

and have a salutary influence upon the future management of the institution.

We simply endeavored to see the school as it is to the end that the General Assembly may have a correct idea of its present condition and future wants. Considering the short period of time since the school was established at Eldora, very much has been accomplished; much more remains to be done, and we are sure it is wisdom on the part of the State to continue a liberal policy toward it. Under its new management, it gives promise of good results far more than commensurate with the expense. We hope that it may receive in its labor of love the hearty sympathy and co-operation of the community in whose midst it is located and of the people of the State.

Respectfully submitted,

E. G. MILLER,
Of the Senate.

JOHN McCARTNEY,
WM. H. REED,
Of the House.

REPORT

OF THE

WARDEN

OF THE

IOWA STATE PENITENTIARY

AT

FORT MADISON.

OCTOBER 31st, 1875.

DES MOINES:
R. P. CLARKSON, STATE PRINTER.
1875.

WARDEN'S REPORT.

IOWA PENITENTIARY, }
FORT MADISON, October 31, 1875. }

To his Excellency Cyrus C. Carpenter, Governor of Iowa:

SIR :—I herewith submit my second biennial report as Warden of the Iowa Penitentiary, located at Fort Madison in Lee county, as required by section 4750 of the Code of 1873, in which is set forth the condition of this institution in all its branches and departments, financial and otherwise, accompanied with estimates for its management for the ensuing two years from the date of this report. Submitted with this report are exhibits which cover the entire transactions of the Warden, and of the duties pertaining to his office. I trust these exhibits are sufficiently clear and comprehensive to enable your Excellency and the General Assembly to take such action as regards the management of this institution, as may be required by the interests of the State, the demands of society, and best adapted for the government and reformation of the inmates herein.

Since my last biennial report, several changes have taken place among the officers under my charge, notably among which are those of chaplain, surgeon, and clerk.

At the date of my last report there was no permanent chaplain connected with the prison, the duties pertaining to this office being at that time performed by the Rev. J. A. Woodward and Rev. C. P. Reynolds, of Fort Madison. By enactment of the Fifteenth General Assembly, a school was organized in the prison, and the office of chaplain was made permanent. By this enactment the chaplain was required to act as teacher, and in accordance with the provisions thereof I tendered the office of chaplain and teacher to the Rev. James Sunderland, of Sioux City, which was accepted. On the first of May, 1875, Rev. James Sunderland resigned, to accept the pastorate of a church in Ottumwa, and I appointed Rev. C. F. Williams, of Fort Madison, as his successor,

who since that time has been, and is now, the chaplain of the prison, and whose report is herewith submitted.

Since my last report, a change has also taken place in the office of surgeon, J. J. M. Angear, M. D., becoming successor to A. C. Hoffmeister, M. D., whose services in connection with this institution ceased on the first of March, 1874.

Upon the resignation of Mr. R. J. Finch, as clerk, which took effect on the first day of September, 1874, I appointed Mr. H. Clay Stuart as his successor, which position he now holds. His report is submitted herewith.

Some other changes have taken place among the guards and watchmen as the necessities arose, and as the efficiency of the service demanded, without any material increase in the number however, three only having been added, which accession was rendered necessary by the putting into operation of two additional workshops. This addition, however, still keeps the number of guards below that authorized by the statute, as the law permits the employment of one guard to every ten convicts, which, according to the number confined, would allow the employment of thirty guards, whereas but twenty-seven are on the rolls.

At the date of my last biennial report there were confined in the prison two hundred and seventy-six convicts, of which sixty-three were confined by order of the United States civil and military courts, under section 4771 of the Code. There were eighty-two military prisoners here on the 19th day of October, 1874, on which date twenty-five were released by order of General Ord, and on the 20th of the same month the remaining fifty-seven were transferred to Fort Leavenworth, Kansas, by order of the secretary of war. The order for the transfer of these prisoners has been, to a considerable degree, detrimental to the interests of this institution, as thereby we were deprived of the usual assessment of fifty cents per day per convict for board, besides cutting off from the general support fund the price of their labor—forty cents per man per day. Nor is this the only inconvenience experienced by the taking effect of this order, as all my contracts for supplies were made under the belief that the military prisoners would still be retained in this prison; and, entertaining this view, contracts were made which, though resulting in no loss to the State or institution, were seriously annoying.

At this date—October 31st, 1875—the number of convicts in this prison is three hundred and nine, of which number fifteen are here by

order of the federal courts, showing that there are at this date two hundred and ninety-four State convicts in this institution, an increase of eighty-one over the number that was here two years ago. The contributing causes which have led to the increase are not subjects for me to discuss, but I do not think it is to be taken as evidence of increase of crime if we consider the rapid increase of population that has taken place in our state during the corresponding period. There have been received into this institution since October 31st, 1873, four hundred and seventy-four convicts, and the number discharged during the same period was four hundred and forty-one, showing that the admissions exceed the discharges by thirty-three, an excess of ten over the comparison of two years ago.

Since my last biennial report thirty seven convicts have been discharged from this prison on pardons granted as follows: Four by the President of the United States, and thirty-three by your Excellency.

FINANCIAL EXHIBIT.

The exhibit of the finances pertaining to this institution, as prepared by the clerk, H. Clay Stuart, bears testimony to his efficiency and ability, and the great care and attention given by him to the preparation of the accompanying exhibit as relates to the financial condition of the penitentiary. To this exhibit I would particularly invite the attention of your excellency. So much attention and care has been bestowed upon its preparation, and it is presented with such accuracy and in such detail, that to discuss it in all its particulars would be an uncalled-for consumption of time. The disposition that has been made of the funds coming into my hands as warden for the use of the prison, is fully and clearly set forth in the financial exhibit, and in such a manner that no difficulty will be experienced in arriving at a full understanding of the same, so that all that is necessary for me to do is simply to invite your attention thereto. I had hoped to be able to report, as I did two years ago, that the affairs of the institution had been so conducted for the past two years as to render it unnecessary for me to call upon the state for aid; but unavoidable circumstances arose which increased the demands against the institution to such a degree that it was unable to meet them. The causes which led to this state of affairs are easy of explanation, and can be briefly told.

Soule, Kretsinger & Co., contractors under the old contract for convict-labor, claimed of the state a certain amount which they held to be

justly due them. At the time a settlement was asked by them, payment was deferred until the matter could be further investigated. Acting under a resolution passed by the General Assembly, the Governor appointed Hon. R. S. Finkbine to investigate the matter and ascertain on what grounds the claim was based. As to the validity or invalidity of the claim, I would refer you to the report submitted to your Excellency by Mr. Finkbine.

The law provides that contractors for convict-labor shall pay to the warden, monthly, the amount due at the end of each month for labor performed, and it is made the duty of the warden to demand the same. In compliance with this law, I received from Soule, Kretsinger & Co. notes amounting to \$11,721.19, for certain months' labor.

Upon the expiration of the old contract, on the 31st day of December, 1874, I, as warden, demanded, according to law, of Soule, Kretsinger & Co., the amount due on labor for the month of December. This they refused to pay, stating as their reason for so doing, that the state owed them, that as the law would not allow them to sue the state, the state could sue them. In this state of affairs my only recourse was to consult with the Executive Council and the Attorney General; and, acting upon their advice, I negotiated notes of Soule, Kretsinger & Co. amounting to \$5,324.89, retaining notes to the amount of \$4,579.57, they having in the mean time paid one note of \$1,817.03. The object in retaining these notes is, that in case the firm's claim be allowed, and an appropriation made to pay the same, they may be paid with their own notes and the prison receive the benefit of the money. It is greatly to be desired that this claim of Soule, Kretsinger & Co. be settled in some manner, and I sincerely trust, and earnestly recommend, that the General Assembly will take such action as will bring the matter to a termination, and that whether the claim be approved or disapproved, I may be relieved of the notes by an appropriation to the amount of the same.

When the new contracts were let, at the increased rates for labor, considerable outlay was incurred by fitting up new workshops and repairing those already in use, which had to be paid from the general support fund.

Four months elapsed before I realized as much as one dollar for the convict-labor under the new contracts, and six months before anything was realized from the boot and shoe contractors. True, at the end of each month, I received their notes for the amount due, but for these respective periods nothing available was added to the general support

fund from these sources, which could be used to meet the current expenses of the institution, and hence the general support fund was heavily taxed. This fund has been drawn on to pay the expense of repairs, fitting up additional workshops, and many other expenses necessarily incurred, for which, in my judgment, appropriations should have been made, but in the absence of such, the drafts upon this fund have been so great that it has been overdrawn to the amount of \$1,339.37, as set forth in the financial exhibit.

Not only has this fund been used to meet the above incurred expenses, but it has had to pay \$8,233.73 as salaries to officers and guards, a thing unknown before in the history of the prison.

The authority upon which the salaries of officers and guards have been paid out of the general support fund will be found in the following order issued by the Executive of the State:

"STATE OF IOWA, }
EXECUTIVE DEPARTMENT, }
DES MOINES, December 5th, 1874. }

"To the Warden of the Penitentiary:

"The following additional rules and regulations are adopted for the government of the penitentiary:

"Balances now or hereafter existing in the 'General Support Fund' exceeding \$5,000 will be used to the amount of such excess for the payment of the salaries of the officers and guards, and no requisition will be made on the Auditor of State for the payment of any part of such salaries at any time while such balance exceeds said sum of \$5,000.

(Signed)

"C. C. CARPENTER,
"Governor."

This order was imperative, and I had no alternative but to pay the salaries as indicated in the order according to the terms therein set forth: "Whenever the balance in the general support fund exceeded '\$5,000,' no matter how far the claims against the institution exceeded this amount, the settlement of which might be called for the very day succeeding the payment of the salaries.

Another additional source of considerable expenditure was imposed upon the institution by the enactment of the Fourteenth General Assembly, whereby discharged convicts are to be furnished transportation to their respective homes in this state, or for a corresponding distance out of the state, if the person discharged so desires. For this purpose alone, the sum of \$1,708.52 has been drawn from the general

support fund during the period covered by this report. It has only been during my wardenship that this expense has been added to others of the institution, the paying of which was never required of any of my predecessors in office; and while I heartily approve of the measure and deem it to be a just and desirable law, I would recommend that the legislature make the necessary appropriation to meet this source of expense, as it is clearly shown by the financial exhibit that the general support fund is not sufficient to meet all the expenses necessarily incurred by the institution. The financial exhibit will likewise show that the sum of \$2,828.30 has been paid to the prison commissioners, as compensation for services and other expenses, out of the general support fund, for which no appropriation had been made by the legislature. The increase in the price of convict-labor under the law passed by the Fifteenth General Assembly went a good way toward meeting these additional expenses; but although the labor of the convicts has been carefully utilized, and the greatest care and caution used in the purchase and consumption of supplies, and all manner of waste carefully guarded against, yet so much has been expected of the general support fund, that it fails to meet the expenses by \$1,339.37, as shown by the financial exhibit herewith submitted.

While upon this subject I would state that the prison commissioners are deserving of great credit for their manner of letting the convict-labor under the new law governing such contracts. The reason of this will be apparent when it is understood that in penitentiaries in States east of us and in states west of us, these same contractors were offered men at forty cents per day and refused them, choosing to pay sixty cents per day for men in the Iowa penitentiary. This may seem somewhat incredible, but it is a fact, nevertheless, and the secret lies in the method of discipline and mode of treatment of prisoners as adopted and carried out in this institution. Such a state of facts is highly gratifying to me as Warden, and reflects great credit upon our young but progressive state.

As expressed in my last report, it is still my firm belief that by careful and judicious expenditure of the funds of the institution, and by the study and practice of economy in all matters incurring an outlay of money, with the increased rates for convict-labor, the Iowa penitentiary will be henceforth, not theoretically, but practically, self-supporting.

IMPROVEMENTS.

The improvements made in this institution during the two years covered by this report, have involved a greater expenditure of money, for which no appropriations were made, than ever occurred for a corresponding length of time since the establishment of the prison. Gas works have been erected consisting of a retort room 24x30 feet, a coal house 24x50 feet, and a tank house 58 feet in circumference, the whole constructed of brick. The walls of the coal house and retort room average sixteen feet in height, and are covered with an iron roof. The wall of the tank house is fourteen feet high, but the appropriation applicable to the erection of gas-works falling short of the desired end, the tank house remains without a roof. By the erection of these works the expense of lighting the cells and warden's building has been considerably reduced, a much safer and better light has been obtained than that derived from kerosene oil, and much has been added thereby to the comfort of the prisoners while in their cells, as it has obviated the inhaling the noxious gas emanating from one hundred and nineteen lamps which were previously used for lighting the cell-room.

Since my last report no fires have occurred in this institution, nor have there been any escapes or attempts to escape.

An addition has been made to workshops known as 11 and 12, of 70x14 feet, and besides this the entire building has been farther improved by being ceiled with dressed ceiling.

New floors have been put down in shops 3, 7 and 9, that is, good, substantial plank floors have been laid down over the earthen floors that were used heretofore.

From the west end of the elevated platform, which extends the entire length of the upper shops, and in front of shops 3 and 4, an inclined passengerway eight feet in width has been made so as to facilitate the taking up of material to the workshops and the bringing down of manufactured articles therefrom.

A drain 460 feet long, 6 feet deep, and two feet wide, has been made for the purpose of draining the shops. This drain and other shop improvements, were made by order of the prison commissioners and in accordance with stipulations embodied in the contracts for convict labor made between the commissioners and the contractors. Under the old contract for labor, nearly all the yard room was leased therewith, and this space was occupied for the storage of lumber, warehouses for the storage of iron and other unmanufactured material, coal-houses, and

for other purposes that added many disadvantages to the enforcement of proper discipline, and largely increased the risk of damages by fire, and which rendered it utterly impossible to give the place that air of cleanliness, taste and neatness that ought to surround all such institutions, and which is absolutely necessary for the health, comfort and convenience of the inmates and of those in charge of them.

The old contract, by which the yard was let for the purpose above specified, expired on the 31st day of October, 1874, and immediately thereafter I had all the store-rooms, warehouses, coal-houses, lumber, and all other accumulated rubbish removed, and the yard restored to its legitimate purposes. The removal of these buildings and rubbish left that portion of the yard from which they were removed in very poor condition, and as soon thereafter as the season permitted, I hired teams and had the yard graded and sodded, and a low, one-rail wooden fence placed around it and along the walks leading from building to building. The change thus made in the appearance of the yard for the better, and, as a consequent result, to the entire institution, can only be realized by those who saw it as used under lease and who also have seen it since the above mentioned change has been made.

Important improvements have also been made to the water-works attached to and belonging to this institution, for which purpose the sum of \$3,000 was appropriated by the Fifteenth General Assembly. The old engine hitherto used in the pump-house has been removed and a new engine of fifteen-horse power has taken its place. The old pump house, which stood on property belonging to the corporation of Fort Madison, and midway between the river and the prison, has been removed and a new one of larger dimensions built nearer the river. The old two-inch pipe extending from the pump-house to the reservoir, north of the prison, has been taken up and a new three-inch pipe 1,800 feet in length put down in lieu thereof. The three-inch pipe that ran from the reservoir to the prison buildings has been taken up and a new six-inch pipe has taken its place. By these changes all the pre-existing difficulties as to water supply to meet the needs of the institution have been removed, and now an ample supply is had for any and all purposes. I also bought an additional quantity of hose, so that the institution is fully supplied with all necessary appliances to meet any and all emergencies that may arise in case of fire or otherwise.

