

SEC. 3. That medical officers of the Army may be assigned by the Secretary of War to such duties as the interests of the service may demand.

Assignment.

SEC. 4. That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Approved, July 27, 1892.

CHAP. 271.—An act to authorize the construction of jetties, piers, and breakwaters at private expense in the Gulf of Mexico, at the mouth of Ropes Pass, in the State of Texas.

July 27, 1892.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Port Ropes Company, a corporation existing under the laws of the State of Texas, which has partially constructed a ship channel across Mustang Island, in said State, for the purpose of obtaining a deep-water harbor upon the coast of Texas, at its own cost and expense, by connecting the waters of Corpus Christi Bay with those of the Gulf of Mexico, be, and is hereby, authorized to protect the gulf entrance to said ship channel, and to further prosecute its project of obtaining and maintaining a deep-water harbor, by constructing suitable jetties, piers, and breakwaters as far out into the waters of the Gulf of Mexico as may be requisite to obtain and maintain a channel with a depth of thirty feet, more or less.

Port Ropes Company may construct jetties, etc., Mustang Island, Texas.

SEC. 2. That said work shall be prosecuted by the said the Port Ropes Company, its successors and assigns, diligently, and completed within seven years from the passage of this act and entirely at its own expense, and nothing in this act shall be construed as committing the Government of the United States to any expenditure for the whole or any part of the same. And the said company shall hold the United States harmless from any damage that may accrue to any person or persons by reason of the construction of its work.

Completion.

United States not liable for damages, etc.

SEC. 3. That at any time after said improvements and works have been completed as herein provided, and a depth of twenty feet has been obtained, the United States shall have the right to pay the said company, or their assigns, successors, or legal representatives, the value of the works constructed under this act or under or by virtue of any authority granted by the State of Texas, which value shall be ascertained by appraisement to be made by three officers of the Engineer Corps of the United States Army, who shall be appointed for that purpose by the Secretary of War, and on such payment being made by the United States all rights to said work on the part of said parties shall cease; but nothing in this act shall be construed as compelling or requiring the Government to take possession of and pay for said works unless so desired by the Government of the United States.

United States may purchase works on completion.

Appraisement.

Purchase not compulsory.

SEC. 4. That Congress may at any time alter, amend, or repeal this act.

Amendment.

Approved, July 27, 1892.

CHAP. 272.—An act to amend the Articles of War, and for other purposes.

July 27, 1892.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That articles seventeen, eighty-four, one hundred and four, and one hundred and ten, of section thirteen hundred and forty-two of the Revised Statutes of the United States, be, and the same are hereby, amended to read as follows:

Army. Articles of War. R. S., sec. 1342 amended.

“ARTICLE 17. Any soldier who sells or through neglect losses or spoils his horse, arms, clothing, or accoutrements shall be punished as a court-martial may adjudge, subject to such limitation as may be prescribed by the President by virtue of the power vested in him.”

Selling horse, etc., to be punished by court-martial. R. S., sec. 1342, p. 231.

Oath of members of courts-martial.
R.S., sec. 1342, p. 238.

“ARTICLE 84. The judge-advocate shall administer to each member of the court, before they proceed upon any trial, the following oath, which shall also be taken by all members of regimental and garrison courts-martial: ‘You, A B, do swear that you will well and truly try and determine, according to evidence, the matter now before you, between the United States of America and the prisoner to be tried, and that you will duly administer justice, without partiality, favor, or affection, according to the provisions of the rules and articles for the government of the armies of the United States, and if any doubt should arise, not explained by said articles, then according to your conscience, the best of your understanding, and the custom of war in like cases; and you do further swear that you will not divulge the sentence of the court until it shall be published by the proper authority, except to the judge-advocate; neither will you disclose or discover the vote or opinion of any particular member of the court-martial, unless required to give evidence thereof, as a witness, by a court of justice, in a due course of law. So help you God.’”

Approval of sentence.
R.S., sec. 1342, p. 240.

“ARTICLE 104. No sentence of a court-martial shall be carried into execution until the same shall have been approved by the officer ordering the court, or by the officer commanding for the time being.”

Approval of field officer's sentence.
R.S., sec. 1342, p. 240.

“ARTICLE 110. No sentence adjudged by a field officer, detailed to try soldiers of his regiment, shall be carried into execution until the same shall have been approved by the brigade commander, or, in case there be no brigade commander, by the commanding officer of the post or camp.”

Judge-advocate to withdraw from closed sessions.

SEC. 2. That whenever a court-martial shall sit in closed session the judge-advocate shall withdraw, and when his legal advice or his assistance in referring to recorded evidence is required it shall be obtained in open court.

Fraudulent enlistment military offense.
R.S., sec. 1342, p. 236.

SEC. 3. That fraudulent enlistment, and the receipt of any pay or allowance thereunder, is hereby declared a military offense and made punishable by court-martial, under the Sixty-second Article of War.

Administration of oaths.

SEC. 4. That judge-advocates of departments and of courts-martial, and the trial officers of summary courts, are hereby authorized to administer oaths for the purposes of the administration of military justice, and for other purposes of military administration.

Approving authority may remit, etc., sentence.

SEC. 5. That the commanding officers authorized to approve the sentences of summary courts shall have the power to remit or mitigate the same.

Effect.

SEC. 6. That this act shall take effect sixty days after its passage.

Approved, July 27, 1892.

July 27, 1892.

CHAP. 273.—An act to amend section nine of the act for the relief of certain volunteer and regular soldiers of the late war and the war with Mexico, passed March second, eighteen hundred and eighty-nine.

Removal of charge of desertion.
Time extended for presenting claims.
Vol. 25, p. 871.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section nine of the act for the relief of certain volunteer and regular soldiers of the late war and the war with Mexico, passed March second, anno Domini eighteen hundred and eighty-nine, be, and the same is hereby, so amended as to extend the time for the limitation of the operation of said section for the period of two years from the first of July, eighteen hundred and ninety-two.

Approved, July 27, 1892.