

1854; 70 and 88 laws of 1855; 77 laws of 1857; 42 and 43 laws of 1858; 152 laws of 1859; 342 [343] laws of 1860; 148 laws of 1862; 29 laws of 1863; 355 laws of 1864; 518 laws of 1865; 20 laws of 1868; 345 laws of 1874; 239 laws of 1875; 59 laws of 1876; 15, 71 and 151 laws of 1877; 186 laws of 1878; 507 laws of 1887; 310 laws of 1897; 302 laws of 1899; 277 laws of 1901; 62, 110, 395 and 574 laws of 1907; 182 and 314 laws of 1909; 377 laws of 1911; and 629 laws of 1917 are repealed.

SECTION 23. This act shall take effect upon passage and publication.

Approved June 12, 1919.

No. 55, S.]

[Published June 16, 1919.

CHAPTER 349.

AN ACT to renumber chapter 201a, and amend the title thereof; and to consolidate, renumber, amend and revise the sections of said chapter, all relating to the Wisconsin state reformatory and the Wisconsin industrial home for women.

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

SECTION 1. Chapter 201a is renumbered, and the title thereof amended to read:

“CHAPTER * * * 54.

THE STATE REFORMATORY AND INDUSTRIAL HOME FOR WOMEN”.

SECTION 2. Sections 4944a, 4944—r and subsection (2) of section 4944—x are consolidated and renumbered to be section 54.01, and amended to read:

54.01 OBJECTS; SERVICE OF PROCESS. (1) * * *
*The objects of the Wisconsin state reformatory and the Wisconsin industrial home for women * * * are to correct and remove those criminal or evil tendencies and influences which render the * * * persons confined therein a menace to society, * * * and help them to become good * * * citizens.*

(2) * * * The * * * board of control * * * shall equip and maintain one ward or department of * * * the said industrial home with suitable hospital facilities for the treatment of women afflicted with venereal disease; and shall also equip and maintain a psychological laboratory for the study and treatment of mental disorders to which women and girls addicted to immoral practices are subject. Such females shall

be committed for treatment and such industrial training as shall enable them to support themselves properly, and shall be subject to such examinations, treatments, operations and tests, under the * * * regulations of the board * * * as * * * may be deemed necessary by the state board of health to improve their physical and mental condition.

(3) * * * All process * * * served within the precincts of the *reformatory* or industrial home, either upon those committed thereto, or upon officers or employes * * * other than the superintendent, shall be served and returned by the superintendent; and all officers and employes of either institution shall be exempt from military duty, serving on juries in any court, and highway poll tax.

SECTION 3. Section 4944—q is repealed.

SECTION 4. Sections 4944e and 4944—n are consolidated and renumbered to be section 54.02, and revised to read:

54.02 SENTENCE AND COMMITMENT. (1) Male persons not less than seventeen nor more than thirty, and female citizens of this state not less than eighteen nor more than thirty years of age, of the following classes, may, in the discretion of the court, be sentenced and committed, respectively, to the said reformatory or industrial home, namely:

Class one: Persons convicted the first time, of a felony; except male persons convicted of murder in the first or second degree, and female persons convicted of murder in the first, second or third degree.

Class two: Male persons convicted the first time, and female persons whenever convicted, of any misdemeanor punishable by imprisonment in the county jail or house of correction for one year or more.

Class three: Female persons convicted of any other misdemeanor.

(2) Persons previously convicted and committed by the juvenile court shall be classified as above, as though no such previous conviction had occurred.

SECTION 5. Section 4944e is repealed.