All these improvements with many others of a minor character have been made at an aggregate cost of \$7,902.00, of which sum the Fifteenth General Assembly appropriated \$6,300, and the balance was

paid out of the general support fund. The greater portion of the improvements that have been made were rendered absolutely necessary by covenants entered into by the prison commissioners and the contractors, in the letting of the convict-labor at the increased rates demanded by enactment of the last legislature. On the passage of that law it was the expressed opinion, of not a few, that it would be extremely difficult, if not impossible, to let the convict-labor at the advanced rates. I am happy to state that by making the improvements before mentioned, thereby giving to contractors greater facilities for carrying on their work, no difficulty whatever was experienced in this regard, but on the contrary, the labor of the convicts in this institution was sought for at sixty cents per man per day, when that of institutions of like character in other States, was not accepted though it was offered at forty cents a day.

Between myself and the contractors exists the best of feeling, and harmony characterizes all our transactions. As a public officer I have to guard the interests of the state; and as Warden of this penitentiary I have to protect the inmates under my charge from any infringement on the limited rights accorded to them by their unfortunate condition, by those who have contracted for their labor; and it is a source of gratification to me, that the contractors and those in their employ, evince towards the unfortunate a spirit more of kindness than of severity, and that they exact no more of a man than he can reasonably perform, thereby rendering all interference on my part of rare occurrence, although in one or two instances, disagreements between the contractors and myself relative to the construing of contracts for convict-labor, have had to be referred for settlement to your excellency and the executive council.

I will state here that, notwithstanding the price of convict-labor was increased fifty per cent by enactment of the Fifteenth General Assembly, I have had more calls for men than I could supply and keep within the limits prescribed by law. In all similar institutions to this there are always so many men, more or less, unfit for work in the shops, and whose labor cannot be contracted, such as are crippled and superannated, and these have to be kept at the expense of the state and supported from the general support fund. There are thirty of this class in this institution at the present time, and under my Wardenship it never has been below twenty, but has gone as high as forty.

NEEDS OF THE INSTITUTION.

At the date of my last report there were 276 convicts in this prison, 63 of whom were here by order of military courts. Since then the military prisoners have been removed by order of the Secretary of War. At this date there are in this prison 309 convicts, of which number only fifteen are here by order of federal courts, showing that of the 309 at present in this penitentiary, 294 of that number are state convicts, a greater number by eighteen than was here two years ago, including military prisoners and those sent here by order of the federal courts. This too, notwithstanding the fact of the Additional Penitentiary at Anamosa. I mention these facts here to show the pressing necessity there is for more cell room.

All told, 318 constitutes the number of cells in this prison, and of this number only nine are now unoccupied, and as the convicts increase numerically rather than diminish, the great need for more cells will readily suggest itself to your Excellency. An insufficiency of cells is the greatest disadvantage under which I have to labor in the government of the prison. The pressing need of more cells will be made obvious when it is understood that by the time this report is printed and laid before your Excellency, the probabilities are that there will not be an unoccupied cell in the prison. I therefore renew the recommendation made in my last report that the building occupied by the Deputy Warden as a dwelling-house be converted into cells. This was the original intention when the prison was built, and that it never was intended for the purposes of a dwelling is evident from the fact that it is but a continuation of the cell-room and has barred windows the same as the rest of the cell-room building. It is under the same roof with the cells and to remove it and construct cells in the vacated space would give an addition of sixty cells, thereby making a total of 378. This, it is believed, could be accomplished by an appropriation of \$7,500, being an amount equal to \$125 for each additional cell, which appropriation I most earnestly and respectfully recommend. Such conversion of the portion of the prison now occupied as a dwelling by the Deputy Warden would necessitate the erection of a suitable residence for him outside of the prison, for which purpose I would recommend that an appropriation of \$1,500 be made.

While upon this subject of additional cells, I would submit for your consideration the following proposition: That the roof of the present cell-room be raised and the walls raised correspondingly, so as to

admit of an additional tier of cells to those now in use. Were this done, and those asked for to be built in the space now occupied as a dwelling for the Deputy Warden raised to a corresponding height, it would give an addition of 186 cells, making a total of 504 which, in all probability, would answer all state purposes for the next twenty-five years. It is a well known fact that nearly, if not all institutions of this nature in the United States, have at least four tiers of cells and the greater number of them five tiers. That the present cell facilities are inadequate for the wants of the institution is a fact beyond dispute, and I think it is not an unreasonable presumption, that in a young state whose population is so rapidly increasing as that of Iowa, that the number of criminals will also increase, and hence it is I submit for the consideration of your Excellency and the General Assembly, the heightening of the walls of the cell-room and the addition of another tier of cells. The cost of carrying out such a proposition, as nearly as can be estimated, would be about \$19,680. It is my firm belief that the adoption of such a measure would be politic on the part of the state, and knowing that the great need of the institution is more cell-room, I invite your attention to the proposition above made and ask that it be laid before the legislature, so that such action may be taken thereon as, in its judgment, may seem best for the interest of the state, the community, and the institution.

I beg leave to call the attention of your Excellency to the fact that at the south end of workshop No. 10, and adjoining thereto, is an old wooden building forty by sixty feet, formerly used as a paint shop, but now used by the Iowa Farming Tool Company as a kind of store-house.

The existence of such an inflammable building so close to the gas-house adds greatly to the risk of danger by fire. On letting the new contract for convict labor, the ground on which this building stands was leased to the Iowa Farming Tool Company, with the condition, that if the State at any time during the existence of the lease, required it for any purpose, then, in that event, the Iowa Farming Tool Company should have a space in the northeast corner of the sodded yard, equal in dimensions to the space now occupied by the old paint-shop, for the purpose of erecting buildings suitable for storage. The great objection to this is, that by the erection of such buildings, the view to shops 7, 8, 9, and 10, would be completely obstructed, and the object I had in view when I caused to be removed, at the expiration of the old contract, all the store-houses, ware-houses, etc., would be defeated,

namely, of keeping the yard clear so that a full view could be had at any and all times of the entire prison. In view of these facts, and for the further safety of the prison and the State property appertaining thereto, I would recommend that the old wooden paint-shop be torn down and removed, and that a brick building forty by one hundred feet, corresponding in height with the other shops be built in lieu thereof, and that the use of the lower shop, thus constructed, be given to the Iowa Farming Tool Company in consideration of the terms contained in their contract with the state. The upper room could be used to good advantage by the State, as it would furnish a place where the crippled and superannuated prisoners could do such work as they were able to perform. As it now is, there is no convenient place where this class of persons can be put except in their cells. Contractors will not allow them to sit idly around their shops, as their presence thus has a bad influence over the prisoners at work, and to confine these unfortunates to their cells because they are crippled or superannuated is not in accord with the humane spirit of the people of Iowa, or with the civilization of the age.

The Fifteenth General Assembly made provisions for a school to be conducted in the prison under the superintendence of the Chaplain, but there being no room suitable for such purposes, the school has been conducted under the greatest disadvantages. The place used as a school-room now, is the vacant space between the wall at the west end of the cell room building and the west end of the cells, which is 15x29 feet. In this space it is impossible to place permanent seats or desks without creating a still greater inconvenience—that of obstructing the passage-way around the cells. Under these circumstances, I did the very best that I possibly could do, and had some benches made which could be removed during the day and used for school seats during the evening. I also had a black board fastened to the west wall of the cell-room, beneath which and extending along the wall, I had a narrow desk fixed for writing purposes. These are the only school facilities now at command of the Chaplain, but yet, with these limited and inadequate means the progress that has been made is truly astonishing. Men who, one year ago, could not form a letter, now write beautifully, and others who scarcely knew one letter from another, now read remarkably well. The interest evinced in the school by the prisoners and the progress that has attended the undertaking are good evidences of the wisdom of the legislation establishing prison-schools. As education is one of the best safeguards against the commission of

crime, and in view of the fact that great progress has been made among the prisoners, and notwithstanding the disadvantages under which the school has been conducted, I would suggest that a suitable place be provided for school purposes. To this end I would recommend that a suitable building be erected on the south-east corner of the prison yard, corresponding in height with the cell-room, and of the same kind of material, the windows of the same to be barred. To carry out this suggestion all that is necessary would be the construction of a north wall 40 feet long, and a west wall 35 feet long, the other two walls being formed by the west wall of the prison and the north wall of the cell-room. Communication could be had from the cell-room to the school-room by a doorway being cut in the north wall of the cell-room. The room over the school-room could be turned into a hospital for which it would be suitably adapted, both on account of location and manner of construction, as it would be further removed from the noise and din created by the operation of the machinery in the work-shops, and for the further reason that it would be vastly more safe in case any infectious disease should find its way into the prison. I make this suggestion with the hope that it will meet with the approval of your Excellency and the General Assembly.

REPAIRS.

The cost of repairs for the past two years, which has been paid out of the General Support Fund, amounts in the aggregate to \$2,303.91, there having been no appropriation made by the last legislature for this purpose. Not one dollar has been appropriated for repairs by either the Fourteenth or Fifteenth General Assemblies, or in other words, during my Wardenship, while in former years appropriations were made to meet the cost of repairs. Vouchers are on file in my clerk's office, showing for what particular purpose the above sum has been expended. This expenditure for repairs is very far from excessive, when the magnitude of this institution is taken into consideration. That the cost of repairs does not greatly exceed the sum above stated can only be attributed to the rigorous discipline enforced for the preservation and care of the State property under my charge. To guard against wanton destruction of property requires constant watchfulness, and while the cost of repairs for the past two years has exceeded that of the preceding, by \$543.18, the excess is not to be attributed to a waste of property, but to changes that necessarily had to be made in carrying

out the terms of agreement entered into between the contractors for convict labor on the one hand and the prison commissioners on the part of the State, on the other.

GENERAL SUPPORT FUND.

I have deemed it necessary to devote a short space in my report to the subject of "General Support Fund," so that your excellency, and the legislature, may more fully understand how it is that this fund has been overdrawn as is shown in the financial exhibit. I know of no way by which I can make it appear more clearly, than by setting forth the demands which, in the absence of appropriations, had to be paid from this fund. The aggregate amount paid out of this fund for the period covered by this report, and for which no appropriation was made, is \$15,898.44, which was expended as follows:

Repairs.....	\$ 2,303.91
Transportation for discharged convicts.....	1,708.52
Prison commissioners expenses.....	2,828.03
Convict school.....	181.32
Prison library.....	642.66
Officers salaries.....	1,895.68
Guards salaries.....	6,338.05
Total.....	<u>\$15,898.44</u>

Such a drain on the general support fund has been unprecedented in the history of the institution, and, as a consequence thereof, I was constrained to apply to the state for aid, as before mentioned in this report.

PRISON DISCIPLINE.

For the protection and security of society, and for the imprisonment of those who, regardless of law, violate the rights of others, either in person or in property, it is necessary that institutions of this character should exist. Such institutions cannot be governed without the enforcement of rigid discipline. The character of the majority of convicts who come here renders the enforcement of strict discipline necessary. While there are some who find their way here for a crime committed in an unguarded moment, and to whom a less rigid discipline might be applied, yet the major portion of them come hardened in crime, and as partiality would tend to render discipline inefficacious,

the same rigor must be applied to all irrespective of the causes that brought them here. This institution is dual in its character, its object being to punish and reform, and the discipline which will best accomplish these ends is that to be pursued. As to how and what punishment should be inflicted, men differ, and for many years this question has been gravely discussed and considered by the brightest intellect in all enlightened, civilized countries. The knout and the bastinado are foreign to American institutions, and even the cat-o-nine-tails is rapidly going out of existence and has completely disappeared from the Iowa penitentiary, and to strengthen my condemnation of flogging for punitive purposes, I am led to believe from information—not from experience, as whipping has never been resorted to during my wardenship—that other modes of punishment less barbarous in their nature are as efficacious for the preservation of good order and enforcement of discipline as the lash. The methods of punishment resorted to in the darker ages have all disappeared before the advance of civilization and intelligence, and that which was sought, formerly, to be accomplished by means of cruel, barbarous treatment, is now sought by exercising humanity, and by awakening the offender to a sense of his guilt by bringing to bear upon him the ameliorating and sympathizing influences of Christianity.

While there are some apparently dead to these softening influences by far the greater portion can be brought to a realization of their unfortunate situation by these appliances better than by harsher measures. Idleness, that great parent of crime, is not tolerated in the prison, and all the convicts physically capacitated to perform labor are required to work ten hours each day, (Sunday excepted) their labor being leased, according to law, to parties who contract for the same. It is, and has been, my utmost endeavor as warden to maintain good order, create habits of industry, dispel despondency, gloom and moroseness, and to gain willing and cheerful obedience to the established rules of the prison, by appeals to the manhood of the convicts, and by inspiring them with the hope of future respectability in society, and by treating them as men, though having erred, not necessarily lost.

My first aim is to gain their utmost confidence, and this once obtained, compliance with the regulations becomes easy of accomplishment, although there are some of such an obdurate disposition, that it requires the constant enforcement of the strictest rules of the prison to command their obedience, but compared with the whole, the number of such cases are few. I endeavor to impress upon their minds that I am

placed in my position by the State to perform a certain duty and that I am responsible to the State for the manner in which that duty is performed, and that while I do not desire to resort to severe or harsh measures to maintain order and elicit obedience, yet, if these are necessary, they shall be put in execution. I give them to understand that nothing will be exacted of them but what they can reasonably perform, but whatever that is they must do, as this is a duty required of me by the State and by society. I aim to impress upon them that they are men and that their treatment while here will depend largely upon their deportment, their compliance with the rules and their obedience to the officers placed in charge of them. I never exercise authority but when it is rendered necessary to command conformity to the rules or the enforcement of discipline, but never is it exercised as a mere exhibition of power. My mode of government is to rule by firmness instead of severity, to exercise patience instead of yielding to passion, and to treat all prisoners alike with undeviating impartiality. These, I have found, to be the best means of inspiring them with trust, making them faithful to duty and willing to obey, and the result is that aggravated violations of the rules are of rare occurrence and the inflictions of punishment rendered almost, if not entirely, unnecessary. The adoption of some modes of punishment in all such institutions as this is one of those measures rendered essentially necessary by the character of the institution and its inmates. Because these modes *may* be resorted to, it does not necessarily follow that they *must* or *are*, and in the few cases where punishment has been inflicted, the severity has not extended beyond a few hours confinement in the dark cell or the carrying of the ball and chain, or, what the prisoners dread more than either of these, deprivation of Sabbath School privileges. The enforced silence imposed upon prisoners during the week, so contrary to the laws of nature, association and habit, is one of the severest modes of punishment, and to be deprived of the privilege of attending Sabbath School, where their silence may be broken by reading, answering questions, singing, conversing with the class-teacher and frequently with one another in presence of the teacher, such punishment becomes almost beyond human endurance. I entertain the belief, however, and this belief is founded on experience, that kindness, properly exercised, will accomplish more than any established method of punishment. When men learn, criminals though they may be, that authority is only exercised over them so far as the performance of duty demands, and that those under whose charge they are placed extend to them all the kind-

ness that their relative positions and circumstances will allow, their manhood is touched, and they are hardened indeed on whom appeals to their reason and manhood will not accomplish the desired effect. In nine cases out of ten a kind word, a mild reprimand, friendly advice, or a respectful appeal are all that are necessary to overcome exhibitions of contumacy and bring the obdurate to yield willing obedience. By a strict adherence to the law of kindness, so far as is consistent with the government of the institution, I gain the implicit confidence of the men, and to the exercise of this law, and to the humane efforts put forth in their behalf, is to be attributed the subordination and good conduct that characterize the inmates of the prison, and I think the facts will justify me in saying that the Iowa Penitentiary, for its system of government, the neatness and cleanliness that pervades all its departments, the absence of cruel, harsh or severe treatment, the rare cases of punishment, and the cheerful obedience of its inmates, will compare most favorably with any punitive or reformatory institution in this, or any other, country.

