

[No. 107, S.]

[Published April 26, 1889.]

CHAPTER 390.

AN ACT to amend section 4733, of the revised statutes of Wisconsin, relating to commencement of term of sentences of convicts in the state prison.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows :

SECTION 1. Section 4733, of the revised statutes of Wisconsin, be and the same is hereby amended to read as follows: Section 4733. First. The sentence of any convict to imprisonment in the state prison shall be for a certain term of time, not less than one year, to commence at twelve o'clock, noon, on the day of such sentence; but no time which shall elapse after such sentence, before such convict is delivered at the state prison, beyond a reasonable time, not exceeding three days for his transportation, shall be computed as any part of such sentence unless he be detained in jail by order of the court before whom he was convicted, which order shall accompany the commitment and be entered of record at the state prison. Second. Provided, that every sentence to the state prison of a person hereafter convicted of a felony, except for murder in the first and second degrees, who has not previously been convicted of felony and served a term in a penal institution, may, in the discretion of the court, receive a general sentence of imprisonment in the state prison. The term of such imprisonment of any person so convicted and sentenced may be terminated by the state board of supervision as authorized by this act; but such imprisonment shall not exceed the maximum term provided by law for the crime of which the prisoner was convicted and sentenced; and no such prisoner shall be released until after he has served at least the minimum term provided by law for the crime of which he was convicted, allowance being made for good time, as provided by law. Third. In such case the form of the sentence shall be: "You are sentenced to hard

Amending sec.
4733, R. S.

Sentences of
criminals, when
to commence.

When may re-
ceive a general
sentence.

May be ter-
minated by
board of super-
vision.

Sentence, form of.

labor in the state prison at Waupun for a general term not less than (the minimum for the offense) nor more than (the maximum) depending upon your conduct and the evidences of your probable reformation. Your sentence to commence at 12 o'clock noon of this day, with solitary confinement in the discretion of the court, according to section 4731, of the revised statutes of 1878.

Clerk to prepare summary of record.

Fourth. In all cases of a general sentence, the clerk shall prepare, under the direction of the court, a brief summary of the record, containing a copy of the indictment or information, the names and residences of the jurors and of the witnesses sworn on the trial, and a synopsis of the principal facts alleged for and against the accused, and transmit the same with the commitment to the warden of the state prison. Fifth.

Warden to make inquiry into convict's past history, etc.

The warden, under such rules and regulations as may be adopted by the state board of supervision, shall make inquiry into the previous history of the convict and obtain such information concerning him from persons to whom he may be referred, which, together with his conduct while in prison, as shall enable the board to decide at what time, if at any time, prior to the expiration of the maximum term stated in the sentence, the good of the convict and the best interests of society justify his discharge, and at such time they shall order his discharge and make a record of the reasons therefor. Sixth. The state board

State board of supervision to establish rules and regulations for parole of prisoners under general sentence.

of supervision, with the approval of the governor, shall have power to establish rules and regulations, under which prisoners who have received a general sentence of imprisonment in the state prison under subdivision 2, of this act, and who have served the minimum term provided by law for the offences of which they have severally been convicted, with the deductions allowed for good conduct, under chapter 238, of the laws of 1880, may be allowed to go upon parole outside the buildings and inclosures, but to remain while on parole in the legal custody and under the control of the board, and subject at any time to be taken back within the inclosure of said institution, and full power to enforce such rules and regulations, and to re-take and re-imprison any convict so on parole, is hereby conferred on said board, whose written order

May retake prisoners on written order of board.

certified by its secretary, or by the clerk of the state prison, shall be a sufficient warrant for all officers named therein, to authorize such officer to return to actual custody any conditionally released or paroled prisoner; and it is hereby made the duty of all officers to execute said order the same as in ordinary criminal process. Seventh. It is hereby provided that any prisoner violating the condition of his parole or conditional release (by whatever means) as fixed by the state board of supervision, when by a formal order entered in their proceedings he is declared a delinquent, shall thereafter be treated as an escaped prisoner owing service to the state, and shall be liable, when arrested to serve out the unexpired period of the maximum possible imprisonment, and the time from the date of his declared delinquency to the date of his arrest shall not be counted as any part or portion of time served. And any prisoner at large upon parole or conditional release, committing another crime, and upon conviction thereof being sentenced anew to the state prison shall be subject to serve the second sentence after the first sentence is served or annulled, to commence from the date of the termination of his liabilities upon the first or former sentence.

Prisoner violating terms of parole to be treated as escaped and subject to serve time.

Second sentence.

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved April 15, 1889.

[No. 515, A.]

[Published April 18, 1889.]

CHAPTER 391.

AN ACT to fix the terms of the circuit court in the county of Juneau.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. The terms of the circuit court for the county of Juneau shall hereafter be held on the first Tuesday in March and the second Tuesday in October.

Terms of circuit court, Juneau county.