

SEC. 2. That acts inconsistent with this act are hereby repealed, but such repeal shall not affect any term of court now in progress. Any court now being held in said district pursuant to any act of Congress may be continued in the same manner and with like effect as if this act had not been passed.

Repeal.

Approved, August 3, 1886.

**CHAP. 849.**—An act to increase the Naval establishment.

August 3, 1886.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is hereby authorized to have constructed, as hereinafter provided—

Increase of Naval establishment.

First. Two sea-going double-bottomed armored vessels of about six thousand tons displacement, designed for a speed of at least sixteen knots an hour, with engines having all necessary appliances for working under forced draught, and costing, including engines and machinery and excluding armament, not more than two million five hundred thousand dollars each. Said vessels shall have each a complete torpedo outfit and be armed in the most effective manner.

Armored vessels.

Torpedo outfit.

Second. One protected double-bottomed cruiser of not less than three thousand five hundred nor more than five thousand tons displacement, designed to have the highest practicable speed and furnished with the best type of modern engines, furnished with necessary appliances for working under forced draught. Said vessels shall cost, including engines and machinery and excluding armament, not exceeding one million five hundred thousand dollars.

Cruiser

Third. One first class torpedo-boat, costing in the aggregate not more than one hundred thousand dollars.

Torpedo-boat.

SEC. 2. That the vessels hereinbefore authorized to be constructed shall be built of steel of domestic manufacture, having a tensile strength of not less than sixty thousand pounds per square inch, and an elongation in eight inches of not less than twenty-five per centum.

To be built of American steel.

SEC. 3. That the President is hereby authorized to direct the completion, as hereinafter provided, of the double-turreted monitors Puritan, Amphitrite, Monadnock, and Terror, at a total cost, exclusive of armament, not to exceed three million one hundred and seventy-eight thousand and forty-six dollars.

Completion of Puritan, Amphitrite, Monadnock, and Terror.

SEC. 4. That the armor used in constructing said armored vessels and for completing said monitors shall be of the best obtainable quality and of domestic manufacture, provided contracts for furnishing the same in a reasonable time, at a reasonable price, and of the required quality can be made with responsible parties. Such armor shall be accepted only after passing such tests as shall be prescribed by the Secretary of the Navy and inserted in the contracts.

Armor to be of domestic manufacture.

SEC. 5. That the Secretary of the Navy shall cause one or more of the new vessels hereinbefore provided for to be constructed and one or more of the said monitors to be completed in one or more of the navy-yards of the United States; and if he shall be unable to contract with responsible parties to construct or complete, at reasonable prices, all or any of the vessels hereinbefore provided for, he shall cause the same to be constructed or completed in such of the navy-yards of the United States as may be best adapted thereto.

One or more vessels to be built at navy-yards.

SEC. 6. That the engines, boilers, and machinery of all the new vessels provided for by this act shall be of domestic manufacture and procured by contract, unless the Secretary of the Navy shall be unable to obtain the same at fair prices, in which case he may construct the same, or any portion thereof, in the navy-yards of the United States: *Provided*, That the Secretary of the Navy may purchase abroad only such shafting as it may be impossible to obtain in the United States in time for use in the construction of the vessels herein provided for.

Engines, boilers, and machinery to be of domestic manufacture.

*Provido.*

Shafting may be purchased abroad.

Construction.

SEC. 7. That the Secretary of the Navy shall not contract for the construction or completion of any of said vessels, or of their engines, machinery, or boilers, until drawings and specifications of the same shall have been provided or adopted by him; and after said drawings and specifications shall have been provided, adopted, and approved as afore-said, and work shall have been commenced on any contract made therefor, such plans and specifications shall not be changed in any respect when the cost of such change in the execution of the work exceeds five hundred dollars, except upon the written order of the Secretary or Acting Secretary of the Navy; and if changes are thus made, the actual cost thereof and the damage caused thereby shall be ascertained, estimated, and determined by a board of naval officers to be provided for in the contract; and in any contract made pursuant to this act it shall be provided in the terms thereof that the contractor shall be bound by the determination of said board, or a majority thereof, as to the amount of increase or diminished compensation said contractor shall be entitled to receive, if any, in consequence of such change or changes. In every contract to be made under this act there shall be prescribed a period within which the work provided for in said contract, or specified portions thereof, shall be completed, and the completion of such work within the periods prescribed shall be insured by penal provisions. For the construction or completion of such vessels hereinbefore provided for as the Secretary of the Navy shall propose to have constructed or completed by contract, as well as also for the engines, boilers, and machinery hereinbefore provided for, he shall invite proposals from every American ship-builder and other person who shall show to the satisfaction of the Secretary of the Navy that within three months from the date of the contract he will be possessed of the necessary plant for the performance of the work in the United States which he shall offer to undertake, and such contract shall be let to the lowest and best responsible bidder or bidders, after at least sixty days' advertisement, published in five leading papers of the United States, inviting proposals for the work proposed, which work shall be subject to all such rules, regulations, superintendence by naval officers during construction, and provisions as to bonds and security for the quality and due completion of the work as the Secretary of the Navy shall prescribe; and no vessel, boiler, engine, machinery, or portion thereof shall be accepted unless completed in strict conformity with the contract; and the authority given hereby shall take effect at once. The Secretary of the Navy shall have the power to reject any or all bids made under the provisions of this act.

