

BIENNIAL REPORT

OF THE

WARDEN

OF THE

PENITENTIARY

TO THE

GOVERNOR.

SEPTEMBER 30, 1877

DES MOINES:
E. P. CLARKSON, STATE PRINTER.
1877.

WARDEN'S REPORT.

IOWA PENITENTIARY, }
FORT MADISON, September 30, 1877. }

TO HIS EXCELLENCY, J. G. NEWBOLD, *Governor of Iowa.*

SIR:—Section one and two, of the session laws of the Sixteenth General Assembly, requires that the Wardens of the Iowa Penitentiaries shall transmit to the Governor of the State a report of the condition and needs of the institutions intrusted to their care; a statement showing in detail the expenditure of all public moneys placed or coming into their hands; and that said report shall embrace the transactions of the institutions for the two years next preceding the 30th day of September, in 1877. Pursuant to this requirement I have the honor to submit to your Excellency my third biennial report of the State Penitentiary at Ft. Madison.

The law just cited, which was approved March 17, 1876, designates September 30, of each odd-numbered year, as the final day of the biennial fiscal term. Before its enactment the term had been interpreted to end on the 31st day of October of each odd-numbered year. My last report, having been made under the former statute, (section 4,750 of the Code of Iowa) covered the biennial term of two years commencing November 1, 1873, and ending October 31, 1875. The present report, therefore, includes the biennial term from November 1, 1875, to September 30, 1877, inclusive, being one month less than a full term of two years.

The total number of convicts in the penitentiary on the date of my last report, October 31, 1875, was 309; the total number at this date, September 30, 1877, is 388, a net increase of 79. The total number received during this biennial fiscal term is 489. Of these, 11 were sentenced by the federal court for the district of Iowa; 37 by the territorial courts of Dakota, 1 by a military court in California and committed to this prison on the order of the Secretary of War. All the remainder are under sentence by the courts of this state. During the

term, 290 have been discharged by expiration of sentence; 57 by Executive pardon. Of those received from Dakota, 25 were transmitted to the House of Correction at Detroit, Michigan, on the order of the Governor of Dakota. On the order of the labor commissioners and the Executive council, 10 were transmitted to the Penitentiary at Anamosa. 12 have died; seven have been sent to the Hospital for the Insane, and 2 escaped, 1 of whom was recaptured. As shown by the table of crimes on which the convicts received during the term were sentenced, 241 were convicted of larceny, 44 of burglary, 38 of breaking and entering, 31 of forgery, 14 of robbery, 13 of assault with intent to commit murder, 9 of murder in the second degree, 9 with intent to kill, 8 of manslaughter, and 8 of murder. The number sentenced during the term for life is 6; for a term of 25 years, 3; for 20 years, 2. The average age of the convicts is 25 years, 8 months and 16 days; the average sentence, 2 years, 7 months and 19 days. The total number received in this Penitentiary since it was established, September 22, 1839, is shown by the prison register to be 2,554. For additional details of statistical information respecting the crimes for which convicts are under sentence, their term of sentence, age, nativity, sex, color, religion, occupation, place of crime, social state, education, etc., reference is made to the tabular statements herein incorporated, all of which have been carefully compiled and managed by the Penitentiary Clerk, Mr. H. Clay Stuart.

THE FINANCES.

I refer your Excellency to the several tables comprising the financial transactions of this Penitentiary during the past term. They are convenient summaries of the receipts and expenditures, and show the sources from which money was received, and on what account they were expended. It affords me much gratification to state that the financial accounts have been kept with skill and fidelity, and that a discrepancy, even to the amount of a cent, is not to be found. For his painstaking care, industry and efficiency, I desire to make my special acknowledgments to the Clerk, Mr. H. Clay Stuart, and to bear to your Excellency the testimony of his fidelity and worth.

The Sixteenth General Assembly made appropriations as follows.

For converting Deputy Warden's house into cells.....	\$ 7,500.00
For dwelling house for Deputy Warden.....	1,500.00
For the erection of two work-shops, etc.	6,000.00
For transportation of discharged convicts.....	1,800.00
For school building and hospital.....	4,000.00
For ventilation of cell-room and shops.....	1,000.00
Total	\$21,800.00

These several appropriations were consumed for the purposes contemplated, with the exception of that for the transportation of discharged convicts, which is drawn upon from month to month, and of which only \$1,360.39 has been consumed, leaving an unexpended balance of \$439.61 yet in the State Treasury. At date of my last report the general support fund account showed an overdraft of \$1,339.37, which was balanced by the next succeeding months allotment under the appropriation for this account. Reference to the table of the general support fund shows that the amount received from the State Treasury on that account during this fiscal term was \$40,447.01. The receipts from the labor of the convicts for the term were \$74,020.55. The receipts from the United States Government for the support of convicts sent here by its military and civil courts were \$5,376.45; receipts from the territory of Dakota for the support of its prisoners confined here, \$4,206.30; and from Van Buren, Lee and Madison counties, \$457.15; all aggregating \$84,060.45. There is yet due from the United States and from several counties in this State for the support of convicts imprisoned here the sum of \$3,966.50, for which bills have been regularly made each quarter and transmitted to the proper officer for payment. It will be observed that the receipts for convict labor during the term were \$56,637.12 less than the cost of support. During the last preceding term the cost of support was \$47,658.68 more than the receipts for labor, showing that the ratio of cost to labor receipts has not materially changed. The receipts for labor this term have been \$12,491.47 larger than the last preceding one. The receipts from the state during this term was \$27,957.99 greater than the last. There are ample reasons for this, some of which I will mention. During the last fiscal term there were about eighty Federal convicts in this prison for which I received \$24,276.35. Just before the commencement of this term these convicts were transferred to a United States military prison, and the receipts from that source this term have been only

\$5,376.45, a decrease of \$18,899.90. Besides, there have been unusual drafts upon the general support fund during this term, which is the only source of general revenue. For instance, \$5,084.60 has been paid to the commissioners appointed under chapter 35 of the temporary laws of the Fifteenth General Assembly for services and expenses. There was also paid to Soule Kretsinger & Co., in April, 1876, for a prison shop built by them, the sum of \$3,927.32. When to these are added the large and unusual expenditures for various necessary repairs, all of which are a charge upon the general support fund, the reasons for larger drafts upon the state treasury become very apparent. But there are others yet to be noticed, among which I mention the unavoidable idleness of one hundred men for five to six months on account of the failure of the firm of Dodge & Co., contractors. Still another source of the impairment of prison revenues is the reduced price of labor agreed upon by the contract commissioners and set forth in the new and modified contracts which will be found in this report further on. The reduction was nearly thirty per cent.; and under these new contracts the state engaged to heat the several shops, and furnish the water therefor, provide the waiters and chore-men, whereas under the former contracts these duties were performed by and at the expense of the contractors. This change in the terms of the contracts was made by the labor commissioners and approved by the Executive council, the Warden having no voice in them. It appears, therefore, that on account of the accidental idleness of about one hundred men for nearly six months, the customary receipts for labor necessarily fall behind over \$7,000; that the payment noted above to the labor commissioners was an additional unusual expenditure of over \$5,000; that the payment of the Soule Kretsinger & Co. claim allowed and ordered paid by the Executive council nearly \$4,000:—it will be seen that all these unusual sums produced a draft upon my resources to the amount of \$16,000. It is for these, together with the other reasons named, that I have run behind in my current account, and hence I am forced to apply for an appropriation to cover these unusual and wholly unavoidable drafts and shortages against me. I had hoped to be able to reduce my expense account on account of unproductive expense convicts when the labor commissioners issued their requisition for a transfer of fifty of the idle men from this prison to the Additional Penitentiary at Anamosa, but the requisition was disapproved by the Executive council and the transfer could not therefore be made. Had this been done it would have so materially reduced my expense account as to have nearly

kept it within the range of my current receipts. That this shortage may be more readily comprehended, I tabulate the items comprising it:

Shortage by removal of Federal convicts.....	\$18,889.90
Paid Labor Commissioners.....	5,084.60
Paid bill of Soule Kretsinger & Co.....	3,927.32
Shortage by idle men surrendered by Dodge & Co.....	7,200.00
Paid for repairs	4,014.57
Total.....	\$39,126.39
Deduct this term's excess of receipts from State Treasury over last term.....	27,957.99
Balance.....	\$11,168.40

All these items of unavoidable and unanticipated shortage in receipts, and other extraordinary expenditures beyond my control, are thus seen to have thrown me behind in the above sum of \$11,168.40. In order, therefore, to meet the balance of unpaid liabilities standing against this penitentiary, and other liabilities that must accrue during the unexpired remainder of this fiscal term, I respectfully ask for an appropriation to meet them of \$10,000. I am constrained by the exigencies of the case, to add, that should this sum be not appropriated, I know of no other way for carrying on the business of the prison than by discounting the notes of contractors in my hands for labor not yet due.

IMPROVEMENTS.

During this term I have constructed the addition to the cells authorized by the last General Assembly. The space allotted for them—the old site of the Deputy Warden's house—was fully utilized for the purpose, affording fifty-six additional cells, or three hundred and seventy-two in all. The west end wall of the cell-house was removed and the cells built, a portion of the Warden's house converted into a convicts' receiving room, a Turnkey's room, and the upper story converted into two rooms for the confinement of female prisoners, there being no other provision made for this class of convicts. This entire improvement was done in the most substantial manner and at a cost within the appropriation. New work-shops, numbered 11 and 12, the building being forty by eighty feet in size and two stories high, have also been put up. The building is of brick, with iron fire-proof roof, and is first-class in every respect. This was also built within the legislative appropriation of \$6,000.

The last legislature appropriated \$4,000 for the erection of a hospital and school building. It is thirty by forty, two stories high, stone walls, iron roof, fire-proof and very substantially built. It was connected with the cell-house so that the sick could be conveyed to the hospital without out-door exposure, and the convicts can pass to the school-room evenings without taking them outside the guarded cell-house.

The library, comprising over two thousand volumes, is kept in the school-house, and is a humane and very effective factor in the discipline of the prison.

The new house for the use of the Deputy Warden has been built for the amount appropriated. It is a comfortable frame structure containing seven rooms, and is connected with the prison yard and the night guards by a speaking pipe.

I have also built a new fence along the south and west front of the prison grounds, a much needed improvement. In this, as in all other improvements and repairs, I have employed such of the able-bodied convicts as were not under contract, so far as it was possible,—this for economic reasons.

REPAIRS.

I shall be excused for calling attention to the fact that this Penitentiary has grown up to its present proportions in piecemeal, starting from small beginnings thirty-seven years ago. It has grown up with the country, so to speak, hence the necessity for enlargements of capacity, and a steady system of improvements and repairs. The earlier facilities are constantly being out-grown or decayed, requiring more or less repairs each succeeding year. The old wooden mains for conveying water from the river to the prison reservoir having rotted out, and being too small for the increased water demand, had to be replaced. The river end of the main had to be extended further out so as to be below the surface of the lowest stage of water. I have substituted iron mains for the old wooden pipe, increasing the size to meet the greater demand for capacity. I also had an old cast-off pump overhauled and put in position, so as to hasten the work of supplying the reservoir in case of fires. The expense of these repairs was \$430.90.

By direction of the Executive Council I removed the old unsafe dry kiln and rebuilt it of brick and making it absolutely fire-proof, employing convicts for the work so far as it could be done. Its cost was about \$200, for which vouchers have been transmitted to the Auditor of State.

A wind storm in the summer of 1876 carried away the roof of the gas house, and its rebuilding was a necessity at the earliest possible day. So far as it could be done convict labor was employed in the work, and I refer you to the vouchers on file with the Auditor for the expenditure.

This same storm did considerable damage to the roof of shop No. 2, and like storms did considerable damage to several other roofs during the present year, all of which were promptly repaired with the least expense possible to the state. See vouchers on file.

In 1876 a portion of the reservoir wall crumbled away and required instant repairs; and the roof of the reservoir fell in from decay. The necessary repairs were promptly made, for which vouchers are on file.

In making the repairs herein noted, together with sundry others which cannot be itemized in detail in this report, there was an expenditure during the fiscal term of \$430.90 for iron, iron pipe, fittings, &c.; of \$1,557.02 for lumber and timber, for which I have vouchers in this office and duplicates of which were transmitted to the Auditor of State.

