

## CHAPTER 193.

[Published March 26, 1873.]

AN ACT to change the management of the state prison, and to amend and consolidate all laws concerning the same.

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

State prison at Waupun declared general penitentiary.

SECTION 1. The state prison at Waupun, in the county of Dodge, shall be the general penitentiary and prison of the state of Wisconsin, for the punishment and reformation of offenders, in which shall be confined, employed at hard labor, and governed in the manner hereinafter directed, all offenders who have been committed and sentenced according to law, by any court of the state of Wisconsin, or any court of the United States, held in the districts of Wisconsin, to the punishment of solitary imprisonment or imprisonment at hard labor.

Shall be deemed in county of Dodge.

SECTION 2. For the purpose of all judicial proceedings, the prison and precincts thereof shall be deemed to be within and a part of the county of Dodge, and the courts of said county shall have jurisdiction of all crimes and offenses committed within the same.

How processes to be served.

SECTION 3. All processes to be served within the precincts of the prison, either upon convicts or upon persons or officers employed within the precincts of the prison, shall be served by the warden or deputy warden; and all officers of the prison shall be exempt from military duty, from serving on juries in any court, and from highway poll tax.

Official visits to prison.

SECTION 4. The prison shall be visited by the governor and legislative joint committee on charitable and penal institutions, at least once in each year, and oftener if the governor shall deem proper, for the purpose of examining into its concerns and ascertaining its condition, and shall report the same to the legislature.

## OFFICERS AND SALARIES.

The officers and their salaries.

SECTION 5. The officers of the prison shall consist of three directors, one warden, one deputy warden, one clerk, one chaplain, one gate-keeper, one turnkey, eight guards, one overseer of cooking department, one overseer or keeper to each department of mechanical labor which is or may be established in the prison, and one

matron for the female prison department. The warden shall appoint such additional guards, not exceeding five, and such additional keepers not exceeding seven, as any emergency may demand. But such additional guards or keepers shall not become permanent, or hold their positions for a longer period than thirty days, without the approval of the directors.

SECTION 6. The directors shall be appointed by the governor, with the advice and consent of the senate, subject to removal in like manner. Said directors shall be appointed and commence their duties on the first day of January, 1874; one of said directors shall hold his office for two years, one for four years, and one for six years, and thereafter all appointments shall be made for the term of six years. Appointments to fill a vacancy shall be for the residue of the term only.

How directors appointed—their term of office.

SECTION 7. The warden and clerk shall be appointed by the directors, to hold their respective offices for the term of three years, unless sooner removed by said directors, and said directors are hereby authorized to remove said warden and clerk at their discretion.

Warden and clerk.

SECTION 8. All other officers and assistants in the prison shall be appointed by the warden, subject to the approval of the directors, and shall hold their offices during the pleasure of the warden. The warden shall immediately report to the directors all appointments made by him.

All other officers.

SECTION 9. The officers of the prison shall receive the following annual salaries and wages, viz: Each director, three dollars per day, for actual services and necessary traveling expenses; the warden, two thousand dollars; the deputy warden, one thousand dollars; the clerk, one thousand dollars; the chaplain, eight hundred dollars; the overseers of machinery in the respective departments of mechanical labor, shall each receive the sum of sixty dollars per month; and all other overseers and all keepers and guards shall each receive the sum of forty-five dollars per month. The warden, in case of exigency, and with the consent of the directors, when the interests of the state shall require it, may pay an additional sum, not to exceed fifty cents per day, to any person of either of the two last above named classes of officers. The matron shall receive twenty-five dollars per month; and the physician and surgeon shall receive such compensation for his services as the directors may allow. No other perquisite, reward or emolument shall be allowed to or received by either of them, except that there shall be allowed to the warden and deputy warden each, sufficient house room, with fuel

Annual salaries of the officers.

May pay additional sum.

No other pay to be allowed.

and lights for themselves and families. All officers and employes, except the directors, clerk, chaplain and physicians, shall be subsisted in the prison at the expense of the state.

