

- Fees of witnesses. SEC. 1072. Witnesses before the police court shall receive the same fees as are allowed for similar service and attendance in the supreme court. (See § 880.)  
 17 June, 1870, c. 133, s. 7, v. 16, p. 153.
- Appeals. SEC. 1073. Any party deeming himself aggrieved by the judgment of the police court may appeal to the supreme court. (See § 773.)  
 Ibid., s. 3, p. 154.
- Bond on appeal. SEC. 1074. In all appeals the party applying for appeal shall enter into recognizance, with sufficient surety to be approved by the judge, for his appearance at the criminal term of the supreme court then in session, or at the next term thereof if the criminal term be not then in session, there to prosecute the appeal and to abide by the judgment of the supreme court.  
 Ibid., s. 8, p. 155.
- Stay of proceedings on appeal. SEC. 1075. Upon such recognizance being given, all further proceedings in police court shall be stayed.  
 Ibid.
- Papers to be sent to supreme court. SEC. 1076. Such recognizance so approved, and the information or complaint, shall be immediately transmitted to the clerk of the supreme court.  
 Ibid.
- Appellants failing to recognize. SEC. 1077. Upon the failure of any party appealing from the judgment of the police court to the supreme court to enter into recognizance as provided for in section ten hundred and seventy-four, he shall be committed to jail to await his trial upon his appeal, and the trial shall be had in the supreme court as though such recognizance had been entered into.  
 Ibid., s. 11.
- Appeals, how certified. SEC. 1078. In every case of appeal the court below shall send up the information or complaint filed in the cause, and a copy of the record of all proceedings duly certified to the supreme court.  
 Ibid.

DISPOSALS OF COSTS, FINES, AND FORFEITURES.

- Payment of fines, penalties, costs, and forfeitures. SEC. 1079. All fines, penalties, costs, and forfeitures imposed or taxed by the police court shall be collected by the marshal, or by the major of police, as the case may be, on process ordered by the court, and by them paid over to the District. (See §§ 313-316.)  
 Ibid., s. 15, p. 155; 21 Feb., 1871, c. 62, s. 41, v. 16, p. 429.
- Disposal of moneys collected. SEC. 1080. The moneys collected upon the judgments of the police court, or so much thereof as may be necessary, shall be applied to the payment of the salaries of the judge and other officers of the court, as provided in section ten hundred and forty-six, and to the payment of the necessary expenses thereof, and any surplus remaining after paying such salaries, compensation, and expenses shall be paid into the treasury of the District at the end of every quarter.

CHAPTER THIRTY-FOUR.

THE JAIL.

- |  |  |
|--|--|
| <p>Sec.<br/>                 1081. Warden, appointment and removal.<br/>                 1082. Term of office.<br/>                 1083. Salary.<br/>                 1084. Bond.<br/>                 1085. Powers and duties.<br/>                 1086. Employment of prisoners at labor.<br/>                 1087. Commitment by marshal.<br/>                 1088. Delivery to marshal.<br/>                 1089. Appointment of subordinate officers.<br/>                 1090. Supreme court to make rules.<br/>                 1091. Warden's annual report.</p> | <p>Sec.<br/>                 1092. Warden to execute judgment of death<br/>                 1093. Place of execution.<br/>                 1094. Officers required to attend.<br/>                 1095. Who may be present.<br/>                 1096. Who shall not be allowed to witness executions.<br/>                 1097. District to re-imburse United States for part of cost of new jail.<br/>                 1098. Secretary of the Interior to collect tax, when.<br/>                 1099. To assess tax, when.</p> |
|--|--|

Warden, appointment and removal. SEC. 1081. The supreme court of the District has authority to appoint a suitable person to act as warden of the jail, and to remove such officer, whenever, in the opinion of the court, the public interests may require his removal, and to fill all vacancies which may occur.  
 3 March, 1869, c. 151, s. 4, v. 15, p. 342.

