

POPULATION, SORGHUM, SHEEP AND WOOL.—Continued.

| COUNTIES. | Whites | Free colored | TOTAL | Sorghum galvas of | Sheep No. of | Wool pounds of |
|----------------------------|---------|-----------------|---------|----------------------|-----------------|-------------------|
| Monroe | 8,699 | 2 | 8,611 | 38,568 | 6,454 | 19,692 |
| Montgomery | 1,346 | | 1,356 | 1,021 | 473 | 1,361 |
| Muscatine | 16,339 | 105 | 16,444 | 18,163 | 1,747 | 4,519 |
| Oscola (unorganized) | 8 | | 8 | | | |
| O'Brien | 4,418 | 1 | 4,419 | 18,971 | 3,051 | 7,979 |
| Palo Alto | 123 | | 133 | | | |
| Plymouth | 146 | 8 | 148 | | | |
| Pocahontas | 103 | | 103 | | | |
| Polk | 11,612 | 13 | 11,625 | 23,821 | 4,044 | 10,526 |
| Pottawattamie | 4,853 | 9 | 4,962 | 2,527 | 815 | 1,642 |
| Poweshiek | 5,670 | | 5,670 | 15,326 | 4,683 | 8,881 |
| Ringgold | 2,923 | | 2,923 | 7,633 | 743 | 2,342 |
| Sac | 246 | | 246 | 347 | 64 | 146 |
| Scott | 25,921 | 39 | 25,960 | 6,344 | 1,876 | 4,943 |
| Sioux | 10 | | 10 | | | |
| Shelby | 817 | 1 | 818 | 805 | 228 | 750 |
| Story | 4,052 | | 4,052 | 9,539 | 1,181 | 3,148 |
| Tama | 5,295 | | 5,285 | 10,507 | 858 | 2,509 |
| Taylor | 3,599 | | 3,399 | 10,734 | 2,400 | 5,105 |
| Union | 2,012 | | 2,012 | | | |
| Van Buren | 17,079 | 4 | 17,083 | 89,717 | 7,432 | 19,432 |
| Wapello | 14,480 | 38 | 14,518 | 31,183 | 9,129 | 24,717 |
| Warren | 10,298 | 14 | 10,282 | 50,966 | 4,833 | 13,638 |
| Washington | 14,230 | 13 | 14,233 | 44,859 | 6,927 | 18,401 |
| Wayne | 6,400 | 11 | 6,411 | 14,220 | 4,912 | 13,086 |
| Webster | 2,500 | 4 | 2,504 | 1,108 | 665 | 1,940 |
| Winnebago | 165 | | 165 | | 11 | 27 |
| Winneshek | 13,942 | | 13,942 | 5,514 | 3,859 | 10,162 |
| Woodbury | 1,116 | 3 | 1,119 | 550 | 130 | 350 |
| Worth | 756 | | 756 | 121 | 150 | 373 |
| Wright | 653 | | 653 | 210 | 41 | 98 |
| Total | 679,925 | 1,023 | 674,948 | 1,159,368 | 251,433 | 651,122 |

CORRECTIONS.

Page 4, 2d line from top, for "2d district," read "3d district."

Page 7, 15th line from top, for "one fourth," read "one-eighth."

Page 10, 2d line from top, for "\$150,000" read "\$1,500."

Page 10, 28th line from bottom, insert "every" after word "behavees."

OF THE
WARDEN
OF THE
IOWA PENITENTIARY,
TO THE GOVERNOR

OF THE

STATE OF IOWA.

DECEMBER 16, 1861.

DES MOINES:
F. W. PALMER, STATE PRINTER.
1863.

REPORT.

WARDEN'S OFFICE, IOWA PENITENTIARY, }
December 16th, 1861.

To His Excellency, SAMUEL J. KIRKWOOD, Governor of Iowa :

In conformity to law, I am happy to report to you that the affairs of the Iowa Penitentiary, sanitary and financial, are in a remarkably healthy condition. And with the co-operation of efficient under-officers, the discipline of the Institution in the past two years has been materially bettered, and is now believed to be equal to that of most of the older prisons of our country, notwithstanding we have many difficulties to encounter, and numerous inconveniences to overcome. We have labored hard to enhance the interests of the State, both in a pecuniary point and in carrying out the object had in view by the founding of an institution of this kind; and we flatter ourselves that we have succeeded very well for the chance we have had.

The small appropriation made at the last session of the General Assembly, for building and repairing the yard fence, was expended to the best possible advantage, in making a temporary but substantial fence across the entire north side of the prison-yard, as well as part of the east and south sides, the west wall being the only one that is entirely complete around the yard. This fence, though very insecure, enables us, with great vigilance, to hold the men in check, yet it is a constant temptation before them, and it is impossible to tell at what time they may make a rush upon it. It is built of two inch pine joists, twenty feet long, standing on end, and nailed securely to oak rails fastened securely to pine and hemlock oar-stems set deep in the ground. So you see it cannot last many years.

It is also of the utmost importance to the State, as well as all connected with the prison, that the wall enclosing the yard be completed at the earliest possible day. To do this, according to the plan adopted by the late Board of Inspectors, it will be necessary

to remove some sixteen thousand square yards of earth at a cost of twenty-five cents per yard, according to the late contract price, making a total for excavation of four thousand dollars. Then there will be sixteen hundred perch of rubble stone to put in the wall at a cost of about three-and-a-half dollars, making a total of fifty-six hundred dollars, and six hundred and eighty-two feet of coping to cover the same, at a cost of three dollars per foot, making twenty hundred and eighty-two dollars.

An appropriation was also made of fifty-four hundred dollars for cells to be built in the third tier, which I expended in putting up all complete, forty cells, substantially built, well ventilated, and covered with cast iron, thus saving some six inches or more of wall around the cell room building. When we take into account that one hundred and ninety-five dollars apiece had been paid for building cells on the second range, covered with stone, and where there was plenty of room to work without hindrance, it will be seen that this was a very advantageous contract to the State. It is altogether probable that more cells will be necessary before another meeting of the General Assembly, particularly if the war closes, as in all human probability it will. There are now one hundred and forty-eight cells, leaving fourteen to be built to complete the third tier. It would be well to complete them at an early day, and will require about twenty-two hundred to do it, after which there will be no room left for more cells without raising the building or converting the part now occupied as the Warden's residence into cells, and furnishing other quarters for that officer, as he is required, under the law, to live in or at the prison.

The roof of the main building is getting old, and leaks some now, so that it is questionable whether it will afford shelter two years more or not. The frame of the roof is good and only requires to be newly shingled to make it right. To do this, it will require about six hundred dollars.

A number of locks on the lower tier of cells have, for some time, been greatly out of order, and have given us much trouble, both in keeping them in repair, and in the lack of security. In fact they never were a suitable lock for the place. I recommend that thirty-eight of them be replaced by new locks, which will cost five dollars each, amounting to one hundred and ninety dollars.

The present wooden building occupied as Hospital, Chapel, Dining room and Convicts' Kitchen is very unsafe, and not at all ade-

quate to the wants and necessities of the Prison, more particularly the Hospital as we can only leave men in it during the day, and at night have to confine them in a cell for safe keeping which is injurious to the invalid as well as extremely inconvenient to those in charge. In view of these facts it is deemed of the utmost importance to have the Hospital building, already begun, (which when completed will comprise Commissary's cellars, Convict's Kitchen, Dining room, Guard room, Chapel and Hospital,) finished, or some other suitable house erected. The first story or cellar is all done and stands so. The cost of completing the building as originally designed, will be about forty thousand dollars, which will make not only a very useful, and much needed acquisition to the Prison, but also very durable. According to the plan it will be entirely fire-proof. In connection with this building in some way should be a female department, as there is now no place in the whole Institution, where females could be kept properly and with safety. At this time we have not, I am happy to say, a single female convict, but it is not likely we will long be without, as there are quite a number under arrest in the State, and some of them no doubt will be convicted, and will have to be taken in. So that I feel that I cannot too strongly urge the necessity of something being done towards providing a proper place for them.

It is very important to all concerned, and for the health of the convicts that a good and properly constructed blacksmith shop be speedily erected in the yard, as the one now occupied is the lower room of a two story building without proper ventilation, and is too small and narrow for convenience, besides being very difficult to maintain discipline in. It is a fact in regard to all the old shops in the Prison yard, that they are not constructed so as to enhance the interest of the State, as it requires an overseer or guard to each shop, as well as stoves and other fixtures, be the shop large or small. One man may in a properly constructed shop oversee from thirty to fifty men just as well as to have only five or ten to work under him in a narrow and illy arranged room. I therefore ask that twenty-five hundred dollars be appropriated to build a suitable slate-roof Blacksmith shop.

I attribute much of the trouble hitherto had in the management of the Prison, to the want of a permanent plan for its construction, and I urge upon your attention and that of the General Assembly, the absolute necessity of the adoption of some carefully detailed

plan, as well for the general shape and size of the Prison, as for the location of each class of structure, such as Warden's building and office, Cell rooms and Cells, Hospital, Kitchen, Chapel, Dining-room, Store-room, Work-shops, Cisterns, Ash-houses, Wash-houses, &c., &c. This may involve the employment of a competent Architect and Engineer, at an apparently high salary; but the course is the only proper one, and is infinitely preferable to the patch-work system, as exhibited in the present structure. In my humble opinion, the plans adopted by the late Board of Inspectors, though they may at first glance seem somewhat extravagant, are not more than suited to the growing necessities of a Penitentiary in the fertile State of Iowa; and I would suggest that your Excellency and the General Assembly give them a careful examination before a change, if any be made.

We are bad off for a supply of water in dry times, and frequently have to get it hauled from the river, and in case of a fire, we should now be almost helpless. In view of these facts, I ask an appropriation of Two Hundred and Fifty Dollars, for the building of two large Cisterns, and attaching to them suitable force pumps and hose, to be used in case of fire, and for other purposes.

As we stand greatly in need of a safe and suitable place in which to keep ashes, to prevent them being scattered around the yard, and to save them for making soap for the use of the Prison, I recommend that an appropriation of Seventy-five Dollars be made for building an Ash-house.

As the law now stands, there is no way provided for contingencies. In case that convicts were to increase beyond the estimates made, thereby increasing the expenses of the Prison, besides making it absolutely necessary to build more cells, and increase the number of guards, (this is to say nothing of rebuilding of shops or repairing of damages occasioned by fire or other accidents,) there is now no authority vested in any one to incur any debt or outlay, other than expressly laid down in the law. I am fully of the opinion that an appropriation of Eight or Ten Thousand Dollars should be made, in the shape of a Contingent Fund, to be at the control of the Governor, or some other proper Agent, only to be drawn in case of actual necessity.

The last regular session of the General Assembly made an appropriation for past indebtedness, which failed to meet the whole debt, owing to interest which accrued afterwards, besides an es-

timate for a month's excavating, all of which is set forth and explained elaborately in the report of Mr. Guthrie, my clerk, accompanying this.

Of the appropriation for general support, including the drafts now out for quarter ending November 30th, we are happy to say there have been eleven thousand six hundred and ninety-three dollars and fifteen cents expended, leaving yet in the treasury twenty-three thousand three hundred and six dollars and eighty-five cents, subject to our order.

