

Case No. 16,053. UNITED STATES v. PITTMAN.
[3 Cranch, C. C. 289.]¹

Circuit Court, District of Columbia.

April Term, 1828.

CRIMINAL LAW—ARRAIGNMENT.

A prisoner arraigned for felony is to be placed in the criminal box, or dock, at the time of arraignment, but need not hold up his hand when called, if he admits himself to be the person indicted.

[Followed in *U. S. v. Pittis*, Case No. 16,038.]

Indictment for shooting John Corse, with intent to disfigure, maim, and kill him. The prisoner requested that he might be permitted to plead without going into the criminal dock, in which prisoners usually stand when arraigned, and which is set apart for that purpose. The attorney for the United States did not assent to it.

Mr. Neale, for the prisoner, cited Burr's Case, [Case No. 2,186], in which the arraignment was dispensed with.

THE COURT (nem. con.) said, that according to the practice in this court, and of other courts of criminal jurisdiction, for the purpose of preserving order and regularity, a certain place in court is assigned in which persons are to be placed by the marshal, to be arraigned. The record states that he is brought to the bar in the custody of the marshal, and the court think proper to adhere to the practice.

The prisoner then went into the prisoner's box. THE COURT told him that if he acknowledged himself to be the person indicted, he need not hold up his hand. He was then arraigned, and pleaded not guilty.

¹ [Reported by Hon. William Cranch, Chief Judge.]