Authorized by an appropriation therefor by the General Assembly I furnished, in 1876, shops numbers 5, 7 and 8 with Sturtevant's blower and the necessary pipes therefor; and also furnished the cell-house with four 30-inch ventilating revolving globes.

I contracted with the Iowa Farming Tool Company to operate the blower or exhaust fan in shops 5, 7 and 8 at \$1.50 per working day, limiting the contract to such time as the General Assembly should take action thereon.

NEEDS OF THE PRISON.

The most important need of the Penitentiary at this time is the rebuilding of the roof over the cell-house, and only less pressing is an increase in the number of cells. The present number of cells is 372, and as there are now 388 convicts, it will be seen that the prisoners must be doubled into the cells, which affords opportunity for them to conspire together upon means of escape and as to other things adversely affecting prison discipline, to say nothing of the sanitary considerations of doubling men in rooms only three by seven feet in size. But the matter of chief importance is the rebuilding of the cell-house roof. This house is three hundred feet long by forty feet wide. The roof is old, leaks badly, and is in constant danger of being blown off by the

winds. Constructed of pine timber which has become as dry as tinder by lapse of many years, it is liable to be destroyed by fire. When the cell-house was constructed the outer walls were built to their present height, but only two tiers of cells were made. Since then an additional tier of cells has been built, making them three ranges high. This brought the upper tier into actual contact with the wooden frame work of the roof. Prisoners occupying this upper tier can easily cut through the pine roof and swing up through the opening unless prevented by constant watching. But the most important consideration is the liability to fires. Should it catch fire in the night and get headway, it would be but one remove from impossible to unlock the cells and liberate the nearly four hundred convicts before they would be smothered or burned up. I shall not venture into the realms of imagination with the view of portraying the horrors of a human holocaust, yet I cannot shut my eyes to the fearful magnitude of the calamity which a fire in this roof would render almost certain. To begin with a new roof is a necessity which cannot long be postponed. If a new one is to be supplied it should be made fire-proof; and as the demand for cells has already outgrown the supply, and as the addition of a fourth range would obviously be the cheapest method of meeting the want, it occurs to me that provision should be promptly made for the improvement.

Feeling the importance and necessity of this improvement I have procured estimates for the proposed work, and submit them in summarized form herewith. If the roof is raised high enough to allow a fourth range of cells, the outer walls of the cell building must be raised. To raise it ten feet and put in the thirty-six grated windows is estimated to cost \$6,500. The estimate for the iron roof is \$9,500. For the fourth range of cells—adding one hundred and twenty-four cells to the present number, making four hundred and ninety-six in all—the estimate is \$16,500. The present number of cells being only three hundred and seventy-two, and the number of convicts at one time the present year having been four hundred and forty-three—seventy-one more than the entire number of cells—the necessity for an increase in their number at the earliest possible day is made obvious. At present the prison has but two rooms for female convicts, and there are now four here. Should this improvement be made it would add another story to that portion of the cell-house now occupied by them, and afford two or three more much needed rooms for female prisoners, who must of necessity be kept apart from the other convicts. I therefore

recommend—and urge it with all the earnestness I can command—that an appropriation of \$32,500 be made for these purposes.

When I entered upon the management of the Penitentiary the Warden's house was practically without furniture. The official inventory showed a meager assortment of worn out odds and ends, all together worth less than \$200, and most of it unfit for use. Four years ago an appropriation of \$600 was made with which I procured some carpets, stoves, bedsteads, a few chairs, center table, and several articles which were absolutely necessary for rational comfort and convenience. Since then the carpets have in part been considerably worn and need replacing. The needs of the house have been such that I have placed therein several hundred dollars' worth at my own personal expense. This is a State institution; and the Warden's house should contain not only such conveniences and comforts as are an absolute necessity but such as befit the official residence of a State officer. The Warden is frequently called upon to entertain the Governor and other members of the Executive Council in a body; also visiting committees of the General Assembly, besides clergymen, and distinguished persons in private life who pay the prison more or less frequent visits. The State has not a furnished bed in the Warden's house, those in use, except a part of the bedsteads, being the private property of the Warden. That this state of things, when fully comprehended, can challenge the approbation of those in authority, I am slow to believe. As my service as Warden is soon to expire I am free to say that such a want of comforts in the Warden's house ill becomes the great State of Iowa. Looking forward to an early surrender of the position to a successor, I feel the more free to recommend an appropriation of \$750 wherewith to procure the necessary additional furniture, and paint the house inside and out, paper and whitewash the walls and ceiling, and make sundry necessary repairs.

Several years ago one of my predecessors began the project of constructing a waste sewer from the prison vaults to the river; but before it was carried out a perpetual injunction was ordered by the district court. A receiving vault was then built outside the yard which had become filled a few months ago. Having no means for cleaning it out the Executive Council ordered it partially done, paying therefor by their warrant upon the treasury. This vault will soon be filled again; and it is difficult to conceive the dilemma of the prison and its Warden when this shall occur. An early enlargement of this vault is an absolute and pressing necessity. At least provision must be made for

somehow disposing of the contents of the vault, as otherwise the Penitentiary would become a gigantic nuisance that could not be endured. I therefore recommend an appropriation of \$1,500 for the construction of a receiving vault.

DISCIPLINE.

Prison discipline is one of the most difficult, as it obviously is among the most important duties of the office which I have the honor to hold. Here are gathered into one unclassified mass nearly four hundred persons, presumably the worst elements in human society. These persons vary in age, condition, temperament; in nativity, education, moral and mental capabilities; in the circumstances and influences wherewith their lives have been surrounded; in the degree of crime committed by them and the measure of punishment judiciously imposed upon them. Some are imprisoned for murder, others for highway robbery, grades of crime which fearfully shock the moral sense of society; while others are under sentence for crimes which barely bring them within the range of Penitentiary punishment. Some are of the most abandoned, hardened and morally hopeless character, serving out a second, third, and even fourth term of imprisonment, while others are scarcely more than technical criminals. A murderer whose crime may have been the product of sudden and uncalculating passion, may be a much better and more hopeful man than he who commits a forgery or utters a counterfeit coin. Some are life-long and professional criminals; others are mere accidental wrong-doers. Remembering all these various circumstances, and remembering that prison punishment varies only in duration, not in degree or quality, it will be seen how difficult is this problem of prison discipline. It has been the aim of my administration to keep constantly in view the possibilities of the ultimate reformation of the convicts. Upon this question of discipline I entertain the same opinions expressed in my report of October 31, 1873, and from which I quote:

"It has been the aim of the present Warden to secure good order, industry, and willing acquiescence in the necessary rules of the prison, and to inspire all with the hope of social respectability and business success after their term expires, by first winning their implicit confidence. They are shown that the relation of the Warden to them is not one of choice but of duty to society, to the state, and to themselves; that whatever of exactions are required of them, or discipline enforced against them, is not a mere exhibition of his power or their helpless weakness. They are taught that they are men—wayward offenders they may be—yet they are men, and entitled to just

such treatment as their conduct shall logically challenge. Authority is never exercised for the purpose of showing its rightful existence and possession, but for purposes of reformation and discipline only. Judicious firmness, intelligent patience and inflexible impartiality are the qualities wherewith I am to execute my important trust. As a consequence the convicts become almost invariably trustful, dutiful and obedient. Refractory and contumacious inmates of this prison are now very rare, and the exercise of any sort of punishment equally so. The cat-o'-nine-tails, that barbarous relic of times now happily past, and other kindred forms of cruel punishment, have been barred both by legislative statutes and the higher law of humanity. For the exceptional cases where punishment of any kind is rendered necessary, the mildest forms known to prison discipline are found in most cases to be efficacious. A few hours in the dark cell, the carrying the ball and chain for an hour or so, or a withdrawal of the convicts privilege to attend the Sabbath-School are now among the severest punitive inflictions administered. And of these the latter is the most effective, surprising as it will doubtless seem to very many. All conversation between the prisoners is strictly prohibited, and unbroken silence is the law. The deprivation of this natural social intercourse, the natural and educated habit of their lives, finds some small compensation—the best which the peculiar circumstances will permit—in mere silent association, where each may look upon the others and interchange greetings by the eye alone. But better than any known form of punishment are the exercise of kindness, appeals respectfully addressed to the rational faculties, by which the most contumacious are generally overcome and reduced to willing obedience. The law of kindness is the rule, all other methods the rare exception. I attribute the unusual good conduct of the men in this prison to the system of humane control, and in this particular of voluntary obedience I feel warranted in placing the Iowa Penitentiary in comparison with any other in the land."

THE PRISON LIBRARY.

A prominent factor in the control and discipline is the Prison Library, which now comprises about two thousand volumes. Every convict who can read is advised to employ as many hours as he may, when not at work, and at proper hours, in reading from the books of the library. Such employment serves the double purpose of storing the mind with information, and of diverting the convicts from a brooding contemplation of their unfortunate condition.

THE SABBATH-SCHOOL.

I find to be another of the most important and demonstrated agencies in prison discipline. Its reformatory influence is recognized as far as christianity extends, and is one of the most potent influences within as

well as without the walls of the prison. Of the many hundreds of convicts who have been sentenced to this prison during the five and a half years of my wardenship, representing the judicially condemned portion of the society of our state, the instances have been rare, indeed, when the prison Sabbath-school has not sensibly operated to repress and restrain their evil inclinations, and to quicken, educate and fortify their better faculties. So obvious are its good influences and so evident is their relish for the weekly recurring exercise, I am constrained to look upon it not only as among the chief reformatory agencies, but as one of the most effective influences in the successful management and control of the prisoners. While there is no compulsion as to attendance—this being left to their free choice—at least four-fifths of the convicts are regular attendants upon the Sabbath-school. And right here I digress to express my grateful acknowledgments to the christian people of Fort Madison who have for years volunteered their kindly offices in conducting this school, which I am sure will be ardently seconded by the attending convicts. It affords me equal pride and pleasure to make especial acknowledgments to the Hon. J. M. Beck, of Fort Madison, one of the Justices of the Supreme Court, for his almost unbroken ministrations to the prison Sabbath-school during my entire incumbency of the wardenship. Such continuous voluntary labor in helping on the Sabbath-school interest in the prison can spring only from motives looking to the moral reformation of the unfortunate convicts and to the resulting improvement of human society when they shall have received their discharge. No lower depth is so deep that the hand of the Master cannot read it: and Judge Beck has long been the honored bearer to the prisoners of Heaven's blessed messages.

An ill-fed person is in a mood for mutiny. Hunger will incite rebellion that only death itself can subdue if it be not appeased. It follows, therefore, that the food of convicts should be both wholesome and sufficient—this for merely disciplinary reasons. But humanity requires that it should be good and ample. Condemned to "hard labor," compliance with the sentence would be impossible if the convicts were but poorly and insufficiently fed. Hence I have deemed it among the most important duties imposed upon the Warden to exercise all needful diligence and care in procuring the various kinds of food for the prisoners. Of the kinds used only the best that is attainable is bought, believing it to be alike a wise economy and a humane duty. Of meat food, well-fattened beef is the principal. Pork is also

liberally furnished, with occasional supplies of fish. Light bread, made of the flour of both wheat and corn, is supplied to the full extent of the demand. Coffee is furnished twice a day. Holidays and Thanksgiving day are signalized to these unfortunates by a generous dinner comprising chickens, sweetened bread and some seasonable fruit. And whatever the fruit may be in kind it must be the best in quality, and in quantity equal to the requirements of the most exacting appetite.

I repeat the assurances of my two previous reports as to the efficacy of the law providing for deductions of time from the terms of imprisonment as a reward for obedience among the convicts. To them these "good time" deductions possess a calculable value in diminishing their terms of sentence, and a moral value in the disciplinary consciousness of well-doing.

Freedom to enter complaint against any of the guards, contractors, foremen, or other officer, or employee about the prison, assured that every actual grievance will be promptly redressed, serves to lighten the burden of the convict's involuntary imprisonment, and to render obedience to the rules of the penitentiary the more prompt and certain.

CONVICT LABOR.