The appropriation for guards' salaries, including drafts out for November, has also a balance undrawn of five thousand three hundred and thirty-two dollars and sixty cents. The appropriation of three hundred dollars for the safe was used to the best possible advantage. After trying several different manufacturers, we contracted with Messrs. Burke & Barnes of Pittsburgh, Pa., to put us a safe on the levee at this place, of the following dimensions: Height, fifty-one and half inches; width, thirty-six inches; depth inside, seventeen inches; which proved entirely satisfactory to us, we paying for it with the three hundred dollar State Warrant.

This safe, though large, does not afford room sufficient for the safe-keeping of all the books and papers pertaining to the Institution, and it is all-important to the interests of the State, as well as her officers, who may be under heavy bonds for the safe keeping of her vouchers and records, to have a safe place to keep them in. I therefore respectfully suggest that a small appropriation of two hundred and fifty dollars be made, for the purpose of building a vault, to meet the growing demands of the Institution.

The floors in the halls and the lower part of the Warden's House are badly worn and some of them at least will have to be re-laid very soon, which will properly come under the head of repairs.

We have but few arms of any kind in the Prison, and what we have are of very inferior quality, consisting of sixteen or seventeen old muskets that cannot be used with much efficiency, and seven Navy revolvers, not good. In view of the unfinished state of the yard, wall and Prison buildings, we stand greatly in want of the best improved arms, and plenty of them, as the old board fence enclosure looks very inviting to a "long term man," and we must at all times be prepared for emergencies. I therefore ask that some means be devised for obtaining a better supply of necessary arms, either by appropriation or otherwise.

The Library is a source of great benefit to the prisoners, most of whom are fond of reading. Some who could neither read nor write when committed, have learned to do both tolerably well during a short term. The Chaplain acts in the capacity of teacher as much as the present labor contract will admit of, so that if our Library was filled with a better class of useful reading matter, selected expressly to suit an institution of this kind, and put under the entire control of that officer, I think much more good might be done than now is. I therefore ask that at least one hundred dollars be appropriated for Library purposes, as we now have but very few books of a useful or interesting class.

I am pleased to say that I think much good has been done to many of the inmates of our Prison by the Religious Society founded here by our worthy Chaplain, Rev. H. W. Thomas, and some at least will go forth into the world again with the seeds of righteousness deeply rooted in their hearts, through his instrumentality. He is much esteemed by the men and gives entire satisfaction to all concerned, and I am pleased to invite your careful perusal of his accompanying report.

I also ask your attention to the Physician's Report. His attendance is remarkably punctual and his treatment of cases seems successful and satisfactory to all.

As the law stands Wall Guards are allowed forty dollars per month while Shop Guards get thirty dollars per month. This is not what was intended, I am fully satisfied, when the law was made, but as it was passed just at the close of the session and put through in a hurry, it was not seen until after the adjournment. The appropriation for paying Guards was based on forty dollars all round, which is not more than a fair compensation for the service rendered, as none but good men are fit for the place, and they are necessarily on duty early and late, and do not even get the benefit of but a small portion of the Sabbath. Some have the erroneous impression that the State also boards its officers and guards, but such is not the case. They get no perquisites. I respectfully submit that some action be taken to equalize the pay of Guards, and make it what it should be, a fair equivalent.

The present labor contract will expire on the fourth day of June, eighteen hundred and sixty-four, so that it will be necessary for the present Session to make some provision for the labor of the men after that date, as there will be altogether too short a time between

the convening of the next General Assembly, and the close of the present contract to make the necessary arrangements for laboring so many men, either by the State or by contractors.

The present Diminution Act for the benefit of convicts who wish to obey the Rules and come out like men, works well and is a great stimulus to good conduct on the part of a majority of those confined here. Many go out with its full benefits, and I trust become useful members of Society, much more so than they otherwise would, at all events.

Under our law, United States convicts cannot have the benefit of the Diminution Act. It seems but fair to me that these prisoners be placed on an equal footing with the State men, and should receive the same benefits for good conduct. I therefore suggest that the General Assembly memorialize Congress, asking it to pass a similar law to ours, that its convicts may have something to encourage them in well doing, the same as our own.

There is a discrepancy between sections 214, 2177, and 5178, Revision of 1860, in relation to the date at and up to which reports should be made. To reconcile this discrepancy and allow a reasonable time for the making up of the Report, as well as to avoid the inconvenience of breaking into the regular business of a month as provided in section 214, I recommend that the Reports for this Institution shall date up to the first day of December next preceding the regular session of the General Assembly.

I would call your attention to the increasing depreciation of State Auditor's Warrants, with which we pay nearly all the Prison expenses. They are now rating at eighty-five cents on the dollar in this place, and though great effort has been made I find it extremely difficult to purchase supplies at even that exorbitant figure. The use of Warrants confines us also to a limited market and subjects us to charges to which if in any way avoidable we would not submit.

If in the face of these facts it is proposed to continue the paying out of Warrants it will be necessary to add at least fifteen per cent. to the appropriation for general support.

In reviewing I find that appropriations should be made for different classes of expenditure, in the following order of precedence and amounts :

1. GENERAL SUPPORT;

The balance undrawn from appropriation, Chap. 113, Sec. 1, Acts 1860, 23, 306, 85, is estimated as sufficient for the ensuing two years.

2. GUARDS SALARIES\$14,000.00

Less balance undrawn, Chap.

113, Sec. 4, Acts 1860,..... 5,332.60 8,667.40

3. OFFICERS SALARIES.

Warden, two years from January 1st, 1862,..... 2,000.00

Deputy, two years from January 1st, 1862,..... 1,500.00

Clerk, two years from January, 1st, 1862, 1,500.00

Chaplain, two years from January 1st, 1862, 1,000.00

Physician, two years from January 1st, 1862, 1,000.00 7,000.00

4. LIBRARY, 1,000.00

5. REPAIRS.

Locks on cells,..... 190.00

Roof on cell buildings, 600.00 790.00

Total to be appropriated for general support, 16,557.40

6. IMPROVEMENTS.

Cisterns, 250.00

Ash-House, 75.00

Vault for Clerk's office, 250.00 575.00

7. Blacksmiths' Shop, 2,500.00

8. Wall, 11,682.00

9. Contingent Fund, to include past indebtedness, 10,000.00

This may be drawn for any emergency, either *ac.* general support or construction.

10. Hospital Building, 40,000.00

11. Cells, 2,200.00

Total to be appropriated for all purposes,\$83,514.40

In conclusion permit me to say, that we are under many obligations to the Hons. J. W. Jones, Treasurer of State, J. W. Cattell, Auditor of State, and Elijah Sells, Secretary of State, for many favors and courtesies we have received at their hands during the past two years, and for which they have our sincere thanks, and that the utmost good feeling has existed between myself and all who have been connected with the Prison. I am much indebted to Mr. Jas. H. Reynolds, the Depty. Warden, for his untiring vigilance and energy in the discharge of his duties, and also to Mr. S. Guthrie, my Clerk, for the very accurate and satisfactory manner in which he has kept the books and papers of the Institution, as well as for other valuable assistance.

SUPPLEMENTAL.

Since the preparation of the foregoing report to your Excellency, the District Court of this county (Lee) has been in session and the Referees to whom was left the matter of the State of Iowa *vs.* Winterbotham & Jones, have made their Report, which will be found at length, in the accompanying document marked "D," being a copy, duly certified by the Clerk of the District Court.

You will see by a perusal of it the position the State occupies in the present Labor Contract with the facilities afforded the Lessees for laboring the men to advantage. If the contract really requires more shops and greater facilities, it seems to me it were better to furnish them, and get the contract price for the labor, than for the State to feed, clothe and guard so many men, and then pay other parties for working them. As it is, you see the State realizes comparatively nothing from the Labor Contract.

Your Obedient Servant,

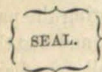
E. A. LAYTON, Warden.

STATE OF IOWA, }
COUNTY OF LEE. } ss

I, Edward A. Layton, Warden of the Iowa Penitentiary, being duly sworn, on my oath say the foregoing pages contain a complete statement of the affairs of the Iowa Penitentiary for the time stated therein.

E. A. LAYTON.

Subscribed and sworn to before me, and in my presence, by E. A. Layton, December 16, 1861.



Witness my name, and seal of office, the day and year last above written.

E. J. LEECH, Clk. D. C.

By D. H. LESNER, Dep't'y.

F. A. Layton, Warden of Iowa Penitentiary :

In compliance with Section 5181, Chapter 247, Revision of 1860, I hereby submit statements and balance sheet of affairs of this institution in my department, for two years from September 30th 1859, to October 1st, 1861.

STATEMENT ONE.

Dr. and Cr. balances from General Ledger, for two years, as above, viz:

STATE OF IOWA.

\$72,140.39

Rec'd under Chapter 53, Sec. 1,

Acts 1858,.....\$3,447.27

Rec'd under Chapter 113, Sec.

1, Acts 1860,..... 10,061.39

Rec'd under Chapter 113, Sec.

2, Acts 1860,..... 6,400.00

Rec'd under Chapter 113, Sec.

3, Acts 1860,..... 300.00

Rec'd under Chapter 113, Sec.

4, Acts 1860,..... 8,258.40

Rec'd under Chapter 113, Sec.

5, Acts 1860,..... 90.00

Rec'd under Chapter 117, Sec.

1, Acts 1860,..... 38,500.00

Rec'd under Chapter 135, Sec.

12, Acts 1860,..... 1,750.00

Rec'd under Chapter 135, Sec.

13, Acts 1860,..... 1,250.00

Rec'd under Chapter 135, Sec.

14, Acts 1860,..... 1,250.00

Rec'd under Chapter 135, Sec.

15, Acts 1860,..... 733.33

Rec'd under Chapter 135, Sec.

16, Acts 1860, 100.00

CASH.

1,464.61

Paid more than received during two years. (*See Statement Two.*)

INTEREST ON STATE WARRANTS.

7.41

(*See General Support Fund, Statement Two.*)

CONVICT LABOR.

20,100.12

Whole amount charged Contractors in two years; being the capability of the Prison to its own support.

CONSTRUCTION.

21,212.66

Fifty dollars charged this account was paid J. F. Edwards, Architect. Ninety Dollars due him as reported October 1859, was rejected under ch. 117, Acts of 1860; thus leaving a balance to credit of this account, amount. 40.00

WALL.

Estimates under McHenry & Dinsmore's contract up to and including Mar.

1860..... 6,217.18

Board Fence, under chap. 113

Sec. 2, Acts of 1860..... 378.85

CELLS.

Estimates under contract with Messrs. Winterbotham and Jones..... 1,834.50

Built under chapter 113, sec. 2,

Acts 1860..... 6,019.19

WORK-SHOPS.

Being the cost of the two-story brick shop on the west side prison yard..... 6,905.81

IMPROVEMENTS.

Cost of large cisterns built in the fall of 1859, with labor and materials for alterations in Warden's building..... 258.08

HOSPITAL BUILDING.

The final estimate on this building as reported '57-'59, was overcharged; therefore, this account has credit for the error, amount..... 360.95

Balance Dr. carried to account construction, as whole outlay for two years..... 21,212.66

GENERAL SUPPORT..... 39,273.30

This account has credit for the maintenance of United States convicts for two years..... 565.85

Also, for notes and accounts rejected under chapter 117, acts 1860..... 58 48

ARMS AND AMMUNITION..... 49.99

CLOTHING AND BEDDING..... 3,555.22

CLERK'S OFFICE.

