

CHAPTER 643

WORK FARMS

<p>Sec. 643.01 Transfer of prisoners from jail to workhouse or work farm 643.02 Procedure of district judge in charge and duty of sheriff 643.03 Counties having over 150,000 and less than 225,000 inhabitants 643.04 Board of work farm commissioners; joint board of county and city work farm commissioners 643.05 Powers of boards; superintendent 643.06 Land, how acquired; improvements; prisoners 643.07 Rules and regulations; parole 643.08 Aid to family of inmate</p>	<p>Sec. 643.09 Cost, how defrayed 643.10 Appropriations; tax levy 643.11 Money, how drawn; annual statement 643.12 Bonds 643.13 Power of courts to sentence 643.14 Additional land for work farms 643.15 Home school for boys 643.16 Superintendent; expense 643.17 County board may provide funds 643.18 Courts 643.19 Course of study 643.20 Name of school 643.29 Diminution of sentence</p>
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643.01 TRANSFER OF PRISONERS FROM JAIL TO WORKHOUSE OR WORK FARM. In any county of this state in which there is now or shall be hereafter maintained by any county or by any city and county, a workhouse, correctional or work farm for the confinement of criminal offenders, any district judge of the judicial district in which the county is situated, shall have the power, either of his own motion, or on the application of the county attorney of such county, for sufficient cause, to order any prisoner who shall be confined in the county jail of such county under sentence to such jail by any district judge, justice of the peace or municipal judge, to be transferred from such county jail and recommitted to any such workhouse, correctional or work farm at hard labor, for the remainder of the term for which such prisoner was originally sentenced.

[1917 c. 20 s. 1] (10907)

643.02 PROCEDURE OF DISTRICT JUDGE IN CHARGE AND DUTY OF SHERIFF. When any such district judge shall make an order for the transfer of any prisoner from the county jail to any such workhouse, correctional or work farm such order shall be made in duplicate by such judge, shall recite therein the name of the court by which the prisoner was sentenced to such county jail, the date of sentence, the general nature of the offense for which sentenced, the length of the original sentence, the length of such sentence still remaining, and any other facts obtainable from the commitment under which the prisoner may be held, that will furnish material information regarding the case, and shall direct the superintendent or other keeper of such workhouse, correctional or work farm, to safely keep such prisoner at hard labor for the remainder of such original term of sentence, as stated in such order, unless otherwise released according to law, or the parole rules and regulations of such workhouse, correctional or work farm. Both of the orders for transfer and recommitment of such prisoner to such workhouse, correctional or work farm, shall be filed forthwith, with the sheriff of such county or other keeper of the jail, and the sheriff or other keeper of the jail shall thereupon retain one of the orders of transfer and recommitment in his possession and shall without delay, at the expense of the county, transfer such prisoner named in such order and deliver him or her, together with the other of the duplicate orders for the transfer and recommitment of such prisoner to the superintendent or other keeper of the workhouse, correctional or work farm, who shall retain the order and safely keep the prisoner named therein for the remainder of the sentence at hard labor, as specified in the order, unless otherwise released as hereinbefore provided. The order for transfer and recommitment of any such prisoner, as hereinbefore mentioned, shall have the same force and effect as the writ of commitment issued by the court which sentenced the prisoner in the first instance, and in addition shall be full authority for the holding and keeping of the prisoner, at hard labor, by the superintendent or other keeper of the workhouse, correctional or work farm, and for his apprehension by any peace officer in case of the escape of such prisoner from any such workhouse, correctional or work farm. On the request

of any district judge of the district in which any such workhouse, correctional or work farm is located, the sheriff of any such county shall without delay furnish a copy to such judge of any commitment in his possession.

[1917 c. 20 s. 2] (10908)

643.03 COUNTIES HAVING OVER 150,000 AND LESS THAN 225,000 INHABITANTS. The board of county commissioners of any county in this state which now has or may hereafter have a population of over 150,000, and less than 225,000, shall have the power to acquire land for and establish and maintain thereon, a work or correction farm for the confinement and care thereon of any and all persons convicted of any violation of the laws of this state or of any city or village ordinance, who could be sentenced as punishment therefor to any jail or lockup in such county.