Directors to visit prison monthly.

SECTION 10. The directors or some one of them shall visit the prison at least once in each month, and it shall be visited by the board of directors once in each quarter, and oftener if they think necessary, for the purpose of inspecting the books and all the concerns of the prison, and ascertaining whether officers are competent and faithful, and the convicts properly governed and employed, with power to direct any alteration in the business there carried on, which such directors may consider necessary.

Books to be open to examination.

SECTION 11. All books and documents relating to the concerns of the prison shall, at all times be open to the examination of the directors, who shall, once in each quarter of the year, carefully examine said books, and compare them with the vouchers and documents relating thereto.

How vacancies filled.

SECTION 12. If the office of director shall become vacated, by death or resignation, or other cause, the vacancy shall be filled for the unexpired term by the governor, subject to the approval of the senate, if in session, and if it is not, subject to its approval at its first session thereafter. If any office become vacated in any manner, which is filled by the warden and directors or either of them, the vacancy shall be filled in the same manner as appointments are made.

Shall make an annual report.

SECTION 13. The directors shall, on or before the 15th day of October in each year, make a detailed report to the governor for the year ending on the last day of the preceding month, stating therein the names of the officers of the prison, with their several salaries, the number of convicts, the amount of manufactures, the number of volumes in the prison library, and the cost of each addition to and change in the prison buildings, together with a full statement of all the concerns of the prison.

#### THE WARDEN.

Duties of the warden.

SECTION 14. The warden shall have the charge and custody of the prison, with the lands, buildings, furniture, tools, implements, stock and provisions, and every other species of property pertaining thereto or within the precincts thereof; and shall superintend the police of the prison and discipline of the convicts. He shall be treasurer of the prison and he shall render to the directors, on the first day of each month, a full and

He shall be treasurer of the prison, and make monthly reports.

accurate statement of all moneys received by him, and all sums of money expended by him, during the preceding month, showing on what account received and expended, and shall accompany said report with proper vouchers for all such expenditures, which report shall be verified by the oath of the warden, and shall receive and pay out all moneys granted by the legislature for the support of the prison, and such as may accrue from the business of manufacturing, under contract or otherwise, the rentage or sale of any article or articles of chattel property. It shall be the duty of the warden to keep an account of all moneys received for gate fees for admission of visitors to the prison, the amount of which for each year shall be embraced in his annual report, and shall constitute a part of the prison revenues.

SECTION 15. Before the warden enters upon the duties of his office, he shall give a bond to the state of Wisconsin in the sum of twenty thousand dollars, with two or more sufficient sureties to be approved by the governor, conditioned that he will faithfully account for all moneys placed in his hands as prison treasurer, and perform all duties incumbent upon him as warden of the prison; he shall also, before entering upon the duties of his office, take and subscribe an oath to support the constitution of the United States and the constitution of the state of Wisconsin, and that he will discharge the duties of his office faithfully and to the best of his ability; and such bonds, with the approval of the governor endorsed thereon, and the oath aforesaid, shall be filed in the office of the secretary of state.

He shall give a bond and take and subscribe oath of office.

SECTION 16. Whenever the governor shall deem it necessary, he may require the warden to file new bonds with satisfactory security, in a larger sum than that specified in section fifteen of this act, subject to the approval of the governor; but such new bonds shall not be larger than the necessities of the case may require.

May be required to file new bonds.

SECTION 17. The warden shall make such rules and regulations, not inconsistent with the laws of this state, for the government of the officers and convicts of the prison as he may deem necessary and proper, subject to the approval of the directors.

Shall make rules.

SECTION 18. The warden shall reside within the precincts of the prison, and neither the warden nor any prison officer appointed by him, or holding an office in the prison, shall directly or indirectly have any interest or concern pecuniarily, in any contract, either verbal or written, which may be entered into by said warden on

Shall reside within the prison limits.

the part of the state, for any purpose whatever connected with the business of the prison.