Iron safe, chapter 113, sect. 3, acts of 1860, charged this account, amount..... \$300.00

Also, past indebtedness, chapter 117, acts 1860 amount..... 100.00

Two year's expense... 172.05 572.05

CELL ROOM EXPENSE..... 9.85

CONVICTS EXPENSE..... 350.93

CONVICT'S KITCHEN..... 368.36

DISCHARGED CONVICTS..... 1,208.99

DISCOUNT..... 66.11

EXPENSE, GENERAL ACCOUNT..... 364.51

EXCHANGE..... 30 40

ESCAPED CONVICTS..... 16.65

FUEL AND LIGHTS..... 2,873.21

HOSPITAL EXPENSES..... 406.46

INTEREST..... 2,092.28

LIBRARY..... 53.98

PROVISION..... 9,315.08

POSTAGE..... 62.25

PRINTING AND ADVERTISING..... 47.00

SALARIES OF GUARDS..... 11,331.50

LAWYERS' FEES.

Paid by order Inspectors, Dec., 1859,..... 105.80

WARDEN'S EXPENSES.

To Burlington and Keokuk for supplies,..... 7.00

VISITORS.

Receipts from,..... 171.73

OFFICERS' SALARIES..... 6,898.03

Warden,..... 2,000.00

Deputy, for two years,..... 1,437.50

The salary for this officer for the months of March and April, 1859, had never been charged up. By Appropriation, chapter 113, sec. 5, Acts 1860, J. H. Reynolds was paid for such service,..... 90.00

By consent of the Governor of the State, the account of M. P. Griffin, (who was paid in Jan., 1859, for three months' services in advance, and who was discharged on Feb. 1st, 1859,) was closed to keep it out of the monthly balances, and the amount charged Officers' Salaries. It may be again opened if the interests of the State shall seem to warrant..... 72.33

Clerk,..... 1,437.50

| | | |
|---|-----------|-----------|
| Chaplain,..... | 858.33 | |
| Inspectors, chapter 135, sec. 10, Acts 1860,..... | 100.00 | |
| Physician; Section 5155, "Revision of 1860," provides for the ap- pointment of this officer, but no special appropriation is made for the payment of his services. It is therefore paid from appropriation for Gene- ral Support..... | 902.37 | |
| Total cost of Officers' Sal- aries, carried up,..... | 6,898.03 | |
| REPAIRS. | 283.71 | |
| Balance Dr. carried to account General Support as whole cost for two years,..... | | 39,273.30 |
| BILLS PAYABLE..... | 13,467.54 | |
| Balance Dr. for two years. | | |
| PERSONAL ACCOUNTS..... | 19,759.03 | |
| Balance Dr. for two years. | | |

STATEMENT TWO.

ACCOUNTS OF FUNDS.

| | | |
|--|----------|----------|
| WALL FUND. | | |
| Balance on hand, as per report 1857-59,..... | 1,732.31 | |
| Received from chapter 113, sec- tion 2, Acts 1860,..... | 378.85 | |
| Paid ac. Wall, retained per cent.,..... | 525.45 | |
| Paid ac. Board Fence, under chapter 113,..... | 378.85 | |
| Transferred to Past Indebt- edness Fund,..... | 1,206.86 | |
| | 2,111.16 | 2,111.16 |

PAST INDEBTEDNESS FUND.

| | | |
|--|------------|--|
| Received from chapter 117, sec- tion 1, Acts 1860,..... | 38,500.00 | |
| Brought from Wall Fund, | 1,206.86 | |
| Paid past indebtedness, viz : | | |
| W. W. Winterbotham, | \$1,189 10 | |
| M. Case,..... | 1,283 38 | |
| H. & A. C. Cattermole,..... | 39 26 | |
| H. W. Hughes,..... | 450 86 | |
| H. Cattermole,..... | 347 32 | |
| J. L. Robinson,..... | 2,316 05 | |
| Hesser & Hale,..... | 99 19 | |
| W. G. Ray,..... | 442 56 | |
| P. Miller & Son,..... | 2,025 66 | |
| P. J. Mulvane, | 172 86 | |
| D. Walters & Co., | 164 44 | |
| L. Pappe,..... | 233 82 | |
| F. Rollett,..... | 10 81 | |
| S. H. Winterbotham,..... | 131 43 | |
| McConn & Parmer,..... | 1,144 82 | |
| D. McConn,..... | 98 61 | |
| C. Fridley,..... | 105 93 | |
| J. F. Edwards, | 55 14 | |
| John Claypoole, | 40 63 | |
| C. E. Babcock, | 83 03 | |
| J. D. Miller,..... | 46 65 | |
| T. M. Berry,..... | 58 37 | |
| H. G. Borchert,..... | 6 37 | |
| M. Raumbuchler,..... | 5 34 | |
| George P. Eaton,..... | 438 84 | |
| W. B. Cooper,..... | 8 00 | |
| J. Teesdale,..... | 10 65 | |
| McHenry & Dinsmore,..... | 522 94 | |
| Edwin Bates,..... | 118 66 | |
| H. Winters,..... | 30 55 | |
| T. Mallett,..... | 116 65 | |
| J. H. Little,..... | 184 71 | |
| F. Holzberger,..... | 62 79 | |
| A. T. Shaw, | 803 82 | |

| | |
|---------------------------|----------|
| W. Shaw, | 88 20 |
| J. H. Reynolds, | 174 34 |
| A. Patterson, | 48 71 |
| A. Shaffer, | 81 00 |
| F. Hesser, | 161 26 |
| A. Baldwin, | 29 05 |
| J. E. Bricker, | 15 55 |
| Ira Bricker, | 26 02 |
| C. Jewett, | 172 19 |
| A. Fulcher, | 67 89 |
| W. L. Ewing, | 13 84 |
| E. Whinery, | 127 95 |
| D. Norwood, | 33 10 |
| W. C. Paine, | 29 62 |
| Brewster & Herring, | 213 05 |
| J. H. Douglass, | 41 34 |
| Z. F. Hopkins, | 42 04 |
| Peter O'Kell, | 85 58 |
| T. Hale, jr., | 70 13 |
| C. Frederick, | 27 79 |
| F. M. Hossellton, | 52 02 |
| A. Windmayer, | 31 38 |
| S. G. Cherry, | 25 95 |
| Z. Lentz, | 9 91 |
| T. S. Warne & Co., | 24 08 |
| J. Kneever, | 20 25 |
| D. C. Ray, | 45 86 |
| M. Buck, | 92 12 |
| H. Prather, | 40 00 |
| P. T. Wright & Co., | 304 87 |
| W. A. Thurston, | 4 50 |
| Luse, Lane & Co., | 73 59 |
| C. D. Gage & Co., | 2,153 41 |
| J. W. Miller, | 40 82 |
| G. W. Douglass, | 295 65 |
| W. Amborn, | 27 46 |
| George P. Eaton, | 9,614 42 |
| D. F. Miller, | 643 69 |
| Field Brothers, | 2,115 78 |
| C. & J. Brewster, | 601 92 |

| | |
|----------------------------|----------|
| C. Brewster, | 441 79 |
| E. G. Wilson, | 47 98 |
| P. Miller & Son, | 10 30 |
| F. Famme, | 357 24 |
| Steuger & Brother, | 184 39 |
| Hesser & Hale, | 331 77 |
| E. A. Layton, | 7 40 |
| J. Teesdale, | 10 00 |
| H. Lindermuth, | 4 13 |
| W. P. Staub, | 13 00 |
| John Scott, | 40 50 |
| Marr, Creps & Co., | 10 50 |
| E. G. Wilson, | 16 59 |
| John Abel, | 10 10 |
| J. D. Gedney, | 55 45 |
| A. Windmayer, | 6 30 |
| R. Herring, | 82 80 |
| W. C. Paine, | 65 |
| L. Pappe, | 22 75 |
| L. Pappe, | 11 13 |
| C. & J. Brewster, | 19 07 |
| Hollman & Stewart, | 235 79 |
| Knapp, Stout & Co., | 162 95 |
| C. Schapper, | 25 38 |
| O. Cutler, | 10 22 |
| W. Kaiser, | 8 32 |
| F. Welga, | 22 81 |
| Mrs. C. H. Sweetser, | 470 61 |
| J. McOlgan, | 3 50 |
| McHenry & Dinsmore, | 301 92 |
| R. Fahey, | 55 76 |
| Geo. P. Eaton, | 2,811 31 |
| C. D. Gage, | 1,985 84 |
| A. Kuh, | 858 44 |
| W. L. Ewing & Co., | 221 07 |
| S. Schneider, | 125 32 |
| J. M. Layton, | 48 99 |
| A. Windmayer, | 27 52 |

| | |
|-----------------------|--------------------|
| J. L. Robison, | 25 81 |
| Parmlee & Bro., | 16 09 |
| Total, | <u>\$39,706 86</u> |

CELL FUNDS.

| | |
|--|---------------------------------|
| Received from chapter 53, section 1, Acts 1858, | 1,490 90 |
| Received from chapter 113, section 2, Acts 1860, | 6,021 15 |
| Paid ac. Cells, | 6,019 19 |
| Transferred to General Support Fund, | 1,490 90 |
| Balance on hand, .. | 1 90 |
| | <u>7,512 05</u> <u>7,512 05</u> |

HOSPITAL BUILDING FUND.

| | |
|---|---------------------------------|
| Received from chapter 53, section 1, Acts 1858, | 1,956 37 |
| Paid Hospital Building est. No. 6, | 1,475 87 |
| Paid Architect (J. F. Edwards,) | 480 50 |
| | <u>1,956 37</u> <u>1,956 37</u> |

GUARDS' SALARIES FUND.

| | |
|--|----------|
| Received from chapter 113, section 4, Acts 1860, | 8,258 40 |
| Paid Guards, | 8,258 40 |

OFFICERS' SALARIES FUND.

| | |
|---|----------|
| Received from chapter 135, section 12, Acts 1860, | 1,750 00 |
| Received from chapter 135, section 13, Acts 1860, | 1,250 00 |
| Received from chapter 135, section 14, Acts 1860, | 1,250 00 |
| Received from chapter 135, section 15, Acts 1860, | 733 33 |

| | |
|---|---------------------------------|
| Received from chapter 135, section 16, Acts 1860, | 100 00 |
| Received from chapter 113, section 5, Acts 1860, | 90 00 |
| Paid Warden, | 1,750 00 |
| Paid Deputy, | 1,250 00 |
| Paid Clerk, | 1,195 85 |
| Paid Chaplain, | 733 33 |
| Paid Inspectors, | 100 00 |
| Paid J. H. Reynolds, | 90 00 |
| Transferred to General Support Fund, | 54 15 |
| | <u>5,173 33</u> <u>5,173 33</u> |

CONVICTS FUND.

| | |
|--|-----------------------------|
| Balance on hand as reported 1857-59, | 206 82 |
| Received on deposit during two years, '59-'61, | 289 63 |
| Brought from General Support Fund, | 46 |
| Paid Convicts, | 331 13 |
| Transferred to General Support Fund, | 77 49 |
| Balance on hand, | 88 29 |
| | <u>496 91</u> <u>496 91</u> |

GENERAL SUPPORT FUND.

| | |
|--|-----------|
| Received from chapter 113, section 1, Acts 1860, | 10,061 39 |
| Received from chapter 113, section 3, Acts 1860, | 300 00 |
| Received from Gov. R. P. Lowe, | 1,500 00 |
| Received from United States, .. | 338 50 |
| Received from Interest on State Warrants, | 7 41 |
| Received from J. H. Reynolds, .. | 2 19 |
| “ “ disch'd Convicts, | 3 30 |
| “ “ Convicts, | 1 05 |

| | |
|--------------------------------|----------|
| Received from Improvements, .. | 4 37 |
| “ “ Fuel and Lights, .. | 1 80 |
| “ “ Provision, | 23 80 |
| “ “ Visitors, .. . | 171 73 |
| Brought from Cell Fund, | 1,490 90 |
| “ “ Officers' Salaries | |
| Fund, | 54 15 |
| Received from Convicts' Fund, | 77 49 |
| Paid General Support,... | 1,352 10 |
| “ Safe in Clerk's office, .. | 300 00 |
| Paid Work-Shops, | 1 25 |
| Amount overpaid as per | |
| report of '57-59, | 316 63 |
| Charged P. Inskeep, | 100 00 |
| Trans. to Convicts' Fund, | 46 |
| Balance on hand, | 67 64 |

14,038 08 14,038 08

RECAPITULATION.

| | RECEIPTS. | PAYM'TS. |
|--------------------------------|-----------|-----------|
| Wall Fund, | 2,111 16 | 904 30 |
| Past Indebtedness, | 38,500 00 | 39,706 86 |
| Cell Fund, | 7,512 05 | 6,019 19 |
| Hospital Building Fund, | 1,956 37 | 1,956 37 |
| Guards' Salaries Fund, | 8,258 40 | 8,258 40 |
| Officers' Salaries Fund, | 5,173 33 | 5,119 18 |
| Convicts' Fund, | 496 45 | 331 13 |
| General Support Fund, | 12,415 54 | 13,969 98 |
| Balance on hand, | | 157 89 |

76,423 30 76,423 30

Vouchers for foregoing disbursements under chapter 187, section 3153, Code of 1851, filed with the Auditor of State, under chapter 247, Revision of 1860, section 5177, with the Governor.

SUPPLEMENTAL STATEMENT OF FUNDS
in compliance with Chapter
17, Revision of 1860.

RECEIPTS from Oct. 1st, 1861, to
Dec. 15th, 1861.

| | |
|--|----------------|
| From State of Iowa, acc't Gen- eral Support, Chap. 113, Sec. 1, Acts 1860, | 1,631 76 |
| Acc't Guards' Salaries, Chapter 113, Sec. 4, 1860, | 1,409 00 |
| Acc't Officers' salaries. Chapter 135, Acts 1860, | 750 00 |
| From Convicts on deposit, | 22 00 |
| From visitors, admission fees, .. | 6 25 |
| From United States, | 241 85 |
| From provision acc't Tallow sold Balance on hand Sept. 30th, ... 1861, | 2 65 157 89 |

DISBURSEMENTS from Oct. 1, 1861, to
Dec. 15, 1861,

| | |
|------------------------------------|-------------------|
| Paid acct. General Support, ... | 1,697 29 |
| Paid acc't Guards' Salaries, | 1,409 00 |
| Paid acc't Officers' Salaries, .. | 750 00 |
| Paid acc't Convicts (deposits), .. | 11 15 |
| Balance on hand Dec. 15, 1861, | 353 96 |
| | 4,221 40 4,221 40 |

Vouchers for foregoing disburse-
ments will be forwarded to
the Governor with monthly
statement for December, 1861,
as required by Chapter 247,
Revision of 1860.

STATEMENT THREE.

GENERAL BALANCE SHEET.

| | |
|------------------------|------------|
| AMOUNT INVESTED. | |
| State of Iowa, | 190,864 21 |
| OUTLAY. | |
| Real Estate, | 700 00 |
| Construction, | 97,253 53 |
| General Support, | 100,304 69 |

INCOME.

| | |
|----------------------|-----------|
| Convict Labor, | 33,013 51 |
| Visitors, | 234 18 |

LIABILITIES.

| | |
|--|----------|
| Bills Payable, see Statement A, | 217 86 |
| Past Indebtedness, " B, | 1,753 90 |
| Convicts, cash on hand to bal., .. | 88 29 |
| Officers, (except Physician) provided for by Chapter 135, Acts 1860, | 750 00 |
| Guards—Provided for by Chapter 113, Acts 1860, | 470 00 |
| M. Case, provided for by Chap. 113, Acts 1860, .. | 16 50 |
| P. Miller & Son, provided for by Chapter 113, Acts 1860, | 27 75 |
| Hesser & Hale, provided for by Chapter 113, Acts 1860, | .95 |
| A. T. Shaw, (Physician) provided for by Chap. 113, Acts 1860, | 66 67 |
| F. Tamme, provided for by Chapter 113, Acts 1860, | 84 91 |
| McConn & Parmer, provided for by Chapter 113, Acts 1860, | 80 00 |
| J. H. Bacon, provided for by Chapter 113, Acts 1860, | .83 |
| C. & J. Brewster, provided for by Chapter 113, Acts 1860, | 8 31 |
| S. Kingsley, provided for by Chapter 113, Acts 1860, | 25 30 |

| | |
|---|-----------------------|
| W. G. Kent, provided for by Chapter 113, Acts 1860, | 5 00 |
| W. P. Staub, provided for by Chapter 113, Acts 1860, | 10 00 |
| F. W. Palmer, provided for by Chapter 113, Acts 1860, | 12 00 338 22 3,618 27 |

ASSETS.

| | |
|---|-----------------------------|
| United States, | 241 85 |
| Winterbotham & Jones—See Statement C, | 22,660 73 |
| Bills Receivable—see statement C, | 35 39 |
| Geo. Shedd—pending litigation | 100 00 |
| P. Inskeep " " | 2,772 48 |
| Funds on hand, | 157 89 29,471 95 |
| | <hr/> 227,730 17 227,730 17 |

"A."

BILLS PAYABLE.

| | |
|---|---------|
| No 26. Dec. 7, 1858, issued by P. Inskeep to Layton & Benner, | \$17.00 |
| No 19. Oct. 1, 1858, issued by P Inskeep to J S Winterbotham, | 37.50 |
| No 28. Dec. 14, 1858, issued by P Inskeep to F Rash, | 16.00 |
| No 35. Dec. 1, 1858, issued by P Inskeep to A Patterson, .. | 7.50 |
| No 47. Jan. 1, 1859, issued by P Inskeep to C Haddock, .. | 4.75 |
| No 57. Jan. 1, 1859, issued by P Inskeep to J S Winterbotham, | 27.50 |

| | | |
|--|-------|--------|
| No 59. Jan. 1, 1859, issued by P Inskeep to J H Reynolds. | 3.47 | |
| No 107. Feb. 1, 1859, issued by P Inskeep to J S. Winterbo- tham..... | 37.50 | |
| No 135. Mar. 1, 1859, issued by P Inskeep to C Haddock. . . | 15.00 | |
| No 15. April 2, 1859, issued by P Inskeep to S H Winterbo- tham..... | 2.75 | |
| No 159. April 2, 1859, issued by P Inskeep to S H Winterbo- tham..... | 4.37 | |
| No 281. Jan. 26, 1860, issued by E A Layton to Marr, Green & Co..... | 9.57 | |
| No 328. Feb. 29, 1860, issued by E A Layton to J M Layton. | 6.00 | 188.91 |
| The foregoing notes were re- ported to the Auditor under Chapter 117, Acts 1860, by Winterbotham & Jones. No action was taken on them. . . | | |
| No 307. May 1, 1858, issued by P Inskeep to J S Winterbo- tham..... balance..... | 1 95 | |
| This note is on file in this office but there is no record that this balance was ever paid to any one by the State..... | | |
| No 259. Dec 31, 1859, issued by E A Layton to J M Layton. | 27 00 | 217 86 |

In a communication now on file on this office from the Auditor under chapter 117, Acts of 1860, to the Governor of the State, this note is reported as audited, but no statement given as to whose favor or the amount of interest allowed. The note therefore stands as originally entered on the prison books, no other action of the Auditor having reached this office.

Cancelled notes are filed, bearing date as far back as May, 1854,

and there is evidence of at least two appropriations before that of 1860, having been applied in part to their redemption.

There are instances during the term of my predecessor, of notes having been returned to the office and duplicates in smaller amounts issued, while in some unaccountable manner the originals again obtained circulation. Suits are now pending against the State for payment of such original notes, the duplicates having been paid, cancelled and filed.

It should be borne in mind that there is no provision of law under which any of the foregoing notes can be paid.

"B."

| | |
|---|-----------|
| The whole amount Audited un- der chap. 117, Acts of 1860, and reported to this office is | 41,460 76 |
| The whole amount paid as per this report,..... | 39,706 86 |
| Leaving a balance unpaid of amount,..... | 1,753 90 |
| This balance arose from the can- celing of McHenry & Dins- more's wall contract, and the consequent closing of their ac- count; there was found due them,..... | 2,276 84 |
| while there remained of the appropriation but | 522 94 |
| Thus making the amount of the above balance,..... | 1,753 90 |
| The reasons why the appropria- tion was insufficient to cover the debt as reported to the Hon. Committee of the Gen- eral Assembly of 1860, were | |
| <i>First</i> —The settlement with Mc- Henry & Dinsmore, included the work of March, 1860, amounting to..... | 2,266 00 |
| which was not estimated until | |

the close of that month; the Committee having left this City on or about the 9th.

Second—The interest accrued on outstanding notes, though cut down to the lowest practicable figure, exceeded (owing to the late date at which the debt was paid) by some \$600,00 or \$700,00, the rough estimate made at the date of the report to the Committee.

It will be necessary for the coming Legislature to make an Appropriation for the payment of the above balance.

"C."

The important business relations existing between the Contractors for the prison labor, and the State, precludes the possibility of making an accurate statement of the Contractor's account, or in fact of that of the prison. No bill has been received from them for labor and material furnished, since September, 1858, though it is known that they have a claim varying from thirteen to twenty-five hundred dollars. Should the termination of the suit, now being heard before the Referees, fail to bring about a more systematic and regular adjustment of their accounts with the prison, I earnestly recommend the immediate closing of all business transactions with them, other than is called for by the terms of their contract. It was formerly the custom to take notes at four months for the convict labor, and endorse on them the amount of the bills rendered against the State. No notes have been given since that for the labor of December, 1858.

STATEMENT FOUR.

COMMISSARY DEPARTMENT.

PROVISIONS issued for 2 years from September 30th, 1859, to October 1st, 1861, viz:

Flour, 96,637 lbs, @ \$2 25 $\frac{1}{2}$ cwt. \$2,174 00

| | | | |
|----------------------------|-------------------------|-------------------------|----------|
| Meal,..... | 591 bus. @ | 35c $\frac{1}{2}$ bus. | 2 06 00 |
| Beef,..... | 71,893 lbs. @ | 4 50 $\frac{1}{2}$ cwt. | 3,235 00 |
| Pork, 132 bbls. @ \$15 75, | 26,400 lbs. @ | 7 87 $\frac{1}{2}$ cwt. | 2,079 00 |
| Potatoes,..... | 1,101 bus. @ | 30c $\frac{1}{2}$ bus. | 330 00 |
| Beans,..... | 146 bus. @ | 1 00 $\frac{1}{2}$ bus. | 146 00 |
| Vinegar,..... | 961 gall. @ | 15c $\frac{1}{2}$ gall. | 144 00 |
| Molasses,..... | 1 113 gall. @ | 45c $\frac{1}{2}$ gall. | 500 00 |
| Salt,..... | 8 bbls. @ | 2 60 $\frac{1}{2}$ bbl. | |
| "..... | 82 sacks @ | 1 96 $\frac{1}{2}$ sack | |
| "..... | 36 bus. @ | 40c $\frac{1}{2}$ bus. | 196 00 |
| Rice,..... | 518 lbs. @ | 8c $\frac{1}{2}$ lb. | 41 00 |
| Rye,..... | 27 bus. @ | 27c $\frac{1}{2}$ bus. | 16 00 |
| Turnips,..... | 70 bus. @ | 20c $\frac{1}{2}$ bus. | 14 00 |
| Pickles,..... | 15 $\frac{1}{2}$ bbls @ | 3 00 $\frac{1}{2}$ bbl. | 46 00 |
| Pepper,..... | 274 lbs. @ | 17c $\frac{1}{2}$ lb. | 46 00 |
| Mustard,..... | 92 lbs. @ | 30c $\frac{1}{2}$ lb. | 27 00 |
| Coffee,..... | 327 lbs. @ | 14c $\frac{1}{2}$ lb. | 46 00 |
| Miscellaneous,..... | | | 69 00 |

The foregoing quantities are accurate; the prices are the average paid during the two years, and are not strictly accurate, though sufficiently so to form the basis of reliable calculation, fractions having been discarded. The needs of this department are, first, a store-room especially adapted to the receiving, taking care of, and issuing supplies: second, a large size, portable platform Fairbanks' weighing scale.

STATEMENT FIVE.

THE LIBRARY

Consists of four hundred volumes. Of these, two hundred and fifty are of the character of Bunyan's Pilgrim's Progress, Baxter's Call, Doddridge's Rise and Progress, and D' Aubigne's History of the Reformation. The remaining one hundred and fifty is made up of Children's Books of Stories, Sunday-School Library books, a few Histories, Narratives of Frontier Life, by missionaries and others; Text-books for schools, Biographies, Scientific works, and several Law-books in the German language. Over four thousand volumes have been issued and returned to the Library in the two

years, 1859 to 1861. In 1857-60 it was customary to select at random a few books, carry them in a basket or box to each cell, and let the convict choose; in doing so the books were very carelessly handled. The manner in which the Library record was kept also allowed the convicts to deface or mutilate the books with impunity, as is shown by their soiled, rumpled and torn state. It was necessary to correct both the habits of the convicts and the keeping of the record. To this end, slates and pencils were purchased, and placed in each cell, that the men might have something upon which to mark and write. The books were covered with heavy brown paper, numbered anew, a complete list made of them, and a record kept of the convict having the book, and the book given the convict, the one being a check upon the other. The men examine and select from the list, and I am pleased to state that of more than two thousand volumes given out and returned during the past year, I can trace only four or five instances of either wilful or careless injury to the books. Nearly all the books now in the Library were obtained by the efforts of our Chaplain, Rev. H. W. Thomas, in procuring donations. The only provision made by law for the purchase of books, is that resulting from visitors' fees, as in section 5164, Revision of 1860. On October 1st, 1859, it was shown that there had been expended for the Library \$210 83, while the receipts from visitors were but \$62 45, a balance against the visitors' fund of \$148 38. It is now shown that during the years 1859-61, \$53 98 have been expended on the Library, the receipts for the same time having amounted to \$171 72, a balance in favor of visitors' fund of \$117 75, leaving still on the general balance against the general fund, \$30 63. A correct system of keeping the accounts, visitors and library, under the present law, will always show them equal, or a balance to the credit of visitors, and it is desirable that they be placed in that condition as early as possible. To do so by still diverting the receipts, leaves the Library in very poor condition. In view, therefore, of the necessity (which certainly exists) of purchasing more books of miscellaneous character and better standard, as also of the dilapidated state of the books now on hand, I would suggest that the General Assembly make a small appropriation, say of one hundred dollars, for buying books, and that the receipts be entered up to general support until the above balance of \$30 63 is paid, after which, if due attention be given to the collection of fees, the receipts will be adequate to the purchase and maintenance

of a library, that for its beneficial influence on the moral welfare of the convicts, may be made second to no other effort to that end.

Without being at all desirous for relief from the duties entailed by the care and management of the Library, I beg further to suggest, as it pertains more especially to the moral and intellectual conduct of the Prison, whether in that view, the ends desired would not be better attained by placing the Library in charge of the Chaplain.

STATEMENT SIX—CONVICTS RECEIVED.

| Habits. | No. | Social State. | No. | Mental Culture. | No. | Crime. | No. | Religious Education. | No. |
|-------------|-----|---------------|-----|-----------------|-----|----------------------------------|-----|----------------------|-----|
| Temperate | 40 | Divorced | 1 | None | 14 | Arson | 1 | Scotch Reformed | 1 |
| Moderate | 51 | Widow'r | 5 | Can Read. | 11 | Seduction | 1 | Dutch Reformed | 1 |
| Intemperate | 35 | Married | 48 | Read and write | 23 | Embezzlement | 1 | Israelite | 1 |
| | | Single | 72 | Poor | 16 | Assault with intent to murder | 1 | United Brethren | 2 |
| | | | | Common | 48 | Obtaining goods under false pre- | 1 | Christian | 3 |
| | | | | Good | 14 | tences, | 2 | Quaker | 3 |
| | | | | | | Manslaughter | 3 | Episcopal | 4 |
| | | | | | | Rape | 5 | Lutheran | 7 |
| | | | | | | Forgery | 6 | None | 9 |
| | | | | | | Murder | 6 | Presbyterian | 11 |
| | | | | | | Counterfeiting | 10 | Baptist | 19 |
| | | | | | | Burglary | 16 | Catholic | 21 |
| | | | | | | Larceny | 74 | Methodist | 44 |
| Total, | 126 | | 126 | | 126 | | 126 | | 126 |

IOWA PENITENTIARY.

| Term. | No. | Age. | No. | Nativity. | No. | County From. | No. | Occupation. | No. |
|-------------|-----|-------------|-----|--------------|-----|--------------|-----|-------------------|-----|
| For 30 days | 1 | Of 17 years | 2 | New Jersey | 1 | Davis | 1 | Peddler | 1 |
| " 3 months | 4 | " 18 " | 3 | Iowa | 1 | Cerro Gordo | 1 | Umbrella Maker | 1 |
| " 6 " | 12 | " 19 " | 9 | Rhode Island | 1 | Crawford | 1 | Rail Road Builder | 1 |
| " 9 " | 4 | " 20 " | 8 | Scotland | 1 | Jasper | 1 | Cloth Dresser | 1 |

| | | | | | | | | | |
|----------|----|-------------|----|----------------|----|--------------|---|----------------------|---|
| " 1 year | 16 | Of 21 years | 11 | New Hampshire | 1 | Tama | 1 | Cattle Drover | 1 |
| " 1½ " | 3 | " 22 " | 7 | Delaware | 1 | Marion | 1 | Baker | 1 |
| " 1½ " | 5 | " 23 " | 8 | Tennessee | 1 | Decatur | 1 | Chair Maker | 1 |
| " 2 " | 32 | " 24 " | 8 | Prussia | 1 | Buchanan | 1 | Blacksmith | 1 |
| " 2½ " | 2 | " 25 " | 6 | Switzerland | 1 | Union | 1 | Paper Maker | 1 |
| " 3 " | 20 | " 26 " | 4 | Michigan | 2 | Keokuk | 1 | Moulder | 1 |
| " 3½ " | 2 | " 27 " | 8 | Maryland | 2 | Pottawatomie | 1 | Miller | 1 |
| " 4 " | 5 | " 28 " | 3 | North Carolina | 2 | Clark | 1 | Plasterer | 1 |
| " 5 " | 10 | " 29 " | 4 | Holland | 2 | Cedar | 1 | Confectioner | 1 |
| " 6 " | 2 | " 30 " | 7 | Massachusetts | 3 | Winnesheik | 1 | Printer | 1 |
| " 7 " | 1 | " 32 " | 5 | Canada | 3 | Allamakee | 1 | Dress Maker | 1 |
| " 8 " | 3 | " 36 " | 5 | Illinois | 4 | Polk | 2 | Gunsmith | 1 |
| " 10 " | 1 | " 39 " | 2 | Kentucky | 4 | Monroe | 2 | Lawyer | 1 |
| " 12 " | 1 | " 40 " | 4 | Vermont | 5 | Jones | 2 | Tinner | 1 |
| " 25 " | 2 | " 41 " | 3 | Virginia | 5 | Page | 2 | Stage-driver | 1 |
| | | " 44 " | 6 | England | 5 | Ringgold | 2 | Boatman | 1 |
| | | " 46 " | 3 | Germany | 5 | Mahaska | 2 | Brickmaker | 1 |
| | | " 50 " | 4 | Indiana | 6 | Washington | 3 | Cabinet maker | 1 |
| | | " 54 " | 3 | Ireland | 13 | Wapello | 3 | Harness maker | 1 |
| | | " 58 " | 1 | Pennsylvania | 14 | Johnson | 3 | Livery Stable keeper | 1 |
| | | " 59 " | 1 | Ohio | 20 | Marshall | 3 | Bar tender | 1 |
| | | " 60 " | 1 | New York | 22 | Fremont | 3 | Mason | 1 |
| | | | | | | Jefferson | 4 | Saddler | 1 |
| | | | | | | Linn | 4 | Copyist | 1 |
| | | | | | | Fayette | 4 | Weaver | 1 |
| | | | | | | Delaware | 4 | Sawyer | 2 |
| | | | | | | Scott | 4 | Wagon maker | 2 |
| | | | | | | Van Buren | 4 | Painter | 2 |
| | | | | | | Muscatine | 5 | Teamster | 2 |

IOWA PENITENTIARY.

STATEMENT SIX—CONVICTS RECEIVED.—Continued.

| Term. | No. | Age. | No. | Satuity. | No. | County From. | No. | Occupation. | No. |
|--|-----|------|-----|----------|-----|--------------|-----|-------------|-----|
| | 126 | | | | | Clayton | 3 | None | 29 |
| | | | | | | Lee | 5 | Machinist | 2 |
| | | | | | | Louisa | 6 | Butcher | 2 |
| | | | | | | Clinton | 6 | Shoemaker | 3 |
| | | | | | | Delaware | 7 | Tailor | 3 |
| | | | | | | Henry | 10 | Clerk | 3 |
| | | | | | | Des Moines | 16 | Cabin boy | 3 |
| | | | | | | | | Cooper | 3 |
| | | | | | | | | Cook | 3 |
| | | | | | | | | Carpenter | 6 |
| | | | | | | | | Laborer | 9 |
| | | | | | | | | Farmer | 48 |
| | 126 | | | | | | | | 126 |
| No. in confinement as reported October 1st, 1859,..... | 126 | | | | | | | | 113 |
| Total in two years,..... | | | | | | | | | 239 |

It is customary to give tables of the men in confinement at the date of reports. It is not done so here, because, in that way, men for long terms are reported over and over again, while men coming in for less than for two years are discharged, and do not appear in the tables at all.

CONVICTS DISCHARGED.

| | |
|--|-----|
| By expiration of sentence,.... | 91 |
| By order of Supreme Court,..... | 3 |
| By pardon,..... | 22 |
| Died,..... | 5 |
| Escaped,..... | 2 |
| In confinement, September 30th, 1861,..... | 116 |
| Total,..... | 239 |

In conclusion I take the liberty to remark, that no one system seems to have obtained generally in the keeping and stating of States Prison accounts.

Under the different laws of this State, the accounts exhibit a strange medley of the ideas of those persons, whose duty it seems to have been to make them up, and as a consequence, the General Assembly and the people of the State have either known nothing of the condition of the Prison, or have been compelled to learn a new arrangement of its affairs and accounts at each change of officers. In support of this I venture to quote at some length from the report of the Hon. Committee of the Eighth General Assembly, to visit the Penitentiary, &c., pages 7 and 8, viz: "Excepting three or four old books, from the entries in which nothing can be gleaned of substantial information, there were no records kept of the transactions of officers from the foundation of the institution until the year 1851; no account of receipts and disbursements, nor anything from which a financial history of the institution may be derived; and your committee have been compelled to consult the acts of the General Assembly, both Territorial and State, (none of which was found among the archives of the institution,) in order to ascertain what amount had been appropriated, and our statement perhaps now is a mere approximation to the truth."

"During the administration of Richard Quinton, as Warden, from the 1st of February, 1851, to the 1st of February, 1853, as ap-

pears by the testimony of the present clerk, the records 'appear to have been kept accurately;' and yet, after Mr. Quinton left, somehow or other, your committee have not stopped to enquire, he was found to be a defaulter. 'From the last named date until the 1st day of May, 1857,' says the witness, 'the books are in such confusion as to render it almost impracticable to make any correct statement from them.' Since May, 1857, it is claimed that a correct history has been deduced; not, however, from the records, so much as from the results of the investigation made by the Commission appointed by the Governor under the Act of the General Assembly, approved March 23rd, 1858, but with all due deference to that Commission, we may be allowed to say, that there is a discrepancy between the amount credited by them to the State, as cash, 'balances May 1st, 1857;' and the amount furnished by the Auditor of State for the same date, of \$4,330.05; and we submit, therefore, whether a degree of caution would not be advisable in making *their investigations* the basis of calculation; although it is claimed by the Clerk of the Commission that they derive their figures also from the Auditor of State."

Can the history of the accounting and record department of any institution in the Union show a more disgraceful or worse state of affairs?

The Hon. Committee seems to have labored under great difficulties and without arriving at very satisfactory results. *First*, They find there are no books of account, (of any value,) for several years; that the laws of the State are not all among the archives of the Prison, and that after obtaining the laws, and ascertaining the amounts appropriated at different times, their statement is perhaps a mere approximation to the truth. *Second*, The books which "appear to have been kept accurately," did not prevent the Warden from running away with the money, for which the books show him to have been accountable. *Third*, What is claimed to be a correct history, varies from their approximation. (See Auditor's report to the Committee, page 20 same report,) in the large sum of over four thousand dollars.

Having thus demolished the foundation upon which we stand, it is difficult to see wherein the Hon. Gentlemen have left us any better "basis of calculation" than that of the Commission to which they refer.

Your books are based on the Commissioners' report, (mentioned

by the Committee,) which was made up from a certified statement of the Auditor of State, giving the amount and date of Warrants issued on Penitentiary account from the organization of the State government to May 1st, 1857, as *fully* as could be ascertained from any records on file at the Capitol, and from a careful examination of such books and papers as were found on file here, and it is believed to be as accurate and reliable, as can at this late day be made by any one.

The importance of a carefully considered and well regulated system of keeping public accounts, though never having met due attention from law-making powers, will not be denied, and is most clearly evidenced in the arrangement of the New York Associated Banks, between which the *daily* exchanges are over ten millions of dollars: yet such is the perfection of the Clearing House system, that this immense business is accurately and satisfactorily transacted in less than one hour; a fact without parallel in the history of the monetary affairs of any other city or country in the world.

The custom of the General Assembly in making laws for the adjustment of accounts, and the drawing and expending of appropriations for Penitentiary purposes, under authority other than the regularly constituted officers of the institution, without any regard to what may be, or may have been the condition of affairs as shown by the Prison books, and in some instances in direct contravention of the well known usages of the best commercial and financial establishments in the country, must of necessity work inaccuracy and irregularity in the keeping of Prison accounts.

The general provisions made by Sections 5180-81, Revision of 1860, that the clerk shall "keep a fair, honest, impartial and faithful record of the affairs of the Penitentiary upon a system of book keeping which shall enable him at all times to present in a plain and intelligible style the financial condition of the institution, shall open a separate account in said books with the State, and shall have a cash, prisoners' fund, construction, repairing, provision, bedding and lights, fuel, salaries, hospital and miscellaneous account," are not adequate to secure that permanent uniformity of arrangement which in my judgment it is desirable to attain. The clerk may make a plain and intelligible statement of the affairs of the Prison from records which, though fair and impartial, are, to others, very difficult to understand.

It is obvious that the books should show:

First.—The amounts received from the State, and under what law.

Second.—The amounts received from the State, and all other sources, for each specific purpose under its proper head, as Walls, Cells, Officers, Guards, General Support, &c., and what application was made of such amounts.

Third.—The cost of the construction of the prison, with the cost of prominent items.

Fourth.—The cost of the maintenance of the prison, with the cost of prominent items, such as the General Assembly may deem it of interest to establish.

Fifth.—The names of persons and amounts owing to the State, and the names of persons and amounts owed by the State.

The manner or style of these showings, should be clearly and specifically defined, by action of the General Assembly, to the end that any practical business man might readily from the books, make a report of the condition of the prison at or for any period of its existence.

The unfounded prejudices in uninformed (on this subject) minds, has prevented the general adoption of book-keeping by double entry in the affairs of many of the older as well as in our own State; whereas, a more simple method of determining the amounts of different classes of expenditures, has never been devised. Its adaptability to any kind of business wherein dollars and cents are items, renders it especially valuable to all who wish to know and preserve a record of what has been, and what is, their pecuniary condition.

The present books of the prison are an attempt to carry out the foregoing ideas, and should they in whole or in part meet the approval of the General Assembly, or become the means of the adoption of some regular business conduct in the management of the Penitentiary, I shall feel fully compensated for the imputation of having transcended the limits and privileges usually supposed to attach to the province and duties of clerks.

Making grateful acknowledgment for the uniform courtesy I have received at your hands, as also at those of the Executive and other State Officers with whom I have had business relations, I am

Very Respectfully, Your Ob't. Serv't.

S. GUTHRIE, Clerk of I. P.

STATE OF IOWA, } ss.
COUNTY OF LEE.

I, Southwick Guthrie, being duly sworn, on my oath say, the foregoing statement contained from page twelve to thirty-eight inclusive, to be a true and complete statement of the affairs of the Clerk's department of the Iowa Penitentiary.

SOUTHWICK GUTHRIE.

Subscribed and sworn to before me by S. Guthrie, and in my presence, December 16, 1861.

{ SEAL }

Witness my name and seal of office, the day and year above written.

E. J. LEECH, Clerk of D. C.
By D. H. LESUER, Dep.

His Excellency, Samuel J. Kirkwood, Governor of Iowa:

I was appointed Chaplain of this Institution on the 21st day of September, 1859. Previous to the Legislature of 1860, the Prison was supplied by some one of the pastors of the different churches in this city.

At the time I received my appointment I was Pastor of the M. E. Church, and endeavored to perform the labor of both charges until the following August. The Legislature having created a separate Chaplaincy, I have since then devoted my entire time to the Prison.

TIME AND ORDER OF WORSHIP.

There is religious service every Sabbath morning, immediately after the prisoners breakfast, varying in time with the season, from half-past six to eight o'clock. The services consist of singing, prayer, Scripture lessons, and preaching. The prisoners engage freely in singing, and give earnest attention to the Word preached. I then spend a portion of the day in visiting and conversing with them in their cells.

PRISONERS' RELIGIOUS SOCIETY.

During my first year's labor I observed gratifying evidences of a deep religious interest, which continued to increase, until it was thought prudent to organize a religious society, for the purpose of reducing the work to some system, and affording those who were serious an opportunity of professing their faith and receiving the

sacraments of Baptism and the Lord's Supper. This society is not denominational in its character, but is designed to accommodate persons of whatever religious education, who will forsake their sins and lead a new life. Great precaution has been used to guard against improper motives in uniting with the Society, and under these circumstances we have received, since the 16th of Sept., 1859, seventy-eight members, the greater portion of whom are unquestionably sincere, and quite a number give evidence of a change of heart. Of the number who have joined, eighteen have gone out on the expiration of sentence, two by pardon, and two have died. Of the latter, one was somewhat advanced in years, and a prisoner for life. With great difficulty, he had learned to read the Bible. He died suddenly, from congestive chills, but I have hope that he was prepared. The other was but twenty years old when he came to this place three years ago, on a sentence of ten years. At that time he had never read a chapter in the Bible. He lingered several months with consumption, obtained a clear experience in religion, and died in great peace—exchanged the Prison below for the Paradise above. A Prison Sunday School was organized in the winter of 1858, by Rev. C. P. Taylor, of the Presbyterian Church in this city, who was then Chaplain, and for a time was very useful, but was discontinued for want of teachers. Owing to the same difficulty it has not been resumed. We have under consideration the propriety of employing the more intelligent and trusty prisoners as teachers. This plan has been adopted by several other Penitentiaries, with the most gratifying results.

MENTAL INSTRUCTION.

Of the present number of convicts, there are ten who came here entirely illiterate, and twenty-five who could barely read. I have labored under great disadvantage in trying to instruct them. Most of them have been on the contract and I have not been allowed any portion of their time. Those who have been idle have been necessarily kept in the work shops, where it has been impossible to form them into classes, and owing to the noise and confusion very difficult to instruct them separately. I have done the best I could under these embarrassments and a few had learned to read, and by writing copies on their slates in their cells, about twenty-five are learning to write.

PRISON LIBRARY.

I found the Library very deficient both in number and variety of volumes. I made an effort to replenish it by obtaining voluntary contributions of books. For this purpose I visited the City of Mt. Pleasant, and through the liberality of her literary and Christian population obtained at one evening lecture near five hundred volumes. A similar effort was made in the City of Keokuk and earnestly seconded by Rev. Drs. Brown and Corkhill and some other influential citizens, but owing to unfavorable circumstances was less successful. A number of the books thus received were too much worn to be placed upon the catalogue, but in this way a valuable amount of miscellaneous reading, well adapted to the wants of the prisoners, has been secured at a very trifling expense. I am confident that if this method were encouraged a large library might be collected at a very small cost, and a greater variety of reading than could be easily obtained by a purchase of books. Aside from these considerations books raised in this way have a greater moral influence. They come bearing the donor's name as an expression of sympathy from the outside world, which makes the prisoners feel that though fallen they are not forsaken, and at the same time the system has a tendency to interest the public in their reformation. We have not yet one-fourth the books we should have. We greatly need an immediate supply of German books, primary school books, hymn books, large print bibles, and historical works. The Library under the care of the clerk of the prison, is admirably arranged and carefully guarded against being soiled or marked by the prisoners.

IMPORTANCE OF PRISON REFORM.

The public can not be too deeply impressed with the importance of rendering our State's prisons as far as possible reformatory in their character. It is a light matter to arrest criminals and confine them within stone walls and iron grates and for the time render them incapable of harm to society. But this security soon ends. A period of from three to five years will discharge the average number of convicts in a Penitentiary, and thus thousands of this class of persons are annually set at liberty in the United States. There is no class of men from whom society has so much to fear as these, unless they are reformed during their imprisonment. Going out

with a sense of degradation resting upon them, often without any means of support, the terrible recollections of the past, and often bitter revenge burning deep in their breast, they only wait an opportunity to perpetrate new wrongs or injuries upon individuals or communities. As a matter of temporal economy alone to prevent crime, and give the greatest possible security to society, aside from the vast issues of the world to come, the subject should commend itself with great seriousness to the minds of Legislators and Philanthropists.

PROBABILITIES OF REFORMATION.

I am convinced from experience that Penitentiary Convicts are far more accessible to religious truth than is usually supposed. This opinion is not only founded upon experience, but is supported by the best of reasons. A large proportion are under twenty-one years of age. These are not likely to have confirmed habits of vice, and retain as yet a degree of the impressability of youth. Others more advanced in years were convicted for their first crimes. Many have been the victims of intemperance and evil society. The close confinement of the prison not only prevents their coming into contact with their former excitements and temptations but brings them under the immediate influence of the Gospel. The silence and solitude of the cell have a direct tendency to induce seriousness and thought. Especially where they were the subjects of early religious training, will memory revive those long lost impressions with a vividness that will reveal in alarming contrast the sins and errors of after life. But above all it is a faithful saying and worthy of all acceptance that Christ Jesus came into the world to save sinners, the chief of sinners. The Scriptures afford numerous examples and contain many promises to encourage us to labor for the salvation of the most abandoned.

How may the greatest efficiency in Prison Reform be attained? This is a question of no ordinary magnitude, and justly claims the serious consideration of our wisest and best men. The principal agencies of reform may be embraced under three heads, viz: Proper Discipline, Mental Culture, and Religious Influence.

DISCIPLINE.

The time was when confinement and punishment were the high-

est objects sought, and the rights of the prisoner almost entirely overlooked. The labors of the benevolent "Howard" did much to reveal the evils and cruelties of this system, and effected a great change in public sentiment; but this unfortunately led to another extreme, in which an effort was made to inaugurate a system which ignored punishment altogether. The theory now generally adopted, and which seems to be the correct one, is that which recognizes the claims of society to protection, the majesty of violated law, and also aims at the reformation of the offender. The disgrace which unavoidably attaches to a States Prison, the confinement, the hard labor, the odium of wearing the "stripes," and the strict silence enjoined, are thought to be a sufficient penalty for the violation of law and the injury done to society. But for the violation of Prison rules other punishments are necessary. Confinement in the cell, shaving the head, wearing the ball and chain, and the lash, are the methods in use in our own Prison. So far as I am able to judge of the influence of the respective methods, I think solitary confinement decidedly preferable, as it has less tendency to provoke anger and resistance, and affords ample time for reflection. It can be increased in severity by restricting the diet, excluding the light, removing the furniture from the cells, &c. This punishment is mostly resorted to in this Institution, under its present officers. It may be well, however, to hold in reserve the still severer penalty of the lash, where milder means are insufficient, and where peculiar temperaments or offences require this vigorous correction. But whatever the method of punishment be, to have a moral effect, it must be administered without anger, and in the spirit of kindness. The prisoner should be made to feel that he is suffering the penalty of violated laws, and not the abuse of those whose authority he has no power to resist. To accomplish this, those who have charge of the prisoners should be men of correct morals, and the highest degree of self-government. The manifestation of anger and the use of harsh language have a tendency to irritate and produce in them similar feelings, while kindness and gentleness, which need not in the least detract from the firmness and even severity of discipline, have a tendency to subdue and reform them. The use of profane language in their presence, either by officers or guards, should be strictly and positively prohibited by law. It is gratifying to state that the instances of punishment of any kind are not frequent, and of severe punishment, very rare. The present Warden, E. A.

Layton, combines a generous sympathy with a stern authority, and an unyielding firmness, which soon make the prisoners feel that there is no alternative but unconditional submission to the rules of the Prison, and that with this they may be assured of the kindest treatment. I have no doubt but that this positive method saves much unnecessary punishment that would result from a vacillating policy. The time of the Warden being mostly occupied in superintending the general interests of the Institution, the special care of the prisoners devolves mainly upon his deputy, Mr. James H. Reynolds, a man of good judgment, great presence of mind, and well suited to his position. A practical knowledge of the administration of Prison discipline can only be acquired by personal experience, and when once acquired, the welfare of the prisoners demands that the term of officers should not depend upon political issues, but should be continued as long as they remain faithful to their trust.

The present Contract system prevents anything like a classification of the men, either upon the grounds of merit, age, crime, or adaptation to labor. Owing to this, the tender and comparatively innocent youth is frequently compelled to associate with men who have grown old in crime. Some are compelled to sit in idleness, and others are kept at labor too hard for their constitution. Could the employment of the men be left to the Warden or some one who would consult their interests, and not be governed by pecuniary considerations alone, these difficulties might be avoided. If the Contract system be continued, some provision for the proper classification of the men should be made in the conditions of the Contract. Until the State shall have provided a House of Refuge for Juvenile Delinquents, this is most imperatively needed. But this Contract system is liable to other objections. You may easily convince men that having wronged the State, it is their duty to make restitution by laboring for the State and their own support; but you cannot so easily make them feel that it is their duty to labor for the interests of private parties. They would work more cheerfully were the State to control their time and receive the profits of their labor. Again, it introduces a third party into the Prison, and almost unavoidably occasions more or less jarring in its general government. But notwithstanding these difficulties, everything, about the Prison, as far as possible, is under exact system, which of itself is a valuable discipline for men of reckless habits.

The Sanitary and Culinary departments are well managed. The men are generally healthy, and as contented as under their circumstances could be expected. The sick are kindly treated and the dead decently buried, with appropriate religious services. I have alluded to all these things because of their practical importance and the moral influence they exert. Upon the whole, I think the discipline of the Iowa Penitentiary will compare favorably with similar Institutions in the West.

MENTAL CULTURE.

This is another important agency in the work of reformation. Every one should be so far taught as to be able to read. Without this knowledge they have to depend entirely upon oral instruction, and in the absence of a teacher are left to spend Sabbaths and winter evenings, in a manner often worse than useless to themselves. Without the ability to read, the great world of living ideas is lost to them. They must forever remain strangers to the aid and comforts of books and live and die in the barren regions of their own dark minds. Could they devote but five hours in each week to study, they might soon learn to read and write. The State most certainly will not have done its duty until some provision is made for her illiterate convicts. When men are not allowed to talk, they must think, and no effort nor expense should be spared to provide those of our convicts who can read, with suitable books. These will not only aid in dispelling the melancholy gloom of the cell, and keep the mind from meditating evil, but will lead to useful knowledge and serious thought.

RELIGIOUS INFLUENCE.

However perfect may be the discipline, and thorough the mental culture, without religious influence the system would be essentially deficient. Not only should the spirit of Religion govern the entire discipline of the Prison, but the moral instruction of the prisoners should justly constitute a separate Department, under the care of a competent and devoted Minister of the Gospel. The regular duties of the Chaplain are. First—Preaching, which should be adapted to the place, class and circumstances of his hearers, requiring both discretion and hard study. Second—Visiting in Hospital, Workshops and at the Cells. The prisoners aware of their own decep-

tion, and jealous from their position, look with suspicion upon all who approach them. But to be instrumental in reforming them he must gain their confidence and love. They will not be benefited by one whom they neither respect nor believe. To do this requires time, patience and prudence. He must listen to their sorrows, sympathize with their misfortunes, and in a word become acquainted with them. He must deal with their various forms of error, objection and ignorance. And when it is remembered that the character of a company of convicts cannot be studied as in communities, by ascertaining the seats of influence, veins of relationship, and views of representative men, but that here each character must be studied separately, and that having learned one he has no clue to the next, the immense labor involved will be apparent to all. I have never performed any labor so peculiarly exhausting as visiting from cell to cell. Third—Teaching. Under the present law all the labor and care of teaching devolves upon the Chaplain. This, I submit, is requiring of him hard service. Pastoral duties equal to any charge in the State, and teaching in addition. For the present it may be performed, but in time it should constitute a separate Department, under the care of a competent Teacher. The faithful use of these agencies, a mild but firm Discipline, Mental Culture and Religious influence, under the blessing of God, will reclaim many from the errors of their ways.

DISCHARGED CONVICTS.

Most of those discharged as far as we can learn by correspondence and otherwise, are doing well. A few have returned to their old habits, and two have been recommitted. Many experience great difficulty, upon leaving the Prison, in finding employment. Of late a number have joined the Army. If the State could make provision to employ those who are destitute, for a time after their sentence expires, it might save many from returning to a life of crime.

RECOMMENDATIONS.

Allow me to submit to your honorable consideration the following recommendations:

First—That there be a suitable room erected for school purposes.

Second—That illiterate prisoners be allowed one hour per day during five days in each week, for study.

Third—That an appropriation be made to increase the Library.

It affords me pleasure to state in conclusion, that the kindest feelings exist between the Officers of the Prison, and that I have had their friendly co-operation in my labors.

With high respect, I remain

Your Obedient Servant,

H. W. THOMAS, CHAPLAIN.

To the Warden of the State Prison of the State of Iowa:

SIR:—In accordance with the custom of Physicians to Prisons of other Staets, I herewith present you with a report of the condition of my department of this Institution since my appointment on the 14th of last September.

My commission requires me to fulfill the duties of my office according to law, to have and to hold said office, with all the rights, authorities, powers, privileges and emoluments thereto legally appertaining. I have searched the Statutes of our State to find law to guide me, but have found nothing to define either the duties or the emoluments of the office. I have been guided, to some extent, by the rules made by the Inspectors, and approved by Gov. J. W. Grimes, August 1st, 1855, but as that office was abolished during the last session of the Legislature, these rules should be enacted into law, or new ones made to answer the wants of the Institution for the present and future. I would recommend the passage of the following, to be made a law for the government of the Physician and Surgeon, viz:

SECTION 1. He shall visit the Prison once every day, and oftener if necessary; examine, personally, all sick or complaining prisoners reported to him, and prescribe such treatment as in his judgment their cases require.

SEC. 2. He shall keep a book, to be called the Hospital Record, in which he shall accurately record the name of the patient, the age, occupation, symptoms, disease, and treatment.

SEC. 3. He shall examine every prisoner upon his reception, and make a record of his condition, as to age, constitution, habits, health, ability or disability.

SEC. 4. When a prisoner dies, he may have the privilege of a

"post mortem" examination, and shall record the result of it, making reference to the Record of Treatment.

SEC. 5. He shall have power and authority to purchase by concurrence with and assent of the Warden, such medicines and other things as in his judgment are necessary for the use of the Hospital, and furnish the Clerk immediately with the bills of purchase, who shall compare them with the articles received.

