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CHAP. 3056.—An Act To amend section one of an Act entitled "An Act relating to the Metropolitan police of the District of Columbia," approved February twenty-eighth, nineteen hundred and one.

June 8, 1906.
[H. R. 16484.]
[Public, No. 205.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section one of the Act of Congress approved February twenty-eighth, nineteen hundred and one, entitled "An Act relating to the Metropolitan police of the District of Columbia," be, and the same is hereby, amended so as to read as follows:

Police, D. C.
Vol. 31, p. 819
amended.

"PARAGRAPH 1. The Metropolitan police district of the District of Columbia shall be coextensive with the District of Columbia, and shall be subdivided into such police districts and precincts as the Commissioners of said District may from time to time direct.

Metropolitan police district.

"PAR. 2. The Commissioners of said District shall appoint to office, assign to such duty or duties as they may prescribe, and promote all officers and members of said Metropolitan police force according to such rules and regulations as said Commissioners in their exclusive jurisdiction and judgment may from time to time make, alter, or amend: *Provided*, That original appointments of privates on said police force at the time this Act takes effect shall be classified as follows: Class one: Privates who have served under their present appointments less than three years shall be included in class one, and at the expiration of three years from the date of said appointment shall be promoted to class two, if the conduct and intelligent attention to duty of such privates shall justify such promotion. Class two: Privates who have served under their present appointments more than three years and less than five years shall be included in class two; and after the expiration of five years from the date of said appointment shall be promoted to class three, if the conduct and intelligent attention to duty of such privates shall justify such promotion. Class three: Privates who have served under their present appointment more than five years shall be included in class three. All original appointments of privates shall be made to class one, and promotions shall be made from class one to class two in order of appointment to the force after three years' service as privates of class one, and from class two to class three after five years' service as privates of class two, in all cases where the conduct and intelligent attention to duty of any private shall justify such promotion.

Appointment of force.

Proviso.
Privates.

Class one.

Class two.

Class three.

Promotions.

Post, p. 1252.

"PAR. 3. The said Metropolitan police force shall consist of one major and superintendent, who shall continue to be invested with such powers and charged with such duties as is provided by existing law; and also of one assistant superintendent with the rank of inspector; four surgeons for the police and fire departments; three inspectors; ten captains; twelve lieutenants, one of whom shall be harbor master; and such number of sergeants; and privates of class three; privates of class two; privates of class one; mounted inspectors, captains, lieutenants, sergeants, and privates on horses and bicycles, and such others as said Commissioners may deem necessary within the appropriations made by Congress: *Provided*, That the inspectors shall perform the duties at present required of captains in the force, that the captains shall command police precincts and perform such duty or duties in connection therewith as the laws and regulations of the said Commissioners may prescribe: *And provided further*, That the said Metropolitan police force shall continue as at present constituted until the offices created hereby are filled and promotions are made by said Commissioners as provided in this Act.

Classification.
Officers.

Privates.
Mounted men.

Provisos.
Duties of inspectors and captains.

Present force.

"PAR. 4. Said Commissioners, in addition to the powers vested in them by law, are also hereby authorized and empowered to make, modify, and enforce, under such penalties as they may deem necessary, all needful rules and regulations for the proper government, con-

Regulations.
Powers of Commissioners.

duct, discipline, and good name of said Metropolitan police force; and said Commissioners are hereby authorized and empowered to fine, suspend with or without pay, and dismiss any officer or member of said police force for any offense against the laws of the United States or the laws and ordinances or regulations of the District of Columbia, whether before or after conviction thereof in any court or courts, and for misconduct in office, or for any breaches or violation of the rules and regulations made by said Commissioners for the government, conduct, discipline, and good name of said police force: *Provided*, That no person shall be removed from said police force except upon written charges preferred against him in the name of the major and superintendent of said police force to the trial board or boards hereinafter provided for and after an opportunity shall have been afforded him of being heard in his defense; but no person so removed shall be reappointed to any office in said police force: *Provided further*, That special policemen and additional privates may be removed from office by said Commissioners, or a majority of them, without cause and without trial: *Provided further*, That charges preferred against any member of said police force to the trial board or boards hereinafter provided for may be altered or amended, in the discretion of such trial board or boards, at any time before final action by such board or boards, under such regulations as the Commissioners may adopt, provided the accused have an opportunity to be heard thereon.

Provisos.
Removals.
Written charges required.

Special and additional privates.

Amending charges.

Trial boards.

