

47. Nothing contained in this agreement shall be construed to revive or reestablish the Creek courts which have been abolished by former Acts of Congress. Creek courts not revived.

Approved, March 1, 1901.

CHAP. 677.—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.

March 1, 1901.

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

Fortifications appropriations.

FORTIFICATIONS AND OTHER WORKS OF DEFENSE.

Fortifications, etc.

For construction of gun batteries, one million six hundred and fifteen thousand dollars.

Gun batteries.

For purchase and installation of search lights for the defenses of New York Harbor, one hundred and fifty thousand dollars.

Search lights, New York Harbor.

For installation of range and position finders, one hundred and fifty thousand dollars.

Range, etc., finders.

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.

Sites.

For the protection, preservation, and repair of fortifications for which there may be no special appropriation available, one hundred thousand dollars.

Repairs.

For reconstruction and repair of the fortifications to protect the harbor of Galveston, Texas, and for each and every purpose necessary in connection therewith, nine hundred and ninety-two thousand dollars.

—Galveston.

For preparation of plans for fortifications, five thousand dollars.

Plans.

For tools, electrical and engine supplies, to be furnished by the Engineer Department, for use of the troops for maintaining and operating electric light and power plants in gun and mortar batteries, twenty-five thousand dollars.

Tools, etc.

For construction of sea walls and embankments, one hundred thousand dollars.

Sea walls.

For the purchase of submarine mines and necessary appliances to operate them for closing the channels leading to our principal seaports, including San Juan, Porto Rico; needful casemates, cable galleries, and so forth, to render it possible to operate submarine mines, and continuing torpedo experiments, fifty thousand dollars.

Submarine mines.

ARMAMENT OF FORTIFICATIONS.

Armament.

For oil-tempered and annealed steel for eight-inch, ten-inch, and twelve-inch seacoast guns, four hundred and seventy-six 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-one 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.

Steel.

Provided.
Maximum price.

Steel-wire seacoast guns.

For purchase, manufacture, alteration, and issue of carriages for mounting seacoast guns of eight, ten, and twelve inch calibers, four hundred and eighty-five thousand dollars.

Carriages.

For powders, projectiles, and explosives for reserve supply for cannon, six hundred thousand dollars.

Reserve supply powder, etc.

For rapid-fire guns, including their mounts and ammunition, four hundred and seventy-seven thousand nine hundred and eight dollars.

Rapid-fire guns.

Carriages for mortars.	For carriages for twelve-inch breech-loading mortars, steel, seventy-one thousand dollars.
Contract guns. Vol. 26, pp. 319, 770.	For eight, ten, and twelve inch guns manufactured by contract under the provisions of the fortifications Acts approved August eighteenth, eighteen hundred and ninety, and February twenty-fourth, eighteen hundred and ninety-one, four hundred and fourteen thousand five hundred and thirty-six dollars.
Proof eight, etc., inch guns.	For proof of eight-inch, ten-inch, and twelve-inch guns, twelve thousand one hundred dollars.
Ammunition for proof of guns.	For powder and projectiles for the proof of twelve-inch steel breech-loading seacoast mortars, five thousand dollars.
Armor-piercing tests.	For armor plates and deck plates for testing armor and deck-piercing projectiles, twenty-four thousand dollars.
Practice ammunition.	For ammunition for artillery practice, including components thereof, and tools, etc., for reloading the fired cases, one hundred and seventeen thousand dollars.
Armament chests.	For armament chests for siege and seacoast guns and mortars, seven thousand three hundred dollars.
Machine guns.	For machine guns, including metallic carriages, with limbers and protective shields for same, fifty thousand dollars.
Range finders.	For range finders, including instruments for fire control and azimuth instruments for coast defense, thirty-five thousand dollars.
Preservation, etc.	For implements and equipments for service, and also for mounting, repairs, care, and preservation of armament and of range finders, including twenty-five thousand dollars for care, repair, and preservation of fortifications in the harbor of Galveston, Texas, fifty thousand dollars.
—Galveston, Tex.	
Tools.	For material, power lathes, machinist tools, and tools and implements for the use of battery mechanics at the fortifications, ninety-two thousand six hundred and eighty dollars.
Mountain guns.	For mountain guns, with their carriages and ammunition, seventy-seven thousand dollars.
Siege rifles.	For five-inch breech-loading rifles, siege, eighteen thousand eight hundred and eighty dollars.
—carriages.	For carriages for steel breech-loading rifles, siege, of five-inch caliber, including implements, equipments, platform, and ammunition wagons, twenty-six thousand nine hundred and ninety dollars.
Sights.	For sights for cannon, twenty-three thousand dollars.
Fuses and primers.	For fuses and primers for cannon, twenty-five thousand dollars.
Ammunition.	For providing and procuring mountain, field, and siege ammunition of all kinds, three hundred thousand dollars.
Inspecting instruments.	For inspecting instruments, gauges, and templets for the manufacture of cannon projectiles, and carriages, five thousand dollars.
Subcaliber tubes, etc.	For subcaliber tubes, fittings, and ammunition for seacoast artillery practice, two hundred and twelve thousand dollars.

