

of a violation of this Act, and any persons who shall be guilty of a violation of this Act shall be deemed guilty of a misdemeanor and on conviction thereof shall be punished in any court of competent jurisdiction by a fine not exceeding five thousand dollars, and every month such persons shall remain in default shall be deemed a new offense and subject such persons to additional penalties therefor; and in addition to the penalties above described the Secretary of War and the Chief of Engineers may, upon refusal of the persons owning or controlling any such bridge and accessory works to comply with any lawful order issued by the Secretary of War or Chief of Engineers in regard thereto, cause the removal of such bridge and accessory works at the expense of the persons owning or controlling such bridge, and suit for such expense may be brought in the name of the United States against such persons, and recovery had for such expense in any court of competent jurisdiction; and the removal of any structures erected or maintained in violation of the provisions of this Act or the order or direction of the Secretary of War or Chief of Engineers made in pursuance thereof may be enforced by injunction, mandamus, or other summary process, upon application to the circuit court in the district in which such structure may, in whole or in part, exist, and proper proceedings to this end may be instituted under the direction of the Attorney-General of the United States at the request of the Secretary of War; and in case of any litigation arising from any obstruction or alleged obstruction to navigation created by the construction of any bridge under this Act, the cause or question arising may be tried before the circuit court of the United States in any district which any portion of said obstruction or bridge touches.

Penalty.

Litigation.

Time of construction.

SEC. 6. That whenever Congress shall hereafter by law authorize the construction of any bridge over or across any of the navigable waters of the United States, and no time for the commencement and completion of such bridge is named in said Act, the authority thereby granted shall cease and be null and void unless the actual construction of the bridge authorized in such Act be commenced within one year and completed within three years from the date of the passage of such Act.

Meaning of "persons."

SEC. 7. That the word "persons" as used in this Act shall be construed to import both the singular and the plural, as the case demands, and shall include municipalities, quasi municipal corporations, corporations, companies, and associations.

Amendment, etc.

SEC. 8. That the right to alter, amend, or repeal this Act is hereby expressly reserved as to any and all bridges which may be built in accordance with the provisions of this Act, and the United States shall incur no liability for the alteration, amendment, or repeal thereof to the owner or owners or any other persons interested in any bridge which shall have been constructed in accordance with its provisions.

Approved, March 23, 1906.

March 23, 1906.

[H. R. 14513.]

[Public, No. 66.]

CHAP. 1131.—An Act Making it a misdemeanor in the District of Columbia to abandon or willfully neglect to provide for the support and maintenance by any person of his wife or of his or her minor children in destitute or necessitous circumstances.

District of Columbia.
Willful neglect to
support wife or minor
children in, a misde-
meanor

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any person in the District of Columbia who shall, without just cause, desert or willfully neglect or refuse to provide for the support and maintenance of his wife in destitute or necessitous circumstances, or any person who shall, without just excuse, desert or willfully neglect or refuse to provide for the support and maintenance of his or her minor children under

the age of sixteen years in destitute or necessitous circumstances, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not more than five hundred dollars or by imprisonment in the workhouse of the District of Columbia at hard labor for not more than twelve months, or by both such fine and imprisonment; and should a fine be imposed it may be directed by the court to be paid in whole or in part to the wife or to the guardian or custodian of the minor child or children: *Provided*, That before the trial, with the consent of the defendant, or after conviction, instead of imposing the punishment hereinbefore provided, or in addition thereto, the court in its discretion, having regard to the circumstances and to the financial ability or earning capacity of the defendant, shall have the power to make an order, which shall be subject to change by it from time to time as circumstances may require, directing the defendant to pay a certain sum weekly for the space of one year to the wife, or to the guardian or custodian of the minor child or children, or to an organization or individual approved by the court as trustee, and to release the defendant from custody on probation for the space of one year upon his or her entering into a recognizance, with or without sureties, in such sum as the court may direct. The condition of the recognizance shall be such that if the defendant shall make his or her personal appearance in court whenever ordered to do so within the year, and shall further comply with the terms of the order and of any subsequent modification thereof, then the recognizance shall be void, otherwise of full force and effect.

Penalty.

Proviso.
Weekly allowance.

Recognizance re-
quired.

