

* 365.45 SpecColl
Or3r
1931

OREGON STATE LIBRARY

DOCUMENT
COLLECTION
OREGON
COLLECTION

RULES
OF THE
PAROLE BOARD
STATE OF OREGON

1931



MEMBERS:

<i>Rev. Thos. V. Keenan</i>	<i>Chairman</i>
<i>Beatrice Walton</i>	<i>Sec. to Governor</i>
<i>Chas. F. Wright</i>	<i>Appointee</i>
<i>Chas. P. Pray</i>	<i>Parole Officer</i>

RULES OF THE PAROLE BOARD

1931

Meetings

I. The Board shall hold meetings each month at the Oregon State Penitentiary, said meetings to be on the second Thursday of the month. Two members shall constitute a quorum, without which official action cannot be taken. Meetings may be held at any time upon call of the chairman or the Governor.

Election of Chairman

II. At the first meeting of each calendar year the Board shall elect from its members a chairman. The Chief Clerk of the Penitentiary shall act as secretary of the board,

recording the minutes of the meetings and undertaking such other duties as may be requested by the Board.

Duties of Parole Officer

III. The State Parole Officer shall be the administrative officer of the Board. He shall be responsible for the proper execution of the orders of the Board; he shall keep in touch with paroled men, shall file their reports carefully, and in general, shall have full authority and control over paroled men under the supervision of the Board and the Governor.

IV. It is the sense of this Board that one of its special functions shall be to aid materially every paroled man in re-establishing his place in the estimation of the world and making a success of life. With this in view, the Parole Officer is directed not only to keep comprehensive watch over the action of paroled men, but especially to lend them every assistance in his power not only in securing employment and making progress, but also in protecting them against the persecution which is often imposed upon ex-convicts.

***Requirement of Employment or
Supervision***

V. It is the policy of this Board that no prisoner be recommended for parole unless satisfactory employment or proper care and supervision is assured. In this connection the Parole Officer is authorized to take such steps as may appear proper to encourage interest on the part of employers and other responsible citizens in giving paroled men opportunities of employment or care and supervision, and to make such arrangements as he can to secure the proper rehabilitation for men who are to be paroled.

Monthly Reports

VI. Every paroled man shall report monthly to the parole officer, using blanks which will be supplied for this purpose. Failure to send in such reports before the fifth of each month, or if reason arises to believe that the reports are false or deliberately incomplete, may constitute cause for revoking the parole, after investigation by the Parole Officer. These monthly reports shall be submitted by the paroled man until the board shall see fit to have them discontinued, or the Governor shall

so order, or until the expiration of the maximum sentence.

Requirement of Good Behavior

VII. It is the policy of the Parole Board to refuse recommendation for parole to any prisoner who fails to carry out an order made by the Penitentiary Authorities or who commits any act tending toward mutiny or rebellion. This is in the interest of good behavior and discipline, and to assist each prisoner in securing release at the earliest possible time.

Requirements

VIII. The statement of an inmate eligible for parole should state the name, age, where born, previous occupation, place of residence, the crime for which he was convicted, the court and the county in which he was convicted, the sentence, the date of sentence, and the grounds upon which the parole is asked.

IX. Any case once considered for parole and postponed, or petition for pardon referred to the Board by the Governor, once investigated and denied, will not be taken up by the board prior to the date to which it was continued, without the direction of the

Chairman or the Governor, except upon presentation of new and material facts.

X. In passing upon parole cases, the Parole Board will be greatly influenced by the prisoner's previous record, prison behavior, disposition toward reformation and the prospect of his becoming a useful and law abiding citizen.

XI. Statements and accompanying papers can not be withdrawn after they have been referred to this Board. Action will be withheld, however, by request of petitioner or any person in his behalf at any time before the case has been forwarded to the Governor for his action.

XII. When the Board has acted upon a parole case or upon a submission to it for a pardon from the Governor, the inmate is notified of the result; if a parole or pardon is granted, by a certificate from the Governor to the Superintendent or Warden of the penitentiary. A writ of release is at once prepared and given to the inmate and he is then released from custody of the penitentiary subject to the following rules:

Rules Governing Prisoners on Parole

XIII. Any order paroling any prisoner

shall specify and direct that such paroled prisoner shall at all times observe and obey the terms and conditions of such parole and any general rules and regulations which the Governor and Parole Board may adopt on the subject, and conduct himself as a law abiding person, and shall require such person at stated times to report his whereabouts and such other information as may be required.