SEC. 6. He shall, when visiting the Prison, strictly conform to the rules and regulations thereof. He shall express no opinion of the ability or disability of a prisoner, except in his record, which shall be authority.

SEC. 7. He shall be an educated physician of the regular Allopathic schools of Medicine, and must be possessed of surgical instruments sufficient to perform any operation liable to be required.

SEC. 8. He shall receive his appointment from the Warden with the concurrence of the Governor of the State.

SEC. 9. There shall be a Steward nominated by him, who shall receive his appointment from the Warden, and whose duty it shall be to dispense the medicines prescribed by the Physician, and to do all other things necessary to carry out the treatment as directed. He shall act as Guard or keeper of the prisoners in the Hospital, and shall receive the same wages as other day Guards or keepers, and be subject to the same rules and regulations.

SEC. 10. The salary of the Physician and Surgeon shall be four hundred dollars per annum, provided that after the number of prisoners exceeds one hundred and fifty, it shall be four hundred and fifty dollars, and then an addition of fifty dollars for every fifty additional prisoners in the Institution.

The health of the Prison at this time is very good, and I believe has been the whole of the last two years, though I do not pretend to make a condensed report of facts, in regard to it. The Hospital Record is very imperfect and defective, and I propose a plan of one tabulated, so that it will give a view of all that may occur in the Hospital in a very condensed form, and thus be a saving of time to the Physician in his daily examinations and prescriptions, as well as to afford information to all interested. An accurate knowledge of the condition of the pulse, tongue, bowels, appetite, urine, skin, etc., is generally indispensable to intelligent and successful practice, and for these a special register should be had on one page of the Record, and on the opposite page should appear the treatment, to

gether with the result at the end of the week, or when the patient is discharged. I might refer to the great inconveniences of the temporary Hospital to all concerned, and especially to the officers of the prison. But this I will leave now, expecting that an appropriation will be made at the sitting of the Legislature, to continue the improvements begun three or four years ago. Of all the Officers, allow me to express my thanks for their uniform, careful regard for the wants of the sick. When a prisoner is confined to his bed he is removed from the cell to a bunk, outside, in as comfortable a place as can be found in the cell room; at night to be attended by the night-watch, and in the day time the bunk, with the patient, is carried to the temporary Hospital and there well cared for and attended now by a keeper who dispenses the medicines, &c. It was made a custom, some five years ago, by direction of the Inspectors to place a prisoner in charge of the department, but this has been found to be very unsafe, and is abandoned, hence my recommendation to have a proper officer created for the place.

Respectfully,

EDWARD WHINERY, M. D.

"D."

EDWARD A. LAYTON,
Warden Iowa Penitentiary,

vs.
JOHN H. WINTERBOTHAM AND
G. A. JONES,

Plaintiff,

Defendants.

The undersigned referees in the above case, after being duly sworn on the 2d day of October, A. D. 1861, proceeded to the trial of this case at the Court House at Fort Madison, Plaintiff being present in person and by his counsel, C. C. Nourse, Attorney General, and Wm. T. Barker, Esq., and the Defendants also being present in person and by their counsel, J. M. Beck, Esq., and J. C. Hall, Esq. After hearing all the testimony in the cause, and argument of counsel, and after full consideration thereof, we make the following finding:

1. We find for the Plaintiff the eight notes executed by the Defendants to the Warden of the Penitentiary, as set out in the petition, amounting to \$3,662 59, less a credit on the note dated

June 1st, 1858, paid January 3d, 1859, of \$123 59. Balance due on said notes, \$3,539 00.

2. Also, 63,137 days' labor of Prison convicts, from the 31st day of December, 1858, to the 1st day of June, A. D. 1861, at 35 cents per day, amounting to twenty-two thousand and ninety-seven dollars and ninety-five cents, (\$22,097 95.)

3. We do not allow any interest on the notes, because, as will hereafter be seen, we have allowed claims of defendants against plaintiff for a larger amount than these notes, which accrued before these notes were executed; and for a similar reason, we have allowed no interest on the other sums for convict labor.

4. We reject the claim of the State for 10,786 days' labor of able-bodied convicts, charged to defendants, but not actually employed by them, because we find that plaintiff did not furnish sufficient shop-room for their advantageous use, as required by the contract, and that defendants had the right to refuse to employ them, and did so refuse rightfully.

We find in favor of the defendants:

1. Their account, from the 1st day of October, 1858, to the 23d day of May, 1859, inclusive, for thirteen hundred and eighty-five dollars and eighty-three cents.

2. Their account, from the 1st day of May, 1859, to the 27th day of September, 1861, for one thousand and two dollars and eighty-cents.

3. Their account for labor and materials furnished in building shed at the north end of old shops, for ninety-five dollars and twelve cents.

4. Their account for labor and materials furnished in building shed on east side of old shops, seventy-five dollars and thirty cents.

5. Their account for repairs to old dining-room and old cooper-shop, one hundred and seventeen dollars and seventy-nine cents.

6. Balance due them on contract and supplemental contract, for building fifty cells, three thousand nine hundred and thirty dollars.

7. We find that by means of carelessness, negligence and unskillfulness in grading the yard of the Penitentiary enclosure, that defendants were damaged, including injury to dry house, four hundred dollars.

8. We find that plaintiff, for a long period of time, failed to provide a room for defendants to store their raw material, as re-

quired by the contract, for which we find defendants' damages to be seven hundred and fifty dollars.

9. We find that defendants are injured by the order rescinding the license to build the Warehouse on Penitentiary ground, one hundred and fifty dollars.

10. We find that the fire which occurred during the Wardenship of Mr. Barker, was the result of bad discipline in the Prison, and was a breach of plaintiff's contract to use good discipline, and we assess the damages of defendants by said fire, at four thousand four hundred dollars.

11. We find that there were able bodied convicts unemployed by defendants for want of shop-room in which they could work them to advantage, which labor would have amounted to 10,786 days, and that there were able-bodied convicts employed by the Warden for the use of the Penitentiary exceeding the ten per cent. which the contract allowed him to use, to the amount of one thousand and ninety days, which added to those unemployed as aforesaid, makes eleven thousand eight hundred and seventy six days labor lost to defendants. We find that this labor would have been worth to them seventy five cents per day if furnished, and if sufficient room in which to work them had also been furnished, and deducting the 35 cents per day which defendants should have paid plaintiff for their use, we find their damages were upon each of these days labor—11876 days at 40 cents, is four thousand seven hundred and fifty dollars and forty cents.

12. We find that by reason of want of shop-room in the blacksmith shop in its special relations to the other business conducted by defendants, they have been damaged one thousand dollars, which is in full for idle men, sick men, and deficient space in that room.

13. We find that by reason of placing in the rooms where convict^s labored, the unemployed and sick convicts, the defendants were seriously injured in the prosecution of their business, and for each room used in the old shop building, except the smith shop, we allowed one dollar and fifty cents per day, from May 1, 1858, until 30th September, 1861, inclusive, making 754 days for each shop, at \$1.50 per day is \$1,131 for each shop, and five shops make \$5,655. We find that the room in the second story of the new shop was similarly used from 20th January, 1860, when first used until Oct. 1st, 1861, or 530 working days, at \$1.50 per day is \$795, making in all for crowding sick and unemployed hands into workshops \$6,450. We

allow nothing on this score for the blacksmith and cooper shop.

14. In reference to the want of shop room except as herein allowed, we find that defendants when the want of shoproom became oppressive, exercised the privilege of refusing to receive and work able bodied men who were tendered to them by the plaintiff. We are of opinion that they had the right thus to reject all beyond the number that could be advantageously worked in the shops. We find that in exercising this right they made an election, and we hold that they are bound by this election, and it must be presumed against them, that they only received and worked so many as they had room for, and we are satisfied from the testimony that they made this election justly as to plaintiff's rights. We have therefore not charged the defendants with the time of the men thus rejected, and we have given them credit for the value of their services beyond the cost price of them, and we reject all other claims for deficient shoproom, nor heretofore allowed, and we reject all other claims of defendants not herein allowed.

The account as stated shows a balance due from defendants to plaintiff for the sum of eleven hundred and thirty dollars and eleven cents.

We state the account thus:

PLAINTIFF'S CLAIMS ALLOWED AGAINST DEFENDANTS.

| | | |
|--|------------|-------------|
| 1. 8 notes | \$3,662.50 | |
| Credit on note..... | 123.59 | \$ 3,539.00 |
| 63,137 day's labor, at 35 cts. each..... | | 22,097.95 |
| Total..... | | \$25,636.95 |

DEFENDANTS' CLAIMS AGAINST PLAINTIFF.

| | |
|---|------------|
| 1. Account current from Oct. 1, 1858 to May 1, 1859. | \$1,385 83 |
| 2. " " " May 1, 1859 to Sep. 27, 1861. | 1,092 80 |
| 3. " " for labor and materials for shed at north end of old shop..... | 95 12 |
| 4. Account current for labor and materials for shed at east side of old shop..... | 75 30 |
| 5. Account for repairs, old diningroom and cooper shop | 117 79 |
| 6. Balance due on contract for 50 cells..... | 3,930 00 |
| 7. Damage from negligence, grading yard | 400 00 |

| | |
|--|----------|
| 8. Failure to furnish room for raw material..... | 750 00 |
| 9. Damage for rescinding license to build warehouse..... | 150 00 |
| 10. Damage from fire in Penitentiary, | 4,400 00 |
| 11. Loss on 11876 unemployed convicts, 40¢..... | 4,750 00 |
| 12. Deficient room in Blacksmith shop..... | 1,000 00 |
| 13. Damages for crowding into workshops sick, unemployed convicts, | 6,450 00 |

\$24,500 84

Balance due from def'ts.....\$1,130 11

This includes defendants' claims up to Oct. 1, 1861, and plaintiff's claims up to June 1, 1861.

The finding shows that at the commencement of the suit Plaintiff was not entitled to recover anything and as by subsequent agreement a very long and complicated account is settled, we recommend that the costs be equally divided, each party paying half the charge for our services \$10 per day, each.

| | |
|---|----------|
| Sam. F. Miller, 11 days' services..... | \$110 00 |
| D. T. Brigham, 11 days' services..... | 110 00 |
| W. W. Belknap, 11 days' services, | 110 00 |

\$330 00

Received each twenty dollars from defendants in part payment in open Court, and by agreement of counsel of both sides. \$60 00.

SAM. F. MILLER, }
W. W. BELKNAP, } Referees.
D. T. BRIGHAM, }

November 7th, 1861.

Filed December 10th, 1861.

E. J. LEECH, Clerk of D. C.

By CHAS. DOERR, Deputy.

STATE OF IOWA, { ss
LEE COUNTY, }

I, Erie J. Leech, Clerk of the District Court, in and for said county, do hereby certify that the foregoing is a true copy of the award of Samuel F. Miller, W. W. Belknap and D. T. Brigham, referees appointed by said District Court in the case of E. A. Layton, Warden of the Iowa Penitentiary, vs. Wintherbotham & Jones. Award filed Dec. 10th, 1861, and Judgment had thereon Dec. 14th, 1861.

Witness my hand and seal of said District Court, at Fort Madison, this 16th day of December, A. D. 1861.

{ L. S. }

ERIE J. LEECH, Clerk D. C.
By CHARLES DOERR, Deputy.