

January 20, 1903.

[Public, No. 31.]

Urgent deficiency
appropriations.

CHAP. 194.—An Act Making appropriations to supply additional urgent deficiencies in the appropriations for the fiscal year ending June thirtieth, nineteen hundred and three.

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 nineteen hundred and three, namely:

Printing and bind-
ing.

PRINTING AND BINDING.

Department of Jus-
tice.

For printing and binding for the Department of Justice, to be executed under the direction of the Public Printer, eight thousand dollars.

District of Columbia.

DISTRICT OF COLUMBIA.

Fuel.

Half from District
revenues.

For fuel, as follows: For the metropolitan police, three thousand dollars; for the fire department, four thousand five hundred dollars; for public schools, forty-five thousand dollars; in all, fifty-two thousand five hundred dollars, one half of which shall be paid out of the revenues of the District of Columbia and the other half out of the Treasury of the United States.

House of Represent-
atives.

HOUSE OF REPRESENTATIVES.

Miscellaneous items,
etc.

For miscellaneous items and expenses of special and select committees, forty thousand dollars.

Approved, January 20, 1903.

January 21, 1903.

[Public, No. 32.]

CHAP. 195.—An Act To amend an Act entitled "An Act to provide for the use of timber and stone for domestic and industrial purposes in the Indian Territory," approved June sixth, nineteen hundred.

Indian Territory.
Use of timber and
stone for industrial
purposes.
Vol. 31, p. 660,
amended.Secretary of the In-
terior to prescribe
rules, etc.

Use by railroads.

Proviso.
Right of allottees to
dispose of timber, etc.,
not affected.

Vol. 30, p. 501.

Penalty for unlaw-
fully cutting, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide for the use of timber and stone for domestic and industrial purposes in the Indian Territory," approved June sixth, nineteen hundred, be amended so as to read as follows:

"That the Secretary of the Interior is authorized to prescribe rules and regulations for the procurement of timber and stone for domestic and industrial purposes, including the construction, maintenance, and repairs of railroads and other highways, to be used only in the Indian Territory, or upon any railroad outside of the said Territory which is part of any continuous line of railroad extending into the said Territory, from lands belonging to either of the Five Civilized Tribes, and to fix the full value thereof to be paid therefor and collect the same for the benefit of said tribes: *Provided, however,* That nothing herein contained shall be construed to prevent allottees from disposing of timber and stone on their allotments, as provided in section sixteen of an Act entitled 'An Act for the protection of the people of the Indian Territory, and for other purposes,' approved June twenty-eighth, eighteen hundred and ninety-eight, from and after the allotment by the Commission to the Five Civilized Tribes.

"SEC. 2. That every person who unlawfully cuts, or aids or is employed in unlawfully cutting, or wantonly destroys, or procures to be wantonly destroyed, any timber standing upon the lands of either of said tribes contrary to the provisions of this Act and the regulations

prescribed thereunder by the Secretary of the Interior, shall pay a fine of not more than five hundred dollars, or be imprisoned not more than twelve months, or both, in the discretion of the court trying the same."

Approved, January 21, 1903.

CHAP. 196.—An Act To promote the efficiency of the militia, and for other purposes.

January 21, 1903.

[Public, No. 33.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the militia shall consist of every able-bodied male citizen of the respective States, Territories, and the District of Columbia, and every able-bodied male of foreign birth who has declared his intention to become a citizen, who is more than eighteen and less than forty-five years of age, and shall be divided into two classes—the organized militia, to be known as the National Guard of the State, Territory, or District of Columbia, or by such other designations as may be given them by the laws of the respective States or Territories, and the remainder to be known as the Reserve Militia.

Militia.
Composition of.

National Guard.

Reserve Militia.

Persons exempt.

SEC. 2. That the Vice-President of the United States, the officers, judicial and executive, of the Government of the United States, the members and officers of each House of Congress, persons in the military or naval service of the United States, all custom-house officers, with their clerks, postmasters and persons employed by the United States in the transmission of the mail, ferrymen employed at any ferry on a post-road, artificers and workmen employed in the armories and arsenals of the United States, pilots, mariners actually employed in the sea service of any citizen or merchant within the United States, and all persons who are exempted by the laws of the respective States or Territories shall be exempted from militia duty, without regard to age: *Provided*, That nothing in this Act shall be construed to require or compel any member of any well-recognized religious sect or organization at present organized and existing whose creed forbids its members to participate in war in any form, and whose religious convictions are against war or participation therein, in accordance with the creed of said religious organization, to serve in the militia or any other armed or volunteer force under the jurisdiction and authority of the United States.

Proviso.
Exemption because of creed.

SEC. 3. That the regularly enlisted, organized, and uniformed active militia in the several States and Territories and the District of Columbia who have heretofore participated or shall hereafter participate in the apportionment of the annual appropriation provided by section sixteen hundred and sixty-one of the Revised Statutes of the United States, as amended, whether known and designated as National Guard, militia, or otherwise, shall constitute the organized militia. The organization, armament, and discipline of the organized militia in the several States and Territories and in the District of Columbia shall be the same as that which is now or may hereafter be prescribed for the Regular and Volunteer Armies of the United States, within five years from the date of the approval of this Act: *Provided*, That the President of the United States, in time of peace, may by order fix the minimum number of enlisted men in each company, troop, battery, signal corps, engineer corps, and hospital corps: *And provided further*, That any corps of artillery, cavalry and infantry existing in any of the States at the passage of the Act of May eighth, seventeen hundred and ninety-two, which, by the laws, customs or usages of the said States have been in continuous existence since the passage of said Act under its provisions and under the provisions of Section two hundred and thirty-two and

Organized militia.

R. S. sec. 1661, p. 290.
Vol. 24, p. 401.
Vol. 31, p. 662.

To conform to general Army Regulations.

Proviso.
Minimum number of enlisted men.

Privileges of certain existing corps.
Vol. 1, p. 271.

R. S., secs. 232, 1625-1660, pp. 37, 285-290.