

SEC. 3. That the regular terms of the district and circuit courts of the United States for the southern division of the northern district of Alabama shall be held at Birmingham, Alabama, on the first Tuesdays of March and November of each year.

Terms, Birmingham.  
 Post, p. 832.

SEC. 4. That no action, suit, proceeding, information, indictment, recognizance, bail, bond, or any other proceeding or process in either of said courts shall abate or be rendered invalid by reason of the change of time in the holding of said courts, but the same shall be deemed returnable, pending, or triable at the terms herein provided for.

Pending cases not affected.

Approved, February 9, 1903.

CHAP. 537.—An Act Authorizing the appointment of John Russell Bartlett, a captain on the retired list of the Navy, as a rear-admiral on the retired list of the Navy.

February 10, 1903.

[Public, No. 77.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President, by and with the advice and consent of the Senate, is hereby authorized to appoint John Russell Bartlett, now a captain on the retired list of the Navy, to be a rear-admiral on the retired list of the Navy, with the rank of said office: *Provided*, That no pay, bounty, or other emolument shall accrue by reason of the passage of this Act.

Capt. John Russell  
 Bartlett may be ap-  
 pointed rear-admiral  
 on naval retired list.

*Proviso.*  
 No pay, etc.

Approved, February 10, 1903.

CHAP. 538.—An Act To authorize the Oklahoma City and Western Railroad Company to construct and operate a railway through the Fort Sill Military Reservation, and for other purposes.

February 10, 1903.

[Public, No. 78.]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Oklahoma City and Western Railroad Company, a corporation created under and by virtue of the laws of the Territory of Oklahoma, be, and the same is hereby, empowered to survey, locate, construct, and maintain a railway, telegraph, and telephone line through Fort Sill Military Reservation, in the Territory of Oklahoma, upon such a line as may be determined and approved by the Secretary of War.

Oklahoma City and  
 Western Railroad  
 Company.  
 Granted right of  
 way through Fort Sill  
 Military Reservation,  
 Okla.

SEC. 2. That said corporation is authorized to take and use for all purposes of a railway, telegraph, and telephone line, and for no other purpose, a right of way one hundred feet in width through said Fort Sill Military Reservation, and a right to take and use a strip of land in said reservation two hundred feet in width, with a length of three thousand feet, in addition to right of way, for stations, with the right to use such additional ground when cuts and fills may be necessary for the construction and maintenance of the roadbed, not exceeding one hundred feet in width on each side of said right of way, or as much thereof as may be included in said cut or fill: *Provided*, That no part of the lands herein authorized to be taken shall be used except in such manner and for such purposes as shall be necessary for the construction and convenient operation of said railway, telegraph, and telephone lines; and when any portion thereof shall cease to be used, such portion shall revert to the United States, from which the same shall be taken: *Provided further*, That no more space on the military reservation be given to the said Oklahoma City and Western Railroad Company than was given to the Chicago, Rock Island and Pacific Railroad under the terms of the Act of January thirty-first, nineteen hundred; that the Oklahoma City and Western Railroad Company will fence its right of way and lay and maintain sufficient fence equal to that built

Width.

*Provisos.*  
 Use of lands granted.

Reversion if not used.

Restrictions on grant.

Vol. 31, p. 3.  
 Fencing.