SEC. 1082. The warden shall hold office for the term of four years, unless sooner removed, in accordance with the preceding section.

Term of office.  
29 Feb., 1864, c. 16, s. 1, v. 13, p. 12.  
Salary.

SEC. 1083. He shall receive an annual salary of sixteen hundred dollars, which shall include all fees and emoluments.

Ibid.  
Bond.

SEC. 1084. The warden shall, before entering upon his office, execute to the United States a bond for the faithful performance of the duties thereof in the penal sum of five thousand dollars, with sureties to be approved by some judge of the supreme court of the District.

Ibid., s. 4, p. 13.

SEC. 1085. The warden shall have the exclusive supervision and control of the jails in the District, and be accountable for the safe-keeping of all prisoners legally committed thereto, and shall have all the power and discharge all the duties legally exercised and discharged over said jails and the prisoners therein, prior to the twenty-ninth day of February, eighteen hundred and sixty-four, by the marshal of the District.

Powers and duties.  
Ibid., s. 2, p. 12.

[See R. S. U. S., §§ 5545-5550.]

SEC. 1086. Persons sentenced to imprisonment in the jail may be employed at such labor, and under such regulations, as may be prescribed by the supreme court of the District, and the proceeds thereof applied to defray the expenses of the trial and conviction of any such person.

Employment of prisoners at labor.  
22 Feb., 1867, c. 65, s. 9, v. 14, p. 407.

SEC. 1087. Nothing in the preceding sections of this chapter shall be construed to impair or interfere with the authority of the marshal of the District to commit persons to the jail, or to produce them in open court or before any judicial officer when thereto required.

Commitment by marshal.  
12 May, 1864, c. 85, s. 4, v. 13, p. 75.

SEC. 1088. It shall be the duty of the warden to receive such prisoners, and to deliver them to the marshal or his duly-authorized deputy, on the written request of either, for the purpose of taking them before any court or judicial officer as provided in the preceding section.

Delivery to marshal.  
Ibid.

SEC. 1089. The warden shall have authority to appoint such subordinate officers, guards, and employes as are necessary for the proper management and safe-keeping of prisoners, which may be authorized by law, subject to the approval of the chief justice of the supreme court of the District. [See § 1180.]

Appointment of subordinate officers.  
3 March, 1860, c. 151, s. 5, v. 15, p. 342.

SEC. 1090. It shall be the duty of the supreme court of the District to make such rules for the government and discipline of the prisoners confined in the jail as shall be deemed necessary for the health, security, and the protection of such prisoners from cruel treatment by any person in charge thereof.

Supreme court to make rules.  
22 Feb., 1867, c. 65, s. 10, v. 14, p. 407.

SEC. 1091. The warden shall annually, in the month of November, make a detailed report to the Secretary of the Interior.

Warden's annual report.  
29 Feb., 1864, c. 16, s. 1, v. 13, p. 12.

EXECUTION IN CAPITAL CASES.

SEC. 1092. Whenever any person confined in the jail is adjudged to suffer death, it shall be the duty of the warden to carry such judgment into execution.

Warden to execute judgment of death.

12 May, 1864, c. 85, s. 4, v. 13, p. 75.

SEC. 1093. Persons adjudged to suffer death shall be executed within the walls of some prison in the District, or within a yard or inclosure adjoining such prison, and not elsewhere.

Place of execution.

SEC. 1094. It shall be the duty of the warden, or one of his deputies, with such officers of the prison, constables, and other peace-officers as the warden or deputy may deem necessary and proper, to attend at such execution.

Officers required to attend.

Ibid.

SEC. 1095. The warden, or his deputy, shall invite the district attorney, the counsel of the prisoner, two or more physicians, and twelve respectable citizens to be present at every such execution; and, at the request of the person to be executed, shall also allow any of his near relatives, and any ministers of the Gospel, not more than three, to be present thereat.

Who may be present.

Ibid., s. 2.