This result is by no means to be attributed to my efforts alone and the subordinate officers of the prison. Other agencies, powerful in themselves for effecting reformation, have been used to good advantage for the benefit of the inmates, and for bringing the institution up to its present high standing. Chief among these agencies is the Sabbath School, which is conducted under the superintendency of Hon. J. M. Beck, one of the Supreme Judges of our State. The value of his labors among the prisoners can not be overestimated, and that the efforts put forth by himself and his coadjutors to awaken in them higher thought, good motives and better inclinations, is evident from the every day deportment of the prisoners. The teachings of the Sabbath School open up avenues to the heart that would keep closed to other influences, and the high reputation and christian character of Judge Beck and the great interest he takes in the Sabbath School exercises, convince the men, that while their present condition is to be deplored, a lively interest is taken in their welfare, and hopes entertained of their leading better lives in the future, and that their temporary confinement has no other end in view than their self-improvement and the good of society. By means of the Sabbath School self-respect is enhanced, evil inclinations restrained, and those principles that tend to elevate mankind instilled into the minds of the prisoners.

To Mr. E. A. Gibbs, Judge Beck's assistant in the Sabbath School work, I feel truly grateful for the zealous manner in which he has

devoted himself to the self-imposed task of educating and instructing the unfortunates under my charge, and for his efforts to implant in their hearts those great truths whose guidance will enable them to shun evil in the future and be better men.

I would deem myself very ungrateful did I not return thanks to the many good people of Fort Madison, male and female, who, by their presence at the Sabbath School and their willingness to take classes, brings cheer and comfort to the hearts of the inmates, by bringing to them the conviction that in the human heart is a fount of sympathy that flows towards them in their unfortunate condition, and forces them to the belief that though they have erred and are apparently unthought of, there are those who feel for them and entertain a deep interest in their welfare. These silent lessons, taught by those good people who enhance the interest of the Sabbath School by their presence, have their effect and leave impressions behind that are fruitful of much good.

The Friend's sect have also contributed much to aid the work of reformation and to ameliorate the condition of the inmates by their frequent visits and friendly ministrations. I am under deep obligations to that eminent preacher, Joseph A. Dugdale, of Mt. Pleasant, and also to his wife, for the great interest they have manifested for the welfare of the prisoners and for the religious instruction imparted. In this connection I would also mention the names of Mr. & Mrs. Votaw, who reside near Salem, Mr. Cook and wife of Pleasant Plain, Jefferson county, and Mrs. R. S. Naylor of New Sharon, Mahaska county, and many other good people whose names have escaped my memory, but whose beneficent services for the welfare of the inmates I fully appreciate and towards whom the prisoners entertain the deepest feelings of gratitude. Of the 309 convicts at present confined in this prison, but very few indeed decline to accept the privilege extended to them of attending Sabbath school. The knowledge that these visits are made, not from curiosity or interested motives, but solely and purposely for the benefit of the inmates adds much to the gratefulness with which they are received and to the influence they exercise. Convicts though they are, these men are capable of appreciating kindness and their respect and affection for those who voluntarily labor on their behalf, is none the less because they wear the convicts' garb. To these influences in a great degree, combined with discipline enforced more by kindness than severity, is to be attributed the good conduct and cheerful obedience that characterize the inmates of this prison.

The prison chaplain and teacher, Rev. C. F. Williams is deserving of the highest commendation for the close attention and earnestness he has given to the performance of the duties devolving upon him as preacher and teacher. On Sunday he conducts divine service and assists in the Sabbath school exercises, and during the week days the greater portion of his time is spent in the prison, where his council and his presence exert a good influence over the men. In the evening, after the men have gone to their cells and had supper, he takes up his school class. Those of the convicts who attend school are divided into five classes, there being from fifteen to twenty in each class; and one evening of the week is devoted to the classes respectively. The chief branches taught are reading, writing, spelling and arithmetic; and to teach grown up men who have arrived at manhood ignorant of the knowledge of the alphabet, requires an exercise of patience that but few men can command. I am glad to state, however, that the advantages offered by the convict school are eagerly grasped, and that under the instruction of such an able, and patient teacher as Rev. C. F. Williams, rapid progress is being made.

The prison library is another source from which much good is derived. There are at present upwards of two thousand volumes in the library, consisting chiefly of religious, historical, scientific, biographical works, and works on travel, with a few select novels by standard authors. To these books the prisoners have free access at all times when they are not otherwise employed in the performance of necessary duties pertaining to the prison, a privilege which all who are able to read eagerly avail themselves of and greatly enjoy.

‡ It is my belief, that the greatest incentive to insubordination in this or any other institution, where a large body of men are brought together and held under restraint, is a poor quality of food and an insufficient supply. Believing this, and knowing that these men are required to perform hard work day after day, I make it my chief business to see that they are provided with sufficient food to give them that physical strength required for the performance of the work imposed upon them by law. Of the kinds used in the prison—and they are good—the best only are purchased, adhering to the belief that the cheapest is the dearest at the end. The beef furnished is good, sound and wholesome, and so also is the pork, the former being used to a much greater extent than the latter. The use of fish occasionally enters into the mode of diet, and on holidays, chickens, turkeys and many other extras are served to the inmates. All provisions furnished the prisoners are placed

before them clean and well cooked and in abundance, each being served in quantity, according to his desire.

Another great promoter of good order among the inmates is the deduction made in the time of imprisonment which each may gain by good conduct. Of all the laws that have been passed with reference to prison discipline, I can recall none so fruitful of good in its operation as that diminishing the time for good behavior. As certain methods of punishment are established for the wrong-doer, it is but just and fair that some reward should be placed within the reach of the well-doer, and the evidence of the wisdom that conceived and enacted the demerit or "good time" law is to be found in its result. The law provides that by good behavior on the part of the convict for the first year he gain forty-two days, and for each succeeding year of like behavior, forty-eight days; and thus a man having ten years to serve could gain during that time one year, three months and twenty-five days, or, in other words, he would be entitled to his discharge when he had served eight years, eight months and five days, and so in proportion with those having other periods of sentence. The existence of such a law is not lost sight of by the convicts and the benefits to be derived therefrom creates in them a strong desire to realize the fruit of its fulfillment, and thereby good order and obedience to prison regulations are secured.

If the convicts have any grievances that go unredressed it is their own fault, as they are informed from time to time that I am ready to hear whatever complaints they may have to make against any of the officers or employes of the institution or against the contractors or those employed under them. Whenever complaints of this nature are made, and a just cause for complaint exists, speedy redress is certain to follow. Instances of this kind, however, are rare indeed, owing to the spirit of kindness and forbearance that enters so largely into the prison discipline.

THE CONVICT LABOR.

The contracts governing the convict labor will be found farther on in this report, and to these I would direct the attention of your Excellency. To my mind it is questionable if a better system of labor could be devised than that adopted for this prison. By contracting the labor, constant employment is given to the men, and under the direction of skillful foremen they acquire a knowledge of work and habits of industry which, if pursued on leaving the prison, will be of

great benefit to themselves in assisting them to regain the positions in society, which, by their wrong-doing, they had forfeited.

In compliance with a recommendation made in my last report, the Fifteenth General Assembly increased the price for which the convict labor should be let fifty per cent. over old contract prices, thereby making the price for each man per day, sixty cents. This was but a reasonable advance, and that the rates are just is evidenced from the great demands that have been made for the convict labor. Since the labor has been let, under the new contracts made in conformity to the the law governing the same, numerous applications have been made for prison labor which could not be complied with, as the demand was much greater than the supply. In the awarding of these contracts, much credit is due to the commissioners, Mr. J. W. Campbell of Fort Madison, Capt. J. A. T. Hull of Bloomfield, and Mr. H. W. Cartwright, of Des Moines county.

While the awarding of the new contracts at the advanced rates for labor incurred considerable expense in preparing shop room and making necessary changes, which had to be paid from the General Support Fund, yet the advantages to be derived from the legislation increasing the price of convict labor will, eventually, redound to the great benefit of the state, as thereby the desired end is fully insured of making this institution self-supporting, which it now nearly is. The number allowed by law, 300, has been contracted for, and at the date of this report 248 men were at work in the shops under contract. This number embraced all the men in the prison, excepting the incapacitated, superannuated, cooks, "lumpers," or men of all work. It has been my constant aim to regulate the working force in such a manner that all the physically capacitated may be employed under the contract, reserving the lighter work of the institution for the superannuated and physically weak, so that by thus economizing the labor the state may receive the largest possible benefit therefrom. So much care is exercised in the adjustment of men, that all are employed at some manner of work, excepting those whom old age or bodily infirmities render incapable.

OFFICERS—EMPLOYEES—SALARIES.

DEPUTY WARDEN.

Under this head, I am pleased to make favorable mention of my deputy, James H. Reynolds, for the efficient manner in which he has performed his duties and for the invaluable aid he has rendered me in the performance of mine. Nature has endowed him with those qualities which preeminently qualify him to fill the position he now occupies. Firmness, courage, and patience are prominent among his characteristics, and these, coupled with a good knowledge of human nature, acquired from long experience and close observation, are desirable, effective, and of incalculable value to the state. The position he occupies requires all his time, Sundays included, and from early morning till late his nerves are always under the utmost tension. His position is also one of great danger, for, no matter how perfect the discipline and how good the conduct in an institution of this kind, to which some are consigned for the period of their natural lives, and many others for periods ranging from five to twenty years, to be surrounded by, and constantly mixing with a class of criminals debarred of their liberty by the rigor of the law and made desperate by their situation, incurs a constant danger that but few men have the nerve to undergo.

Mr. Reynolds is a faithful, trustworthy officer, one to whose care I can entrust the control and management of the prison during my absence with the full assurance that it will be safely and securely conducted. His salary is \$1,000 per annum, and whether \$1,200 would not be a more just compensation for his services, I submit to your excellency and the General Assembly, and earnestly recommend such increase with the hope that the coming legislature will see the justness of my recommendation and make the salary of the deputy warden commensurate with his labors.

CLERK.

The person who fills this responsible position is Mr. H. Clay Stuart, a gentleman of fine scholarly attainments, a fine penman, skillful and expert accountant, and a faithful, competent and trustworthy officer. In my last report I recommended that the clerk's salary be raised to

\$1,200 per annum, which I then considered, and now consider, no more than a reasonable compensation for the services he has to render. This officer is required to file a bond in the penal sum of \$5,000, for the faithful performance of his duties and the established salary pertaining to the office is \$750 per annum. A temporary act was passed by the Fifteenth General Assembly increasing it to \$1,000 a year. Even this advancement was not sufficient to enable me to retain my then clerk, Mr. R. J. Finch, who resigned the position for one of more pay and less responsibility.

The requirements of the law are that this officer "shall keep a fair, honest, impartial and faithful record of the affairs of the penitentiary, written in a fair, round hand, with proper indices, 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, and discharge all his duties as clerk and commissary faithfully, &c." To comply with this law, and perform the multiplicity of minor duties that devolve upon him as clerk and commissary requires diligence, devotion, close attention and lengthened hours. That the work devolving on this officer has nearly trebled since the salary was fixed at \$750 per annum will be shown from the following statistics, relative to the number of convicts in this prison for the several years to which reference is made:

1859.....	122	1860.....	123
1861.....	118	1862.....	81
1863.....	70	1864.....	74
1865.....	87	1866.....	117
1867.....	160		

and at the date of this report there were 309, showing clearly that the work of the clerk has increased in a threefold degree without an adequate advance in his compensation. In addition to this, since the new contracts for convict labor went into operation, he is required to keep the accounts between this institution and three contracting firms, whereas but one account was kept before, there being but one contract.

In the face of such facts as these your Excellency will readily see the motives by which I am impelled to renew the recommendation made in my last report, that the clerk's salary be increased to \$1,200 per annum, believing that the General Assembly will see the necessity for, and justice in, such increase.

GUARDS.

As the good order of the inmates depends largely on the efficiency of the guards, none are chosen for these positions but men of temperate and industrious habits and good moral character. Their duties are close, confining and require constant vigilance and watchfulness. Any laxity on their part might lead to serious consequences. Not only have the actions of the convicts to be closely watched, but close scrutiny has to be kept upon their looks and motions, as the language of the eye is as fully understood among the prisoners as that of the tongue, and a signal given by the hand or the head may have deep significance. Such being the case, the guards must ever be on the alert to check the first indications in this direction that may be given. They are required to be on duty twelve hours each day during the week and about half that time on Sunday, having to report in the morning before the men leave their cells and not being allowed to leave the prison till after every prisoner is securely locked in his cell. Their pay is \$50 a month, being but a trifle over \$1.50 per day. With this they have to feed and cloth themselves. This, in my opinion, is not commensurate with their labors, and I submit for the earnest consideration of your Excellency and the General Assembly that their pay be increased to \$60 per month.

I would also recommend that the deputy warden and guards be uniformed at the expense of the State, so that they may be readily distinguished, both by convicts and visitors, from the foremen of the workshops and other citizens who work in the prison under the contractors. The necessity of uniforming the guards I believe to be imperative and my reasons for such belief will readily suggest themselves to the mind of your Excellency.

SANITARY REPORT.

For the sanitary condition of this institution, I refer you to the report of the Prison Physician and Surgeon, Dr. J. J. M. Angier, herewith submitted.

This report contains elaborate statistical tables setting forth the sanitary condition of the prison from month to month, the number of convicts on the sick-list, the average number treated daily in the hospital, the percentage of the sick and the number of deaths and causes thereof. To the physician's report I invite your close attention.

The physician visits the prison daily and as much oftener as is necessary for the treatment of cases under his care. The sick have good care and treatment, and while the food of the prison is such as the strong and healthy may desire, yet it is not suited to a person enfeebled by sickness and whose weakened appetite is only capable of retaining a more delicate kind of food, and hence I furnish the sick with diet from my own table.

CHAPLAIN'S REPORT.

The report of the Chaplain, Rev. C. F. Williams, will be found in its appropriate place in this report. As it treats fully of the matters pertaining to his offices of Chaplain and Teacher, and contains many valuable suggestions, founded on subjects that are more closely under his personal supervision, relative to the convict-school, prison library, moral advancement, educational facilities, etc. I commend it to the close attention of your Excellency and to that of the General Assembly.

In submitting this report of the Chaplain's, permit me to endorse cheerfully every word contained therein complimentary to Rev. James Sunderland, for his humane and christian efforts, while Chaplain, for the moral and religious welfare of the convicts in this prison.

MISCELLANEOUS.

I am happy to inform your Excellency that during the two years covered by this report no fires have occurred in any part of this prison. This may be attributed to two causes: first—the removal from the prison yard of all store-houses, ware-houses, lumber sheds, and other inflammable material that had accumulated there under the old contract system, and, second—to the watchful care bestowed in having all the fires in the several workshops thoroughly extinguished every night by having the coals and ashes taken out and the stoves cooled with cold water.

I have judiciously expended the \$600 appropriated by the Fifteenth General Assembly for the purpose for which the appropriation was made—to purchase suitable furniture for the Warden's house. While much has been added to the comfort and internal appearance of the house by this expenditure, nothing was purchased for ornamentation alone, utility being the consideration that governed me in my selection of furniture, and any man possessed of moderate means has his house as well furnished as is the Warden's at the present time.

In the month of May, 1874, I attended a session of the National Prison Reform Congress at St. Louis, of which Hon. Horatio Seymour, of New York is President, and Rev. E. C. Wines, D. D., Secretary. A very large delegation was present at the Congress, nearly every State in the Union being represented. Iowa was well represented in the person of Prof William G. Hammond, of the State University, whose scholarly attainments and acknowledged ability qualified him to take an important part in all the discussions on the various topics, and whose appointment as a delegate was creditable to the State.

