

The image shows the front cover of a book. The cover is decorated with a marbled pattern of black, white, and grey wavy lines. A dark, textured spine is visible on the left side. In the center, there is a rectangular title box with a thin white border. Inside this box, the title is printed in a serif font, arranged in four lines. The text reads: "COMPILATION OF LAWS", "RELATING TO", "UNITED STATES PRISONERS, PRISONS,", and "PENITENTIARIES, JAILS, ETC." Below the title, there is a small horizontal line and the year "1906".

COMPILATION OF LAWS
RELATING TO
UNITED STATES PRISONERS, PRISONS,
PENITENTIARIES, JAILS, ETC.

1906

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COMPILATION OF LAWS



RELATING TO

UNITED STATES PRISONERS, PRISONS, PENITENTIARIES, JAILS, ETC.

COMPILED BY
DIRECTION OF THE ATTORNEY-GENERAL.

JUNE 1, 1906.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1906.

UNITED STATES PENITENTIARIES.

FORT LEAVENWORTH, KANS.

AN ACT for the erection of United States prisons and for the imprisonment of United States prisoners, and for other purposes. (Act of Mar. 3, 1891, chapter 529, 26 Stat. L., 839.)

LOCATION AND ERECTION OF GOVERNMENT PRISONS.

Be it enacted, &c., That the Attorney-General and Secretary of the Interior be, and are hereby, authorized and directed to purchase three sites, two of which shall be located as follows: One north, the other south of the thirty-ninth degree of north latitude and east of the Rocky Mountains, the third site to be located west of the Rocky Mountains, and the same to be located geographically as to be most easy of access to the different portions of the country, and cause to be erected thereon suitable buildings for the confinement of all persons convicted of any crime whose term of imprisonment is one year or more at hard labor by any court of the United States in any State, Territory, or District under the jurisdiction of the Department of Justice of the United States, and the plans, specifications, and estimates of such sites and buildings shall be previously made and approved according to law, and shall not exceed the sum of five hundred thousand dollars each. (26 Stat. L., 839.)

WORKSHOPS; EMPLOYMENT OF CONVICTS.

SEC. 2. That the sum of one hundred thousand dollars is further appropriated, to be expended under the direction of the Attorney-General, in the fitting of workshops for the employment of the prisoners;

Provided, however, That the convicts be employed exclusively in the manufacture of such supplies for the Government as can be manufactured without the use of machinery, and the prisoners shall not be worked outside the prison enclosure. (26 Stat. L., 839.)

Provisions for the employment of convicts confined in the United States Penitentiary at Atlanta, Ga., are contained in act March 3, 1901, chapter 853, section 1. (See p. 10.)

The United States Penitentiary created by the transfer of the military prison at Fort Leavenworth, Kans., from the War Department to the Department of Justice, is required to be carried on in accordance with sections 4 to 9 of this act by act March 2, 1895, chapter 189, section 1, set forth below.

The United States Penitentiary at Atlanta, Ga., is required to be carried on in accordance with sections 4, 5, 8, and 9, of this act, by act March 3, 1901, chapter 853, section 1. (See pp. 4 and 5.)

SELECTION OF LOCATION OF PRISONS.

SEC. 3. That the Attorney-General and the Secretary of the Interior be, and are hereby, authorized to select the State, District, or Territory in which to locate and erect the prisons: *Provided*, That the consent of the authorities of such State, District, or Territory be first obtained. (26 Stat. L., 839.)

PRISON OFFICERS; RULES.

SEC. 4. That the control and management of said prisons be vested in the Attorney-General, who shall have power to appoint a superintendent, assistant superintendent, warden, keeper, and all other officers necessary for the safe-keeping, care, protection, and discipline of such United States prisoners. He shall also have authority to promulgate such rules for the government of the officials of said prisons and prisoners as he may deem proper and necessary. (26 Stat. L., 839:) (See p. 39 et seq.)

TRANSPORTATION OF PRISONERS; EXPENSES.

SEC. 5. That the transportation of all United States prisoners convicted of crimes against the laws of the United States in any State, District, or Territory, and sentenced to terms of imprisonment in a penitentiary, and their delivery to the superintendent, warden, or keeper of such United States prisons, shall be by the marshal of the District or Territory where such conviction may occur, after the erection and completion of said prisons. That the actual expenses of such marshal, including transportation and subsistence, hire, transportation and subsistence of guards, and the transportation and subsistence of the convict or convicts, be paid, on the approval of the Attorney-General out of the judiciary fund. (26 Stat. L., 839.)

TRANSPORTATION, CLOTHING, AND MONEY TO DISCHARGED PRISONERS.

SEC. 6. That every prisoner when discharged from the jail and prison shall be furnished with transportation to the place of his residence within the United States at the time of his commitment under sentence of the court, and if the term of his imprisonment shall have been for one year or more, he shall also be furnished with suitable clothing, the cost not to exceed twelve dollars, and five dollars in money. (26 Stat. L., 840.)

Provisions authorizing the furnishing of clothing and money to prisoners on their discharge from State institutions are contained in act March 3, 1875, chapter 145, section 2. (See p. 18.) Provisions as to transportation to place of conviction or bona fide residence in the United States are found in the annual appropriation laws Support of Prisoners, United States Courts.

CONFINEMENT OF JUVENILE OFFENDERS; CONFINEMENT OF PRISONERS IN THE UNITED STATES MILITARY PRISONS.

SEC. 7. That this act shall not apply to minors, who, in the judgment of the judges presiding over United States courts, should be committed to reformatory institutions.

And provided, That nothing in this act shall be construed as prohibiting the courts of the United States from sentencing to or confining prisoners, either civil or military, in the United States military prison at Fort Leavenworth, Kansas. (26 Stat. L., 840.)

Provisions for the confinement, support, and employment of juvenile offenders are contained in Revised Statutes, sections 5549 and 5550.

The military prison at Fort Leavenworth is transferred from the War Department to the Department of Justice, and is designated as the United States Penitentiary, by act March 2, 1895, chapter 189, section 1, set forth below.

Provisions for the erection of a United States penitentiary on the Fort Leavenworth Military Reservation, and for the return of the military prison, on the completion of such penitentiary, to the War Department, are contained in act of June 10, 1896, chapter 400, set forth below.

DEDUCTIONS FROM TERM OF IMPRISONMENT FOR GOOD CONDUCT.

SEC. 8. That the said Attorney-General, in formulating rules and regulations for the conduct of said prisons, is hereby authorized to establish rules for commutation for good behavior of said convicts, but not for a longer time than two months for the first year's imprisonment, and two months for each succeeding year. (26 Stat. L., 840.)

This section is superseded by Acts of June 21, 1902, and April 27, 1906. (See pp. 19 and 20.)

DESIGNATION OF PRISON BY ATTORNEY-GENERAL; SEPARATION OF JUVENILE OFFENDERS.

SEC. 9. That the Attorney-General shall be authorized to designate to which of said prisons persons convicted in such States or Territories shall be carried for confinement:

Provided, That in the construction of the prison buildings provided for in this act there shall be such arrangement of cells and yard space as that prisoners under twenty years of age shall not be in any way associated with prisoners above that age, and the management of the class under twenty years of age shall be as far as possible reformatory. (26 Stat. L., 840.)

MILITARY PRISON AT FORT LEAVENWORTH, KANS., CHANGED TO UNITED STATES PENITENTIARY, AND TRANSFERRED TO DEPARTMENT OF JUSTICE; EMPLOYMENT OF CONVICTS.

The Military Prison at Fort Leavenworth, Kansas, including all the buildings, grounds, and other property connected therewith, is hereby transferred from the Department of War to the Department of Justice, to be known as the United States Penitentiary, and to be used for the confinement of persons convicted in the United States courts of crimes against the United States and sentenced to imprisonment in a penitentiary, or convicted by courts-martial of offenses now punishable by confinement in a penitentiary and sentenced to terms of imprisonment of more than one year; and the Attorney-General is hereby directed to transfer to the said United States Penitentiary such persons now undergoing sentences of confinement, imposed by the United States courts, in State prisons and penitentiaries, as can be conveniently accommodated at the same penitentiary:

Provided, That the said United States Penitentiary shall be carried on in accordance with the provisions of sections four, five, six, seven, eight, and nine of the Act approved March 3, 1891.

Provided further, That the Secretary of War is hereby authorized, upon the request of the Attorney-General, to detail an officer of the Army to act temporarily as warden of the said penitentiary, and to continue the military guard on duty thereat for such length of time, not exceeding ninety days, after the close of the current fiscal year, as may be deemed necessary to enable the prisoners and property to be transferred to the care and custody of the officers designated by the Attorney-General to receive and care for the same:

And provided further, That convicts in said United States Penitentiary shall be employed only in the manufacture of articles and the production of supplies for said penitentiary, and in the manufacture of supplies for the Government, and said convicts shall not be worked outside of Fort Leavenworth Military Reservation. * *

Provided, That for the fiscal year eighteen hundred and ninety-seven, and annually thereafter, the Attorney-General shall submit estimates in detail for all expenses of maintaining said penitentiary, including salaries of all necessary officers and employees therefor. (Sundry civil act, Mar. 2, 1895, 28 Stat. L., 957.)

AN ACT to establish a site for the erection of a penitentiary on the military reservation at Fort Leavenworth, Kansas, and for other purposes. (Act of June 10, 1896, ch. 400, 29 Stat. L., 380.)

SELECTION OF SITE FOR PENITENTIARY ON FORT LEAVENWORTH MILITARY RESERVATION; RETURN OF MILITARY PRISON TO WAR DEPARTMENT.

Be it enacted, &c., That the Attorney-General is hereby authorized and directed to select on the military reservation at Leavenworth,

Kansas, within limits hereinafter described, a site for the erection of a penitentiary and other buildings, wall, and workshops for the employment of United States prisoners, with such improvements as he may direct in connection with the completion of the several buildings; said penitentiary to be of a capacity to accommodate at least one thousand two hundred convicts, and to be situated on said grounds and within the following boundary lines: Beginning at a point at the northwestern intersection of Grant and Logan avenues; thence north seventy-two degrees west more or less, forty-five hundred feet more or less to a stone in the field north of the Government farm barn; thence due west fifteen hundred feet more or less to the north side of Logan avenue; thence along said avenue and its prolongation to the western boundary of the military reservation; thence south along said line to the southwest corner of said reservation; thence east along the south line of said reservation to the pike leading north from the city of Leavenworth to the post of Fort Leavenworth; thence north along said pike to the point of beginning; and that these grounds thus described shall be, and hereby are, set apart from the contiguous military reservation for United States penitentiary purposes, and assigned to and placed under the care and control of the Attorney-General as a United States penitentiary reservation:

Provided, That when the United States penitentiary shall be occupied and applied to the purposes contemplated by this act, the buildings and grounds within the said military reservation of Fort Leavenworth that were transferred from the Department of War to the Department of Justice, in accordance with the provisions of the act of Congress approved March 2, 1895, shall be restored to the control of the said Department of War:

NOTE.—The buildings and grounds referred to were restored to the Department of War February 1, 1906.

And provided further, That this prison reservation shall be open for military tactical purposes, when such purposes do not interfere with the discipline of said prison. (29 Stat. L., 380.)

PLANS, ETC.

SEC. 2. That the Attorney-General shall employ an architect skilled in the construction of penitentiary buildings, who, with the warden of the existing penitentiary, shall prepare plans, specifications, and estimates, and submit them to the Attorney-General for approval. (29 Stat. L., 380.)

EMPLOYMENT OF CONVICTS IN CONSTRUCTION OF BUILDINGS.

SEC. 3. That upon the approval of plans and estimates the Attorney-General is authorized to incur the expense necessary to construct the penitentiary buildings thus approved, and for this purpose shall

employ the labor of the convicts in the present United States penitentiary at Fort Leavenworth that can, under proper guards, be used on the necessary stone, brick, and wood work, in the manufacture of lime on the reservation, until the completion of the same, and shall use all the equipments for carrying on the work that are in the possession of the present United States penitentiary building, including the sawmill and shops equipped for working in iron, stone, brass, and wood, with the use of the animals and wagons there belonging to the United States for hauling material, and other necessary transportation, and said prison shall have the right to quarry stone for prison purposes in any of the quarries on the Fort Leavenworth Reservation:

Provided, That no expense shall be incurred under this act until an appropriation is made with which to commence the buildings. (29 Stat. L., 380.)

LIMIT OF COST.

SEC. 4. That the cost of employing an architect and of building said penitentiary, workshops, and improvements shall not, exclusive of the prison labor, exceed the sum of \$150,000, of which no more than \$50,000, or so much thereof as may be necessary, shall be expended in a fiscal year. (29 Stat. L., 381.)

APPROPRIATIONS.

To establish a site for the erection of a penitentiary on the military reservation at Fort Leavenworth, Kansas, and for other purposes incident thereto, under the act of June tenth, eighteen hundred and ninety-six, fifty thousand dollars. (Sundry civil act, June 4, 1897, 30 Stat. L., p. 58.)

For the erection of two hundred cells, including the purchase of material and necessary labor, to be immediately available, ten thousand dollars. (Sundry civil act July 1, 1898, 30 Stat. L., 644.)

To establish a site and for the erection of a penitentiary on the military reservation at Fort Leavenworth, Kansas, and for other purposes incident thereto, under the act of June tenth, eighteen hundred and ninety-six, fifty thousand dollars. (Sundry civil act, June 6, 1900, 31 Stat. L., p. 638.)

For continuing construction of the new United States Penitentiary at Fort Leavenworth, Kansas, one hundred and fifty thousand dollars, to be available immediately and to remain available until expended. (Sundry civil act, Mar. 3, 1901, 31 Stat. L., p. 1180.)

For continuing construction of the new United States Penitentiary at Fort Leavenworth, Kansas, two hundred and fifty thousand dollars, to be available immediately and to remain available until expended. (Sundry civil act, June 28, 1902, 32 Stat. L., 473.)

PENITENTIARY, LEAVENWORTH: For continuing construction of the new United States Penitentiary at Fort Leavenworth, Kansas, seventy-five thousand dollars, to be available immediately and to remain available until expended. (Sundry civil act, Mar. 3, 1903, 32 Stat. L., p. 1139.)

PENITENTIARY, FORT LEAVENWORTH, KANSAS: For continuing construction of the new United States Penitentiary at Fort Leavenworth, Kansas, two hundred and forty thousand dollars, to be available immediately and to remain available until expended: *Provided*, That no part of this sum shall be used for the construction of a warden's residence costing, complete, in excess of ten thousand dollars, or a deputy warden's residence costing, complete, in excess of eight thousand dollars. (Sundry civil act, Apr. 28, 1904, 33 Stat. L., p. 505.)

PENITENTIARY, FORT LEAVENWORTH, KANSAS: For continuing construction of the new United States Penitentiary at Fort Leavenworth, Kansas, two hundred and forty thousand dollars, to be available immediately and to remain available until expended: *Provided*, That no part of this sum shall be used for the construction of a warden's residence costing, complete, in excess of ten thousand dollars, or a deputy warden's residence costing, complete, in excess of eight thousand dollars. (Sundry civil act, Mar. 3, 1905, 33 Stat. L., p. 1205.)

PLANS AND SPECIFICATIONS FOR UNITED STATES PRISON.

To enable the Attorney-General and the Secretary of the Interior to have prepared plans, specifications, and estimates, and for expenses connected with the selection of a prison site south of the thirty-ninth degree of north latitude and east of the Rocky Mountains, under the provisions of the "act for the erection of United States prisons and for the imprisonment of United States prisoners, and for other purposes," approved March 3, 1891 (see page 3), to be immediately available, \$15,000. (Sundry civil act, July 1, 1898, 30 Stat. L., 641.)

ERECTION OF UNITED STATES PENITENTIARY AT ATLANTA, GA.

For the erection, complete, of a United States penitentiary at Atlanta, Georgia, under the provisions of the act approved March 3, 1891 (see page 3), to be expended under the direction of the Attorney-General, to be immediately available and to be available until expended, \$500,000. (Sundry civil act, Mar. 3, 1899, 30 Stat. L., 1113.)

MANAGEMENT OF UNITED STATES PENITENTIARY AT ATLANTA, GA.; TRANSFER OF PRISONERS; LIMIT OF EMPLOYMENT.

That said United States Penitentiary at Atlanta, Georgia, shall be carried on in accordance with sections four, five, eight, and nine of the act approved March third, eighteen hundred and ninety-one, entitled "An act for the erection of United States prisons and for the imprisonment of United States prisoners, and for other purposes:"

Provided further, That the Attorney-General is authorized to transfer, in his discretion, to said United States Penitentiary at Atlanta, Georgia, such persons now undergoing sentences of confinement, imposed by the United States courts, in other institutions, as can conveniently be accommodated therein:

Provided further, That convicts in said United States penitentiary at Atlanta, Georgia, may be employed in the manufacture of articles and the production of supplies for said penitentiary; in the manufacture of supplies for the Government that can be manufactured without the use of machinery; in the construction, extension, and repairs of buildings and inclosures of the prison, and in making necessary materials therefor; and in the cultivation and care of the prison grounds and farm. (Sundry civil act, Mar. 3, 1901, 31 Stat. L., 1185.)

For sections 4, 5, 8, and 9 see pages 4 and 5.

For Rules and Regulations, United States Penitentiary, Atlanta, see page 68.

APPROPRIATIONS.

The unexpended balance of the sum of one hundred thousand dollars, appropriated by the act approved March third, eighteen hundred and ninety-one, entitled "An act for the erection of United States prisons and for the imprisonment of United States prisoners, and for other purposes," to be expended under the direction of the Attorney-General in the fitting of workshops for the employment of prisoners, and the unexpended balance of the sum of fifteen thousand dollars, appropriated by the sundry civil appropriation act, approved July first, eighteen hundred and ninety-eight, to enable the Attorney-General and the Secretary of the Interior to have prepared plans, specifications and estimates, and for expenses connected with the selection of a prison site south of the thirty-ninth degree of north latitude and east of the Rocky Mountains are hereby made available in addition to and for the same purposes as the sum of five hundred thousand dollars appropriated by the sundry civil appropriation act approved March third, eighteen hundred and ninety-nine, for the erection, complete, of a United States Penitentiary at Atlanta, Georgia, and for expenses incident thereto, the

same to continue available until expended. (Deficiency act, April 23, 1900, 31 Stat. L., 138.)

Toward building a stone-cutting shed, barn, carpenter shop, blacksmith shop, tool house, residence of warden and deputy warden, and purchase of material to keep convicts employed for next fiscal year at United States Penitentiary at Atlanta, Georgia, one hundred thousand dollars, to be immediately available and to remain available until expended, which sum shall be so expended as to give the maximum amount of employment to the inmates of said penitentiary. (Sundry civil act, June 28, 1902, 32 Stat. L., p. 473.)

UNITED STATES PENITENTIARY, ATLANTA, GEORGIA: For purchase of building and other materials and tools to keep convicts employed in building operations at the United States Penitentiary, Atlanta, Georgia, and for payment for services of architects and such foremen and citizen laborers employed as may be necessary to carry out this purpose, sixty thousand dollars, to be expended under the direction of the Attorney-General, and to remain available during the fiscal year nineteen hundred and four. (Deficiency act, Mar. 3, 1903.)

UNITED STATES PENITENTIARY, ATLANTA, GEORGIA: For continuing the construction of the United States Penitentiary at Atlanta, Georgia, and the wall surrounding same, with the necessary isolation ward, chapel, and other buildings, and for the payment of salaries of necessary employees in connection therewith, and for the payment of architects for services and necessary expenses, two hundred thousand dollars, to remain available until the close of the fiscal year nineteen hundred and five, which sum shall be so expended as to give the maximum amount of employment to the inmates of said institution. (Deficiency act, Feb. 18, 1904, 33 Stat. L., p. 37.)

UNITED STATES PENITENTIARY, ATLANTA, GEORGIA: For continuing the construction of the United States Penitentiary at Atlanta, Georgia, and the wall surrounding same, fifty thousand dollars, which sum shall be so expended as to give the maximum amount of employment to the inmates of said institution; and so much of the appropriation for the same purpose in the deficiency act of February eighteenth, nineteen hundred and four, as shall be now unexpended, is hereby made available until the close of the fiscal year nineteen hundred and six. (Sundry civil act, Mar. 3, 1905, 33 Stat. L., p. 1205.)

UNITED STATES PENITENTIARY, MCNEIL ISLAND, WASHINGTON.

AN ACT setting aside certain proceeds from internal revenue for the erection of penitentiaries in the Territories of Nebraska, Washington, Colorado, Idaho, Montana, Arizona, and Dakota. (Act of January 22, 1867, 14 Stat. L., 377.)

Be it enacted, &c., That the net proceeds of the internal revenue of the Territories of Nebraska, Washington, Colorado, Idaho, Montana, Arizona, and Dakota, for the fiscal years severally ending on the thirtieth day of June, 1866, the thirtieth day of June, 1867, and the thirtieth day of June, 1868, be, and the same hereby are, set aside and appropriated to and for the purpose of erecting, under the direction of the Secretary of the Interior, penitentiary buildings in said several Territories, at such places therein as have been or may be designated by the legislatures thereof, and approved by the Secretary of the Interior: *Provided*, That the moneys so set aside and appropriated in each of said Territories shall be devoted exclusively to the erection of a penitentiary in the Territory in which the same has been and shall be collected, and not in any other, and that the same shall not exceed in amount the sum of \$20,000 in said Territory of Washington, and \$40,000 in each of the said Territories of Nebraska, Colorado, Idaho, Montana, Arizona, and Dakota. (14 Stat. L., 377.)

NOTE.—Under the act of Congress approved January 22, 1867, provision was made for the erection of a United States penitentiary in Washington Territory, the amount to be expended for this purpose being limited to \$20,000. The act approved February 22, 1873, authorized an increased sum of \$20,000, and in 1874 an additional appropriation of about \$7,000 was made to place the buildings in a suitable condition for the reception and confinement of convicts. No moneys since this time have been specifically appropriated by Congress for this penitentiary.

After the approval of the act of February 22, 1889 (25 Stat., 680), providing for the admission of Washington Territory into the Union as a State, the attention of Federal officials therein was called in 1890 to section 15 of said act, which the department seemed to hold provided for the transfer of the United States Penitentiary on McNeil Island to the State of Washington. Instructions to this effect were given the then United States marshal, district of Washington, but the governor of the State declined to accept the institution with the prisoners therein, until specific authority for its acceptance had been conferred on him by the legislature of Washington. This apparently has never been done, and the United States marshal was accordingly directed by the Attorney-General to continue to conduct the penitentiary as before, and it has since been, and is now, conducted as a Federal institution. (Report of Attorney-General, 1897.)