Any such county may acquire the land for and establish and maintain such farm thereon either by itself alone or acting in cooperation with any city of the first or second class located in such county when such city shall have the power under its charter to acquire land for and establish and maintain such work or correction farm.

[1913 c. 188 s. 1] (10889)

643.04 BOARD OF WORK FARM COMMISSIONERS; JOINT BOARD OF COUNTY AND CITY WORK FARM COMMISSIONERS. Upon the decision of any such city and county by resolution duly adopted by the council and the county board of such city and county to acquire the land for and establish and maintain such work or correction farm the chairman of the county board of the county and the council of any such city shall appoint a commission consisting of five members, three of whom shall be appointed by the chairman of the county board and two by the council of any such city.

Upon the decision of any such county by resolution duly adopted by its county board to acquire the land for and establish and maintain such work farm, without the cooperation of any such city, the chairman of the county board of the county shall appoint a commission consisting of three members.

The members of any commission appointed under the terms of sections 643.03 to 643.13 shall be chosen with reference to their special fitness for such office, and their appointment before becoming effective shall be approved by the majority of the judges of the district court of the judicial district in which the county is located, if there be three or more judges of the court, otherwise by one of the judges.

This commission shall be known as the "board of work farm commissioners," when the farm shall be established and maintained by such county alone; and shall be known as the "joint board of county and city work farm commissioners," when the farm shall be established and maintained by such county and city jointly.

The members of the commission shall serve without compensation or financial benefit, but they shall be entitled to reimbursement for all actual expenses in connection with their official duties, an itemized and verified statement of which expenses shall be filed with and approved by the board.

This board shall be provided with a suitable office in the court-house at the county-seat.

The terms of each of the members of the first "board of work farm commissioners" shall expire on the first Monday in January in the first, second and third years, respectively, after their appointment. Upon the expiration of such terms, their successors shall be appointed in like manner for terms of three years each.

The terms of the members of the first "joint board of county and city work farm commissioners" shall expire as follows: two on the first Monday in January of the first year, one of whom shall be appointed by the council of the city; two on the first Monday in January of the second year, one of whom shall be appointed by the council of the city; and one on the first Monday in January of the third year after their appointment. Upon expiration of such terms, their successors shall be appointed in like manner for terms of three years each.

All vacancies on the commission shall be filled by like appointment for the unexpired terms.

Upon the appointment of the first board, and annually thereafter, on the first Monday in January, the board shall elect from its number a president and a vice-president, to serve for one year, and until their successors qualify. The members of the commission shall qualify by subscribing to and taking the usual oath of office and hold office as indicated above, or until their successors are appointed and have qualified.

[1913 c. 188 s. 2] (10890)

643.05 POWERS OF BOARDS; SUPERINTENDENT. The "board of work farm commissioners" or "joint board of county and city work farm commissioners," shall have full charge and control of the work farm, and the erection of all buildings and the making of all improvements thereon. It shall appoint and employ a superintendent and other necessary help, prescribe their duties, and fix their compensation. The superintendent of the work farm shall be the secretary of the commission and, before his appointment, shall become effective, it shall be approved by a majority of the judges of the district court.

[1913 c. 188 s. 3] (10891)

643.06 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 sections 643.03 to 643.13, shall have the power to acquire by purchase or condemnation a tract of land of not more than 4,500 acres, which land the county may acquire and hold in its own name, or jointly with any such city as shall decide to cooperate with any such county in the purchase of the land in the establishment of such farm, and as such shall furnish and pay one-half of the cost thereof.

The county may singly, or in cooperation with such city, through the commission herein provided for, improve such farm by the erection of fences and suitable buildings thereon, and in such other ways as may be found necessary by it in order to accomplish the purpose for which the farm shall be established, and all such improvements when made by such county and city acting jointly through such commission shall be the joint property of such county and city.

The superintendent of the work farm shall cause all prisoners confined thereon to be employed at hard labor, as far as practicable, either upon the farm or elsewhere in the county, in order to enable the prisoners to be engaged in productive employment and to be self-supporting.

