

May 23, 1900.

CHAP. 541.—An Act To amend section eight hundred and sixty-four of the Revised Statutes of the United States, in relation to taking depositions de bene esse.

Depositions de bene esse.
R. S., sec. 864, p. 164, amended.

Mode of taking.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section eight hundred and sixty-four of the Revised Statutes of the United States be, and the same is hereby, amended so as to read as follows:

“SEC. 864. Every person deposing as provided in the preceding section shall be cautioned and sworn to testify the whole truth, and carefully examined.

—typewriting.

“His testimony shall be reduced to writing or typewriting by the officer taking the deposition, or by some person under his personal supervision, or by the deponent himself in the officer's presence, and by no other person, and shall, after it has been reduced to writing or typewriting, be subscribed by the deponent.”

Approved, May 23, 1900.

May 23, 1900.

CHAP. 542.—An Act To provide an American register for the steamer Esther, of New Orleans.

Steamer Esther granted American register.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Commissioner of Navigation is hereby authorized and directed to cause the foreign-built steamer Phoenix, of Norway, purchased and wholly owned by an American citizen, and repaired by him, to be registered as a vessel of the United States.

Approved, May 23, 1900.

May 24, 1900.

CHAP. 546.—An Act To amend section eight of the Act of Congress entitled “An Act to authorize the Fort Smith and Western Railroad Company to construct and operate a railway through the Choctaw and Creek nations, in the Indian Territory, and for other purposes.”

Right of way of Fort Smith and Western Railroad through Choctaw and Creek nations, Indian Territory.
Vol. 30, p. 1371, amended.
Maps of route to be filed.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section eight of the Act to authorize the Fort Smith and Western Railroad Company to construct and operate a railway through the Choctaw and Creek nations, in the Indian Territory, and for other purposes, be, and the same is hereby, amended to read as follows:

“SEC. 8. That said company shall cause maps, showing the route of its located lines through said nations, to be filed in the office of the Secretary of the Interior and also to be filed in the office of the principal chiefs of said nations; and after the filing of said maps no claim for a subsequent settlement and improvement upon the right of way shown by said maps shall be valid as against said company: *Provided,* That when a map or maps of the first eighty miles of said line from Fort Smith to a crossing of the Missouri, Kansas and Texas Railroad at or near South Canadian shall be filed in the office of the Secretary of the Interior, the same may be approved by the Secretary of the Interior to authorize the commencement of construction of said eighty-mile section: *Provided further,* That a map or maps showing (sections of at least twenty-five miles in length) of the remaining portion of said line in the Indian Territory shall be filed with and approved by the Secretary of the Interior before the construction of any such said remaining section shall be commenced; and said company shall have the right to build in the line of said railroad a bridge across the Poteau River and bridges across the two forks of the Canadian River crossed by said line, but the plan of construction of said bridges shall be first approved by the Secretary of War: *Provided further,* That said railway com-

Proviso.
—of first 80-mile section.

—remaining sections.

Bridges authorized.

Changes, etc.

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.