APPROPRIATIONS.

UNITED STATES PENITENTIARY, MCNEIL ISLAND, WASHINGTON: For repairs to the United States Penitentiary at McNeil Island, Washington, and for other purposes incident thereto, to be expended

under the direction of the Attorney-General, and to be available until expended, five thousand dollars. (Deficiency act, July 7, 1898.)

STEAM LAUNCH, UNITED STATES PENITENTIARY, MCNEILS ISLAND, WASHINGTON: For the purchase of steam launch for use of the penitentiary at McNeils Island, Washington, between said island and the mainland, eight hundred dollars. (Deficiency act, July 1, 1902.)

UNITED STATES PENITENTIARY, MCNEILS ISLAND, WASHINGTON: For the construction of additional suitable buildings, prison wall, and wharf for the United States Penitentiary at McNeils Island, Washington, thirty thousand dollars, of which amount seven thousand dollars may be used for the purchase of additional lands, including clay deposits. (Sundry civil act, Mar. 3, 1903.)

UNITED STATES PENITENTIARY, MCNEILS ISLAND, WASHINGTON: The unexpended balance of the appropriation of thirty thousand dollars for the construction of additional suitable buildings, prison wall, additional lands, including clay deposit, and wharf for the United States Penitentiary at McNeils Island, Washington, made in the sundry civil appropriation act approved March third, nineteen hundred and three, is hereby continued available for the fiscal year nineteen hundred and five. (Sundry civil act, Apr. 28, 1904.)

UNITED STATES PENITENTIARY, MCNEILS ISLAND, WASHINGTON: The unexpended balance of the appropriation of thirty thousand dollars for the construction of additional suitable buildings, prison wall, additional lands, including clay deposit, and wharf for the United States Penitentiary at McNeils Island, Washington, made in the sundry civil appropriation act approved March third, nineteen hundred and three, is hereby continued available for the fiscal year nineteen hundred and six. (Sundry civil act, Mar. 3, 1905.)

PENITENTIARY BUILDING, WALLAWALLA, WASH.

[*Par. 4.*] Penitentiary building, Washington: To carry into effect section fifteen of an act entitled "An act to provide for the division of Dakota into two States, and to enable the people of North Dakota and South Dakota, Montana, and Washington to form constitutions and State governments and to be admitted into the Union and on an equal footing with the original States, and to make donations of public lands to such States:" For the purchase of grounds and the erection thereon of a penitentiary, in the State of Washington, under the direction and supervision of the Secretary of the Interior, and upon such tract or parcel of land in said State as shall be designated by said Secretary, thirty thousand dollars:

Provided, That the money hereby appropriated shall be devoted exclusively to the purchase of the necessary grounds and to the erection of a penitentiary in said State; and the penitentiary of the State of Washington is hereby located at or near the city of Walla-

walla, Wallawalla County, in said State. * * * [March 3, 1893.] (Sup. Rev. Stat., Vol. II, p. 127.) See note, page 12.

TERRITORIAL PENITENTIARIES.

[Section numbers refer to Revised Statutes, United States.]

SEC. 1892. Any penitentiary which has been, or may hereafter be, erected by the United States in an organized Territory shall, when the same is ready for the reception of convicts, be placed under the care and control of the marshal of the United States for the Territory or District in which such penitentiary is situated; except as otherwise provided in the case of the penitentiaries in Montana, Idaho, Wyoming, and Colorado. [See act of June 16, 1880, below.]

SEC. 1893. The Attorney-General of the United States shall prescribe all needful rules and regulations for the government of such penitentiary, and the marshal having charge thereof shall cause them to be duly and faithfully executed and obeyed, and the reasonable compensation of the marshal and of his deputies for their services under such regulations shall be fixed by the Attorney-General.

SEC. 1894. The compensation, as well as the expense incident to the subsistence and employment of offenders against the laws of the United States, who have been, or may hereafter be, sentenced to imprisonment in such penitentiary, shall be chargeable on, and payable out of, the fund for defraying the expenses of suits in which the United States are concerned, and of prosecutions for offenses committed against the United States; but nothing herein shall be construed to increase the maximum compensation now allowed by law to those officers.

SEC. 1895. Any person convicted by a court of competent jurisdiction in a Territory for a violation of the laws thereof, and sentenced to imprisonment, may, at the cost of such Territory, on such terms and conditions as may be prescribed by such rules and regulations, be received, subsisted, and employed in such penitentiary during the term of his imprisonment, in the same manner as if he had been convicted of an offense against the laws of the United States.

SEC. 1936. The care and custody of the penitentiaries in Montana, Idaho, Wyoming, and Colorado, and the personal property thereunto belonging, and the use and occupation thereof, are transferred to such Territories, respectively, until otherwise ordered by the Attorney-General; but the legal title to such penitentiaries and the property shall continue to vest in the United States.

SEC. 1937. The Territories named in the preceding section shall keep and maintain, in the penitentiaries transferred to their custody and control, all persons convicted in such Territories of violations of the laws of the United States, and sentenced to imprisonment therefor, and all persons held to answer for alleged violations

of the laws of the United States in such Territories, at the rate and price, to be paid by the United States out of the judiciary fund, of one dollar per day for each person so imprisoned.

AN ACT transferring control of certain Territorial penitentiaries to the several Territories in which the same are located. (Act of June 24, 1873, ch. 63, 17 Stat. L., 418.)

(SEC. 1.) That so much of the said act entitled "An act in relation to certain Territorial penitentiaries," approved January tenth, eighteen hundred and seventy-one, placing the penitentiaries in the Territories of Montana, Idaho, Wyoming, and Colorado under the care and control of the respective United States marshals for said Territories, is hereby repealed, and the care and custody of said penitentiaries, and the personal property thereunto belonging, and the use and occupation thereof, are hereby transferred to said Territories respectively, until otherwise ordered by the Attorney-General: *Provided*, That the legal title to said penitentiaries and property shall continue to vest in the United States: *And provided further*, That said Territories shall keep and maintain, in the penitentiaries hereby transferred to their custody and control, all persons convicted in said respective Territories of violations of the laws of the United States, and sentenced to imprisonment therefor, and all persons held to answer for alleged violations of the laws of the United States in said respective Territories, at the rate and price, to be paid by the United States out of the judiciary fund, of one dollar per day for each person so imprisoned. (17 Stat. L., 418.)

SEC. 2. That immediately after the passage of this act the Attorney-General of the United States shall cause to be transferred to the proper authorities of the Territories of Montana, Idaho, Wyoming, and Colorado, the penitentiaries and personal property connected therewith, situated in each of said Territories, respectively. (17 Stat. L., 419.)

AN ACT to amend the act entitled ["An act transferring the control of certain Territorial penitentiaries to the several Territories in which the same are located," approved January twenty-fourth, eighteen hundred and seventy-three. (Act of June 20, 1874, ch. 332, 18 Stat. L., 112.)

(SEC. 1.) That the act entitled "An act transferring the control of certain Territorial penitentiaries to the several Territories in which the same are located," approved January twenty-fourth, eighteen hundred and seventy-three, be, and the same is hereby, amended by striking out the words Montana, Idaho, and Wyoming wherever the same occur in said act, and the said act shall hereafter have no applicability to the Territories of Montana, Idaho, and Wyoming. (18 Stat. L., 112.)

SEC. 2. That the penitentiaries in the Territories of Montana, Idaho, and Wyoming, shall continue under the care and control of the marshal of the United States for said Territories, under and pursuant to the provisions of the act entitled "An act in relation to certain Territorial penitentiaries," approved January tenth, eighteen hundred and seventy-one; which said last-mentioned act is hereby revived and reenacted so far as the same applies to the Territories of Montana, Idaho, and Wyoming. (18 Stat. L., 112.)

[Act of June 16, 1880.] That the legislative assemblies of the several Territories of the United States may make such provision for the care and custody of such persons as may be convicted of crime under the laws of such Territory as they shall deem proper, and for that purpose may authorize and contract for the care and custody of such convicts in any other Territory or State, and provide that such person or persons may be sentenced to confinement accordingly in such other Territory or State, and all existing legislative enactments of any of the Territories for that purpose are hereby legalized:

Provided, That the expense of keeping such prisoners shall be borne by the respective Territories, and no part thereof shall be borne by the United States. * * * (Sup. Rev. Stat., Vol. I, p. 299.)

AN ACT appropriating money for the erection of a penitentiary in the Territory of Dakota. (Act Mar. 2, 1881, 21 Stat. L., 378.)

Be it enacted, &c., That the sum of thirty thousand dollars be, and the same is hereby, appropriated for the purpose of erecting, under the direction and supervision of the Secretary of the Interior, a penitentiary building in said Territory of Dakota, upon such tract or parcel of land, at or near the village of Sioux Falls, in Minnehaha County, said Territory, as shall be designated by the Secretary of the Interior: *Provided*, That the money hereby appropriated shall be devoted and applied exclusively to the purchase of the necessary grounds and to the erection of a penitentiary in said Territory, and shall not exceed the sum hereby appropriated, including the sum expended for the purchase of grounds upon which to erect said penitentiary; and the penitentiary of the Territory of Dakota is hereby located at or near the village of Sioux Falls, Minnehaha County, said Territory, upon such tract or parcel of land as shall be selected and designated by the Secretary of the Interior as herein provided. (21 Stat. L., 378.)

AN ACT to provide for the division of Dakota into two States and to enable the people of North Dakota, South Dakota, Montana, and Washington to form constitutions and State governments and to be admitted into the Union on an equal footing with the original States, and to make donations of public lands to such States. (Act Feb. 22, 1889, 25 Stat. L., 680.)

SEC. 15. That so much of the lands belonging to the United States as have been acquired and set apart for the purpose mentioned in

"An act appropriating money for the erection of a penitentiary in the Territory of Dakota," approved March second, eighteen hundred and eighty-one, together with the buildings thereon, be, and the same is hereby, granted, together with any unexpended balances of the money appropriated therefor by said act, to said State of South Dakota, for the purposes therein designated; and the States of North Dakota and Washington shall, respectively, have like grants for the same purpose, and subject to like terms and conditions as provided in said act of March second, eighteen hundred and eighty-one, for the Territory of Dakota. The penitentiary at Deer Lodge City, Montana, and all lands connected therewith and set apart and reserved therefor, are hereby granted to the State of Montana. (25 Stat. L., 680.)

AN ACT to provide for the admission of the State of Idaho into the Union. (Act July 3, 1890; 26 Stat. L., 216.)

SEC. 9. That the penitentiary at Boise City, Idaho, and all lands connected therewith and set apart and reserved therefor, and unexpended appropriations of money therefor, and the personal property of the United States now being in the Territory of Idaho, which has been in use in the said Territory in the administration of the Territorial government, including books and records and the property used at the constitutional convention which convened at Boise City, in the month of July, eighteen hundred and eighty-nine, are hereby granted and donated to the State of Idaho. (26 Stat. L., 216.)

AN ACT to enable the people of Utah to form a constitution and State government, and to be admitted into the Union on an equal footing with the original States. (Act July 16, 1894, 28 Stat. L., 107.)

SEC. 12. * * * The United States Penitentiary near Salt Lake City and all lands and appurtenances connected therewith and set apart and reserved therefor are hereby granted to the State of Utah. (28 Stat. L., 107.)

AN ACT to provide for the admission of the State of Wyoming into the Union, and for other purposes. (Act July 10, 1890, 26 Stat. L., 223.)

SEC. 9. That the penitentiary at Laramie City, Wyoming, and all lands connected therewith and set apart and reserved therefor, and the personal property of the United States now being in the Territory of Wyoming and which has been in use in the said Territory in the administration of the Territorial government, including books and records, and the property used at the constitutional convention which convened at Cheyenne, in the month of September, eighteen hundred and eighty-nine, are hereby granted and donated, and unexpended appropriations of money therefor, are hereby granted and donated to the State of Wyoming. (26 Stat. L., 223.)

AN ACT making appropriations to supply deficiencies in the appropriations for the fiscal year ending June thirtieth, eighteen hundred and ninety-three, and for prior years, and for other purposes.

Penitentiary building, Washington: To carry into effect section fifteen of an act entitled "An act to provide for the division of Dakota into two States and to enable the people of North Dakota and South Dakota, Montana, and Washington to form constitutions and State governments and to be admitted into the Union and on an equal footing with the original States, and to make donations of public lands to such States:" For the purchase of grounds and the erection thereon of a penitentiary, in the State of Washington, under the direction and supervision of the Secretary of the Interior, and upon such tract or parcel of land in said State as shall be designated by said Secretary, thirty thousand dollars:

Provided, That the money hereby appropriated shall be devoted exclusively to the purchase of the necessary grounds and to the erection of a penitentiary in said State; and the penitentiary of the State of Washington is hereby located at or near the city of Wallawalla, Wallawalla County, in said State. (27 Stat. L., 661.)

COMMUTATION ACTS.

AN ACT to provide for deductions from the terms of sentence of United States prisoners. (Act of Mar. 3, 1875, ch. 145, 18 Stat. L., 479.)

COMMUTATION OF TERM FOR GOOD CONDUCT.

Be it enacted, &c., That all prisoners who have been, or shall hereafter be, convicted of any offence against the laws of the United States, and confined, in execution of the judgment or sentence upon such conviction, in any prison or penitentiary of any State or Territory which has no system of commutation for its own prisoners, shall have a deduction from their several terms of sentence of five days in each and every calendar month during which no charge of misconduct shall have been sustained against each severally, who shall be discharged at the expiration of his term of sentence less the time so deducted, and a certificate of the warden or keeper of such prison penitentiary of such deduction shall be entered on the warrant of commitment:

Provided, That, if during the term of imprisonment the prisoner shall commit any offence for which he shall be convicted by jury, all remissions theretofore made shall thereby be annulled. (Sup. R. S., Vol. I, p. 89.)

CLOTHING AND MONEY TO BE FURNISHED DISCHARGED PRISONER.

SEC. 2. That on the discharge from any prison of any person convicted under the laws of the United States on indictment, he or she shall be provided by the warden or keeper of said prison with

one plain suit of clothes and five dollars in money, for which charge shall be made and allowed in the accounts of said prison with the United States:

Provided, That this section shall not apply to persons sentenced for a term of imprisonment of less than six months. (Sup. R. S., Vol. I, p. 89.)

See following act:

NOTE.—The annual appropriation for support of United States prisoners provides for "necessary clothing and medical aid, and transportation to place of conviction or place of bona fide residence in the United States, and including support of prisoners becoming insane during imprisonment, as well before as after conviction, and continuing insane after expiration of sentence, who have no friends to whom they can be sent."

AN ACT to regulate commutation for good conduct for United States prisoners. (Act of June 21, 1902, ch. 1140, 32 Stat. L., 397.)

UNITED STATES PRISONERS; COMMUTATION FOR GOOD CONDUCT; COMPUTATION.

Be it enacted, &c., That each prisoner who has been, or shall hereafter be, convicted of any offense against the laws of the United States, and is confined, in execution of the judgment or sentence upon any such conviction, in any United States penitentiary or jail, or in any penitentiary, prison, or jail of any State or Territory, for a definite term, other than for life, whose record of conduct shows that he has faithfully observed all the rules and has not been subjected to punishment, shall be entitled to a deduction from the term of his sentence to be estimated as follows, commencing on the first day of his arrival at the penitentiary, prison, or jail: Upon a sentence of not less than six months nor more than one year, five days for each month; upon a sentence of more than one year and less than three years, six days for each month; upon a sentence of not less than three years and less than five years, seven days for each month; upon a sentence of not less than five years and less than ten years, eight days for each month; upon a sentence of ten years or more, ten days for each month. When a prisoner has two or more sentences, the aggregate of his several sentences shall be the basis upon which his deduction shall be estimated. (32 Stat. L., 397.)

RESTORATION OF FORFEITED COMMUTATION.

SEC. 2. That in the case of convicts in any United States penitentiary, the Attorney-General shall have the power to restore to any such convict who has heretofore or may hereafter forfeit any good time by violating any existing law or prison regulation such portion of lost good time as may be proper, in his judgment, upon recommendations and evidence submitted to him by the warden in charge. Restoration, in the case of United States convicts confined in State and Territorial institutions, shall be regulated in accordance with

the rules governing such institutions, respectively. (32 Stat. L., 397.)

TIME OF TAKING EFFECT OF ACT; EXISTING LAWS TO APPLY TO SENTENCES
IMPOSED PRIOR TO PASSAGE OF ACT; REPEAL.

SEC. 3. That this act shall take effect and be in force from and after thirty days from the date of its approval, and shall apply only to sentences imposed by courts subsequent to the time that this act takes effect, as hereinbefore provided. Prisoners serving under any sentence imposed prior to such time shall be entitled and receive the commutation heretofore allowed under existing laws. Such existing laws are hereby repealed as to all sentences imposed subsequent to the time when this act takes effect. (32 Stat. L., 398.)

AN ACT to amend the act entitled "An Act to regulate commutation for good conduct for United States prisoners," approved June twenty-first, nineteen hundred and two.

Be it enacted, &c., That section three of the act entitled "An act to regulate commutation for good conduct for United States prisoners," approved June twenty-first, nineteen hundred and two, is hereby amended so as to read as follows:

"SEC. 3. That this act shall apply to all sentences imposed subsequent to July twenty-first, nineteen hundred and two, and to the sentences imposed prior thereto the commutation upon which is less than that provided in this act."

Approved, April 27, 1906.

AN ACT to prohibit any officer, agent, or servant of the Government of the United States of America to hire or contract out the labor of prisoners incarcerated for violating the laws of the Government of the United States of America. (Act of Feb. 23, 1887, ch. 213, 24 Stat. L., 411.)

HIRING OUT OF UNITED STATES CONVICTS PROHIBITED.

Be it enacted, &c., That it shall not be lawful for any officer, agent, or servant of the Government of the United States to contract with any person or corporation, or permit any warden, agent, or official of any State prison, penitentiary, jail, or house of correction where criminals of the United States may be incarcerated to hire or contract out the labor of said criminals, or any part of them, who may hereafter be confined in any prison, jail, or other place of incarceration for violation of any laws of the Government of the United States of America. (24 Stat. L., 411.)

PENALTY.

SEC. 2. That any person who shall offend against the provisions of this act shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be imprisoned for a term not less than one year

nor more than three years, at the discretion of the court, or shall be fined not less than five hundred dollars nor more than one thousand dollars for each offense. (24 Stat. L., 411.)

REPEAL.

SEC. 3. That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed; and this act shall take effect and be in force from and after its passage. (24 Stat. L., 411.)

POOR CONVICTS IMPRISONED FOR FINES.

POOR CONVICTS SENTENCED AND IMPRISONED FOR FINES.

[Section numbers refer to Revised Statutes, United States.]

SEC. 1042. When a poor convict, sentenced by any court of the United States to pay a fine, or fine and cost, whether with or without imprisonment, has been confined in prison thirty days, solely for the nonpayment of such fine, or fine and cost, he may make application in writing to any commissioner of the United States court in the district where he is imprisoned, setting forth his inability to pay such fine, or fine and cost, and after notice to the district attorney of the United States, who may appear, offer evidence, and be heard, the commissioner shall proceed to hear and determine the matter; and if on examination it shall appear to him that such convict is unable to pay such fine, or fine and cost, and that he has not any property exceeding twenty dollars in value, except such as is by law exempt from being taken on execution for debt, the commissioner shall administer to him the following oath: "I do solemnly swear that I have not any property, real or personal, to the amount of twenty dollars, except such as is by law exempt from being taken on civil precept for debt by the laws of (State where oath is administered); and that I have no property in anyway conveyed or concealed, or in anyway disposed of, for my future use or benefit. So help me God." And thereupon such convict shall be discharged, the commissioner giving to the jailer or keeper of the jail a certificate setting forth the facts.

DISCHARGE OF INDIGENT CONVICTS.

SEC. 5296. When a poor convict, sentenced by any court of the United States to be imprisoned and pay a fine and cost, or to pay a fine, or fine and costs, has been confined in prison thirty days, solely for the nonpayment of such fine, or fine and costs, such convict may make application in writing to any commissioner of the United States court in the district where he is imprisoned setting forth his inability to pay such fine, or fine and costs, and after notice to the district attorney of the United States, who may appear, offer evidence, and be heard, the commissioner shall proceed to hear and

determine the matter. If on examination it shall appear to him that such convict is unable to pay such fine, or fine and costs, and that he has not any property exceeding twenty dollars in value, except such as is by law exempt from being taken on execution for debt, the commissioner shall administer to him the following oath: "I do solemnly swear that I have not any property, real or personal, to the amount of twenty dollars, except such as is by law exempt from being taken on civil process for debt by the laws of (naming the State where oath is administered); and that I have no property in any way conveyed or concealed, or in any way disposed of, for my future use or benefit. So help me God." Upon taking such oath such convict shall be discharged, and the commissioner shall give to the keeper of the jail a certificate setting forth the facts.

AN ACT to provide for the care and custody of persons convicted in the courts of the United States who have or may become insane while imprisoned. (Act of June 23, 1874, Sup. Rev. Stat., Vol. I, p. 47.)

ACCOMMODATION IN STATE ASYLUMS; COMPENSATION.

Be it enacted, &c. [For substitute for § 1 see act of August 7, 1882, below.]

SEC. 2. That in all cases where any person convicted in a court of the United States shall, while imprisoned under such conviction in any State prison or penitentiary, become and be insane, and there shall not be accommodation for such insane person at the Insane Asylum of the District of Columbia, or if for other reasons the Attorney-General is of opinion that such insane person should be placed at a State insane asylum rather than at said District Asylum, then the Attorney-General shall have power in his discretion to contract with any State insane or lunatic asylum, within the State in which such convict is imprisoned, for his care and custody while remaining so insane.

And in all cases where such convicts shall have heretofore been, or shall hereafter be, transferred to a State asylum for insane convicts, in accordance with the laws of such State, the Attorney-General is hereby authorized and directed to compensate the said asylum, or the proper authorities controlling the same, for the care and custody of such insane convicts, until their removal or discharge, in such amounts as he shall deem just and reasonable; but no contract shall be made or compensation paid for the care of such insane person beyond their respective terms of imprisonment. (Sup. Rev. Stat., Vol. I, p. 47.)

RETURN TO PRISON OF CONVICTS RESTORED TO SANITY; MANNER OF DETERMINING SANITY.

SEC. 3. That whenever such insane convict shall be restored to sanity, after he or she shall have been transferred under the pro-

visions of this act, he or she shall be returned to the prison or penitentiary from which the transfer was made, provided the term of imprisonment shall not have expired.