The subject of prison discipline, and the best measures to be adopted for the reformation of the wrong-doer, were fully and ably discussed by some of the most eminent men in our land, and from these, and the conferences that were held by the many Wardens of the different States, where opinions were freely interchanged relative to prison discipline, much valuable information was derived.

I have required all officers of this institution to furnish bond as provided by law, and the same are now filed in my office.

During the two years past pardon has been granted to 37 convicts in this prison. Four of this number were pardoned by the President and thirty-three by the Governor of the State. Where due care is taken in the exercise of clemency, and where the offender gives convincing and satisfactory proofs of his reformation, it is my firm belief the pardoning power should not be withheld, and I fully endorse the action of your Excellency in exercising your executive clemency in the cases referred to in this report. And it is a noteworthy fact, that of all who have been pardoned out of this prison since it was first founded, but one of the whole number has found his way back, while of those who have served their full term and been discharged, many have returned.

Accompanying this report will be found statistical tables of the prison, carefully prepared by the Clerk, H. Clay Stuart.

APPROPRIATIONS RECOMMENDED.

For heightening walls of Cell-Room and building additional cells.....	\$19,680.00
For converting deputy warden's house into cells.....	7,500.00
For dwelling house for deputy warden.....	1,500.00
To relieve me from carrying the notes of Soule, Kretsinger & Co.....	4,579.57

For the removal of the old wooden paintshop and the erection of two workshops, 40x100 feet.....	6,300.00
For transportation of discharged convicts.....	1,800.00
Increase of deputy Warden's salary.....	400.00
Increase of Clerk's salary.....	900.00
Increase of salary for Chaplain and Teacher.....	1,200.00

I beg leave to say in conclusion that I return thanks to my deputy, Mr. J. H. Reynolds, to my clerk, Mr. H. Clay Stuart, to the chaplain and the physician, and to the guards and officers of the institution for the zeal, vigilance and promptitude they have each displayed in the performance of their respective duties, and for the valuable aid they have rendered me in the performance of mine. Our relations have been characterized by harmony and the best of feeling, and to the prudence, care, and watchfulness exercised by them in the discharge of their duties is to be attributed the good order and discipline that enables the Iowa Penitentiary to justly claim the high reputation it has received in this and other States.

For the interest manifested in this institution by the Governor and the Executive Council and for the assistance they have rendered me in matters pertaining to the prison and the welfare of its inmates I feel truly grateful.

S. H. CRAIG, *Warden.*

Subscribed and sworn to before me and in my presence by S. H. Craig, Warden, this 30th day of November, 1875.

H. CLAY STEWART, *Notary Public.*

APPENDIX.

CONTRACTS FOR CONVICT LABOR.

By articles of agreement entered into this 3d day of July, 1874, between H. W. Cartwright, James W. Campbell and J. A. T. Hull, as Commissioners of the Iowa Penitentiary, under chapter 35 of the Private, Local and Temporary Acts of the Fifteenth General Assembly, and in behalf of the State of Iowa, of the first part, and Benjamin S. Brown & Co., of Columbus, Ohio, of the second part.

WHEREAS, Certain sealed proposals have been heretofore made, by the party of the second part, for the convict labor hereinafter mentioned, which proposals have been accepted by the party of the first part, for, and in the name of the State of Iowa, now therefore it is agreed:

FIRST; That the party of the first part doth hereby let and hire to the party of the second part for the term of five (5) years from the 1st day of January, 1875, the labor and services of one hundred able-bodied convicts, now or hereafter to be confined in the Iowa State Penitentiary at Fort Madison, Iowa, (said convicts, so far as possible, to be taken from men now employed in the manufacture of Agricultural Implements,) to be employed by said party of the second part at the following trade and occupation, viz: manufacturing of Agricultural Implements, except Reapers, Mowers, Threshers, plows and wagons.

Nothing in this agreement shall prevent the Warden from employing a limited number of convicts in shoemaking and tailoring for the use of the convicts.

ARTICLE SECOND. It is agreed by the party of the first part that for the use of said labor, and storage of materials during the term of this lease, the party of the second part shall use the following shops, rooms and kilns, which shall be kept in good repair by the State, so far as now owned by the State, and space now in said prison yard, to wit:

Shops Numbers Three (3), Four (4), Five (5), Six (6), and Seven (7), together with the yard-room and fixtures thereon standing north of same. (Except the eastern division of the West Dry Kiln.) Also the use of the Dry Kiln located in the northeast corner of the yard. Also one hundred (100) by forty (40) feet of ground, south of, and adjoining Shops Number Nine (9) and Ten (10), reserving to the State the right to use the said last-named space for the erection of additional shops-rooms, in which case, the party of the second part shall receive an equal space south of and contingent to Shops Numbers Five (5) and Seven (7).

Also the south part of the cellar under Shop Number One (1), south of the entrance thereto. And it is further agreed and understood, that for said labor, the party of the second part shall pay at the rate of sixty cents per day for each convict.

ARTICLE THIRD. And for the storage of raw material, erection of a warehouse, and other purposes necessary to carry on said contract, the party of the second part shall, during the continuance of this lease, have the right to use and occupy the following described territory to wit: Commencing at the southwest corner of prison land, running east one hundred (100) feet, thence north three hundred (300) feet, thence west one hundred (100) feet, thence south three hundred (300) feet to place of beginning.

ARTICLE FOURTH. The said party of the second part shall have the privilege of going to and from said shops at all proper times, to instruct the convicts in the manufacture of said articles, and take in and out materials and manufactured articles. Said party may also employ suitable persons to perform whatever is authorized to be done by this article, and generally to superintend the work done under this contract. Said contractors and employers being, whilst within the walls of said prison-yard, subject to all the rules and regulations now or hereafter established by the proper State authorities.

ARTICLE FIFTH. The convicts so to be employed shall be able-bodied men, by which term is meant those who are capable of performing a reasonable day's work; and in case of any disagreement between the party of the second part and the Warden of the Penitentiary in regard to the physical ability of any convict, the same shall be conclusively determined by the Physician of the Penitentiary.

ARTICLE SIXTH. The convicts shall be guarded and kept in good discipline at the expense of the State, but the State of Iowa shall in no case be liable to the party of the second part for any loss by fires or other casualties.

ARTICLE SEVENTH. It is further agreed that shops shall be properly warmed by the party of the first part, and the fixtures therefor shall be made reasonably secure against fire.

ARTICLE EIGHTH. The party of the first part further agrees to furnish the party of the second part with sufficient water for the use of boilers and shops. And it is further agreed that one runner for each shop shall be furnished by the party of the first part, for the purpose of cleaning shops, making and taking care of fires, bringing water and performing the necessary running for the contract.

ARTICLE NINTH. In estimating the per diem, as aforesaid, to be paid for each convict, the usual time for estimating a day's work, to-wit: ten (10) hours average through the year shall be computed.

ARTICLE TENTH. It is further agreed that if at any time the number of prisoners in the penitentiary should not be sufficient to supply the full number specified in this contract, and also sufficient for cooking, cleaning and other necessary matters, which, in the judgment of the Warden it may be for the interest of the State to employ them, the State shall not be liable for such deficit; provided, such deficit is not caused by the State sending prisoners to other penitentiaries. And it is further agreed that this contract shall have priority over any subsequent contracts, both as to numbers, and men skilled in the manufacture of agricultural implements.

ARTICLE ELEVENTH. If at any time the convicts assigned to the party of the second part within the number hereinbefore specified, shall remain idle for want of any material or tools, or for any fault of the party of the second part, the party of the second part shall still be liable to pay said sum of sixty cents per day for each convict so employed.

ARTICLE TWELFTH. No charge is to be made for such time as a convict may be employed in learning to read and write, or does not, from sickness or other cause beyond control of said party of the second part, perform his ordinary labors.

ARTICLE THIRTEENTH. In the case of the loss of the shops hereinbefore specified, or material damage to the same by fire or other casualty, by reason of which they cannot be occupied, then the party of the second part shall not be liable to pay for any labor of the convicts during the time for which the State shall not furnish another, or rebuild said shops; nor shall the State of Iowa be liable for any damages for such unemployed labor until such shops can with reasonable diligence be rebuilt.

ARTICLE FOURTEENTH. It is further agreed that the State of Iowa shall not carry on any of the trades hereinbefore specified, within the walls of said prison, nor contract or lease convict labor for the same, during the continuance of this lease, without the consent of the party of the second part.

ARTICLE FIFTEENTH. All machinery, tools, implements are to be furnished by the party of the second part for the use of the hands employed on this contract.

ARTICLE SIXTEENTH. All manufactured articles shall be removed from the shops as soon as practicable when finished, and no article shall be stored in the shops in a partial or unfinished condition an unreasonable length of time. The Warden shall have full power to remove, at the expense of the party of the second part, all articles stored or kept in the shops in violation of this provision; and also all shavings or other rubbish that will endanger the safety of the buildings.

ARTICLE SEVENTEENTH. The time of the convicts herein leased, shall be kept by the Warden of the prison, or his Deputy, and his books shall be presumptive evidence of the correctness thereof, and a written statement shall be given to the party of the second part or his foreman each day.

ARTICLE EIGHTEENTH. The party of the second part shall account with the Warden of the Penitentiary on the second Monday in each month, for the labor of the convicts under his contract, for the preceding month, and shall execute his promissory note for the amount due, which shall be made payable to the State of Iowa, and the sureties shall be liable on their bond for the amount of said note or notes, as upon an original undertaking by them and each of them. Said notes shall be payable three months after date, and bear interest at the rate of six per cent per annum after maturity.

ARTICLE NINETEENTH. It is further agreed that in case the party of the second part shall refuse to make settlement as aforesaid, or in case any note or notes given for convict labor as aforesaid, shall remain unpaid thirty days after the same shall become due, and after specific written demand thereof, then the party of the second part shall, at the election of the Executive Council of the State of Iowa, forfeit all rights and privileges under this agreement, and the State shall have the right to resume absolute control over the labor of said convicts, and to re-let the same as though this contract had not been executed.

ARTICLE TWENTIETH. It is further agreed, that no tinkering shall

be permitted in the shops, by officers, foremen or convicts, nor shall any material or tools be carried from shops to the convict cells for said purposes.

ARTICLE TWENTY-FIRST. Said party of the second part shall not be bound to take under this contract any convict whose term of service will expire in less than one year from the time he is assigned, and no convict shall be transferred from this contract to another without the assent of the warden and contractor.

ARTICLE TWENTY-SECOND. It is further agreed, that this contract shall not be assigned by said party of the second part, without the consent of the warden, with the approval of the executive council.

H. W. CARTWRIGHT,
J. W. CAMPBELL,
J. A. T. HULL,

On behalf of the State of Iowa.

B. S. BROWN.

Approved July 7th, 1874:

C. C. CARPENTER,
JOSIAH T. YOUNG, } *Executive Council.*
JOHN RUSSELL, }

By articles of agreement entered into this 30th day of July, A. D. 1874, between H. W. Cartwright, James W. Campbell, and J. A. T. Hull, Commissioners under chapter 35 of the private, local and temporary acts of the Fifteenth General Assembly, for and in behalf of the State of Iowa, of the first part, and J. D. Trebilcock and John M. Johnson, of the second part.

WHEREAS, Certain proposals have heretofore been made by the party of the second part for the convict labor hereinafter mentioned, which proposals have been accepted by the party of the first part, for and in the name of the State of Iowa. Now, therefore, it is agreed:

First. That the party of the first part doth hereby let and hire to the party of the second part for the term of five years from the first day of January, A. D. 1875, the labor and services of not to exceed fifty convicts, now or hereafter to be confined in the Iowa State Penitentiary at Fort Madison, (if so many there may be under the specifications hereinafter contained) to be employed by the said party of the second part at the following trades and occupations, viz: manufacture of chairs,

school furniture, and coffins. Nothing in this agreement shall prevent the Warden from employing a limited number of convicts in shoemaking and tailoring for the use of the convicts.

Second. It is agreed by the party of the first part that for the use of said labor during the term of this lease, the party of the second part shall use the following shops, now situated in said prison-yard, to-wit: Shops numbers one (1) and two (2), the east half of the west dry-kiln, the north half of the cellar under shop number one (1), in case it should be required for the purpose of putting in an engine, otherwise said cellar to be abandoned by said party of the second part, use of state shops free when not required by Warden for other purposes or leased to other contractors. Also ground without the prison walls, commencing 66 feet north of the northwest corner of the ground leased to B. S. Brown, running east 100 feet, north 135 feet, west 100 feet, south 135 feet to place of beginning. And it is further agreed and understood that for said labor the party of the second part shall pay at the rate of sixty cents (60c) per day for each convict.

Third. The party of the first part further agrees that said J. D. Trebilcock and John M. Johnson shall have the privilege of going to and from said shops at all proper times to instruct said convicts in said trades, and to carry in and out materials and manufactured articles, or they may employ to do the same such person or persons as the Warden of the Penitentiary may approve, said contractors and employes being, while within the walls of said prison-yard, subject to all the rules and regulations now or hereafter established by the proper state authorities.

Fourth. It is further agreed that the party of the second part shall have assigned them, so far as practicable, convicts skilled in the work to be done under this contract, and no convict whose term of sentence is less than one year shall be assigned on this contract.

Fifth. The convicts so to be employed shall be able-bodied men, by which term is meant those who are capable of performing a reasonable day's work, and in case of any disagreement between the Warden of the Penitentiary and the party of the second part, in regard to the physical ability of any convict, the same shall be conclusively determined by the physician of the penitentiary.

Sixth. The convicts shall be guarded and kept in good discipline at the expense of the State, but the State of Iowa shall in no case be liable to the party of the second part for any loss by fire or other casualties.

Seventh. It is further agreed that the party of the first part shall

furnish water for shops for the use of this contract. Also three runners whose duty it shall be to build fires, clean shops and do the necessary running for this contract.

Eighth. It is further agreed that said shops shall be warmed at the expense of the party of the first part, and the fixtures for heating said shops shall be made reasonably secure as to fire.

Ninth. In estimating the per diem, as aforesaid, to be paid for each convict, the usual time for estimating a day's work, to-wit: ten hours average through the year, shall be computed.

Tenth. It is further agreed that if at any time the number of prisoners in the penitentiary should not be sufficient to supply the full number specified in this and other prison contracts, now or hereafter let by authority of the State, and also cooking, cleaning and other necessary matters, which, in the judgment of the Warden, it may be for the interest of the State to employ them, the number of able-bodied convicts not so employed by the Warden, shall be apportioned according to the number contracted to each contractor, reference also being had to the skill and value of convicts in the several trades carried on by the different contractors.

Eleventh. If at any time the convicts assigned to the party of the second part, within the number hereinbefore specified, shall remain idle for want of any material or tools, or for any fault of the party of the second part, the party of the second part shall still be liable to pay said sum of sixty cents (60c) per day for each convict so employed.

Twelfth. No charge is to be made for such time as a convict may be employed in learning to read and write, or does not, from sickness or other cause beyond the control of the party of the second part, perform his ordinary labor.

Thirteenth. In the case of the loss of the shops hereinbefore specified, or material damage to the same by fire or other casualty, by reason of which they cannot be occupied, then the party of the second part shall not be liable to pay for any labor of the convicts during the time for which the State shall not furnish another, or rebuild said shops; nor shall the State of Iowa be liable for any damages for such unemployed labor, until such shops can, with reasonable diligence, be rebuilt.

Fourteenth. It is further agreed that the State of Iowa shall not carry on any of the trades hereinbefore specified, within the walls of said prison, nor contract nor lease convict labor for the same, during the continuance of this lease, without the consent of the party of the

second part. *Provided*, the occupations hereinbefore named are being carried on in good faith by the party of the second part.

