

No. 318, A.]

[Published August 12, 1927.]

CHAPTER 527.

AN ACT to amend subsection (1) of section 54.03 and section 359.05 of the statutes, relating to sentences imposed in certain cases.

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

SECTION 1. Subsection (1) of section 54.03 and section 359.05 of the statutes are amended to read: (54.03) (1) Except as provided in subsections (2) and (3) of this section, the sentence of any person belonging to either of classes one or two defined in section 54.02 shall be for a term not less than one year and shall be 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. In imposing the * * * term, the court may fix a term less than the maximum *and more than the minimum* prescribed by law for the offense. Such general sentence shall be substantially as follows:

“You are sentenced to the Wisconsin state reformatory or to the Wisconsin industrial home for women for a general or indeterminate term of not less than (the minimum * * * *fixed by the court*) years, and not more than (the maximum fixed by the court) years.”

Such sentence shall have the force and effect of a sentence for the maximum term subject to the power of actual release from confinement by parole by the board of control or actual discharge by the governor upon recommendation of the board of control or by pardon as provided by law. If, through mistake or otherwise, any person shall be sentenced for a definite period of time for any offense for which he may be sentenced under the provisions of this section, such sentence shall not be void, but the prisoner shall be deemed to be sentenced nevertheless as provided and required by the terms of this section. Nothing herein shall be construed to extend or to modify the term of imprisonment of any person sentenced prior to the enactment of this statute.

359.05 In every case in which the punishment of imprisonment in the state prison is awarded against any convict, except persons convicted of treason, murder in the first degree as defined by law, rape, kidnaping, or in the case of any crime for which a minimum penalty is fixed by statute at twenty years or more,

the court may fix a term less than the maximum and more than the minimum prescribed by law for the offense and the form of the sentence shall be substantially as follows:

“You are hereby sentenced to the state prison at Waupun at hard labor for a general indeterminate term of not less than (the minimum * * * *as fixed by the court*) years, and not more than (the maximum *as fixed by the court*) years” and shall have the force and effect of a sentence of the maximum term, subject to the power of actual release from confinement by the board of control or actual discharge of the governor upon recommendation of the board of control or by pardon as provided by law. If through mistake or otherwise any person shall be sentenced for a definite period of time for any offense for which he may be sentenced under the provisions of this section, such sentence shall not be void, but the person shall be deemed to be sentenced nevertheless as defined and required by the terms of this section. Persons convicted of treason, murder in the first degree as defined by law, rape, kidnaping, or in the case of any other crime for which a minimum penalty is fixed by statute at twenty years or more, shall be sentenced for a certain term of time. Nothing herein shall be construed to extend or modify the term of imprisonment of any person sentenced prior to the enactment of this statute.

SECTION 2. This act shall take effect upon passage and publication.

Approved August 10, 1927.

No. 625, A.]

[Published August 12, 1927.

CHAPTER 528.

AN ACT to make an appropriation to defray the expenses of the special joint committee on forestry and public lands appointed pursuant to Joint Resolution No. 4, A.

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

SECTION 1. There is hereby appropriated from the general fund the sum of ten thousand dollars, or so much thereof as may be necessary, to pay the expenses which the special joint committee on forestry and public lands appointed pursuant to Joint