The question of sanity in all cases arising under this act shall be determined in accordance with the rules and regulations of existing laws, State or national, on that subject, applicable to the prison, penitentiary, or asylum where such convict shall be confined. (Sup. Rev. Stat., Vol. I, p. 47.)

TRANSFER TO GOVERNMENT HOSPITAL OF INSANE PERSONS CHARGED WITH CRIME;
ALSO INSANE CONVICTS.

That section one of the act of June twenty-third, eighteen hundred and seventy-four, chapter four hundred and sixty-five, concerning insane convicts, be amended so as to read as follows:

That upon application of the Attorney-General the Secretary of the Interior be, and he is hereby, authorized and directed to transfer to the Government Hospital for the Insane in the District of Columbia all persons who, having been charged with offenses against the United States, are in the actual custody of its officers, and all persons who have been or shall be convicted of any offense in a court of the United States and are imprisoned in any State prison or penitentiary of any State or Territory, and who during the term of their imprisonment have or shall become and be insane. * * * (Sundry civil act, Aug. 7, 1882, Sup. Rev. Stat., Vol. I, p. 382.)

MISCELLANEOUS ACTS RELATIVE TO UNITED STATES JAILS, ETC.

ALASKA.

Court-house and jail, Territory of Alaska: To establish sites and for the erection thereon complete of a United States court-house and a United States jail at Juneau, Alaska, and for other purposes incident thereto, to be expended under the direction of the Attorney-General, and to be available until expended, \$40,000. (Deficiency act, July 7, 1898.)

For repairs and preservation of buildings in the custody of the United States marshal for the District of Alaska, and for the construction of a fireproof vault in Juneau, Alaska, for the preservation of court records, to be expended by the Attorney-General, and to be available until expended, \$5,000. (Sundry civil act, July 1, 1898.)

NOTE.—This legislation is not repeated for subsequent year.

AN ACT making further provision for a civil government for Alaska, and for other purposes.

SEC. 31. * * * Any division of the court may, where necessary, order the construction or repair of a jail building at the place or places where terms of the court are held, at a cost not to exceed three thousand dollars for each building, the same to be paid by the clerk as provided for the payment of other allowances for the necessary expenses of the court; and any part or portion of the unappropriated public domain of the United States, embracing not more than four thousand square feet, to be taken in compact form, as near as may be practicable, may be set aside by order of the court as a jail site, * * * and the sentence of imprisonment in any criminal case shall be carried out by confinement in the penitentiary or jails herein provided for, or as provided in section fifty-five hundred and forty-six of the Revised Statutes of the United States.

Where a suitable court room is not available or can not be obtained at reasonable rental at the place or any of the places where terms of the court are held, the court may enter a like order of reservation and direct the construction of a suitable building where the sessions of the court may be held, the cost of such building not to exceed in any case the sum of five thousand dollars, the same to be paid and proceedings to reserve the land to be as in the case of the reservation of ground and construction of jail, as hereinbefore provided: *Provided*, No court building or jail shall be constructed in any division of the

district without authority from the Attorney-General, to whom the clerk shall furnish a verified account in detail of all expenditures made by him for buildings, repairs, or other purposes, together with his authority for each payment made. (31 Stat. L., 332.)

COURT-HOUSE AND JAIL, JUNEAU, ALASKA: For the erection, complete, of a United States court-house and jail at Juneau, Alaska, and for other purposes incident thereto, to be expended under the direction of the Attorney-General, to remain available until expended, fifteen thousand dollars, in addition to the forty thousand dollars provided by the act of July seventh, eighteen hundred and ninety-eight. (Deficiency act, Mar. 3, 1903.)

FORT SMITH, ARK.

JAIL FOR UNITED STATES PRISONERS, FORT SMITH, ARK.; PLANS.

(Act of March 16, 1886, 24 Stat. L., 5.)

* * * * *
SEC. 2. That the Secretary of the Treasury be, and he is hereby, authorized and directed to remodel and construct out of and from the building now owned and used by the United States as a United States court-house and jail, located within the walls of the abandoned military reservation at Fort Smith, Arkansas, a suitable jail for the care and confinement of United States prisoners; and for this purpose there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$50,000, to be expended under the direction of the Secretary of the Treasury, who shall cause plans and estimates to be made so that no expenditure shall be made or authorized for the completion of said building beyond the amount herein appropriated. (24 Stat. L., 5.)

For United States jail at Fort Smith, Arkansas: That not exceeding \$4,000 of the unexpended balance of the sum appropriated by the act approved March 16, 1886, for the construction of a jail at Fort Smith, Arkansas, may be expended for a heating apparatus for said jail. (Sundry civil act, Oct. 2, 1888, 25 Stat. L., 506.)

That the United States jail recently constructed at Fort Smith, Arkansas, and the grounds adjacent thereto and within the walls of the old military fort, including thirty feet around the walls now reserved and owned by the United States, together with such buildings as stand thereon, are hereby placed under the care and custody of the United States marshal for the western district of Arkansas; and the Attorney-General of the United States shall prescribe all needful rules and regulations for the government of such jail and the care of said grounds, and the marshal having charge thereof shall cause them to be duly and faithfully executed and obeyed. (Urgent deficiency bill, Apr. 3, 1890, 26 Stat. L., 41.)

AN ACT declaring the Federal jail at the city of Fort Smith, Arkansas, a national prison for certain purposes. (Act of May 17, 1898, 30 Stat. L., 417.)

Be it enacted, &c., That the Federal jail at the city of Fort Smith, Arkansas, in addition to the purposes for which it is now used, is hereby declared to be a national prison, for the confinement of persons convicted of crimes and misdemeanors in the United States courts and commissioners' courts in the Indian Territory, in cases where the term of imprisonment does not exceed one year, admission into said prison to be under such rules and regulations as may be prescribed by the Attorney-General of the United States. And said jail may also be used for the care and confinement of United States prisoners in the Texarkana division of the western district of Arkansas.

UNITED STATES JAIL, FORT SMITH, ARKANSAS: For the construction of sidewalks around the United States jail lot at Fort Smith, Arkansas, and other necessary improvements, including grading of lot, purchase of grass seed or sodding for same, and construction of roadway and walk from entrance to jail to the street, to be expended under the direction of the Attorney-General and to remain available until expended, five thousand dollars. (Deficiency act, July 1, 1892.)

UNITED STATES JAIL, FORT SMITH, ARKANSAS: For the construction of a fence around the United States jail at Fort Smith, Arkansas, and for other purposes incident thereto, to be expended under the direction of the Attorney-General, and to be available until expended, five thousand dollars. (Deficiency act, July 7, 1898.)

DISTRICT OF COLUMBIA.

The construction of a jail in and for the District of Columbia was authorized by the act of July 25, 1866 (14 Stat., p. 231). Under this act the Secretary of the Interior was authorized to select a suitable place, and construct a jail thereon, to accommodate at least 300 prisoners, and to cost not more than \$200,000.

The act of June 1, 1872 (17 Stat., p. 211), provides for a board of commissioners to build said jail, and appropriates \$300,000 for the construction thereof. This act also provides that the District of Columbia shall pay part of the cost of the jail, the amount to be raised by tax.

AN ACT transferring certain powers and duties to the Department of Justice.

Be it enacted, &c., That all and singular the powers conferred and duties enjoined by existing laws upon the Secretary of the Interior, relating to the imprisonment or discharge of convicted offenders against the laws of the United States, or to the Reform School and jail in the District of Columbia, be, and the same are hereby, transferred to the Department of Justice. (17 Stat., p. 35.)

Approved, March 5, 1872.

[Section numbers refer to Revised Statutes of the District of Columbia.]

SEC. 1187. The supreme court of the District shall have 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.

SEC. 1188. The warden shall hold office for the term of four years, unless sooner removed in accordance with the preceding section.

SEC. 1189. He shall receive an annual salary of two thousand dollars, which shall include all fees and emoluments.—*Act of March 3, 1905.*

SEC. 1190. 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.

SEC. 1191. The warden shall have the exclusive supervision and control of the jail of 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 jail and the prisoners therein prior to the twenty-ninth day of February, eighteen hundred and sixty-four, by the marshal of the District.

SEC. 1192. 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.

SEC. 1193. 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.

SEC. 1194. 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.

SEC. 1195. The warden shall have authority to appoint such subordinate officers, guards, and employees 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.

SEC. 1196. It shall be the duty of the supreme court of the District to make such rules for the government and discipline of 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.

SEC. 1197. The warden shall annually, in the month of November, make a detailed report to the Attorney-General.

SEC. 1198. 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.

SEC. 1199. The manner of inflicting the punishment of death shall be by hanging.

SEC. 1200. Persons adjudged to suffer death shall be executed within the walls of the jail of the District, or within the yard or inclosure thereof, and not elsewhere.

SEC. 1201. 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 such execution.

SEC. 1202. 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.

SEC. 1203. 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.

SEC. 1204. There shall be allowed and paid by the Attorney-General for the subsistence of prisoners in the custody of any marshal of the United States and the warden of the jail in the District of Columbia such sum as it reasonably and actually costs to subsist them. And it shall be the duty of the Attorney-General to prescribe such regulations for the government of the marshals and the warden of the jail in the District of Columbia in relation to their duties under this chapter as will enable him to determine the actual and reasonable expenses incurred. [See sec. 5545, Rev. Stat. U. S.]

PENITENTIARY.

The Revised Statutes of the District of Columbia (sections 1100-1143) provide for the conduct and management of a penitentiary in the District of Columbia whenever there may be one. No provision as yet being made for said penitentiary, the laws relating thereto are omitted.

CHAP. 33.—AN ACT to shorten the terms of imprisonment in the jail and in the work-house of the District of Columbia on account of good conduct during confinement.

Be it enacted, &c., That all persons sentenced to and imprisoned in the jail or in the work-house of the District of Columbia and

confined there on and after the first day of January, anno Domini eighteen hundred and ninety, for a term of one month or longer, who conduct themselves so that no charge of misconduct shall be sustained against them, shall have a deduction of five days in each month made from the term of their sentence, and shall be entitled to their discharge so much the sooner, upon the certificate of the warden of the jail for those confined in the jail, and the certificate of the intendent of the Washington Asylum for those confined in the work-house, of their good conduct during their imprisonment (with the approval of the judge making the commitment);

And it shall be the duty of said judge to write, or cause to be written, in the docket of his court, across the face of the commitment of the person to be so discharged, the following words: "Discharged by order of the court [giving date] on account of good conduct during imprisonment."

SEC. 2. That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed. [March 15, 1890.] (Sup. Rev. Stat., Vol. I, p. 708.)

CELLS, AND REPAIRS TO JAIL, DISTRICT OF COLUMBIA: Repairs to United States jail for the District of Columbia: For the erection of necessary cell accommodations for female prisoners, and concreting the walls of the building, and for other needed repairs, to be expended under the direction of the Attorney-General, and to be available until expended, sixteen thousand five hundred dollars. (Deficiency act, July 19, 1897.)

REPAIRS TO JAIL, DISTRICT OF COLUMBIA: For amount required for necessary repairs to roof of jail, three thousand dollars. (Deficiency act, June 8, 1896.)

INDIAN TERRITORY.

AN ACT to provide for the appointment of additional judges of the United States court in the Indian Territory, and for other purposes.

SEC. 10. * * * Said marshals shall also provide suitable prisons in each district at the places of holding said court for the confinement and safe-keeping of all prisoners committed by said court and the commissioners appointed under this act, and all other prisoners in legal custody. (28 Stat. L., 693.)

UNITED STATES JAILS, INDIAN TERRITORY: Indian Territory jails: To establish sites to be selected by the Attorney-General and for the erection thereon complete of three United States jails, one each in the northern, central, and southern districts of the Indian Territory, and for other purposes incident thereto, to be expended under the direction of the Attorney-General, and to be available until expended, sixty thousand dollars. (Deficiency act, July 7, 1898.)

UNITED STATES JAILS, INDIAN TERRITORY: To enable the Attorney-General to carry out the provisions of the act approved July

seventh, eighteen hundred and ninety-eight, for the erection of three jails in the Indian Territory, and also to erect one additional United States jail in said Territory, forty thousand dollars is hereby appropriated, to be expended under the direction of the Attorney-General, to be immediately available, and to remain available until expended. And the Attorney-General is hereby authorized and directed to cause to be erected a United States jail at each of the three places already formally designated by him, namely, at Muskogee in the western district, at South McAlester in the central district, and at Ardmore in the southern district, and one additional United States jail at Vinita in the northern district, at a total cost not exceeding one hundred thousand dollars. That for the purpose of acquiring sites for United States jails as provided herein in the Indian Territory, there shall be appointed by the judge of the United States court in the district where such land is situated, on application of the United States by petition describing the land sought to be condemned, three disinterested referees, who shall determine the compensation and damage to be paid any owner, occupant, tribe, or nation by reason of the appropriation and condemnation of such land for the use and benefit of the United States for a jail at any of the places hereinbefore mentioned. Such referees, before entering upon the duties of their appointment, shall each take and subscribe before the clerk of the said United States court an oath that he will faithfully and impartially discharge the duties of his appointment, which oaths, duly certified, shall be returned with the award of the referees to the clerk of the court by which they were appointed. Before such referees shall proceed with the assessment of damages for any lands sought to be condemned under this act, ten days' personal notice of said hearing shall be given to all persons interested, and service may be had upon each tribe or nation in which said land may be located by service upon the principal chief thereof, and in case personal service can not be had upon any person interested, twenty days' notice of the time when the same shall be condemned shall be given, by publication in some newspaper in general circulation nearest said property in the district where said land is situated. If the referees can not agree, then any two of them are authorized to and shall make the award. Any party to the proceedings who is dissatisfied with the award of the referees shall have the right, within ten days after the filing of the award in the court by which said referees were appointed, to appeal by original petition to the United States court sitting at the place nearest and most convenient to the property sought to be taken, where the question of the damages occasioned by the taking of the land in controversy shall be tried de novo, and the judgment rendered by the court shall be final and conclusive. And upon the payment into

court of the amount or amounts awarded as damages, fee simple title to said tract of land shall vest in the United States. If such appeal is not taken as hereinbefore set forth, the award shall be conclusive and final, and shall have the same force and effect as a judgment of a court of competent jurisdiction, and upon the payment of the sum or sums so found due into the court, a fee simple title to said land shall vest in the United States. Each of said referees shall receive for his compensation the sum of five dollars per day while actually engaged in the appraisal of the property and the hearing of any matter submitted to them under this act. That if any party or person other than the United States shall appeal from any award, and the judgment of the court does not award such appealing party or person more than the referees awarded, all costs occasioned by such appeal shall be paid by such appealing party or person. It shall be the duty of the United States court in each district to promptly hear and determine the rights of all parties if any appeal shall be taken under this act. (Indian act, May 27, 1902.)

UNITED STATES JAIL, INDIAN TERRITORY: To enable the Attorney-General to carry out the provisions of the act approved July seventh, eighteen hundred and ninety-eight, for the erection of three United States jails in the Indian Territory, and the provisions of the act approved May twenty-seventh, nineteen hundred and two, for the erection of said jails and one additional United States jail, fifty thousand dollars, to remain available until expended. (Deficiency act, Mar. 3, 1903.)

OKLAHOMA.

For purchase of the building and ground now used and occupied as a jail at Guthrie, Oklahoma Territory, five thousand six hundred dollars, or so much thereof as may be necessary. (Sundry civil act, Mar. 2, 1895, 28 Stat. L., 958.)

INDIAN CONVICTS.

CHAP. 341.—AN ACT making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June thirtieth, eighteen hundred and eighty-six, and for other purposes. (Act of Mar. 3, 1885, 23 Stat. L., 385.)

Be it enacted, &c. * * * SEC. 9. That immediately upon and after the date of the passage of this act, all Indians, committing against the person or property of another Indian or other person any of the following crimes, namely, murder, manslaughter, rape, assault with intent to kill, arson, burglary, and larceny within any Territory of the United States, and either within or without an Indian reservation, shall be subject therefor to the laws of such Ter-

ritory relating to said crimes, and shall be tried therefor in the same courts and in the same manner and shall be subject to the same penalties as are all other persons charged with the commission of said crimes, respectively; and the said courts are hereby given jurisdiction in all such cases;

And all such Indians committing any of the above crimes against the person or property of another Indian or other person within the boundaries of any State of the United States, and within the limits of any Indian reservation, shall be subject to the same laws, tried in the same courts and in the same manner, and subject to the same penalties as are all other persons committing any of the above crimes within the exclusive jurisdiction of the United States.

SEC. 11. That hereafter the costs of the trial of the cases in the courts of the several Territories tried pursuant to and for the offenses named in section nine of the act entitled "An act making appropriations for the current and contingent expenses of the Indian Department, and fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1886, and for other purposes," shall be audited by the accounting officers of the Treasury and paid out of money for similar expenses in the trial of criminal cases in the courts of the United States. [*March 2, 1889.*] (Sup. Rev. Stat., Vol. I, p. 699.)

[*Par. 2.*] Territory of Arizona: The Attorney-General shall pay out of the appropriation for support of United States prisoners for the fiscal year eighteen hundred and ninety-five, such sums as may be found equitably due upon examination, to the Territory of Arizona for maintenance of Indian convicts in Territorial prisons heretofore convicted under the provisions of section nine of the Indian appropriation act, approved March third, eighteen hundred and eighty-five:

Provided, That hereafter no payment shall be made to any State or Territory for maintenance and keeping in prison of Indian convicts convicted in any State or Territorial court for violation of the provisions of said section nine of the said act approved March third, eighteen hundred and eighty-five. * * * [*August 23, 1894.*] (Sup. Rev. Stat., Vol. II, p. 261.)

GENERAL LAWS RELATING TO UNITED STATES PRISONERS AND THEIR TREATMENT.

PRIVILEGES OF JAIL LIMITS.

[Section numbers refer to Revised Statutes, United States.]

SEC. 992. Persons imprisoned on process issuing from any court of the United States in civil actions, as well at the suit of the United States as at the suit of any person, shall be entitled to the same privileges of the yards of the respective jails as persons confined in like cases on process from the courts of the respective States are entitled to, and under the like regulations and restrictions.

REMOVAL OF PRISONERS IN CASE OF EPIDEMIC.

SEC. 4800. The judge of any district court, within whose district any contagious or epidemic disease shall at any time prevail, so as, in his opinion, to endanger the lives of persons confined in the prison of such district, in pursuance of any law of the United States, may direct the marshal to cause the persons so confined to be removed to the next adjacent prison where such disease does not prevail, there to be confined until they may safely be removed back to the place of their first confinement. Such removals shall be at the expense of the United States.

ALLOWING PRISONERS TO ESCAPE.

SEC. 5409. Whenever any marshal, deputy marshal, ministerial officer, or other person, has in his custody any prisoner by virtue of process issued under the laws of the United States by any court judge, or commissioner, and such marshal, deputy marshal, ministerial officer, or other person, voluntarily suffers such prisoner to escape, he shall be fined not more than two thousand dollars, or imprisoned for a term not more than two years, or both.

SEC. 5410. The preceding section shall be construed to apply not only to cases in which the prisoner who escaped was charged or found guilty of an offense against the laws of the United States, but also to cases in which a prisoner may be in custody charged with offenses against any foreign government with which the United States have treaties of extradition.

EXPENSES FOR PRISONERS TO BE PAID BY UNITED STATES.

SEC. 5536. All the expenses attendant upon the transportation from place to place, and upon the temporary or permanent confinement of persons arrested or committed under the laws of the United States, as well as upon the execution of any sentence of a court thereof respecting them, shall be paid out of the Treasury of the United States in the manner provided by law.

PLACES OF CONFINEMENT.

SEC. 5537. In a State where the use of jails, penitentiaries, or other houses is not allowed for the imprisonment of persons arrested or committed under the authority of the United States, any marshal in such State, under the direction of the judge of the district, may hire, or otherwise procure, within the limits of such State, a convenient place to serve as a temporary jail.

MARSHAL TO MAKE PROVISION FOR SAFE-KEEPING OF PRISONERS.

SEC. 5538. The marshal shall make such other provision as he may deem expedient and necessary for the safe-keeping of the prisoners arrested or committed under the authority of the United States, until permanent provision for that purpose is made by law.

UNITED STATES CONVICTS IN STATE PENITENTIARIES.

SEC. 5539. Whenever any criminal, convicted of any offense against the United States, is imprisoned in the jail or penitentiary of any State or Territory, such criminal shall in all respects be subject to the same discipline and treatment as convicts sentenced by the courts of the State or Territory in which such jail or penitentiary is situated; and while so confined therein shall be exclusively under the control of the officers having charge of the same, under the laws of such State or Territory.

SELECTION OF A PENITENTIARY WHERE A JUDICIAL DISTRICT IS DIVIDED.

SEC. 5540. Where a judicial district has been or may hereafter be divided, the circuit and district courts of the United States shall have power to sentence any one convicted of an offense punishable by imprisonment at hard labor to the penitentiary within the State, though it be out of the judicial district in which the conviction is had.

SENTENCES TO IMPRISONMENT FOR MORE THAN A YEAR, WHERE TO BE EXECUTED.

SEC. 5541. In every case where any person convicted of any offense against the United States is sentenced to imprisonment for a period

longer than one year, the court by which the sentence is passed may order the same to be executed in any State jail or penitentiary within the district or State where such court is held, the use of which jail or penitentiary is allowed by the legislature of the State for that purpose.

PENITENTIARY SENTENCES, WHERE TO BE EXECUTED.

SEC. 5542. In every case where any criminal convicted of any offense against the United States is sentenced to imprisonment and confinement to hard labor, it shall be lawful for the court by which the sentence is passed to order the same to be executed in any State jail or penitentiary within the district or State where such court is held, the use of which jail or penitentiary is allowed by the legislature of the State for that purpose.

DEDUCTIONS FROM TERMS OF IMPRISONMENT FOR GOOD CONDUCT.

SEC. 5543. All prisoners who have been, or may be, convicted of any offense against the laws of the United States, and confined in any State jail or penitentiary in execution of the judgment upon such conviction, who so conduct themselves that no charge for misconduct is sustained against them, shall have a deduction of one month in each year made from the term of their sentence, and shall be entitled to their discharge so much the sooner, upon the certificate of the warden or keeper of such jail or penitentiary, with the approval of the Attorney-General.

APPLICATION OF PRECEDING SECTION.

SEC. 5544. The preceding section, however, shall apply to such prisoners only as are confined in jails or penitentiaries where no credits for good behavior are allowed; but, in other cases, all prisoners now or hereafter confined in the jails or penitentiaries of any State for offenses against the United States, shall be entitled to the same rule of credits for good behavior applicable to other prisoners in the same jail or penitentiary. (See act of Mar. 3, 1875, page 18, and acts of June 21, 1902, and April 27, 1906, pages 19 and 20.)