Fifteenth. All tools and implements are to be furnished by the party of the second part for the use of the hands so employed by them.

Sixteenth. All manufactured articles shall be removed from the shops as soon as finished, and no article shall be stored in the shops in a partial or unfinished condition an unreasonable length of time. The Warden shall have full power to remove at the expense of the party of the second part, all articles stored or kept in shops in violation of this provision, and also all shavings or other rubbish, that will endanger the safety of the buildings.

Seventeenth. The time of the convicts herein leased shall be kept by the Warden of the prison, or his Deputy, and his books shall be presumptive evidence of the correctness thereof; and a written statement shall be given to the party of the second part, or their foreman, each day.

Eighteenth. The party of the second part shall account with the Warden of the penitentiary on the second Monday in each month, for the labor of the convicts under this contract for the preceding month, and shall execute their promissory note for the amount due, which shall be made payable to the State of Iowa, and the sureties shall be liable on their bond for the amount of said note, or notes, as upon an original undertaking by them, and each of them. Said notes shall be payable three months after date, and bear interest at the rate of six per cent. per annum after maturity.

Nineteenth. It is further agreed that in case the party of the second part shall refuse to make settlement, as aforesaid, or in case any note or notes given for convict labor, as aforesaid, shall remain unpaid after the same shall become due, and after specific written demand thereof, then the party of the second part shall, at the election of the Executive Council of the State of Iowa, forfeit all rights and privileges under this agreement, and the State shall have the right to resume absolute control over the labor of said convicts, and to re-let the same as though this contract had not been executed.

Twentieth. It is further agreed that no tinkering shall be permitted in the shops, by officers, foreman or convicts; nor shall any materials or tools be carried from the shops to the convict cells for said purpose.

Twenty-first. It is further agreed that this contract shall not be assigned by said party of the second part, without the consent of the Warden, with the approval of the Executive Council.

JAMES W. CAMPBELL,
J. A. T. HULL,
H. W. CARTWRIGHT,
of the first part.
J. . TREBILCOCK,
JOHN M. JOHNSON,
of the second part.

Approved, August 12, 1874.

C. C. CARPENTER,
JOSIAH T. YOUNG,
JOHN RUSSELL,
WM. CHRISTY.

By articles of agreement entered into this 27th day of November, A. D. 1874, between H. W. Cartwright, James W. Campbell and J. A. T. Hull, Commissioners for and in behalf of the State of Iowa, of the first part, and O. B. Dodge, of the second part.

WHEREAS, Certain proposals have heretofore been made by the party of the second part for the convict labor hereinafter mentioned, which proposals have been accepted by the party of the first part, for and in the name of the State of Iowa, now, therefore, it is agreed :

First. That the party of the first part doth hereby let and hire to the party of the second part for the term of five years from the first day of March, A. D. 1875, the labor and services of seventy-five men, with the further agreement that the said party of the second part shall, by the first day of December, A. D. 1875, take an addition of twenty-five convicts, making one hundred men hereby contracted for. Said men to be from the convicts now, or hereafter to be, confined in the Iowa State Penitentiary at Fort Madison (if so many there may be under the specifications hereinafter contained), to be employed by said party of the second part at the following trades and occupations, to-wit : The manufacture of boots and shoes, and boot and shoe pacs. Nothing in this contract or agreement shall prevent the Warden from employing a limited number of convicts in shoemaking and tailoring for the use of the convicts.

Second. It is agreed by the party of the first part, that for the use of said labor during the term of this lease, the party of the second

part shall use the following shops, now situated in said prison yard, to-wit : The two shops known as "State shops," and an addition thereto 14 x 70 feet, one story high, to be erected by the State. And it is further agreed and understood that for said labor the party of the second part shall pay at the rate of sixty (60) cents per day for each convict.

Third. The party of the first part further agrees that said O. B. Dodge shall have the privilege of going to and from said shops at all proper times to instruct said convicts in said trades, and to carry in and out materials and manufactured articles, or they may employ to do the same such person or persons as the Warden of the Penitentiary may approve ; said contractor and employes being, while within the walls of said prison yard, subject to all the rules and regulations now or hereafter established by the proper State authorities.

Fourth. The convicts so to be employed shall be able-bodied men, by which term is meant those who are capable of performing a reasonable day's work, and in case of any disagreement between the party of the second part and the Warden of the Penitentiary, in regard to the physical ability of any convict, the same shall be conclusively determined by the Physician of the Penitentiary.

Fifth. The convicts shall be guarded and kept in good discipline at the expense of the State ; but the State of Iowa shall in no case be liable to the party of the second part for any loss by fire or other casualties.

Sixth. It is further agreed that said shops shall be warmed at the expense of the party of the first part ; and the said party of the first part further agrees to furnish five runners for the one hundred men hereby contracted ; said runners to build fires, carry water, police shops and do the necessary running for this contract. The party of the first part further agrees to furnish water for this contract.

Seventh. In estimating the per diem as aforesaid to be paid for each convict, the usual time for estimating a day's work, to-wit : ten hours average through the year shall be computed.

Eighth. It is further agreed that if at any time the number of prisoners in the penitentiary should not be sufficient to supply the full number specified in this and other prison contracts, now or hereafter let by authority of the state, and also sufficient for cooking, cleaning, and other necessary matters, which, in the judgment of the Warden, it may be for the interest of the state to employ them, the number of able-bodied convicts not so employed by the Warden shall be apportioned

according to the number contracted to each contractor, reference also being had to the skill and value of convicts in the several trades carried on by the different contractors.

Ninth. If at any time the convicts assigned to the party of the second part within the number hereinbefore specified shall remain idle for want of any material or tools, or for any fault of the party of the second part, the party of the second part shall still be liable to pay said sum of sixty (60) cents per day for each convict so employed.

Tenth. No charge is to be made for such time as a convict may be employed in learning to read and write, or does not, from sickness or other cause beyond the control of said party of the second part, perform his ordinary labor.

Eleventh. In the case of the loss of the shops hereinbefore specified, or material damage to the same by fire, or other casualty, by reason of which they cannot be occupied, then the party of the second part shall not be liable to pay for the labor of the convicts during the time for which the state shall not furnish another, or rebuild said shops, nor shall the state of Iowa be liable for any damages for such unemployed labor, until such shops can, with reasonable diligence, be rebuilt.

Twelfth. It is further agreed that the State of Iowa shall not carry on any of the trades hereinbefore specified, within the walls of said prison, (except for use of convicts) nor contract or lease convict labor for the same, during the continuance of this lease, without the consent of the party of the second part.

Thirteenth. All tools and implements are to be furnished by the party of the second part for the use of the hands so employed by him.

Fourteenth. All manufactured articles shall be removed from the shops as soon as finished, and no article shall be stored in the shops in a partial or unfinished condition an unreasonable length of time. The Warden shall have full power to remove, at the expense of the party of the second part, all articles stored or kept in the shops in violation of this provision; and also all shavings or other rubbish that will endanger the safety of the buildings.

Fifteenth. The time of the convicts herein leased shall be kept by the Warden of the prison, or his deputy, and his books shall be presumptive evidence of the correctness thereof, and a written statement shall be given to the party of the second part, or their foreman, each day.

Sixteenth. The party of the second part shall account with the

Warden of the Penitentiary, on the first Monday in each month, for the labor of the convicts under his contract for the preceding month, and shall execute his promissory note for the amount due, which shall be made payable to the state of Iowa, and the sureties shall be liable on their bond for the amount of said note, or notes, as upon an original undertaking by them, and each of them. Said notes shall be payable three months after date, and bear interest at the rate of six per cent. per annum after maturity.

Seventeenth. It is further agreed that if the party of the second part shall refuse to make settlement as aforesaid, or in case any note, or notes, given for convict labor, as aforesaid, shall remain unpaid after the same shall become due, and after specific demand thereof, then the party of the second part shall, at the election of the State Executive Council of the State of Iowa, forfeit all rights and privileges under this agreement, and the state shall have the right to resume absolute control over the labor of said convicts, and to re-let the same, as though this contract had not been executed.

Eighteenth. It is further agreed that no convict whose term of sentence is less than one year shall be assigned to this contract without the consent of the party of the second part.

Nineteenth. It is further agreed that no tinkering shall be permitted in the shops by officers, foremen, or convicts; nor shall any material or tools be carried from the shops to the convict cells for said purpose.

Twentieth. It is further agreed that this contract shall not be assigned by the party of the second part without the consent of the Warden, with the approval of the Executive Council.

H. W. CARTWRIGHT,

J. W. CAMPBELL,

J. A. T. HULL,

Commissioners.

O. B. DODGE.

Approved, December 2nd, 1874.

C. C. CARPENTER,

JOSIAH T. YOUNG,

WM. CHRISTY.

By articles of agreement entered into this 30th day of April, 1875, between H. W. Cartwright, James W. Campbell, and J. A. T. Hull, Commissioners for and in behalf of the State of Iowa, of the first part, and O. B. Dodge, of Red Wing, Minnesota, of the second part.

WHEREAS, Certain proposals have heretofore been made by the party of the second part for the convict labor hereinafter named, which proposals have been accepted by the party of the first part, for and in the name of the State of Iowa, now, therefore it is agreed :

First. That the party of the first part doth hereby let and hire to the party of the second part, for the term of five years from the first day of July, A. D. 1875, the labor and services of fifty (50) men ; said convicts to be from the convicts now or hereafter to be confined in the Iowa State Penitentiary at Fort Madison ; *Provided* there shall be a sufficient number of convicts confined therein to fill this and all contracts heretofore made. *Provided further*, that no man shall be assigned on this contract until the contracts heretofore made are filled.

Second. It is agreed by the party of the first part that for the use of said labor during the term of this lease, the party of the second part shall use the following shops, now situated in said prison yard, to-wit : The south half of shop number nine (9) and all of shop number ten (10). The shops to be put in good condition by the State. Shop number nine to have a floor put down, and shop number ten to be ceiled and white-washed.

Third. The party of the second part shall be allowed two month's time, without paying for use of men, to organize and instruct the convicts herein contracted for in the manufacture of boots and shoes and shoe pacs.

Fourth. It is agreed that the party of the second part shall have three lumpers under this contract, to build fires, clean shops and do the necessary running for the contract.

Fifth. The party of the first part further agrees to furnish the necessary water for this contract, in the shops.

Sixth. It is hereby agreed that in case there are not prisoners in the Iowa Penitentiary at Fort Madison, to supply this contract after all other contracts now in force are full, then the State shall not be liable in damages to the party of the second part.

Seventh. For the labor herein contracted for, the party of the second part hereby agrees to pay the sum of sixty cents per day, per man.

Eighth. This contract is hereby annexed to and made a part of the contract by and between the State of Iowa and O. B. Dodge, bearing

date November 27th, A. D. 1874, and all the conditions, stipulations, agreements and requirements, except as herein modified, contained in said contract, shall apply with equal force to this contract.

H. W. CARTWRIGHT,
JAMES W. CAMPBELL,
J. A. T. HULL.

Commissioners.

O. B. DODGE.

Approved, June 3d, 1875.

C. C. CARPENTER,
JOSIAH T. YOUNG,
B. R. SHERMAN,
WM. CHRISTY.

Contract for Prison-Labor, by O. B. Dodge.

Recorded in Executive Council Record, pages —

JOSIAH T. YOUNG,
Sec. Ex. Council.

FINANCIAL STATEMENT.

CLERK'S OFFICE, IOWA PENITENTIARY, }
FORT MADISON, November 9th, 1875. }

HON. SETH H. CRAIG, *Warden Iowa Penitentiary:*

SIR: I have the honor to present to you herewith the biennial report of the finances of this institution, for the term commencing November 1st, 1873, and ending October 31st, 1875, together with the customary prison statistics, taken from the books of the institution.

Your most obedient servant,

H. CLAY STUART, *Clerk.*

Received from State of Iowa.....		\$ 52,723.90
For General Support.....	\$ 12,489.02	
For Officers' Salaries.....	8,149.88	
For Guards' Salaries.....	23,485.00	
For Improvement (Laws of 15th General Assembly, Chapter 76).....	8,600.00	
	\$ 52,723.90	\$ 52,723.90

GENERAL SUPPORT FUND.

Balance on hand November 1st, 1873.....	\$ 14,418.01	
Received from Bills Receivable.....	61,407.28	
Received from United States.....	24,276.35	
Received from State of Iowa.....	12,489.02	
Received from Bills Payable.....	3,000.00	
Received from Visitors.....	580.65	
Received from Van Buren County.....	296.20	
Received from Washington County.....	291.60	
Received from Interest Account.....	213.95	
Received from E. S. Brown.....	121.80	
Received from Webster County.....	269.75	
Received from Warren County.....	141.25	
Received from Polk County.....	218.70	
Received from Fuel and Lights.....	2.00	
Paid General Support.....		\$ 119,065.96
Balance overdrawn.....	1,339.37	
	\$ 119,065.96	\$ 119,065.96

OFFICER'S SALARIES FUND.

Balance on hand November 1st, 1873.....	\$ 370.96	
Received from State.....	8,149.88	
Received from General Support Fund.....	1,895.68	
Paid Officer's Salaries.....		\$ 10,416.52
	\$ 10,416.52	\$ 10,416.52

GUARDS' SALARIES FUND.

Balance on hand November 1st, 1873.....	\$ 635.00	
Received from State.....	23,485.00	
Received from General Support Fund.....	6,338.05	
Paid Guards' Salaries.....		\$ 30,458.05
	\$ 30,458.05	\$ 30,458.05

CONVICTS' FUND.

Balance on hand November 1st, 1873.....	\$ 582.45	
Received from Convicts.....	4,332.37	
Paid Convicts.....		\$ 3,877.54
Balance on hand.....		987.28
	\$ 4,864.82	\$ 4,864.82

IMPROVEMENT FUND.

Received from State.....	\$ 8,600.00	
Paid Improvement.....		\$ 7,902.00
Balance on hand.....		698.00
	\$ 8,600.00	\$ 8,600.00

GENERAL STATEMENT OF RECEIPTS AND EXPENDITURES.

General Support Fund.....	\$ 117,726.59	\$ 119,065.96
Officers' Salaries Fund.....	10,416.52	10,416.52
Guards' Salaries Fund.....	30,458.05	30,458.05
Convicts Fund.....	4,864.82	3,877.54
Improvement Fund.....	8,600.00	7,902.00
Balance on hand.....		345.91
	\$ 172,065.98	\$ 172,065.98

STATE OF IOWA, } ss.
COUNTY OF LEE, }

H. Clay Stuart being duly sworn, says that the foregoing "Financial Statement" of the "Affairs of the Iowa Penitentiary," is truly made according to the best of his knowledge and belief, as fully as the same appears on the books of said penitentiary.

H. CLAY STUART, *Clerk.*

Sworn to and subscribed before me, by H. Clay Stuart, at my office in Fort Madison, Lee county, Iowa, the 9th day of November, 1875.

WM. P. STAUB,

Clerk of District Court.

[SEAL.]

EARNINGS OF CONVICTS FOR THE PAST TWO YEARS.

November, 1873.....	\$2,381.20	December, 1874.....	\$1,919.56
December, 1873.....	2,403.16	January, 1875.....	1,603.62
January, 1874.....	2,456.52	February, 1875.....	1,923.88
February, 1874.....	2,362.70	March, 1875.....	3,502.70
March, 1874.....	2,662.13	April, 1875.....	3,546.80
April, 1874.....	2,468.06	May, 1875.....	3,534.10
May, 1874.....	2,496.66	June, 1875.....	3,599.30
June, 1874.....	2,649.62	July, 1875.....	3,829.60
July, 1874.....	2,511.56	August, 1875.....	3,593.68
August, 1874.....	2,659.71	September, 1875.....	3,766.96
September, 1874.....	2,819.68	October, 1875.....	3,815.52
October, 1874.....	2,505.21		
November, 1874.....	1,817.03	Total.....	\$66,828.96

Gain over two previous years is \$12,747.00.