At the date of my last report there were two hundred and twenty-five convicts employed under labor contracts. There are now two hundred and seventy, besides seventeen waiters, runners or chore-men, and in prison parlance known as "lumpers." There is an average of forty able-bodied men who are practically idle; or in other words, for whom there is no demand among the contractors, and who are therefore unproductive to the prison treasury. The convicts under contract two years ago were stipulated for a term of five years at sixty cents per man per day, as set forth in the articles of agreement published with my report of 1875. Among these contracting companies was that of O. B. Dodge, who had one hundred men at sixty cents per day each. In the following January, 1876, Mr. Dodge failed in business, said to have been due to the business crisis of September, 1873, and he surrendered his men and his contract was declared forfeit, although all notes given by him for labor were duly collected. The general shrinkage in business at about that time, producing collapse in so many industries throughout the country, had a marked effect upon the manufacturing enterprises carried on by the labor of the prison convicts.

The other contractors, Trebilcock & Johnson, and B. S. Brown, the latter now known as the Iowa Farming Tool Co., finding their business very materially depressed by the prevailing hard times, were about to forfeit their contracts, whereupon the labor commissioners appointed by the Governor under chapter 35 of the Temporary laws of the Fifteenth General Assembly, convened and re-let the labor on new contracts with modified terms, as authorized by chapter 97 of the laws of the Sixteenth General Assembly, which contracts were approved by the Executive Council. Copies of these several contracts I have caused to be appended to this report.

It is to be regretted that the hard times of the past few years have had so depressing an effect upon the price of labor. It is due to this fact for the most part that the drafts of this Penitentiary upon the State Treasury have been so large—though the ratio of labor receipts to prison expenditures as compared with former terms has not been sensibly increased. Owing to this wide spread depression the proportion of uncontracted and unproductive convicts during this term has been considerably larger than for the two previous terms. I indulge the hope that with the returning tide of business activity the percentage of productive men will steadily increase and the necessities for drawing upon the public treasury will correspondingly diminish.

I must not omit to state that the relations maintained between the contractors and the employed convicts is kindly and humane, and that as a consequence the latter perform their service willingly and with but little complaint.

MISCELLANEOUS.

In the year 1873, by direction of the Executive Council, I conveyed twenty convicts to the Anamosa Penitentiary, the cost of transportation being \$247.80, which I was compelled to advance, in railway fares. I made and forwarded bill for same to the Warden of that Penitentiary and requested payment, and have since forwarded repeated requests for payment but it was refused. I also called the attention of the Executive Council to the matter, showing that body that I was carrying a memorandum of this expenditure as so much cash. In June, 1877, finding that payment was not likely to be made I executed a voucher for the amount, and forwarded it to the Auditor of State and thereupon charged the amount to the Additional Penitentiary. Chapter 51 of the laws of the Fifteenth General Assembly contains an item of appropriation to pay the indebtedness of the Additional Penitentiary

at Anamosa, which was made with reference to this among other mentioned items of debts due by that prison. The act making that appropriation was approved March 24, 1874, and since that date I have made repeated applications for payment but without avail. The matter is referred to the attention of your Excellency.

Owing to the largely increased number of the convicts and to the increase of shops and distribution of the men to them, I have been compelled to considerably increase the number of the prison guards, yet the total number is not now and never has been, under my administration, up to the maximum allowed by law. It has been my aim in this regard, as in all others where unquestionable discretion has been reposed in me by law, to practice a prudent economy in expenditures.

Any discharge or appointment of officers has been promptly reported to the Executive Council for approval. All expenditures of money whether generally or specially appropriated, except such as are necessitated by sudden and unforeseen emergencies, are made only after conference with, and generally upon the direction of, the Executive Council.

No damage by fire has occurred in the prison during this term, which is due to the extraordinary precautions exercised on every hand.

I have required the proper official bonds from all the subordinate officers of the prison as required by law.

On the 25th of July, 1876, I transferred ten convicts, on the requisition of the Labor Commissioners, approved by the Executive Council, to the Anamosa Penitentiary.

In this, my last fiscal report to your Excellency, I desire to make my acknowledgments to the Executive Council for the active interest its members have displayed in the management of the affairs of the Penitentiary and to assure your Excellency and the other members of the Council of my high esteem for each in both his official and personal character. I shall also be pardoned if I make public thanks to the subordinate officers of the Prison for their prompt and earnest co-operation with me in prosecuting the charge committed to my hands. The Labor Commissioners, Messrs. H. W. Cartwright, J. W. Campbell, and J. A. T. Hull, also have my thanks for the aid rendered me from time to time.

Finding no law designating when the term of office for Wardens of Penitentiaries begins, I respectfully suggest that the General Assembly fix by statute the date on which such officers shall enter upon the discharge of their office. Such a statutory designation

may serve to avoid the more or less serious consequences of misunderstandings. As the law now is I know of nothing but custom to prevent a Warden elect entering upon the office immediately upon his qualification therefor.

OFFICERS AND EMPLOYEES.

DEPUTY WARDEN.

A large portion of the officers and employees of the Penitentiary have been long in the service, and in this, as in my former reports, I desire to bear my official testimony to their industry, capabilities, fidelity and worth. The Deputy Warden, Mr. James H. Reynolds, has been of incalculable value to me in the performance of the official trust imposed upon the Wardenship by the partiality of the General Assembly. Having served as Deputy Warden for about seventeen years, his knowledge of prison affairs is unquestionably without parallel in the State. There is no detail, however insignificant relatively, with which he has not perfect familiarity, and I am frank to say that the executive management of the prison would be sadly wanting but for his experience, judgment, watchfulness and untiring industry. I cannot too highly commend him to your Excellency as the possessor of every qualification necessary to the full and satisfactory discharge of every duty imposed upon him by his position.

CLERK.

The duties of the prison Clerk are complex and unremitting. For many years the Penitentiary accounts were indifferently and loosely kept, and it is only since the appointment of the present Clerk, Mr. H. Clay Stuart, that the books and all the clerical affairs of the prison have been brought up to their present state of completeness. I have found him to be a skillful accountant, a prompt and obliging officer, and in every way worthy of the office he holds. If your Excellency will consider that the business of this prison has nearly or quite doubled during the incumbency of Mr. Stuart, I feel assured that his present salary of \$1,000.00 per year will be regarded as inadequate. I therefore recommend that the Clerk's salary be fixed at \$1,200.00, assuring you that the services required of and performed by him are entitled to this measure of compensation.

PHYSICIAN AND SURGEON.

With the close of the last preceding fiscal term Dr. J. J. M. Angear retired as Physician and Surgeon of the prison. A. W. Hoffmeister, M. D., of Fort Madison, was thereupon appointed to the position, whom I know to be in every way competent. I refer your Excellency to his report of the transactions in the sanitary department of the prison appended hereto. I also mention the fact that he is required to make daily visits to the prison hospital, and at times these visits must of necessity be repeated within each twenty-four hours. As the number of the convicts has been more than doubled since the present salary of \$600.00 was fixed, and as the labors required of him have been correspondingly increased, I should be false to my sense of duty, were I to omit an urgent recommendation for an increase of his salary to \$1,000.00 per annum. Several surgical operations have been performed by him which alone, gauged by the professional fee bills in vogue throughout the State, would be chargeable in a sum equal to his entire present annual salary.

CHAPLAIN.

I direct attention to the elaborate report of the prison Chaplain, Rev. Chas. F. Williams, which relates both to his clerical duties and to those of school teacher. On my former recommendation the prison school was established, and I take equal pride and satisfaction in the reflection that it is succeeding so admirably. Mr. Williams is sincerely devoted to the work of both educating and reforming the unfortunates committed to this establishment, and the results of his well-directed labors are plainly evident in the mental and moral improvement of the convicts. This is especially true of those who came here with little or no education—who could neither read nor write. The acquirement of the simpler rudiments of education not only produces a marked improvement in the discipline of such convicts, but in some sense prepares them for entrance upon some of the respectable vocations in life when they shall have received their discharge. I take occasion to express my gratitude to Mr. Williams for the zeal and efficiency he has displayed in the department of the prison committed to his charge.

GUARDS.

There are now thirty-eight men employed as guards, who are chosen with reference to their efficiency for the positions assigned. Only temperate, obedient and faithful men are selected, and it is only just to say that they are prompt, vigilant and faithful. I here repeat my former recommendation that the guards should be supplied with proper and distinguishing uniform, which could be made in the prison shops at comparatively small expense. As the present wages of the guards are only sufficient for the plainest support, the expense of these uniforms should be borne by the State.

Respectfully submitted,

SETH H. CRAIG, *Warden.*

Subscribed and sworn to by the said S. H. Craig, before me, this 27th day of November, A. D. 1877.

[L. s.]

H. C. STUART, *Notary Public.*

APPENDIX.

CONTRACTS FOR CONVICT LABOR.

By articles of agreement entered into this twentieth day of April, A. D., 1876, between H. W. Cartwright, James W. Campbell, and J. A. T. Hull, as Commissioners of the Iowa Penitentiary, and in behalf of the State of Iowa, of the first part, and Henry C. Huiskamp and Herman J. Huiskamp, of Keokuk, Iowa, 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 parties 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 first day of May, A. D. 1876, the labor and services of sixty-five (65) able bodied convicts now or hereafter to be confined in the Iowa State Penitentiary at Fort Madison, Iowa, to be employed by said party of the second part at the following trades and occupations, to-wit: Manufacturing all kinds of boots and shoes, horse collars and saddlery goods. Nothing in this agreement shall prevent the Warden from employing a limited number of convicts in shoe-making 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 and storage of materials during the term of this lease, the party of the second part shall use the following shops, which shall be kept in good repair by the State, to-wit: The two frame shops, known as State shops, and the south half of shop number (10) ten, provided that when the additional shops to be numbered eleven (11) and twelve (12), which shall be built south of and adjoining number nine (9) and ten (10) are finished and ready for occupancy, the party of the second part agree to vacate State shops and in lieu thereof take possession of all of numbers ten (10) and twelve (12) and the south half of number eleven (11) and shall have the same during the continuance of this contract.

Third.—It is agreed and understood that for said labor the party of the second part shall pay at the rate of forty-three (43) cents per day for each convict.

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 under this contract. Said contractors and employes 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.

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.

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 shops shall be properly warmed by the party of the first part, and the fixtures therefor shall be made reasonably secure against fire.

Eighth.—The party of the first part further agrees to furnish the party of the second part with sufficient water for the use of this contract. The party of the first part further agrees to furnish four lumpers or runners, who shall be able bodied convicts, for the purpose of cleaning shops, making and taking care of fires, bringing water and performing the necessary running for this contract; and it is hereby agreed that when the said lumpers are not engaged in discharging the above mentioned duties, they shall be subject to the orders of the party of the second part.

Ninth.—In estimating the per diem as aforesaid to be paid for each convict, the usual time for estimating a days work, to wit: Ten hours average through the year shall be computed.

Tenth.—It is further agreed that after the Warden shall have selected such number of the convicts as he may deem necessary for cooking, cleaning, sanitary, and other purposes pertaining to the care

of the prison, and also for shoe-making and tailoring, as specified in Article 1, and the Iowa Farming Tool Company shall have been furnished the number of convicts it is entitled to under its contract with the state for prison labor, the remaining convicts shall be apportioned by the Warden among the contractors according to the number to which each is entitled, reference being had to the skill and value of convicts in the several trades carried on by the different contractors.

The State shall not be liable for any deficit under this contract, provided, the State shall not transfer convicts to the Additional Penitentiary, so as to diminish the number actually employed under this contract below the maximum at the time of such transfer.

Eleventh.—If at any time the convicts assigned to the party of the second part within the number hereinbefore specified shall remain idle for the 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 forty-three cents 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 when he does not, from sickness or other cause beyond the control of said party of the second part, perform his ordinary labors.

Thirteenth.—In 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 other 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 or lease convict labor for the same during the continuance of this lease without the consent of the party of the second part.

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

Sixteenth.—All manufactured articles shall be removed from the shops as soon as practicable when finished, and no articles 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.

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.

Eighteenth.—The party of the second part shall account to the Warden of the Penitentiary on the first Monday in each month for the labor of the convicts under this 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.