ACTUAL REASONABLE COST OF SUBSISTING PRISONERS TO BE PAID.

SEC. 5545. Hereafter there shall be allowed and paid by the Attorney-General, for the subsistence of prisoners in the custody of any marshal of the United States and the warden of the jail in the District of Columbia, such sum only as it reasonably and actually cost to subsist them. And it shall be the duty of the Attorney-General to prescribe such regulations for the government of the marshals and the warden of the jail in the District of Columbia, in

relation to their duties under this chapter, as will enable him to determine the actual and reasonable expenses incurred.

DESIGNATION OF PENITENTIARY BY ATTORNEY-GENERAL; TRANSPORTATION OF PRISONERS; EXPENSES; CHANGE OF PLACE OF IMPRISONMENT.

SEC. 5546. All persons who have been, or who may hereafter be, convicted of crime by any court of the United States, including consular courts, whose punishment is imprisonment in a District or Territory or country where, at the time of conviction or at any time during the term of imprisonment, there may be no penitentiary or jail suitable for the confinement of convicts, or available therefor, shall be confined during the term for which they have been or may be sentenced, or during the residue of said term, in some suitable jail or penitentiary in a convenient State or Territory, to be designated by the Attorney-General, and shall be transported and delivered to the warden or keeper of such jail or penitentiary by the marshal of the District or Territory where the conviction has occurred; and in case of convictions by a consular court the transportation shall be by some properly qualified agent or agents designated by the Department of State, the reasonable actual expense of transportation, necessary subsistence, and hire and transportation of guards and agent or agents to be defrayed from the appropriation for bringing home criminals; and if the conviction be had in the District of Columbia, the transportation and delivery shall be by the warden of the jail of that District, the reasonable actual expense of transportation, necessary subsistence, and hire and transportation of guards and the marshal, or the warden of the jail in the District of Columbia, only, to be paid by the Attorney-General out of the judiciary fund. But if, in the opinion of the Attorney-General, the expense of transportation from any State, Territory, or the District of Columbia, in which there is no penitentiary, will exceed the cost of maintaining them in jail in the State, Territory, or the District of Columbia during the period of their sentence, then it shall be lawful so to confine them therein for the period designated in their respective sentences. And the place of imprisonment may be changed in any case when, in the opinion of the Attorney-General, it is necessary for the preservation of the health of the prisoner, or when, in his opinion, the place of confinement is not sufficient to secure the custody of the prisoner, or because of cruel and improper treatment: *Provided, however,* That no change shall be made in the case of any prisoner on the ground of the unhealthiness of the prison or because of his treatment, after his conviction and during his term of imprisonment, unless such change shall be applied for by such prisoner, or some one in his behalf.

Act May 12, 1864, c. 85, sec. 1, 13 Stat., 74; act March 5, 1872, c. 30, sec. 1, 17 Stat., 35; act July 12, 1876, c. 183, 19 Stat., 88; act March 3, 1901, c. 873, 31 Stat., 1450.

This section as originally enacted was as follows:

"SEC. 5546. All persons who have been, or who may hereafter be, convicted of crime, by any court of the United States, whose punishment is imprisonment, in a District or Territory where, at the time of conviction, there may be no penitentiary or jail suitable for the confinement of convicts, or available therefor, shall be confined during the term for which they have been or may be sentenced in some suitable jail or penitentiary in a convenient State or Territory, to be designated by the Attorney-General, and shall be transported and delivered to the warden or keeper of such jail or penitentiary by the marshal of the District or Territory where the conviction has occurred; and if the conviction be had in the District of Columbia, in such case the transportation and delivery shall be by the warden of the jail of that District; the reasonable actual expense of transportation, necessary subsistence and hire, and transportation of guards and the marshal, or the warden of the jail in the District of Columbia, only, to be paid by the Attorney-General, out of the judiciary fund. But if, in the opinion of the Attorney-General, the expense of transportation from any State, Territory, or the District of Columbia, in which there is no penitentiary, will exceed the cost of maintaining them in jail in the State, Territory, or the District of Columbia during the period of their sentence, then it shall be lawful so to confine them therein for the period designated in their respective sentences."

It is amended by act July 12, 1876, chapter 183, cited above, and is further amended by act March 3, 1901, chapter 873, also cited above, to read as set forth here.

ATTORNEY-GENERAL TO CONTRACT FOR SUBSISTENCE, ETC.

SEC. 5547. The Attorney-General shall contract with the managers or proper authorities having control of such prisoners, for the imprisonment, subsistence, and proper employment of them, and shall give the court having jurisdiction of such offenses notice of the jail or penitentiary where such prisoners will be confined.

COURT MAY ORDER SENTENCES EXECUTED IN HOUSE OF CORRECTION.

SEC. 5548. Whenever any person is convicted of any offense against the United States which is punishable by fine and imprisonment, or by either, the court by which the sentence is passed may order the sentence to be executed in any house of correction or house of reformation for juvenile delinquents within the State or district where such court is held, the use of which is authorized by the legislature of the State for such purpose.

CONFINEMENT OF JUVENILE OFFENDERS.

SEC. 5549. Juvenile offenders against the laws of the United States, being under the age of sixteen years, and who may hereafter be convicted of crime, the punishment whereof is imprisonment, shall be confined during the term of sentence in some house of refuge to be designated by the Attorney-General, and shall be transported and delivered to the warden or keeper of such house of refuge by the marshal of the district where such conviction has occurred; or if such conviction be had in the District of Columbia, then the transportation and delivery shall be by the warden of the jail of that District, and the reasonable actual expense of the transportation, necessary subsistence, and hire and transportation of assistants and the marshal or warden, only, shall be paid by the Attorney-General, out of the judiciary fund.

ATTORNEY-GENERAL TO CONTRACT FOR THEIR SUBSISTENCE, ETC.

SEC. 5550. The Attorney-General shall contract with the managers or persons having control of such houses of refuge for the imprisonment, subsistence, and proper employment of all such juvenile offenders, and shall give the several courts of the United States and of the District of Columbia notice of the places so provided for the confinement of such offenders; and they shall be sentenced to confinement in the house of refuge nearest the place of conviction so designated by the Attorney-General.

RULES AND REGULATIONS FOR THE GOVERNMENT OF THE UNITED STATES PENITENTIARY AT FORT LEAVENWORTH, KANS.

DEPARTMENT OF JUSTICE,
Washington, D. C., July 12, 1904.

The following rules and regulations for the government and discipline of the United States Penitentiary, at Fort Leavenworth, Kans., are hereby promulgated in accordance with section 4 of an act of Congress approved March 3, 1891, and the warden of the said penitentiary is hereby ordered to see that the said rules and regulations are enforced, these rules superseding all rules and regulations previously promulgated.

W. H. MOODY,
Attorney-General.

ACTS OF CONGRESS.

The act of Congress approved March 3, 1891, provides for the erection of United States prisons for the imprisonment of United States prisoners and for other purposes. Section 4 places the control and management of those prisons under the Attorney-General, who shall "have authority to promulgate such rules for the government of the officials of said prisons and prisoners as he may deem proper and necessary."

SEC. 5. That the transportation of all United States prisoners convicted of crimes against the laws of the United States in any State, District or Territory, and sentenced to terms of imprisonment in a penitentiary, and their delivery to the superintendent, warden, or keeper of such United States prisons, shall be by the marshal of the District or Territory where such conviction may occur, after the erection and completion of said prisons. That the actual expenses of such marshal, including transportation and subsistence, hire, transportation, and subsistence of guards, and the transportation and subsistence of the convict or convicts, be paid, on the approval of the Attorney-General, out of the judiciary fund.

SEC. 6. That every prisoner when discharged from the jail and prison shall be furnished with transportation to the place of his residence within the United States at the time of his commitment under sentence of the court, and if the term of his imprisonment shall have been for one year or more, he shall also be furnished with suitable

clothing, the cost not to exceed twelve dollars, and five dollars in money.

SEC. 7. That this act shall not apply to minors who in the judgment of the judges presiding over United States courts should be committed to reformatory institutions. AND PROVIDED, That nothing in this act shall be construed as prohibiting the courts of the United States from sentencing to or confining prisoners, either civil or military, in the United States Military Prison at Fort Leavenworth, Kansas.

SEC. 8. That the Attorney-General, in formulating rules and regulations for the conduct of said prisons, is hereby authorized to establish rules for commutation for good behavior of said convicts, but not for a longer time than two months for the first year's imprisonment, and two months for each succeeding year. [The act of June 21, 1902 (quoted below, Public—170), is applicable only to such prisoners as were received in the penitentiary subsequent to July 21, 1902.]

SEC. 9. That the Attorney-General shall be authorized to designate to which of said prisons persons convicted in such States or Territories shall be carried for confinement: PROVIDED, That in the construction of the prison buildings provided for in this act there shall be such arrangement of cells and yard space as that prisoners under twenty years of age shall not be in any way associated with prisoners above that age, and the management of the class under twenty years of age shall be as far as possible reformatory.

RULES AND REGULATIONS.

THE WARDEN.

1. The warden, in the performance of his duties as chief executive officer of the United States Penitentiary, shall be guided by the law and by such rules and orders as may be promulgated by the Attorney-General of the United States for the government of the penitentiary.

2. The orders of the warden must be cheerfully and implicitly obeyed by all subordinate officers under his charge, and he shall have power to suspend, and for flagrant violation of orders or failure in the performance of duty, he may dismiss subordinates, subject to the approval of the Attorney-General.

3. It is the duty of the warden to see that all rules and regulations pertaining to all departments of the penitentiary are firmly and impartially enforced. He shall grant no special privileges to any particular prisoner that can not be earned and obtained by each and every other prisoner under similar conditions. All special privileges granted by him to prisoners must be specified in writing, recorded, and a copy furnished to the deputy warden.

THE DEPUTY WARDEN.

4. The deputy warden is the assistant and agent of the warden in the general government and management of the penitentiary. He shall receive and enforce all orders and directions of the warden in regard to guards, foremen, employees, and prisoners, and shall keep himself constantly informed of the warden's plans and wishes, so that he may render intelligent and faithful aid in carrying out the same.

5. He shall attend daily at the penitentiary from the hour of unlocking in the morning until after the prisoners shall have been locked up at night.

6. In the absence of the warden from the penitentiary, the deputy warden shall perform his duties and shall not leave the penitentiary until the warden returns.

7. He shall not be absent from the penitentiary premises at any time during the day, when the prisoners are out of their cells, without first obtaining leave from the warden.

8. He shall visit the penitentiary occasionally during the night by surprise, and personally ascertain that the prisoners are all secure and that the officers are on duty and alert.

9. Under the orders of the warden, he shall have special control and direction of the guards, foremen, and other employees of the penitentiary, and shall be responsible that every one performs his respective duties with intelligence, fidelity, and zeal. It shall be his duty to report to the warden, strictly and promptly, every neglect of duty, impropriety, or misconduct on the part of any officer.

10. He shall report to the warden the name of every officer coming upon duty under the influence of intoxicants or without being in uniform.

11. He shall not grant leave of absence to any subordinate officer or guard for a longer period than one day without consulting the warden.

12. He shall enforce obedience to the penitentiary rules and regulations and to all orders given from time to time by the warden, and shall maintain generally the police and discipline of the penitentiary with the strictest exactness, for which purpose he shall frequently during the day, but at irregular periods and without notice, visit the shops, yards, hospital, kitchen, cells, and other parts of the penitentiary, and the different places where work is in hand, taking every precaution for the security of the penitentiary and prisoners, seeing that the officers are vigilant and attentive to their duties, and that they keep the prisoners under them diligently employed during their hours of labor.

13. He shall not permit any book, pamphlet, or newspaper to be read by any officer, nor to be in his possession, while on duty in or about the penitentiary.

14. When a prisoner is received, the deputy warden shall see that he is properly bathed, clothed in a penitentiary suit, examined by the physician, and vaccinated. He shall then read and explain to him the rules and regulations for the government of prisoners, give him his privilege tickets, and assign him to duty under direction of the warden.

15. He shall at short intervals examine the locks, levers, and gratings in and about the entire penitentiary and see that they are in good condition.

16. He shall have charge of all arms, accoutrements, and ammunition belonging to the penitentiary and shall supervise target practice by guards and employees, keeping records of such practice and reporting the same to the warden.

17. He shall exercise due vigilance to see that there is no embezzlement of the property of the penitentiary; also that willful waste or want of economy in the consumption or use of supplies be reported to the warden immediately.

18. It shall be his duty to make himself acquainted with the social habits and conduct of every subordinate officer and employee, and particularly whether, when off duty, he is a frequenter of saloons or other disreputable places or associates with idle or loose characters, and report the facts to the warden.

19. He shall see that no material is allowed to be placed near the inclosing walls and that nothing is accessible to prisoners which can facilitate escape. He shall especially see that ladders are properly secured.

20. He shall have a vigilant eye over every person who may have business about the penitentiary, to see that nothing is improperly carried to or from the prisoners, and, so far as he can, that no communication of any description is attempted by such person with any prisoner, except by authority, and in the presence of an officer.

21. He shall every evening, before relieving the guards from duty, verify by actual count the written daily count report furnished him.

22. As the acts of Congress afford to prisoners the privilege of earning diminution of their sentences, it will be incumbent upon all the officers of the penitentiary to give the strictest attention to the conduct and character of every prisoner; and especially it shall be the duty of the deputy warden to satisfy himself as to the behavior of every prisoner, his industry, alacrity, and zeal in the execution of his work, so that the deputy may be able to advise with the warden as to the recommendations to be made in case of each prisoner. For

this purpose he shall communicate freely with every officer in charge of prisoners when making his rounds.

23. The deputy warden shall, under orders of the warden, investigate all reports of offenses committed by prisoners and make disposition of the same. In these investigations the deputy warden shall be careful in endeavoring to arrive at the truth concerning each case. In awarding punishment he shall take into consideration the age, previous conduct, history, habits, environment, and disposition of the offender, so far as he may be able to ascertain the same; and in the administration of punishment he shall take special care to deprive it of all appearance of personal vindictiveness, even under great provocation, at the same time making it sufficiently severe, without cruelty, to secure the end desired. He shall make daily written report to the warden of all prisoners reported to him, the nature of their offenses, and of the punishment recommended in each case, and of punishment administered directed by the warden.

24. The disciplinary punishments of prisoners permitted are:

- (1) Reprimand.
- (2) Loss of tobacco privilege.
- (3) Loss of letter privilege.
- (4) Loss of part of good time.
- (5) Imprisonment in solitary on restricted diet.
- (6) Imprisonment in solitary on restricted diet and handcuffed to door.
- (7) Reduction in grade.
- (8) Reduction to stripes.
- (9) Loss of all good time.

CAPTAIN OF THE WATCH.

25. The captain of the watch assigned to day duty shall attend daily at the penitentiary from the hour of unlocking in the morning until after the prisoners have been locked up at night.

26. He shall assist the deputy warden in the discharge of his duties, and in the absence of the deputy warden from the penitentiary he shall perform all the duties incumbent upon that officer.

27. He shall assist the deputy warden in maintaining and executing the rules of government of the penitentiary, and report to him any violation of the same, by either the officers or prisoners, that may come under his notice.

28. He shall keep, morning and evening, the time of officers on duty during the day, and report the same to the clerk on the first of each month.

29. He shall attend the daily sick call, accompany prisoners who are to see the physician from the different workshops to the hospital and order them to sick cell or on duty, as the physician may direct.

30. He shall have charge of the armory, assigning to guards and keepers their arms and accoutrements, and seeing that everything belonging to the armory, including the special supply of lanterns, is in good condition and serviceable at a moment's notice.

31. He shall inspect the arms and equipments of the guards at least once a week and report any officer whose rifle or equipments are not in good order. He shall frequently inspect all the arms and equipments not in daily use and see that they are kept in thorough repair.

32. The captain of the watch assigned to night duty shall be held responsible for the security of the prisoners and see that good order is maintained during the night. He shall make report to the deputy warden in the morning of any unusual occurrence or violations of the rules and regulations of the penitentiary that may have taken place during the night. It shall be his duty to call the warden or deputy warden at any hour during the night that he may regard their presence necessary.

33. It shall be his duty to make a thorough inspection of the penitentiary during the night, often enough to personally convince himself of the watchfulness of his subordinates in the different parts of the prison.

34. He shall require of all officers or citizens who work inside the walls at night a strict compliance with all the rules that prevail in the daytime, and has authority to eject any citizen not strictly conforming to them.

35. He shall not under any circumstances leave the penitentiary during his time on duty or until properly relieved, without consent of the warden or deputy warden.

THE CHAPLAIN.

36. The chaplain shall conduct religious services in the penitentiary under such regulations as the warden may prescribe, and attend to the spiritual wants of the prisoners.

37. He shall obtain from each prisoner, when received in the penitentiary, as complete a statement as possible of his religious and educational antecedents and his parental and conjugal relations, and shall make report thereof, on blanks furnished, to the warden.

38. He may visit the prisoners in their cells for the purpose of giving them moral and religious instruction.

39. He shall see that each prisoner who wishes one is supplied with a Bible.

40. He shall not have any intercourse with prisoners in the shops or while they are at work, nor shall he hold communication with them except as may be necessary and proper in imparting to them such secular and religious instruction as is required by law and the penitentiary regulations.

41. He shall not furnish the prisoners with any information or intelligence in relation to outside matters, except by permission of the warden.

42. He shall visit daily the sick in the hospital and administer to their spiritual wants.

43. It shall be his duty to closely examine all incoming and outgoing mail of prisoners, also all newspapers, parcels, and packages addressed to prisoners, and to admit and permit only such matter as is consistent with the general rules of the penitentiary and requirements made known to him by the warden. He shall keep a record of all letters sent and received by prisoners, and at the end of each month shall furnish the chief clerk with a statement showing the total number of letters sent out by prisoners during the month. He shall account to the chief clerk for all money sent to prisoners by mail.

44. He shall have charge of the library, see that no improper books are placed in possession of the prisoners, and if such books are found, either in the cells or in possession of prisoners, he shall take them away and deliver them to the warden; and for the purpose of the proper discharge of these duties he may visit the cells, and the books so taken away from prisoners shall not be returned to them without the express order of the warden.

45. Sectarian doctrines in the matter of religious belief shall not be taught, nor shall any attempt be made, directly or indirectly, to proselyte a prisoner. If any prisoner desires communication with a minister or instructor of his particular faith, on proper application to the warden, it shall be allowed, under and in conformity with the law and general regulations of the penitentiary; but such minister or instructor, on such occasions, must in all things conform to the rules and regulations for the government of the chaplain. Any infringement or departure from these rules will debar him from future intercourse with the prisoners.

THE PHYSICIAN.

46. The physician shall attend at all times to the wants of the sick prisoners, whether in the hospital or in their cells, and shall render them all necessary medical service.

47. He shall examine daily the cells of the prisoners, also the kitchen, bakery, storage rooms, dining rooms, lavatories and sinks, for the purpose of ascertaining whether they are kept in a proper state of cleanliness and ventilation, and report the same to the warden.

48. He shall examine at least once a week, and oftener if he thinks proper, into the quality and condition of the provisions provided for the prisoners, and whenever he shall have reason to believe that any

provisions are prejudicial to the health of the prisoners he shall immediately make report thereof to the warden. He shall also have power, and it shall be his duty, to prescribe the diet of the sick prisoners, and his directions in relation thereto shall be followed by the warden and steward.

49. He shall vaccinate every prisoner on his entering the penitentiary, and examine him as to the condition of his heart, lungs, and chest, evidence of previous or present hereditary disease, and keep a record of such examination in a book provided for that purpose.

50. He shall devote all his time to the service of the penitentiary, to the exclusion of all other engagements or practice.

51. He shall keep a daily record of all admissions to the hospital and the cases treated in the cells or elsewhere, indicating the sex, color, nativity, age, occupation, habits of life, period of entrance and discharge from the hospital, disease and the prescription and treatment in each case.

52. He shall have full control over the patients in the hospital, subject to the rules of the penitentiary and instructions of the warden.

53. It shall be the duty of the physician, in case of any prisoner claiming to be unable to labor by reason of sickness, to examine such prisoner, and if in his opinion, upon examination, said prisoner is unable to labor, he shall immediately certify the same to the warden, and such prisoner shall thereupon be released from labor and admitted to the hospital, or placed in his cell or elsewhere for medical treatment as the physician shall direct, having a due regard for the safe-keeping of such prisoner, and whenever the physician shall certify to the warden that such prisoner is sufficiently recovered to be able to labor, said prisoner shall be required to labor, and not before.

54. He shall examine carefully every morning and evening all prisoners in punishment in the solitary cells, and shall make written report to the warden of their condition. He shall be particular to report to the warden in writing any prisoner whose health he thinks is suffering or endangered by the punishment he is undergoing, and shall recommend such changes in the diet of prisoners in punishment as he may think necessary.

55. He shall, whenever in his opinion a prisoner becomes insane, certify that fact to the warden, giving his reasons therefor, and make, on blanks furnished him for that purpose, a brief statement of the general condition of the patient, together with his recommendation as to what disposition shall be made of him.

56. When a prisoner dies, the physician shall record the nature of the complaint and all the circumstances connected therewith that he may deem proper and necessary and report to the warden.

57. When the physician considers it necessary, or when required by the warden to make a post-mortem examination of any prisoner, he shall do so within thirty-six hours after the decease. He shall make written report of his examination to the warden and of his conclusion as to the cause of death.

58. He shall make a written report daily to the warden of the attendance at sick call in the morning and of the disposition made of those reported sick, also of all admissions to and discharges from the hospital, deaths, etc.

59. He shall, whenever requested so to do by the warden, make a careful examination of any prisoner and make a written report of his physical condition.

60. He shall make report monthly to the warden of patients received into the hospital or treated in the cells or elsewhere during the preceding month, stating their respective age, color, disease, occupation in penitentiary, quantity and kinds of medicine administered during the month, the time they have remained in hospital, date of commencement and termination of treatment, and number of days during which such patients, in consequence of sickness, have been relieved from labor; also of all deaths and causes thereof, transfers to insane hospitals, etc.

61. He shall make a yearly report to the warden, for transmission to the Attorney-General, of the sanitary condition of the penitentiary for the past year, in which all information in his daily and monthly reports shall be condensed. This report shall also contain lists of prisoners who have died or been certified to be insane during the year.

THE CHIEF CLERK.

62. He shall be the warden's accountant and his assistant and agent in matters of the accounts and fiscal affairs of the penitentiary, and shall as such be responsible for the safe-keeping and orderly arrangement of all the accounts, vouchers, bills, and other documents of every kind confided to him.