PRISON STATISTICS.

Statement of convicts received into, and discharged from the Iowa Penitentiary, from November 1, 1873, to October 31, 1875:

CONVICTS RECEIVED.

In confinement November 1, 1873.....	276
Received.....	474
	750

CONVICTS DISCHARGED.

Expiration of sentence.....	206
Pardoned.....	37
Died.....	183
Military order.....	6
Hospital for the Insane.....	2
Out for new trial.....	4
Order Supreme Court.....	309
In confinement October 31, 1875.....	750

STATEMENT OF HABITS.

Temperate.....	299
Intemperate.....	205
	474

SEX.

Male.....	467
Female.....	7
	474

SOCIAL STATE.

Single.....	328
Married.....	140
Widower.....	6
	474

EDUCATION.

Good.....	53
Common.....	255
Poor.....	84
None.....	79
	474

RELIGIOUS EDUCATION.

Catholic.....	90
Methodist.....	37
Presbyterian.....	20
Lutheran.....	13
Baptist.....	10
Episcopal.....	10
Christian.....	8
Protestant.....	2
United Brethren.....	2
Unitarian.....	2
Reform.....	1
Universalist.....	1
Congregational.....	1
Mormon.....	1
None.....	276
	474

STATEMENT OF TERM, AGE AND NATIVITY.

TERM.	NO.	AGE.	NO.	NATIVITY.	NO.
30 days.....	1	16	3	New York.....	63
60 days.....	2	17	5	Ohio.....	57
90 days.....	9	18	21	Ireland.....	42
4 months.....	4	19	24	Pennsylvania.....	38
5 months.....	4	20	27	Illinois.....	37
6 months.....	25	21	31	Indiana.....	24
7 months, 8 days.....	1	22	45	Iowa.....	24
9 months.....	10	23	45	Massachusetts.....	18
1 year.....	118	24	41	Germany.....	17
1 year, 15 days.....	1	25	19	Missouri.....	14
1 year, 1 month.....	1	26	28	England.....	12
1 year, 3 months.....	6	27	19	Canada.....	11
1 year, 4 months.....	1	28	22	Kentucky.....	10
1 year, 6 months.....	41	29	9	Maryland.....	9
1 year, 8 months.....	1	30	16	Michigan.....	9
1 year, 9 months.....	1	31	12	Virginia.....	9
2 years.....	118	32	33	Tennessee.....	6
2 years, 10 days.....	1	33	4	Scotland.....	6
2 years, 4 months.....	1	34	9	France.....	5
2 years, 6 months.....	7	35	8	New Jersey.....	5
3 years.....	55	36	6	Maine.....	5
3 years, 6 months.....	3	37	8	Sweden.....	5
4 years.....	16	38	3	Wisconsin.....	5
4 years, 6 months.....	2	39	5	New Hampshire.....	4
5 years.....	15	40	3	South Carolina.....	4
5 years, 6 months.....	1	41	6	Connecticut.....	4
6 years.....	6	43	3	Rhode Island.....	3
7 years.....	2	44	4	Vermont.....	3
8 years.....	9	45	2	Louisiana.....	3
9 years.....	2	47	2	Mississippi.....	2
10 years.....	5	48	4	Washington.....	2
12 years.....	1	50	2	Texas.....	2
15 years.....	2	52	3	Russia.....	1
19 years.....	1	53	1	Georgia.....	1
20 years.....	2	55	3	Alabama.....	1
Life.....	2	64	1	Italy.....	1
	66	1	1	Austria.....	1
	1	1	1	Utah.....	1
	1	1	1	Minnesota.....	1
	1	1	1	Holland.....	1
	1	1	1	Hudson Bay Territory.....	1
	1	1	1	Poland.....	1
	1	1	1	Norway.....	1
	1	1	1	District of Columbia.....	1
	1	1	1	Kansas.....	1
	1	1	1	Arkansas.....	1
	1	1	1	California.....	1
	1	1	1	Nebraska.....	1
	474	474			474

STATEMENT OF OCCUPATION OF PRISONERS RECEIVED THE PAST TWO YEARS.

OCCUPATION.	Number.	OCCUPATION.	Number.	OCCUPATION.	Number.
Laborers.....	247	Brewers.....	2	Pipe sawyer.....	1
Farmers.....	31	Cigar-makers.....	2	Civil engineer.....	1
Painters.....	20	Brush-makers.....	2	Miner.....	1
Shoemakers.....	14	Dyugists.....	1	Saltoon keeper.....	1
Masons.....	13	Navigators.....	1	Distiller.....	1
Carpenters.....	12	Coopers.....	1	Broom-maker.....	1
Barbers.....	11	Brick-makers.....	1	Layyer.....	1
Clerks.....	9	Bakers.....	1	Artist.....	1
Blacksmiths.....	8	Saddlers.....	1	Ship rigger.....	1
Engineers.....	8	Cooks.....	1	Hostler.....	1
Mechanists.....	7	Carvers.....	1	Dyer.....	1
Housewives.....	7	Sawyers.....	1	Boiler-maker.....	1
Butchers.....	6	Horse-racers.....	1	Plasterer.....	1
Printers.....	6	Weavers.....	1	Painter.....	1
Moulders.....	6	Bakers.....	1	Teacher.....	1
Sailors.....	3	Carriage makers.....	2	Salesman.....	1
Harness-makers.....	3	Physicians.....	2	Merchant.....	1
Teamsters.....	3	Farrier.....	1	Musicalian.....	1
Raiders.....	3	Wool-sorter.....	1	Well-digger.....	1
Firemen.....	3	School teacher.....	1		
Soldiers.....	6	Cabinet-maker.....	1		474

STATEMENT OF PLACE OF CRIME.

COUNTY, ETC.	Number.	COUNTY, ETC.	Number.	COUNTY, ETC.	Number.
Lee.....	35	Henry.....	6	Marion.....	2
Omaha.....	25	Washington.....	2	Cedar.....	2
Jaramie.....	25	Warren.....	5	Johnson.....	2
Pottawattamie.....	16	Montgomery.....	5	Guthrie.....	2
Fort Douglas.....	16	Louisa.....	5	Story.....	2
Scott.....	13	Fremont.....	5	Decatur.....	2
Poik.....	13	Boone.....	5	Hamilton.....	2
Fort Saunders.....	13	Union.....	5	Van Buren.....	2
Fort D. A. Russell.....	13	Nebraska.....	5	Greene.....	2
Harrison.....	12	Buchanan.....	4	Carroll.....	2
Clinton.....	12	Keokuk.....	4	Franklin.....	2
Beaver City.....	12	Webster.....	4	Renner.....	2
Des Moines.....	11	Jefferson.....	4	Plymouth.....	2
Muscatine.....	10	Fort Steele.....	4	Camp Brown.....	2
Dakota.....	10	Makaska.....	3	Benlon.....	1
Fort McPherson.....	10	Dubuque.....	3	Jackson.....	1
District of Iowa.....	10	Davis.....	3	Page.....	1
Woodbury.....	9	Monroe.....	3	Linn.....	1
Sidney.....	9	Madison.....	3	Lacme.....	1
Fort Potterman.....	9	Adams.....	3	Cherokee.....	1
Clayton.....	8	Poweshiek.....	3	Cerro Gordo.....	1
Marshall.....	7	Butler.....	2	Appanoose.....	1
Delaware.....	7	Wayne.....	2	Kossuth.....	1
Jasper.....	7	Black Hawk.....	2	Cass.....	1
Mills.....	7	Floyd.....	2	Burleigh, D. T.....	1
Fort Bridger.....	7	Fayette.....	2	Fort Stambaugh.....	1
Wapello.....	7				474

CRIMES OF CONVICTS RECEIVED THE PAST TWO YEARS.

CRIMES.	No.	CRIMES.	No.
Larceny.....	191	Adultery.....	2
Desertion.....	84	Robbing mail.....	2
Desertion and theft.....	28	Selling liquor to Indians.....	2
Burglary.....	23	Conspiracy.....	2
Breaking and entering.....	22	Felony.....	2
Forgery.....	17	Bribery.....	2
Manslaughter.....	11	Larceny and adultery.....	1
Conduct prejudicial to good order and Military discipline.....	9	Loaning public funds.....	1
Assault with intent to kill.....	8	Producing abortion.....	1
Robbery.....	7	Perjury.....	1
Assault with intent to murder.....	7	Receiving stolen goods.....	1
Cheating by false pretences.....	6	Seduction.....	1
Passing counterfeit money.....	6	Violation of 38th Article of war.....	1
Rape.....	6	Violation of 39th Article of war.....	1
Murder 2nd degree.....	5	Embezzlement.....	1
Drunkenness.....	5	Entering house in night time.....	1
Assault with intent to rob.....	4	Aiding prisoner to escape.....	1
Assault with intent to steal.....	3	Assault with deadly weapon.....	1
Assault with intent to rape.....	3	Incest.....	1
Murder.....	3	Arson and larceny.....	1
Mutiny.....	2	Total.....	474

Maximum number in confinement..... 323
 Minimum number in confinement..... 252
 Average number in confinement..... 285 11-12

First conviction..... 448
 Second conviction..... 23
 Third conviction..... 2
 Fourth conviction..... 1

White males..... 419
 White females..... 7
 Colored..... 17
 Indian..... 1
 474

Average age of convicts is 26 years, 4 months, 21 days.

Average sentence is 2 years, 6 months, 8 days.

Whole number received since the admission of the first convict, Sept. 23d, 1830, 2,065.

PHYSICIAN'S REPORT.

HOSPITAL OF IOWA PENITENTIARY.

HON. S. H. CRAIG, *Warden of Iowa Penitentiary:*

Principals have an inherent right to a statement setting forth the transactions of their agents. The people of a sovereign State are the principals and the officials the agents.

I herewith most cheerfully comply with the fundamental truth formulated by our legislators into a requirement for me to report to you, giving a succinct history of the Medical Department of the Penitentiary during the past two years, and by the acquired experience and observation made during the past—what ought to be the course pursued in the future—with reference to the sanitary condition of the institution.

The following table includes only those who have been sick in the Hospital and excused from labor:

	No. of cases.	Days lost.	Average in days.		No. of cases.	Days lost.	Average in days.
Abscess	6	17	2 5-6	Felon	11	59	4 6-11
Anasarca	1	6	6	Granulated eye lids.....	2	168	84
Asthma	2	22	11	Headache	1	2	2
Albumenuria	1	49	49	Heart Disease	1	2	2
Amputation of finger.....	5	117	23 2-5	Injuries (minor).....	56	323	5 43-56
Bronchitis	3	49	16 1/2	Indigestion	2	47	23 1/2
Bovis	16	51	3 3-10	Inverted toe nail.....	2	2	2
Bleeding from lungs	1	3	3	Jaundice	1	4	4
Bullet extracted from cheek	1	1	1	Kidney Disease	2	3	1 1/2
Colds	6	12	2	Limbago	3	11	3 2/3
Constipation	53	79	1 26-53	Measles	14	238	17
Consumption	2	138	69	Neuralgia	2	3	1 1/2
Cough	1	1	1	Orethritis	1	19	19
Conjunctivitis	12	49	3 3/4	Piles	1	6	6
Cholera morbus.....	23	51	2 2-23	Pleuritis	1	5	5
Dysentery	2	22	11	Pemphigus	1	22	22
Dysuria	1	1	1	Rheumatism.....	14	69	6 3-7
Diarrhea	34	103	3 3-34	Sore Throat.....	2	1	1
Debility	6	32	5 1/2	Syphilis	7	165	23 4-7
Erysipelas	2	24	12	Stricture	1	8	8
Fracture of arm	91	453 1/2	4 3/4	Tonsillitis	7	6	2 2-7
Fracture of thigh.....	1	56	56	Tumor Extirpation.....	2	62	31
Fever, Intermittent.....	54	107	3 4-27	Varicose Veins.....	2	31	15 1/2
Fever, Remittent	12	48	4	Vaccination	1	2	2
Fever, Typhoid	3	34	11 1/2	Wounds.....	2	91	45 1/2

DEATHS.

John Marshall, Typhoid fever.....	October 4th,	1874
Frank Clifford, Anasarca.....	January 30th,	1875
Pieasant Fouts, Softening of the brain.....	June 27th,	1875

SENT TO HOSPITAL FOR INSANE, BY ORDER OF THE GOVERNOR.

James Aiken.....	November 26,	1873
William Work.....	June,	1874
James Legree.....	June,	1874
William Work (second time).....	July	3, 1875
John Walker.....	March	3, 1875
William Aldridge.....	March	3, 1875

LIST OF MORE IMPORTANT SURGICAL CASES.

NAME.	NATURE OF INJURY.	RESULT.
John Allen.....	Comminuted Fracture of Femur.....	Good.....
John Wells.....	Necrosis of Ulna, portions removed.....	Good.....
Squire Smith.....	Fracture of Osfrontis, Trapped.....	Good.....
Squire Smith.....	Fracture of Humerus and Ulna, dislocation elbow.....	Good.....
Martin McCormack.....	Operation for Entropion and Strabismus.....	Good.....
McClane.....	Extirpation of tumor from parotid region.....	Good.....

First. We are convinced that the bath house ought to be connected with the cell-room. There would be less coughs and colds in winter if the men did not have to march through the yard to the cell-room after bathing in a warm bath house.

Second. We are now obliged to carry the sick from a warm hospital through the open yard to the cell-room at night or have an extra guard.

The hospital should be connected with the cell-room, then the sick could be allowed to remain in the hospital all night, and at the same time be under the vigilance of the ordinary night guard, and thus avoid exposure to the men, and the expense of an extra guard to the state.

Third. The furnaces and forges are contaminating the atmosphere by the poisonous gases which they are constantly throwing off. Fine emery dust and particles of steel fill the air in the polishing shop. The means of ventilation in those two shops are not sufficient to make them as healthy as they ought to be.

Fourth. The subject of insanity demands serious consideration. Many persons live very near the border line which separates sanity from insanity, and such become insane when they are conscious that they are detected in their crime. Some do not pass the line until they

find themselves actually in the penitentiary. The worst only of such are sent to the Hospital for the Insane, and the rest we keep in the penitentiary.

There was a time when insanity was considered as the outward manifestation of an indwelling evil spirit; later, it was the evidence of a depraved evil condition of the mind or soul, hence the mal-treatment, either of an active or a passive character received by these unfortunate beings. At the present time insanity is recognized as a symptom of a diseased brain hence our more humane treatment in hospitals by medical men who are studying insanity through the morbid anatomy of the nervous system. This has raised a public sympathy for this unfortunate class of people, and now many a culprit sees through the plea of insanity a means of escaping justice. As there are degrees of all abnormal functions, so there are degrees of insanity. Many insane persons are sent to the penitentiary and many culprits escape through this door.

In the Insane Hospital, the guilty and innocent are together. In the Penitentiary, the sane and insane criminals are together.

We are not ready to admit, as a truth, the statement that all crime is the offspring of insanity, but we must confess that the more we become acquainted with insanity, and the workings of the minds of the criminals, the more are we convinced that they are more frequently yoked together than the majority of either the legal or the medical profession are willing to admit.