[1913 c. 188 s. 4; 1929 c. 197 s. 1] (10892)

643.07 RULES AND REGULATIONS; PAROLE. The commissioners shall adopt such rules and regulations and enforce such discipline for the management and operation of the work farm as may be deemed necessary. The commissioners shall have power to establish and adopt rules and regulations under which, and specify the conditions on which, any prisoner committed to such work farm may be allowed to go upon parole outside the limits of the work farm, but to remain while on parole in the legal custody and under the control of such commissioners, and subject, at all times to have the parole terminated, and to be taken back under the same conditions as when originally committed. The written order of the commission, signed by its president or vice-president and attested by its secretary, shall be sufficient authority and warrant for any sheriff, police officer, or constable of this state to execute such order, and arrest and return to the custody of the commission, or the superintendent of the work farm, any prisoner that may have been released under parole by the commission, and it is hereby made the duty of any such sheriff, constable, or police officer to execute any such order of the commission in the same manner as any other criminal process of this state is executed. The commissioners may place any such prisoner who may be released on parole, under the care and supervision of any state, county, or city officer having probation or parole duties and powers under the law, and such parole officer is hereby given full power and authority, and it is hereby made his duty, to execute the orders of the commissioners with reference to carrying into effect such parole regulations the same as any sheriff or other peace officer might do.

The rules and regulations and the general plan for paroling prisoners adopted by the commissioners shall not become effective until the same shall have been approved by a majority of the judges of the district court of the judicial district in which the county may be situated.

[1913 c. 188 s. 5] (10893)

643.08 AID TO FAMILY OF INMATE. The commissioners in charge of any such work farm, may establish and adopt proper rules and regulations for furnishing and may furnish aid weekly, or less often if they so decide, to the wife or to the family of any prisoner confined in such work farm or to the guardian or other person or association in control of and responsible for the care and support of any dependent child or children of the prisoner, which aid shall be furnished by written order for house rent, fuel, groceries, and other necessaries, but such aid to any such wife or family shall not exceed the sum of 50 cents for each day's labor

performed by the prisoner on the farm, or elsewhere in the county, for which no order has been previously issued. Any person receiving such aid shall be a resident of the county in which such work is situated at the time of commitment and the receipt of such aid.

Upon the certificate of the person designated in the order to whom the necessaries shall be delivered, that the necessaries were received by the person, and on the filing of a duly itemized and verified claim against the commission for the reasonable price and value of the necessaries, the claim shall be a charge against any fund available for the maintenance of the work farm and paid by the commissioners.

[1913 c. 188 s. 6] (10894)

643.09 COST, HOW DEFRAIDED. When any such county shall by itself alone establish and maintain any such work farm, such county shall bear the total cost of acquiring the land for and establishing and maintaining such farm. When any such county and city shall jointly acquire the land for and establish and maintain such work farm, the county and city shall in the first instance, bear and pay equally the cost of acquiring the land for and establishing and maintaining such farm. When any other city, or any village or town within the county, shall send any prisoners to the farm for imprisonment, the city, village, or town shall pay to the county, to be credited to the work farm fund hereinafter provided for, such sum per prisoner per diem as it may cost the commissioners for the average maintenance per prisoner of all the prisoners therein. Such cost per diem shall be determined by the commissioners from the records of the work farm at the annual meeting of the commissioners in January of each year and based on the actual cost records of receipts, disbursements, and other data for the preceding year. Such expense shall not include the cost of the premises or structures of any permanent improvements or repairs thereon. Until the end of the first year after the occupancy and operation of the work farm the per diem charge for such prisoners, other than those who have violated a state law, shall be 40 cents, and the cities, villages, and towns furnishing such prisoners shall settle monthly with the commissioners upon such basis. It shall be the duty of the commissioners to cause monthly bills to be rendered therefor to these municipalities.

[1913 c. 188 s. 7] (10895)

643.10 APPROPRIATIONS; TAX LEVY. Any such county wishing and deciding to provide a work farm by itself alone as indicated in section 643.04, may through its county commissioners appropriate the first year not to exceed the sum of \$35,000 for the purchase of the land and establishment and equipment of the same, or not to exceed the sum of \$20,000 if it shall decide to provide such work farm in cooperation with any such city, as herein provided.