RULE I. The parolee will proceed directly to his place of employment or the person under whose care or supervision he has been placed and there remain until permission be given him to go elsewhere.

RULE II. Should he desire to change his employment or his residence, or should he desire to leave the county in which he is employed, he must first obtain the written consent of the Parole Officer.

RULE III. His civil rights are suspended by law until the expiration of his sentence. He can not, therefore, lawfully enter into any contract, engage in business for himself or marry.

RULE IV. He shall in all respects conduct himself honestly, avoid all evil associations, obey the law, abstain from the

use of intoxicating liquors, opium in any form or other noxious drugs. Under no circumstances must he enter any room or place where liquor is sold or given away.

RULE V. While on parole, and until the expiration of his sentence, he will continue to be in the legal custody and control of the State Parole Board and Parole Officer, and should he at any time fail to live up to the requirements of the Board or the Parole Officer, he will be returned to prison.

RULE VI. On the first day of each month until his final release by law, he must forward by mail to the State Parole Officer, a report of himself in accordance with a blank form to be furnished him by the State Parole Officer. This report must be carefully and completely made out and it must be certified to by his employer or other person designated by the State Parole Board or Parole Officer. Should his employer or other designated person be absent so that he is unable to secure his certification of the report, he must, nevertheless, forward his report to the Parole Officer accompanied by a letter explaining fully the reason he has been unable to secure the certification of his report by his

employer.

RULE VII. In all matters not covered by the foregoing he will be governed by the instructions of the Parole Officer.

RULE VIII. The members of the State Parole Board are his friends. They want him to succeed. Through the Parole Officer they will do all they can to afford the parolee the opportunity to succeed. With opportunity thus afforded him, and with the encouragement, counsel and advice, of the Parole Officer, we shall expect him to go forward to certain and lasting success.

RULE IX. One word more. The foregoing regulations are not mere meaningless words. They have been carefully prepared and must be precisely followed. We therefore admonish the parolee to read them, to study them, and in every detail to follow them.

OREGON STATE PAROLE BOARD

Penalty for Violation of Rules

XIV. The Governor may at any time, upon recommendation of the Parole Board, or upon his own motion with or without notice, to such prisoner, revoke any such parole, and require any such prisoner to be

returned to the penitentiary, and upon receipt of the order of the Governor, any sheriff or officer of this state or official or employee of the Penitentiary, duly authorized by the Superintendent or Warden of the penitentiary, must arrest such a paroled prisoner and return him to the penitentiary, and such prisoner so re-committed must serve out his sentence, and the time during which such prisoner was out on parole shall not be deemed a part thereof.

XV. Paroled men from the Oregon State Penitentiary who violate their paroles by the commission of a crime will be returned to the prison to serve their full maximum sentence. Men who violate their paroles by other than the commission of a crime will be returned to the prison, but will be considered eligible for another appearance before the Board.

Reports Confidential

XVI. It being mandatory that the sentencing judge, the district attorney and the clerk of the court wherein any person is convicted or pleads guilty of a felony shall furnish the parole board with such data as may

be required relative to the history of the crime and that any other officials having such information in their possession shall at all times when requested in writing furnish the parole board or the parole officer with such data and information concerning the convicted person, such reports shall be treated as confidential and are not open to inspection by any person except with the written consent of the person making same.

Requirements of Minimum Sentence

XVII. Should a prisoner's conduct be good, his case comes before the Parole Board for consideration automatically upon the expiration of his minimum sentence. The law does not give the prisoner the absolute right to parole upon the expiration of his minimum sentence.

Powers Limited

XVIII. The power of the Parole Board to parole does not extend to offenses against foreign nations, or United States or Territorial Laws, or against any ordinances of any city, and does not extend to inmates of any other institution other than the Penitentiary.

RULES GOVERNING NON-PAROLABLE
CASES

Notice of Application

XIX. At least twenty days before application for a pardon is made, written notice of the intention to apply therefor, signed by the person applying, and stating briefly the grounds of the application must be served on the district attorney of the county where the conviction was had and proof by affidavit of such service must be presented.

Application for Executive Clemency

XX. Applications for executive clemency will not be considered where adequate relief may be obtained by parole, and then only at the request of the Governor.

Attorneys

XXI. Attorneys at law and those persons not acquainted with the facts and circumstances of the case, shall not be heard upon application for parole or petitions for pardon referred to this Board by the Governor.