The mass of the people readily see and feel that the criminal ought to become the convict, or that punishment ought to follow crime. Some out of mere principles of retaliation. Others go a degree above this, and recognize a reformatory measure in the punishment; but few go so far as an English judge in pronouncing sentence of death upon a man for stealing a sheep, when he said, "I sentence you to be hung, not because you have stolen a sheep, but that sheep may not be stolen." The sending of a man to the penitentiary may be the means of preventing fifty men from deserving to be sent there.

Looking away from the comparative insignificant effect of the punishment upon the culprit, and grasping the stupendous effect upon the entire state, we can see truth in the statement of another noted judge, in sentencing a person who had established the plea of insanity, that he was of the opinion "that insane persons needed severer punishment to deter them from crime." The legal profession are frequently perplexed with this vexed question.

We are of the opinion that justice would better be served, and the

courts would be relieved of a great burden, by establishing a prison for the insane criminals—and in case a person charged with crime pleads insanity, it shall be no bar to his trial for the crime; but if he proves his insanity and is found guilty, he shall be sent to the prison for the insane; if guilty and not insane, then to the penitentiary; but if insane and not guilty, then to the hospital for the insane. By this means we shall exclude many a plea of insanity from our courts of justice, and simplify those cases which are introduced, as well as provide for a very dangerous class of criminals.

The discipline of an insane prison must necessarily differ from an ordinary penitentiary. By thus separating the criminal and innocent insane, they each have the kind of discipline appropriate to his peculiar case.

Justice demands that I acknowledge that I have received all the assistance in the care of the sick that has been necessary, and that that assistance has not been small.

We have had extra night guards when men have been too sick to be removed from the hospital to the cell-room at night. The supply and variety of medicines have been ample, and where it has been at all necessary, the sick have been well supplied with extra diet and even delicacies from your own table and to this I may attribute the success that we have had in the treatment of the sick.

We have lost by death but three in the past two years, though we have had many very sick and some severe accidents and surgical operations.

In this just tribute of your humane and sympathetic care for the sick I know that I am but echoing the sentiment of all those convicts, who have been the recipients of such timely care. The personal treatment that I have met with has been gratifying. My wishes have been received and complied with cheerfully by all the officials, as well as by the inmates of the penitentiary.

J. J. M. ANGEAR, M. D.,

Surgeon Iowa Penitentiary.

FORT MADISON, IOWA,

November 1st, 1875.

CHAPLAIN'S REPORT.

To HON. S. H. CRAIG, *Warden of the Iowa Penitentiary:*

SIR:—In reviewing, so far as practicable, the work of the past two years,—which has been one of seed-sowing, of careful nurture, and, in some cases, ingathering of “first-fruits,”—and in presenting to you, and through you to the State, a few facts with reference to the religious and educational interests of her convicts, I find abundant occasion for devout gratitude to Him who alone giveth the increase, and evidences neither few nor doubtful that our labors are not in vain in the Lord.

In my case, both as chaplain and as teacher, is this saying fulfilled: “One soweth and another reapeth.” * * * “Other men labored and ye are entered into their labors.” And I would that I could more fully than either my knowledge of the facts or the limits of this report will admit of, award to the faithful and devoted men who filled the office of chaplain during the seventeen months of the biennium just closed, the measure of commendation to which their work has entitled them. In the case however of my immediate predecessor, Rev. J. Sunderland, now of Ottumwa, neither limitations as to space, nor any other consideration, should be allowed to exclude a tribute which he has so richly earned. Of the ability, zeal, and fidelity with which he discharged the duties of chaplain and teacher, I have had constantly recurring evidences; and in the earnestness, wisdom, and effectiveness with which he labored, I have had an example worthy of generous emulation. I am deeply thankful to Providence that the work was passed over to me from such hands, and in such excellent condition. And further than this, in witnessing the number of those converted under his labors, and the warm place which those labors had earned for him in the abiding gratitude and ardent affection of the men whose good he sought, I saw new verification of the Saviour's words: “And he that reapeth receiveth wages,” and found new inspiration and hope

in entering upon the work, in which I count myself happy to have part.

Our educational work is carried on chiefly, though not exclusively, by means of a night-school, which consists of five grades or classes, each containing about twenty men, and each occupying one evening of every week. The session is two hours in length. Each grade or class, on account of our necessarily limited accommodations for writing, is divided into two sections, one of which writes while the other reads and spells. Each section spends about 40 minutes in writing, and the same length of time in reading and spelling. The remaining part of the session is devoted to Arithmetic. The penmanship is taught by one of the convicts, whose beautiful chirography is the admiration of all who have seen it; and the rapid progress of some of the pupils under his tuition is most encouraging.

Of the progress of the pupils in other departments, much might be said that would be gratifying to all who feel an interest in this important work which the State has undertaken to do for her convicts.

That the results achieved are all that could be desired, is by no means true. That they are such as would greatly surprise even many best acquainted with the situation, is a fact which it affords me genuine pleasure to state. It must be borne in mind, however, that the class of which the school is composed, are the least intelligent, oftentimes men who either have never enjoyed or have never improved any educational advantages whatever. Add to this, in many cases, natural deficiency, and in many more, an acquired incapacity for study, the result of total want of mental discipline in earlier life,—a partial paralysis of the power of application from years of inaction, and that gradual diminution of the powers of observation and memory, which to a greater or less extent attends the transition from youth to middle life in the case of all, and to an extent most pitiful in the case of the vicious and besotted. And add to all this again, even in the case of those of brightest intellect, the weariness and dullness that must inevitably follow ten hour of hard labor, and the very limited time possible for study, and we have some of the many hindrances we are compelled to encounter in the prosecution of our work. An array of obstacles which would overwhelm one with discouragement but for one counter-balancing and all-conquering fact, namely this: The men have been taught by a sad experience at what a terrible disadvantage an illiterate man enters upon the competitions of life, and this lesson has oftentimes been so burned into their very souls, that they have a marvelous

appreciation of the value of an education, and in many cases improve their limited opportunities with an avidity that is delightful to witness and which results in most gratifying progress.

Of the salutary influence of healthy mental activity upon the general discipline of the institution, you are in better position for judging than myself. But I am satisfied that had the school no other mission than to relieve the monotony of convict life, and throw the men's minds out of the morbid and demoralizing ruts of thought, into which they are so inclined to run, it would more than repay the labor and money which it costs. But it does far more than this. It offers a great compensation for the loss of liberty, as well as a relief from the irksomeness of Confinement. It opens a new world to many of the convicts, and is to them as the inspiration of a new life. It causes them to see in the State's dealing with them a parental interest, and not merely a disposition to punish their evil doing.

I can not dismiss this subject without thanking you, on behalf of the pupils of the night-school, for your kindness in providing each of them with a lamp in his cell, thus completing their facilities, so far as now practicable, for the successful prosecution of their studies. Could every cell in the prison be furnished with a jet of gas it would prove a truly reformatory measure, as well as, in the end, an economical one. I may add that each pupil is furnished with copy-book, pen and ink in his cell, so that he may supplement his weekly instructions with daily practice.

I intimated at the outset, and ought now to state, that a number of the prisoners who can not now be admitted into the night-school, on account of our limited accommodations, are furnished with text books, and are pursuing their studies in private, and some of them with great diligence and success.

The inadequateness of the accommodations extemporized by your ingenuity in the west end of the cell-room, in default of the State to provide a suitable school-room, is too obvious to need any extended notice from me.

To expect the best results from a school held in such a place, and liable to constant interruptions, would be as unreasonable as the conduct of a certain early Egyptian Monarch engaged extensively in brick-making, who insisted upon undiminished results, while he refused to furnish an item indispensable to the process.

Archimedes, you remember, in proposing to move the world, had a keen appreciation of the necessity of "*a somewhere to stand.*" One

undertaking the instruction of the convicts in the Iowa Penitentiary, has an equally vivid realization of the necessity of a suitable place in which to teach.

But I must turn to another and still more important part of the work entrusted to my care; yet not without this remark: that the pleasant relations and kindly intercourse which the teacher enjoys with the men, in aiding them to acquire the rudiments of human knowledge, afford him such opportunities for cultivating their acquaintance, and make for him such a place in their gratitude and good will, as give him ready access to their hearts when, as Chaplain, he comes to them with the lessons of that higher wisdom, which "hath the promise of the life that now is and of that which is to come." I cannot, therefore find any occasion for regret in the fact that the two offices are blended in one,—for, constantly occupied, as almost all the men are at their work, the school is decidedly the best opportunity I have for forming that close, personal acquaintance, which is so essential to a Chaplain's highest usefulness.

And just here I will allude to two other means of forming this individual acquaintance with the convicts: My predecessor left me the example of spending his entire Sabbath in the cell-room, in personal conversation with the men in their cells. This example I have found it exceedingly pleasant and profitable to follow with all practicable diligence. It is a work far more appreciated by the men than are our public ministrations; for the latter, they say, we are paid; but our personal visitations they recognize as the offspring of good will, and an interest in their individual welfare. Akin to this is the writing of letters for those unable to write, and the doing of such other little favors as their circumstances may demand. I need not tell you that kindness is a key that can find access to almost every human heart, and however callous our men may be on every other side of their nature, they are almost universally accessible if approached on this side.

Under this head I may also mention the supplying the men with reading matter from the Sunday School Library and our constantly recruited stock of religious newspapers and literary periodicals. The distribution of the larger portion of this reading matter is accomplished through the Sabbath School, for which I am indebted to yourself and our efficient Deputy Warden. This I supplement with a similar distribution in the cell-room. The very large demand in this direction is met by contributions from the more thoughtful of our philanthropic and Christian fellow-citizens, in response to oft-repeated

appeals. And I will, while expressing my high appreciation of, and warm gratitude for this co-operation on the part of the Christian public, take the liberty to recommend to those of them, under whose eye this report shall come, that they "Abound therein more and more."

Of the condition of the Prison Library, newly and largely recruited by choice works, selected by yourself and my predecessor, and arranged and catalogued by him, I doubt not you have made mention. It needs but a reference to its catalogue to satisfy any of our citizens of the wisdom of the selections that have thus far been made. Its only need is more of the same kind.

Did my limits permit, I should feel called upon to notice at some length a fact which constitutes one of the most favorable conditions for the reformation of the inmates of the prison. I mean the atmosphere of *good feeling*—if such homely phrase is admissible—which almost universally characterizes the men placed by the State in your charge. No higher tribute could be paid to the wisdom and firmness and generous sympathy exercised in the discipline of the institution, than is paid by the countenances and conduct of the convicts in the presence of any one before whom they feel free to exhibit their real sentiments. My opportunities for knowing their real feelings are probably as good as those of any person whomsoever, and I would that I had space to fully state what I know.

Of the Chapel services proper, I am thankful to be able to report that never since my appointment to the office of Chaplain have I been prevented by sickness or any other cause from being present to conduct this deeply interesting service. I am thankful to God to be able to state that, with very rare exceptions, the men give the closest and most earnest attention to the truths presented, that I have ever witnessed. I have endeavored to present God's truth in its saving essentials, as received by all Christians in common, without descending to the unimportant details upon which they are divided, and having God's assurance that His "word shall not return void," I leave the result with Him.

Of the Sabbath School, although organized and conducted in some measure independently of the Chaplaincy, I cannot forbear to speak. Hon. J. M. Beck, of the Supreme Bench, is its Superintendent, of whose zeal and fidelity you are, from Sabbath to Sabbath, an eye witness. A corps of equally devoted teachers are weekly bringing the bread of life to the men, in that near, personal contact which permits the latter to feel the warmth of the hand that bears to them the living bread,

and blends with the power of truth that other almost omnipotent agency, the power of *personal influence*.

To this, probably, more than to any other human instrumentality, we are indebted for the encouraging results which we, from time to time, witness.

Soon after my appointment to the chaplaincy I took the liberty to suggest to the officers of the school the propriety of introducing the International Series of Uniform Lessons. The suggestion was approved and acted upon, and by your kindness the men were supplied with the Lesson Leaves, and have ever since pursued the study of these lessons with unwonted interest and profit. The word of God, whether taught from the pulpit or in the closer contact of the Sabbath School class, or read in the solitude of the cells, gives new proof continually of its power unto salvation.

The social meeting, as it is termed, which is held at the close of the chapel service, was instituted by my predecessor, and is an instrumentality of wonderful potency for good, and is wonderful in itself. Such expressions of the peace and joy that follow from a sense of pardoned sin, of gratitude for the Providence that arrested them in their career of sin and crime, and placed them in what has literally been to them a "penitentiary," would surprise any one who has never heard them, and convince even the skeptical of the sincerity of their repentance. To make men accept joyfully their confinement, to transfigure countenances but lately haggard and marred by guilt and shame, and cause them to wear an unruffled serenity—to make them eloquent with "a peace that passeth all understanding," and sometimes even radiant with "joy unspeakable and full of glory," is not the work of hypocrisy, nor of a superficial religious sentimentalism, but of the Spirit of the Living God.

From twelve to fifteen per cent. of the entire number of convicts openly avow, by their attendance upon the social meeting, their resolution to lead a Christian life. Even some who are here unjustly bear their terrible trial with Christian resignation and patience.

But certainly some means ought to be devised for the investigation and relief of these exceptional cases, more effectual than any now in operation in Iowa. The blindness that would ignore the existence of *any* such cases, would be as consummate as the credulity that would accept the innocence of all who claim to be so. Some measure calculated to secure more substantial justice and more equal infliction of sentences, would be most wholesome in its reformatory influence upon convicts.

One other point claims my attention: It is the finding employment for our convicts when they are discharged, and no point of more vital importance can be touched upon. It takes a vast amount of grace or grit, or both, to go out from a penitentiary and be refused employment on every application for it, to be turned away from respectable boarding places, to be cold-shouldered at every turn, and still stand firm, bearing the burden of scorn and anxiety and pennilessness and friendlessness, and never yield to discouragement, nor accept sympathy from the only class who usually offer it—the degraded and vicious. Few of these poor, weak men have spiritual vitality enough—however sincere they may be—to long endure this cold reception and not be chilled to the core. The State owes no higher duty to these, its wards, than to meet, as best it may, this crying want. Policy and principle speak with equal emphasis; and Philanthropists and Christians, as individuals, have a duty here, as well as the State at large.

Knowing how deeply you feel the need of encouragement for these men, as yet in but the infancy of their new life, and sent out into the wintry atmosphere of distrust, and with few doors open to them except to vice and crime, I leave to you the suggestion of a remedy.

I might refer to the numerous letters I am receiving from discharged convicts, who are now leading lives of honest work, and humble piety, but knowing that you are in the frequent receipt of letters of the same character, I deem it unnecessary, further than to say, that, having sincerely invited, I assiduously maintain this correspondence, recognizing in it a part alike of my work and my reward.

Thanking you, and all your officers, for the valuable co-operation you have rendered in my department,

I am respectfully yours,

CHAS. F. WILLIAMS, *Chaplain.*

REPORT OF THE COMMISSIONERS

TO LEASE THE LABOR OF CONVICTS AT THE PENITENTIARY OF THE
STATE AT FORT MADISON.

TO THE EXECUTIVE COUNCIL OF THE STATE OF IOWA:

Gentlemen:—We, the Commissioners appointed under Chapter 35 of the Private, Local and Temporary Acts of the 15th General Assembly, to lease the Convict labor of the Iowa Penitentiary, at Fort Madison, would respectfully report that said Commission organized on the 14th day of April, A. D. 1874, by electing Hon. H. W. Cartwright, Chairman; and immediately entered upon the work assigned to us. At our first meetings but little could be done further than get what information concerning the best method of letting prison labor attainable, and considering the advantages in connection with the Iowa Penitentiary which we had to offer, as inducements for contractors to bid for the labor to be leased. We were also compelled to consider how we could arrange the shop room of the prison in such manner as to enable us to lease all the convicts to the best advantage. In this connection all the different branches of business generally carried on in state prisons were considered and we at once saw that unless we could induce manufacturers of shoes or cigars to take a number of the men, we would not have the shop-room necessary to fully accommodate three hundred convicts. The law under which we were acting did not specify what number of convicts we should lease, but it did specify that the number in the Iowa Penitentiary at Fort Madison should not be reduced below "Three hundred," if there were that number sentenced. Taking this question as presented in the law, we decided to lease Three Hundred Convicts if we could, and leave the question for your Honorable Body to determine whether the law contemplated the removal of any convicts from the new penitentiary at Anamosa to Fort Madison to fill these contracts.

