

PRISON MADE GOODS:  
SHIPMENT PRIOR TO OCT. 14th:

Prison made goods may be shipped  
outside Missouri prior to midnight  
October 13, 1941

October 11, 1941

Mr. P. F. Willis  
Commissioner of Industries  
Department of Penal Institutions  
Jefferson City, Missouri



Dear Mr. Willis:

This is in reply to your letter of recent date wherein you request an opinion from this department on the following statement of facts:

"Mr. Autenrieth, wants for his file an opinion from you as to the matter of shipping 'prison made' goods outside the State of Missouri."

"As you are aware October 14th is the deadline and what we desire to know is whether we would be violating the law if we should make a shipment whose destination was outside Missouri, prior to October 14th and the shipment would be received by the consignee in another State on October 14th or thereafter. In other words are we safe in making a shipment outside Missouri prior to midnight of October 13th."

In view of the fact that you have such a short time for which to act under this opinion, we are preparing it without citing particular authorities, but are offering general rules of law which would be applicable.

As a general rule of law, criminal statutes are strictly construed. They cannot be retroactive. In your statement you indicate that the act prohibiting the shipment of goods in inter-state commerce goes into effect on October 14. Any shipment which you make prior

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to the date that act goes into effect would not be in violation thereof.

CONCLUSION

It is, therefore, the opinion of this department that you may ship prison made goods in inter-state commerce at any time prior to midnight of October 13, 1941.

Respectfully submitted,

TYRE W. BURTON  
Assitant Attorney General

APPROVED:

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VANE C. THURLO  
(Acting) Attorney General

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