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, then the party of the second part shall, at the option of the party of the first part, forfeit all rights and privileges under this agreement, and the State may resume absolute control over the labor of said convicts and 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, foremen or convicts, nor shall any material or tools be carried from the shops to convicts' cells for said purpose.

Twenty-first.—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. No convict shall be transferred from this contract to another without the consent of the Warden and the contractors, except as provided in Article 10.

Twenty-second.—It is further agreed that the party of the second part shall have the use and labor of said convicts from the 1st day of May, A. D. 1876, to the 20th day of June, A. D. 1876, for the purpose of organizing and instructing convicts in the work to be done under this contract without paying said forty-three cents per day, or any sum; and if the said party of the second part should get ready and desire to

commence the organization of the said labor before the said 1st day of May, 1876, then the party of the second part shall have the right to use such labor without any charge being made therefor.

Twenty-third.—It is further agreed that if the said party of the second part does not, within six months from the date of taking effect of this contract, commence the manufacture of boot and shoe pacs, and continue the manufacture thereof in their season, then the State of Iowa shall have the right to lease convicts for the purpose of manufacturing boot and shoe pacs.

Twenty-fourth.—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.

Twenty-fifth.—It is further agreed that this contract may be terminated at the option of said party of the second part, by giving five months' notice thereof, in writing, to said Warden and the Executive Council; provided, that such termination shall take effect only on payment of all sums and amounts due from the party of the second part by virtue of this contract.

In witness whereof, the said parties have hereunto set their hands this 20th day of April, A. D. 1876.

H. W. CARTWRIGHT,
J. W. CAMPBELL,
J. A. T. HULL,
Prison Commissioners.
HENRY C. HUISKAMP,
HERMAN J. HUISKAMP.

Approved by the Executive Council of the State of Iowa this 20th day of April, 1876.

JOSIAH T. YOUNG, *Secretary of State,*
B. R. SHERMAN, *Auditor of State,*
WM. CHRISTY, *Treasurer of State.*

It is hereby agreed by and between H. W. Cartwright, James W. Campbell and J. A. T. Hull, Commissioners of the State of Iowa, of the first part, and H. C. Huiskamp and H. J. Huiskamp, of Keokuk, Iowa, of the second part, as follows:

First.—The State of Iowa does hereby let and hire to the party of the second part the labor and services of fifteen able bodied convicts, now or hereafter confined in the Iowa Penitentiary at Fort Madison, to be employed as provided in the contract entered into between the State of Iowa and the party of the second part on the 20th day of

April, A. D. 1876. The State further agrees to furnish for said labor the room formerly used as a hospital, now shop No. 15.

Second.—It is further agreed that the State shall furnish one lumper on this contract.

Third.—The party of the second part agrees to pay for the use of said labor, the sum of forty-three (43) cents per day, per man, during the continuance of this lease.

Fourth.—It is further agreed that this lease shall commence on the 26th day of June, A. D., 1877, and terminate on the 26th day of June, A. D., 1878, unless terminated under provision of former contract.

Fifth.—It is further agreed that all the conditions, stipulations, covenants, and agreements (except as herein modified) of the said contract of April 20th, 1876, shall attach to and be made a part of this contract.

Signed at Fort Madison, Iowa, this 8th day of June, A. D. 1877.

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

H. C. HUISKAMP by
H. J. HUISKAMP,
H. J. HUISKAMP.

The within contract approved by the Executive Council June 14, 1877.

J. G. NEWBOLD,
JOSIAH T. YOUNG,
B. R. SHERMAN,
GEO. W. BEMIS.

WHEREAS, certain proposals have heretofore been made by Benjamin S. Brown, as President of the Iowa Farming Tool Company, for a modification of the contract of said Brown dated July 3d, A. D., 1874, which contract has been duly assigned to the Iowa Farming Tool Company, and also for the labor and services of fifteen (15) additional convicts, and shop room for the same; now therefore,

It is hereby agreed by and between H. W. Cartwright, James W. Campbell, and J. A. T. Hull, Commissioners for the State of Iowa, for leasing convicts' labor, of the first part, and the Iowa Farming Tool Company, of the second part.

First.—The party of the second part hereby relinquishes all right to forty (40) by one hundred (100) feet of ground south of and adjoining

shops, Nos. nine (9) and ten (10), and also to the alternate and equal space south of and opposite shops No. five (5) and seven (7), in the prison yard heretofore granted by the party of the first part.

Second.—The party of the first part hereby agrees to extend the time of said contract for five (5) years from the 1st day of April, A. D., 1876. For which labor the party of the second part shall pay at the rate of forty-eight (48) cents per day for each convict, from the said 1st day of April during the continuance of this lease.

Third.—The party of the first part doth hereby let and hire to the party of the second part, for the term of four (4) years and eight (8) months from the first day of August, A. D., 1876, the labor and services of fifteen (15) able bodied convicts, subject to all the provisions, conditions and stipulations of the original contract, except as herein modified, for which the party of the second part shall pay at the rate of forty-eight (48) cents per day for each convict, with the privilege to manufacture any branch not in conflict with existing contracts, or the interest of the State in letting other contracts within a reasonable time.

Fourth.—The party of the second part shall have the use of shop No. nine (9), for labor and storage of material during the continuance of this lease. The north half immediately on vacation of shop No. 13, and the south half, August 1st, A. D., 1876, which shall be petitioned off when required, the State having the right to utilize the partition in shop No. three (3) for said purpose; the State to furnish one lumper for aid shop.

Fifth.—All lumpers on the contracts of the second party shall be able bodied convicts and shall be subject to the direction and control of the contractors, whenever not engaged in necessary shop duties for the State.

Signed at Ft. Madison, Iowa, this 20th day of April, A. D. 1876.

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

On part of the State.

IOWA FARMING TOOL COMPANY,
BY BENJAMIN S. BROWN, *President.*

Approved by Executive Council, this April 20, 1876.

JOSIAH T. YOUNG, *Secretary of State.*
B. R. SHERMAN, *Auditor of State*
WM. CHRISTY, *Treasurer of State.*

WHEREAS, under the act of the Sixteenth General Assembly, amendatory of Chapter 35, of the acts of Fifteenth General Assembly, doubts have arisen as to the authority of the Commissioners to make contracts for a longer period than five (5) years; and,

WHEREAS, we, the said Commissioners, believe it for the best interests of the State to let such labor under the within contracts for the period of ten (10) years, therefore, subject to the approval of the Seventeenth General Assembly, it is further agreed that the contracts of the party of the second part for one hundred and fifteen (115) able bodied convicts, shall be continued in force for the term of five (5) years, from the first day of April, A. D., 1881, at the rate of fifty cents per day for each convict, and shall be subject to all the provisions, conditions, stipulations, covenants and agreements, contained in said contracts.

Signed this 20th day of April A. D., 1876.

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

On part of the State.

IOWA FARMING TOOL COMPANY,
By BENJAMIN S. BROWN, *President.*

By articles of agreement entered into this 26th day of March, A. D., 1877, 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, and chapter 97 of the acts of the Sixteenth General Assembly, for and in behalf of the State of Iowa, of the first part, and the Fort Madison Chair Company, a firm corporation, composed of the following named persons, to-wit: J. M. Johnston, W. E. Harrison, and Joseph A. Smith, 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 April, A. D., 1877, the labor and services of not to exceed seventy-five 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, viz: manufacture of chairs, school furniture, and coffins.

Nothing in this agreement shall prevent the Warden from employing a limited number of convicts in shoe-making 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 No's one (1) and two (2), the lower story of State shops, and the north half of shop No. eleven, the east half of the west dry kiln, the northwest quarter of the cellar, under shop No. one (1). Also grounds 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. It is further agreed and understood, that for said labor the party of the second part shall pay at the rate of forty-three (43) cents per day for each convict.

Third.—The party of the first part further agrees that said Fort Madison Chair Company 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 employees 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.

Fourth.—It is further agreed that the party of the second part shall have assigned it, 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, five 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 on 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, except as provided in the contract of the Iowa Farming Tool Company, 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 forty-three (43) cents 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 said party of the second part, perform his ordinary labor.

Thirteenth.—In 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 articles 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 term 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 bonds 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 convicts' 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 of Iowa 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 material or tool be carried from the shops to the convicts' 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.

Twenty-second.—It is further agreed that, if during the continuance of this lease, a new chapel is built by the State, the party of the second

part shall have the right to occupy the room now occupied by the State as a Chapel, and room lately occupied as Hospital, by surrendering lower story of State shops.

Twenty-third.—It is further agreed that all lumpers assigned on this contract to the parties of the second part, shall be able-bodied convicts, and shall be subject to the direction and control of the contractors, whenever not engaged in necessary shop duties for the State.

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

On the part of the State.

FORT MADISON CHAIR COMPANY.
JOSEPH A. SMITH, *President.*
JOHN M. JOHNSTON, *Superintendent.*
W. E. HARRISON, *Secretary.*

Approved April 4, 1877, by the Executive Council.

J. G. NEWBOLD,
JOSIAH T. YOUNG,
B. R. SHERMAN.
GEO. W. BEMIS.

By articles of agreement entered into this 5th day of January, 1877, between H. W. Cartwright, James W. Campbell and J. A. T. Hull, as Commissioners of the Iowa Penitentiary, and in behalf of the State of Iowa, of the first part, and Edward Ruhe & Co., of Keokuk, Iowa, of the second part;

WHEREAS, certain proposals have 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 (5) years from the 1st day of February, 1877, the labor and services of ten (10) able bodied convicts, now or hereafter to be confined in the Iowa State Penitentiary, at Fort Madison, Iowa, to be employed in the manufacture of cigars.

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 shop room, which shall be kept in good repair by the State, viz: Ten (10) feet off the east side of the room formerly used as a hospital, and running the en-

tire length of said room north and south; also, cellar room ten (10) feet by ten (10) feet inside prison yard.

Third.—The said party of the second part shall have the privilege of going to and from said shop at all proper times, to instruct the convicts in the manufacture of said articles, and to 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 employes 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.

Fourth.—The convicts so to be employed shall be able bodied men, by which term is meant those who are able to perform 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 casualty.

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

Seventh.—The party of the first part further agrees to furnish the party of the second part one runner for the purpose of cleaning the shop, making and taking care of fires, bringing water and performing the necessary running for the contract.

Eighth.—It is agreed and understood that for said labor, the party of the second part shall pay at the rate of forty-eight cents (48c) per day for each convict. And it is further agreed that in estimating the per diem, as aforesaid, to be paid for each convict the usual time for estimating a days work, to-wit: Ten (10) hours average through the year shall be computed.

Ninth.—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 contracts, 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 from this to other Penitentiaries.

Tenth.—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 forty-eight (48 cts.) cents per day.

Eleventh.—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 labors.

Twelfth.—In case of the loss of shop 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 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.

Thirteenth.—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.

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

Fifteenth.—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 shop in violation of this provision.

Sixteenth.—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.

Seventeenth.—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.

Eighteenth.—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 demands therefor, 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 assume absolute control over the labor of said convicts and to re-let the same as though this contract had not been executed.

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 shops to the convicts' cells for said purposes.

Twentieth.—It is further agreed that in the event of the shop room herein contracted reverting to the Chair Company in accordance with a contract heretofore signed, the party of the second part shall be furnished equally good room by the party of the first part.

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.

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

On behalf of the State of Iowa.

EDWARD RUHE & CO.

Approved by the Executive Council January 18, 1877.

SAMUEL J. KIRKWOOD,
B. R. SHERMAN,
JOSIAH T. YOUNG,
GEORGE W. BEMIS.

FINANCIAL STATEMENT.

CLERK'S OFFICE, IOWA PENITENTIARY, }
FORT MADISON, IOWA, September 30, 1877. }

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 1, 1875, and ending September 30, 1877, together with the customary prison statistics taken from the books of the institution.

Your most obedient servant,

H. CLAY STUART, *Clerk.*

Received from the State of Iowa.....	\$	\$119,055.94
General Support Fund	40,447.01	
Guards' Salaries Fund	45,970.00	
Officers' Salaries Fund.....	10,458.26	
Deputy Warden's House Fund.....	1,590.00	
Transportation.....	1,360.39	
New Cells Fund.....	7,500.00	
New Workshops Fund.....	6,000.00	
Ventilation Fund	1,000.00	
School-House and Hospital Fund.....	4,000.00	
Providential Contingencies Fund.....	382.52	
Cleaning Vault Fund.....	437.76	
Totals.....	119,055.94—	119,055.94

GENERAL SUPPORT FUND.