Shall make annual detailed report.

SECTION 19. The warden shall, on the thirtieth day of September in each year, make an annual detailed report to the directors, verified on oath, which shall contain a full and accurate statement of all concerns of the prison for the year ending on that day; also a list of convicts who have been received, discharged, pardoned or died during the year, including the prisoners sentenced by United States courts, and an estimate of expenses for the ensuing year; which report the directors shall submit to the governor with their own, and by him be submitted to the legislature.

#### DEPUTY WARDEN.

Duties and powers of the deputy warden.

SECTION 20. It shall be the duty of the deputy warden to perform the duties of warden in the absence of that officer, and for the purpose of fully complying with the requirements of this section, he shall reside within the precincts of the prison grounds; he shall, under the direction of the warden, assist in administering the government and discipline of the prison; and he shall perform all the duties and have all the powers, and be subject to all the obligations and liabilities of the warden, in case of the disability of that officer or vacancy of that office.

#### PRISON CLERK.

Duties of the prison clerk.

SECTION 21. It shall be the duty of the prison clerk to keep, in suitable books, regular and complete accounts of all the expenses, income, business and concerns of the establishment; also a register of all convicts received, discharged, pardoned or died, and such other matters as may be necessary in statistics of the kind. He shall, at all suitable hours, permit the warden and all other authorized persons to examine all books in his office. He shall act as secretary of the board of directors, and perform such clerical duties as they may require of him.

Deputy warden and clerk to give bonds.

SECTION 22. Before either the deputy warden or prison clerk enters upon the duties of his office, each shall give bonds to the state of Wisconsin, in the sum of ten thousand dollars, with two or more sufficient sureties, to be approved by the governor, conditioned that he will faithfully perform all the duties incumbent upon him as deputy warden or prison clerk; and such bond, when so approved, shall be filed in the office of the secretary of state.

## MEDICAL ATTENDANCE.

**SECTION 23.** Whenever any convict shall complain of any such illness as requires medical aid, the warden shall employ some physician who shall visit such convict, and if, in the opinion of such physician, the illness is such as to require his removal to the hospital, the warden may order such removal, and the convict shall remain in the hospital until the physician shall determine that he may leave it without injury to his health.

Warden shall employ physician.

## CHAPLAIN.

**SECTION 24.** The chaplain shall hold divine service in the chapel once on each Sabbath, instruct the prisoners in their moral and religious duties, and visit the sick on suitable occasions. He shall also act as librarian and prepare a list of the number and titles of the books in the library, with a statement of their condition, which information shall be embodied in the report of the warden to the directors, required by section nineteen of this act. He shall be in attendance at the prison daily during usual business hours, unless excused by the warden. He shall devote not less than three hours per day, once in each week, and oftener, if the board of directors shall consider it necessary, to instructing those prisoners who need such instruction, in the common branches of English education; and with the consent of the warden, may call to his assistance in such educational labors, such persons as he may deem qualified from among the convicts of the prison.

Offices and duties of the chaplain.

**SECTION 25.** A Catholic clergyman may also be engaged by the warden to hold services once each month for the benefit of prisoners of that faith, at an expense not to exceed two hundred dollars per annum.

May engage Catholic clergymen.

## CONTRACTS.

**SECTION 26.** All contracts made on the part of the state, by the warden, on account of the prison, shall be in writing and approved by the directors before taking effect, unless when the wants or necessities of the prison shall compel the warden to purchase supplies of any kind immediately; in which case, he may purchase the same upon verbal agreement, and in either case, the warden or his successor may sue or be sued thereon to final judgment and execution. No suit shall abate by reason of the office of warden becoming vacant, but any successor of the warden, pending such suit, may take upon himself the prose-

How all contracts to be made.

