

SEC. 18. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC. 19. This act shall take effect and be in force from and after its passage.

Approved March 30, 1893.

S. F. No. 336.

## CHAPTER 8.

*An Act to prohibit managers, officers and employes of state institutions from being interested in contracts, purchases or sales for, or on account of, said institutions.*

Be it enacted by the Legislature of the state of Minnesota:

State officials  
not to be inter-  
ested in con-  
tracts.

SECTION 1. No member of any board of trustees or managers, or any officer or employe of any state educational, charitable or correctional institution now existing in this state, or which may hereafter be established by law, shall be interested, directly or indirectly, in any contract, purchase or sale for, or on account of, the institution with which he may be connected.

SEC. 2. Any violation of the provisions of the preceding section shall be sufficient cause for the removal from office, by the appointing power, of the person so offending.

SEC. 3. This act shall take effect and be in force from and after its passage.

Approved March 27, 1893.

S. F. No. 372.

## CHAPTER 9.

State prison.

*An Act to regulate the sentencing of persons convicted of felony and their subsequent release on parole.*

Be it enacted by the Legislature of the state of Minnesota:

Sentence of  
prisoners not  
heretofore con-  
victed of an of-  
fense.

SECTION 1. That whenever any person not less than twenty-one years of age who has never before been sentenced to the reformatory or the state prison shall be convicted of an offense punishable by imprisonment in the Minnesota state prison, such criminal may, in the discretion of the court, be sentenced to the Minnesota state prison in like manner and on like conditions as prescribed in section eleven of chapter two hundred and eight of the General Laws of Minnesota for one thousand eight hundred and eighty-seven, providing for the sentencing of convicts to the Minnesota state reformatory. Such sentence shall be designated as a sentence to the state prison upon the reformatory plan. In respect to the convict so sentenced, the board of managers of the state prison shall have the same power and authority as the board of managers of the reformatory to grant paroles and

releases to convicts, upon the like terms and conditions as prescribed in sections fourteen and fifteen of chapter two hundred and eight of the General Laws of Minnesota for the year one thousand eight hundred and eighty-seven.

SEC. 2. The clerk of the court in which any person is convicted and sentenced, as prescribed in the preceding section, shall, as soon as may be, make out and deliver to the sheriff of the county in which the conviction and sentence is had, a certified record containing a copy of the indictment and of the plea thereto, the name and residence of the judge presiding at the trial; also the jurors and witnesses sworn on the trial, such synopsis of the testimony as the judge may direct, the charge of the court, the verdict, the sentence pronounced and the date thereof, which certified record shall be sufficient authority for the sheriff of the county in which the conviction and sentence was had to execute such sentence by carrying and delivering the person convicted to the warden of the state prison, with whom the certified copy of the record aforesaid is to be filed at the time of the delivery of the person convicted.

Record of conviction, indictment and plea.

The necessary expenses and legal fees of sheriffs and other officers, incurred in conveying convicts to the state prison who have been sentenced to imprisonment therein, under the provisions of this act, shall be paid in like manner as prescribed in section twenty-nine of chapter two hundred and fifty-four of the General Laws of Minnesota for the year one thousand eight hundred and eighty-nine.

Legal fees of sheriffs.

SEC. 3. It shall be the duty of the superintendent of the Minnesota state reformatory, at the close of each calendar month, to notify each judge of the district court in the state of Minnesota how many prisoners are in confinement in said reformatory on the last day of the month; and no convict above the age of twenty-one years shall be sentenced to said state reformatory unless the report of the superintendent shall show that the number of available cells in said reformatory was at least four more than the number of prisoners in confinement at the close of the preceding month.

Notice of superintendent of reformatory to district judges.

SEC. 4. The board of managers of the Minnesota state prison shall have authority, under such rules and regulations as the governor may prescribe, to issue a parole to any prisoner, excepting life convicts, who is now or hereafter may be imprisoned in said state prison, whether committed on a time sentence or on the reformatory plan, provided:

Paroling prisoners from state prison.

1. That no convict shall be so paroled who is known to have served previous sentence in any prison for a felony.

2. That no convict who is serving a time sentence shall be paroled until he has served at least one-half of the full term for which he was sentenced, not reckoning any good time.

3. That no convict who is serving a life sentence shall be paroled.

Paroled prison-  
ers.

4. That such convicts, while on parole, shall remain in the legal custody and under the control of the board of managers and subject at any time to be taken back within the inclosure of said state prison; and full power to retake and reimprison any convict so upon parole is hereby conferred upon said board, whose written order, certified by the warden, shall be a sufficient warrant for all officers named in it to authorize such officers 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 ordinary criminal process.

Paroles not to  
be influenced  
by petitions.

5. That in considering applications for parole, it shall be unlawful for the board of managers of the state reformatory to entertain any petition, receive any written communication or hear any argument from any attorney or other person not connected with the said prison or reformatory in favor of the conditional pardon of any prisoner; but the said board of managers may, if they deem proper, institute inquiries by correspondence, or otherwise, as to the previous history or character of any prisoner.

Grades of  
prisoners.

SEC. 5. The board of managers of the Minnesota state prison is hereby authorized and empowered to establish three grades of prisoners, together with a system of marks, and to prescribe rules for the regulation of such grades and marks, and no prisoner shall be released on parole unless he shall have been for six months preceding a member of the first grade. Prisoners in the second and third grade may be deprived of such privileges as the board of managers shall direct, and third grade prisoners shall be deprived of the good conduct money heretofore allowed by law.

SEC. 6. This act shall take effect and be in force from and after its passage.

Approved March 27, 1893.

S. F. No. 80.

## CHAPTER 10.

*An Act to provide for the care of Idiots, Imbeciles, Lunatics and Insane persons charged with crime.*

Be it enacted by the Legislature of the state of Minnesota:

Care of criminal, insane or  
idiots.

SECTION 1. That when any person subject to trial, sentence or punishment for a crime shall be, or heretofore has been, found to be in such a state of idiocy, imbecility, lunacy, or insanity as to be incapable of understanding the proceedings or making his defense, the court in which such proceedings are or have been had may commit such person to the hospital for the insane, for safe keeping and treatment; and in such case it shall be the duty of the