

such bridge, and it shall be competent for said Rainy River Bridge Company and such other corporation or company, be the same incorporated or organized under the laws of the United States, or any State therein, or the Dominion of Canada, or any province therein, to contract together for the operation and maintenance of said bridge, and to consolidate or amalgamate their respective companies, to the end that said bridge may be constructed, maintained, and operated in accordance with the provisions of this Act.

Amendment.

SEC. 4. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 6, 1906.

April 9, 1906.
[S. 3899.]

[Public, No. 87.]

Naval Academy.
Dismissal of mid-
shipmen from, au-
thorized.
Procedure.

CHAP. 1370.—An Act Granting authority to the Secretary of the Navy, in his discretion, to dismiss midshipmen from the United States Naval Academy and regulating the procedure and punishment in trials for hazing at the said academy.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That it shall be the duty of the Superintendent of the United States Naval Academy, whenever he shall believe the continued presence of any midshipman at the said academy to be contrary to the best interests of the service, to report in writing such fact, with a full statement of the facts upon which are based his reasons for such belief, to the Secretary of the Navy, who, if after due consideration of the said report he shall deem the superintendent's said belief reasonable and well founded, shall cause a copy of the said report to be served upon the said midshipman and require the said midshipman to show cause, in writing and within such time as the said Secretary shall deem reasonable, why he should not be dismissed from the said academy; and after due consideration of any cause so shown the said Secretary may, in his discretion, but with the written approval of the President, dismiss such midshipman from the said academy. And the truth of any issue of fact so raised, except upon the record of demerit, shall be determined by a board of inquiry convened by the Secretary of the Navy under the rules and regulations for the government of the Navy.

Board of inquiry to
determine facts.

Punishment for haz-
ing.
Vol. 18, p. 203
amended.

SEC. 2. That so much of the Acts approved June twenty-third, eighteen hundred and seventy-four, and March third, nineteen hundred and three, as requires the Superintendent of the United States Naval Academy to convene a court-martial in all cases when it shall come to the knowledge of the said superintendent that any midshipman has been guilty of the offense commonly known as "hazing," and declares the finding of a court-martial so convened, when approved by the said superintendent, final, and directs that any midshipman found guilty by such court-martial shall be summarily dismissed from the said academy, and also all other Acts or parts of Acts inconsistent with the present Act are hereby repealed, and that the offense known as "hazing" may hereafter be proceeded against, dealt with, and punished as offenses against good order and discipline and for violation and breaches of the rules of said academy. But no midshipman shall be dismissed for a single act of hazing except under the provisions of section three of this Act.

Vol. 32, p. 1198.
amended.

Restriction.

Trial by court-mar-
tial.

Vol. 18, p. 203.

Punishment.
Vol. 32, p. 1198.

SEC. 3. That the Superintendent of the United States Naval Academy may, in his discretion and with the approval of the Secretary of the Navy, cause any midshipman in the said academy to be tried by court-martial for the offense of hazing, as provided by the Act approved June twenty-third, eighteen hundred and seventy-four, and such court-martial, upon conviction, may sentence such midshipman to any punishment authorized by the said Act or by the Act approved March

third, nineteen hundred and three, or authorized for any violation or breach of the rules of the said academy by the said rules, or, in cases of brutal or cruel hazing may, in addition to dismissal, sentence such midshipman to imprisonment for a period not exceeding one year: *Provided*, That such midshipman shall not be confined in a military or naval prison or elsewhere with men who have been convicted of crimes or misdemeanors; and such finding and sentence shall be subject to review by the convening authority and by the Secretary of the Navy, as in the cases of other courts-martial.

Imprisonment in addition to dismissal.

Proviso.
Restrictions.

Review.

SEC. 4. That the offense of "hazing," as mentioned in this Act, shall consist of any unauthorized assumption of authority by one midshipman over another midshipman whereby the last-mentioned midshipman shall or may suffer or be exposed to suffer any cruelty, indignity, humiliation, hardship, or oppression, or the deprivation or abridgment of any right, privilege, or advantage to which he shall be legally entitled.

What constitutes offense of "hazing."

SEC. 5. That it shall be the duty of every professor, assistant professor, academic officer, or any cadet officer or cadet petty officer, or instructor, as well as every other officer stationed at the United States Naval Academy, to promptly report to the superintendent thereof any fact which comes to his attention tending to indicate any violation by a midshipman or midshipmen of any of the provisions of this Act or any violation of the regulations of the said academy. Any naval officer attached to the academy who shall fail to make such report as provided in this section shall be tried by court-martial for neglect of duty and if convicted he shall be dismissed from the service. Any civilian instructor attached to the academy who shall fail to make such report as provided in this section shall be dismissed by the superintendent of the academy upon the approval of the Secretary of the Navy.

Violation of rules to be reported.

Punishment for failure to report.

SEC. 6. That this Act shall take effect from the date of its approval, but no midshipman now connected with the United States Naval Academy shall, by reason of its enactment, be punished for any offense heretofore committed otherwise than in pursuance of the sentence of a court-martial (if, by existing law, such sentence would be now necessary for such punishment) or punished more severely than is now by law allowed for any offense heretofore committed: *Provided*, That any midshipman now in said Naval Academy may waive his right to trial by court-martial under existing law for any offense of hazing heretofore committed and may accept punishment under the provisions of section two of this Act.

Effect.

Prior offenses.

Proviso.
Cadets may waive right to court-martial trial, etc.

Approved, April 9, 1906.

CHAP. 1371.—An Act To authorize the Chief of Ordnance, United States Army, to receive four three-and-six-tenths-inch breech-loading field guns, carriages, caissons, limbers, and their pertaining equipment from the State of Connecticut.

April 9, 1906.
[S. 4111.]

[Public, No. 88.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Chief of Ordnance, United States Army, is hereby authorized and empowered to receive back from the State of Connecticut the four three-and-six-tenths-inch breech-loading field guns, carriages, caissons, limbers, and their pertaining material, which were sold to the State by the Ordnance Department for the sum of twelve thousand four hundred and five dollars and eight cents on July twentieth, nineteen hundred and one.

Army.
Connecticut may return field guns, etc.

SEC. 2. That no part of the value of this material shall be paid to the State of Connecticut, but the whole amount received from the sale thereof to the State shall stand as a credit to the quota of the State, the same as though allotted from the annual appropriations under the

State quota credited with value of.