Such work farm commissioners shall determine by resolution each year, prior to July 1st, the amount of money necessary for the equipment and maintenance of the work farm the following year, over and above the probable receipts for the account of the work farm fund from all sources other than taxes, and a certified copy of such resolution shall be forthwith forwarded to the county board, if such work farm be established and maintained by such county alone, and such board shall at its regular meeting in July include such amount in its annual levy of county taxes for the ensuing year, unless after due hearing such amount be determined to be excessive and unnecessary, in which event such amount may be reduced accordingly by the board.

In case such work farm be established and maintained by any such county and city jointly, certified copies of such resolution determining the amount necessary for the equipment and maintenance of the work farm for the following year, shall be forthwith forwarded to the county board of such county and to the city council of such city, and such board shall, at its regular meeting in July, and the city council shall, at some meeting prior to October tenth, include the proper share of the county and city in their annual levies of county and city taxes, respectively, unless such amounts shall be reduced by the county board and city council in the manner hereinbefore provided, to amounts that shall be deemed reasonable and necessary by the county board and the city council.

In no case shall the amount of such levy in any one year after the first year exceed the sum of three-tenths of one mill on the dollar of the assessed valuation of property in the county, when the work farm is maintained by such county alone; nor exceed the sum of one-tenth of one mill on the dollar of the assessed valuation

MINNESOTA STATUTES 1953

4309

WORK FARMS 643.14

of property in the county, for the county's share, of such tax levy for the work farm fund, when the work farm shall be maintained by the county and city jointly. Such amounts when collected shall be apportioned by the county auditor and be credited to the "county work farm fund" or to the "joint county and city work farm fund," as the case may be. At the end of each year any balance remaining in the "joint county and city work farm fund" to the credit of the city's share, shall be apportioned and paid to the city, if the council of the city shall so demand.

All moneys received for such work farm shall be deposited in the treasury of the county to the credit of such fund and shall not be used for any other purpose, and shall be drawn upon by the proper officials of the county upon the properly authenticated vouchers of the "board of work farm commissioners" or "board of joint county and city work farm commissioners," as the case may be.

[1913 c 188 s 8; 1915 c 212 s 1; 1939 c 55 s 1] (10896)

643.11 MONEY, HOW DRAWN; ANNUAL STATEMENT. No money shall be paid from such fund except on orders signed by the president or vice-president, and secretary of such board of commissioners, which orders shall be drawn upon the county treasurer of such county and before payment thereof shall be countersigned and registered by the auditor of the county.

The "board of work farm commissioners" or "joint board of county and city work farm commissioners," shall file annually on the first Monday in January with the auditor of such county, or with the auditors of such county and such city, when the farm shall be operated by the county and city jointly, a full itemized statement of all receipts and disbursements during the preceding year, showing in detail the source of all receipts and to whom and for what all such disbursements were made.

[1913 c. 188 s. 9] (10897)

643.12 BONDS. Such county shall have the same right and authority to borrow money and issue bonds or interest bearing certificates of indebtedness therefor, to purchase the land for and erect and equip buildings thereon, for a work or correction farm as is now given to counties for the purpose of purchasing the land for and erecting county jails.

[1913 c. 188 s. 10] (10898)

643.13 POWER OF COURTS TO SENTENCE. The judges of all district and municipal courts and justices of the peace in any such county, shall have the same power to sentence any person to confinement at hard labor on the work or correction farm, as the judges and justices of the peace now have to sentence any person convicted of crime, to a county jail, workhouse or lockup in such county.