How suits prosecuted.

cution or defense thereof, and upon the motion of the adverse party and notice, he shall be required to do so, except in the purchase of annual supplies of food, fuel and such other articles as are required and used in large quantities for prison consumption or manufacturing purposes. The warden shall have power to make all purchases for the prison, on such conditions and in such manner as in his opinion will best, promote the interests of the state.

May submit to arbitration.

SECTION 27. Whenever a controversy shall arise respecting any contract made by the warden, on account of the prison, or a suit shall be pending thereon, the warden may submit the same to the final determination of arbitrators or referees, to be appointed by the governor.

Shall contract for supplies by the year, and give public notice.

SECTION 28. Whenever the warden shall determine to contract for the furnishing of the principal articles purchased for the use of the prison, such as food, fuel, lumber, stone, iron or steel, the same shall be contracted for by the year, when such contracts can be advantageously made; the warden shall give previous notice in at least two newspapers printed in the state of Wisconsin, of the articles wanted, the quality and quantity thereof, as near as the same can be ascertained, the time and manner of delivery, and the period during which such articles shall be received. Such notice shall be published at least three successive weeks.

How proposals to be made and accepted.

SECTION 29. All such proposals shall be in writing and sealed up, and upon the day appointed in the notice in the foregoing section, they shall be opened by the warden, who shall cause all offers made in such proposals to be entered in a book and compared. The person offering the best terms, together with satisfactory security for the performance, which shall be required by the warden in said notice, shall be entitled to the contract, unless it shall appear to the warden that no one of the offers is as low as the fair market price; in that case, no offer shall be accepted, but the warden may, if he thinks necessary, advertise again, and proceed as before provided for.

Contractors to give bonds.

SECTION 30. All persons contracting under the provisions of the preceding sections shall give bonds to the warden in a reasonable sum, with satisfactory security, for the faithful performance of their contract. All bills contracted by the warden for purchases on account of the prison shall be approved by one or more of the directors before payment.

SECTION 31. The warden shall take bills of the quantity and price of the supplies furnished in all cases where the same is practicable, at the time of their delivery; and the clerk or such other officer as the clerk shall direct, shall compare the bill with the articles delivered; and if the same are found correct, he shall make a corresponding entry on the account books of the prison, and file the bill as a voucher of the fact of such delivery. If any bill so rendered for supplies shall be discovered to be incorrect on comparing it with the articles delivered, the clerk shall immediately give notice to the person furnishing such supplies.

Shall take bills and compare with the articles received.

SECTION 32. It shall be the duty of the sheriff or deputy sheriff of each county in this state to convey to the state prison all persons convicted in his county and sentenced to be confined in said prison, as soon as may be after such conviction and sentence shall have been had; and after delivering such convict or convicts to the warden, together with a copy of the sentence of the court ordering such imprisonment, the warden shall deliver to such sheriff or deputy sheriff, a receipt in which he shall acknowledge having received the prisoner or prisoners, naming them, which receipt the said sheriff or deputy sheriff shall file in the office of the clerk of the circuit court where such conviction and sentence were had. And such sheriff or deputy sheriff shall be entitled to receive from the treasurer of the proper county the amount actually and necessarily expended by him in transporting such prisoner or prisoners, including the amount paid for boarding and lodging, and such guards as may have been necessarily employed by such sheriff or deputy sheriff, and such further reasonable sum as shall be a fair compensation for the time necessarily spent in transporting such prisoner or prisoners, to be fixed and allowed by the proper auditing officer or auditing board of the proper county.

Conveyance and delivery of the convicts to custody of warden.

Expenses of transporting prisoner to be paid.

SECTION 33. Whenever a sheriff or deputy sheriff shall deliver to the warden a prisoner or prisoners, who shall be under the influence of spirituous liquors at the time of such delivery, said warden shall state in his receipt to the sheriff or deputy sheriff, the condition in which said prisoner or prisoners were delivered; and he shall in such case make a duplicate receipt and send the same to the clerk of the circuit court where the conviction and sentence of such prisoner or prisoners were had, who shall file the same in his office.

