

OPINION
47-34

November 5, 1947 (OPINION)

CITIES

RE: Jails - Labor Prisoners

Re: Sections 12-4432, 40-1112, and 40-1812, 1943 Revised Code.

Your letter of November 3, 1947, regarding labor of city prisoners, and location of city jails, has been received and sent to my desk.

The governing body of the city may, by ordinance duly enacted, provide that persons convicted of violation of city ordinance may be sentenced to imprisonment in the city jail not to exceed three months, and when so sentenced the sentence may provide that the prisoner shall perform labor for such municipality at such labor as his strength will permit, not exceeding ten hours in each working day, and for such work the person so imprisoned shall be allowed for each day, exclusive of his board, one dollar and twenty-five cents on account of the fine and costs assessed against him. (See sections 12-0501(41), to establish city jails. We know of no law prohibiting these being in the basement of the city hall. They must be kept sanitary, of course.

NELS G. JOHNSON

Attorney General