

Confinement.

If the jury shall find the accused to be then insane, or if an accused person shall be acquitted by the jury solely on the ground of insanity, the court may certify the fact to the Secretary of the Interior, who may order such person to be confined in the hospital for the insane, and said person and his estate shall be charged with the expense of his support in the said hospital. The person whose sanity is in question shall be entitled to his bill of exceptions and an appeal as in other cases."

Appeal.

Approved, April 14, 1906.

April 14, 1906.  
[S. 5215.]

[Public, No. 100.]

**CHAP. 1625.**—An Act To fix the regular terms of the circuit and district courts of the United States for the southern division of the northern district of Alabama, and for other purposes.

Alabama northern  
judicial district.  
Terms, for southern  
division, at Birming-  
ham.  
R. S., secs. 572, 658,  
pp. 98, 120.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the regular terms of the circuit and district courts of the United States for the southern division of the northern district of Alabama shall be held at the city of Birmingham, in the county of Jefferson, twice in each year, on the first Mondays in March and September, and that said courts shall remain in open session for the transaction of business at least six months in each calendar year.

Assignment of judge  
from other districts.

SEC. 2. That whenever the judge for the northern district of Alabama deems it advisable, on account of disability or absence, or of the accumulation of business therein, or for any other cause, that said court should be held by the judge of some other district or circuit court, he shall, in writing, request the presiding judge for the fifth judicial circuit of the United States to assign a judge to hold the term or terms of said court.

Approved, April 14, 1906.

April 14, 1906.  
[H. R. 4461.]

[Public, No. 101.]

**CHAP. 1626.**—An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes.

District of Columbia.  
Abatement of nui-  
sances on failure of  
owner.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That whenever the owner of any real property in the District of Columbia shall fail or refuse, after the service of reasonable notice in the manner hereinafter provided, to correct any condition which exists on or has arisen from such property in violation of law or of any regulation made by authority of law, with the correction of which condition said owner is by law or by said regulation chargeable, or to show cause, sufficient in the judgment of the Commissioners of said District, why he should not be required to correct such condition, then, and in that instance, the Commissioners of the District of Columbia may, and they are hereby authorized to, cause such condition to be corrected; assess the cost of correcting such condition and all expenses incident thereto (including the cost of publication, if any, hereinafter provided for) as a tax against the property on which such condition existed or from which such condition arose, as the case may be; and carry such tax on the regular tax rolls of said District, and collect such tax in the same manner as general taxes in said District are collected: *Provided,* That the correction of any condition aforesaid by said Commissioners under authority of this section shall not relieve the owner of the property on which such condition existed, or from which such condition arose, from criminal prosecution and punishment for having caused or allowed such unlawful condition to arise or for having failed or refused to correct the same.

Duty of Commis-  
sioners.

Property taxed for  
costs.

*Proviso.*  
Owners not exempt  
from criminal prose-  
cution, etc.

SEC. 2. That for the purpose of carrying into effect section one of this Act the Commissioners of the District of Columbia and all other persons, including contractors and employees of contractors acting under their authority or by their direction, be, and they are hereby, authorized to enter upon and into any lands and tenements in said District, during all reasonable hours, to inspect the same and to do whatever may be necessary to correct, in a good and workmanlike manner, any condition that exists on or has arisen from such lands or tenements in violation of law or of any regulation made by authority of law, with the correction of which condition the owner of said lands or tenements is by law or such regulation chargeable. Any person who shall hinder, interfere with, or prevent any inspection or work authorized by this Act shall, upon conviction thereof, be punished by a fine not exceeding one hundred dollars or by imprisonment for a period not exceeding three months, or by both such fine and imprisonment, in the discretion of the court.

Inspection, etc.

Resisting inspection.

Penalty.

