

Continued

However, although I have read them over, these sections do not enlarge upon the general powers of the City as to its control of the City Jail. Recognizing the separate power of the various states and municipalities over their jails, provision has been made by the United States Government for caring for its prisoners. This general subject is treated in United States Code Annotated under Title 18, Sections 691, 692 and Sections 753-B and 753-C. In fact, Section 753-B gives express power to the director of the Bureau of Prisoners to contract for a period not exceeding three years with the proper authorities of any state or territory or political subdivision thereof for the imprisonment and subsistence of any person held by such locality under any United States statute.

I have merely cited these provisions of the law, as I feel they bear out my answer to the question. The only case which I have been able to find is that of Ex parte Shores, 195 Federal 627, in which the opinion of the Court says that the several states may refuse to allow the use of their jails and prisons for the commitment of persons convicted in Federal Courts of federal crimes.

Very truly yours,

(signed) EDWIN J. WOLF

Assistant City Solicitor

EJW/DS