SECTION 6. Sections 4944d, 4944k, and subsections 1, 2 and 3 of section 4944—o, are consolidated and renumbered to be section 54.03, and amended to read:

54.03 NATURE AND EFFECT OF SENTENCES. (1)
 * * * Except as provided in subsections (2), (3) and (4), the sentence of any person belonging to either of said classes * * * one or two shall be for a specific term, not less than one year, within the limits of imprisonment prescribed by law for the offense of which he is convicted, which term shall com-

mence at the time prescribed in section 4733 * * * for the commencement of terms of sentence to the state prison. * * *

(2) * * * Upon the recommendation of the superintendent and the board of control, the governor may without the procedure required by chapter * * * 57 of these statutes, discharge absolutely, or upon such conditions and restrictions, and under such limitations as he may think proper, any inmate of the reformatory * * * after he shall have served the minimum term of punishment prescribed by law for the offense for which he was sentenced. * * * Such discharge shall have the force and effect of an absolute or conditional pardon, * * * respectively.

(3) * * * The court may, * * * in its discretion, sentence *any* such female person belonging to class one or two to the industrial home for women for a general or indeterminate term not less than the minimum nor more than the maximum term of imprisonment * * * prescribed by law for the offense, such term to be not less than one year. * * * Such general sentence shall be substantially as follows:

“You are sentenced to the Wisconsin industrial home for women for a general or indeterminate term of not less than ----- (the minimum for the offense) years, and not more than ----- (the maximum for the offense) years.”

and * * * shall have the force and effect of a sentence for the maximum term, subject to the power of release from actual confinement by parole or absolute discharge * * * by the board of control, or by pardon, as provided by law.

(4) * * * In lieu of the penalty provided by statute, or city or village ordinance, under which said offender is tried, the court may commit any female person belonging to class two or * * * three * * * to the industrial home, for a general or indeterminate term, which term shall not exceed five years in any case, * * * subject to the power of release from actual confinement, by parole or absolute discharge * * * by the board of control * * * or by pardon, as provided by law.

SECTION 7. Section 4944h, and subsection (3) of section 4944—x are consolidated and renumbered to be section 54.04, and amended to read:

54.04 TRIAL AND COMMITMENT RECORDS; EXECUTION. (1) * * * When any offender * * * is sentenced to the reformatory or to the industrial home, * * * the commitment papers shall consist of the warrant of commitment, and certified copies of the information, indictment or complaint, the plea of the accused, the testimony taken at the

*trial, the verdict, if there be one, and the judgment and sentence; which copies shall be delivered with the order or warrant of commitment to the officer executing * * * it, and to the superintendent of the * * * institution * * * when the * * * convict is delivered. * * **

(2) In case no testimony is taken at the trial, a statement of the district attorney who prosecuted such case, giving the facts in connection with the case, and the statement of the defendant in court, shall be delivered in lieu thereof.

(3) The clerk of the court furnishing such copies or record shall be entitled to such compensation as may be fixed by the presiding judge, and shall be paid by the county in which trial is had as part of the court expenses.

*(4) Whenever any person * * * is sentenced to the reformatory, * * * the order or warrant of commitment shall * * * authorize * * * the * * * officer to whom it is issued to take charge of such * * * convict and convey him to the * * * reformatory and deliver him to the superintendent of that institution, * * * who shall receive * * * and confine him * * * therein until he shall be discharged by due process of law. * * **

*(5) * * * Whenever any woman * * * is sentenced to * * * the industrial home * * * the superintendent of said industrial home shall, upon being notified of such sentence, designate and send some suitable woman who is employed in said industrial home to take charge of * * * the convict and convey her to said home; * * * and said employe shall have all the powers of a police officer from the time of her appointment until such * * * convict is delivered to the superintendent of said * * * home. The expenses of making such transfer shall be paid by the county in which such person was convicted.*

*(6) * * * Whenever any person * * * is sentenced to * * * either of said institutions * * * the court or magistrate pronouncing * * * sentence shall immediately notify the superintendent of * * * said institution thereof. * * * If said institution be filled * * * to the limit of its capacity, the convict shall be retained in the * * * county jail until he or she can be * * * received into said institution; * * * but, if convicted of a felony, the court may, in its discretion, commit * * * such convict temporarily to the state prison * * * to be thence transferred as soon as may be. Notice of such temporary commitment shall be given to the superintendent and the commitment papers shall be delivered with the convict to the warden of the*

prison, who shall deliver them to said superintendent when the convict is transferred.