It was further decided impracticable to advertise in the newspapers of Iowa. Contractors would, in all probability, have to be sought without our borders. We therefore decided to, and did, advertise in the *Times*, of Chicago; the *Gazette*, of Cincinnati; the *Democrat*, of St. Louis; and the *State Register*, of Des Moines. We were unanimously of the opinion that the Labor should be let to more than one firm, and accordingly advertised to let in squads of fifty, or more. By this we could give men of moderate means a chance to compete and in that way we expected to encourage competition. It was not practicable to let

the labor in less number than fifty, as the shop room, within the walls, was so arranged for machinery, and facilities for manufacturing, as to require at least two shops for each contractor.

In addition to our advertising in the newspapers above mentioned, we decided to print a number of circulars embodying what we conceived to be the advantages of the Iowa Penitentiary, in location, discipline, accessibility to markets and supplies, and rates of transportation. These we distributed to as many contractors and manufacturers as we could, and solicited correspondence on the subject of contracting for prison labor. By this means we reached a very large class of persons to whose notice we desired to bring the fact that Iowa had prison labor on the market.

We found that Iowa was not alone in seeking employment for convict labor. Kansas was advertising liberally in newspapers and by circulars; New York was similarly situated, having a large number of convicts to lease while Ohio and other States had men idle for want of bidders.

In view of the difficulty we expected to have in leasing our labor at 60 cents per day, per man, and being assured by the contractors then employing the labor of our prison, that they would not bid at 60 cents, we determined to visit the penitentiaries at Joliet, Illinois, and Columbus, Ohio, in order to gain all possible information relative to the manner of contracting prison labor in those famous prisons. We did so, and it will not be inappropriate to state briefly the results of our observations.

At Joliet we found over 1200 convicts confined. The general management of the prison was excellent. The State furnishes everything. The contractors take the men at a certain price, (whatever is agreed to by the contractors and commissioners) and pay the State a nominal price for power, in no case covering more than cost, and the State furnishes the teams to haul all material from without the prison to the shops and take out manufactured articles; ample storage room without and within the prison walls is also furnished, as well as large, well ventilated shops, heated by the State, and runners to do the necessary running for the contract.

The highest price paid for labor was eighty-one and a third cents per day per man, and was on the stone contract to do work for the State. The large majority of the convicts were leased at sixty-five cents per day, per man. Taking into consideration the facilities of, and what is furnished at the Joliet prison, in connection with nearness to Chicago, and low rates of transportation, the rate realized for their convict labor was not equal to the minimum fixed by our law. Their highest rate, which was only for a small number of men, was not more than our labor at sixty cents. They have no minimum but lease to the highest bidder. The prison Commissioners of Illinois, were in session at the time of our visit, and expressed themselves as being strongly in favor of the system of the Joliet prison. One thing we learned was, that they never have any trouble to lease convicts. As soon as a contract expires it is either immediately renewed, or others stand ready to take the labor. Such was the testimony of the Commissioners.

At Columbus we found 1015 Convicts confined. The Penitentiary is well supplied with large, well arranged shops and each contractor

was furnished ample room to work his labor to the best advantage. The State has fixed a minimum of seventy cents per day, per man, and furnishes nothing except shop room. The Commissioners were not in session while we were there, and the Warden being a new man in the place was unable to give us much information. We learned that there were over fifty convicts idle, and although the Commissioners had advertised for bids, none had been made for this labor. The contractors, generally, declared the price too high, and the Warden agreed with them. The highest price paid was \$1.11 for a small number of men in the foundry, and this price included some outlay by the State in furnishing shops. The large majority of the men contracted were at seventy cents, and the State hires a large number at cigar making by the piece. These make from fifty to sixty cents per day each. They are not leased as contemplated by law and cannot be, as seventy cents is the minimum fixed by statute, so the authorities manufacture cigars at so much a thousand. We became acquainted, while in Columbus with Benjamin S. Brown, a contractor of twenty-five years experience, and ranking as one of the most successful and prominent in the manufacture of "Farming Tools." He discussed the prison labor question with us, and thought the Iowa prison would be a good point for him, in order to protect his interest in the Northwest. He came to Fort Madison some days before the time for opening our bids and gave a careful examination of all the advantages we could offer. He expressed himself much pleased with the healthfulness of the prisoners, and highly commended the administration of Warden Craig, and extolled the discipline as being equal, if not superior, to any prison in the country. He put in a bid for the labor of one hundred men, and his was the only bid offered us. He asked for six shops. In considering his proposition, we could not agree and Mr. Brown finally so modified it that we felt we would not be justifiable in rejecting it, especially as our action was not binding on the State until approved by your Honorable Body. If we had rejected the bid and failed to lease the convicts, we felt that the people of Iowa would justly hold us responsible. So we signed a contract giving Mr. Brown exclusive right to manufacture "Agricultural Implements," which contract was approved by you.

We consider our trip to Columbus productive of good results. It gave us a practical knowledge of our business, and secured a contractor of experience and high commercial standing. The State is certainly to be congratulated in numbering Mr. Brown among the contractors for her prison labor. Already has he made such improvements, of a permanent, fixed value, as to indicate that he has come to stay, making Iowa one of his manufacturing points for years in the future, not only for five years, but while he remains in the business. His expenditure for buildings on the grounds of the State amounts to at least \$5,000. So we can reasonably expect that on the expiration of this contract, the State can re-let this labor on fair terms, without delay, and at very small expense.

Having succeeded in letting the labor of one hundred Convicts, we were encouraged to continue our efforts to lease the remainder. In discussing the question, it was decided advisable for part of the Commission to go to St. Louis, to confer with the large Tobacco Dealers of that city and endeavor to induce some one to take a contract for manu-

facturing cigars. The Warden and Mr. Hull did go to St. Louis and spent some days trying to work up a contract, but without effect. Turning our attention again to liberally distributing circulars and personally seeing all whom it was possible to talk with on the subject, we finally induced Messrs. Trebilcock & Johnson, of Bloomfield, Iowa, to visit the Penitentiary with a view of taking a contract for manufacturing Chairs. They, after investigating the business, entered into a contract with us for the labor of Fifty Convicts to be employed in manufacturing Chairs, Coffins, and School Furniture, which contract was submitted to, and approved by your Honorable Body.

While these gentlemen are not experienced in working prison labor, they are energetic business men, and will make the contract successful.

Having disposed of the agricultural, or farming tool, and the furniture departments, and leased shops No's. one (1), two (2), three (3), four (4), five (5), six (6), and seven (7), we had one hundred and fifty convicts to lease, and shops eight (8), nine (9), and ten (10), together with the two large shops known as state shops remaining. The business contracted for required really more room than we granted, so that we could not regret giving so great a proportion of our shops to the number leased. But it rendered it necessary to look up branches of business which would require less room, in order to be successful with the remainder. We concentrated our efforts on the boot and shoe and cigar business. In either, a large number of men could be employed in our remaining shops. With this end in view we corresponded with a large number of tobacco dealers and shoe manufacturers. Messrs. Campbell and Cartwright spent some time with Mr. Barhydt, a large boot and shoe dealer of Burlington, for the purpose of inducing him to take a "shoe contract." While we failed in inducing Mr. Barhydt to take a contract, yet through him we became acquainted with C. W. Burbank, commercial agent of O. B. Dodge, of Red Wing, Minnesota. Mr. Burbank visited the penitentiary, and gave the question of employing prison labor in the manufacture of shoe pacs, a careful consideration. He submitted the result of his observations to Mr. Dodge, and induced him to visit the penitentiary and meet us. Mr. Dodge is one of the leading manufacturers of boot and shoe pacs in the United States, and we felt the importance of securing him as one of our contractors. We offered him all the inducements in our power to grant. The result was that Mr. Dodge finally made us certain proposals for the labor of one hundred convicts. Seventy-five the 1st day of March, 1875, and the remaining twenty-five the 1st day of December, 1875. The proposals were accepted and contract signed. This contract was also approved by you. We gave Mr. Dodge what was known as state shops, with a small addition to be erected by the state. Mr. Dodge commenced at once getting ready for his contract. Mr. Burbank assumed entire charge of the work in the prison, and by his energy and skill has already demonstrated the fact that this branch of business will be carried on successfully in our prison.

Mr. Dodge has been so well pleased with the character and quantity of work done in the prison, that he, in April last, proposed to contract for the remaining fifty convicts, to be employed in the same business. We have contracted with him for that number, making the total num-

ber on Mr. Dodge's contract one hundred and fifty convicts. We granted him with the additional men, shop No. ten (10), and the south half of shop No. nine (9).

After we had disposed of the convict labor to such advantage as to leave us extra shops, Mr. Brown made a request of us for the use of shop No. eight (8), and we, in view of the bulky machinery used in this branch of business, and to insure the better comfort of the convicts, granted him this additional shop.

We cannot feel otherwise than satisfied at the success which has crowned our efforts in leasing the full number of convicts. We have secured the introduction of a new business, and have let the various contracts to men of such standing as to place the prison on a good basis and make future lettings of labor a much less complicated matter.

In conclusion, we desire to return our hearty thanks for the earnest co-operation you have given us in our labor.

H. W. CARTWRIGHT,
JAMES W. CAMPBELL,
J. A. T. HULL.

REPORT.

To the General Assembly of the State of Iowa:

Your committee appointed to visit and report upon the condition of the Iowa State Penitentiary, at Fort Madison, beg leave to state that they have performed that duty, and present the following report and recommendations :

Your committee found the prison in good condition ; the prisoners in good health, and working faithfully and cheerfully. Indeed, the interest and zeal manifested in the work by the prisoners was most apparent, and could but be accepted as positive evidence of the efficient management of the prison. Harsh discipline and insufficient food could never present such results.

We found the health of the inmates good, the average in hospital being very few in number. The prison, at present contract prices for labor, and, under its efficient management, will undoubtedly be self-sustaining and afford something toward making some minor improvements much needed.

The work of the chaplain, Rev. C. F. Williams, in the Sunday school and in the night school, is adding greatly to the successful management of the prison. In his work he is ably assisted by Judge Beck, of the supreme court, who is superintendent of the Sunday school. Their efforts are heartily seconded by the warden and all his assistants, and such is the influence of their efforts, and so highly are these privileges prized by the convicts, that a deprivation of these is the severest punishment that can be inflicted. What higher praise can be bestowed upon their efforts than the declaration that they do more to enforce order than all beside ; yet this is the unanimous conviction of your committee and the concurrent testimony of every one connected with prison. Your committee cannot think it necessary to urge upon the general assembly the duty of fostering and encouraging these influences and giving all needed aid to their full exercise. These influences will follow and bless the convict when he leaves the prison gates, and prove the most powerful incentives to a life of virtue

and honesty. Surely the representatives of the great State of Iowa will not fail to afford ample means for the exercise of these beneficent influences.

Your committee have been thus unstinted in their praise, and propose to speak equally plain in condemnation of whatsoever, in their judgment, they find open to criticism.

The aim of the management seems to be to reach that degree of discipline that will give the highest possible value to the labor of the convict, and such has been the success of their efforts that they have been enabled to contract the prison labor for fifty per cent. more than the same class of labor could be had by the same contractors, in other prisons. They preferred labor at Fort Madison at sixty cents per day, to labor in other prisons at forty cents per day, because of its superior discipline and the readiness with which the inmates performed their tasks. We are fully aware that these results have been attained by a systematic course of good treatment and liberal feeding. We only desire to suggest that money making is a secondary object, and in the pursuit of this object the moral and physical effects of personal cleanliness, on the part of the prisoners, has to some extent been overlooked. In this connection we desire to say that, in our judgement, the facilities for bathing are totally inadequate to the wants of the prison. Ample facilities and opportunities for frequent bathings of the whole person should at once be supplied, and the absolute personal cleanliness of every inmate rigidly enforced, both on moral and hygienic considerations, even if some hours now devoted to labor be thus consumed, and the value of the prisoners' labor thereby diminished.

The ventilation of the cell room is insufficient and defective, and the evils of the same are much aggravated by the use of the old wooden "night buckets." These receptacles, or close stools, are simply old wooden buckets with ill-fitting wooden covers, and are a disgrace to the institution, and should at once be replaced by some convenient, non-absorbent, close stool. The ventilation of the cell room could be cheaply effected by removing the ceiling at the top of the cells and leaving a space between the top of the cells and the roof of the main building, and making some openings in the roof of the main building. This could all be done at very little expense, and in no way affect the safety of the building, and would greatly improve the air in the upper tier of cells. If the cells were lighted with gas, instead of kerosene lamps as now, the air would be much improved. When it is remembered that the prisoners are confined in their cells on an average

of twelve hours out of every twenty-four, the effects of impure air can be easily seen, but scarcely exaggerated.

The ventilation of some of the shops is sadly deficient, and cannot fail to result in injury to the health of those employed. The duty of the State to guard the health of those confined by its authority will not be questioned, and as some of the work is necessarily injurious to the health of those employed, no expense should be spared to secure the most favorable surroundings, and the means of more thorough ventilation is absolutely required in some of the shops, especially those used for tempering and polishing steel implements.

We desire to call the attention of the general assembly to another matter of grave importance. By the terms of the contract the contractors are not required to put in good machinery, or obligated to use due caution in operating the same, the commissioners apparently thinking the interest of the contractor a sufficient guarantee for the life or limb of the prisoner. Several accidents have occurred, and some of the prisoners crippled for life, and, in the opinion of your committee, some of these accidents have been the result of defective machinery and carelessness in operating the same. While the injured party may have recourse at common law for injuries thus sustained, the relief is slow, doubtful and expensive. The duty of the State to guard the life and person of those confined by its authority is clear and imperative. Your committee are unanimous in the conviction that the contract should expressly stipulate that the contractors were liable for all damages arising from defective machinery, or carelessness in handling the same. Additional legislation may be required and should be had. It should be sufficiently guarded to protect the contractors from needless and vexatious litigation, but at the same time afford all needed protection for the unfortunate convict.

We would respectfully recommend that the executive council be authorized to adjust the claim of Soule, Kretsinger & Co., and that an amount sufficient to pay the same be appropriated and placed at their disposal.

We would further recommend the appropriation of five thousand dollars for the erection of a school building and hospital for the use of the convicts. Said building to extend south from the east end of cell room. The money to be expended under the direction of the prison management.

For transportation of discharged convicts, eighteen hundred dollars; increase of salary of deputy warden, four hundred dollars; increase of

clerks' salary, nine hundred dollars; for increase of salary of chaplain and teacher, twelve hundred dollars; for ventilation of shops and cell room, one thousand dollars.

All of which is respectfully submitted.

[Signed :]

SEN. JESSUP,
GEO. M. WILSON,
G. JAQUA.

SECOND BIENNIAL REPORT

OF THE

BOARD OF COMMISSIONERS

OF THE

ADDITIONAL PENITENTIARY,

TO THE

GOVERNOR

AND

SIXTEENTH GENERAL ASSEMBLY

NOVEMBER 1, 1875.

DES MOINES:
R. P. CLARKSON, STATE PRINTER.
1875.