63. It shall be the duty of the chief clerk to keep a complete and systematic set of books, which shall show the amount of money under the several appropriations that has been advanced the warden by the Treasury Department for the maintenance of the prisoners in the penitentiary and the expenditures incurred on account of the institution.

64. He shall also keep a regular account with all contractors furnishing supplies to the penitentiary and of all purchases of whatever kind and description made by the warden.

65. His accounts shall be prepared monthly and be in the hands of the warden for transmission to the Attorney-General on or before the tenth day of each succeeding month.

66. He shall make to the warden a detailed financial report at the end of each fiscal year and from time to time furnish him, as required, with such other statements and exhibits as the warden may direct.

67. He shall assist the warden in making such statements and exhibits as are by law, and under the instructions of the Attorney-General, required of the warden.

68. He shall keep a prisoners' money journal and ledger, accounting, individually, for money deposited by and paid to prisoners.

69. He shall give individual receipts to all prisoners from and for whom he has received money or other articles of value. He shall not pay out any money received from prisoners, or deliver any valuables so received, except upon written order of the warden.

70. He shall also keep a consolidated check roll, an abstract from all the time check rolls of the penitentiary, which, in their aggregate, are daily to correspond with the evening's count.

71. With the approval of the Attorney-General, he shall give a bond to the warden, in such amount as the latter shall direct, for the correct and faithful accounting of all moneys coming into his possession.

THE BOOKKEEPER AND RECORD CLERK.

72. The bookkeeper and record clerk shall have charge, under the supervision and immediate direction of the warden, of the following books and records:

- (a) The warden's record of official orders.
- (b) The prisoners' register and complete index thereto.
- (c) The discharge register and records.
- (d) The record of statistics.
- (e) Punishment records.
- (f) Book of daily counts.
- (g) The commitments of all prisoners received and all papers bearing upon their cases.
- (h) Record of daily labor of prisoners.

73. He shall take measurements and photographs of every incoming prisoner as soon as practicable after his arrival, preserve and take care of the negatives, and keep the respective photographs and measurements in orderly arrangement in cases provided for that purpose. He shall keep the warden and deputy warden fully informed of what he may learn of the previous histories of prisoners, criminal or otherwise, and also their alliances with or their relations to other criminals.

74. He shall, on the blanks furnished him, take a detailed personal description of every incoming prisoner and also take his written consent to the examination of his incoming and outgoing mail.

75. He shall, at the end of every month, make from the discharge register a complete list of all prisoners to be released during the succeeding month by expiration of sentence, and furnish a copy of this list to all officers whose business it is to be acquainted with it.

76. He shall keep such miscellaneous and other records as the warden may direct, rendering a report at the close of the fiscal year, with such statistical information as is required, and shall perform such other duties as the warden may require.

THE STEWARD.

77. The steward is the commissary officer of the prison. He shall keep a complete set of commissary books of receipt and issue and shall make to the warden a daily report of the quantity and value of each kind of food issued, the gross value, the number of prisoners fed, the average cost per man per day, and the bill of fare for each of the three meals. He shall be responsible for the safe-keeping of all provisions purchased or turned over to him for use of the prisoners.

78. He shall furnish the warden, in due time, an estimate for the quarterly subsistence of the prisoners.

79. He shall keep a watchful eye on all branches of his department, guarding against waste and extravagance. He shall be responsible for the cleanliness of the kitchen and dining rooms and the quality of the cooking.

80. He shall carefully check all deliveries of subsistence and see that in quality they are equal to the sample and in quantity equal to the amount of the purchase, making proper report to the chief clerk.

81. He shall have charge of the kitchen and dining room and shall report to the deputy warden any inattention of attendants or disorder of convicts. Perfect discipline must be maintained in the dining room during meal hours and at all times by the prisoners employed in all departments under the steward's charge.

82. The steward shall carefully watch every department under his charge and promptly report to the warden anything he may detect detrimental to the safety and welfare of the penitentiary.

83. He shall take special care that the utmost cleanliness prevails in the kitchen, dining room, cellars, and in every chamber or vessel in which provisions are kept or from which they are eaten.

84. He shall daily attend upon and see to the cooking and serving of the provisions for the prisoners, to the end that no improper food is used, that it is cooked in a proper and cleanly manner, served in clean, wholesome vessels, and equally and honestly distributed to prisoners.

THE SUPERINTENDENT OF INDUSTRIES AND STOREKEEPER.

85. The storekeeper shall be the custodian and keeper of all supplies, except provisions, for the use of the penitentiary.

86. He shall personally receive, check from the bills of particulars, and inspect all goods delivered to him, and report deficiencies in quantity and quality of the same to the chief clerk and also to the warden, who will decide as to their receipt or rejection. He will have charge of issuing supplies to the different departments on requisitions approved by the warden or deputy warden and shall not issue anything without requisition, nor without making a memorandum bill on manifold bill book, taking and filing receipts in all cases.

87. He shall, under the direction and supervision of the chief clerk, keep accurate accounts of all transactions in the store and of all receipts and issues, and shall, at the end of each month or more frequently if called upon, report such transactions, receipts, and issues, in detail, to the chief clerk.

88. He shall, every three months, take inventory of all property in the store and give a transcript of the same to the chief clerk.

89. He shall also have charge of material used in manufacturing and repairing clothing, shoes, and all supplies for prisoners that are made inside the penitentiary, and shall generally supervise such manufacture. He shall receive from the shops and issue to the prisoners all articles of clothing as needed by them.

THE ENGINEER.

90. He shall have charge, under the warden, of all boilers and engines belonging to the penitentiary and of machinery and fixtures employed in the service of the prison.

91. He shall have charge of the water-supply system for the penitentiary, shall be responsible for the condition of necessary pipes, pumps, and other appliances, and for any unnecessary waste of water.

92. He shall have supervision of the entire apparatus for lighting, heating, cooking, ventilating, and mechanical purposes of the penitentiary, and shall see that the same is kept in good condition.

93. He shall have supervision of the sewer system of the penitentiary and direct the construction and repairs of the same.

94. He shall have charge, under the deputy warden, of the fire department, take care of the engines and test their efficiency from time to time, and see that the fire buckets, grenades, etc., placed in different stations around the penitentiary, are serviceable and in good condition.

95. He shall see that all machinery, tools, implements, materials, stock, or other effects necessary for carrying on the above-mentioned

duties and industries and in his charge are properly used, taken care of, and accounted for.

THE ASSISTANT ENGINEER AND ELECTRICIAN.

96. The assistant engineer and electrician shall assist the engineer in the discharge of his duties and in his absence from the penitentiary shall perform the duties and assume the responsibilities of the engineer.

GUARDS.

97. The guards are the agents of the warden in enforcing the police and discipline of the penitentiary and in carrying into effect the laws for the government thereof.

98. It shall be the duty of the guards to attend at the opening of the penitentiary every morning and not absent themselves therefrom, on any pretext or excuse, during prison hours except by permission of the warden or deputy warden.

99. They shall supply themselves with the prescribed uniform, which shall be constantly worn while on duty, and shall constantly observe the utmost cleanliness in dress, person, and habits.

100. While within the prison the guards shall refrain from whistling, scuffling, immoderate laughter, boisterous conversation, exciting discussions on politics, religion, or other subjects, and all other acts calculated to disturb the harmony and good order of the penitentiary.

101. In their intercourse among themselves the officers and guards of the penitentiary are required at all times to treat each other with mutual respect and kindness, and to avoid all collisions, jealousies, separate and party views, and interests among themselves. They are strictly forbidden to treat each other with disrespect or to use any ungentlemanly epithets.

102. They shall not, while on duty, hold conversation with each other nor with the foreman, except such as may be necessary in the discharge of their duties.

103. Neither shall they be engaged, while on duty, in reading or writing, other than making necessary entries, or in any other employment calculated to interfere with constant care and vigilance.

104. They shall not under any circumstances allow prisoners to speak to them upon any subject not immediately connected with their duty, employment, or needs, nor shall they correspond with prisoners or with any outside parties for, or in behalf of, prisoners, or assist in conducting any such correspondence, or be a medium of communication in any way between prisoners and outsiders or one prisoner and another.

105. They shall keep the prisoners under their charge diligently at work at the several occupations at which they are employed, and

shall make report of the attendance at work, also of all time lost by reason of sickness, punishment, or otherwise, as instructed from time to time by the warden or deputy warden.

106. They shall not permit prisoners to hold conversation with each other or with citizens, except by special order of the warden or deputy warden. They shall not permit prisoners to communicate with each other by signs or signals, except as prescribed by the deputy warden in connection with their work.

107. They shall require of prisoners the greatest possible cleanliness as to their persons and clothing and in their working and sleeping rooms.

108. They shall instruct the prisoners in all the rules of the penitentiary necessary for their government, and admonish them on the least appearance of insubordination.

109. In all their intercourse with prisoners they must be careful to maintain a quiet demeanor, under any provocation, remembering that the prisoner, however disposed to be violent or abusive, is entirely in their power.

110. Guards must regard prisoners who are disobedient or refractory as under arrest and not to be punished by them, but to be at once reported to the deputy warden. Guards must not strike a prisoner except in self-defense, in defense of another officer or guard when attacked, or when absolutely necessary to quell a mutiny or insurrection. Guards must not lay hands on a prisoner, unless to help him if sick or injured, except when the prisoner defiantly refuses to leave his cell, or to sit, stand, or march as ordered. Jerking the prisoner around, punching him with cane, or unnecessarily rough treatment will not be tolerated.

111. Whenever a prisoner is guilty of any infraction of the prison rules the guard shall at once report the fact in writing to the deputy warden, stating fully the nature of the offense.

112. If a prisoner desires to make complaint to or have an audience with the warden, the guard shall receive his application and report it in writing to the warden's office, through the deputy warden.

113. If a prisoner is taken sick or injured during the day the guard shall at once report the fact to the deputy warden or the captain of the watch.

114. It shall be the duty of guards to keep constant watch over prisoners at work to see that, while pretending to be engaged on the work given them to do, they are not in reality doing something else. Guards shall not allow prisoners to leave their work without permission, nor to speak to or gaze at visitors.

115. The duties of guards shall be understood as separate and distinct from those of foremen, and the guards will not interfere with or attempt to instruct the prisoners in the manner in which they shall

work, or on what particular part they shall labor, or what amount they shall perform; but they shall listen to all reports the foremen desire to make and dispose of the cases as instructed.

116. In forming their opinions with respect to the industry of a prisoner, officers will bear in mind that as one prisoner may be able to do more work in a given time than another, so their reports on this head will have regard more to the continuous labor of the prisoner, the care bestowed upon it, and the evidence of his desire to do all he can, than the absolute quantity he does as compared with others. An amount of work which may be sufficient for one man may be quite insufficient for another and the officer's report will be made accordingly.

117. Guards shall receive applications from prisoners to send or transfer money to friends, or for subscriptions to newspapers, etc., and shall send same to the chief clerk. Transfers of money from one prisoner to another must be approved by the warden.

118. No officer or other employee shall sell to or buy from, or receive from or deliver to, a prisoner any article or thing whatsoever without permission in writing of the warden or deputy warden.

119. When a prisoner is sent from one part of the penitentiary to another the officer sending him shall give him a pass, stating the place from which, and the place to which, or person to whom he is sent. Care shall be taken that the pass is delivered up by the prisoner and that he is not too long away.

120. When a prisoner is obliged to retire for necessary purposes the guard in charge shall take care that the place is so conspicuous that the prisoner can not leave it without being fully seen, that only one is permitted to be in the place at the time, and that he is absent for a reasonable time only. Any delay in such cases should arouse suspicion at once and the guard must immediately make certain that all is right.

121. No guard shall take the statement of one prisoner against another on which to make a report for punishment respecting the prisoner complained of, but shall report the facts, nevertheless, to the warden or deputy warden.

122. If a prisoner makes complaint to a guard of any order given him or of any action toward him by which he considers himself aggrieved, it shall be the duty of the guard to inform the warden or deputy warden thereof at the earliest moment convenient thereafter, and the warden or deputy warden shall act in the matter as he may think reason and justice may require, but the guard shall in the meantime see that the prisoner obeys the order given him.

123. As soon as the prisoners are locked up at night each guard having charge of a division shall report immediately to the deputy

warden the number he has locked up or has in charge, at the same time turning over the cell-door keys to the proper officer.

124. If a guard is absent without leave at roll call he must at once report the cause of his absence to the deputy warden, who is directed to keep a careful and correct written record of all delinquencies in the guard force. For absence without leave a guard may be suspended, and if the offense is repeated he may be dismissed from the force. A guard desiring leave of absence must apply to the deputy warden not less than one day in advance.

125. Guards are forbidden to frequent saloons, gambling houses, or other disreputable places when off duty, and must never enter the penitentiary while in the slightest degree under the influence of liquor. The violation of this rule will be cause for dismissal.

126. When off duty guards must not discuss penitentiary affairs or become a source of information pertaining thereto.

127. Requests or grievances by guards should be presented to the deputy warden. Complaints or charges against the deputy warden must be made in writing to the warden.

128. Smoking by officers or other employees will not be allowed inside the penitentiary walls except at such times and places as the warden may designate by special order.

129. When on duty guards will not be allowed any reading matter whatever except by special written permission of the warden. No guards must be found with reading matter in his hands during the hours of duty.

130. When going out with prisoners in charge, guards will be sure that their firearms are in perfect order and that they have the required amount of ammunition.

131. When marching prisoners, guards, if armed with rifles or shotguns, will carry them at a right shoulder. When posted over prisoners on the ground they will carry the gun on either shoulder with its muzzle elevated, or under either arm with muzzle pointed to the ground. If armed with pistols, they will carry them in their right hands pointing toward the ground. They will not let the prisoners come closer to them than 5 paces, or go more than 20 paces from them, and will at all times face the prisoners, gun or pistol in hand ready for action. For violation of this rule guards may be dismissed from the force.

132. Guards assigned to cell-house duty shall see that the utmost cleanliness prevails in the cells and corridors, that the houses are thoroughly ventilated and warmed when necessary, that the cells are regularly supplied with drinking water, and the regular issues of tobacco, soap, and other supplies are properly and impartially made.

133. They shall also carefully and promptly deliver to their respective addresses all letters, newspapers, etc., handed over to them

by the proper officer with the requisite "permit." They are not permitted to examine or inspect either outgoing or incoming prisoners' mail.

134. They shall from time to time examine the cell doors and gratings to see that they are in good and secure condition; they also shall occasionally examine and search cells and report the presence of any contraband articles to the warden or deputy warden.

135. Guards are not permitted to call any prisoner by any nickname or slang title which may indicate his nationality, such as "Paddy," "Dago," "Dutchy," etc., or any personal peculiarity about him, such as "Shorty," "Kid," "Fatty," "Reddy," etc. Guards will not indulge in any familiarity toward prisoners nor permit any familiarity on the part of prisoners toward themselves. Violation of this rule will be followed by dismissal.

136. Guards will be held responsible for the proper care of their weapons. If one is injured through carelessness, the guard permitting such injury shall be charged with the cost of repairing it, and such cost shall be a lien upon his pay.

GATE GUARD.

137. The gate guard shall be sure that his firearms are in order and that he has not less than 1 dozen rounds of ammunition.

138. He shall not be allowed to read while on duty or to have any reading matter in or about his station. Newspapers must not be handed to him or left in his care.

139. He shall not leave his post of duty except he be relieved by order of the captain of the watch.

140. He may guard the gate from his station with his gun on the shelf in front of him, or he may guard by patrolling back and forth in front of station.

141. He shall allow no persons to stand or congregate in the gateway so as to obstruct his line of vision. He shall require all prisoners approaching him to halt and signal with the hand for permission to approach. He shall search all prisoners passing out and in through the gate if he has any reason to suspect that they have contraband articles concealed about them.

142. He shall direct persons seeking admission to the penitentiary to the proper officer without further conversation, unless he suspects they are improper persons to enter the penitentiary, when he may call the captain to his station.

143. He shall inspect all vehicles going in and coming out of the penitentiary and carefully guard against escape by concealment in such vehicles. Vehicles not used in the conduct of the penitentiary shall not be allowed to enter the prison without a guard attendant, except by special instruction of the warden or deputy warden.

144. He shall be held responsible and see that no prisoner passes out other than those directed to do so by the warden or deputy warden under the rules governing the institution.

145. The gate guard is in a position to be especially watchful over the interests of the penitentiary. It is his duty to promptly report to the warden or deputy warden anything he may discover threatening the security or peace of the institution.

WALL GUARDS.

146. Wall guards shall keep their firearms in perfect order and keep in their towers not less than twenty rounds of ammunition.

147. They shall keep a strict watch, and each wall guard will be held responsible for any escape over the part of the wall under his observation while on duty.

148. No reading matter of any kind will be permitted in the towers, and the guard while on duty must speak to no one except it be necessary and on business pertaining to the penitentiary.

149. While patrolling on the wall the guard must carry his gun.

150. If for any reason the wall guard at any time can not see clearly all that part of the wall under his supervision he shall at once inform the captain of the watch.

151. Wall guards are warned to be especially vigilant at early and late hours, during dark and foggy days, and at all times when the prisoners are unlocked and upon the yard.

152. If prisoners approach the wall in an unwarranted way the guard shall warn them away, and if an effort is made to escape it will be the duty of the guard to fire.

GUARDS ASSIGNED TO NIGHT DUTY.

153. The night force shall go on duty at the sound of the evening whistle or bell and remain on duty until the signal is given in the morning for unlocking the cells of the prisoners.

154. It shall be the duty of the night guards having charge of the cell houses to move around the cells with "sneakshoes" on, in a silent manner, that they may be able to detect any unnecessary noise; and it is strictly enjoined upon them not to hold conversation with the prisoners or suffer the prisoners to speak to them except to make known their immediate needs; they must use their utmost exertions to suppress unusual noise of any kind, and report to the captain of the watch any violations of the rules and regulations of the penitentiary by the prisoners while in their cells.

155. The night guard in charge of the solitary shall closely follow the instructions of the warden and deputy warden in regard to inmates of punishment cells, and shall every morning make written report to the warden of the number of prisoners in solitary and

their condition during the night, noting every unusual occurrence coming under his observation.

156. The night guard in the hospital shall observe the rules in regard to the inmates of the hospital and attend conscientiously to the wants of the sick.

157. The night fire watch shall make his regular rounds in the penitentiary at short intervals, in such a way as the warden, deputy warden, or captain of the watch from time to time may direct.

FOREMEN.

158. Foremen shall be present and ready to unlock shops ten minutes before work signal.

159. Foremen shall hold no intercourse with any of the prisoners other than those employed or superintended by them, nor upon any subject whatever other than the business carried on by them.

160. They shall remain at their respective posts until the prisoners under their charge are called to supper, giving their entire time and attention to the work in hand. Smoking or reading during working hours are strictly forbidden. They will be relieved from duty during the noon hour. Smoking in the shops is forbidden at all times.

161. Foremen shall see that the men under their charge labor faithfully and diligently, and they will report to the deputy warden the names of prisoners who fail in this respect.

162. When prisoners willfully fail to carry out the instructions of a foreman, or use threatening, defiant, or impudent language, or commit any other act endangering the peace and good discipline of the penitentiary, it shall be the duty of the foreman to immediately report the same to the guard in charge.

163. Foremen shall make requisition on the warden for such materials and tools as may be needed in their respective departments, and they will be held responsible for the use of the tools and the expenditure of material.

SUPERINTENDENT OF FARM AND TRANSPORTATION.

164. The superintendent of farm and transportation shall have general supervision of the penitentiary farm, stock, crops, etc. He shall superintend all work on the farm under the direction of the warden, make proper requisition for all material and feed needed for the farm and stables, and be responsible for all farming tools and implements in his charge. He shall keep a careful record of all property turned over to him for the use of the farm, and, unless otherwise directed, report to the warden monthly the amount of grain and farm produce of every kind raised on the farm.

GENERAL RULES.

165. Every man received into the service of the penitentiary will bear constantly in mind the nature of the institution into the service of which he enters, the peculiarity of the duties he will have to perform as an officer, guard, or other employee, and the moral obligations he is understood to assume with reference to his own personal conduct from the time he is engaged.

166. He must understand that the penitentiary is not only designed as a place for the punishment of persons who have offended against the laws, but also as an institution which intends their reformation, if possible.

167. He must therefore not only feel it his duty to see that the rules of the penitentiary are observed by the prisoners placed under him, but also understand that he must conduct himself, when off duty as well as when on duty, in such a way as to inspire sentiments of respect for his moral principles and character.

168. He will be expected to be circumspect in his way of life in society, careful as to the company he keeps and the places he frequents, and guarded as to the discharge of his personal obligations, debts, etc., and the warden will take all necessary steps to make himself acquainted with the conduct and general habits of every officer and servant of the institution. No man whose conduct is improper should be retained in the service.

169. It shall be his duty to make himself acquainted with the provisions of the laws governing the penitentiary, also with the rules and regulations, and with the orders on the bulletin board, to obey them readily himself in all points of his own duty, and to enforce strict obedience of them upon all who may come under his authority.

170. All persons entering upon or retaining any position as employees of this institution must do so with the full understanding that they are to lend a prompt, willing, and positive obedience to the rules of the penitentiary and the instructions of its officers, and devote their best energies and abilities industriously and faithfully to the performance of the duties to which they may be assigned, and everyone who can not do so cheerfully should not accept and can not retain position here.

171. Employees will be required to report to the captain of the watch twice each day (morning and evening), that their time may be correctly kept, and to be promptly at their respective posts and places of business at the appointed hour.

172. No employee will be allowed to absent himself from duty under any circumstances without permission of the warden or deputy warden. Should an employee be taken sick he must immediately send information thereof to the warden or deputy warden.

173. Employees are strictly prohibited from taking newspapers, books, or other reading matter inside the penitentiary, and are absolutely prohibited from leaving any citizens' clothing inside the yard or cell houses.

174. Employees are strictly prohibited from talking with prisoners at any time, except as the nature of their business may require, and all familiarity between employees and prisoners is absolutely prohibited.

175. Employees are prohibited from selling to or buying anything from prisoners, or giving to or receiving from them anything in the nature of a gift or present, or conveying to or from them any message, either written or oral.

176. Employees are prohibited from replying in like terms to what they may conceive to be impudent or insulting language on the part of a prisoner. Their duty is to report such infractions of discipline without utterance of threats to the prisoner.

177. Employees are prohibited from using profane, indecent, abusive, or insulting language toward prisoners or in their presence, and are required to refrain at all times from the use of such language in or about the penitentiary.

178. Employees will be required to pay for the willful destruction, loss, waste, or damage by them of any property of the penitentiary.