Calendars

XXII. Ten days prior to each monthly meeting of the Parole Board the Secretary shall furnish to each member of the Board and the Parole Officer in calendar form, the names and case history of every prisoner who becomes eligible for parole during the calendar month in which that meeting is set, and of such additional prisoners as may be recommended by the Governor for consideration. Said calendar shall contain the full record of each case, including prior law violations, if any, the reports and recommendations of the trial judge, prosecuting attorney and sheriff, and all other reports and correspondence submitted in connection with the case, together with a written statement of the prisoner on form approved by the Board.

XXIII. Order of business for meetings of the Parole Board:

1. Approval of minutes of previous meeting.
2. Review of parole revocations.
3. Consideration of calendar.
4. Fixing date of next meeting.
5. Adjournment.

LAWS RELATING
TO THE
PAROLE BOARD

*Creation of Board, Parole Officer;
Duty of Judge*

I. There is hereby created a parole board, which shall be composed of three residents of the State of Oregon, one of whom shall be the secretary to the governor by virtue of his office. The members of the parole board other than the said ex-officio officer, shall be appointed by the governor and serve at his pleasure.

The office of the parole officer is hereby created. He shall be appointed by and serve at the pleasure of the governor. The said parole officer shall reside at and

have an office at the state penitentiary in like manner as the warden of the penitentiary. It shall be his duty to keep a register of all paroles and conditional pardons; to see that the provisions of all laws relating to paroled persons are observed on the part of all persons released from the penitentiary on parole or on conditional pardon by the governor, and to require all such persons to report to him at stated intervals. He shall have power in accordance with the rules and regulations of the parole board, as representative of the state of Oregon, to retake and return said persons to the penitentiary, whether in or out of the state, whenever they have violated their parole or broken the conditions of their pardon. The salary of said parole officer shall be fixed by the governor, payable out of the salary fund of the state penitentiary at the times and in the manner as salaries are paid to officials of the state penitentiary.

It is hereby made the duty of each circuit judge, when paroling any person pleading guilty or convicted of a crime, to make it a written condition of his parole order, a copy of which shall be immediate-

ly forwarded to the parole officer, that such person, if he be not paroled to another, shall report to the parole officer, and shall be subject to all the rules and regulations and penalties for breach of parole relating to persons under parole from the state penitentiary. (13-1901 1930 Codes.)

Powers of Board

II. It shall be the duty of the parole board to investigate all cases where prisoners are confined in the penitentiaries of the state under indeterminate sentence, as hereinafter defined, and to report to the governor from time to time, with such recommendations as the board may deem proper, on the cases wherein it seems to the board advisable that a parole should be granted. (13-1902 1930 Codes)

Meetings of Board

III. The board shall meet from time to time as occasion requires, and may make such rules and regulations in the carrying on of its work as shall be deemed necessary or proper. It shall appoint a secre-

tary who shall keep the minutes of its meetings and its records, and shall perform such other duties as may be prescribed by the board. (*13-1903 1930 Codes*)

Compensation and Expenses of Board

IV. The board shall serve without compensation other than the actual necessary expenses of its sittings, which expense shall be paid by warrant of the secretary of state on the state treasurer, issued upon certificate of the board that the statement of expenses submitted is a true statement of said expenses, and that said expenses were actually and necessarily incurred by the board in the performance of its duties. (*13-904 1930 Codes*)

Bond may be Required on Parole

V. The parole board shall keep in communication with all prisoners under indeterminate sentence who have been released from the penitentiary on parole, and the governor may, upon recommendation of the board or upon his own motion, if the circumstances seem to him to demand

such action, require that any prisoner so paroled shall give such bail as the governor may deem necessary to secure the faithful observance of the terms of his parole. (13-1912 1930 Codes)

Duty of the Trial Court and Officials

VI. It is hereby made the duty of the judge, the district attorney and the clerk of the court, wherein any person is convicted or pleads guilty to a felony, and within five days thereafter, to prepare over their official signatures, on printed forms prepared and supplied by the parole board, such data as shall be required by such board relating to the history of the crime and the person so convicted, and transmit the same under the rules of the board to the parole officer. All other State officials having any information within their possession, shall at all times, when requested in writing, furnish to the board or parole officer such data and information concerning the convicted person or the crime or the circumstances thereof for which he may be convicted, as may be needful or helpful to the parole board or

parole officer in the performance of their duties. (13-1914 1930 Codes)

Abolishing Minimum Period of Imprisonment for Felonies and Defining Indeterminate Sentence

