

PAROLING PRISONERS.

CHAPTER 92.

[S. B. No. 19.]

AUTHORIZING PAROLING OF PRISONERS.

AN ACT Entitled "An Act for Paroling Prisoners."

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. PRISONERS MAY BE PAROLED, HOW] The Board of Directors of the Penitentiary of this State, with the consent of the Governor, who shall be ex-officio president of said board when considering the parole of prisoners, shall have power to establish rules and regulations under which any prisoner, who is now or hereafter may be imprisoned under a sentence other than murder in the first or second degree, who may have served the minimum term of imprisonment provided by law for the crime for which he was convicted, and who has not previously been convicted of a felony and served a term in a penal institution, may be allowed to go upon parole outside of the buildings and enclosures, but to remain while on parole in the legal custody and under the control of the said board, and subject at any time during the remaining term of such sentence to be taken back within the custody and enclosure of said institution and full power to enforce such rules and regulations, and to retake and reimprison any convict so upon parole, is hereby conferred upon said board, whose written order, certified by its secretary, shall be a sufficient warrant for all officers named therein 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.

§ 2. WHO MAY BE PAROLED.] No prisoner shall be so paroled unless—

First. He shall have maintained a good prison record for at least six months previous to his parole.

Second. His friends have furnished satisfactory evidence to the board, in writing, that employment has been secured for such prisoner from some responsible person, certified to be such by the judge of the county where such person resides.

Third. The board is convinced that he will conform to the rules and regulations adopted by said board.

§ 3. GROUNDS FOR RECOMMENDING PAROLE.] No prisoner shall be paroled except upon the written recommendation of the Warden and by the affirmative vote of at least four members of said board of directors, together with the approval of the Governor, and the convict's prison record and general demeanor shall constitute the only grounds for such recommendation by the Warden; and the appearing before said board of attorneys in behalf of prisoners is hereby prohibited, and petitions signed praying for the parole of prisoners shall not be taken account of by the Warden when making a recommendation to the board as provided for in this section.

§ 4. REPEAL.] All acts and parts of acts in conflict with any of the provisions of this act are hereby repealed.

Approved February 21, 1891.

PRAIRIE FIRES.

CHAPTER 93.

[S. B. No. 167.]

TO PREVENT AND PROVIDE AGAINST DAMAGE BY PRAIRIE FIRES.

AN ACT for the Prevention of Prairie Fires and to Provide Against Damage Done by Them; Also Prescribing Duties of County Commissioners in Relation Thereto.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. TOOLS AND APPLIANCES.] It shall be lawful for the county commissioners of any county in this State to provide such tools and appliances as in their judgment should be provided to aid and assist in making firebreaks to prevent the spread of prairie fires and damage caused thereby.

§ 2. COUNTY DIVIDED INTO DISTRICTS.] The board of county commissioners shall have power to divide the county into as many districts as may in their judgment be necessary, and each district so formed shall be known and designated as fire district No....; *Provided*, That whenever practicable a road overseer residing in said fire district shall be fire warden, who shall act under his oath of office as said road overseer, and who shall in addition be required to give a bond with two good and sufficient sureties in the penal sum of five hundred (500) dollars for the faithful discharge of the duties of said fire warden.