Balance overdrawn October 31, 1875.....	1,339.37	
Received from Bills Receivable.....	72,339.93	
Received from State of Iowa for General Support.....	40,447.01	
Received from State of Iowa for Transportation.....	1,360.39	
Received from United States.....	5,376.45	
Received from Bills Payable.....	5,000.00	
Received from Dakota	4,206.30	
Received from Joseph A. Smith, assignee.....	949.20	
Received from Improvement Fund.....	533.67	
Received from Visitors.....	523.55	
Received from R. F. Hosford.....	370.50	
Received from Hulskamp Bros.....	337.12	
Received from Van Buren county.....	294.25	
Received from Interest Account.....	124.07	
Received from Lee county.....	93.50	
Received from Madison county.....	69.40	
Received from Soule, Kretsinger & Co.....	23.80	
Received from Providential Contingencies Fund.....	3.45	
Paid General Support.....	130,657.67	
Balance on hand September 30, 1877.....	55.55	
Totals.....	132,052.59—	132,052.59

OFFICERS SALARIES FUND.

Received from State.....	\$ 10,458.26	
Paid officers' salaries	\$ 10,458.24	
Balance on hand September 30, 1877.....	.02	
	10,458.26—	10,458.26

GUARDS' SALARIES FUND.

Received from State.....	45,970.00	
Paid Guards' salaries.....	45,970.00	
	45,970.00—	45,970.00

CONVICTS' FUND.

Balance on hand October 31, 1875.....	987.28	
Received from convicts.....	1,761.45	
Paid convicts.....	2,534.30	
Balance on hand September 30, 1877.....	417.43	
	2,751.73—	2,751.73

IMPROVEMENT FUND.

Balance on hand October 31, 1875.....	698.00	
Paid General Support Fund	533.67	
Paid for improvement.....	41.33	
Balance on hand September 30, 1877.....	123.00	
	698.00—	698.00

NEW WORK SHOPS' FUND.

Received from State.....	6,000.00	
Paid for New Work Shops.....	6,000.00	
	6,000.00—	6,000.00

NEW CELLS' FUND.

Received from State.....	7,500.00	
Paid for New Cells.....	7,500.00	
	7,500.00—	7,500.00

VENTILATION FUND.

Received from State.....	\$ 1,000.00	
Paid for ventilation.....	\$ 1,000.00	
	1,000.00—	1,000.00

SCHOOL HOUSE AND HOSPITAL BUILDING FUND.

Received from State.....	4,000.00	
Paid for school house and hospital building	4,000.00	
	4,000.00—	4,000.00

DEPUTY WARDEN'S HOUSE FUND.

Received from State	1,500.00	
Paid for building Deputy Warden's house		1,500.00
	1,500.00	1,500.00

PROVIDENTIAL CONTINGENCIES FUND.

Received from State	382.52	
Paid for repairs		379.07
Paid General Support Fund.....		3.45
	382.52	382.52

PRIVY VAULT FUND.

Received from State	437.76	
Paid for cleaning privy vault.....		437.76
	437.76	437.76

GENERAL STATEMENT OF RECEIPTS AND EXPENDITURES.

General Support Fund.....	132,052.59	130,657.6
Officers' Salaries Fund.....	10,458.26	10,458.24
Guards' Salaries Fund	45,970.00	45,970.00
Convicts' Fund.....	1,764.45	2,334.30
Improvement Fund.....		575.00
New Workshop's Fund	6,000.00	6,000.00
New Cell's Fund.....	7,500.00	7,500.00
Ventilation Fund.....	1,000.00	1,000.00
School House and Hospital Building Fund.....	4,000.00	4,000.00
Deputy Warden's House Fund	1,500.00	1,500.00
Providential Contingencies' Fund.....	382.52	382.52
Privy Vault Fund.....	437.76	437.76
Balance on hand October 31, 1875.....	345.91
Balance on hand September 30, 1877.....		596.00
	\$211,411.49	\$211,411.49

STATE OF IOWA, } ss.
County of Lee, }

H. Clay Stuart being duly sworn, say 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 — of November, 1877.

{ L S. }

WM. P. STAUB, *Clerk of District Court.*

PRISON STATISTICS.

CONVICTS RECEIVED.

In confinement, October 31, 1875.....	309
Received by conviction of courts.....	489
Returned by order of court.....	8
Recaptured	1
Returned by order of Governor Newbold.....	1
	808

CONVICTS DISCHARGED.

Expiration of sentence	290
Pardoned.....	57
Sent to Detroit, Michigan.....	25
Out by order of court, for new trial, witnesses, &c.....	17
Died	12
Sent to Additional Penitentiary, at Anamosa.....	10
Sent to Hospital for Insane.....	7
Escaped	2
In confinement, September 30, 1877.....	388
	808

STATEMENT OF HABITS.

Intemperate	255
Temperate.....	234
	489

SEX.

Males.....	485
Females	4
	489

SOCIAL STATE.

Married.....	144
Single.....	332
Widowers.....	11
Widow.....	2

489

EDUCATION.

Good.....	21
Common.....	348
Poor.....	67
None.....	53

489

RELIGIOUS EDUCATION.

Catholic.....	53
Methodist.....	24
Lutheran.....	9
Episcopal.....	7
Baptist.....	6
Christian.....	5
Presbyterian.....	2
Protestant.....	2
Congregationalist.....	1
United Brethren.....	1
United Presbyterian.....	1
German Reform.....	1
Evangelical.....	1
Mormon.....	1
None.....	375

489

STATEMENT OF TERM, AGE, AND NATIVITY.

TERM.	No.	Age.	No.	NATIVITY.	No.
One day.....	116	9	Ohio.....	62	
Three months.....	617	17	New York.....	57	
Four months.....	218	28	Iowa.....	52	
Six months.....	4219	31	Illinois.....	48	
Eight months.....	230	33	Indiana.....	38	
Nine months.....	1821	30	Pennsylvania.....	27	
Ten months.....	122	41	Ireland.....	27	
One year.....	9723	32	Missouri.....	22	
One year and five days.....	124	37	Kentucky.....	13	
One year and thirty days.....	125	31	Virginia.....	13	
One year and two months.....	126	27	Germany.....	9	
One year and three months.....	527	15	England.....	11	
One year and four months.....	128	17	Massachusetts.....	10	
One year and six months.....	4029	18	Wisconsin.....	9	
One year and eight months.....	430	14	Canada.....	8	
One year and nine months.....	131	16	Maryland.....	9	
One year and ten months.....	232	8	Scotland.....	7	
Two years.....	8933	6	Tennessee.....	8	
Two years and three months.....	134	4	Michigan.....	7	
Two years and four months.....	135	10	Sweden.....	7	
Two years and six months.....	836	9	Vermont.....	5	
Two years and nine months.....	137	4	Minnesota.....	5	
Three years.....	6838	6	Louisiana.....	4	
Three years and four months.....	139	1	Norway.....	3	
Three years and six months.....	340	7	New Jersey.....	3	
Four years.....	2641	3	Arkansas.....	2	
Four years and eight months.....	142	6	Switzerland.....	2	
Five years.....	2243	2	Mississippi.....	2	
Six years.....	944	2	Rhode Island.....	2	
Six years and six months.....	145	3	Connecticut.....	2	
Seven years.....	446	2	Nebraska.....	2	
Eight years.....	647	2	Alabama.....	1	
Ten years.....	848	4	United States.....	1	
Ten years and six months.....	150	1	Isle of Man.....	1	
Twelve years.....	151	2	Georgia.....	1	
Fifteen years.....	152	1	Wales.....	1	
Fifteen years and six months.....	153	4	Texas.....	1	
Twenty years.....	254	1	New Hampshire.....	1	
Twenty-five years.....	356	2	Maine.....	1	
Life.....	658	1	Cherokee Nation.....	1	
	64	1	Long Island.....	1	
		1	Delaware.....	1	
			Prussia.....	1	
			Born at Sea.....	1	
	489			489	

STATEMENT OF OCCUPATION OF PRISONERS.

Received from November 1, 1875, to September 30, 1877, inclusive.

OCCUPATION.	No.	OCCUPATION.	No.	OCCUPATION.	No.
Laborers.....	305	Cigar makers.....	2	Coal diggers.....	1
Farmers.....	17	Gas fitters.....	2	riapo tuner.....	1
Painters.....	15	Brick layers.....	2	Sash makers.....	1
Blacksmiths.....	12	Plumbers.....	2	Music teacher.....	1
Barbers.....	11	Polishers.....	2	Silver smith.....	1
Engineers.....	7	Druggists.....	4	Broom maker.....	1
House wives.....	6	Cooks.....	2	Marble cutter.....	1
Machinists.....	6	Coopers.....	2	Varnisher.....	1
Carpenters.....	6	Moulders.....	2	Fireman.....	1
Plasterers.....	6	Glove cutters.....	1	Physician.....	1
Shoemakers.....	6	Sawyer.....	1	Ship carpenter.....	1
Cabinet makers.....	5	Artist.....	1	Carriage painter.....	1
Masons.....	5	Architect.....	1	Miller.....	1
Bakers.....	5	Shoe cutter.....	1	Glove maker.....	1
Tailors.....	4	Weaver.....	1	Bar tender.....	1
Butchers.....	3	Auctioneer.....	1	Horse shoer.....	1
Turners.....	3	Tinsmith.....	1	Stone cutter.....	1
Printers.....	3	Cigar packer.....	1	Soldier.....	1
Harness makers.....	3	Waiter.....	1	Surgeon.....	1
Railroaders.....	3	Wood engraver.....	1	Sailor.....	1
Miners.....	2	Telegraph operator.....	1	Merchant.....	1
Clerks.....	2	Brick layer.....	1		
		Total.....			489

STATEMENT OF PLACE OF CRIME.

COUNTY, ETC.	No.	COUNTY, ETC.	No.	COUNTY, ETC.	No.
Lee.....	41	Cass.....	9	Linn.....	3
Polk.....	38	Marion.....	7	Union.....	4
Dakota.....	37	Henry.....	6	Greene.....	2
Marshall.....	23	Davis.....	6	Crawford.....	2
Muscatine.....	20	Madison.....	5	Adams.....	2
Des Moines.....	19	Clinton.....	9	Jefferson.....	2
Jasper.....	15	Mills.....	6	Plymouth.....	2
Pottawattamie.....	15	Montgomery.....	4	Van Buren.....	2
District of Iowa.....	11	Buchanan.....	4	Guthrie.....	2
Wapello.....	21	Washington.....	4	Clayton.....	2
Story.....	11	Wayne.....	4	Black Hawk.....	2
Hardin.....	10	Cherokee.....	4	Monona.....	1
Mahaska.....	10	Harrison.....	4	Taylor.....	1
Clark.....	10	Fremont.....	4	Wright.....	1
Boone.....	10	Scott.....	4	Monroe.....	1
Dallas.....	8	Louisa.....	5	Iowa.....	2
Warren.....	9	Woodbury.....	5	Sac.....	1
Webster.....	7	Kossuth.....	4	Fayette.....	1
Poweshiek.....	9	Ringgold.....	3	Franklin.....	1
Appanoose.....	7	Adair.....	3	Chickasaw.....	2
Keokuk.....	7	Lucas.....	3	California.....	1
Decatur.....	8	Humboldt.....	3		
		Total.....			489

CRIMES OF CONVICTS RECEIVED.