SECTION 8. Sections 4944—p and 4944—w are repealed.

SECTION 9. Sections 4944l, 4944i, and subsection (7) of section 4944—o are consolidated and renumbered to be section 54.05, and amended to read:

54.05 CUSTODY AND DISCIPLINE; ALLOWANCES FOR GOOD CONDUCT. (1) * * * The provisions of * * * section 53.07 and subsection (1) of section 53.15 shall apply to the reformatory, and the powers therein conferred upon the warden and deputy warden are hereby conferred upon the superintendent and assistant superintendent, respectively, of the reformatory.

(2) The time during which any inmate of the reformatory or of the industrial home, who has escaped therefrom, is at large, shall not be computed as any portion of the time for which he or she was sentenced.

(3) Any inmate of the reformatory or of the industrial home under sentence may be prosecuted, before * * * discharge therefrom, for any criminal offense, and if convicted * * * may be sentenced to undergo the punishment prescribed by law for such offense, to commence at the expiration of * * * the current term of imprisonment. * * * If * * * convicted of more than one offense sentences on such convictions shall be cumulative as provided in section 4733. * * *

(4) * * * The allowances for good conduct * * * prescribed in section 53.15 shall likewise be made to the inmates of the reformatory and of the industrial home who have not been paroled or discharged, and any good time earned in either institution by inmates transferred to * * * or from the state prison shall be allowed * * * in the institution to which * * * they have been transferred. * * * Subsections (2), (3) and (4) of section 53.16 shall apply to inmates of the reformatory.

SECTION 10. Section 4490, subsection 1 of section 4944—x, and sections 4491, 4492, 4493 and 4494, are amended to read:

CONVICT, ESCAPE BY. Section 4490. (1) Any convict committed to the state prison, the Wisconsin state reformatory, or house of correction of Milwaukee county convicted of a crime punishable by imprisonment in the state prison, under sentence for a limited time, who shall escape therefrom, or attempt by violence to escape, or assault the warden or other officer or person employed in * * * any * * * capacity in said prison, reformatory or house of correction * * * shall be punished by imprisonment in said prison, reformatory, or house

of correction * * * not more than ten years in addition to his former sentence, and also by solitary confinement of not more than one year, at such time or times as the court shall direct, and if said convict is under sentence of imprisonment for life he shall be punished by solitary confinement at such time or times as the court shall direct.

(2) * * * Any woman sentenced to the * * * *Wisconsin industrial home for women* who shall escape therefrom, or who shall attempt by violence to escape, or shall assault the superintendent or any other officer or employe of said institution, may be punished by imprisonment in said industrial home for a term of not to exceed two years *in addition to her former sentence.*

PERMITTING ESCAPE. Section 4491. Any officer or other person employed in the state prison *or the Wisconsin state reformatory* who shall voluntarily suffer any convict confined therein to escape or shall, in any way, consent to such escape shall be punished by imprisonment in said prison *or reformatory* not more than twenty years.

UNLAWFUL PRIVILEGE FOR CONVICT. Section 4492. Any officer or person employed in the state prison *or the Wisconsin state reformatory* who shall knowingly permit any convict under sentence of solitary confinement therein to be at large or out of the cell assigned him, or shall suffer any convict confined in said prison *or reformatory* to be at large, or allow him to be visited, conversed with or in any manner to be relieved or comforted, except as provided by law or the regulations of said prison *or reformatory*, shall be punished by fine not exceeding five hundred dollars.

DELIVERING ARTICLES TO CONVICT. Section 4493. Any officer or other person who shall deliver or procure to be delivered or shall have in his possession with intent to deliver to any convict confined in the state prison *or the Wisconsin state reformatory*, or shall deposit or conceal in or about said prison *or reformatory*, or the dependencies thereof, or in any carriage or other vehicle going into the premises belonging to said prison *or reformatory*, any article or thing whatever, with intent that any convict confined * * * *therein shall* obtain or receive the same, or who shall receive from any convict any article or thing whatever with intent to convey the same out of said prison *or reformatory*, contrary to the rules or regulations * * * and without the knowledge or permission of the warden *or superintendent* thereof, shall be punished by imprisonment in said state prison *or reformatory* not more than two years or by fine not exceeding five hundred dollars.