Sandy Hook proving ground.

PROVING GROUND, SANDY HOOK, NEW JERSEY.

Maintenance.

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.

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.

For repairs of railroad tracks connecting the proving ground with the Central Railroad of New Jersey, four thousand dollars.

Repair of railroad tracks, etc.

For concrete traverse on two sides of the service magazine, eight hundred and thirty-seven dollars.

For gun skids for parking new guns and those proved, three thousand two hundred dollars.

For observation platforms on traverses, and steps leading thereto, six hundred dollars.

For clay soil covering between the gun platforms and armor plate backings, one thousand one hundred and thirty dollars.

For ash covering in the gun park and railroad yard, one thousand one hundred dollars.

For electric power for operating gantry crane used for heavy weights and for operating experimental carriages using electrical motors, fifteen thousand dollars.

For building for electrical plant, including foundation for batteries, and so forth, two thousand five hundred dollars.

Buildings.

For erecting and equipping a chemical laboratory, fifteen thousand dollars.

WATERVLIET ARSENAL, WEST TROY, NEW YORK.

Watervliet Arsenal.

For completing repairs and alterations on gun shops, including new cornice, ten thousand dollars.

For gallery drive, twelve thousand dollars.

BOARD OF ORDNANCE AND FORTIFICATION.

Board of Ordnance and Fortification.

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, the expenditure of which shall be made by the several Bureaus of the War Department heretofore having jurisdiction of the same, or by the Board itself, as the Secretary of War may direct, and one additional member shall be added to the said Board of Ordnance and Fortification, who shall be an artillery officer of technical ability and experience, to be selected by the Secretary of War:

Purchases.

Vol. 25, p. 489.

Civilian member.

Vol. 26, p. 769.

Expenses.

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 construc-

Proviso.
Right to use inventions.

tion or test is made at the request of a person either having such lawful right or authorized to convey the same to the Government.

Gathmann torpedo gun test.

To enable the Secretary of War to make a comparative test of destructive energy between the Gathmann torpedo gun now at Sandy Hook and the Army twelve-inch service rifle, such tests to be made against two similar targets representing the side construction of the latest type of battle ship; each of said structures to be faced with a Kruppized armor plate eight feet by sixteen, and twelve inches thick, and at least ten shots to be fired from the Army rifle against one structure and one or more Gathmann torpedoes against the other; for the erection of the structures and the purchase of materials, armor plates, ammunition, mount for the torpedo gun and other necessary expenses of such test, fifty thousand five hundred and fifty dollars.

Isham shell, and Tuttle "thorite."

ISHAM SHELL AND TUTTLE "THORITE."

Inquiry as to feasibility of purchase of patent.

To enable the Secretary of War, in his discretion, and if in his judgment it will be for the best interests of the Government, to purchase the United States Letters Patent Numbered Six hundred and twenty-two thousand four hundred and seventy-nine, issued April fourth, eighteen hundred and ninety-nine, covering the Isham high-explosive shell, designed for firing high explosives and carrying the same through armor plate, invented and now owned and controlled by Willard S. Isham, and also to purchase the entire and exclusive right for the United States to manufacture and use the high explosive "thorite," invented and now owned and controlled by Doctor Hiram P. Tuttle, one hundred thousand dollars: *Provided*, That all formulæ, data, and facts related to said process and necessary to the successful manufacture of said "thorite" shall be placed in the possession of the Secretary of War, and to his satisfaction, before any payment for the same shall be made: *Provided further*, That before any money shall be expended in the purchase of said patent the Secretary of War shall be satisfied, after full investigation, that the Government of the United States shall have a lawful right to use said patent, without the use of same being an infringement upon any prior invention, patent, or pending application for patent covering said invention or any material part thereof.

Proviso. Formula, etc., "thorite" process to be included in sale.

Patent not to infringe.

Purchases to be of American manufacture.

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.

Approved, March 1, 1901.

March 1, 1901.

CHAP. 678.—An Act Authorizing Calhoun County, State of Texas, to construct and maintain a free bridge across Lavaca Bay.

Calhoun County, Tex., may bridge Lavaca Bay —location.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the county of Calhoun, State of Texas, be, and is hereby, authorized to construct and maintain a free bridge across Lavaca Bay, in said State and county, at a point between Nobles Point on one side of said bay and Coxs Point on the other, for the passage of all legitimate traffic of foot, horse, vehicle, animal, and all other legitimate purposes, and for transmission of mails free of all rates of toll whatsoever.

Aids to navigation.

SEC. 2. That the bridge herein authorized to be constructed shall be so kept and managed by said county as to afford proper ways and means for the passage through or under it of vessels, barges, or rafts at all times, both by day and night, and if the bridge be constructed as