CRIMES.	No.	CRIMES.	No.
Larceny.....	241	Embezzlement.....	1
Burglary.....	44	Robbery and larceny.....	1
Breaking and entering.....	38	Passing counterfeit money.....	1
Forgery.....	31	Perjury.....	1
Robbery.....	14	Breaking into Post-office.....	1
Assault to murder.....	13	Arson.....	1
Murder, second degree.....	9	Assault to maim.....	1
Assault to kill.....	9	Larceny, and breaking and entering.....	1
Manslaughter.....	8	Bigamy.....	1
Murder.....	8	Counterfeiting.....	1
Obtaining money under false pretense.....	7	Aiding prisoner in attempt to escape.....	1
Larceny from the person.....	7	Perjury and bigamy.....	1
Assault to rape.....	6	Murder and bigamy.....	1
Seduction.....	5	Malicious threats.....	1
Burglary and larceny.....	6	Uttering forged note.....	1
Rape.....	5	Embezzlement and desertion.....	1
Having counterfeit money.....	4	Counterfeiting coin.....	1
Highway robbery.....	3	Uttering as true counterfeit order.....	1
Felony.....	3	Trying to incite persons to perjury.....	1
Assault to rob.....	3		
		Total.....	489

Maximum number in confinement 439
 Minimum number in confinement..... 312
 Average number in confinement..... 372 6-23

First conviction 440
 Second conviction 44
 Third conviction..... 3
 Fourth conviction..... 2
 489

White male..... 453
 White female..... 4
 Colored..... 30
 Indian..... 2
 489

Average age of convicts is 25 years 8 months and 16 days.

Average sentence is 2 years 7 months and 19 days.

Whole number received since the admission of the first convict, September 22, 1839..... 2,554

PHYSICIAN'S REPORT.

HOSPITAL IOWA STATE PENITENTIARY, }
 FT. MADISON, LEE COUNTY, IOWA, October 31, 1877. }

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

DEAR SIR:—In the accompanying table, including the time from April 1, 1876, to October 31, 1877, you will find under each month the number of patients and the different diseases for which they were treated in the hospital of this Penitentiary; also, the number of deaths which have occurred.

The diseases during this period were of a more malarious and malignant form, than at any other such period, and consequently the mortality was proportionately greater.

Many causes united to produce such a result.

The surrounding country of the Penitentiary was at the same time visited with the same diseases and the mortality outside of the prison was as great in proportion to the number of cases, if not greater.

Another cause of the spreading of diseases in the Penitentiary, was found in improper ventilation of the cell-room, caused by the building of an addition to the same.

The north side of the cell-room, and there mostly the upper ranges, furnished the most patients, while the prisoners on the south side of the cell-room, where light and sun could enter, were comparatively free from disease.

At my suggestion you had the ceiling over the cells removed with a marked benefit to the sanitary condition of the prisoners.

No hygienic or sanitary measures, to save the prison from a more unfortunate result, were neglected as far as our means would permit, and I have visited the prison for this purpose often three and four times daily, and very frequently during the night.

Permit me to thank you and your deputy for the zeal, with which you made my arduous duty easy and pleasant, in carrying out my suggestions and supplying all the wants of the sick and healthy.

It is also my duty to mention the untiring attention and faithfulness of my hospital steward, J. V. R. Lyman, whom many persons will recollect as a good samaritan.

The principal cause of the above stated unhealthy condition of the prisoners, especially those who sleep on the north side of the cell-room, still exists and cannot at present be changed. The prison-yard is filled up with many and high buildings, and surrounded by a high wall, both of which prevent the needed circulation of the air within the yard, which air becomes impure and contaminated with poisonous gases through the different coal fires, engines, and the gas-works. This can only be remedied by extending the prison walls and giving more yard room.

Another evil is that from the insufficient number of cells two prisoners have to sleep in a cell intended for one only.

The table contains only the cases, which have been treated in the hospital, when the patients were not able to perform their work. At the regular sick-call every morning, more than 4,000 prescriptions were made from the 1st day of April 1876, to the 31st of December 1876, or an average of sixteen daily; from January 1st to October 31st, 1877, 7,600 prescriptions were made, or an average of twenty-five daily, giving in the first instance, with the average number of prisoners 384, 5½ per cent; in the second instance 6½ per cent. The mortality has been 2 1-12 per cent. yearly.

Taking into consideration that for very slight complaints, and frequently for feigned diseases (in expectation of being excused from work) medicine is asked for; that so many wounds and injuries occur here, which require to be attended for many days; that many prisoners having led a life of dissipation and exposure, come here with broken down health and constitution, this is not a bad result, and speaks well for the general management of this prison.

The greatest mortality has occurred among those prisoners who were taken sick shortly after their arrival. Depression of mind and despair having a very deleterious influence on the result.

For the first time since the building of this prison, there has to be recorded the birth of a child by a female prisoner, who was sent here for six months from Marion, Linn county, and another birth of a child is to be expected soon of a prisoner, who is sentenced from Davenport to six months confinement in this prison.

There are at present seven (7) female prisoners and one child of a few months of age, confined in two rooms. Under ordinary circumstances, and when they are all well, this would be room enough, but if any should get sick, it would cause a great deal of inconvenience.

When the prisoner was confined your kind and generous lady furnished one of her own rooms, bedding and necessary attention to mother and child. But this cannot be asked again.

I would, therefore respectfully draw your attention to the necessity, that there should be an appropriate room for a female hospital.

During the eighteen months ending October 1, 1877, six insane convicts have been sent to the Insane Asylum.

Respectfully submitting this report,

I remain yours truly.

AUGUSTUS W. HOFFMEISTER, M. D.,

Physician and Surgeon to Iowa Penitentiary.

TABLE,

Showing the Diseases Treated in the Hospital of the Iowa State Penitentiary at Fort Madison.

NAME OF DISEASE.	1876.												1877.												Total.	Deaths.
	April.	May.	June.	July.	August.	September.	October.	November.	December.	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.							
Febris, intermittent.....	1	1	1	1	1	3	4	1	1	1	3	2	2	1	2	1	6	4	32							
Febris, bilious.....	1	1	1	1	1	2	1	1	1	1	3	1	1	1	1	1	4	1	15							
Febris, typhoid.....	1	1	1	1	1	1	1	1	1	1	2	1	1	1	1	1	1	1	9							
Erysipelas.....	3	1	1	1	1	1	1	1	1	5	2	3	3	1	1	1	1	1	20							
Neuralgia.....	1	2	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	7							
Headache.....	1	1	1	1	1	1	1	1	1	5	1	1	4	1	1	1	1	1	30							
Pneumonia.....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	4	12	6	50							
Typh. Pneumonia.....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	3							
Bronchitis, cough, etc.....	1	1	1	1	1	1	1	1	1	4	4	1	1	1	1	1	1	3	26							
Pleuritis.....	1	1	1	1	1	1	1	1	1	3	3	2	1	1	1	4	1	1	19							
Hæmoptysis.....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	6							
Phthisis, pulmon.....	1	1	1	1	1	1	1	1	1	2	2	1	1	1	1	1	1	1	7							
Asthma.....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	2							
Tonsillitis.....	1	1	1	1	1	1	1	1	1	4	1	1	1	1	1	1	1	1	10							
Diphtheritis.....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	4							
Status Gest, and bilious.....	7	6	3	6	1	6	1	3	2	6	6	3	2	2	3	9	13	5	102							
Diarrhoe, acute.....	4	1	9	3	9	5	1	1	1	1	1	1	1	1	1	12	15	7	73							
Diarrhoe, chronic.....	3	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	2							
Dysentery.....	3	1	2	4	1	1	1	1	1	1	1	1	1	1	1	5	8	1	23							
Fistula in ano.....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1							
Hæmorrhoides.....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	9							
Colic.....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	2							
Peritonitis.....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	2							
Splenitis.....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1							
Orchitis.....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	2							
Tape worm.....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1							
Heart disease.....	1	1	1	1	1	1	1	1	1	1	2	1	1	1	1	2	2	1	9							
Aneurism aorta.....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1							
Epistaxis.....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	2							
Anæmia.....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	4							
Debility.....	2	3	1	2	1	1	1	1	1	1	1	1	1	1	1	2	1	1	15							
Rheumatism.....	3	1	1	1	1	2	1	2	1	2	3	2	2	1	1	1	1	6	30							
Scrofula.....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	2							
Syphilis.....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	2							
Epilepsy.....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	3							
Pistula maligna.....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	2							
Boils, carbuncle abscess, felon.....	2	11	2	2	6	2	4	2	3	1	4	4	3	6	4	3	5	6	70							
Burns.....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	3							
Scabies.....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1							
Diseases of eye.....	1	2	4	3	2	3	1	2	1	1	1	1	1	1	1	4	3	2	37							
Wounds and injuries.....	5	6	5	2	5	7	3	2	8	5	6	3	8	7	2	1	5	10	93							
Insanity.....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	5							
Mental depression.....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	4							
Onanism.....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	5							
Eczema.....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	3							
Hydrophobia spontanea.....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1							
Apoplexia.....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1							
Overheated.....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	12							
Ischuria.....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1							
Urticaria.....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1							
Spasm.....	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1							
Other diseases.....	11	10	16	26	20	13	12	10	14	13	28	15	14	13	12	11	12	19	8							
Total.....	51	42	62	60	60	43	40	38	42	51	76	47	54	42	38	66	91	72	1025							

AUG. W. HOFFMEISTER, M. D.,

Physician and Surgeon to Iowa State Penitentiary.

CHAPLAIN'S REPORT.

FORT MADISON, IOWA, Oct. 1, 1877.

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

SIR:—The care of the religious and educational interests of our convicts, during the period covered by this report, has involved a weighty responsibility, which I have diligently and prayerfully endeavored to meet.

The prosecution of my work has been attended with much that has been trying to both the flesh and the spirit. It has had its difficulties, and, in the downfall of men from whom I hoped for better things, its painful disappointments; and yet it has been a work full of encouragement, and full of intense enjoyment.

The ministry of comfort to stricken hearts, of good cheer to the discouraged, of brotherly sympathy to the sick in body or the wounded in spirit, is a happiness which is not marred in its purity, nor necessarily lessened in its measure, by the fact that the subjects of such ministry have been grievous offenders.

The experience of the past twenty-three months has furnished constant occasion for devout gratitude to the Father of Mercies for the measure of success that has attended the humble efforts put forth in His name, and has served more and more profoundly to impress me with a sense of the necessity for, and the value of well directed christian exertion for the uplifting of the class of men for whom, in the providence of God, I have been called to labor.

Two serious misapprehensions exist in the minds of many with regard to this kind of work; the first as to the men confined in penitentiaries, and the second as to the relation which convicted criminals sustain to society at large. On the first point, it is virtually assumed that convicts are "all of a piece," whereas, as a matter of fact, there are at least two distinct classes, the dividing line between which is clearly defined. Men who have followed crime as a profession constitute one class, and those whom professional criminals have made

their dupes, and used as "cat's paws" in the perpetration of a single crime, as well as those who have, in a momentary burst of uncontrollable passion, committed an unpremeditated crime, constitute the other class. The first class are usually so destitute of any moral sub-stratum accessible to ordinary means, that the work of building up a new character that will bear testing is, with them, a difficult undertaking; yet some, even, of these, have been soundly converted, and saved to society and to themselves, as their restoration of stolen property, and their subsequent uprightness, clearly attest. The other class are anything but hopeless subjects for reformation. A considerable percentage of them are reformed as things now are; and from three-fourths to nine-tenths might be reclaimed under more favorable circumstances.

I am encouraged by the fact that in the Iowa Penitentiary the majority of the convicts are not professional criminals. The fact that large cities are the nurseries of professional crimes, and that Iowa has no large city is the probable explanation of this hopeful state of things.

The age at which most of our men are committed affords an additional ground of encouragement. I find that over fifty-four per cent. came to us between the ages of sixteen and twenty-four; over fifty-eight per cent. between sixteen and twenty-five, and over seventy-five per cent. between sixteen and twenty-eight.

The second popular misapprehension to which I have desired to call attention, and which accounts for the lack of a more general interest in the reformation of convicts, is the tacit assumption that convicted criminals are safely locked up in the penitentiary where they can do no harm to any one, and that the public and even christian workers can afford to be indifferent to them. The real fact of the case is that—convicts though they are—they do not cease to be a part of the circulating life-blood of the body politic. Their stay in prison, as a rule, is very transient. To-day they are in the penitentiary, to-morrow they are again mingling with society, either restored to moral health, to contribute to the general good, or, unrestored, to circulate as a deadly virus, vitiating all the tissues of the social structure. A little more than three-fourths of our men remain in prison less than two years. The great bulk of those who were confined here at the time of my former report are now back again in the general mass. In this view, it is, to our citizens, anything but a matter of indifference, what is being done for the reclamation of those now serving sentences. The penitentiary is to the population of the state what the lungs are to the individual

organism, a place where the vitiated particles can be sent to be renovated, and it is a matter of no secondary importance; but sooner or later a question of absolutely vital interest, whether criminals are or are not made better men by a term of imprisonment.

