

CHAPTER THIRTY-TWO.

CONSTABLES.

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SEC. 1035. The duties of constable shall be confined exclusively to the service of civil process and the collection of strictly private debts within the District.

Duties of constables.

3 March, 1863, c. 106, s. 10, v. 12, p. 803.

SEC. 1036. Each constable shall, before performing any of the duties of his office, take the oath prescribed for civil officers in the District, and shall enter into a bond to the United States in the sum of five thousand dollars, with security, to be approved by the clerk of the supreme court of the District, conditioned for the faithful performance of the duties of his office, and for the punctual payment of all moneys coming into his hands to the persons entitled to receive the same.

Oath and bond.  
Ibid.  
United States vs. Bill, 2 Cranch, C. C., 518; United States vs. Cranston, 3 Cranch, C. C., 289; Hazel vs. Waters, 3 Cranch, C. C., 420.

SEC. 1037. Each constable shall renew his bond on the thirtieth day of June, in every alternate year of his continuance in office.

[See § 85.]

Renewal of bond.

SEC. 1038. Constables are authorized to serve warrants and levy executions issued by justices of the peace, and make return thereof to such justices, in the same manner, and be liable to the same penalties, as the marshal or his deputies. [See §§ 910, 912.]

Ibid.  
Power of constables.

pp. 745, 746. United States vs. Bill, 2 Cranch, C. C., 202; Wells vs. Hubbard, 2 Cranch, C. C., 292.

SEC. 1039. Where a constable shall have received money, on any judgment or execution, not exceeding twenty dollars, and shall fail to pay the same to the plaintiff, or his agent, when demanded, or shall fail to return any execution within the time limited for such return, it shall be lawful for the supreme court of the District, on motion, five days' previous notice being given to the constable, to enter up judgment, instantan, against him for the amount so received, with interest and costs.

1 Mar., 1823, c. 24, secs. 10, 11, v. 3, 2 Cranch, C. C., 292.

Failure of constable to pay over money, &c.

Ibid., s. 10, p. 745.

SEC. 1040. The fees of constables shall be fixed and determined by the supreme court, and a commission of five per cent. shall be allowed each constable for every sum on executions by him levied.

Fees and commissions.

63, s. 2, v. 14, p. 402; 1 Mar., 1823, c. 106, s. 10, v. 3, p. 745. United States vs. Little, 1 Cranch, C. C., 411.

22 Feb., 1867, c. States vs. Little, 1

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