Shall state condition of prisoner. in receipt.



## DISCIPLINE, ETC., OF CONVICTS.

Shall be in charge of the warden.

**SECTION 34.** All convicts in the prison shall be in the charge and custody of the warden, who shall govern and employ them in the manner prescribed by law, the rules and regulations of the prison, and in conformity to the respective sentences under which they shall be committed.

Duties of officers and employes.

**SECTION 35.** All officers and persons employed in and about the prison shall perform such duties in charge and oversight of the prison, the care of the property belonging thereto, and the custody, government, discipline and employment of the convicts, as shall be required of them by the warden, in conformity to law and the rules and regulations of the prison.

How treated in solitary confinement.

**SECTION 36.** Every convict against whom the punishment of solitary imprisonment shall be awarded by sentence of court, or for violation of any rules and regulations of the prison, shall be confined in one of the solitary cells, and during such confinement shall be fed on bread and water only, unless a physician, called upon to ascertain the fact, shall certify to the warden that the health of such convict requires other diet.

Regulations in treatment of convicts.

**SECTION 37.** All convicts sentenced to the punishment of hard labor in said prison, shall be constantly employed for the benefit of the state. No communication shall be allowed between them and any person without the prison, except under supervision, as prescribed in the rules and regulations of the prison. They shall be confined in separate cells in the night time, and in the day time, all intercourse between them shall, as far as practicable, be prevented. All communication between male and female convicts shall be prevented.

Punishment for disregard of regulations.

**SECTION 38.** If any officer or person employed in the state prison shall suffer any convict under sentence of solitary confinement, to be at large or out of the cell assigned him, or shall suffer any convict confined in said prison to be at large, except in accordance with the provisions of this act, or allow said convicts to be visited, conversed with or in any manner relieved and comforted contrary to the regulations of the prison, he shall be punished by fine not exceeding five hundred dollars.

Daily sustenance.

**SECTION 39.** The daily sustenance of convicts, not in solitary confinement, nor in the hospital, shall consist of wholesome, coarse food, with such proportion of

meat and vegetables, as the warden shall deem best for the health of the convict.

**SECTION 40.** No spirituous liquors or any articles of Spirituous liquors prohibited. indulgence shall be allowed any convict, except by order of the physician, which order shall be in writing, and for a definite period, not exceeding one month: *provided, also*, that the warden may, in his discretion, make a moderate allowance of tea or tobacco to convicts as a reward for industry and good behavior.

**SECTION 41.** The clothing and bedding of convicts shall be of such quality and quantity as the judgment of the warden may direct, consulting the health and comfort of the convicts and the interests of the state. Quality of clothing, etc.

**SECTION 42.** All necessary means shall be used, How maintain order and enforce obedience. under the direction of the warden, to maintain order in the prison, enforce obedience, suppress insurrections, and effectually prevent escapes, even at the hazard of life; for which purpose he may at all times command the aid of all the officers of the institution and of the citizens outside the precincts of the prison; and any citizen refusing to obey such command shall be held liable to such fines, penalties and forfeitures as apply to persons refusing to obey a sheriff, or other officer calling upon the aid of the county to assist in serving a process for quelling insurrection.

**SECTION 43.** The warden and all prison officers shall How treat convicts. uniformly treat convicts with kindness, and the warden shall require of the officers that in the execution of their respective duties they shall, in all cases, refrain from boisterous and unbecoming language in giving their orders and commands. There shall be no corporal or other painful and unusual punishment inflicted upon convicts for violation of prison rules.

**SECTION 44.** The money and effects, except the Money and effects to be preserved. clothes, in possession of each convict when committed to the state prison, shall be preserved by the warden and restored to said convict when discharged, unless otherwise ordered by the judge of the circuit court of Dodge county.

**SECTION 45.** Every convict, when discharged, shall Clothing and money to be provided, on discharge. be provided with a decent suit of clothes, and a sum of money not to exceed five dollars; and may also be allowed employment in the prison, under the rules established for the government of convicts, for such period of time, and at such rate of compensation as the warden shall deem proper and equitable.

**SECTION 46.** It shall be the duty of the warden in In case of death, how dispose of body. case of the death of any convict, to cause the body to be decently buried, or to deliver it to the relatives or

friends of such convict, if demanded by them within twenty-four hours.

May employ convicts outside of prison yard.

**SECTION 47.** If the warden of the prison shall at any time deem it for the interest of the state, he may employ the convicts outside the prison yard in quarrying or getting stone, and cultivating the prison farm, or in doing any work necessary to be done in the prosecution of the regular business of the institution; and in all such cases, the warden shall detail such force from the prison police as he shall deem necessary to watch and guard them, and in case any convict employed outside the prison yard shall escape, he shall be deemed as having escaped from the prison proper, and shall be subject to such penalties as are provided in section fifty of this act.

#### RECORD OF CONDUCT.

Shall keep record of the conduct of convicts.

**SECTION 48.** It shall be the duty of the deputy warden to keep a true record of the conduct of each convict, specifying each infraction of the rules of discipline. At the end of each month, the said deputy shall give a certificate of good conduct to each convict who shall require it, against whom is recorded no infraction of the rules of discipline; and upon each such certificate, the warden may, at his discretion, diminish the term of any convict sentenced for a specific time, not more than five days; all such certificates shall remain on file in the prison office, subject at any time to be annulled by the warden for subsequent misconduct of the convict.

When may suspend solitary confinement.

**SECTION 49.** Any convict sentenced to periodical terms of solitary confinement, who shall obtain from the deputy warden a certificate that such convict has suffered at least one term of solitary confinement, and that ever after such term, the conduct of such convict has been good for peaceful obedience, industry and integrity; on receipt of such certificate, the board of directors shall have power, at their discretion, to suspend the further solitary confinement of such convict during good behavior.

#### ESCAPES, ETC.

Punishment for escape, assault, etc.

**SECTION 50.** If any convict, committed to the state prison under sentence for a limited time, shall escape therefrom, or shall attempt by violence to escape, or shall assault the warden or other officer or person employed in the government or custody of said prison, he shall be punished by imprisonment in said prison not more than ten years, in addition to his former sentence, and also by solitary confinement, not more than one

year, to be executed forthwith, or at such time or times, either before or after the expiration of any former sentence, as the circuit court of Dodge county may direct

SECTION 51. If any convict in the state prison, under sentence of imprisonment for life shall escape therefrom, or shall attempt by violence to escape, or shall commit any such assault as is mentioned in the preceding section, he shall be punished by solitary imprisonment not more than one year, to be executed at such time or times as the circuit court of Dodge county shall direct.

Punishment when imprisoned for life.

SECTION 52. If any officer or other person employed in the state prison shall voluntarily suffer any convict confined therein to escape, or shall in any way consent to such escape, he shall be punished by imprisonment in the state prison not more than twenty years.

Punishment of officers for allowing escape.

SECTION 53. Every person who shall convey into the state prison any disguise, instrument, tool, weapon or thing adapted or useful to aid any convict in making his escape therefrom, with the intent to facilitate the escape of any convict there lawfully committed or detained, or who shall by any means aid any convict in his endeavors to escape, whether such escape be effected or not; and every person who shall forcibly or fraudulently rescue or attempt to rescue any convict, held in custody by an officer or other person, under sentence of imprisonment in the state prison, or shall refuse to assist in securing any convict when attempting to escape from an officer or from prison, shall be punished by imprisonment in said prison not more than ten years, or by fine not exceeding five hundred dollars.

Punishment for conveying instruments, etc to convicts to aid escape.