It devolves upon me, very briefly, to state what has been, and what is being accomplished for the education and moral improvement of our convicts. But before doing this, I feel called upon to say a word as to the condition in which men are brought to us from the county jails. The demoralizing influence of idle months, during which the comparatively innocent and the desperately depraved are huddled together in the narrow limits of a jail, cannot be overestimated. Having little or no employment but such as is afforded by cards and the telling of stories—often obscene in the last degree—and the singing of songs little or no better, recourse is had to something which is, if possible, still worse. The man who is most deeply learned in the dark acts of crime becomes at once the hero and the instructor of the company. Many a boy who, but for this training would never have thought of crime as a profession, is here prepared for and persuaded into a life of infamy. The loathsome condition of personal uncleanness in which men often come to us corresponds only too closely to the filthy and besotted condition of their minds. To these facts I have felt in duty bound to call attention. They are too intimately and vitally connected with my work to be passed over in silence. A remedy ought to be, and can be, devised and provided. But I must speak more especially of matters inside the prison walls.

The past two years have witnessed an improvement in the facilities for carrying on the Prison night school, which is most noteworthy. It is one for which I plead, and you recommended two years ago; and the realization of our hopes is most gratifying to me, and most creditable to the State. I refer, of course, to our neat and substantial school building. There is moral power in pleasant surroundings; and while it is possible for men to resist this as they may all other good influences, the classes which come out night after night cannot but feel the gladdening, and softening, and humanizing influence of our cheerful school room, brilliantly lighted, as it is with gas, and furnished with desks and seats of the most approved pattern. It brings back school days; it speaks of the good will of the State to its erring citizens; it leads men to feel that they can and will begin life over again. The new impetus given to the school by this improvement was simply delightful, and the effect upon the dispositions and manners of the men,

is as striking as upon their intellectual progress. I have often wished that any of our citizens who feel interested in the welfare of the prisoners, could look in upon us as we are engaged at our evening's work.

The school room is furnished with twenty-six single desks. The men attending the school are divided into five grades, which attend school in rotation beginning with the lowest, each grade occupying one evening of the week in recitation, and having the other five evenings for study in their cells, where each has a lamp and his text books, and slate and pencil, and the quiet so necessary for close application.

The men having no time for study during the day, it would not be profitable, even were it possible, for any except the beginners to spend every evening in the school room. Each session is two hours, or a little more in length, and the time is divided about equally between three exercises. The first sub-session of forty minutes is spent in writing, the second is devoted to reading and spelling, and the third to arithmetic.

The men generally manifest an eagerness to learn, and a degree of diligence and patience in applying themselves which is gratifying to witness, and is attended with results very satisfactory, and in some cases very surprising. A large number who could not read a single sentence or form a letter, have learned to read and write quite well, and have made some progress in arithmetic. A few of those who began with their letters have gone through common fractions, and a few others have gone entirely through Ray's Third Part Arithmetic, and would compare very favorably in that branch, with the average applicant for a first grade certificate in any county in the State.

Our school is intended for the more illiterate portion of the convicts, and contemplates nothing beyond a mastery of these elementary branches. It aims, however, to make that mastery in the last degree thorough.

But the acquisition of knowledge is by no means confined to the students attending the night school. The cells are furnished with text books and dictionaries upon request of the occupants, and the Library affords a supply of historical and scientific works in addition to the large number of religious and miscellaneous works.

Of the condition of the Library, I am glad to be able to state that, in some respects, it is better than ever before in the history of the prison. The books have all been newly catalogued during the past year. Nearly two hundred volumes have been added, and all have been neatly covered with good, durable paper. In addition to the

catalogued library, numbering fifteen hundred volumes, we have a collection of books of about half the number, known as the Sunday-School Library.

We have procured recently some of the "Emerson Binders," and are accumulating a supply of bound volumes of magazines. In this form the magazines are likely to last years as easily as they would have lasted months, given out in single numbers as formerly.

For most of these complete series of magazines, and for upwards of five thousand religious newspapers, as well as nearly two hundred Sunday-school books, we are indebted to the zealous and tireless efforts of Rev. W. D. A. Matthews, who is sent out by the Bethel Mission, Chicago, to labor on steamboats and Railroads, and in jails and prisons throughout the valley of the Mississippi. I wish, in this connection, to express my thanks to Dr. J. F. Sanborn, of Tabor, Iowa, for extensive and timely donations of reading matter collected and forwarded by his zeal and care. From the Darrow Brothers, of Corning, Iowa, I am in receipt of regular contributions of most excellent papers and magazines. Thanks are due to Mrs. Arthur Wigert and to Miss Elizabeth Comley, each of whom secured for us a donation from the publishing bureau of the Society of Friends. From Mr. H. Scott Howell, of Keokuk, the men received, a year ago, a Christmas present of two hundred and fifty copies of that valuable and beautiful paper, the *Illustrated Christian Weekly*. We are indebted to the American Tract Society for a duplicate of the above donation at the same time. The American Bible Society kindly donated us one-half the price of one hundred handsome bibles. While returning to these and to the many other friends whose names time would fail me to mention, warmest thanks for their thoughtfulness and zeal in this good work, I can only repeat to them, and to all good people under whose eye this report shall come, the exhortation contained in my last report, namely: "That they abound therein more and more." For while papers will wear out, the demand for reading matter in the penitentiary never ceases. In this connection you will allow me respectfully to recommend that the class of sensational literary papers, heretofore subscribed for by a number of the prisoners, papers largely made up of tales of degraded love and desperate adventure, be wholly excluded from the prison. Tales of lust and blood cannot do otherwise than exert an unwholesome influence upon the minds of those who read them.

Of the Sabbath-school, carried on as a voluntary missionary enterprise by the christian men of Fort Madison, under the leadership of

Hon. J. M. Beck of the Supreme Bench of Iowa, I am sure you have made mention; and I need not multiply words in paying a merited tribute to the zeal and faithfulness of superintendent and teachers. Their works praise them as no words can. And far oftener than they have ever realized "the blessing of him that was ready to perish" has come upon them.

I only regret that there are not others who are like-minded and ready to stand shoulder to shoulder with the faithful few now at work, and supply every class with a suitable and regular teacher.

We continue to use, and with great advantage to the interests of the school, the International Series of Sunday-school Lessons. The men are furnished with the lesson leaves published by the *National Sunday-School Teacher*, of Chicago. For the comfort of both teachers and men, I would respectfully recommend that the chapel windows be provided with outside blinds to exclude the excessive heat of the sun during the summer months, and at the same time admit of a free circulation of air, which the curtains now in use will not permit. The discomfort now experienced during the hot months is so great as to seriously interfere with the successful conduct of the school.

Of the Sabbath morning preaching service, I have to report that it has been but twice omitted during the past two years. The attention is good; and I have multiplied evidence that the truth heard is, by many, pondered well, and by not a few, is put in practice during the week.

Believing, as I do, that "repentance toward God and faith in our Lord Jesus Christ" are the sum and substance of a practical gospel, I have striven simply and solely to lead my hearers to such a reception of the Son of God as a personal Savior that they shall find through Him not only forgiveness for past sins but deliverance from the sinful habits and propensities to which they have hitherto been slaves.

I have so wholly ignored the doctrinal non-essentials with regard to which evangelical christians differ, that most of the convicts are without any knowledge or thought as to the denomination to which their chaplain personally belongs. I have welcomed to the prison pulpit all christian workers, clerical or lay, male or female, who have, in my judgment, been persons so imbued with spiritual and practical wisdom, and with love to souls, that they have been calculated to do real good to those of whose spiritual interests I have the care.

The social meeting, held immediately after the preaching service has nearly doubled in attendance since the date of my last report, and

while it is undoubtedly true that not all who are in this praying band are really of it, yet to those who are thoroughly in earnest, it proves an inestimable blessing. It is the indispensable supplement of the other services of the Sabbath, and by affording the men an opportunity to commit themselves fully upon the side of religion, it verifies and confirms the good impression made in the Sabbath-school and the preaching service.

There are two other means which often prove effectual in confirming the good impressions which the Spirit of God has made in connection with the public means of grace, or the private reading of the bible in the cell, or the earnest reflection which solitude always invites and sometimes compels; the one is personal conversation with the men from cell to cell, which is a very precious work to me, and very profitable to the men; and the other is the selecting and furnishing of religious reading, suited to the several conditions of those with whose peculiar states of mind I became acquainted.

On the day of discharge I ask each man, after he has been set at liberty, to celebrate that event by signing a pledge of total abstinence from that which has hitherto been his enemy, and in many cases the occasion of his falling into crime. About one-half of the discharged men sign this declaration of independence from the tyranny of an appetite for strong drink, and many of them keep it to their own inestimable advantage and to the measureless joy of parents or wives and children.

The last effort which it is in my power to make for the good of our men, is the requesting and seeking to maintain a correspondence with all who are resolved to lead an upright life. Had I space to reproduce some of the letters I thus receive from men who have been at large for months or even years, they would bring tears to the eyes of some, and joy to the hearts of all who should read them. But eternity alone can give us the full list of those who have here been "plucked as brands from the burning."

It is true that these cases of permanent reformation are not nearly so numerous as we could wish, but they are by no means wanting, nor are they few in their aggregate.

I closed my former report with a plea for some means by which employment can be obtained for discharged convicts who desire to be forever done with crime, and to earn an honest living. Without this all our efforts for their reformation are liable, and in many cases likely, to prove abortive. Men who have been born and bred to crime—have

followed it for a livelihood and have never known anything better—must have *help* in entering upon a life of honest industry to which they have hitherto been strangers. If every door to employment is closed against them—as to them often seems to be the case, and they are left to die to all hope, chilled to death by the indifference and heartlessness, not to say suspicion and scorn which have greeted their return to society, their relapse into crime and infamy will not necessarily be evidence of anything insincere or superficial in the reformation which they here professed.

Whether the state ought to make any provision for the carrying on, outside the prison, the same branches of industry which have been learned inside, thus affording a certainty of employment to all who desire it, or whether this must be left to the enterprise or benevolent and far-sighted men of means, I will not assume to say; but one thing I do know, that neither the state nor the individual capitalist can afford to allow men who are desirous of earning an honest living to be *driven*, as they regard it, back into crime.

Of another thing I am sure, namely: that special provision must in some way be made for ex-convicts or many of those honestly desiring employment will fail to find it.

The system of graded prisons adopted by Ireland does for the criminals what the plans I have suggested would do for ours. But the limits of this report will not admit of any discussion of the practicability of plans. I must leave this difficult problem, for the present, to older and wiser heads.

I desire, in concluding this report, to express my indebtedness, under God, to you and to such of your officers as have assisted you, in rendering the discipline of the institution humane as well as rigid—kind as well as firm. I have realized with special distinctness, the past year, the absolute necessity for good discipline as a basis for all successful reformatory work.

The atmosphere of kindly feeling and comparative contentment that has pervaded the institution under your administration has not only earned for you a place in the lasting gratitude of the men who have been under your care, some of whom would almost lay down their lives for you, but the absence of discontent and ill feeling has constituted one of the most important negative conditions for the prosecution of distinctively religious work.

For this, and for any special facilities placed at my disposal by your-

self or the Deputy Warden, and for any assistance rendered in my department by any of your officers or guards, I am heartily grateful.

With devout thankfulness to Him from whom cometh down every good and perfect gift, for whatever of success has attended my efforts,

I am, very respectfully yours,

CHAS. F. WILLIAMS, *Chaplain.*

LABOR COMMISSIONERS' REPORT.

