

Nineteen Hundred Thirty-One
Supplement

to

Mason's Minnesota Statutes

(1927 thru 1931)

Containing the text of the acts of the 1929 and 1931 Sessions of the
Legislature, both new and amendatory, and notes showing repeals,
together with annotations from the various courts, state
and federal, construing the constitution, statutes,
charters and court rules of Minnesota



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by him in the performance of his official duties. Said compensation and said expenses shall be paid out of the revenue fund in the same manner as the salaries and expenses of other state officers are paid. All of the other expenses of the state board of parole shall be audited and allowed by the state board of control and paid out of the funds appropriated for the maintenance of the penal institutions of the state in such proportions as the state board of control shall determine. Said board of parole shall furnish such estimates of anticipated expenses and requirements as the state board of control may from time to time require. (As amended Apr. 14, 1931, c. 161, §3.)

§10770. Powers and duties of board.—The said state board of parole may parole any person sentenced to confinement in the state prison or state reformatory, provided that no convict serving a life sentence shall be paroled until he has served thirty-five years, less the diminution which would have been allowed for good conduct had his sentence been for thirty-five years, and then only by unanimous consent in writing of the members of the board of pardons. Such convicts while on parole shall remain in the legal custody and under the control of the state board of parole, subject at any time to be returned to the state prison or state reformatory, and the written order of said board, certified by the warden or superintendent of the state reformatory, shall be a sufficient warrant to any officer to retake and return to actual custody any such convict. Geographical limits wholly within the state may be fixed in each case and the same enlarged or reduced according to the conduct of the prisoner.

In considering applications for parole or final release said board shall not be required to hear oral argument from any attorney or other person not connected with the prison or reformatory in favor of or against the parole or release of any prisoners, but it may institute inquiries by correspondence, taking testimony or otherwise, as to the previous history, physical or mental condition, and character of such prisoner, and to that end shall have authority to require the attendance of the

warden of the state prison or the superintendent of the state reformatory or the state reformatory for women and the production of the records of said institutions and to compel the attendance of witnesses, and each member of said board is hereby authorized to administer oaths to witnesses for every such purpose. (As amended Apr. 14, 1931, c. 161, §4.)

§10770-1. Parole of prisoners.—The state board of parole is hereby authorized and empowered to grant to any prisoner in the state prison, state reformatory or state reformatory for women, a temporary parole under guard, not exceeding three days, to any point within the state, upon payment of the expenses of such prisoner and guard. (Act Mar. 9, 1929, c. 70.)

§10775. Supervision by board—agents.—Said board of parole as far as possible, shall exercise supervision over paroled and discharged convicts and when deemed necessary for that purpose, may appoint state agents, fix their salaries and allow them traveling expenses. It may also appoint suitable persons in any part of the state for the same purpose. Every such agent or person shall perform such duties as said board may prescribe in behalf of or in the supervision of prisoners paroled or discharged from the state prison, state reformatory, or other public prison in the state, including assistance in obtaining employment and the return of paroled prisoners, and in addition thereto shall, when so directed by the state board of control, investigate the circumstances and conditions of the dependents of prisoners of the state penal institutions and report their findings and recommendations to the warden and superintendent of the respective institutions and to the state board of control. Such agents and such persons shall hold office at the will of the board of parole and the person so appointed shall be paid reasonable compensation for the services actually performed by them. Each shall be paid from the current expense fund of the institution or institutions for whose benefit he was appointed. (As amended Apr. 14, 1931, c. 161, §5.)

CHAPTER 105

State Prison and State Reformatory

STATE PRISON

§10812. Sale of binding twine.

Laws 1931, c. 340, fixes maximum price of machinery sold for 1931 and 1932.

§10815. State prison may manufacture machinery.—The State Board of Control is hereby authorized, empowered, and directed to establish, construct, equip, maintain and operate, at the State Prison, at Stillwater, a factory for the manufacture of hay rakes, hay loaders, mowers, grain harvesters and binders, corn harvesters and binders and corn cultivators, and the extra parts thereof and, if the board deems it advisable, cultivators of all kinds, culti-packers, manure spreaders,

ploughs, rotary hoes, and the extra parts thereof and rope and ply goods of all kinds and for that purpose to employ, and make use of the labor of prisoners kept in said prison, at any time available therefor and as largely as may be, and such but only such skilled laborers as in the judgment of the said Board of Control and the Warden of the State Prison may be necessary for the feasible and successful and profitable employment of the said prisoners therein therefor, and for the purposes of, and to give full effect to, this act, said Board of Control may use all of, or any part of, not exceeding two hundred fifty thousand dollars of the existing state prison revolving fund created by and existing under Chapter 151 of the General Laws of 1909

(Section 9291-9294, General Statutes 1913, sections 10790-10793, Mason's Minn. St. 1927) but provided further that said State Board of Control and the said Warden of the Prison shall, at all times, in the line of manufacturing herein authorized and directed, employ and make use of prison labor to the largest extent feasible.

