

June 25, 1910.  
[S. 1874.]

[Public, No. 314.]

Irrigation act.  
Homesteaders un-  
der, allowed leave un-  
til water turned on.  
Vol. 32, p. 388.

Proviso.  
Required residence  
not lessened.

**CHAP. 432.**—An Act Granting leaves of absence to homesteaders on lands to be irrigated under the provisions of the Act of June seventeenth, nineteen hundred and two.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all qualified entrymen who have heretofore made bona fide entry upon lands proposed to be irrigated under the provisions of the Act of June seventeenth, nineteen hundred and two, known as the national irrigation Act, may, upon application and a showing that they have made substantial improvements, and that water is not available for the irrigation of their said lands, within the discretion of the Secretary of the Interior, obtain leave of absence from their entries, until water for irrigation is turned into the main irrigation canals from which the land is to be irrigated: *Provided,* That the period of actual absence under this Act shall not be deducted from the full time of residence required by law:

Approved, June 25, 1910.

June 25, 1910.  
[S. 1942.]

[Public, No. 315.]

District of Columbia.  
Probation officers  
authorized.

Appointment.

Volunteer assist-  
ants.

Defendant may be  
placed upon proba-  
tion in certain of-  
fenses.

Under probation of-  
ficer.

Investigation of  
cases.

**CHAP. 433.**—An Act For the establishment of a probation system for the District of Columbia.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the supreme court of the District of Columbia in general term may appoint one probation officer, at a salary of one thousand eight hundred dollars per annum, and as many volunteer assistant probation officers, male or female, as occasion may require; and that the police court of the District of Columbia may appoint one chief probation officer, at a salary of one thousand five hundred dollars per annum, and one assistant probation officer, at a salary of one thousand two hundred dollars per annum, and as many volunteer assistant probation officers, male or female, as occasion may require. All such probation officers and assistants shall be appointed for a term of two years and may be removed by the respective courts appointing them. All such volunteer probation officers shall serve without compensation, and shall have such powers and perform such duties as may be assigned to them by said courts.

**SEC. 2.** That said supreme court shall have power in any case, except those involving treason, homicide, rape, arson, kidnaping, or a second conviction of a felony, after conviction or after a plea of guilty of a felony or misdemeanor and after the imposition of a sentence thereon but before commitment, and the said police court shall have like power, after a conviction or a plea of guilty in any case of misdemeanor, to place the defendant upon probation, provided that it shall appear to the satisfaction of the court that the ends of justice and the best interests of the public as well as of the defendant would be subserved thereby, and may suspend the imposition or execution of the sentence, as the case may be, for such time and upon such terms as it may deem best and place the defendant in charge of a probation officer. The probationer shall be provided by the clerk of the court with a written statement of the terms and conditions of his probation at the time when he is placed thereon. He shall observe the rules prescribed for his conduct by the court and report to the probation officer as directed. No person shall be put on probation except with his or her consent.

**SEC. 3.** That the probation officers shall carefully investigate all cases referred to them by the court, and make recommendations to the court to enable it to decide whether the defendant ought to be placed under probation, and shall report to the court, from time to time as may be required by it, touching all cases in their care, to the end that the court may be at all times fully informed of the circumstances and conduct of probationers.

SEC. 4. That upon the expiration of the term fixed for such probation, the probation officer shall report that fact to the court, with a statement of the conduct of the probationer while on probation, and the court may thereupon discharge the probationer from further supervision, or may extend the probation, as shall seem advisable. At any time during the probationary term the court may modify the terms and conditions of the order of probation, or may terminate such probation, when in the opinion of the court the ends of justice shall require, and when the probation is so terminated the court shall enter an order discharging the probationer from serving the imposed penalty; or the court may revoke the order of probation and cause the rearrest of the probationer and impose a sentence and require him to serve the sentence or pay the fine originally imposed, or both, as the case may be, and the time of probation shall not be taken into account to diminish the time for which he was originally sentenced.

Report on expiration of term.

Modification of term, etc.

Revocation and rearrest.

Allowance, etc., to probation officers.

SEC. 5. That the chief probation officer of each court shall be entitled, for himself and his assistants, to a room in the building occupied by that court, and all necessary stationery and supplies for the transaction of the business of his office, and all the probation officers except volunteer officers shall be entitled to their necessary expenses in performing the duties of their office, under the direction of the court, the amount of the expense for such stationery, supplies, and expenses to be fixed and allowed by the court upon proper vouchers submitted to it by the probation officers, and accounts duly verified by their oath; and for the purpose of this Act there is hereby appropriated the sum of five thousand dollars, one half to be paid out of any money in the Treasury not otherwise appropriated and the other half out of the revenues of the District of Columbia.

Appropriation, half from District revenues.

Approved, June 25, 1910.

CHAP. 434.—An Act To provide for the payment of overtime claims of letter carriers excluded from judgment as barred by limitation.

June 25, 1910. [S. 3638.]

[Public, No. 316.]

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 several parties named in Senate Document Numbered Two hundred and sixteen, Fifty-sixth Congress, first session, and Senate Document Numbered One hundred and fifty-eight, Fifty-sixth Congress, second session, or their legal representatives, out of any money in the Treasury not otherwise appropriated, the amounts set opposite each of their names, respectively, aggregating two hundred and eighty-two thousand nine hundred and forty-three dollars and eighty-eight cents, and said sum of two hundred and eighty-two thousand nine hundred and forty-three dollars and eighty-eight cents is hereby appropriated out of any money in the Treasury not otherwise appropriated, representing services actually performed by them as letter carriers in excess of eight hours per day and reported by the commissioners of the Court of Claims as being the amounts due them under the provisions of the Act of May twenty-fourth, eighteen hundred and eighty-eight, entitled "An Act to limit the hours that letter carriers in cities shall be employed per day," but which have been excluded or excepted from judgment for the sole reason that the same were barred by the statute of limitations: *Provided*, That no agent, attorney, firm of attorneys, or other person engaged, heretofore or hereafter, in preparing, presenting, or prosecuting any claim or claims named in Senate Document Numbered Two hundred and sixteen, Fifty-sixth Congress, first session, and Senate Document Numbered One hundred and fifty-eight, Fifty-sixth Congress, second session, above referred to, shall directly or indirectly demand, receive, or retain for such service in preparing,

Letter carriers. Payment of claims for overtime under eight-hour law.

Appropriation

Vol. 25, p. 159.

Proviso. Limit to attorneys' fee.