179. All employees are prohibited from discussing within the limits of the penitentiary the manner in which any officer, guard, or employee performs his duty, and from making any remarks which might tend to reflect upon the character or management of such officer, guard, or employee. They are also prohibited from discussing in the presence of prisoners matters relating to the discipline or management of this or similar institutions.

180. Employees are strictly prohibited at all times from smoking inside the walls or cell houses, except as hereinbefore permitted.

181. Intemperance will not be tolerated among employees, neither will they be allowed to keep or use intoxicating drinks in or about the penitentiary. Frequenting saloons or disreputable places by employees will be considered as sufficient cause for their dismissal.

182. Employees will refrain from visiting the shops or yard while off duty and from receiving visits while on duty.

183. No officer or guard will be permitted, except in an emergency, to exchange duties with another without first obtaining permission of the warden or deputy warden.

184. It is highly improper and subversive of discipline for officers, guards, or employees of this penitentiary to interest themselves in the application of any prisoner for pardon, commutation of sentence, or writ of habeas corpus, or to be in any way concerned therewith.

All such matters must be referred to the Attorney-General through the warden.

185. Every armed guard must understand that it is his special duty to preserve the peace of the prison and prevent escape of prisoners. In case of mutiny or attempted escape he should give the offending prisoner warning if possible, but when, in his judgment, the time has arrived to fire, or he is ordered to fire by his superior officer, he must aim to hit and disable the offender.

RULES AND REGULATIONS FOR THE GOVERNMENT OF PRISONERS IN THE UNITED STATES PENITENTIARY AT FORT LEAVENWORTH, KANS.

DEPARTMENT OF JUSTICE,
Washington, D. C., July 12, 1904.

The following rules and regulations for the government and discipline of the prisoners in the United States Penitentiary, at Fort Leavenworth, Kans., are hereby promulgated, in accordance with section 4 of an act of Congress approved March 3, 1891, and the warden of the said penitentiary is hereby ordered to see that the said rules and regulations are enforced, these rules superseding all rules and regulations previously promulgated.

W. H. MOODY,
Attorney-General.

To Prisoner No. —

Your attention is directed to the following rules. Only by observing and obeying them can you make a good record as a prisoner, secure parole privileges, and the shortening of your sentence which the law allows for good conduct. Let me advise you to read them over often and study them carefully.

R. W. McCLAUHRY, *Warden.*

RULES FOR PRISONERS.

1. Obey the orders of officers and directions of foremen without reply or argument. When orders of officers and others conflict; obey the officer.

2. Be quiet everywhere and at all times.

3. You must not talk or communicate in any manner with any other prisoner while marching or standing in line, while at meals (except by such signs as make your wants known to the waiter), while in the chapel or at work, except when given permission by an

officer or guard. You must not talk to any free person unless by permission and in the presence of an officer. You must not talk to any officer on subjects not concerning your duty or conduct as a prisoner. Insolence, profanity, or obscenity will not be tolerated.

4. You may talk to your cell mate, if you have one, but in low tones only. Do not talk or call to men in other cells. Do not whistle, sing, or make any unnecessary noise.

5. Keep your person, clothes, bedding, cell, and library books clean. You must not draw, paint, or hang pictures on the walls of your cell, nor in any way mark or deface library books, buildings, walls, furniture, or fittings.

6. You must not alter or deface your clothing in any way and must not cut your shoes. If your clothing or shoes do not fit, or need repair, report at once to your officer, who will take the necessary steps to remedy the matter.

7. You must wear your outer shirt, and are not allowed to work in your undershirt unless by special permission of the warden or deputy warden while tending boilers, furnaces, etc.

8. When leaving or entering your cell open and close the door without slamming. Stand at the cell door whenever required for count.

9. Do not go to bed in the daytime except by permission and on account of sickness. Do not go to bed with your clothing on. Keep your shoes off the bed.

10. On returning to the cell house go into your own cell. If found in the wrong cell you will be punished. You must not stop on the range to look into another prisoner's cell or pass any article into a cell or from one cell to another. You must not use your mirror to watch officers on the range. All these offenses will be severely punished.

11. You must not have on your person or in your cell any money, jewelry, postage stamps, or valuables, nor stationery, except that furnished you on writing day. All of your business must be done through the warden's office. Pencil and paper will be furnished you on writing day, for which your writing ticket will be taken up, the ticket being returned when the paper and pencil are taken up. Letter paper when not used for a letter must be returned.

12. You must not, at any time, have any tools or weapons in your cell nor concealed in your clothing or on your person. Tinkering in your cell is expressly forbidden.

13. You must not, at any time, have a knife on your person or in your cell unless you have written permission from the warden or deputy warden. Any knife found in your clothing or concealed upon your person or in your cell will be held as evidence of your intention to injure some one, and you will be dealt with accordingly.

14. You must not carry a lead pencil or blank paper upon your person or into your cell without written permission of the warden or deputy warden. If it is necessary for you to use a pencil at your work it must be left in the custody of your foreman or officer. Materials from the shop must not be taken into your cell.

15. Whenever you have any necessary communication to make or a request to present to the warden or deputy warden, inform your officer, who will make out for you a written request for audience or letter, or will state your business in writing and forward it through proper channels to the person you wish to address. On matters of minor importance notify your officer of your desire to speak to the deputy warden when he next visits your place of work, stating why you wish to speak to him. Do not step out of line to address the warden or deputy warden.

16. When marching in line keep your head erect and your face turned toward the front. You must not leave the line or change places in the line without permission of the officer in charge. In marching into your shop or to your place of work keep your place in line till the officer commands the line to break.

17. You must not leave your place of work except by permission of the officer in charge.

18. Careless or willful injury of your work or tools will be promptly reported and punished.

19. You must not communicate with other prisoners while at work, except when absolutely necessary, and then only by special permission of the officer in charge.

20. Whenever you leave your cell for work, school, or chapel, and whenever you leave your shop or place of work, see that your clothing is in order and your shirt properly fastened at the neckband. No ribbons, badges, or decorations, except the badge of the Volunteer Prisoners' League, will be allowed on your clothing. Put your cap or hat on properly and keep your hands out of your pockets. Avoid all insolence or rowdyism in walk, manner, or gestures.

21. You will be promptly reported and punished if you, unnecessarily, jostle or brush against another prisoner with the intention of annoying him, or in any way provoke another prisoner to anger. Making faces or insulting gestures will not be tolerated. Any trick by which another prisoner is led into violation of the rules and loss of time will lead its author into punishment and reduction of grade.

22. You must approach an officer or guard in a respectful manner, taking off your cap, or touching the cap if out of doors, before speaking to him. Use the officer's last name always with the title Mr. and with no other title. In addressing an officer, if you do not know his name, say, Sir, and proceed with your communication.

23. If addressed by your first or given name, by an officer or foreman, you must answer or respond. Undue familiarity between officers and prisoners will not be tolerated. Any attempt at familiarity on your part with an officer, guard, or foreman will be punished. You must not place your hand upon an officer, guard, or foreman, or touch his clothing, or in any way get into close contact with him.

24. In speaking to an officer or guard stand at 2 paces distance and speak distinctly; it is not necessary to breathe into an officer's face to make him hear you. Do not pass closely in front of an officer or guard, or between two officers or guards, who are conversing, and do not interrupt an officer or guard unless you are a messenger charged by another officer or guard with urgent and important business.

25. You must not receive anything whatsoever from any citizen or person not connected with this penitentiary in an official capacity without written permission of the warden. You must make no present whatsoever to any officer, guard, foreman, or employee of the penitentiary, nor buy or receive anything from or for such person, nor ask any such person to buy or receive anything from or for you. You must not ask any officer, guard, foreman, or employee, or any citizen to mail or write a letter for you without special written permission from the warden or deputy warden. You must not have your mail addressed to you in care of any officer, guard, foreman, or employee, but solely in care of the warden. You must not make or repair anything for any officer, guard, foreman, or employee unless written permission is first obtained from the warden or deputy warden.

26. On entering the cell house, dining room, chapel, or any of the offices of the penitentiary you must uncover, unless your duties are such that you have special permission to remain covered.

27. When the bell rings in the morning rise promptly, make up your bed as instructed, clean your cuspidor, and sweep your cell. Then wash your face and hands, and at the command of the guard pass into the corridor, marching by column of twos in perfect order. If sick notify the officer who unlocks the range. Do not remain in your cell without permission.

28. At the 9 p. m. signal go to bed at once, placing your shoes at the cell door and the rest of your clothing where it can be plainly seen.

29. You must not chew tobacco while marching in line or while in the dining room. You must not spit upon sidewalks, cell house or corridor floors, or upon dining-room floor. Cuspidors will be provided and must be used. When you go to sick call be sure that your mouth has been rinsed out and that no tobacco stains are on

lips or tongue. You must not use or have tobacco while in the hospital or sick cell.

30. You are permitted to have in your cell the following articles: One Bible, one cup, one mirror, one cuspidor, one towel, one piece of hard soap, one comb, one hairbrush, blankets, sheets, pillowcases, nightshirt, mattress, bedstead, camp stool, one table, one water jar with cover, one electric light, one small library shelf, one library catalogue, one book of rules, and such school and library books and family photographs as your conduct and grade privileges permit.

31. On entering the dining hall take your seat promptly, position erect, arms folded, with eyes to the front, until the signal is given to commence eating.

32. Strict silence must be observed during the meal. Staring at visitors, talking and laughing, fooling, or gazing about the room are strictly forbidden.

33. Eating or drinking before or after the bell sounds, using vinegar in your drinking water, or putting meat on the table are prohibited.

34. Should you desire additional food make your wants known to the waiters in the following manner:

If you want bread, hold up your right hand.

Coffee or water, hold up your cup.

Meat, hold up your fork.

Soup, hold up your spoon.

Vegetables, hold up your knife.

If you desire to speak to an officer about food or service in the dining hall, hold up your left hand.

35. Wasting food in any form will not be tolerated. You must not ask for or allow the waiter to place more food on your plate than you can eat. When through with meal leave pieces of bread on left side of plate. Crusts and small pieces of bread must not be left on your plate.

36. After finishing your meal place knife, fork, and spoon on right side of plate. Sit erect, with arms folded. When the signal is given to arise, drop hands to your side. At the second signal march out and to your place in line in a prompt, quiet, and orderly manner.

37. On entering the cell house at any time, go to your cell quietly and promptly, close the door after you without slamming, and hold it until it is locked. Then stand at "attention" until the count is completed. When the count is completed you will be notified by the sound of the bell.

38. When at work give your undivided attention to it. Gazing at visitors or at other prisoners will not be allowed. You must

respectfully listen to and faithfully carry out all instructions given you by your foreman concerning your work.

39. In talking with your foreman confine yourself strictly to the work in hand. If you have any cause for complaint of your guard, foreman, or others, you will be allowed to send application for an interview with the warden or deputy warden through your officer at any time.

40. If you are sick or unable to work report the fact to the officer in charge and act as he may direct. If you wish to see the physician, give your name and number to the officer immediately after entering the dining room in the morning.

41. All trading, bartering, or selling, of whatsoever kind, between prisoners or between prisoners and officers, guards, foremen, employees, or citizens is strictly prohibited.

42. Make it your business to keep your cell clean and free from vermin. Make careful inspection of your bedding every day. If any bugs are found report the fact immediately to your guard.

43. At morning sick call stand quietly in the line until your number is called, then pass quickly into the physician's office, receive and promptly obey his directions, and again take your place in line. No conversation or disorder of any kind will be permitted.

44. If ordered by the physician to the hospital for treatment you will be properly cared for, but to hold your place in the hospital you must remain quiet and perfectly obedient. No disorder of any character will be tolerated. While in the hospital you must be neat and tidy in habits and perfectly respectful in language to the hospital officers and nurses.

45. Neither food nor medicines can be sent to any prisoner by private individuals outside the penitentiary.

46. The good-time law is printed in full on the last page in this book. For violation of these rules you may lose part or all of this good time. A record of all violations of these rules is kept in the warden's office.

47. When in the yard or in the cell corridors not at work, if approached by the warden or deputy warden or by a guard in company of visitors, you must stand at "attention," with arms folded, until they have passed.

48. Your cell is subject to search at any time. If articles are found that might be used to injure or destroy cells you will be dealt with as attempting to escape.

49. You are not compelled to attend chapel services, but because the moral support of religious instruction is necessary for all, you will be expected to do so, unless satisfactory reasons exist for not doing so.

PRIVILEGES.

On entering the penitentiary you will receive three tickets entitling you to the following privileges as long as you obey strictly all the rules.

First. One ration of chewing tobacco each week. Smoking is absolutely prohibited.

Second. Permission to write once in two weeks.

Third. Permission to see friends once in four weeks, except on Sundays and holidays.

Newspapers. You are permitted to receive such newspapers, magazines, books, etc., as the warden may approve. No sporting or sensational papers of any description will be admitted.

Photographs, etc. Family photographs, plain towels, comb, brush, tooth powder or soap, toothbrush, small hand mirror, suspenders, and plain white handkerchiefs will be admitted during good conduct.

No eatables, except what you can eat during interviews with your friends.

No liquids, tobacco, or cigars will be admitted, nor any articles except those mentioned above.

Extra letters. Written permission must be obtained from the warden or deputy warden in case it becomes necessary to write special letters.

Mail matter. Letters and papers of every description must be examined, under the direction of the warden, before being mailed or delivered.

The following are considered offenses under the foregoing rules and will invariably be followed by some one of the punishments hereafter designated. You are again urged to study these rules and this list carefully:

LIST OF OFFENSES.

Answering to number in improper manner.
 Bed not properly made.
 Being out of place in line.
 Clothing not in order.
 Coat not buttoned.
 Crookedness.
 Creating a disturbance.
 Disobedience of orders.
 Disrespectful conduct of any kind.
 Disturbance in cell house.
 Disturbance in line of march.
 Escaping.
 Failing at inspection.
 Fighting.

Having on your persons or in your cell any contraband articles, such as money, smoking tobacco, matches, knife, pencil, writing paper, postage stamps, etc.

Hiding out.

Insolence to officers, guard, or foreman.

Injuring library book or other property.

Insubordination.

Inattention in line or at work.

Loafing.

Laughing and fooling.

Loud talk.

Larceny.

Lying.

Malicious mischief of any kind.

Mutiny.

Neglect of work.

Not at door at count.

Not retiring at proper hour.

Profanity.

Quarreling.

Raising disturbance of any kind at any place.

Replying when corrected.

Shirt not buttoned at neckband.

Shirking.

Smoking.

Spitting on the floor.

Stealing.

Talking in dining room or from cell to cell.

Talking in line.

Talking at sick call or in the chapel.

Using threatening language.

Unbecoming conduct not above mentioned.

Vile or obscene language.

Wasting food.

Writing unauthorized letters.

PUNISHMENTS.

1. Reprimand.
2. Loss of tobacco privilege.
3. Loss of letter privilege.
4. Loss of part of good time.
5. Imprisonment in "solitary" on restricted diet.
6. Imprisonment in "solitary" on restricted diet and handcuffed to door.
7. Reduction in grade.
8. Reduction to stripes.
9. Loss of all good time.

THE "GOOD TIME LAW."

See pages 18, 19, and 20.

RULES AND REGULATIONS FOR THE GOVERNMENT OF THE UNITED STATES PENITENTIARY AT ATLANTA, GA.

DEPARTMENT OF JUSTICE,
Washington, D. C.,

The following rules and regulations for the government and discipline of the United States Penitentiary, at Atlanta, Ga., are hereby promulgated by the Attorney-General, in accordance with section 4 of an act of Congress, approved March 3, 1891, and the warden of said penitentiary is hereby ordered to see that said rules and regulations are enforced, these rules superseding all rules and regulations previously promulgated.

(Signed)

W. H. MOODY,
Attorney-General.

ACTS OF CONGRESS.

The act of Congress approved March 3, 1891, provides for the erection of a United States Penitentiary for the imprisonment of United States prisoners and for other purposes. Section 4 places the control and management of this prison under the authority of the Attorney-General, who shall also have authority to promulgate such rules for the government of the officials of said prisons and prisoners as he may deem necessary.

SEC. 5. That the transportation of all United States prisoners convicted of crimes against the laws of the United States in any State, District, or Territory, and sentenced to terms of imprisonment in a penitentiary, and their delivery to the superintendent, warden, or keeper of such United States prisons shall be by the marshal of the District or Territory where such conviction may occur, after the erection and completion of said prisons. That the actual expenses of such marshal, including transportation and subsistence, hire, transportation, and subsistence of guards, and the transportation and subsistence of the convict or convicts, be paid, on the approval of the Attorney-General, out of the judiciary fund.

SEC. 8. That the Attorney-General, in formulating rules and regulations for the conduct of said prisons, is hereby authorized to establish rules for commutation for good behavior of said convicts, but not for a longer time than two months for the first year's imprisonment, and two months for each succeeding year. [The act of June 21, 1902, is applicable to only such prisoners as were received

in the penitentiary subsequent to July 21, 1902.] Amended by act approved April 27, 1906, amending act of June 21, 1902. See page 20.

SEC. 9. That the Attorney-General shall be authorized to designate to which of said prisons persons convicted in such States or Territories shall be carried for confinement: *Provided*, That in the construction of the prison buildings provided for in this act there shall be such arrangement of cells and yard space as that prisoners under twenty years of age shall not be in any way associated with prisoners above that age, and the management of the class under twenty years of age shall be as far as possible reformatory.

RULES AND REGULATIONS.

THE WARDEN.

1. The warden, in the performance of his duties as chief executive officer of the United States Penitentiary, shall be guided by the law and by such rules and orders as may be promulgated by the Attorney-General of the United States for the government of the penitentiary.

2. The orders of the warden must be cheerfully and implicitly obeyed by all subordinate officers under his charge, and he shall have power to suspend, and for flagrant violation of orders or failure in the performance of duty, he may dismiss subordinates, subject to the approval of the Attorney-General.

3. It is the duty of the warden to see that all rules and regulations pertaining to all departments of the penitentiary are firmly and impartially enforced. He shall grant no special privileges to any particular prisoner that can not be earned and obtained by each and every other prisoner under similar conditions. All special privileges granted by him to prisoners must be specified in writing, recorded, and a copy furnished to the deputy warden.

THE DEPUTY WARDEN.

1. The deputy warden is the assistant and agent of the warden in the general government and management of the penitentiary, more particularly in matters of discipline of its officers and convicts.

2. He shall attend daily at the penitentiary from the hour of unlocking in the morning until after the convicts shall have been locked up at night.

3. In the absence of the warden from the penitentiary, the deputy warden shall perform his duties and shall not leave the penitentiary until the warden returns.

4. He shall not be absent from the penitentiary premises at any time during the day, when the convicts are out of their cells, without first obtaining leave from the warden.

5. He shall visit the penitentiary occasionally during the night by surprise, and personally ascertain that the convicts are all secure and that the officers are on duty and alert.

6. Under the orders of the warden, he shall have special control and direction of the guards, foremen, and other employees of the penitentiary, and shall be responsible that every one performs his respective duties with intelligence, fidelity, and zeal. It shall be his duty to report to the warden, strictly and promptly, every neglect of duty, impropriety, or misconduct on the part of any officer.

7. He shall report to the warden the name of every officer coming upon duty under the influence of intoxicants or without being in uniform.

8. He shall not grant leave of absence to any officer without consulting the warden, except in cases of emergency.

9. He shall enforce obedience to the penitentiary rules and regulations and to all orders given from time to time by the warden, and shall maintain generally the police and discipline of the penitentiary with the strictest exactness, for which purpose he shall frequently during the day, but at irregular periods and without notice, visit the shops, yards, hospitals, kitchen, cells, and other parts of the penitentiary, and the different places where work is in hand, taking every precaution for the security of the penitentiary and prisoners, seeing that the officers are vigilant and attentive to their duties, and that they keep the convicts under them diligently employed during their hours of labor.

10. He shall not permit any book, pamphlet, or newspaper to be read by any officer, nor to be in his possession, while on duty in or about the penitentiary.

11. When a convict is received, the deputy warden shall see that he is properly bathed, clothed in a penitentiary suit, examined by the physician, and vaccinated. He shall then read and explain to him the rules and regulations for the government of convicts, give him his privilege tickets, and assign him to duty under direction of the warden.

12. He shall at short intervals examine the locks, levers, and gratings in and about the entire penitentiary and see that they are in good condition.

13. He shall exercise due vigilance to see that there is no embezzlement of the property of the penitentiary; also that willful waste or want of economy in the consumption or use of supplies be reported to the warden immediately.

14. It shall be his duty to make himself acquainted with the social habits and conduct of every subordinate officer and employee, and particularly whether, when off duty, he is a frequenter of saloons or other disreputable places or associates with idle or loose characters, and report the facts to the warden.

15. He shall see that no material is allowed to be placed near the inclosing walls and that nothing is accessible to convicts which can facilitate escape. He shall especially see that ladders are properly secured.

16. He shall have a vigilant eye over every person who may have business about the penitentiary, to see that nothing is improperly carried to or from the prisoners, and, so far as he can, that no communication of any description is attempted by such person with any convict, except by authority, and in the presence of an officer.

17. He shall every evening, before relieving the guards from duty, verify by actual count the written daily count report furnished him.

18. As the acts of Congress afford to convicts the privilege of earning diminution of their sentences, it will be incumbent upon all the officers of the penitentiary to give the strictest attention to the conduct and character of every convict; and especially it shall be the duty of the deputy warden to satisfy himself as to the behavior of every convict, his industry, alacrity, and zeal in the execution of his work, so that the deputy may be able to advise with the warden as to the recommendations to be made in case of each prisoner. For this purpose he shall communicate freely with every officer in charge of convicts when making his rounds.

19. The deputy warden shall, under orders of the warden, investigate all reports of offenses committed by convicts and make disposition of the same. In these investigations the deputy warden shall be careful in endeavoring to arrive at the truth concerning each case. In awarding punishment he shall take into consideration the age, previous conduct, history, habits, environment, and disposition of the offender, so far as he may be able to ascertain the same; and in the administration of punishment he shall take special care to deprive it of all appearance of personal vindictiveness, even under great provocation, at the same time making it sufficiently severe, without cruelty, to secure the end desired. He shall make daily report to the warden of all convicts reported to him, the nature of their offenses, and of the punishment recommended in each case, and punishment administered directed by the warden.

20. The disciplinary punishments of convicts allowed to be administered in this penitentiary are:

- (1) Reprimand.
- (2) Loss of tobacco privilege.
- (3) Loss of letter privilege.
- (4) Loss of part of good time.
- (5) Imprisonment in solitary on limited diet.
- (6) Imprisonment in solitary on limited diet and handcuffed to door.
- (7) Reduction to stripes.
- (8) Reduction in grade.
- (9) Loss of all good time.

