

# HOUSE . . . . No. 914

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Bill accompanying the petition of the members of the board of parole relative to sentences to the State Prison. Social Welfare. January 18.

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## The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Fifteen.

### AN ACT

Relative to Sentences to the State Prison.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. If a convict is sentenced to the state  
2 prison, for a crime committed after the passage of this act,  
3 except for life or as an habitual criminal, the court shall  
4 not fix the term of imprisonment, but shall merely impose  
5 a sentence to the state prison. Whoever is so sentenced  
6 to the state prison may be held therein for the maximum  
7 term fixed by law for the punishment of the offence of  
8 which he has been convicted.

9 If a convict is sentenced to the state prison as afore-  
10 said, for two or more crimes, he may be held for a term  
11 equal to the aggregate of the maximum terms fixed by  
12 law for the punishment of said crimes, unless said sen-  
13 tences are imposed to run concurrently, and for the  
14 purpose of this act, he shall be held to be serving one  
15 continuous term, equal to such aggregate.

16 A sentence imposed under this act shall be known as  
17 an indeterminate sentence.

1 SECTION 2. If it appears to the board of parole for  
2 the state prison and the Massachusetts reformatory that  
3 a prisoner held in the state prison upon a sentence im-  
4 posed under this act has reformed and is likely to lead  
5 an orderly and law abiding life, and it has a reasonable  
6 assurance that he will not become a charge upon public  
7 or private charity, it may issue to him a permit to be at  
8 liberty during the remainder of his sentence, upon such  
9 terms and conditions as it shall prescribe.

10 If the holder of a permit issued under the provisions  
11 of this act, violates any of its terms or conditions, or  
12 violates any law of this commonwealth, before the expira-  
13 tion of his sentence, such violation shall make void such  
14 permit. The board of parole may revoke any permit to  
15 be at liberty issued under the provisions of the preceding  
16 section.

1 SECTION 3. When any such permit has become void  
2 or has been revoked, said board of parole may issue an  
3 order, signed by its clerk, authorizing the arrest of the  
4 holder thereof by any agent appointed by the board of  
5 prison commissioners, or by any officer qualified to serve  
6 civil or criminal process in any county, and the return  
7 of such holder to the state prison.

8 A prisoner who has been so returned to the state  
9 prison shall be held therein according to the terms of his  
10 original sentence. In computing the period of his con-  
11 finement, the time between his release upon permit and  
12 his return shall not be considered as any part of the term  
13 of his original sentence.

1 SECTION 4. This act shall take effect on the first day  
2 of July of the present year.