BREAKING PRISON. Section 4494. Any person who may be in any prison in this state under sentence of imprisonment in the state prison, *the Wisconsin state reformatory*, or in the house of correction of Milwaukee county and who shall break such prison and escape shall be punished by imprisonment in the state prison, *the Wisconsin state reformatory*, or * * * the house of correction of Milwaukee county one year in addition to the unexpired term for which he was originally sentenced.

SECTION 11. Section 4944—v is renumbered to be section 54.06, and amended to read:

54.06 INSTITUTIONAL RECORD. * * * When any * * * convict shall be received into said *reformatory or industrial home* * * * the * * * board of control * * * shall cause to be entered in a register, the date of such admission, the name, age, nativity, and nationality, with such other facts as may be obtained as to the parentage, education and previous environments of said inmate. A semi-annual entry shall be made on such register * * * of the progress made by each inmate, and in case such inmate is paroled, an entry shall be made on such register of that fact, and also a statement as to her condition at the time of parole. Such register shall show at all times the progress made by the inmates who have been placed upon parole. * * *

SECTION 12. Sections 4944f and 4944g are consolidated and renumbered to be section 54.07, and amended to read:

54.07 TRANSFERS OF CONVICTS. (1) * * * With the approval of the governor any inmate of the reformatory or of the *industrial home*, belonging to class one, whose continued presence there is considered detrimental to the other inmates may be transferred by the * * * board of control to the state prison, and his original term of imprisonment shall be continued therein.

(2) Convicts in the state prison and in the Milwaukee county house of correction belonging to class one, * * * and in any county jail belonging to class two, may with like executive approval be transferred from any of these institutions to the reformatory or to the *industrial home* and may be returned to the institution from which they were respectively taken.

(3) Inmates of the industrial school for boys who have reached the age of * * * *seventeen years and inmates of the industrial school for girls who have reached the age of eighteen years, and inmates of other institutions, public or private, who have reached like ages, respectively, and who were committed to said institutions by court orders and were then eligible for commitment to said industrial schools,* may also

be transferred to the reformatory *or to the industrial home, respectively*, by the board of control; * * * *but such boys may be retained * * * at the reformatory only* until they are * * * *eighteen* years of age. Or they may sooner be returned to the school or to the counties from which they were sent to the school. * * *

(4) * * * With each person transferred to the reformatory *or to the industrial home* from any other institution * * * the warden or superintendent of such *other* institution *shall transmit* to the superintendent of the reformatory; *or of the industrial home* copies of the original commitment of such person, and of his record of service, conduct and history; and * * * *with each person transferred from the reformatory or industrial home* the superintendent * * * shall furnish * * * to the institution to which such convict is transferred * * * a like record of service, * * * conduct, * * * and * * * personal history of the convict while in the reformatory or industrial home. * * *

SECTION 13. Sections 4944—t and 4944—u are repealed.

SECTION 14. Section 4944—z is repealed.

SECTION 15. Chapter 28 laws of 1899; 358 laws of 1907; 160 laws of 1909; and 723 and 742 laws of 1913 are repealed.

SECTION 16. This act shall take effect on passage and publication.

Approved June 12, 1919.

No. 57, S.]

[Published June 16, 1919.

CHAPTER 350.

AN ACT to create a new chapter of the statutes to be numbered chapter 56; and to transfer into said chapter, consolidate, renumber, revise, amend, and repeal the sections enumerated herein, all relating to workhouses, and prison industries and labor.

The people of the state of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. A new chapter of the statutes is created, to be numbered and entitled as follows:

“CHAPTER 56.

PRISON INDUSTRIES AND LABOR.”

Convict labor in state penal institutions.

SECTION 2. Section 4918m is renumbered to be section 56.01, and amended to read: