

JOURNAL OF THE ASSEMBLY [April 7, 1969]

STATE OF WISCONSIN

# Assembly Journal

Seventy-Ninth Regular Session

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MONDAY, April 7, 1969.

9:00 A.M.

The assembly met.

The assembly was called to order by the assistant chief clerk.

Roll call was dispensed with.

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## COMMUNICATION

State of Wisconsin  
Claims Board

March 26, 1969.

Mr. Wilmer Struebing  
Assembly Chief Clerk.  
State Capitol  
Madison, Wisconsin

Dear Mr. Struebing:

The State Claims Board is submitting a report to you in accordance with the provisions of Section 285.05 of the statutes covering a claim on which the Board has taken executive action.

The Board would appreciate your acceptance of the report and the spreading of it upon the Journal to inform the members of the Legislature as to the nature of the type of claims which come before the Board for its consideration.

Sincerely,

GLEN E. POMMERENING,  
Secretary.

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### BEFORE THE CLAIMS BOARD OF WISCONSIN

The petition of James C. Olig for compensation for innocent convicts having been filed with the Claims Board of the State of Wisconsin pursuant to section 285.05, Wis. Stats., and the petition having come on for hearing before said Board on December 11, 1968, and the petitioner having appeared in person and by his attorney R. M. Gonyo, attorney at law, 124 North Wisconsin Street, Berlin, Wisconsin, and William Platz, assistant attorney general, having appeared for the State of Wisconsin; and the Board having considered the affidavits presented by the petitioner and having taken testimony and heard arguments of counsel;

#### THE BOARD FINDS:

That on May 22, 1964, the petitioner James C. Olig was convicted in Branch II of the County Court of Fond du Lac County by the Honorable H. W. McEssey, County Judge, of neglecting and refusing to provide for the support and maintenance of his wife and children in necessitous circumstances in violation of section 52.05, Wis. Stats.

That at that time the petitioner received a suspended sentence, executed a Probation Parole Agreement and was placed upon probation for a period of two years.

That subsequently on April 2, 1965, petitioner's probation was revoked by the Honorable H. W. McEssey and said petitioner was sentenced to an indeterminate prison term of not more than two years.

That the petitioner James C. Olig served the term for which sentenced and was discharged from imprisonment under mandatory release.

That it is not clear beyond a reasonable doubt that the petitioner James C. Olig was innocent of the crime for which he suffered imprisonment.

#### THE BOARD CONCLUDES:

That the petitioner James C. Olig has failed to establish his innocence of the crime for which he suffered imprisonment as required by sec. 285.05, Wis. Stats.

#### THE BOARD ORDERS:

That pursuant to the foregoing findings of fact and conclusions of law the petition of James C. Olig be and the same is hereby denied.

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Dated at Madison, Wisconsin this 25th day of March, 1969.

**WALTER G. HOLLANDER,**  
Chairman, Senate Committee  
on Finance.

**BYRON WACKETT,**  
Chairman, Assembly Committee  
on Finance.

**DONALD J. STERLINSKE,**  
Representative of Commissioner  
of Administration.

**FREDERICK H. MILLER,**  
Representative of Governor.

**DAVID G. McMILLAN,**  
Representative of Attorney General.

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The assembly adjourned to 10:00 A.M. Tuesday, April 8, 1969.