

SENATE No. 484

The Commonwealth of Massachusetts.

SENATE, MAY 11, 1916.

The joint committee on the Judiciary, to which was referred a portion of the report of the Attorney-General for the year ending January 19, 1916 (Pub. Doc. No. 12), reports in part, the accompanying bill.

For the committee,

JAS. F. CAVANAGH.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Sixteen.

AN ACT

Relative to Sentences to the Massachusetts Reformatory and the Reformatory for Women.

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. Whoever is sentenced to the
2 Massachusetts reformatory or the reformatory for
3 women for a felony, the term of the sentence not
4 being fixed by the court, shall be kept therein for
5 a term of five years unless sooner permitted to be
6 at liberty under provisions of law.

1 SECTION 2. Whoever is convicted of an offence
2 mentioned in section forty-six of chapter two
3 hundred and twelve of the Revised Laws, as
4 amended by chapter seven hundred and forty-
5 three of the acts of the year nineteen hundred and
6 fourteen, of fornication, of being a vagrant, of
7 disturbing the peace, of violating the provisions
8 of chapter five hundred and thirty-eight of the
9 acts of the year nineteen hundred and nine, or of

10 a misdemeanor punishable by imprisonment in a
11 jail or house of correction for a term of one year or
12 more may be sentenced, if a male, to the Massa-
13 chusetts reformatory, and if a female, to the re-
14 formatory for women; and when so sentenced,
15 except when sentenced for drunkenness or an
16 offence under the provisions of chapter four hun-
17 dred and fifty-six of the acts of the year nineteen
18 hundred and eleven, shall be kept there for a term
19 of two years unless sooner permitted to be at
20 liberty under provisions of law: *provided, how-*
21 *ever,* that no person over the age of forty shall be
22 sentenced to the Massachusetts reformatory.

1 SECTION 3. Persons convicted of misdemeanors
2 not punishable by imprisonment in a jail or house
3 of correction for a term of one year or more, other
4 than those mentioned in section two, shall not
5 be sentenced to either the Massachusetts re-
6 formatory or the reformatory for women.

1 SECTION 4. A child adjudged to be a delin-
2 quent child under the provisions of chapter four
3 hundred and thirteen of the acts of the year nine-
4 teen hundred and six, and acts in amendment
5 thereof, may be committed to the Massachusetts
6 reformatory or to the reformatory for women, as
7 therein provided; and if so committed shall be
8 held therein during minority unless sooner per-
9 mitted to be at liberty under provisions of law,
10 and all provisions of law relative to the release of
11 persons sentenced thereto shall apply to such child,

1 SECTION 5. Nothing herein contained shall be
2 construed to prohibit the transfer of persons serv-
3 ing sentence to or from the Massachusetts re-
4 formatory or the reformatory for women, as here-
5 tofore provided by law.

1 SECTION 6. All acts and parts of acts incon-
2 sistent herewith are hereby repealed.