

issue between them shall be decided by the Secretary of War upon a hearing of the allegations and proofs of the parties.

SEC. 5. That this Act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within three years from the date hereof.

Commencement and completion.

Approved, July 1, 1898.

CHAP. 548.—An Act Extending the time for the construction of a bridge across the Missouri River at Yankton, South Dakota.

July 1, 1898.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section six of the Act of June twenty-second, eighteen hundred and ninety-two, entitled "An Act to authorize the construction of a bridge across the Missouri River at the city of Yankton, South Dakota," and the Act of May twenty-eighth, eighteen hundred and ninety-four, amendatory thereof, are hereby amended so as to read as follows:

Bridge over Missouri River at Yankton, S. Dak.

Time extended for construction.
Vol. 27, p. 56.
Vol. 28, p. 78.

"SEC. 6. That this Act shall be null and void if the bridge herein authorized is not completed within two years from the twenty-second day of June, eighteen hundred and ninety-eight."

Approved, July 1, 1898.

CHAP. 563.—An Act To relieve owners of mining claims who enlist in the military or naval service of the United States for duty in the war with Spain from performing assessment work during such term of service.

July 2, 1898.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of section twenty-three hundred and twenty-four of the Revised Statutes of the United States, which require that on each claim located after the tenth day of May, eighteen hundred and seventy-two, and until patent has been issued therefor, not less than one hundred dollars' worth of labor shall be performed or improvements made during each year, shall not apply to claims or parts of claims owned by persons who may enlist in the volunteer army or navy of the United States for service in a war between this country and Spain, so that no mining claim or any part thereof owned by such person which has been regularly located and recorded shall be subject to forfeiture for nonperformance of the annual assessments until six months after such owner is mustered out of the service, or, if he should not survive the war, then six months after his death in the service.

Public lands.
Mining claims of persons enlisting not subject to forfeiture for nonperformance of annual labor etc.
R. S., sec. 2324, p. 426.

SEC. 2. That those desiring to take advantage of this Act shall file, or cause to be filed, a notice in the clerk's office where the location certificate of said mine is recorded before the expiration of the assessment year, giving notice of his enlistment and of his desire to hold said claim under this Act.

Notice of enlistment.

SEC. 3. That if any such enlisted soldier or sailor has a coowner or coowners in any mining claim, and who are not in the Army or Navy, and such coowner or coowners fail to do such a proportion of one hundred dollars' worth of work per annum as the interest of such non-enlisted person or persons bears to the whole claim, then such interest shall be open to relocation by any other qualified person or persons by their doing the necessary work thereon and filing an affidavit of labor showing the forfeiture and that the relocators had done the annual work required of such nonenlisted persons and succeeded them in right under this Act, which work may be done at any time after the expiration of the assessment year and before the former owners resume work thereon. The work and affidavit aforesaid shall operate as a transfer of said forfeited interest from the former owners to said relocators.

No exemption to co-owners not enlisted.

Approved, July 2, 1898.

July 2, 1898.

CHAP. 564.—An Act Designating Titusville, Crawford County, Pennsylvania, a port of delivery in the customs collection district of Erie, Pennsylvania.

Erie collection district.
Titusville made port of delivery.
Immediate transportation privileges.
Vol. 21, p. 174.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Titusville, Pennsylvania, be, and is hereby, designated a port of delivery in the customs collection district of Erie, Pennsylvania, and that the privileges of the seventh section of the Act approved June tenth, eighteen hundred and eighty, governing the immediate transportation of dutiable merchandise without appraisement be, and the same are hereby, conferred upon said port.

Approved, July 2, 1898.

July 5, 1898.

CHAP. 568.—An Act Relative to the Corps of Engineers of the Army.

Army.
Engineer Corps.
Organization.
R. S., sec. 1151, p. 208, amended.

Provisos.
Vacancies, how filled.

Three years' service in present grade necessary to promotion, etc.

Examinations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Corps of Engineers of the Army shall hereafter consist of one Chief of Engineers, with the rank of brigadier-general, seven colonels, fourteen lieutenant-colonels, twenty-eight majors, thirty-five captains, thirty first lieutenants, twelve second lieutenants, and the Battalion of Engineers: *Provided,* That the vacancies created by this Act in all grades above second lieutenant shall be filled by the promotion by seniority of the officers now in the Corps of Engineers: *And provided further,* That the number of officers in any grade above second lieutenant shall not be increased beyond the number heretofore established by law by the promotion of any officer to fill an original vacancy created by this Act until such officer shall have served at least three years in the grade from which he is promoted and the captains and lieutenants shall have satisfactorily passed the examinations required by existing laws.

Approved, July 5, 1898.

July 7, 1898.

CHAP. 571.—An Act Making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, eighteen hundred and ninety-eight, and for prior years, and for other purposes.

Deficiencies appropriations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the appropriations for the fiscal year eighteen hundred and ninety-eight, and for prior years, and for other objects hereinafter stated, namely:

Executive office.

EXECUTIVE OFFICE.

For contingent expenses of the Executive Office, including stationery therefor, as well as record books, telegrams, books for library, miscellaneous items, and furniture and carpets for offices, care of office carriage, horses, and harness, two thousand five hundred dollars.

Department of State.

DEPARTMENT OF STATE.

Bureau of appointments created, etc.

That the title "eleven clerks of class four;" Department of State, provided for in the legislative, executive, and judicial appropriation Act for the fiscal year eighteen hundred and ninety-nine, is hereby amended to read: "One chief of bureau of appointments, two thousand one hundred dollars; ten clerks of class four;"

Increase of salaries Second and Third Assistant Secretaries.
Ante, p. 285.

To make the salaries of the Second and Third Assistant Secretaries of State four thousand dollars each for the fiscal year eighteen hundred and ninety-nine, one thousand dollars.