SEC. 3. That for the purposes of this Act any notice required by law or by any regulation aforesaid to be served shall be deemed to have been served (a) if delivered to the person to be notified, or if left at the usual residence or place of business of the person to be notified, with a person of suitable age and discretion then resident therein; or (b) if no such residence or place of business can be found in said District by reasonable search, if left with any person of suitable age and discretion employed therein at the office of any agent of the person to be notified, which agent has any authority or duty with reference to the land or tenement to which said notice relates; or, (c) if no such office can be found in said District by reasonable search, if forwarded by registered mail to the last known address of the person to be notified and not returned by the post-office authorities; or, (d) if no address be known or can by reasonable diligence be ascertained, or if any notice forwarded as authorized by the preceding clause of this section be returned by the post-office authorities, if published on three consecutive days in a daily newspaper published in the District of Columbia; or, (e) if by reason of an outstanding, unrecorded transfer of title the name of the owner in fact can not be ascertained beyond a reasonable doubt, if served on the owner of record in the manner hereinbefore in this section provided. Any notice required by law or by any regulation aforesaid to be served on a corporation shall for the purposes of this Act be deemed to have been served on any such corporation if served on the president, secretary, treasurer, general manager, or any principal officer of such corporation in the manner hereinbefore provided for the service of notices on natural persons holding property in their own right; and, if required to be served on any foreign corporation, if served on any agent of such corporation personally, or if left with any person of suitable age and discretion residing at the usual residence or employed at the place of business of such agent in the District of Columbia. Every notice aforesaid shall be in writing or printing, or partly in writing and partly in printing; shall be addressed by name to the person to be notified; shall describe with certainty the character and location of the unlawful condition to be corrected, and shall allow a reasonable time to be specified in said notice, within which the person notified may correct such unlawful condition or show cause why he should not be required to do so.

Notice to owner.

Publication.

Notice to corporations.

Written or printed notice.

SEC. 4. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Repeal.

Approved, April 14, 1906.

April 14, 1906.  
[H. R. 12843.]  
[Public, No. 102.]

**CHAP. 1627.**—An Act To amend the seventh section of the Act entitled “An Act to establish circuit courts of appeals and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes,” approved March third, eighteen hundred and ninety-one, and the several Acts amendatory thereto.

United States courts.  
Appeal in equity to  
circuit courts of ap-  
peal.  
Vol. 26, p. 828,  
amended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the seventh section of the Act of Congress entitled “An Act to establish circuit courts of appeals and to define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes,” approved March third, eighteen hundred and ninety-one, as amended by Act approved June sixth, nineteen hundred, be, and it is hereby, amended to read as follows:

Appeals allowed in  
all interlocutory or-  
ders.

“**SEC. 7.** That where, upon a hearing in equity in a district or in a circuit court, or by a judge thereof in vacation, an injunction shall be granted or continued, or a receiver appointed by an interlocutory order or decree, in any cause an appeal may be taken from such interlocutory order or decree granting or continuing such injunction, or appointing such receiver, to the circuit court of appeals: *Provided,* That the appeal must be taken within thirty days from entry of such order or decree, and it shall take precedence in the appellate court; and the proceedings in other respects in the court below shall not be stayed unless otherwise ordered by that court, or by the appellate court, or a judge thereof, during the pendency of such appeal: *Provided further,* That the court below may, in its discretion, require as a condition of the appeal an additional bond.”

*Provisos.*  
Stay of proceedings,  
etc.

Additional bond.

Approved, April 14, 1906.

April 16, 1906.  
[S. 87.]  
[Public, No. 103.]

**CHAP. 1631.**—An Act Providing for the withdrawal from public entry of lands needed for town-site purposes in connection with irrigation projects under the reclamation Act of June seventeenth, nineteen hundred and two, and for other purposes.

Public lands.  
Town-site with draw-  
als under irrigation  
projects.  
Vol. 32, p. 388.  
Maximum acreage,  
survey, etc.

*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 may withdraw from public entry any lands needed for town-site purposes in connection with irrigation projects under the reclamation Act of June seventeenth, nineteen hundred and two, not exceeding one hundred and sixty acres in each case, and survey and subdivide the same into town lots, with appropriate reservations for public purposes.

Appraisement and  
sale of lots, etc.

**SEC. 2.** That the lots so surveyed shall be appraised under the direction of the Secretary of the Interior and sold under his direction at not less than their appraised value at public auction to the highest bidders, from time to time, for cash, and the lots offered for sale and not disposed of may afterwards be sold at not less than the appraised value under such regulations as the Secretary of the Interior may prescribe. Reclamation funds may be used to defray the necessary expenses of appraisement and sale, and the proceeds of such sales shall be covered into the reclamation fund.

Expenses and pro-  
ceeds.

Improvement of  
public reservations,  
etc.

**SEC. 3.** That the public reservations in such town sites shall be improved and maintained by the town authorities at the expense of the town; and upon the organization thereof as municipal corporations the said reservations shall be conveyed to such corporations by the Secretary of the Interior, subject to the condition that they shall be used forever for public purposes.

Water rights.  
Vol. 32, p. 389.

**SEC. 4.** That the Secretary of the Interior shall, in accordance with the provisions of the reclamation Act, provide for water rights in amount he may deem necessary for the towns established as herein provided, and may enter into contract with the proper authorities of such towns, and other towns or cities on or in the immediate vicinity