VII. Except for the crimes of homicide in any degree, treason, rape where violence is an element of the crime, robbery of any kind, burglary when armed with a dangerous weapon, and assault with intent to kill while armed with a dangerous weapon, the minimum period of imprisonment in the penitentiary hereby provided for the punishment of felonies be, and each such minimum period of imprisonment for felonies is hereby, abolished. Whenever any person is convicted of having committed a felony, except those specified above in this section, committed after this amendatory act takes effect, the court shall, unless it impose other sentence than a sentence to serve a term in the penitentiary, sentence such person to imprisonment in the penitentiary without limitation of time, stating and fixing in such judgment and sentence a maximum penitenti-

any term for such crime, which shall not exceed the maximum term of imprisonment provided by law therefor, and judgment and sentence shall be given accordingly, and such sentence shall be known as an indeterminate sentence. Whenever any person is convicted of the charge of having committed homicide in any degree, treason, rape where violence is an element of the crime, robbery of any kind, burglary when armed with a dangerous weapon and assault with intent to kill while being armed with a dangerous weapon, the court shall, unless the penalty for the commission of such crime be life imprisonment, sentence such person to serve a definite term in the penitentiary not in excess of the maximum length of term provided by law therefor. Persons sentenced to serve such definite terms shall be entitled to the good time deductions for good behavior and general reformation provided for in this act. Provided, however that the enactment of this amendatory act shall not affect the indictment, prosecution, trial, verdict or punishment of any of said crimes herein specified and heretofore committed, but all laws now and hitherto

in effect relating thereto are continued in full force and effect as to such crime heretofore committed. (13-1129 1930 Codes)

***After Service of Minimum Sentence
Governor may Parole on own Motion,
or Upon Recommendation of Board***

VIII. Any person sentenced to an indeterminate sentence in the penitentiary may be paroled by the governor upon his own motion, or upon the recommendation of the parole board, in accordance with the provisions of this section set forth, to wit:

Any person under the age of twenty years at the time of conviction and sentence, who has not previously been convicted of a crime, may be paroled by the governor upon his own motion, or upon the recommendation of the parole board at any time after said person is committed to the penitentiary.

Any person over the age of twenty years at the time of conviction and sentence who has not previously been convicted of a crime may be paroled by the governor upon his own motion, or upon

recommendation of the parole board, at any time after such person has served one half of the maximum term for which such person has been sentenced; provided, however, that a record of good conduct, industry and evidence of general reformation certified to by the warden of the penitentiary shall entitle such person to a deduction of five days for each month for said one-half of the maximum sentence, when said one-half of maximum sentence is one year or less, and a deduction of ten days for each month of such period beyond one year. (*13-1906 1930 Codes*)

***Petitions and Arguments of Attorneys
not Allowed***

IX. In granting any parole to any person under indeterminate sentence, the governor shall not hear or entertain any petition or any argument of attorneys for the parole of such prisoner, but he shall consider the prisoner's general demeanor and record for good conduct at the penitentiary, and such findings and recommendations in the case as may be made by the parole

board. This shall not, however, preclude the governor from obtaining other information in regard to said prisoner and in regard to the circumstances likely to surround him if paroled, or from considering any recommendation in regard thereto, made by the court in which said prisoner was convicted. (*13-1907 1930 Codes*)

Records of Paroles

X. A parole of any prisoner shall be certified by the governor to the warden of the penitentiary wherein the prisoner was confined, and said prisoner shall thereupon be discharged on parole, and the governor may, in his discretion, upon the final discharge of said prisoner, restore him to all the rights and privileges of citizenship. Said warden shall keep a record of all such paroles and discharges. (*13-1908 1930 Codes*)

Monthly Reports of Superintendent

XI. The Superintendent of the penitentiary wherein said prisoner is confined shall at least every month, make full re-

port to the parole board concerning all prisoners who are eligible or about to become eligible to parole. (13-1907 1030 Codes)

Conditions of Parole

XII. Any order paroling any prisoner shall specify and direct that such paroled prisoner shall at all times observe and obey the terms and conditions of such parole and any general rules and regulations which the governor or parole board may adopt on the subject, and conduct himself as a law abiding person, and shall require such person at stated times, to report his whereabouts and such other information as may be required, to the secretary of the parole board. (13-1908 1930 Codes)

Revocation of Parole

XIII. The governor may at any time, upon recommendation of the parole board, or upon his own motion, with or without notice to said prisoner, revoke any such parole and require such prisoner to be returned to the penitentiary, and upon receipt of the order of the governor any sheriff or officer of this state, or official

or employee of the penitentiary, duly authorized by the warden of the penitentiary, must arrest such paroled prisoner and return him to the warden, and such prisoner so recommitted must serve out his sentence, and the time during which such prisoner was out on parole shall not be deemed a part thereof, but nothing herein contained shall prevent the governor from again paroling such prisoner or from granting a full pardon to any such prisoner, at his discretion. (13-1911 1930 Codes)