And said Board of Control and said Warden of the said Prison are hereby authorized, directed and instructed to establish in and throughout all parts of this State where there is use and demand for such manufactured products as are referred to herein, and binding twines, and ropes and ply goods of all kinds, local selling agencies therefor, and to contract with such agencies to furnish therefor for the local sale thereof, the farm machinery the manufacture of which is authorized by this act and the extra parts thereof, f. o.

b. the said factory, at the actual cost of the production thereof, plus five per cent of the actual cost thereof; including a charge of not to exceed twenty-seven cents per hour for labor of each prisoner employed; and the said local agencies so contracted with are hereby authorized in the resale thereof to their actual customers therefor, to charge advance prices equaling twenty per cent of the prices charged them for said machines (plus actual freight charges), but not a greater profit thereon, and the contracts entered into with said agencies shall be so worded as to obligate them to be diligent in the prosecution of the sales of the said machines to the customers therefor. (As amended Apr. 24, 1929, c. 348.)

§10816. Sale of machines.

Laws 1931, c. 340, fixes maximum prices for 1931 and 1932.

CHAPTER 106

Jails, Lockups, Work Farms, and Juvenile Offenders

See §§208-1 to 208-9 creating probation and investigation department in certain counties.

COUNTY JAILS

§10849. United States prisoners.—Whenever any person is committed to any jail by any process issued under authority of the United States, the sheriff or jailer shall receive such person into custody, and safely keep him until discharged by due course of law, subject in all respects to the same liabilities and remedies as though committed under process issued under state authority. The United States shall pay to the county the sum of one dollar per day for each prisoner so kept and boarded, subject to such division of fees between the county and the sheriff as is now provided by law. (As amended Mar. 27, 1931, c. 91.)

Sheriff must receive prisoners committed by federal court, and is entitled to receive from the county 75c per day for each federal prisoner, the amount collected from the federal government being turned over to the county treasurer. Op. Atty. Gen., Nov. 28, 1930.

§10853. Labor for jail prisoners.

Prisoners may be kept at a road camp at night when working at a distance from the county seat. Op. Atty. Gen., Apr. 30, 1929.

§10857. Compensation for boarding prisoners.

Sheriff must receive prisoners committed by federal court, and is entitled to receive from the county 75c per day for each federal prisoner, the amount collected from the federal government being turned over to the county treasurer. Op. Atty. Gen., Nov. 28, 1930.

§10858. Collection of board bills.

Sheriff must pay over to county all sums received for board of federal prisoners and then file his claim against the county. Op. Atty. Gen., Nov. 9, 1929.

Sheriff must receive prisoners committed by federal court, and is entitled to receive from the county 75c per day for each federal prisoner, the amount collected from the federal government being turned over to the county treasurer. Op. Atty. Gen., Nov. 28, 1930.

§10859. Charges for other than county prisoners.—Whenever any prisoner is ordered confined in any county other than that in which his offense was committed, the sheriff of such other county shall keep him at the expense of the county sending him, and shall collect from such county for his board eighty-five cents per day, except that when there are not more than three prisoners in such county jail the charge for such board shall be one dollar and twenty cents per day for each prisoner, and, in addition thereto, such sum as shall have been necessarily expended for clothing, bedding, and medical aid for such prisoners. The county board of the county from which such prisoners are sent, at its first session after their commitment, shall authorize the auditor to issue to the sheriff of the county where they are committed orders upon the county treasurer for the maintenance of such prisoners while they remain in such jail. (As amended Apr. 24, 1929, c. 320.)

The eighty-five cents collected by sheriff must be turned over to county, and he is only entitled to receive seventy-five cents back. Op. Atty. Gen., Nov. 9, 1929.

LOCKUPS

WORK OR CORRECTIONAL FARMS IN

CERTAIN COUNTIES

§10889. Counties having over 150,000 and less than 225,000 inhabitants.

County cannot maintain two tracts of land forty miles apart as a work farm, but may abandon one farm and purchase another. Op. Atty. Gen., June 19, 1929.

§10892. Land, how acquired—Improvements—Prisoners.—The board of county commissioners of any such county as shall decide to acquire the land for and establish such work farm under the provisions of this law, shall have the power to acquire by purchase or condemnation a tract of land of not more than 4,500 acres, which land said county may