CAPTAIN OF THE WATCH.

1. The captain of the watch assigned to day duty shall attend daily at the penitentiary from the hour of unlocking in the morning until after the convicts have been locked up at night.

2. He shall assist the deputy warden in the discharge of his duty, and in the absence of the deputy warden from the penitentiary he shall perform all the duties incumbent upon that officer.

3. He shall assist the deputy warden in maintaining and executing the rules of government of the penitentiary, and report to him any violation of the same, by either the officers or convicts, that may come under his notice.

4. He shall keep, morning and evening, the time of officers on duty during the day, and report the same to the clerk on the first of each month.

5. He shall attend the daily sick call, accompany convicts who are to see the physician from the different workshops to the hospital and order them to sick cell or on duty, as the physician may direct.

6. He shall have charge of the armory, assigning to guards and keepers their arms and accouterments, and seeing that everything belonging to the armory, including the special supply of lanterns, is in good condition and serviceable at a moment's notice.

7. He shall inspect the arms and equipments of the guards at least once a week and report any officer whose rifle or equipments are not in good order. He shall frequently inspect all the arms and equipments not in daily use and see that they are kept in thorough repair.

THE CHAPLAIN.

1. The chaplain shall conduct religious services in the penitentiary under such regulations as the warden may prescribe, and attend to the spiritual wants of the convicts.

2. He shall obtain from each convict, when received in the penitentiary, as complete a statement as possible of his religious and educational antecedents and his parental and conjugal relations, and shall make report thereof, on blanks furnished, to the warden.

3. He may visit the convicts in their cells for the purpose of giving them moral and religious instruction.

4. He shall not have any intercourse with convicts in the shops or while they are at work, nor shall he hold communication with them except as may be necessary and proper in imparting to them such secular and religious instruction as is required by law and the penitentiary regulations.

5. He shall not furnish the convicts with any information or intelligence in relation to outside matters, except by permission of the warden.

6. He shall visit daily the sick in the hospital and administer to their spiritual wants.

7. It shall be his duty to closely examine all incoming and outgoing mail of convicts, also all newspapers, parcels, and packages addressed to convicts, and to admit and permit only such matter as is consistent with the general rules of the penitentiary and requirements made known to him by the warden. He shall keep a record of all letters sent and received by convicts, and at the end of each month shall furnish the chief clerk with a statement showing the total number of letters sent out by convicts during the month. He shall account to the chief clerk for all money sent to convicts by mail.

8. He shall have charge of the library, see that no improper books are placed in possession of the convicts, and if such books are found, either in the cells or in possession of convicts, he shall take them away and deliver them to the warden; and for the purpose of the proper discharge of these duties he may visit the cells, and the books so taken away from convicts shall not be returned to them without the express order of the warden.

9. Sectarian doctrines in the matter of religious belief shall not be taught, nor shall any attempt be made, directly or indirectly, to proselyte a convict. If any convict desires communication with a minister or instructor of his particular faith, on proper application to the warden, it shall be allowed, under and in conformity with the law and general regulations of the penitentiary; but such minister or instructor, on such occasions, must in all things conform to the rules and regulations for the government of the chaplain. Any infringement or departure from these rules will debar him from future intercourse with the convicts.

THE PHYSICIAN.

1. The physician shall attend at all times to the wants of the sick convicts, whether in the hospital or in their cells, and shall render them all necessary medical service.

2. He shall examine daily the cells of the convicts, also the kitchen, bakery, storage rooms, dining rooms, lavatories, and sinks, for the purpose of ascertaining whether they are kept in a proper state of cleanliness and ventilation, and report the same to the warden.

3. He shall examine at least once a week, and oftener if he thinks proper, into the quality and condition of the provisions provided for the convicts, and whenever he shall have reason to believe that any provisions are prejudicial to the health of the convicts he shall immediately make report thereof to the warden. He shall also have power, and it shall be his duty, to prescribe the diet of the sick

convicts, and his directions in relation thereto shall be followed by the warden and steward.

4. He shall vaccinate every convict on his entering the penitentiary, and examine him as to the condition of his heart, lungs, and chest, evidence of previous or present hereditary disease, and keep a record of such examination in a book provided for that purpose.

5. He shall keep a daily record of all admissions to the hospital and the cases treated in the cells or elsewhere, indicating the sex, color, nativity, age, occupation, habits of life, period of entrance and discharge from the hospital, disease and the prescription and treatment in each case.

6. He shall have full control over the patients in hospital, subject to the rules of the penitentiary and instructions of the warden.

7. It shall be the duty of the physician, in case of any convict claiming to be unable to labor by reason of sickness, to examine such convict, and if in his opinion, upon examination, said convict is unable to labor, he shall immediately certify the same to the warden, and such convict shall thereupon be released from labor and admitted to the hospital, or placed in his cell or elsewhere for medical treatment as the physician shall direct, having a due regard for the safe-keeping of such convict, and whenever the physician shall certify to the warden that such convict is sufficiently recovered to be able to labor, said convict shall be required to labor, and not before.

8. He shall examine carefully every morning and evening all convicts in punishment in the solitary cells, and shall make written report to the warden of their condition. He shall be particular to report to the warden in writing any convict whose health he thinks is suffering or endangered by the punishment he is undergoing, and shall recommend such changes in the diet of convicts in punishment as he may think necessary.

9. He shall, whenever in his opinion a convict becomes insane, certify that fact to the warden, giving his reason therefor, and make, on blanks furnished him for that purpose, a brief statement of the general condition of the patient, together with his recommendation as to what disposition shall be made of him.

10. When a convict dies, the physician shall record the nature of the complaint and all the circumstances connected therewith that he may deem proper and necessary and report to the warden.

11. When the physician considers it necessary, or when required by the warden to make a post-mortem examination of any convict, he shall do so within twenty-four hours after the decease. He shall make written report of his examination to the warden and of his conclusion as to the cause of death.

12. He shall make a written report daily to the warden of the attendance at sick call in the morning, and of the disposition made of

those reported sick, also of all admissions to and discharges from hospital, deaths, etc.

13. He shall, whenever requested so to do by the warden, make a careful examination of any convict and make a written report of his physical condition.

14. He shall make report monthly to the warden of patients received into the hospital or treated in the cells or elsewhere during the preceding month, stating their respective age, color, disease, occupation in the penitentiary, quantity and kinds of medicine administered during the month, the time they have remained in hospital, date of commencement and termination of treatment, and number of days during which such patients, in consequence of sickness, have been relieved from labor; also of all deaths and cause thereof, transfers to insane hospitals, etc.

15. He shall make a yearly report to the warden, for transmission to the Attorney-General, of the sanitary condition of the penitentiary for the past year, in which all information in his daily and monthly reports shall be condensed. This report shall also contain lists of convicts who have died or been certified to be insane during the year.

THE CHIEF CLERK.

1. He shall be the warden's accountant and his assistant and agent in matters of the accounts and fiscal affairs of the penitentiary, and shall as such be responsible for the safe-keeping and orderly arrangement of all the accounts, vouchers, bills, and other documents of every kind confided to him.

2. It shall be the duty of the chief clerk to keep a complete and systematic set of books, which shall show the amount of money under the several appropriations that has been advanced to the warden by the Treasury Department for the maintenance of the convicts in the penitentiary and the expenditures incurred on account of the institution.

3. He shall also keep a regular account with all contractors furnishing supplies to the penitentiary and of all purchases of whatever kind and description made by the warden.

4. His accounts shall be prepared monthly and be in the hands of the warden for transmission to the Attorney-General on or before the tenth day of each succeeding month.

5. He shall make to the warden a detailed financial report at the end of each fiscal year and from time to time furnish him, as required, with such other statements and exhibits as the warden may direct.

6. He shall assist the warden in making such statements and exhibits as are by law, and under the instructions of the Attorney-General, required of the warden.

7. He shall keep a prisoners' money journal and ledger, accounting, individually, for money deposited by and paid to convicts.

8. He shall give individual receipts to all convicts from or for whom he has received money or other articles of value. He shall not pay out any money received from convicts, or deliver any valuables so received, except upon written order of the warden.

9. He shall also keep a consolidated check roll, an abstract from all the time check rolls of the penitentiary, which, in their aggregate, are daily to correspond with the evening's count.

10. With the approval of the Attorney-General, he shall give a bond to the warden, in such amount as he may direct, for the correct and faithful accounting of all money coming into his possession.

THE BOOKKEEPER AND RECORD CLERK.

1. The bookkeeper and record clerk shall have charge, under the supervision and immediate direction of the warden, of the following books and records:

- (a) The warden's record of official orders.
- (b) The prisoners' register and complete index thereto.
- (c) The discharge register and records.
- (d) The record of statistics.
- (e) Punishment records.
- (f) Book of daily counts.
- (g) The commitments of all prisoners received and all papers bearing upon their cases.
- (h) Record of daily labor of prisoners.

2. He shall take measurements and photographs of every incoming prisoner as soon as practicable after his arrival, preserve and take care of the negatives, and keep the respective photographs and measurements in orderly arrangement in cases provided for that purpose. He shall keep the warden and deputy warden fully informed of what he may learn of the previous histories of prisoners, criminal or otherwise, and also their alliances with or their relations to other criminals.

3. He shall, on the blanks furnished him, take a detailed personal description of every incoming prisoner and also take his written consent to the examination of his incoming and outgoing mail.

4. He shall, at the end of every month, make from the discharge register a complete list of all prisoners to be released during the succeeding month by expiration of sentence, and furnish a copy of this list to all officers whose business it is to be acquainted with it.

5. He shall keep such miscellaneous and other records as the warden may direct, rendering a report at the close of the fiscal year, with such statistical information as is required, and shall perform such other duties as the warden may require.

THE STEWARD AND STOREKEEPER.

1. The steward is the commissary officer of the prison. He shall keep a complete set of commissary books of receipt and issue and shall make to the warden a daily report of the quantity and value of each kind of food issued and gross value, the number of prisoners fed, the average cost per man per day, and the bill of fare for each of the three meals. He shall be responsible for the safe-keeping of all provisions purchased or turned over to him for use of the prisoners.

2. He shall furnish the warden, in due time, an estimate for the quarterly subsistence of the prisoners.

3. He shall keep a watchful eye on all branches of his department, guarding against waste and extravagance. He shall be responsible for the cleanliness of the dining rooms.

4. He shall carefully check all deliveries of subsistence and see that in quality they are equal to the sample and in quantity equal to the amount of the purchase, making proper report to the chief clerk.

5. He shall have charge of the dining room and shall report to the deputy warden any inattention of attendants or disorder of convicts. Perfect discipline must be maintained in the dining room during meal hours and at all times by the convicts employed in all departments under the steward's charge.

6. The steward shall carefully watch every department under his charge and promptly report to the warden anything he may detect detrimental to the safety and welfare of the penitentiary.

7. He shall take special care that the utmost cleanliness prevails in the dining room, cellars, and in every chamber or vessel in which provisions are kept or from which they are eaten.

8. He shall daily attend upon and see to the serving of the provisions for the convicts, to the end that no improper food is used, that it is served in clean, wholesome vessels, and equally and honestly distributed to the prisoners.

9. The storekeeper shall be the custodian and keeper of all supplies, except provisions, purchased for the use of the penitentiary by the warden or his agent.

10. He shall personally receive, check from bills of particulars, and inspect all goods delivered to him, and report deficiencies in quantity and quality of the same to the chief clerk and also to the warden, who will decide as to their receipt or rejection. He will have charge of issuing supplies to the different departments on requisitions approved by the warden and shall not issue anything without having the requisition of the warden or deputy warden therefor, nor without making a memorandum bill on manifold bill book, taking and filing receipts in all cases.

11. He shall, under the direction and supervision of the chief clerk, keep accurate accounts of all transactions in the store and of all receipts and issues, and shall, at the end of each month or more frequently if called upon, report such transactions, receipt, and issues, in detail, to the chief clerk.

12. He shall, every three months, take inventory of all property in the store and give a transcript of the same to the chief clerk.

13. He shall have charge of material used in manufacturing and repairing clothing, shoes, and all supplies for convicts that are made inside the penitentiary, and shall generally supervise such manufacture. He shall receive from the shops and issue to the prisoners all articles of clothing as needed by them.

THE COOK.

1. The penitentiary cook is responsible to the warden for the manner of cooking food for the convicts. It is his duty to see that the food issued to him by the steward and storekeeper is thoroughly cooked in accordance with the bill of fare furnished to him by the steward and storekeeper.

2. He shall receive from the steward and storekeeper all provisions for cooking in sufficient time to permit him to have the provisions prepared and thoroughly cooked in time to be served at the time appointed for the meals.

3. It is his duty to know the condition of all the provisions and supplies received from the steward and storekeeper and to refuse to receive such as are not wholesome, and to report the fact to the warden at once.

4. He shall have charge of the kitchen and will be responsible for the discipline in the kitchen.

5. He must see that the kitchen is kept clean and in good sanitary condition. He will be held strictly responsible for any lack of attention to duty. In case of doubt as to proper course to pursue, he should apply to the warden or deputy warden for instructions.

THE BAKER.

1. The penitentiary baker is charged with the duty of overseeing the baking for the institution. Any violation of the rules and regulations by men employed in the bakery must be promptly reported. The baker is responsible for the sanitary condition of the bakery and it is his duty to see that everything is kept in a sanitary condition.

2. He should apply to the steward and storekeeper for flour and other necessary articles for baking in sufficient time to permit him to do the baking within a seasonable time. No excuse for failure to have sufficient bread on hand for the convicts will be accepted.

THE ENGINEER.

1. He shall have charge, under the warden, of all boilers and engines belonging to the penitentiary and of machinery and fixtures employed for the service of the prison.

2. He shall have charge of the water-supply system for the penitentiary, shall be responsible for the condition of the necessary pipes, pumps, and other appliances, and for any unnecessary waste of water.

3. He shall have supervision of the entire apparatus for lighting, heating, cooking, ventilating, and mechanical purpose of the penitentiary and shall see that the same is kept in good condition.

4. He shall have supervision of the sewer system of the penitentiary and direct the construction and repairs of the same.

5. He shall have charge, under the deputy warden, of the fire department, take care of the engines and test their efficiency from time to time, and see that the fire buckets, grenades, etc., placed in different stations around the penitentiary, are serviceable and in good condition.

6. He shall see that all machinery, tools, implements, materials, stock, or other effects necessary for carrying on the above-mentioned duties and industries are properly used, taken care of, and accounted for.

THE ASSISTANT ENGINEER.

The assistant engineer shall assist the engineer in the discharge of his duties and in his absence from the penitentiary shall perform the duties and assume the responsibilities of the engineer.

GUARDS.

1. The guards are the agents of the warden in enforcing the police and discipline of the penitentiary and in carrying into effect the laws for the government thereof.

2. It shall be the duty of the guards to attend at the opening of the penitentiary every morning and not absent themselves therefrom, on any pretext or excuse, during prison hours except by permission of the warden or deputy warden.

3. They shall supply themselves with the prescribed uniform, which shall be constantly worn while on duty, and shall constantly observe the utmost cleanliness in dress, person, and habits.

4. While within the prison the guards shall refrain from whistling, scuffling, immoderate laughter, boisterous conversation, exciting discussions on politics, religion, or other subjects, and all other acts calculated to disturb the harmony and good order of the penitentiary.

5. In their intercourse among themselves the officers and guards of the penitentiary are required at all times to treat each other with

mutual respect and kindness, and to avoid all collisions, jealousies, separate and party views, and interests among themselves. They are strictly forbidden to treat each other with disrespect or to use any ungentlemanly epithets.

6. They shall not, while on duty, hold conversation with each other nor with the foremen, except such as may be necessary in the discharge of their duties.

7. Neither shall they be engaged, while on duty, in reading or writing, other than making necessary entries, or in any other employment calculated to interfere with constant care and vigilance.

8. They shall not under any circumstances allow convicts to speak to them upon any subject not immediately connected with their duty, employment, or needs, nor shall they correspond with convicts or with any outside parties for, or in behalf of, convicts, or assist in conducting any such correspondence, or be a medium of communication in any way between convicts and outsiders or one convict and another.

9. They shall keep the convicts under their charge diligently at work at the several occupations at which they are employed, and shall make report of the attendance at work, also of all time lost by reason of sickness, punishment, or otherwise, as instructed from time to time by the warden or deputy warden.

10. They shall not permit convicts to hold conversation with each other or with citizens, except by special order of the warden or deputy warden. They shall not permit convicts to communicate with each other by signs or signals, except as prescribed by the deputy warden in connection with their work.

11. They shall require of convicts the greatest possible cleanliness as to their persons and clothing and in their working and sleeping rooms.

12. They shall instruct the convicts in all the rules of the penitentiary necessary for their government, and admonish them on the least appearance of insubordination.

13. In all their intercourse with convicts they must be careful to maintain a quiet demeanor under any provocation, remembering that the convict, however disposed to be violent or abusive, is entirely in their power.

14. Guards must regard prisoners who are disobedient or refractory as under arrest and not to be punished by them, but to be at once reported to the deputy warden. Guards must not strike a prisoner except in self-defense, in defense of another officer or guard when attacked, or when absolutely necessary to quell a mutiny or insurrection. Guards must not lay hands on a prisoner, unless to help him if sick or injured, except when the prisoner defiantly refuses to leave his cell, or to sit, stand, or march as ordered. Jerking the pris-

oner around, punching him with cane, or any unnecessary rough treatment will not be tolerated.

15. Whenever a convict is guilty of any infraction of the prison rules the guard shall at once report the fact to the deputy warden, stating fully the nature of the offense.

16. If a convict desires to make complaint to or have an audience with the warden, the guard shall receive his application and report it in writing to the warden's office, through the deputy warden.

17. If a convict is taken sick or injured during the day the guard shall at once report the fact to the deputy warden or the captain of watch.

18. It shall be the duty of guards to keep constant watch over convicts at work to see that, while pretending to be engaged on the work given them to do, they are not in reality doing something else. Guards shall not allow convicts to leave their work without permission, nor to speak to or gaze at visitors.

19. The duties of guards shall be understood as separate and distinct from those of foremen, and the guards will not interfere with or attempt to instruct the convicts in the manner in which they shall work, or on what particular part they shall labor, or what amount they shall perform; but they shall listen to all reports the foremen may desire to make and dispose of the cases as instructed.

20. In forming their opinions with respect to the industry of a convict, officers will bear in mind that as one convict may be able to do more work in a given time than another, so their reports on this head will have regard more to the continuous labor of the convict, the care bestowed upon it, and the evidence of his desire to do all he can; than the absolute quantity he does as compared with others. An amount of work which may be sufficient for one man may be quite insufficient for another and the officer's report will be made accordingly.

21. Guards shall receive applications from convicts to send or transfer money to friends, or for subscriptions to newspapers, etc., and shall send same to the chief clerk. Transfers of money from one convict to another must be approved by the warden.

22. No officer or other employee shall sell to or buy from, or receive from or deliver to, a convict any article or thing whatsoever without permission from the warden or deputy warden.

23. When a convict is sent from one part of the penitentiary to another the officer sending him shall give him a pass, stating the place from which, and the place to which, or person to whom he is sent. Care shall be taken that the pass is delivered up by the prisoner and that he is not too long away.

24. When a convict is obliged to retire for necessary purposes the guard in charge shall take care that the place is so conspicuous that

the convict can not leave it without being fully seen, that only one is permitted to be in the place at a time, and that he is absent for a reasonable time only. Any delay in such cases should arouse suspicion at once and the guard must immediately make certain that all is right.

25. No guard shall take the statement of one convict against another on which to make a report for punishment respecting the convict complained of, but shall report the facts to the warden or deputy warden.

26. If a convict makes complaint to a guard of any order given him or of any action toward him by which he considers himself aggrieved, it shall be the duty of the guard to inform the warden or deputy warden thereof at the earliest moment convenient thereafter, and the warden or deputy warden shall act in the matter as he may think reason and justice may require, but the guard shall in the meantime see that the convict obeys the order given him.

27. As soon as the convicts are locked up at night each guard having charge of a division shall report immediately to the deputy warden the number he has locked up or has in charge, at the same time turning over the cell-door keys to the proper officer.

28. If a guard is absent without leave at roll call he must at once report the cause of his absence to the deputy warden, who is directed to keep a careful and correct written record of all delinquencies in the guard force. For absence without leave a guard may be suspended, and if the offense is repeated he may be dismissed from the force. A guard desiring leave of absence must apply to the deputy warden not less than one day in advance.

29. Guards are forbidden to frequent saloons, gambling houses, or other disreputable places when off duty, and must never enter the penitentiary while in the slightest degree under the influence of liquor. The violation of this rule will be cause for dismissal.

30. When off duty guards must not discuss penitentiary affairs or become a source of information pertaining thereto.

31. Requests or grievances by guards should be presented to the deputy warden. Complaints or charges against the deputy warden must be made in writing to the warden.

32. Smoking by officers and other employees will not be allowed inside the penitentiary walls except at such times and places as the warden may designate by special order.

33. When on duty guards will not be allowed any reading matter whatever except by special written permission of the warden. No guard must be found with reading matter in his hands during the hours of duty.

34. When going out with convicts in charge, guards will be sure that their firearms are in perfect order and that they have the required amount of ammunition.

35. When marching convicts, guards, if armed with shotguns, will carry them at a right shoulder. When posted over convicts on the ground they will carry the gun on either shoulder with its muzzle elevated, or under either arm with muzzle pointed to the ground. If armed with pistols, they will carry them in their right hands pointing toward the ground. They will not let the convicts come closer to them than 5 paces, or go more than 20 paces from them, and will at all times face the convicts, gun or pistol in hand and ready for action. For violation of this rule guards may be dismissed from the force.

36. Guards assigned to cell-house duty shall see that the utmost cleanliness prevails in the cells and corridors, that the houses are thoroughly ventilated and warmed when necessary, that the cells are regularly supplied with drinking water, and the regular issues of tobacco, soap, and other supplies are properly and impartially made.

37. They shall also carefully and promptly deliver to their respective addresses all letters, newspapers, etc., handed over to them by the proper officer with the requisite "permit." They are not permitted to examine or inspect either outgoing or incoming prisoners' mail.

38. They shall from time to time examine the cell doors and gratings to see that they are in good and secure condition; they also shall occasionally examine and search cells, and report the presence of any contraband articles to the warden or deputy warden.

39. Guards are not permitted to call any convict by any nickname or slang title which may indicate his nationality, such as "Paddy," "Dago," "Dutchy," etc., or any personal peculiarity about him, such as "Shorty," "Kid," "Fatty," "Reddy," etc. Guards will not indulge in any familiarity toward convicts nor permit any familiarity on the part of convicts toward themselves. Violation of this rule will be followed by dismissal.