Concerning Revocation and Escapes

XIV. Any person whose parole shall be revoked by the governor and who shall be returned to the penitentiary because of a violation of parole shall receive credit for good time earned only from the date of his return to the penitentiary, and to be applied in the same manner as if said prisoner was received under a new commitment. Any person who shall escape from the penitentiary while under sentence therein, and who shall be returned to said penitentiary, shall not be considered for

parole except as in the case of a person originally sentenced. (13-1916 1939 Codes)

Paroles by Court

XV. Nothing in this act shall be construed as impairing or restricting the power given by law to the judge of any court to parole any person who is convicted of a crime, before such person is committed to serve the sentence for the crime, and such power to parole shall continue until such person is delivered to the warden of the penitentiary. A condition of such parole shall be that such person shall make monthly reports to the parole board under the rules and regulations of such board. (13-1917 1930 Codes)

Duty of Court or Society

XVI. Said court or said society shall, as far as possible, keep in communication with all prisoners under parole, and shall keep informed as to their whereabouts and conduct, and said court shall have power at any time to require that any such prisoner shall have proper bail, bond, or security that said court may deem necessary for the faithful observance by said

prisoner of the conditions and terms of said order and parole. (13-1125 1930 Codes)

Court, Power to Parole

XVII. When any person who has not previously been convicted of a felony shall have been convicted in the circuit court of this state of any felony or misdemeanor, and sentenced not to exceed ten years' imprisonment in the penitentiary, with or without fine, and sentence shall be pronounced, the court before which the conviction shall have been had, if satisfied that such person, if permitted to go at large, would not again violate the law, may, in its discretion, by order of record, parole such person and permit him or her to go and remain at large under the supervision of the court, or under the supervision of any prisoners' aid society now organized or hereafter to be organized under the laws of the State of Oregon, subject always, however, to the order of such court as such court may deem best until such parole shall be terminated as hereinafter provided, but such court shall have no power to parole any person after he or she has been delivered to the warden of the penitentiary, or where it

shall be made to appear to said court before such parole shall have been granted that such person shall have been before convicted of a felony. (*13-1123 1930 Codes*)

Revocation of Parole

XVIII. If any prisoner when required shall fail to give such bail, bond, or security, or shall fail to observe all and every of the conditions and requirements of said parole and order of said court, or shall be again convicted of a felony, then such parole shall be by order of said court revoked with or without notice to such prisoner, and said prisoner shall be committed to the penitentiary to serve out the original sentence imposed in the same manner as though said parole had not been granted. The clerk shall deliver to the sheriff a certified copy of the sentence, together with a certificate that such person had been paroled and that his parole has been terminated, and the sheriff shall, upon the receipt of such certified copy of sentence immediately arrest such person and transport and deliver him or her to the warden of the state penitentiary, and the time such person shall have been

at large upon parole shall not be counted as part of the sentence, but the time of sentence shall be counted from the day of delivery to the warden of the penitentiary. (13-1126 1930 Codes.)

Discharge by Court

XIX. When any person shall have been paroled for a period of time exceeding the minimum time of sentence provided for the offence for which such person shall have been convicted, and the court granting the parole shall be satisfied that the reformation of such person is complete, and that such person will not again violate the law, such court may, in its discretion, by order of record, grant an absolute discharge or recommend to the governor the pardon of such person. The order of discharge or pardon shall recite the fact that such person earned such discharge or pardon by good behavior, and such discharge or pardon shall operate as a complete satisfaction of the original judgment by which the fine or imprisonment in the penitentiary was imposed. As a condition for said order of discharge or recommendation for pardon such court may, at its discretion, require

such convicted person to first pay all costs assessed against him or her in the trial of the cause in which such conviction was had, and any person receiving a final discharge or pardon under the provisions of this law shall be restored to all rights and privileges of citizenship. (13-1127 1930 Codes.)

Discharge by Termination of Sentence

XX. If such parole shall not have before terminated or such parole shall not have before been revoked, then said parole shall be terminated and said prisoner be finally discharged upon the termination of the sentence imposed upon such prisoner to the same effect as if such prisoner had served such sentence. (13-1128 1930 Codes)

Penalty For Exposure or Threats of Exposure of Pardoned, Paroled, or Discharged Prisoners.

