunition for same, the said payments to be proportioned to the amount of work done and material furnished to date under said contracts: *Provided*, That the contractors furnish a satisfactory bond, equal to the amount of all payments to be made, indemnifying the Government against loss in case the said dynamite guns, fittings, and so forth, shall not fulfill the contract requirements: *Provided further*, That the aggregate amount of partial payments made under the contract shall not exceed eighty per centum of the work done and material furnished to date of payment.

Pneumatic dynamite guns.
Partial payments for purchase, etc., authorized.

Provisos.
Contractors' bond.

Limit of payments.

Approved, May 25, 1900.

CHAP. 553.—An Act To enlarge the powers of the Department of Agriculture, prohibit the transportation by interstate commerce of game killed in violation of local laws, and for other purposes.

May 25, 1900.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the duties and powers of the Department of Agriculture are hereby enlarged so as to include the preservation, distribution, introduction, and restoration of game birds and other wild birds. The Secretary of Agriculture is hereby

Department of Agriculture.
Powers enlarged to include preservation, etc., of game birds, etc.