SEC. 1096. No persons other than those mentioned in the two preceding sections, and no person whatever under the age of twenty-one years, shall be allowed to witness any such execution.

Who shall not be allowed to witness executions.

Ibid.

## RE-IMBURSEMENT OF UNITED STATES.

District to re-  
imburse United  
States for part of  
cost of new jail.

1 June, 1872, c.  
260, s. 2, v. 17, p. 211.

Secretary of In-  
terior to collect  
tax, when.

Ibid., pp. 211, 212.

To assess tax,  
when.

Ibid.

SEC. 1097. For the purpose of re-imbursing the United States for a part of the cost of a new jail authorized to be constructed by the act of June twenty-fifth, eighteen hundred and sixty-six, and acts amendatory thereof, the legislative assembly of the District shall assess, by tax or otherwise, and cause to be collected and paid into the Treasury of the United States, at or before the completion of said jail, the sum of one hundred and twenty-five thousand dollars.

SEC. 1098. Upon default of the payment of the sum specified in the preceding section at the time mentioned therein, the Secretary of the Interior shall appoint a collector, whose duty it shall be to proceed with the collection of the taxes as assessed by the legislative assembly in such manner and form as the Secretary shall prescribe.

SEC. 1099. If the District shall neglect or refuse to assess the tax provided for by section ten hundred and ninety-seven, the Secretary of the Interior is empowered to make such levy and proceed to its collection

## CHAPTER THIRTY-FIVE.

## PENITENTIARY.

Sec.	Sec.
1100. Transfer of prisoners to District penitentiary, when.	1125. Manufacture of shoes for Army and Navy.
1101. Use of penitentiary.	1126. Prison regulations.
1102. Inspectors.	1127. Power of warden to punish.
1103. Warden.	1128. Mode of punishment.
1104. First meeting of inspectors.	1129. All punishments to be reported.
1105. Regular meetings of board.	1130. Regulation of punishments; report to Congress.
1106. Quorum.	1131. Deduction from term for good conduct.
1107. Secretary of board.	1132. Physician and surgeon.
1108. Inspections.	1133. Infirmary.
1109. Labor of convicts.	1134. Removal to infirmary.
1110. Proceeds of their labor.	1135. Return.
1111. Rules and regulations.	1136. Government of infirmary.
1112. Attention to cleanliness.	1137. Relaxation of discipline in favor of the sick.
1113. Appointment of keepers, &c.	1138. Religious and moral instruction.
1114. Inspection of accounts.	1139. Admission of visitors.
1115. Annual report to Congress.	1140. Penalty of officers for certain violations.
1116. Inspectors not to be interested in contracts.	1141. Protection of convicts and preservation of order.
1117. Bond of warden.	1142. Suits affecting penitentiary, how brought.
1118. How sued; limitation.	1143. Allowance to prisoners upon discharge.
1119. Salary of warden, &c.	
1120. Duties of warden.	
1121. Warden's monthly accounts.	
1122. Warden's quarterly accounts.	
1123. Warden not to be interested in contracts; penalty.	
1124. Who to act in absence of warden.	

Transfer of pris-  
oners to District  
penitentiary,  
when.

16 Jan., 1863, c.  
10, s. 6, v. 12, p. 636.

Use of peniten-  
tiary.

3 March, 1829, c.  
75, s. 1, v. 4, p. 365.

Inspectors.

Ibid, s. 2, p. 365.

SEC. 1100. Whenever a suitable penitentiary shall be erected in the District and completed for the reception of prisoners, it shall be the duty of the Attorney-General to cause to be transferred to such penitentiary all persons who shall then be imprisoned outside of the District, under sentence of any court of the district.

SEC. 1101. The penitentiary shall be exclusively appropriated to the confinement of such persons as may be convicted of offenses punishable with imprisonment and labor, under the laws of the United States, or of the District.

SEC. 1102. The President shall annually appoint five respectable inhabitants of the District to be inspectors of the penitentiary, who shall severally hold their offices for one year from the date of their appointment.