If the court be satisfied by information and due proof, under oath, that at any time during the year the defendant has violated the terms of such order, it may forthwith proceed with the trial of the defendant under the original charge, or sentence him under the original conviction, or enforce the original sentence, as the case may be. In case of forfeiture of a recognizance and enforcement thereof by execution, the sum recovered may, in the discretion of the court, be paid in whole or in part to the wife, or to the guardian or custodian of the minor child or children.

Forfeiture.

SEC. 2. That no other evidence shall be required to prove marriage of such husband and wife, or that such person is the lawful father or mother of such child or children, than is or shall be required to prove such facts in a civil action. In all prosecutions under this Act any existing provisions of law prohibiting the disclosure of confidential communications between husband and wife shall not apply, and both husband and wife shall be competent and compellable witnesses to testify to any and all relevant matters, including the fact of such marriage and the parentage of such child or children. Proof of the desertion of such wife, child, or children in destitute or necessitous circumstances, or of neglect to furnish such wife, child, or children necessary and proper food, clothing, or shelter is prima facie evidence that such desertion or neglect is willful.

Proof of marriage.

Husband and wife
competent, etc., wit-
nesses.

Proof of desertion,
etc.

SEC. 3. That it shall be the duty of the superintendent in charge of the workhouse of the District of Columbia in which any person is confined on account of a sentence under this law to pay, out of any funds available, over to the wife, or to the guardian or custodian of his or her minor child or children, or to an organization or individual approved by the court as trustee, at the end of each week, for the support of such wife, child, or children, a sum equal to fifty cents for each day's hard labor performed by said person so confined.

Weekly payments
by superintendent of
workhouse.

Approved, March 23, 1906.

March 27, 1906.
[H. R. 4736.]

[Public, No. 67.]

Custer County,
Mont.
Payment to, for
bridge across Tongue
River.

Proviso.
Repairs.

CHAP. 1346.—An Act For the relief of the county of Custer, State of Montana.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the board of county commissioners of Custer County, Montana, out of any money in the Treasury not otherwise appropriated, the sum of four thousand three hundred and fifty dollars, in full settlement of all demands against the United States for the construction of a steel bridge across the Tongue River for the accommodation of the Fort Keogh Military Reservation in Montana, according to the terms of the contract entered into between the said board of county commissioners and D. D. Wheeler, quartermaster, United States Army, dated in September, eighteen hundred and ninety-seven: *Provided,* That said county of Custer shall maintain and keep said bridge in repair without charge or expense to the United States.

Approved, March 27, 1906.

March 27, 1906.
[H. R. 16381.]

[Public, No. 68.]

Alabama.
Public lands to be
reclassified.

Survey.

Agricultural lands
subject to homestead
entry.

Appropriation.

CHAP. 1347.—An Act To authorize the Secretary of the Interior to reclassify the public lands of Alabama.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized to reclassify the public lands of Alabama, so as to determine which of said lands are in fact agricultural lands and which mineral lands, and to decide which of said lands should be subject to homestead entry, and to that end he is hereby authorized and empowered to employ such expert mineralogist, assayers, and civil engineers as may be necessary to designate and survey said mineral and agricultural lands.

SEC. 2. That upon receipt of the report of the parties designated to make such classification, all lands designated thereby as agricultural shall be subject to homestead entry as such.

SEC. 3. That for the purpose of carrying out this Act there is hereby appropriated, out of any money in the Treasury not otherwise expended, the sum of five thousand dollars, or so much thereof as may be necessary, to carry out the provisions of this Act.

Approved, March 27, 1906.

March 27, 1906.
[H. R. 16381.]

[Public, No. 69.]

Southern Ute Reser-
vation, Colo.
Lease, etc., of lands
in, to the P. F. U.
Rubber Company.
Description.

CHAP. 1348.—An Act Leasing and demising certain lands in La Plata County, Colorado, to the P. F. U. Rubber Company.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following-described tract of land, situated in the county of La Plata, in the State of Colorado, to wit, the fractional section three U; lots one, two, and three of fractional section four U; east half and east half of west half of section nine U; west half and west half of east half of section ten U; southwest quarter of southwest quarter of section eleven U; west half of west half of section fourteen; all of sections fifteen and sixteen; east half of northeast quarter and south half of section seventeen; east half of southwest quarter, southeast quarter, and north half of section twenty; north half of northeast quarter, southwest quarter of northeast quarter, northwest quarter of southeast quarter, and west half of section twenty-one; west half of section twenty-eight; southeast quarter of section twenty-nine; all of section thirty-two, and west half of section thirty-three, containing five thousand four hundred and ten and