TO HIS EXCELLENCY, JOSHUA G. NEWBOLD, *Governor of Iowa.*

The undersigned, Labor Commissioners of the Iowa Penitentiary, would respectfully report:

The contract mentioned in our last report with O. B. Dodge & Co., was terminated during the winter of 1875-6, by the bankruptcy of the contractors. The other contractors of the prison were severely tried by the contract price, and made such representations to the General Assembly as to induce the members to amend the law by repealing that part fixing a minimum price for the labor, and leaving it with the commissioners, subject to approval of the Executive Council. When we consider the great depression in all kinds of business which has caused such widespread financial disaster, there can be no question but that the minimum fixed by the Fifteenth General Assembly was too high, and that a failure to repeal that part of the act would have resulted in compelling the state to have supported the criminals in idleness for the past two years.

The amended law having authorized the commissioners "to modify or cancel any existing contract in relation to the lease of said convict labor," the contractors at once claimed the benefit of the act and made such representations to your commissioners as to convince them that justice to the parties interested demanded a reduction. The contractors demanded, and for a long time refused to accept any terms which put the labor at anything above forty cents per day, per man. They could show that labor was even below that price in some other prisons, but your commissioners believed that to be too great a reduction, and refused to comply with the demands. It was finally agreed to reduce the contract price of the Iowa Farming Tool Company to forty-eight (48) cents per day, and of the Ft. Madison Chair Company to forty-six (46) cents per day, per man. The Farming Tool Company thought, and still claim, that this was an unjust discrimination against their contract, and as this question will probably be brought before the General

Assembly, we would state the following, among other reasons, for the so-called discrimination:

The work is much harder on the men, and exposes them to more danger of being injured; and

2d. It requires more room to the man than any other business, so that taking into consideration the character of the labor, and the facilities granted for working the men, it was no more than a proper regard for the best interests of the state which led us to make the difference in price.

In consideration of the reduction, the commissioners further required each contract to take additional men at the reduced price, and contracted with the Farming Tool Company for the labor and services of fifteen (15) additional men, and the Chair Company contracted with the state for twenty-five (25) additional men.

The act of the Sixteenth General Assembly provided that "the labor of the convicts of said penitentiary shall be leased by said commissioners at such rates and for such time as they shall deem for the best interest of the state." Taking the act as it stood, we considered the best interest of the state would be served by making contracts for ten years, and so made leases for that term. The Executive Council found that the title of the act of the Sixteenth General Assembly only proposed to amend section four of the original act, and so raised the question as to whether the state could contract for a longer term than five years. For this reason the contracts were amended so as to run for five years from the 20th day of April, A. D., 1876. Still having a large surplus of men idle, your commissioners at once proceeded to the task of leasing them. Several parties were induced to investigate the subject of prison labor, and finally Huiskamp Brothers, of Keokuk, made certain proposals for the labor of fifty men to be employed in the manufacture of boots and shoes. Your commissioners were not willing to lease so small a number of men with the room they required. After repeated conferences, a contract was made with these parties for the labor and services of sixty-five (65) able-bodied men at forty-three cents per day, per man. For the use of this labor, shops Nos. 10 and 12, and half of 11, were given. The contract is for five years from the 20th day of April, A. D., 1876. We feel that in securing this contract the best interest of the state was served, if the price is lower than at that time was considered the value of the men. The contractors are men of ample means, well established business, and high character. The contract introduced a permanent business which was hitherto un-

tried. The Dodge contract was for boot and shoe pacs, while this is for the manufacture of boots and shoes, being an entirely different business.

The contractors have been able to make a success of their contract from the beginning, and will certainly want more men with the revival of business. They have stated to us that if room can be furnished they can work a much larger number of men than they are now working. As a matter of fact this contract has employed from ten to fifteen more men than called for by their contract.

Parties in Burlington and Keokuk were anxious to get all information possible relative to employing prisoners in the manufacture of cigars. After considerable delay we finally leased ten men to Edward Ruhl & Co., of Keokuk. They were worked in a small part of the old hospital room, and we hoped this small contract would prove the introduction of a profitable branch of industry. Want of means on the part of the contractors caused this contract to be of short duration, and the men were again thrown on the state. During the summer and fall of 1876, it became necessary to look after the Chair Contract. One of the original bondsmen, J. W. Ellis, had become bankrupt and we required a new bond. The situation of the contractors at this time made it difficult to secure from them a good bond. In October, 1876, J. B. Glenn, of Bloomfield, purchased a half interest in the business and finally succeeded in giving a satisfactory bond. In February, 1877, Mr. Glenn was proven to be totally insolvent and we were compelled to take active measures to protect the state. Mr. Johnson, the other party in interest, was struggling to keep the contract going, and your commissioners felt that almost anything would be better than have all these men thrown on the market, and worked to assist him so far as their official obligations would permit. Through commissioner Campbell's efforts, Messrs. Smith and Harrison were induced to take hold of the contract in consideration of the state reducing the price to forty-three (43) cents per day, and making a new contract for five years from the 1st day of April, A. D., 1877. Believing it was this or have the labor idle, bringing no revenue, the old contract was cancelled and a new one written up in accordance with these agreements, which was approved by the Executive Council.

Messrs. Smith and Harrison have had large experience in handling prison labor, especially in this branch of business. They were also possessed of ample capital to insure the success of the contract and relieve the commissioners of all anxiety in regard to the payments due the state.

There has been a large surplus of men in the prison at all times during the past two years. The lapsing of the Dodge contract was a source of great expense and loss to the state. On account of the failure of contractors, and the time granted new contractors to commence business the Warden has labored under great disadvantages and the prison authorities have been put to great trouble and annoyance on account of an insufficient revenue. It was thought at the time of making our last report that the prison would be self-supporting in the future. If the contracts could have been kept in force at sixty (60) cents, and the same revenue continued from the United States, this would certainly have been the case, but the review of our work heretofore given reveals the fact that the depression in financial affairs, which has affected most seriously all manufacturing interests, together with the fact that all source of revenue from the United States was cut off by removal of United States prisoners, has caused our predictions to fail. These causes make the prison a petitioner to the General Assembly for an appropriation to pay indebtedness incurred to meet current expenses. The general management of the prison, so far as it has come under our observation during our official connection with it, has been remarkably successful. The Warden has been active and zealous in caring for the criminals committed to his care in maintaining discipline and administering impartially on the contracts in force. Believing that punishment should be reformatory in its character, he has sought by his wise management to make the convicts desirous of becoming better citizens. While disposed at all times to be merciful, he has not hesitated to subdue refractory inmates by prompt and effective measures. In this branch of his duties he has had the active and efficient co-operation of the Deputy Warden and Chaplain. The result is a most satisfactory discipline by which all the internal workings of the prison are satisfactorily carried on.

After giving the subject careful consideration, your commissioners have been led to the conclusion that an office of such great importance and responsibility as that of Warden should have more certain tenure than at present, if a good officer is selected to fill the position; and more swift removal if an inefficient officer should be chosen. Believing this, we would suggest that the best interest of the state would be promoted if this office should be made appointive and the term at least four years, if not sooner removed by cause. Other states with criminal interests of much greater magnitude than Iowa have adopted some such suggestions as these.

In Illinois the state has a permanent Board of Commissioners, who exercise a general supervision over the prisons of the state. The Governor appoints the Warden and the Commissioners can remove him for cause.

In Ohio the Warden is appointed by a Board of Commissioners, or Directors, and can be removed by the same body for cause.

In the latter state the term of office is for three years, unless sooner removed.

In both states the Board of Commissioners exercise a general supervision over the general management of the prison, and relieves the Warden of much responsibility. By this means, Deputy Wardens and efficient employees are continued from year to year, until their services become invaluable to the state.

In Ohio, under this kind of government, the Columbus prison has retained the services of Deputy Warden Dean for the past twenty-six years. Under our present law a change in the office of Warden is the occasion for a thorough revision of the official force—the removal of tried and true men, and filling their places with new and untried officials.

A careful comparison of the methods and results in other states will enable the legislature to make many improvements in the management of our prisons. We have thrown out these suggestions to induce the proper committees of the General Assembly to investigate this important question.

In New York, Col. Pillsbury, of Albany, who has charge of the prisons of that state, has effected a marked improvement in the prisons since last April.

In the event of any attempt to improve our laws relative to the government of prisons, it would be advisable for the proper committees of the General Assembly to have his report.

We are satisfied the General Assembly did wisely in striking out the minimum. If it is fixed too high, the effect is to keep the labor idle and unproductive, and if too low, the contractors make use of it as the expressed opinion of the law making power as to the value of the labor.

In Ohio, the prison has heretofore been a source of revenue to the state, but this year, Warden Grove writes us: "We, this year, will only come out even, owing to the fact that we are limited to a minimum price for our labor, and it is too high for the depressed condition of trade. We could, I think, contract our labor for fifty cents per

day, seventy cents being the minimum, which seems to be too high, and therefore leaves about one thousand unprofitable men on our hands who are to be kept on the labor of about four hundred and fifty, which condition will sink any prison financially."

It seems to us this fully sustains the argument in favor of leaving the contract price in the discretion of the commissioners, subject to the approval of the Executive Council.

Your commissioners would further call your attention to the present method of heating the prison. There are in the various departments of the institution thirty-four coal stoves, nineteen wood stoves, two steam boilers and bake oven and cook range, costing each year large sums for fuel and requiring a large amount of labor to saw wood and keep up fires. A large saving would be made by heating the entire range of shops, cells and Warden's house by steam. In addition to the amount saved, this improvement would materially diminish the danger from fire.

A much needed improvement in the prison, and one to which the Warden has doubtless called your attention, is the construction of a thorough system of sewerage. When the prison was in its infancy, and the number of inmates few, the state could depend on vaults, but that day is past. During the past summer it became absolutely necessary to provide temporary relief for the prison, and there was no legal way of making such provision. With the number of inmates now in the prison, a vault soon became a nuisance and the stench insufferable. It breeds disease, and every consideration of economy and humanity demands a change in the present system of sewerage. A new vault will cost at least seven hundred dollars, and will afford but temporary relief. The Mississippi river furnishes an outlet for a good sewer, and the legislature should make an appropriation sufficient to at once construct a sewer large enough to carry off the waste and fetid matter of the prison.

Another improvement imperatively demanded, is raising the roof of the cell room to such height as will enable the state to add a fourth tier of cells whenever it becomes necessary. The necessity for immediate action arises from the fact that the present roof rests on the upper tier of cells, and the heavy timbers, thoroughly dried, are a constant menace to the prison and lives of the inmates. If a fire should break out in this room it would involve a terrible loss of life and property.

Another matter to which we desire to call your attention is the rapid increase of the criminal classes. The number of prisoners in the Fort

Madison penitentiary has increased since our first connection with the institution in 1874, from two hundred and seventy-three inmates to four hundred and thirty-nine. Of the two hundred and seventy-three confined at Fort Madison in April, 1874, about fifty were United States men and not properly chargeable to Iowa. At that time there were but few men confined at Anamosa, while there are about one hundred and sixty men now confined at the additional prison. In the two prisons there are about six hundred convicts, the number varying each month. This number is all chargeable to the State of Iowa, as all the United States men have been removed to other prisons. It will thus be seen that in less than four years the convicts have more than doubled in number. As the population of the state becomes more dense this ratio of increase will probably continue. It therefore becomes imperative on the part of the state to make provisions for properly and securely caring for this dangerous class. With the present number of prisoners, the greatest difficulty we have had to make contracts, was a want of sufficient room. If we could furnish shop room to profitably work the men, there would not be an idle man in the prison to-day. During the summer of 1876 your commissioners transferred ten men to the Additional Penitentiary, and early in the fall of 1877 made an order for the transfer of fifty convicts from Fort Madison to Anamosa. The Executive Council decided that they could not be profitably employed on the works of the additional prison, and so refused to approve the last order.

We omitted to mention in the proper place that on the 8th day of June, A. D., 1877, we concluded a contract with Huiskamp Brothers for the labor and services of fifteen additional men to be employed in the same business as the original contract. There are now contracted in the prison two hundred and eighty-six men. There is very little shop room now available in the prison. Unless a contract for manufacture of cigars or tailoring can be made, it will be impossible to contract for any business in addition to that now carried on. Parties from Illinois have been investigating the facilities we can offer them for the employment of fifty men in tailoring, and if they can make satisfactory arrangements, will probably contract for that number of men.

Respectfully,

H. W. CARTWRIGHT,

J. W. CAMPBELL,

J. A. T. HULL,

Labor Commissioners.