SECTION 54. If any officer or other person shall deliver or procure to be delivered, or shall have in possession with intent to deliver to any convict confined in the state prison, or shall deposit or conceal the same in or about said prison or the dependencies thereof, or in any carriage or other vehicle going into the premises belonging to said prison, any articles or thing whatever, with intent that any convict confined in said prison could obtain or receive the same; or if any officer or other person shall receive from any convict any article or thing whatever, with the intent to convey the same out of said prison, contrary to the rules and regulations of said prison, and without the knowledge and permission of the warden or deputy warden, every such person shall be punished by imprisonment in the state prison, or in the county jail,

For conveying any articles to or from the convicts.

not more than two years, or by a fine not exceeding five hundred dollars.

Measures for re-capture.

SECTION 55. The warden may adopt such measures as he may deem proper to aid in detecting and capturing escaped convicts.

#### UNITED STATES CONVICTS.

Shall receive persons convicted in United States courts.

SECTION 56. The warden shall receive into the state prison all persons convicted before any court of the United States, held within the state of Wisconsin, and sentenced by such court to the punishment of imprisonment at hard labor in said prison, and he shall safely keep and employ such convicts pursuant to their sentence, under the rules and regulations of the prison, until such sentence shall be performed, or the said convicts shall be otherwise discharged by due course of law of the United States.

Shall make semi-annual statement.

SECTION 57. It shall be the duty of the warden, once every six months, to make out and present for settlement to the proper auditing officer of the United States for this state, a certified account of the amount which shall then be due and unsettled, for the support and maintenance of United States convicts in the state prison of this state.

Shall file copy of account of United States convicts.

SECTION 58. Whenever the amount due for the maintenance of United States convicts shall be audited and allowed, as provided in the preceding section of this act, it shall be the duty of the warden to file with the secretary of state a copy of such account, with the amount allowed thereon. The secretary of state shall thereupon draw his warrant upon the state treasurer for the amount so allowed, payable to the warden out of the state treasury, when the same shall be received from the United States.

Shall include number in annual report.

SECTION 59. It shall be the duty of the warden, when making his annual report, to include therein the number of United States convicts in the prison at the date of such report, the whole number therein during the preceding year, the number received and the number discharged during the same time, the amount received from the general government for their support and maintenance, and also the amount that may then be due and unaudited for like purpose.

#### MISCELLANEOUS PROVISIONS.

Conviction and sentence shall vacate office.

SECTION 60. Whenever any convict, sentenced by any court of this state or of the United States, to be punished by imprisonment in the state prison shall, at

the time of conviction and sentence, hold any office under the constitution and laws of this state, such office shall be deemed vacated from the time of his commitment to said prison; but if the judgment against said convict shall be reversed on a writ of error, he shall be restored to office with all its rights and emoluments; but if pardoned, he shall not, by reason thereof, be restored to office.

SECTION 61. It shall be lawful for the warden of the state prison to receive from the superintendent of public property, all necessary stationery for the use of his office; and said superintendent of public property is hereby authorized and directed to give out all such stationery as may be necessary for said office, upon the order of the warden or deputy warden.

Shall receive stationery.

SECTION 62. The warden shall purchase such books and stationery for educational purposes within the prison, as may by him be deemed necessary.

May purchase books.

SECTION 63. Each officer, overseer or keeper, employed in or about the prison, shall take an oath, before some officer authorized to administer oaths, to discharge the duties respectively required by law and the regulations of the prison, faithfully and to the best of his ability.

Officers and employes to take oath.

SECTION 64. On and after the first Monday of January, A. D. 1874, the office of state prison commissioner, as now known shall be abolished.

Office of commissioner abolished.

SECTION 65. This act shall be of force and take effect from and after the first Monday in January, A. D. 1874.

SECTION 66. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Approved March 17, 1873.

## CHAPTER 194.

[Published March 25, 1873.]

**AN ACT** to amend chapter seventy-two of the private and local laws of 1858, entitled an act to incorporate the city of Ripon, and the acts amendatory thereof.

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

SECTION 1. That one of the justices of the peace now authorized by law in the city of Ripon shall be designated as police justice.

Police justice.