"PAR. 5. The said Commissioners are also hereby authorized and empowered to create one or more trial board or boards, to be composed of such number of persons as said Commissioners may appoint thereto, for the trial of officers and members of said police force; and said Commissioners are hereby also authorized and empowered to make and amend rules of procedure before such trial board or boards and to change or abolish any such trial board or boards as they may deem proper; and the findings of such trial board or boards shall be final and conclusive unless appeal in writing therefrom is made within five days to the Commissioners of the District of Columbia, the hearings on appeal to be submitted either orally or in writing, and the decision of the said Commissioners thereon shall be final and conclusive: *Provided*, That said Commissioners shall not be required, in their review of the sentences and findings of such trial board or boards, to take evidence, either oral, written, or documentary, and they shall have power to reduce or modify the findings and penalty of the trial board or boards or remand any case against any officer or member of said police force to such board or boards for such further proceedings as they may deem necessary: *Provided*, That the chairman for the time being of any and every trial board be, and he is hereby, authorized to administer oaths to and take affirmations of witnesses before such board or boards: *Provided further*, That all proceedings now pending before any trial board authorized by said Commissioners shall be continued according to the practice heretofore existing until final determination thereof: *And provided further*, That the rules and regulations of said Metropolitan police force heretofore promulgated and in force are hereby ratified and shall remain in force until changed, altered, amended, or abolished by said Commissioners.

Composition, rules, etc.

Findings.

Provisos.
Review by Commissioners.

Oaths, etc.

Pending cases.

Present rules continued.

Desk sergeants made privates, class two.

"PAR. 6. The members of the said police force now designated as desk sergeants shall cease to be known as such and shall become privates of class two from and after the date this Act is to take effect.

Police surgeons.

Qualifications.

"PAR. 7. Police surgeons shall have actually and bona fide resided in the District of Columbia for at least two years next preceding the date of their appointment and shall be duly qualified according to law for the practice of medicine and surgery in said District and shall have actively been engaged in the practice of their profession for a period of at least three years next preceding the date of their appointment.

Such police surgeons shall be subject to such laws, rules, and regulations as the Commissioners of the District of Columbia may from time to time make, alter, or amend. Such police surgeons shall attend, without charge, all members of said police force and of the fire department of said District, examine applicants for appointment and retirement in and to said police force and said fire department, and attend such dependent sick and injured, and examine and attend such insane or alleged insane persons as may be taken in charge by said police, and shall perform such other duties as the said Commissioners may direct. Duties.

"PAR. 8. The salaries of the officers and members of the Metropolitan police of the District of Columbia herein provided shall commence with the fiscal year beginning July first, nineteen hundred and six, and shall continue thereafter annually, unless changed by Congress, as follows: The major and superintendent shall receive an annual salary of four thousand dollars; the assistant superintendent shall receive an annual salary of two thousand five hundred dollars; inspectors shall each receive an annual salary of one thousand eight hundred dollars; police surgeons shall each receive an annual salary of six hundred dollars; captains shall each receive an annual salary of one thousand five hundred dollars; lieutenants shall each receive an annual salary of one thousand three hundred and twenty dollars; sergeants shall each receive an annual salary of one thousand two hundred and fifty dollars; privates of class three shall each receive an annual salary of one thousand two hundred dollars; privates of class two shall each receive an annual salary of one thousand and eighty-dollars; privates of class one shall each receive an annual salary of nine hundred dollars; members of said police force who may be mounted on horses shall each receive an extra compensation of two hundred and forty dollars per annum, and members of said force who may be mounted on bicycles shall each receive an extra compensation of fifty dollars per annum. Salaries. *Post*, p. 503. Officers. Privates. Mounted men.

"PAR. 9. No officer or member of the said police force, under penalty of forfeiting the salary or pay which may be due him, shall withdraw or resign, except by permission of the Commissioners of the District of Columbia, unless he shall have given the major and superintendent one month's notice in writing of such intention. Resignations restricted.

"PAR. 10. Nothing contained in this Act shall be held to repeal sections two, three, four, five, six, and seven of the Act hereby amended, or the Act of Congress approved May eleventh, eighteen hundred and ninety-two, entitled 'An Act to punish false swearing before trial boards of the Metropolitan police force and fire department of the District of Columbia, and for other purposes,' and the Act amendatory thereof, approved February twentieth, eighteen hundred and ninety-six, or any other law in force at the time this Act is to take effect, except in so far as the same may be inconsistent with or replaced by some provision hereof. Former laws continued. Vol. 27, p. 29. Vol. 29, p. 10.

"PAR. 11. This Act shall take effect and be in force on, from, and after July first, nineteen hundred and six." Effect, July 1, 1906.

Approved, June 8, 1906.

CHAP. 3057.—An Act For the erection of a monument to the memory of Commodore John Barry.

June 8, 1906.
[S. 86.]

[Public, No. 206.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be erected in the city of Washington, District of Columbia, a statue to the memory of Commodore John Barry; and for the purpose of procuring and erecting said statue, with a suitable pedestal, and for the prepara- Commodore John Barry. Appropriation for erecting statue to memory of, in Washington, D. C.