XXI. Any person who knowingly and wilfully communicates to another, either orally or in writing, any statement concerning any person then or theretofore convicted of a felony, and then either on conditional pardon or parole or finally discharged, and

which communication is made with the purpose and intent to deprive said person so convicted of employment, or to prevent him from procuring the same, or with the purpose and intent to extort from him any money or article of value; and any person who threatens to make any said communication with the purpose and intent to extort money or any article of value from said person so convicted of a felony, is guilty of a misdemeanor and upon conviction shall be punished by imprisonment in the county jail not longer than six months or by a fine not greater than one hundred dollars, [\$100.00] or by both such fine and imprisonment. Justice, municipal and district courts shall have original jurisdiction in the trial of such cases.

(14-439 1930 Codes)

Laws Relating to Pardons

Power of Governor to Grant Reprieves

The governor has power to grant reprieves, commutations after convictions, for all crimes; and to remit, after judgment therefor, all penalties and forfeitures, upon such conditions and with such restrictions and limitations as he may think proper, subject to the regulations provided in this chapter. (13-1801 1930 Codes)

Statement of Facts by Judge or District Attorney Before Pardon

When application for a pardon is made to the governor, before granting the same he must require the judge of the court in which the conviction was had, or the district attorney by whom the action was prosecuted, to furnish him without delay with a statement of the facts proved on the trial, and of any other facts having

reference to the propriety of granting or refusing the pardon; and this section also applies to an application for the remission of a fine or forfeiture. (*13-1805 1930 Codes*)

Notice to the District Attorney of Application for Pardon

At least twenty days before the application for a pardon or remission is made to the governor, written notice of the intention to apply therefor, signed by the person applying, and stating briefly the grounds of application, must be served upon the district attorney of the county where the conviction was had, and proof by affidavit of the service must be presented to the governor. (*13-1807 1930 Codes*)

Laws Relating to Government of Prison

Effect of Judgment of Imprisonment for a Term of Less than Life

A judgment of imprisonment in the penitentiary for any term less than for life suspends all the civil rights of the person so sentenced, and forfeits all public offices and all private trusts, authority, or power during the term or duration of such imprisonment. (14-1014 1930 Codes)

Sentence of Imprisonment, When it Begins---Voluntary Absence not Counted

When a person is sentenced to imprisonment in the penitentiary, his term of confinement therein commences from the day of his delivery at such prison to the proper officer thereof, and no time during which such person is voluntarily absent from such penitentiary can be estimated or

counted as part of the term for which such person was sentenced. (14-1012 1930 Codes)

Judgment of Imprisonment, What to Specify---Treatment of Convicts

A judgment of imprisonment in the penitentiary need only specify the duration of such confinement, and thereafter the manner of the confinement and the treatment and employment of the person so sentenced shall be regulated and governed by whatever law may be in force prescribing the discipline of the penitentiary, and the treatment and the employment of persons sentenced to confinement therein. (14-1013 1930 Codes)

Assault on Officer to aid Escape

If any person, with intent to effect or aid the escape of a person imprisoned in the penitentiary or sentenced to such imprisonment, shall assault any officer or person having the charge or custody of the person so imprisoned or sentenced, such person, upon conviction thereof, shall be punished by imprisonment in the penitentiary not less than five nor more than fifteen years. (14-435 1930 Codes)

***Assault on Officer by Convict or Person
under Sentence***

If any person imprisoned in the Penitentiary shall, with a deadly weapon, strike, wound, stab, cut, shoot, or shoot at any superintendent, keeper, or assistant keeper of the penitentiary, or other officer or person having the charge or custody of such person so imprisoned, or if any person sentenced to the penitentiary shall, with a deadly weapon, strike, wound, stab, cut, or shoot at any sheriff, deputy sheriff, or his assistants having the charge or custody of the person so sentenced, such person upon conviction thereof, shall be punished with death. (14-434 1930 Codes)

Escape a Felony

Every person confined in the penitentiary for a term less than for life, who escapes or attempts to escape, or who shall aid or assist any person to escape therefrom, shall be guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the penitentiary for a term of not more than ten years; said term of imprisonment to commence from the time he would have otherwise been discharged from said penitentiary. (14-418 1930 Codes)

Expense in Returning Paroled Prisoner

Any expense incurred for returning prisoners to the penitentiary under the provisions of this act shall be paid out of the appropriation made for transporting prisoners to the penitentiary from the several counties of the state by the sheriffs thereof.
(13-1913 1930 Codes)