40. Guards will be held responsible for proper care of their weapons. If one is injured through carelessness, the guard permitting such injury shall be charged with the cost of repairing it, and such cost shall be a lien upon his pay.

GATE GUARD.

1. The gate guard shall be sure that his firearms are in order and that he has not less than 1 dozen rounds of ammunition.

2. He shall not be allowed to read while on duty or to have any reading matter in or about his station. Newspapers must not be handed to him or left in his care.

3. He shall not leave his post of duty except he be relieved by order of the captain of watch.

4. He may guard the gate from his station with his gun on the shelf in front of him, or he may guard by patrolling back and forth in front of station.

5. He shall allow no persons to stand or congregate in the gateway so as to obstruct his line of vision. He shall require all convicts approaching him to halt and signal with the hand for permission to approach. He shall search all convicts passing out and in through the gate if he has any reason to suspect that they have contraband articles concealed about them.

6. He shall direct persons seeking admission to the penitentiary to the proper officer without further conversation, unless he suspects they are improper persons to enter the penitentiary, when he may call the captain to his station.

7. He shall inspect all vehicles going in and coming out of the penitentiary and carefully guard against escape by concealment in such vehicles. Vehicles not used in the conduct of the penitentiary shall not be allowed to enter the prison without a guard attendant, except by special instruction of the warden or deputy warden.

8. He shall be held responsible and see that no convict passes out other than those directed to do so by the warden or deputy warden under the rules governing the institution.

9. The gate guard is in a position to be especially watchful over the interests of the penitentiary. It is his duty to promptly report to the warden or deputy warden anything he may discover threatening the security or peace of the institution.

TOWER GUARDS.

1. Tower guards shall keep their firearms in perfect order and keep in their towers not less than twenty rounds of ammunition.

2. They shall keep a strict watch, and each tower guard will be held responsible for any escape over the part of the wall under his observation while on duty.

3. No reading matter of any kind will be permitted in the towers, and the guard while on duty must speak to no one except it be necessary and on business pertaining to the penitentiary.

4. If for any reason the tower guard at any time can not see clearly all that part of the wall under his supervision he shall at once inform the captain of watch.

5. Tower guards are warned to be especially vigilant at early and late hours, during dark and foggy days, and at all times when the prisoners are unlocked and upon the yard.

6. If prisoners approach the wall in an unwarranted way the guard shall warn them away, and if an effort is made to escape it will be the duty of the guard to fire.

GUARDS ASSIGNED TO NIGHT DUTY.

1. The night force shall go on duty at the sound of the evening whistle or bell and remain on duty until the signal is given in the morning for unlocking the cells of the prisoners.

2. It shall be the duty of the night guards having charge of the cell houses to move around the cells with "sneakshoes" on, in a silent manner, that they may be able to detect any unnecessary noise; and it is strictly enjoined upon them not to hold conversation with the convicts or to suffer the convicts to speak to them except to make known immediate needs; they must use their utmost exertions to suppress unusual noise of any kind, and report to the captain of watch any violations of the rules and regulations of the penitentiary by the convicts while in their cells.

3. The night guard in charge of the solitary shall closely follow the instructions of the warden and deputy warden in regard to inmates of punishment cells, and shall every morning make written report to the warden of the number of convicts in solitary and their condition during the night, noting every unusual occurrence coming under his observation.

4. The night guard in the hospital shall observe the rules in regard to inmates of the hospital and attend conscientiously to the wants of the sick.

5. The night fire watch shall make his regular rounds in the penitentiary at short intervals, in such a way as the warden, deputy warden, or captain of watch from time to time may direct.

FOREMEN.

1. Foremen shall be present and ready to unlock shops ten minutes before work signal.

2. Foremen shall hold no intercourse with any of the convicts other than those employed or superintended by them, nor upon any subject whatever other than the business carried on by them.

3. They shall remain at their respective posts until the prisoners under their charge are called to supper, giving their entire time and attention to the work in hand. Smoking or reading during working hours are strictly forbidden. They will be relieved from duty during the noon hour. Smoking in the shops is forbidden at all times.

4. Foremen shall see that men under their charge labor faithfully and diligently, and they will report to the deputy warden the names of the prisoners who fail in this respect.

5. When convicts willfully fail to carry out the instructions of a foreman, or use threatening, defiant, or impudent language, or commit any other act endangering the peace and good discipline of the penitentiary, it shall be the duty of the foreman to immediately report the same to the guard in charge.

6. Foremen shall make requisition on the warden for such material and tools as may be needed in their respective departments, and they will be held responsible for the use of the tools and the expenditure of material.

THE SUPERINTENDENT OF FARM AND TRANSPORTATION.

1. The superintendent of farm and transportation shall have general supervision of property, farm, stock, crops, etc. He shall superintend all work on the farm under the direction of the warden, make proper requisition for all material and feed needed for the farm and stable, and be responsible for all farming tools and implements in his charge. He shall keep a careful record of all property turned over to him for the use of the farm, and, unless otherwise directed, report to the warden monthly the amount of grain and farm produce of every kind raised on the farm.

GENERAL RULES.

1. Every man received into the service of the penitentiary will bear constantly in mind the nature of the institution into the service of which he enters, the peculiarity of the duties he will have to perform as an officer, guard, or other employee, and the moral obligations he is understood to assume with reference to his own personal conduct from the time he is engaged.

2. He must understand that the penitentiary is not only designed as a place for the punishment of persons who have offended against the laws, but also an institution which intends their reformation, if possible.

3. He must therefore not only feel it his duty to see that the rules of the penitentiary are observed by the convicts placed under him, but also understand that he must conduct himself, when off duty as well as when on duty, in such a way as to inspire respect for his moral principles and character.

4. He will be expected to be circumspect in his way of life in society, careful as to the company he keeps and the places he frequents, and guarded as to the discharge of his personal obligations, debts, etc., and the warden will take all necessary steps to make himself acquainted with the conduct and general habits of every officer and servant of the institution. No man whose conduct is improper should be retained in the service.

5. It shall be his duty to make himself acquainted with the provisions of the laws governing the penitentiary, also with the rules and regulations, and with the orders on the bulletin board, to obey them readily himself in all points of his own duty, and to enforce strict obedience of them upon all who may come under his authority.

6. All persons entering upon or retaining any position as employees of this institution must do so with the full understanding that they are to lend a prompt, willing, and positive obedience to the rules of the penitentiary and the instructions of its officers, and devote their best energies and abilities industriously and faithfully to the performance of the duties to which they may be assigned, and all who can not do so cheerfully must neither accept nor retain position here.

7. Employees will be required to report to the captain of watch twice each day (morning and evening), that their time may be correctly kept, and to be promptly at their respective posts and places of business at the appointed hour.

8. No. employee will be allowed to absent himself from duty under any circumstances without permission from the warden or deputy warden. Should an employee be taken sick he must immediately send information thereof to the warden or deputy warden.

9. Employees are strictly prohibited from taking newspapers, books, or other reading matter inside the penitentiary, and are absolutely prohibited from leaving any citizens' clothing inside the yard or cell houses.

10. Employees are strictly prohibited from talking with convicts at any time, except as the nature of their business may require, and all familiarity between employees and convicts is absolutely prohibited.

11. Employees are prohibited from selling to or buying anything from convicts, or giving to or receiving from them anything in the nature of a gift or present, or conveying to or from them any message, either written or oral.

12. Employees are prohibited from replying in like terms to what they may conceive to be impudent or insulting language on the part of a convict. Their duty is to report such infraction of discipline.

13. Employees are prohibited from using profane, indecent, abusive, or insulting language toward convicts or in their presence, and are required to refrain at all times from the use of such language in or about the penitentiary.

14. Employees will be required to pay for the willful destruction, loss, waste, or damage by them of any property of the penitentiary.

15. All employees are prohibited from discussing within the limits of the penitentiary the manner in which any officer, guard, or employee performs his duty, and from making any remarks which might tend to reflect upon the character or management of such officer, guard, or employee. They are also prohibited from discussing in the presence of convicts matters relating to the discipline or management of this or other similar institutions.

16. Employees are strictly prohibited at all times from smoking inside the walls or cell houses, except as hereinbefore permitted.

17. Intemperance will not be tolerated among employees, neither will they be allowed to keep or use intoxicating drinks in or about the penitentiary. Frequenting saloons or disreputable places by employees will be considered as sufficient cause for their dismissal.

18. Employees will refrain from visiting the shops or yard while off duty and from receiving visits while on duty.

19. No officer or guard will be permitted, except in an emergency, to exchange duties with another without first obtaining permission from the warden or deputy warden.

20. It is highly improper and subversive of discipline for officers, guards, or employees of this penitentiary to interest themselves in the application of any convict for pardon, commutation of sentence, or writ of habeas corpus, or to be in any way concerned therewith. All such matters must be referred to the Attorney-General through the warden.

21. Every armed guard must understand that it is his special duty to preserve the peace of the prison and prevent escape of convicts. In case of mutiny or attempted escape he should give the offending convict warning if possible, but when, in his judgment, the time has arrived to fire, or he is ordered to fire by his superior officer, he must aim to hit and disable the offender.

RULES AND REGULATIONS FOR THE GOVERNMENT OF PRISONERS
IN THE UNITED STATES PENITENTIARY AT ATLANTA, GA.

DEPARTMENT OF JUSTICE,
Washington, D. C.,

The following rules and regulations for the government and discipline of the prisoners in the United States Penitentiary, at Atlanta, Ga., are hereby promulgated, in accordance with section 4 of an act of Congress approved March 3, 1891, and the warden of the said penitentiary is hereby ordered to see that the said rules and regulations are enforced, these rules superseding all rules and regulations previously promulgated.

(Signed)

W. H. MOODY,
Attorney-General.

To Prisoner No.

Your attention is directed to the following rules. Only by observing and obeying them can you make a good record as a prisoner,

secure parole privileges, and the shortening of your sentence which the law allows for good conduct. Let me advise you to read them over often and study them carefully.

WILLIAM H. MOYER, *Warden.*

RULES FOR PRISONERS.

1. Obey the orders of officers and directions of foremen without reply or argument. When orders of officers and others conflict, obey the officer.

2. Be quiet everywhere and at all times.

3. You must not talk or communicate in any manner with any other prisoner while marching or standing in line, while at meals (except by such signs as make your wants known to the waiter), while in the chapel or at work, except when given permission by an officer or guard. You must not talk to any free person unless by permission and in the presence of an officer. You must not talk to any officer on subjects not concerning your duty or conduct as a prisoner. Insolence, profanity, or obscenity will not be tolerated.

4. You may talk to your cell mate, if you have one, but in low tones only. Do not talk or call to men in other cells. Do not whistle, sing, or make any unnecessary noise.

5. Keep your person, clothes, bedding, cell, and library books clean. You must not draw, paint, or hang pictures on the walls of your cell, nor in any way mark or deface library books, buildings, walls, furniture, or fittings.

6. You must not alter or deface your clothing in any way and must not cut your shoes. If your clothing or shoes do not fit, or need repair, report at once to your officer, who will take the necessary steps to remedy the matter.

7. You must wear your outer shirt, and are not allowed to work in your undershirt unless by special permission of the warden or deputy warden while tending boilers, furnaces, etc.

8. When leaving your cell slide the door open without noise. Stand at the cell door whenever required for count.

9. Do not go to bed in the daytime except by permission and on account of sickness. Do not go to bed with your clothing on. Keep your shoes off the bed.

10. On returning to the cell house go into your own cell. If found in the wrong cell you will be punished. You must not stop on the range to look into another prisoner's cell or pass any article into a cell or from one cell to another. You must not use your mirror to watch officers on the range. All these offenses will be severely punished.

11. You must not have on your person or in your cell any money, jewelry, postage stamps, or valuables, nor stationery, except that

furnished you on writing day. All of your business must be done through the warden's office. Pencil and paper will be furnished you on writing day, for which your writing ticket will be taken up, the ticket being returned when the paper and pencil are taken up. Letter paper when not used for a letter must be returned.

12. You must not, at any time, have any tools or weapons in your cell nor concealed in your clothing or on your person. Tinkering in your cell is expressly forbidden.

13. You must not, at any time, have a knife on your person or in your cell unless you have written permission from the warden or deputy warden. Any knife found in your clothing or concealed upon your person or in your cell will be held as evidence of your intention to injure some one, and you will be dealt with accordingly.

14. You must not carry a lead pencil or blank paper upon your person or into your cell without written permission of the warden or deputy warden. If it is necessary for you to use a pencil at your work it must be left in the custody of your foreman or officer. Materials from the shop must not be taken into your cell.

15. Whenever you have any necessary communication to make or a request to present to the warden or deputy warden, inform your officer, who will make out for you a written request for audience or letter, or will state your business in writing and forward it through proper channels to the person you wish to address. On matters of minor importance notify your officer of your desire to speak to the deputy warden when he next visits your place of work, stating why you wish to speak to him. Do not step out of line to address the warden or deputy warden.

16. When marching in line keep your head erect and your face turned toward the front. You must not leave the line or change places in the line without permission of the officer in charge. In marching into your shop or to your place of work keep your place in line till the officer commands the line to break.

17. You must not leave your place of work except by permission of the officer in charge.

18. Careless or willful injury of your work or tools will be promptly reported and punished.

19. You must not communicate with other prisoners while at work, except when absolutely necessary, and then only by special permission of the officer in charge.

20. Whenever you leave your cell for work, school, or chapel, and whenever you leave your shop or place of work, see that your clothing is in order and your shirt properly fastened at the neckband. No ribbons, badges, or decorations, except the badge of the Volunteer Prisoners' League, will be allowed on your clothing. Put your cap

or hat on properly and keep your hands out of your pockets. Avoid all insolence or rowdyism in walk, manner, or gestures.

21. You will be promptly reported and punished if you, unnecessarily, jostle or brush against another prisoner with the intention of annoying him, or in any way provoke another prisoner to anger. Making faces or insulting gestures will not be tolerated. Any trick by which another prisoner is led into violation of the rules and loss of time will lead its author into punishment and reduction of grade.

22. You must approach an officer or guard in a respectful manner, taking off your cap, or touching the cap if out of doors, before speaking to him. Use the officer's last name always with the title Mr. and with no other title. In addressing an officer, if you do not know his name, say, Sir, and proceed with your communication.

23. If addressed by your first or given name, by an officer or foreman, you must answer or respond. Undue familiarity between officers and prisoners will not be tolerated. Any attempt at familiarity on your part with an officer, guard, or foreman will be punished. You must not place your hand upon an officer, guard, or foreman, or touch his clothing, or in any way get into close contact with him.

24. In speaking to an officer or guard stand at 2 paces distance and speak distinctly; it is not necessary to breathe into an officer's face to make him hear you. Do not pass closely in front of an officer or guard, or between two officers or guards, who are conversing, and do not interrupt an officer or guard unless you are a messenger charged by another officer or guard with urgent and important business.

25. You must not receive anything whatsoever from any citizen or person not connected with this penitentiary in an official capacity without written permission of the warden. You must make no present whatsoever to any officer, guard, foreman, or employee of the penitentiary, nor buy or receive anything from or for such person, nor ask any such person to buy or receive anything from or for you. You must not ask any officer, guard, foreman, or employee, or any citizen to mail or write a letter for you without special written permission from the warden or deputy warden. You must not have your mail addressed to you in care of any officer, guard, foreman, or employee, but solely in care of the warden. You must not make or repair anything for any officer, guard, foreman, or employee unless written permission is first obtained from the warden or deputy warden.

26. On entering the cell house, dining room, chapel, or any of the offices of the penitentiary you must uncover, unless your duties are such that you have special permission to remain covered.

27. When the bell rings in the morning rise promptly, make up your bed as instructed, clean your cuspidor, and sweep your cell.

Then wash your face and hands, and at the command of the guard pass into the corridor, marching by column of twos in perfect order. If sick notify the officer who unlocks the range. Do not remain in your cell without permission.

28. At the 9 p. m. signal go to bed at once, placing your shoes at the cell door and the rest of your clothing where it can be plainly seen.

29. You must not chew tobacco while marching in line or while in the dining room. You must not spit upon sidewalks, cell house or corridor floors, or upon dining-room floor. Cuspidors will be provided and must be used. When you go to sick call be sure that your mouth has been rinsed out and that no tobacco stains are on lips or tongue. You must not use or have tobacco while in the hospital or sick cell.

30. You are permitted to have in your cell the following articles: One Bible, one cup, one mirror, one cuspidor, one towel, one piece of hard soap, one comb, one hairbrush, blankets, sheets, pillowcases, nightshirt, mattress, bedstead, camp stool, one table, one water jar with cover, one electric light, one small library shelf, one library catalogue, one book of rules, and such school and library books and family photographs as your conduct and grade privileges permit.

31. On entering the dining hall take your seat promptly, position erect, arms folded, with eyes to the front, until the signal is given to commence eating.

32. Strict silence must be observed during the meal. Staring at visitors, talking and laughing, fooling; or gazing about the room are strictly forbidden.

33. Eating or drinking before or after the bell sounds, using vinegar in your drinking water, or putting meat on the table are prohibited.

34. Should you desire additional food make your wants known to the waiters in the following manner:

If you want bread, hold up your right hand.

Coffee or water, hold up your cup.

Meat, hold up your fork.

Soup, hold up your spoon.

Vegetables, hold up your knife.

If you desire to speak to an officer about food or service in the dining hall, hold up your left hand.

35. Wasting food in any form will not be tolerated. You must not ask for or allow the waiter to place more food on your plate than you can eat. When through with meal leave pieces of bread on left side of plate. Crusts and small pieces of bread must not be left on your plate.

36. After finishing your meal place knife, fork, and spoon on right side of plate. Sit erect, with arms folded. When the signal is given to arise, drop hands to your side. At the second signal march out and to your place in line in a prompt, quiet, and orderly manner.

37. On entering the cell house at any time go to your cell quietly and promptly. Then stand at "attention" until the count is completed. When the count is completed you will be notified by the sound of the bell.

38. When at work give your undivided attention to it. Gazing at visitors or at other prisoners will not be allowed. You must respectfully listen to and faithfully carry out all instructions given you by your foreman concerning your work.

39. In talking with your foreman confine yourself strictly to the work in hand. If you have any cause for complaint of your guard, foreman, or others, you will be allowed to send application for an interview with the warden or deputy warden through your officer at any time.

40. If you are sick or unable to work report the fact to the officer in charge and act as he may direct. If you wish to see the physician, give your name and number to the officer immediately after entering the dining room in the morning.

41. All trading, bartering, or selling, of whatsoever kind, between prisoners or between prisoners and officers, guards, foremen, employees, or citizens is strictly prohibited.

42. Make it your business to keep your cell clean and free from vermin. Make careful inspection of your bedding every day. If any bugs are found report the fact immediately to your guard.

43. At morning sick call stand quietly in the line until your number is called, then pass quickly into the physician's office, receive and promptly obey his directions, and again take your place in line. No conversation or disorder of any kind will be permitted.

44. If ordered by the physician to the hospital for treatment you will be properly cared for, but to hold your place in the hospital you must remain quiet and perfectly obedient. No disorder of any character will be tolerated. While in the hospital you must be neat and tidy in habits and perfectly respectful in language to the hospital officers and nurses.

45. Neither food nor medicines can be sent to any prisoner by private individuals outside the penitentiary.

46. The good-time law is printed in full on the last page in this book. For violation of these rules you may lose part or all of this good time. A record of all violations of these rules is kept in the warden's office.

47. When in the yard or in the cell corridors not at work, if approached by the warden or deputy warden or by a guard in company of visitors, you must stand at "attention," with arms folded, until they have passed.

48. Your cell is subject to search at any time. If articles are found that might be used to injure or destroy cells you will be dealt with as attempting to escape.

49. You are compelled to attend chapel services, because the moral support of religious instruction is necessary for all, unless satisfactory reasons exist for not doing so.

PRIVILEGES.

On entering the penitentiary you will receive three tickets entitling you to the following privileges as long as you obey strictly all the rules.

First. One ration of chewing and smoking tobacco each week.

Second. Permission to write once in two weeks.

Third. Permission to see friends once in four weeks, except on Sundays and holidays.

Newspapers. You are permitted to receive such newspapers, magazines, books, etc., as the warden may approve. No sporting or sensational papers of any description will be admitted.

Photographs, etc. Family photographs, plain towels, comb, brush, tooth powder or soap, toothbrush, small hand mirror, suspenders, and plain white handkerchiefs will be admitted during good conduct.

No eatables, except what you can eat during interviews with your friends.

No liquids, tobacco, or cigars will be admitted, nor any articles except those mentioned above.

Extra letters. Written permission must be obtained from the warden or deputy warden in case it becomes necessary to write special letters.

Mail matter. Letters and papers of every description must be examined, under the direction of the warden, before being mailed or delivered.

The following are considered offenses under the foregoing rules and will invariably be followed by some one of the punishments hereafter designated. You are again urged to study these rules and this list carefully:

LIST OF OFFENSES.

Answering to number in improper manner.

Bed not properly made.

Being out of place in line.

Clothing not in order.

Coat not buttoned.

Crookedness.

Creating a disturbance.

Disobedience of orders.

Disrespectful conduct of any kind.

Disturbance in cell house.

Disturbance in line of march.

Escaping.

Failing at inspection.

Fighting.

Having on your person or in your cell any contraband articles, such as money, smoking tobacco, matches, knife, pencil, writing paper, postage stamps, etc.

Hiding out.

Insolence to officers, guard, or foreman.

Injuring library books or other property.

Insubordination.

Inattention in line or at work.

Loafing.

Laughing and fooling.

Loud talking.

Larceny.

Lying.

Malicious mischief of any kind.

Mutiny.

Neglect of work.

Not at door at count.

Not retiring at proper hour.

Profanity.

Quarreling.

Raising disturbance of any kind at any place.

Replying when corrected.

Shirt not buttoned at neckband.

Shirking.

Smoking out of hours.

Spitting on the floor.

Stealing.

Talking in dining room or from cell to cell.

Talking in line.

Talking at sick call or in the chapel.

Using threatening language.

Unbecoming conduct not above mentioned.

Vile or obscene language.

Wasting food.

Writing unauthorized letters.

PUNISHMENTS.

1. Reprimand.
2. Loss of tobacco privilege.
3. Loss of letter privilege.
4. Loss of part of good time.
5. Imprisonment in "solitary" on restricted diet.
6. Imprisonment in "solitary" on restricted diet and handcuffed to door.
7. Reduction in grade.
8. Reduction to stripes.
9. Loss of all good time.

THE "GOOD-TIME" LAW.

See pages 18, 19, and 20.



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