Armament.

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Proriso.

Manufacture of  
guns.

SEC. 8. That the sum of one million dollars is hereby appropriated towards the armament of the vessels authorized by the act of March third, eighteen hundred and eighty-five, of the vessels authorized by section one of this act, and of the unfinished monitors hereinbefore mentioned, and of the Miantanomoh; and the Secretary of the Navy is hereby authorized to direct the application of such portions of this sum as may be necessary to the manufacture or purchase of such tools and machinery or the erection of such structures as may be required for use in the manufacture of such armament, or any part thereof: *Provided*, That the Secretary of the Navy may contract with domestic manufacturers for the construction of such portion of the heavy guns herein provided for as may not be built by the Government.

Dynamite-gun  
cruiser.

SEC. 9. That the Secretary of the Navy is hereby authorized to contract with the Pneumatic Dynamite-Gun Company of New York for one dynamite-gun cruiser, as follows: Said cruiser to be not less than two hundred and thirty feet long, twenty-six feet breadth of beam, seven and one-half feet draught, three thousand two hundred horse-power, and guaranteed to attain a speed of twenty knots an hour, and to be equipped with three pneumatic dynamite-guns of ten and one-half inch caliber, and guaranteed to throw shells containing two hundred pounds of dynamite or other high explosives at least one mile, each gun to be capable of being discharged once in two minutes, at a price not to ex-

ceed three hundred and fifty thousand dollars; said contract to be made only on condition that there shall be a favorable report made by the existing Naval Board on the system; to be paid for as the work progresses, and upon the report of such board or boards of inspectors as the Secretary of the Navy may for that purpose appoint, reserving thirty per centum on all such payments until the whole work is completed and accepted by the Secretary of the Navy.

The Pneumatic Dynamite-Gun Company shall furnish bonds satisfactory to the Secretary of the Navy for the faithful performance of its contract, and for the refunding of the money paid hereunder in case of the non-performance of the same, and shall further agree with the Secretary of the Navy upon a limit of price which shall not be exceeded in any future contracts which the Government may desire to enter into for the purchase of the company's guns.

Bonds.

SEC. 10. That towards the construction and completion of the vessels hereinbefore mentioned, including the vessel and guns mentioned in section nine, the sum of two million five hundred thousand dollars is hereby appropriated, of which not more than seventy-five thousand dollars may be expended in manufacturing, purchasing, and experimenting with torpedoes of domestic manufacture and not exceeding one hundred and fifty thousand dollars may be expended, under the direction of the Secretary of the Navy, in improving the plant of such of the navy-yards as he may select.

Appropriation.

Approved, August 3, 1886.

CHAP. 893.—An act for the benefit of the States of Texas, Colorado, Oregon, Nebraska, California, Kansas, and Nevada, and the Territories of Washington and Idaho, and Nevada when a Territory.

August 4, 1886.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That whenever the Secretary of the Treasury and the Secretary of War, in adjusting the claims of the States of Texas, Colorado, Oregon, Nebraska, California, Kansas, and Nevada, and the Territories of Washington and Idaho, and Nevada when a Territory, arising under acts of Congress approved July twenty-seventh, eighteen hundred and sixty-one, and June twenty-seventh, eighteen hundred and eighty-two (United States Statutes, volume twelve, page two hundred and seventy-six, and volume twenty-two, page one hundred and eleven), shall find that any original paper relating to the claims of said States, as provided for in said acts, shall have been lost, destroyed, or missing, upon proof thereof a copy of such paper may be certified by the proper officers of such State or Territory under their seals of office, or, if such copy cannot be furnished, any other competent secondary evidence of the contents of such paper when filed with the Secretary of the Treasury or Secretary of War, shall be received by them in lieu of such lost original papers, and used in evidence in the adjustment of their said claims in all respects as said original.

Claims of certain States and Territories.

Vol. 12, p. 276.

Vol. 22, p. 111.

Certified copies of papers may be received in place of lost, etc., originals.

All provisions of this section applicable to States shall be equally applicable to the Territories.

SEC. 2. The Secretary of War is hereby authorized to detail three Army officers to assist him in examining and reporting upon the claims of the States and Territory named in the acts of June twenty-seventh, eighteen hundred and eighty-two, chapter two hundred and forty-one of the laws of the Forty-seventh Congress, and such officers, before entering upon said duties, shall take and subscribe an oath that they will carefully examine said claims, and that they will, to the best of their ability, make a just and impartial statement thereof as required by said act.

Army officers to be detailed to assist in examining claims.

Vol. 22, p. 111.

Post, p. 249.

Approved, August 4, 1886.