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**CHAP. 51.**—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.

February 13, 1913.
[H. R. 28186.]
[Public, No. 378.]

*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 money in the Treasury not otherwise appropriated, to be immediately available and to continue available until expended, namely:

Fortifications appropriations.

## FORTIFICATIONS AND OTHER WORKS OF DEFENSE.

### UNDER THE ENGINEER DEPARTMENT.

Engineer Department.

For construction of gun and mortar batteries, $100,000.

Gun and mortar batteries.

For modernizing older emplacements, $25,000.

Modernizing emplacements.

For installation and replacement of electric-light and power plants at seacoast fortifications, $50,000.

Electric plants.

For purchase and installation of searchlights for the defenses of our most important harbors, $100,000.

Searchlights.

For the procurement or reclamation of land, or right pertaining thereto, needed for site, location, construction, or prosecution of works for fortifications and coast defenses, $100,000.

Sites, etc.

For the protection, preservation, and repair of fortifications for which there may be no special appropriation available, $200,000.

Preservation, etc.

For preparation of plans for fortifications, $5,000.

Plans.

Hereafter estimates shall not be submitted to Congress for appropriations for construction of gun and mortar batteries, modernizing older emplacements, and other construction under the Engineer Department, in connection with fortifications, until after plans and estimates of cost shall have been prepared therefor.

Estimates restricted.

For tools, electrical and other supplies, and appliances, to be furnished by the Engineer Department, for the use of the troops for maintaining and operating searchlights and electric light and power plants at seacoast fortifications, $40,000.

Supplies, etc., for electric plants.

For preservation and repair of structures erected for the torpedo defense of the United States, and for maintaining channels for access to torpedo wharves, $20,000.

Torpedo structures.

### UNDER THE CHIEF SIGNAL OFFICER.

Signal service.

For operation and maintenance of fire-control installations at seacoast defenses, $180,000.

Fire-control installations.

### ARMAMENT OF FORTIFICATIONS.

Armament.

For the purchase, manufacture, and test of mountain, field, and siege cannon, including their carriages, sights, implements, equipments, and the machinery necessary for their manufacture at the arsenals, $450,000: *Provided,* That the Chief of Ordnance, United States Army, is hereby authorized to enter into contracts or otherwise incur obligations for the purposes above mentioned not to exceed $300,000, in addition to the appropriations herein and heretofore made.

Mountain, field, and siege cannon.

*Proviso.*
Additional contracts authorized.

For the purchase, manufacture, and test of ammunition for mountain, field, and siege cannon, including the necessary experiments in connection therewith and the machinery necessary for its manufacture at the arsenals, $900,000.

Ammunition.

The appropriations herein made for ammunition, when expended for manufacture of powder at the powder factory at the Picatinny Arsenal, at Dover, New Jersey, shall be so expended only on the

Operation of Picatinny powder factory.

basis of and toward the operation of said powder factory to not less than one half of the full capacity thereof during each calendar year.

Price restricted.

No part of any money appropriated by this Act shall be expended for powder other than small-arms powder at a price in excess of 53 cents a pound.

Seacoast cannon.

For the purchase, manufacture, and test of seacoast cannon for coast defense, including their carriages, sights, implements, equipments, and the machinery necessary for their manufacture at the arsenals, $128,000.

Ammunition for seacoast cannon.

For the purchase, manufacture, and test of ammunition for seacoast cannon, including the necessary experiments in connection therewith, and the machinery necessary for its manufacture at the arsenals, $140,000.

Ammunition for seacoast artillery practice.

For the purchase, manufacture, and test of ammunition, subcaliber guns, and other accessories for seacoast artillery practice, including the machinery necessary for their manufacture at the arsenals, $425,000.

Altering mobile artillery, etc.

For the alteration and maintenance of the mobile artillery, including the purchase and manufacture of machinery, tools, and materials necessary for the work and the expenses of the mechanics engaged thereon, $45,000.

Ammunition for field, etc., artillery practice.

For the purchase, manufacture, and test of ammunition, subcaliber guns, and other accessories for mountain, field, and siege artillery practice, including the machinery necessary for their manufacture at the arsenals, $130,000.

Altering to rapid-fire batteries, etc.

For the alteration of three and two-tenths inch batteries to rapid-fire field batteries, including sights, implements, equipments, and the materials and machinery necessary for alteration and manufacture at the arsenals, $175,000.

Altering, etc., seacoast artillery.

For the alteration and maintenance of seacoast artillery, including the purchase and manufacture of machinery, tools, materials necessary for the work, and expenses of civilian mechanics and extra-duty pay of enlisted men engaged thereon, $300,000.

Sandy Hook proving ground.

PROVING GROUND, SANDY HOOK, NEW JERSEY.

Expenses, etc.

For current expenses of the ordnance proving ground, Sandy Hook, New Jersey, comprising the maintenance of rail and water transportation, repairs, alterations, accessories, and service of employees incidental to testing and proving ordnance material, hire of assistants for the Ordnance Board, purchase of instruments and articles required for testing and experimental work, building and repairing butts and targets, clearing and grading ranges, $56,200.

Temporary employment.

Per diem, etc.

