

THE LAWS.

ABANDONMENT.

CHAPTER 1.

[H. B. No. 122—Treat.]

ABANDONING WIFE.

AN ACT to Prevent the Abandonment and Neglect of Wife or Children by Persons Charged by Law With the Maintenance Thereof; to Make Such Abandonment and Neglect a Felony; and to Prescribe the Punishment Therefor.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. ABANDONMENT OF WIFE OR CHILD MADE A FELONY. PUNISHMENT.] Any person who wilfully omits without lawful excuse to furnish proper food, clothing, shelter or suitable care in case of sickness to his wife or minor child under fifteen years of age, shall upon conviction be deemed guilty of a felony and punished by imprisonment in the penitentiary for not more than three years, nor less than one year, in a county jail, or in a workhouse at hard labor for not more than one year, nor less than three months; provided, however, if after conviction and before sentence he shall appear before the court in which said conviction shall have taken place, and enter into bond to the state of North Dakota in such penal sum as the court may fix, to be approved by the court as to surety, conditioned that he will furnish said child or wife with necessary and proper home, food, care and clothing, then the court may suspend sentence therein; provided, that upon failure of such person to comply with said undertaking, he may be ordered to appear before the court and show cause why sentence should not be imposed, whereupon the court may pass sentence, or for good cause shown may modify the order and take a new undertaking and further suspend sentence as may be just and proper.

§ 2. REPEAL.] All acts or parts of acts inconsistent with this act are hereby repealed.

§ 3. EMERGENCY.] Whereas, an emergency exists in this, that there is now no adequate provision of law for the punishment of crimes of this character, this act shall take effect and be in force from and after its passage and approval.

Approved March 7, 1905.