[1913 c. 188 s. 11] (10899)

643.14 ADDITIONAL LAND FOR WORK FARMS. The board of county commissioners of any county to which sections 643.10 and 643.14 shall apply may acquire additional land not contiguous to any correction or work farm heretofore or hereafter established for men, not exceeding 40 acres in extent, and may establish and maintain thereon a correction or work farm for women only, such county acting by itself alone or in cooperation with any city of the first or second class located in such county, when such city shall have the power under its charter to acquire land for and establish and maintain such correction or work farm. When the board of county commissioners of any such county, or the city council of any such city shall decide by resolution duly adopted, to establish and maintain such correction or work farm for women and shall acquire the needed land therefor, the board of work farm commissioners hereinbefore provided for shall forthwith have full charge and control of such correction or work farm for women, the erection of all buildings and the making of all improvements thereon. The superintendent of the work farm for men, if one shall have been established, in any county to which sections 643.10 and 643.14 apply shall also be superintendent of such correction or work farm for women, but the commission shall have authority to employ all other necessary assistants for carrying on the institution, and shall in all other respects have the same powers and duties in connection therewith, as is hereinbefore provided for the management and control of such correction or work farm for men, in order that such farm for women may be maintained and female prisoners be cared for thereon in substantially the same manner as is hereinbefore provided for men. Female offenders may be sentenced to confinement on the correction or work farm for women by any of the courts in such county in like manner as male offen-

ders are sentenced to the correction or work farm for men, and such board of work farm commissioners shall have the same jurisdiction and control over such female prisoners as over male prisoners sentenced to the farm.

[1915 c. 212 s. 2] (10900)

643.15 HOME SCHOOL FOR BOYS. The board of work farm commissioners of any county of this state in which a work farm is operated under the provisions of sections 643.03 to 643.13, may by resolution duly adopted, subject to the approval thereof by a majority of the judges of the judicial district in which such county is located, establish and operate in connection with such work farm a home school for boys.

[1921 c. 10 s. 1] (10901)

643.16 SUPERINTENDENT; EXPENSE. Such home school shall be operated and conducted by such board of work farm commissioners, who shall have sole control thereof and of the teaching and training therein, and the superintendent of such work farm shall be the superintendent thereof. Such additional employees, including teachers, shall be employed and such additional buildings shall be erected as in the judgment of such board shall be necessary. Such additional expenses as may be necessitated by such home shall be included in and paid out of the levy for such work farm the same as other expenses of such work farm.

[1921 c. 10 s. 2] (10902)

643.17 COUNTY BOARD MAY PROVIDE FUNDS. The first year such home is operated the board of county commissioners of such county may place to the credit of the work farm fund out of the general fund of such county, such amount as may be estimated to be sufficient to meet the additional expenses caused by such home such first year.

[1921 c. 10 s. 3] (10903)

643.18 COURTS. The district court, the juvenile court and any municipal court of or in such county may place in such home school, for a period of not more than one year under any order, and not to extend beyond majority, any boy coming before any such court, and any boy who is placed in such home school may be released therefrom by order of such court at any time.

[1921 c. 10 s. 4] (10904)

643.19 COURSE OF STUDY. The boys in such home school shall be taught the branches of study usually pursued in the public schools and also agriculture, horticulture and gardening, so far as the same may be practicable, and generally shall be employed in some useful occupation.

[1921 c. 10 s. 5] (10905)

643.20 NAME OF SCHOOL. Such home schools shall be known by such name as may be designated by the board of work farm commissioners by resolution duly adopted, and all commitments shall be made to it under such name. A certified copy of such resolution shall be filed in the office of the county auditor and clerk of district court of the county in which such school is situated.

[1921 c. 10 s. 6] (10906)

643.21 to 643.28 [Local]

643.29 DIMINUTION OF SENTENCE. Subdivision 1. "Good time" allowance. Any person sentenced for a term to any county jail, workhouse, or correctional workfarm may diminish the term of his sentence five days for each month, commencing on the day of his arrival, during which he has not violated any rule or discipline of the place wherein he is incarcerated and, if required to labor, has labored with diligence and fidelity.

Subd. 2. Enforcement. Any jailer, workhouse or correctional workfarm superintendent, or person similarly in custody of persons incarcerated as set forth in subdivision 1 may in his discretion take away any or all of the reduction in sentence previously gained by good conduct, and in consideration of mitigating circumstances, may afterwards restore him in whole or in part, to the standing he possessed before such reduction in sentence was taken away.

[1947 c 130 s 1]