For the necessary expenses of officers while temporarily employed on ordnance duties at the proving ground and absent from their proper station, at the rate of $2.50 per diem while so employed, and the compensation of draftsmen while employed in the Army Ordnance Bureau on ordnance construction, $18,700.

Submarine mines.

SUBMARINE MINES.

Purchase, etc.

For the purchase of submarine mines and necessary appliances to operate them for closing the channels leading to our principal seaports, and for continuing torpedo experiments, $50,000.

Maintenance of supplies, etc.

Fort Totten, N. Y., torpedo depot.

For the maintenance of the submarine-mine matériel within the limits of continental United States, for the purchase of the necessary machinery, tools, and implements for the repair shop of the torpedo depot at Fort Totten, New York, for extra-duty pay to soldiers necessarily employed for periods not less than ten days in connection with the issue, receipt, and care of submarine-mining matériel at the torpedo depot, and for torpedo-depot administration, $68,000.

## FORTIFICATIONS IN INSULAR POSSESSIONS.

Insular possessions.

### ENGINEER DEPARTMENT.

Engineer Department.

Seacoast batteries.

For construction of seacoast batteries, as follows:
Hawaiian Islands.
In the Hawaiian Islands, $70,000;
Philippine Islands.
In the Philippine Islands, $700,000;
In all, $770,000.

Electric plants.

For installation and replacement of electric light and power plants at the defenses of the following localities:
Hawaiian Islands.
In the Hawaiian Islands, $34,469.

Searchlights.

For purchase and installation of searchlights for the defenses of most important harbors, as follows:
Hawaiian Islands.
In the Hawaiian Islands, $10,800.
Philippine Islands.
In the Philippine Islands, $20,600.
In all, $31,400.

Preservation, etc.

For protection, preservation, and repair of fortifications at the following localities:
Hawaiian Islands.
In the Hawaiian Islands, $500;
Philippine Islands.
In the Philippine Islands, $8,000;
In all, $8,500.

Torpedo structures.

For preservation and repair of structures erected for torpedo defense, and for maintaining channels for access to torpedo wharves at the following localities:
Hawaiian Islands.
In the Hawaiian Islands, $500;
Philippine Islands.
In the Philippine Islands, $750;
In all, $1,250.

Tools, etc., electric plants.

For tools, electrical and other supplies and appliances, to be furnished by the Engineer Department for the use of the troops for maintaining and operating searchlights and electric light and power plants at seacoast fortifications—
Hawaiian Islands.
In the Hawaiian Islands, $750;
Philippine Islands.
In the Philippine Islands, $3,000;
In all, $3,750.

Submarine mine structures, etc.

For construction of mining casemates, cable galleries, torpedo storehouses, cable tanks, and other structures necessary for the operation, preservation, and care of submarine mines and their accessories and for providing channels for access to torpedo wharves at the defenses of the Philippine Islands, $50,000.

### UNDER THE CHIEF SIGNAL OFFICER.

Signal Service.

Fire-control installations.

For operation and maintenance of fire-control installations at seacoast defenses, $15,000.

### ORDNANCE DEPARTMENT.

Armament.

Seacoast cannon.

For the purchase, manufacture, and test of seacoast cannon for coast defenses, including their carriages, sights, implements, equipments, and the machinery necessary for their manufacture at the arsenals, $71,400.

Ammunition for seacoast cannon.

For purchase, manufacture, and test of ammunition for seacoast cannon, including the necessary experiments in connection therewith, and the machinery necessary for its manufacture at the arsenals, $400,000.

Altering, etc., seacoast artillery.

For the alteration and maintenance of the seacoast artillery, including the purchase and manufacture of machinery, tools, and materials necessary for the work, and expenses of the civilian mechanics, and extra-duty pay of enlisted men engaged thereon, $36,319.

Installing seacoast artillery.

For the mechanical supervision of the installation of seacoast artillery, including the purchase and manufacture of machinery, tools, and materials necessary for the work, and expenses of civilian mechanics, and extra-duty pay of enlisted men engaged thereon, $4,100.

Submarine mines, etc. Purchase.

For the purchase of submarine mines and necessary appliances to operate them for closing the channels leading to seaports in our insular possessions, $68,662.

Maintenance.

For the maintenance of the submarine mine matériel in the insular possessions, $7,500.

Material to be of American manufacture.

That all material purchased under the 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.

Board of Ordnance and Fortification.

## BOARD OF ORDNANCE AND FORTIFICATION.

Purchases, tests, etc.

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 $2.50 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, $10,000, 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: *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.
Per diem, etc.
Tests, etc.
*Proviso.*
Right to use inventions.

Approved, February 13, 1913.

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February 14, 1913.
[H. R. 28094.]
[Public, No. 379.]

**CHAP. 53.**—An Act To amend section ninety-six, chapter five, of the Act of Congress of March third, nineteen hundred and eleven, entitled "The Judicial Code."

United States courts.
*Ante*, p. 265, amended.
Vol. 36, p. 1119.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section ninety-six, chapter five, of the Act of Congress approved March third, nineteen hundred and eleven, and therein designated "The Judicial Code," be amended so that the same shall read as follows: