

For a detailed account of condition of the Institution, we would refer you to the report of the Trustees and Superintendent of the Home.

Submitted.

B. F. MURRAY,
On part of the Senate.

A. JOHNSTON,
F. A. BLAKE,
On part of the House.

BIENNIAL REPORT

OF THE

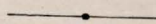
WARDEN

OF THE

STATE PENITENTIARY

TO THE

GOVERNOR.



DES MOINES:

G. W. EDWARDS, STATE PRINTER.
1871.

WARDEN'S REPORT.

WARDEN'S OFFICE, IOWA STATE PENITENTIARY. }
FORT MADISON, November 1, 1871. }

To His Excellency, Samuel Merrill, Governor.

SIR.—In accordance with law, I have the honor to submit herewith my biennial report of the affairs of this prison, together with the regular financial statements, and such facts connected with the government and discipline of the institution as may be of value to the Executive of the State, the General Assembly, and the public. Suggestions also, in regard to the present and probable future wants of the prison, as appear to be directed by sound judgment and wise economy will be found in their proper place in the Report.

Two years ago there were present, according to the official report then made, two hundred and twelve (212) convicts. At this date, there are in confinement here, two hundred and seventy-three (273) convicts. The highest number present at any one time during the biennial term, was two hundred and eighty-eight (288), being only twelve less than was surmised by my last report might need the control of the institution before the next meeting of the General Assembly. The number of persons confined in the prison for the past thirteen years respectively is shown by the following table:

1859	122
1860	123
1861	118
1862	81
1863	70
1864	70

1865	87
1866	117
1867	180
1868	216
1869	230
1870	245
1871 thus far	288

It thus appears that, except for the period embraced by the late war, the number of convicts steadily grows with the growth of the State in population and wealth, though happily, at a less rapid rate. The number of cells now prepared for occupancy is three hundred and eighteen (318), being but thirty (30) more than have been occupied during the year. I need hardly add that an enlargement of the prison, with a greater capacity of cell-room, will be an absolute necessity before the meeting of the next General Assembly, unless the policy of at once providing for another institution of the kind should be adopted.

FINANCES.

The financial operations and present situation of the institution are very clearly set forth in the official statement of the Clerk of the Penitentiary, Mr. Charles Hilles, which will be found appended to and making its appropriate part of this report. An examination of the various tables in the Clerk's statement will show an economical administration of the affairs of the prison, and of the control of the additions and improvements thereto, made during the course of the biennial term. From the appropriation for the general support of the penitentiary there has been drawn for expenditure upon the convicts only the sum of one thousand eight hundred and twenty-seven dollars, and fifty-nine cents (\$1,827.59); and this would not have been necessary, but for the fact that during a considerable period many of the convicts were necessarily idle, by reason of the want of bidders for their work, as will be presently set forth at length. It will be observed, also, by the financial statement, that there remains on hand a large unexpended balance for future use. It may be proper to add, however, that the

supplies of all kinds of clothing, shoes, bed linen, etc., for the prisoners, are sufficient for many months to come; so, also, are supplies of vegetables and salt meats; breadstuffs and fresh meat alone being all that will be required to be bought for several months. It may be safely said that the prison, as to all ordinary current expenses, including in that phrase, the expenses of ing for the convicts, officers' salaries, and the repair of the prison for necessary wear and tear, would be self-supporting, with a good contract for the labor of the convicts over and above those called for by the contract of November 1, 1864.

For this surplus labor, a better bargain can undoubtedly be made, by means of which with wise management, the prison may be made self supporting. The receipts from the labor of convicts during the past twenty-four months, have been as set forth in the following table:

November, 1869	\$1,801.28
December, 1869	1,857.75
January, 1870	1,844.39
February, 1870	1,915.56
March, 1870	1,899.37
April, 1870	1,885.74
May, 1870	1,953.43
June, 1870	1,953.15
July, 1870	1,717.39
August, 1870	1,979.96
September, 1870	1,936.40
October, 1870	1,958.58
November, 1870	2,086.44
December, 1870	1,916.23
January, 1871	2,066.27
February, 1871	2,021.50
March, 1871	1,833.95
April, 1871	1,765.79
May, 1871	1,901.71
June, 1871	1,665.66
July, 1871	1,706.90

August, 1871.....	\$ 1,953.75
September, 1871.....	2,155.73
October, 1871.....	1,997.51
	<hr/> \$45,774.44

Further details in regard to the financial operations of the institution will be found particularly set forth in the Clerk's statement from the books of the office.

ADDITIONS AND IMPROVEMENTS.

The addition of fifty-two (52) new cells to the prison, has been the most important, perhaps, of the improvements of the time which has elapsed since my last report. For this addition to the capacity of the prison there was appropriated by the last General Assembly, the sum of six thousand dollars, which, with the money on hand applicable to this purpose, was found sufficient to construct the cells not only, but to renew the worn-out concrete pavement of the whole cell-room with a substantial pavement of stone, and to build a sidewalk from the north to the south side of the prison yard, in place of the one of brick, which had become almost entirely useless. The new cells are of the best kind, and it may be stated that the entire cell department of the prison is in excellent condition, except that some of the locks which have been many years in use, need to be replaced. It cannot be long till they will be practically worn out and useless. The stone pavement which replaced the old concrete floor of the cell room was chiefly made by the labor of convicts, the only cost being that for the rock. It is a permanent and valuable improvement.

THE HOSPITAL.

The sum of two thousand five hundred dollars, in addition to the balance of between six and seven hundred dollars on hand, was appropriated for the completion of the Hospital building, in place of the one destroyed by fire in the summer of 1868. The work was speedily completed, and the structure is one of the best of the kind in the country. By a judicious use of labor, however, and constant watchfulness against an extravagant use of the public

money, the building was finished, complete throughout, by an expenditure of one thousand eight hundred and two dollars and forty-nine cents, (\$1,802.49.) This building embraces cook and dining-rooms, store rooms (in basement) for food, chapel, and hospital proper. The dining-room and chapel are very extensive apartments, each having every appropriate convenience. The library of the prison is also in this building—a pleasant apartment, containing nearly two thousand volumes of books, which are an undoubted source of pleasure and profit to the unfortunate men here suffering the penalty of violated law. It is here proper to remark that the appropriation of the last General Assembly for additions to the library was judiciously expended under the direction of the Hon. J. M. Beck, Judge of the Supreme Court of the State, and the Chaplain of the Penitentiary. In addition, some two hundred dollars were expended for the same object from a fund collected from visitors, and which is by law devoted to this purpose.

There have, of course, been a number of minor improvements and many repairs made during the term embraced by this report. Much of this work has been done by convicts, at no cost of money to the State.

NEEDED ADDITIONS AND IMPROVEMENTS.

From what has already been said it might well be inferred that the Iowa Penitentiary has become an institution of very considerable magnitude and importance, the control of which is a position of grave responsibility, and required constant attention and vigilance. So far as it goes, it is now one of the best State prisons in the country. It is strong, and the different departments are well arranged and well constructed. It may with perfect safety be said that there are few State institutions anywhere where so much has been done—so much building and rebuilding—for so little money. The most rigid examination will show that there has been no extravagance and no waste; that the property of the State in charge of this office is worth every dollar it cost. Nevertheless, it is plain that the capacity of the prison will very soon be exhausted, and must be enlarged, unless another institution of the kind be speedily built in some other town or city of the State. Indeed, the great

inconvenience against which we have at present to contend is the want of sufficient room. For the number of men already here, the grounds of the prison, with the work-shops, are not sufficiently extensive to secure for the State the best and most economical management of the convict labor.

In my reports of 1867 and 1869, the extension of the prison walls was advocated, as a then apparent future necessity. This extension cannot longer be delayed with safety. West of the present walls, the State now owns the land to a distance of two hundred and thirty-five (235) feet. Still further west a distance of one hundred and fifty (150) feet, the land might be bought at a cheap price. With the walls extended westward thus far the prison would be as large as it ought ever to be, and would, doubtless, with the addition of cells, etc., within, from time to time, as the number of convicts should increase, supply any demand of the State in this particular for at least half a century. That it would in the long run be an economical outlay for the State now to extend the walls as here suggested, I have no doubt whatever. There is already a surplus of convict labor over that required by the principal contractors. This is constantly increasing. More favorable contracts for this labor can be had where there is ample room for work-shops and machinery. If there be not such room, it will be a simple impossibility for the State to secure very favorable contracts for its convict labor. And as this is constantly and rapidly increasing, so is the argument for the addition to the prison here suggested constantly gaining in force. It would already appear to be irresistible to all who are familiar with the institution, and the present and increasing demands that must be made upon it for the care and labor of convicts. For this extension of the walls careful estimates show that the cost would be about as follows: Four thousand five hundred and thirteen (4513) perch of stone, about \$9,000; mason work, \$9,000; grading and filling grounds, \$5,000. In all, \$23,000. If the mason work were done by convicts, that item of the expense would be very much less. Should the General Assembly not make the needed appropriation for the extension of the walls, it will, in my judgment, be absolutely necessary to provide for a new penitentiary at some other place in the State. Due

regard being had to health and humanity, but few more men can be confined in this prison with its present capacity. Nevertheless, it is certain that before another prison could be constructed and ready for the reception of convicts, there will be more here than there is now cell room for. An addition to the cell-room is, therefore, a necessity, unless the plan be adopted of putting more than one man in a cell, an alternative that all who understand the nature of such an institution as this will agree would be unsafe and unwise. The present cell-room can be extended westward, occupying the room of the old warden's house within the walls, and giving space for about one hundred cells. The estimated cost of this extension of the cell-room and construction of the cells is twenty-one thousand dollars (\$21,000), which estimate is based upon the supposition that much of the work can be done by convicts. Otherwise, the expenditure would necessarily be twenty-five or twenty-six thousand dollars.

HEATING AND LIGHTING THE PRISON.

It would be wiser and more economical, if the prison were heated and lighted upon a better system than that in use at present. Upon the subject of heating the prison, I made the following statements in my last report, and regard them as at least equally applicable now:

"Some three years ago the main prison, containing the cells was supplied with four furnaces wherewithal to heat the main apartment and the cells in the midst of it. This was a very great improvement on the mode of heating previously in use. The difficulty has been, however, that the upper story of cells has been easily heated, the lower story has not been, except with the result of making the upper story too hot for comfort. The result of ordinary fires was a remarkable instance of furnaces blowing hot and cold at the same time. Now that the principal apartment has been lengthened by one hundred and twenty-five feet, the furnaces will be entirely insufficient for the purpose of equally heating it. Instead of furnaces, however, heating apparatus like that in use at the Hospital for the Insane, at Mt. Pleasant, would be far preferable, and in the end cheaper. The heat is supplied by an engine, with boiler especially constructed for the formation of steam rapidly. The engine and boiler, with house for inclosing them, would cost about three thousand five hundred dollars. The cost of the pipes for

conducting the heat around the cell-rooms, and wherever it might be needed, would depend, of course, upon the quantity that might be required. The same machinery might thus be made to heat not only the main prison, but the turnkey's office, the office of the Warden, the dining-room, chapel, and room for the sick in the hospital-building, and the office of the Deputy Warden in the midst of the prison yard. The saving in the cost of fuel now used in all these rooms, by their being heated from a common source, would doubtless pay for the cost of the heating apparatus here recommended in a very few years. Another strong argument in favor of this recommendation is, that the same engine might also supply the laundry with steam for washing purposes, to the great saving of time and money."

The penitentiary has been lighted at night for many years with kerosene oil. It is not a little dangerous, and none the less so because, for economy sake, the oil is purchased in considerable quantities and stored within the prison walls. It would be a saving of money for the State to have erected here gas works, such as are used in many hotels and public buildings, where there are no regular city gas works. The cost of an apparatus of this kind, which would supply five hundred burners, would be about two thousand dollars. The pipe and burners would cost about fifteen hundred dollars more, making the entire expense thirty-five hundred dollars. The light is better and only half as expensive as kerosene, so that the apparatus would pay for itself in a very few years through money that otherwise will have to be expended for a dearer and more dangerous material.

It will be proper to remark in this connection that the increase in the number of convicts is such as to make necessary an increase in the conveniences for washing and drying clothing. Were the cell-rooms heated on the plan above suggested, the same engine might be used for washing purposes. Its cost, with the necessary fixtures, would be about \$4,500. The cost of a suitable house for boiler, engine, laundry, and bathing house for the men also, would be about \$4,000. I beg leave most respectfully to say that appropriations for these purposes would be made with great propriety and wisdom. That for the extension of the laundry department must be regarded as an absolute necessity.

The "wash" of earth from the hill northwest of the prison would be injurious to the walls of the east side, but that the owner

of the lands, Mr. Douglass, has permitted the State to use his property, to prevent damage. To obviate injury from this source, the State would do well to buy a small quantity of Mr. Douglass' land, if it can be had at a fair price.

THE DISCIPLINE OF THE PRISON.

Upon the subject of discipline, the remarks of my report of four years ago would seem to be properly quoted here, for the reason that the general propositions then laid down as to the Government at that time enforced are still part of the system, and because the reforms then advocated, based upon the efficacy of kindly treatment and the abolition of cruel punishments, have since been clearly demonstrated to be well founded. I quote from my report of November 1, 1867:

"The government of convicted felons must of necessity be of the strictest sort. In its object it is both punitive and reformative. The ordinary punishments of this prison are—the uniform of stripes, constant silence, hard labor during the day, solitary confinement when not working, or eating, or attending the stated religious exercises. Whether in his cell, the workshop, the dining-room, or the chapel, the convict must remain silent. This silence is, practically, a severe punishment, but it is a necessity of prison discipline. Where it is not rigidly enforced there can be neither good nor safety. It is a punishment which is in its nature reformative. It compels thought and self-examination, which are, except in the unredeemably vicious, favorable to reformation. The hard labor is also a punishment which teaches that the way of the transgressor is hard.

"To work hard for no pay, to live upon the plainest food, to be dressed in clothing indicating punishment, to be absolutely debarred all social enjoyment—such is the daily hard lot of the convict in this prison. If he transcends the rules of discipline laid down for the government of the prison, he makes himself amenable to special penalties. His head may be shaved; he may be compelled to wear the ball and chain; he may be flogged with the cat-o'-nine-tails. I am happy to state, however, that the discipline of the prison has been fully maintained, and good order constantly preserved, without the necessity of many extraordinary punishments. And in cases where punishment has been demanded, the milder forms have generally sufficed to bring about the good conduct of the offender. We have had to resort to the lash in but few instances. We inflict this degrading and cruel punishment only as the last resort after the continued contumacy of the offender. If

the prison were provided with a dungeon or dark cell, in which contumacious violators of the rules could be confined on bread and water diet, I doubt not such punishment would be more efficacious than the lash. Experience teaches, and my observation confirms it, that in the great majority of cases, kindness and appeals to manhood are efficacious with the most abandoned characters. I have no doubt at all that the dungeon would have a better reformatory effect than the degrading cruel lash."

"The system of 'diminution' has an admirable effect in favor of good discipline amongst the convicts. This system is based upon the idea of reward of merit. By its operation a convict may considerably shorten his term of imprisonment—provided, of course, he has not been sent here for life. By its operation, constant good conduct during the first year, will shorten the term forty-two days; during succeeding years, forty-eight days each. Thus a convict sentenced for five years, would, by the operation of this humane act, be able to have that period shortened by two hundred and thirty four (234) days, by constant obedience to the rules. So with other cases, every one whose obedience to the rules is complete, diminishes the term of his service. It is found to be a sufficient inducement with a majority of the convicts to obey the rules at all times. Its practical operation in this prison should seem to prove that benevolence is a more powerful incentive to good conduct, amongst those regarded as depraved, than harsh measures. And I learn from official documents of other prisons, that the result is the same elsewhere.

"The food of the convicts is plain, but it is clean, nutritious and wholesome. They are required to be clean in person. Great attention is given to the cleanliness of their cells. Their sanitary condition has accordingly been good.

"The discipline of the prison, as regards the moral well being of the convicts, is not without good results in many instances. Strict religious exercises are had by the Chaplain every Sunday morning.

"Another powerful means in the moral culture of the convicts is found in the Penitentiary library. The reading of these books has been a source of enjoyment to many of the convicts. The works which are, perhaps, best suited to a library for convicts, are biographies of distinguished men, adventures, natural histories designed for popular reading, books of travel, and a few of the better class of novels. Of novels, however, the majority, including all those in which the heroes are villains, would be of pernicious effect. The purchase by the State of carefully selected works for the convicts' library would result, in my judgment, in much benefit. But, as there is scarcely any influence more hurtful than that of bad books, the selection of a library for convicts ought to be made with the greatest care and attention. Any work of whatsoever general

nature which places vice upon an equality with virtue, would be particularly hurtful to the minds of men undergoing punishment for crime."

The rule of kindness and benevolence above advocated has since been shown to be most efficacious, in a variety of ways, for the government of the class of men here confined. Punishment by the lash was abolished three years ago, with excellent results. Afterwards, on the suggestion of His Excellency, the Governor, a Sunday-school was established, as related in my last report. The happy results then predicted have been fully justified. It is no longer an experiment. Its good effects are visible every day. If possible, the interest of the convicts in the school increases with time. Their average attendance is about two hundred and thirty. The school is conducted as Sunday-schools generally are carried on, the citizens of Fort Madison constantly showing their interest in it by supplying teachers to lead their classes and many persons to take part in the lessons, and by their presence to show their concern for the welfare of these men who have been misguided into crime. The wonderfully good effects of the Sunday-school are seen in these noteworthy facts: *First*, there is less punishment required to preserve the discipline of the prison by more than one-half than before the establishment of the school. *Secondly*, the men do more and better in the workshops. *Thirdly*, good spirits and cheerfulness have taken the place of moroseness and sullen discontent. These statements will be fully sustained by all acquainted with the facts, so that I have no hesitancy whatever in saying that one of the most efficacious means of prison discipline is the Christian Sunday-school. And it may be stated, in view of recent events of general notoriety, that the conduct of the convicts of this prison since the organization of the Sunday-school, has in no single instance been as barbarous and disreputable as the conduct of many of the young gentlemen of the Naval and Military Academies of the United States. It is but a simple duty for me to express hearty gratitude to the Governor for his work in establishing the school, and to the citizens of Fort Madison for their constant zeal in maintaining it.

The great success of the Sunday-school, as a means of discipline and reformation, has led me to again speak of a matter to

which reference has been made in former reports. The parent of vice and crime is ignorance. Before the establishment of the Sunday-school, there were between thirty and forty of the convicts who could neither read nor write. A large majority learned to read in the school. I furnished them with the necessary materials for writing in their cells, and the most of them have made such progress that they can write very respectable letters to their friends. The object of prison discipline being reformatory, as well as punitive, there ought to be permanent provision made for the mental improvement of the convicts. If the Chaplain of the institution were paid a sufficient salary to enable him to devote much of his time during the week to teaching the men, this being made a part of his duty, the result would undoubtedly be beneficent. A secure room for this purpose might be built adjoining the cell-room, which could be used also as a reading-room for the men, a limited number being allowed the privilege in regular rotation. When it is considered that during the fall, winter, and early spring months, the men, according to present rules, are necessarily in their cells from fourteen to sixteen hours a day, it might seem that humanity would demand some such provision for their recreation as that here recommended to the candid attention of the constituted authorities. It is not believed that, the school-room being furnished by the State, there would be any expense necessary for the reading-room. Journals and periodicals would undoubtedly be furnished gratuitously by the citizens of Fort Madison, and in many instances by publishers themselves. I could think of no more efficacious means of discipline than this would be. Deprivation of the privileges of the reading-room would be a punishment, without cruelty, but which the men would greatly dread to incur. It would be infinitely more salutary than the horrible lash or dungeon. It is said that "corruption wins not more than honesty." Certain, I am, after long experience and the most careful observation, that cruelty wins not more than kindness, even with those supposed to be, more than all others, beyond the reach of human influences. Here, as elsewhere, the great rule whereby power is given is the rule of kindness; a rule that is over-ruled too much everywhere, and hence much the largest proportion of the misery

of mankind even outside of institutions where men undergo the punishment of penal codes. It is believed that the constant good behavior of the convicts in this prison is not surpassed in any similar institution in our country. We still have punishments for the unruly—and these are necessary—but the rule is that of kindness, and it is generally efficacious.

MISCELLANEOUS.

During the fall and winter of 1870-71, we had a large number of men in excess of the number required to fill the contracts previously made with the contractors. The fact having been brought to the knowledge of the Governor and the Census Board, I was authorized to advertise for bids for the labor thus at the disposal of the prison, and also to build an additional work-shop for the use of these men. The shop was constructed from means which had not been used in other additions and improvements expressly authorized by act of the General Assembly. In response to the advertisements for bids, I received a number of letters, inquiring as to the length of time the contracts would run; and inasmuch as there was no authority for extending the time of the contracts beyond January 1, 1872, parties refused to invest their capital on this account. Without definite assurance of the extension of the contract, they would not bid for the labor. Accordingly there were about eighty men idle for a period of some three months. On the 10th of February, 1871, however, the Governor succeeded in making a contract for the manufacture of chairs with the company already using the convict labor of the prison, which has resulted in some profit to the State, and it is certain that no more advantageous contract could have been made under the circumstances. The full text of this contract will be found below.

"Article of agreement made and entered into by and between the State of Iowa represented by Samuel Merrill, Governor of said State, party of the first part and Soule, Kretsinger & Co., of Fort Madison, of the second part.

"Witnesseth, that for and in consideration of the fulfillment on the part of the party of the first part, of the stipulation and agreement thereafter provided, the party of the second part hereby agree to furnish (deliverable from door No. 6 of their shop in the prison

yard of the Iowa Penitentiary,) the wood frames of chairs ready for paint, and agree and promise to use their best endeavors to manufacture a sufficient quantity of said frames to furnish employment for the additional convicts in the Iowa Penitentiary (above those embraced in their previously existing contract,) in the putting on the paint, bottoms, and bronze, as below specified, and the party of the first part hereby agree to receive said frames as above provided, to bottom the same with common cane or reed, and to paint, bronze, and varnish the same, and tie in bundles of two each, paper and twine for said packing to be furnished by party of the second part, all in good workmanlike manner, and in same style of finish and equal to, those now manufactured by the party of the second part, (a sample of which is deposited with the Warden marked, State of Iowa, and in case of disagreement to be determined by Judge Beck,) at the rate of two dollars and ninety cents per dozen, and to deliver them at their shops to the party of the second part, in payment for which said party of the second part are to give their notes payable in six months from the first Monday in each and every month after commencing said work, with interest at six per cent per annum after four months.

"And it is hereby agreed between the parties, that the party of the second part may furnish chair frames, requiring a different style or quality of finish from those before mentioned, and the party of the first part are to finish them up as directed and are to receive a price or rate for such labor and material corresponding with those already specified, and which price shall be mutually agreed upon, and in case of disagreement shall be referred to three disinterested men in the usual manner, whose decision shall be final.

"It is further agreed between said parties, that if the party of the second part cannot furnish chair frames, as aforesaid, in sufficient quantities for the employment of said surplus convicts, then the said party of the second part may, if they so elect, furnish other work in said prison, for said surplus convicts, at the price of twenty-five cents per day on same terms as aforesaid until January 1st, 1872.

"The party of the first part are to furnish their own shop-room, independent of the buildings now leased to the party of the second part in their original contract.

"It is further agreed that the party of the first part shall receive from the party of the second part such convicts as they do not wish to retain, who are now employed in chair work, and are to give them in exchange such other convicts (not already contracted) as the party of the second part may select, man for man.

"And it is further agreed that upon the reception of new convicts, the party of the second part shall be notified, and after examination shall have the privilege of selecting a sufficient number to fill their quota on their old contract.

"And it is further agreed that no man assigned to the party of the second part shall be arbitrarily removed by the warden, except for sickness or punishment.

"It is agreed by both said parties that the above contract shall continue in force until the first day of January, 1872."

The net proceeds from this contract, up to October 31st, 1871, were \$4,729.87, and a stock of material still on hand. This sum will be increased, it is believed, at least \$3,200, by the time the contract, according to its terms, shall end, making the aggregate receipts from the chair contract \$7,929.87. A number of the "surplus men" were for a time at work as per a temporary contract, at a saw mill near the prison. The receipts from this source amounted to \$1,300. So that there will have been received, up to January 1, 1872, from the labor of convicts in excess of those whose work was contracted for a period of years, the sum of nine thousand two hundred and twenty-nine dollars and eighty-seven cents (\$9,229.87). From which figures it will readily be seen that, with a still more advantageous contract—which, with a longer period to run, can undoubtedly be made—the prison may soon become fairly self-supporting. For it may safely be assumed that we shall soon have at least a hundred "surplus men," whereas the average number bringing in the receipts as above stated was only about sixty.

CONTRACTORS' CLAIM.

On the 16th of September last, I received a bill, from the contractors for the convict labor of the prison, which surprised me not a little. It is in the nature of a claim against the State. The body of the bill is in these words:

"The State of Iowa, to Soule, Kretsinger & Co., Dr. For time occupied in shaving and cutting hair of convicts; in bathing once each week; daily visits of the Chaplain to the shops during working hours; receiving visits from friends by convicts; receiving description of each convict; carrying water to shops for washing, etc.; visits of men to surgeon for examination, etc., etc., estimated to consume one-half day per week for each convict on our contract."

This account is stated as commencing January 1, 1865, and continuing up to August 31, 1871. The sum of \$1.50 per day is charged for the time of the men thus alleged to have been lost in shaving, bathing, etc. Ten per cent interest is also placed among the items charged against the State on this running account. Such is a brief statement of the presentation of this bill.

On the 5th of October last, a similar bill was presented for the months of August and September. By this bill, however, the charge for lost time is \$2.00 a day instead of \$1.50, convict labor having by this time become of more value. Copies of these bills will be found accompanying this report.

I need hardly say that I declined paying these bills, or any part thereof. If there were no other reason against their payment, this would seem to be sufficient, that they have been thought of when it is altogether too late to consider them. Settlement after settlement has been made with the company during all the time this account is now discovered to have been running. Nothing of the sort was ever mentioned or dreamed of till very recently. It is not believed that either law or custom would enforce the payment of any part of these bills. The whole subject is left with the General Assembly for such action, if any, in addition to my rejection of the claims, as shall be deemed proper.

It is but just to observe that the relations between the Warden and the Contractors have almost invariably been pleasant and cordial. I have ever been guided by a conscientious desire to guard and protect the interests of the State, and to be governed by the express terms of the contract. A copy of the contract will be found appended to this report.

SUGGESTION AS TO INSPECTORS.

As has already appeared, the Iowa State Penitentiary has become an institution the management of whose financial and administrative affairs and the control of whose discipline, make the office of Warden one of grave responsibility and high trust. Perhaps, it might be well to divide that responsibility, for this purpose creating, say, three Inspectors of the Penitentiary Accounts, whose duty it should be to visit the office, examine the books and accounts,

audit especially the accounts with the contractors, and, generally, give such counsel and advice to the Warden touching the financial affairs of the institution as might seem to be from time to time demanded. It would not be well, in my judgment, if such Inspectors as are here spoken of should be provided for by law, to grant them any power or authority in respect to the control, government, and discipline of the convicts. Any conflict of authority here would inevitably result, as it ever has resulted, disastrously. But with good men as Inspectors, required to examine and audit accounts monthly, the public would treat with merited disregard the slanders of interested and unscrupulous men upon the management of the prison, and would constantly feel that their interests here were carefully protected.

WORK-SHOPS.

The contractors for the convict labor of the prison some time ago erected, at their own expense, a foundry and a shop for polishing work. It is a part of the contract with them that the State shall supply the shop-room necessary for working the men. It would be, therefore, but an act of justice for the State to reimburse the contractors the amount of money which was actually expended by them in the construction of these buildings.

GENERAL REPAIRS.

An establishment so extensive as the Penitentiary has now become, embracing many and large buildings, and an immense quantity of mason-work in the prison walls, must of necessity need repairs from time to time. The influence of time itself, and of the weather, may be seen in all the strongest structures which have ever been made by the hand of man. There is no exemption here from the tendency to decay. For such repairs there should be, in my judgment, a general appropriation made at every regular session of the Legislature. It would not be expected that a private establishment of the extent of this could be kept in repair for less than two or three thousand dollars a year. But with the use of convict labor, and with economical management, a thousand dollars a year might here suffice.

HEALTH OF THE CONVICTS.

The report of Dr. A. W. Hoffmeister, Physician and Surgeon to the Penitentiary, with statistical tables, is appended to this report, and attention respectfully invited thereto. It will be seen that though there has been considerable sickness, the percentage of men in hospital has been less than heretofore, and no death among the convicts has occurred. It will appear from this report that many in hospital were there on account of wounds received while at work in the shops, and that one convict was so much injured that amputation of both legs was necessary. This unfortunate man was treated with the greatest kindness, I may well say tenderness, by the officers and employees of the prison, and with undoubted skill by the surgeon, and is now able to walk about as well as could be expected in one without feet. A pair of cork legs, such as the general government has furnished to men who have lost limbs in the service, has been very recently purchased for this man, and he will henceforth be able to make the most of his lamentable situation. The expense of these artificial legs was two hundred and sixty-two dollars (\$262). The laws of health, cleanliness of person and apartments, wholesome food, ventilation, etc., are constantly regarded, and, as will be seen from the report, with good results.

OFFICERS' SALARIES.

The salary of the Clerk to the Penitentiary is only seven hundred and fifty dollars (\$750) a year. It is most respectfully submitted that this compensation is not enough for a position of so much labor and responsibility, and which requires a knowledge of business, book-keeping, and accounts which it requires years of study and experience to attain. In my judgment, it would be but just to make the salary of this office one thousand dollars a year.

The surgeon now receives but six hundred dollars (\$600) a year.

He is required to be present, or at any rate is present every day. It will be seen by his report, that the surgeon has treated nearly eight hundred cases during the biennial term, some of them being very serious, requiring great labor and skill. No one would do so

much for private citizens for any such inadequate pay. The Physician and Surgeon of this prison fairly earns for his professional services here at least one thousand dollars a year, and I beg confidently to hope that the salary may be increased to this amount.

The salary of the Chaplain is also only six hundred dollars (\$600) a year. This is not sufficient for the support of a family. I have heretofore spoken in this report of the propriety of adding to the duties of the Chaplain, that of a teacher for illiterate convicts. In that case, his salary should be, in my opinion, a thousand dollars a year. In any event, I think it should be as much as eight hundred dollars.

The salaries of the other officers and employees of the prison are believed to be what they should be, and, though they are certainly not high, no change therein is recommended.

THE "SURPLUS" LABOR.

When the General Assembly shall meet, there will be some eighty convicts idle, for the want of work by any then existing contract. This state of things ought not, of course, long to continue. In view of the facts in regard to idle men which have been set forth in this report, it is clear that provision ought to be made by law against such a state of affairs in the future. The power to make contracts, or provide for the disposal of the labor in such case, ought to be lodged with the Governor, or Census Board, or Warden, so that the State may not suffer loss, and that the sentences of our courts may be fully carried out.

CONCLUSION.

In conclusion, I must render heart-felt thanks to the Governor of the State, and the members of the Census Board, for the interest they have constantly manifested in the affairs of the penitentiary, and the hearty aid they have always extended on every proper occasion.

Our thanks are also due to the Right Reverend Bishop Lee, Protestant Episcopal Bishop of the Diocese of Iowa, for a present of a copy of the Prayer Book of that Church to each of the convicts of the prison.

To the officers and guards of the prison my kindest thanks are due for constant efficiency and vigilance. To them it is very largely due that the management and discipline of the prison have become almost perfectly systematized, so that all things move smoothly and to the accomplishment of the best results.

MARTIN HEISEY,
Warden.

There will be found appended the contract for the convict labor; the financial statement by the clerk from the books of the office, together with many statistical tables of interest in regard to the prisoners; the report of the physician; and the report of the Chaplain; to all of which the attention of the Governor and the General Assembly is respectfully invited.

THE CONTRACT FOR THE CONVICT LABOR.

Articles of agreement entered into this 21st day of November, A. D. 1864, between Edward A. Layton, Warden of the Iowa State Penitentiary, Edward Johnstone and Joel C. Walker, Commissioners for and in behalf of the State of Iowa, of the first part, and Thomas Hale of the second part.

WHEREAS, Certain sealed 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 ten years from the first day of January, A. D. 1865, the labor and services of not to exceed one hundred and fifty convicts now or hereafter to be confined in the Iowa State Penitentiary, (if so many there may be under the specifications hereinafter contained), to be employed by said party of the second part at the following trades and occupations, to-wit: Coopering and manufacturing agricultural implements. Nothing in this agreement shall prevent the Warden from employing a limited number of convicts in shoemaking and tailoring for the use of the convicts.

Second—It is agreed by the party of the first part that for the use of said labor during the term of this lease, the party of the second part shall use the following shops now situated in said prison-yard, to-wit: all the shops, dry-houses, and boiler-house. And it is further agreed and understood that for said labor the party of the second part shall pay at the rate of forty and one-third ($40\frac{1}{3}$) cents per day for each convict.

Third—And for the raw material necessary to carry on said trades and work, the party of the second part shall, during the continuance of this lease, have the right to use and occupy of the prison-yard the following part thereof: all the prison-yard north of the south wall of shop No. six (6).

Fourth—The party of the first part further agrees that said Thomas Hale shall have the privilege of going to and from said shops at all proper times to instruct said convicts in said trades and to carry in and out materials and manufactured articles, or they may employ to do the same, such person or persons as the Warden of the Penitentiary may approve—said contractors and employes being, 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 said shops shall be warmed at the expense of the party of the second part, and the security of the fixtures for said heating shall be subject to the approval of the Warden of the Penitentiary.

Eighth—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.

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 prison contracts now or hereafter let by authority of the State, and also sufficient for cooking, cleaning, and other necessary matters, which, in the judgment of the Warden, it may be for the interest of the State to employ them, the number of able-bodied convicts not so employed by the Warden shall be apportioned according to the number contracted to each contractor, reference also being had to the skill and value of convicts in the several trades carried on by the different contractors.

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 and one-third ($40\frac{1}{3}$) cents per day for each convict so employed.

Eleventh—No charge is to be made for such time as 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.

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

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

Fifteenth—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 the shop in violation of this provision, and also all shavings or other rubbish that will endanger the safety of the buildings.

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 their foreman, each day.

Seventeenth—The party of the second part shall account with the Warden of the Penitentiary, on the first Monday in each month, for the labor of the convicts under 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 four 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 after the same shall become due; and after specific demand thereof, then the party of the second part shall, at the election of the State Census Board of the State of Iowa, forfeit all rights and privileges under this agreement, and the State shall have the right to resume absolute control over the labor of said convicts, and to re-let the same as though this contract had not been executed.

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

Twentieth—It is further agreed that this contract shall not be

assigned by said party of the second part without the consent of the Warden, with the approval of the Census Board.

E. A. LAYTON, Warden,
EDWARD JOHNSTONE,
J. C. WALKER.

Commissioners.

THOMAS HALE.

Approved, this 23d day of November, A. D. 1864.

W. M. STONE, Governor,
JAS. WRIGHT, Sec'y State,
J. W. CATTELL, Aud. State,
W. H. HOLMES, Treasurer.
Census Board.

MODIFICATION OF CONTRACT.

FORT MADISON, IOWA, }
June 10, 1865. }

To the Census Board of the State of Iowa.

GENTLEMEN: *Whereas*, the bid of Thomas Hale, of the city of Fort Madison, State of Iowa, for the convict labor of said institution, included household implements, together with cooperage and agricultural implements; and *Whereas*, said household implements were struck out of said bid without due consideration, and now I, the said Thomas Hale, ask and pray that the said privilege be restored of manufacturing household implements under said contract, for the good and following reasons, viz.:

That in the said manufacturing of cooperage and agricultural implements, articles made from hard wood, it requires the said Thomas Hale to purchase lighter wood to enable him to float by river such timber as those articles require, and that he is subject to great loss on said timber on account of not being able to manufacture household implements, and it will also require expensive additions to the machinery in the prison to manufacture said household implements, which the said Thomas Hale does not feel justified in doing, with less than the right so to do for the full term of his contract;

and *Whereas*, E. A. Layton, the present warden, recommends that said portion or kind of work be restored to the contract as originally bid for. Therefore he, the said Hale, prays that you may give the matter due consideration and grant said request.

Hoping to receive a favorable reply,

I am, very respectfully, yours,

THOMAS HALE.

The modification herein meets with our approbation and approval.

W. M. STONE, Governor.
JNO. A. ELLIOTT, Auditor.
JAMES WRIGHT, Sec'y State.
W. H. HOLMES, Treasurer.
ISAAC L. ALLEN, Att'y-General.

June 13, 1865.

ADDITIONAL CONTRACT.

" FORT MADISON, IOWA, }
September 7th, 1868. }

"To the Census Board of the State of Iowa.

"GENTS.—We desire to erect in the northeast corner of the Penitentiary yard a brick building, one story high, with twelve inch walls, to be covered with iron; cost not to exceed sixteen hundred dollars, to be used as a foundry in which to make the necessary castings required in the manufacture of agricultural and household implements as per our contract with the State. Said building to be 80 x 40 feet. If this privilege is granted, we desire you to recommend to the next legislature that the cost of said building be refunded to us.

"We further agree in consideration of this privilege, either to surrender to the State the same amount of room in shop No. 5, viz: 80 feet of the first floor of said shop in south end of same, or to employ twenty-five more convicts at same price and terms of our present contract.

"Our election of said terms to be made on the first day of March,

1869, A. D., or at any subsequent time at notice from the Governor. If we elect to surrender the room in shop No. 5, we will also surrender the cooperage branch of our business with all the necessary yard now required for said branch of business.

[Signed.]

"HALE, DAVIS & CO."

ACTION OF THE CENSUS BOARD.

Resolved, That the communication of Hale, Davis & Co., relating to the erection of a foundry building in the Penitentiary be placed upon our record, and that the Census Board, believing that the best interest of the State will be subserved, unanimously accede or consent (so far as they have power to do so), to the erection of said foundry building, upon the conditions set forth in said communication.

SAMUEL MERRILL,
ED WRIGHT,
SAMUEL E. RANKIN,
JNO. A. ELLIOTT,
Census Board.

INDORSEMENT.

MARCH 23^d; 1869.

We hereby accept the labor of the twenty-five men herein named, with the conditions therein named.

SOULE, DAVIS & CO.

INDORSEMENT.

The warden is required to carry out the directions of the within contract.

S. MERRILL,
ED WRIGHT,
JNO. A. ELLIOTT,
SAM. RANKIN,
Census Board.

FINANCIAL STATEMENT.

CLERK'S OFFICE, IOWA PENITENTIARY, }
FORT MADISON, IOWA, October 31, 1871. }

TO MARTIN HEISEY, *Warden of Iowa Penitentiary:*

SIR: I submit the following financial statement of the affairs of this institution, for the period commencing November 1st, 1869, and ending October 31st, 1871.

CHARLES HILLES,
Clerk.

	Dr.	Cr.
Received from State of Iowa,.....		\$ 46,679.62
For General Support.....	\$ 1,827.59	
For Officers' Salaries.....	8,899.92	
For Guards' Salaries,.....	22,691.11	
For Hospital Building,.....	2,500.00	
For Cell Room Extension and Cells,....	8,061.00	
For Warden's House,	1,200.00	
For Artesian Well,.....	400.00	
For Library,.....	600.00	
For General Repairs.....	500.00	
		<hr/>
		\$ 46,679.62, \$ 46,679.62

GENERAL SUPPORT FUND.

	Dr.	Cr.
Balance on hand, November 1, 1869.....	\$ 5,506.26	
For amount received from State.....	1,827.59	
For amount received from United States...	16,452.00	
For amount received from bills receivable..	46,704.76	
For amount received from provision.....	1,075.24	
For amount received from clothing and bedding.....	91.13	
For amount received from fuel and lights...	418.40	
For amount received from Soule, Davis & Co.	764.94	
For amount received from Soule, Kretsinger & Co.....	14.25	

Dr. Cr.

For amount received from expense general account.....	\$ 30.46	
For amount received from library.....	4.37	
For amount received from A. W. Hoffmeister.....	4.74	
For amount received from P. & N. B. Miller.....	300.00	
For amount received from convicts' kitchen.....	27.60	
For amount received from hospital expense..	5.80	
For amount received from visitors.....	392.35	
For amount received from Madison county..	94.80	
For amount received from library fund.....	300.00	
For amount received from warden's house fund.....	451.12	
Paid library.....	\$ 300.00	
Paid work shops.....	511.98	
Paid wall repairs and gutters.....	29.00	
Paid general support.....	64,139.77	
Balance on hand, October 31, 1871.....	9,485.06	
	<u>\$74,465.81</u>	<u>\$74,465.81</u>

OFFICERS' SALARIES FUND.

Balance on hand November 1st, 1869 ...	\$ 370 83	
Received from State.....	8,899 92	
Paid officers' salaries.....	\$ 8,899 79	
Balance on hand October 31st, 1871.....	370 96	
	<u>\$ 9,270 75</u>	<u>\$ 9,270 75</u>

GUARDS' SALARIES FUND.

Balance on hand November 1st, 1869....	\$ 330 00	
Received from State.....	22,691 11	
Paid guards' salaries.....	22,513 53	
Balance on hand October 31st, 1871.....	507 58	
	<u>\$23,021 11</u>	<u>\$23,021 11</u>

CONVICTS' FUNDS.

	Dr.	Cr.
Balance on hand November 1st, 1869....	\$ 613 22	
Received from convicts on deposit.....	1,639 54	
Paid convicts.....		\$ 1,354 92
Balance on hand October 31st, 1871.....		897 85
	<u>\$ 2,252 76</u>	<u>\$ 2,252 76</u>

CELL ROOM EXTENSION AND CELL FUND.

Balance on hand November 1st, 1869....	\$1,038.48	
For amount received from Construction,..	19.09	
For amount received from Cell Room Extension and Cells,	14.57	
For amount received from Convict Labor, ..	30.00	
For amount received from Wash-House Fund,	562.44	
For amount received from Hospital Building Fund,	215.56	
For amount received from State,	8,061.00	
Amount erroneously charged to fund,		\$ 936.91
Paid General Repairs,		135.00
Paid Cell Room Extension and Cells,		8,678.73
Transferred to General Repair Fund,		190.50
	<u>\$ 9,941.14</u>	<u>\$ 9,941.14</u>

WALL REPAIRS AND GUTTER FUND.

Balance on hand November 1st, 1869....	\$ 952.38	
Received from Wall Repairs and Gutters, ..	3.60	
Received from Hospital Building Fund, ..	200.78	
Paid Wall Repairs and Gutters,		1,156.76
	<u>\$1,156.76</u>	<u>\$ 1,156.76</u>

WASH-HOUSE FUND.

	Dr.	Cr.
Balance on hand, November 1, 1869	\$ 568.47	
Transferred to Reservoir Fund		\$ 1.53
Paid Wash-House		4.50
Transferred to Cell Room Extension and Cell Fund		562.44
	<u>\$568.47—</u>	<u>\$568.47</u>

HOSPITAL BUILDING FUND.

Balance on hand, November 1st, 1869	\$ 665.30	
Received from State	2,500.00	
Received from workshops	20.00	
Paid hospital building		\$1,802.49
Paid workshops		881.89
Transferred General Repairs Fund		23.49
Transferred to cell room extension and cell fund		215.56
Transferred to wall repairs and gutters fund		200.78
Balance on hand, October 31st, 1871		61.09
	<u>\$3,185.30—</u>	<u>\$3,185.30</u>

CELL FLOOR FUND.

Balance on hand, November 1st, 1869	\$ 74.50	
Paid cell floor		9.75
Transferred to general repairs fund		64.75
	<u>\$74.50</u>	<u>\$74.50</u>

CISTERN FUND.

Balance on hand, November 1, 1869	\$3.91	
Transferred to general repairs' fund		3.91
	<u>\$3.91—</u>	<u>\$3.91</u>

	Dr.	Cr.
RESERVOIR FUND.		
Balance on hand, November 1, 1869	\$121.14	
From wash-house fund	1.53	
Paid reservoir		\$ 122.67
	<u>\$122.67—</u>	<u>\$122.67</u>

WARDEN'S HOUSE FUND.

From State	\$1,200.00	
Paid warden's house		748.88
Transferred to general support fund		451.12
	<u>\$1,200.00—</u>	<u>\$1,200.00</u>

ARTESIAN WELL FUND.

Received from State	\$400.00	
Paid artesian well		400.00
	<u>\$400.00—</u>	<u>\$400.00</u>

GENERAL REPAIRS FUND.

Received from State	\$500.00	
From cell-room extension and cell fund	190.50	
From cell floor fund	64.75	
From cistern fund	3.91	
From Hospital building fund	23.49	
Paid general repairs		782.65
	<u>\$782.65—</u>	<u>\$782.65</u>

LIBRARY FUND.

Received from State	\$600.00	
Paid library		300.00
To general support fund		300.00
	<u>\$600.00—</u>	<u>\$600.00</u>

GENERAL STATEMENT OF RECEIPTS AND EXPENDITURES.

General Support Fund.....	\$74,465.81	\$64,980.75
Officers' Salaries Fund.....	9,270.75	8,899.79
Guards' Salaries Fund.....	23,021.11	22,513.53
Convicts' Fund.....	2,252.76	1,354.91
Cell-Room Extension and Cell Fund..	9,941.14	9,941.14
Wall Repair and Gutter Fund.....	1,156.76	1,156.76
Cell Floor Fund.....	74.50	74.50
Wash House Fund.....	568.47	568.47
Hospital Building Fund.....	3,185.30	3,124.21
Cistern Fund.....	3.91	3.91
Reservoir Fund.....	122.67	122.67
Artesian Well Fund.....	400.00	400.00
Library Fund.....	600.00	600.00
Warden's House Fund.....	1,200.00	1,200.00
General Repairs Fund.....	782.65	782.65
Cash over Fund accounts.....	3.65	
Balance on hand October 31st, 1871.....		11,326.19

\$127,049.48—\$127,049.48

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

Charles Hilles, being duly sworn, says that the foregoing "Financial Statement" of the "Affairs of the Iowa State 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.

CHARLES HILLES.

Sworn to and subscribed before me, by Charles Hilles, at my office in the city of Fort Madison, Lee county, Iowa, the 20th day of November, A. D. 1871.

J. A. McDOWELL,
Clerk of District Court.

By W. C. HOBBS,
Deputy.

PRISON STATISTICS.

Statement of convicts received into, and discharged from the Iowa Penitentiary, from November 1st, 1869, to October 31st, 1871:

CONVICTS RECEIVED.

In confinement November 1st, 1869.....	212
Received.....	280
	492

CONVICTS DISCHARGED.

By expiration of sentence.....	179
By pardon.....	26
By order of Supreme Court.....	6
By military order.....	4
By escape.....	2
Sent to Insane Asylum.....	2
In confinement October 31st, 1871.....	273
	492

Statement of habits, social state, education and sex of convicts.

HABITS.	NO.	SOCIAL STATE.	NO.	EDUCATION.	NO.	SEX.	NO.
Temperate.....	122	Single.....	177	Good.....	20	Male.....	279
Intemperate.....	158	Married.....	87	Common.....	115	Female.....	1
.....	.....	Widower.....	16	Poor.....	109	.....	.....
.....	.....	.....	.....	Very poor.....	2	.....	.....
.....	.....	.....	.....	None.....	34	.....	.....
.....
.....	280	.....	280	.....	280	.....	280

RELIGIOUS PROFESSIONS.

Catholic.....	50	Reform.....	1
Methodist.....	26	Church of England.....	1
Lutheran.....	12	Mormon.....	1
Presbyterian.....	9	Reformed German.....	1
Baptist.....	6	Advent.....	1
Christian.....	6	Dutch Reform.....	1
United Brethren.....	3	Protestant.....	1
Episcopal.....	3	Universalist.....	1
Seceder.....	1	Hypocrite.....	1
Congregational.....	1	None.....	153
Evangelist.....	1		280

STATEMENT

Of term, age, nativity, occupation, and from what county sent.

TERM.	NO.	AGE.	NO.	NATIVITY.	NO.	OCCUPATION.	NO.	FROM WHAT COUNTY SENT.	NO.
3 mon bs...	4	15	4	New York...	45	Laborer.....	140	Lee.....	25
100 days...	2	16	8	Ohio.....	32	Farmer.....	14	Scott.....	13
4 months...	2	17	11	Pennsylv'a...	25	Painter.....	9	Pottawattamie	13
5 months...	1	18	15	Ireland.....	32	Carpenter.....	7	Des Moines...	11
6 months...	28	19	17	Germany.....	14	Harness-maker.	6	Clayton.....	11
7 1-2 months	1	20	21	Indiana.....	12	Blacksmith....	6	Muscatine....	11
9 months...	7	21	17	England.....	10	Shoemaker.....	5	Clinton.....	8
1 year.....	52	22	14	Canada.....	10	Clerk.....	5	Black Hawk...	8
14 months...	1	23	20	Missouri.....	8	Butcher.....	5	Delaware.....	7
18 months...	12	24	21	Illinois.....	8	Printer.....	5	Linn.....	7
22 months...	1	25	8	France.....	7	Barber.....	4	Polk.....	7
2 years.....	58	26	17	Kentucky.....	7	Railroad-man..	4	Jefferson.....	6
2 1-2 years...	12	27	7	Iowa.....	7	Stone-cutter...	3	Dubuque.....	6
3 years.....	40	28	11	Maryland.....	6	Miner.....	3	Jasper.....	5
3 y's 9 mo's.	1	29	8	Vermont.....	6	Cooper.....	3	Cedar.....	5
4 years.....	10	30	8	Maine.....	5	Bricklayer.....	3	Jones.....	4
4 y's 10 mo's	1	31	4	Virginia.....	5	Merchant.....	3	Webster.....	4
5 years.....	19	32	7	Scotland.....	5	Cock.....	2	Wapello.....	4
6 years.....	3	33	7	Mass.....	5	Tinner.....	2	Butler.....	4
7 years.....	9	34	2	Conn.....	4	Wagon-maker..	2	Hamilton.....	3
8 years.....	4	35	4	N. Carolina...	4	Physician.....	2	Boone.....	3
10 years...	5	36	4	Michigan.....	3	Moulder.....	2	Fremont.....	3
12 years...	1	37	4	Norway.....	3	Sailor.....	2	Montgomery...	3
15 years...	2	38	5	Prussia.....	3	Tailor.....	2	Vills.....	3
20 years...	1	39	3	Wisconsin.....	3	Sawyer.....	2	Wineshiek....	4
Life.....	3	40	4	Louisiana.....	2	Horse-trainer..	2	Jackson.....	2
.....	42	3	3	Sweedon.....	2	Silversmith....	1	Tama.....	2
.....	43	4	4	West Va.....	2	Wheelwright...	1	Page.....	2
.....	44	1	1	New Jersey...	2	Cabinet-finisher	1	Benton.....	2
.....	45	2	2	Georgia.....	2	Confectioner...	1	Taylor.....	2
.....	46	3	3	Mississippi...	1	House-painter..	1	Harrison.....	2
.....	47	2	N. H.....	1	School-teacher	1	Decatur.....	2	2
.....	49	1	1	Delaware.....	1	Machinist.....	1	Johnson.....	2
.....	50	1	1	Bohemia.....	1	Teamster.....	1	Allamakee....	2
.....	51	1	1	Denmark.....	1	Plane-Maker...	1	Fayette.....	2
.....	52	1	1	Rhode Island	1	Race hr'se. train	1	Woodbury....	2
.....	53	1	1	Jamaica.....	1	Lime-burner...	1	Marshall.....	2
.....	55	1	1	Austria.....	1	Brick-maker....	1	Cerro Gordo..	2
.....	56	1	1	Texas.....	1	Scene painter..	1	Poweshick....	2
.....	58	1	1	Tennessee...	1	Tel. operator..	1	Floyd.....	1
.....	60	1	1	Florida.....	1	Soldier.....	1	Van Buren....	1
.....	62	1	1	.....	1	Hotel-waiter...	1	Ringgold.....	1
.....	63	1	1	.....	1	Engineer.....	1	Mitchell.....	1
.....	64	1	1	.....	1	Carter.....	1	Union.....	1
.....	.....	1	1	.....	1	Piano-case m'kr	1	Wayne.....	1
.....	.....	1	1	.....	1	Cigar-maker....	1	Buchanan.....	1
.....	.....	1	1	.....	1	Resturant-kee'r	1	Cass.....	1
.....	.....	1	1	.....	1	Saddler.....	1	Iowa.....	1
.....	.....	1	1	.....	1	Ship-rigger....	1	Story.....	1

STATEMENT—CONTINUED.

Of term, age, nativity, occupation, and from what county sent.

TERM.	NO.	AGE.	NO.	NATIVITY.	NO.	OCCUPATION.	NO.	FROM WHAT COUNTY SENT.	NO.
.....	Saddletree cov'r	1	Washington...	1
.....	Musician.....	1	Grundy.....	1
.....	Carriage-maker	1	Keokuk.....	1
.....	Ironmaker.....	1	Hancock.....	1
.....	Coach-finisher..	1	Marion.....	1
.....	Tailor & Barber	1	Monroe.....	1
.....	Locomotive Eng.	1	Hardin.....	1
.....	Paper-hanger...	1	Adams.....	1
.....	Bridge-builder..	1	Madison.....	1
.....	Plasterer.....	1	Bremer.....	1
.....	Furnace-man....	1	Mahaska.....	1
.....	Saddle and har-	1	Appanoose...	1
.....	ness maker.....	1	Henry.....	1
.....	Wool-spinner...	1	Lucas.....	1
.....	File-cutter.....	1	Louisa.....	1
.....	1	Dist. of Iowa..	5
.....	1	Ft. D.A. Russell	9
.....	1	Ft. Laramie...	7
.....	1	Nebraska.....	7
.....	1	Wyoming Ty..	6
.....	1	Dakota Ty....	3
.....	1	C/p Stambaugh	2
.....	1	Camp Douglas	2
.....	1	Ft. Bridger...	3
.....	1	Ft. Fred Steel.	2
.....	1	Ft. Fetterman	1
.....	1	Ft. Rawlins...	1
.....	1	Ft. McPherson	1
.....	1	Ft. Sedgwick..	1
.....	1	Carbon Co. Wt	1
.....	280	.....	280	.....	280	.....	280	.....	280

CRIMES OF CONVICTS.

NATURE OF CRIME.	NO.	NATURE OF CRIME.	NO.
Larceny.....	121	Misappropriating the property of the United States.....	1
Burglary.....	14	Stealing cattle.....	1
Desertion and theft.....	14	Forging pension papers.....	1
Grand Larceny.....	11	Knowingly uttering and publishing a false and forged deed, with intent to defraud, and knowingly cheating by false pretences and a false token.....	1
Forgery.....	11	Horse stealing.....	1
Manslaughter.....	7	Cheating, &c.....	1
Burglary and Larceny.....	6	Violation of the 46th article of war, desertion, and theft.....	1
Assault with intent to rape.....	5	Introducing spirituous liquors into the Indian Country.....	1
Robbery.....	5	Larceny from the person.....	1
Theft.....	4	Assaulting another with intent to maim.....	1
Assault with intent to murder.....	4	Breaking house.....	1
Murder—second degree.....	4	Cheating by false pretences.....	1
Breaking and entering store with intent to commit a felony.....	4	Receiving stolen property.....	1
Conspiring to commit a felony.....	3	Drunkennes on duty, and conduct to the prejudice of good order and military discipline.....	1
Murder.....	3	Robbery and larceny.....	1
Assault with intent to kill.....	3	Mutiny.....	1
Adultery.....	3	Theft, and absence without leave.....	1
Passing counterfeit United States currency.....	3	Theft and desertion.....	1
Passing counterfeit money.....	3	Larceny and burglary.....	1
Conduct to the prejudice of good order and military discipline.....	2	Robbing United States mail.....	1
Setting fire to a building with intent to burn it.....	2	Desertion and theft, and violation of the 38th article of war.....	1
Rape.....	2	Absence without leave, and forgery.....	1
Larceny from a house.....	2	Conduct to the prejudice of good order and military discipline, and theft.....	1
Arson.....	2	Passing counterfeit treasury note.....	1
Perjury.....	2	Having in possession and passing counterfeit money.....	1
Conspiracy.....	2	Unknown.....	3
Breaking and entering &c.....	2		
Larceny from dwelling house in night time.....	1		
Conduct to the prejudice of good order, and military discipline, and desertion.....	1		
Incest.....	1		
Stealing mule, saddle, and bridle.....	1		
Embezzlement.....	1		
Uttering and passing a forged order, and forgery.....	1		
Absence without leave, and theft.....	1		
Total.....			280

PHYSICIAN'S REPORT.

HOSPITAL IOWA STATE PENITENTIARY, }
November 1, 1871. }

To MARTIN HEISEY, Esq., Warden Iowa State Penitentiary, Fort Madison, Iowa:

SIR: I have the honor to present you with the biennial report of the Medical Department of this Institution from the 1st day of November, 1869, to the 31st day of October, 1871, inclusive.

The most of the term just closed was unusually unhealthy, and the diseases were of a more obstinate character than usual; still no deaths have occurred, and this I attribute to the improvements in hygiene, diet and otherwise, reducing the daily percentage of the sick from 1.55, as stated in my last report, with an average of 213 prisoners, to 1.48, with an average of 250 prisoners.

Such happy results are not only creditable to the medical officers, including the able and untiring Steward, but also, in a great measure to the general management of the officers in charge, in amply providing for the wants and comforts of the prisoners.

The accompanying tables marked "I and II" will fully explain themselves.

You will observe, that almost *twelve per cent* of all diseases mentioned, consist of *wounds and injuries*, inflicted by the different machinery in the work-shops of the prison; some being of a very serious nature and requiring a long surgical treatment. The daily percentage of sick would be considerably reduced, if those suffering from such *wounds and injuries* were excluded.

These "wounds and injuries" created a necessity for several amputations of a minor character; but one unfortunate young man—*Joseph Metz*—was so frightfully mangled, as to make the amputation of both legs a necessity; all efforts to save the limbs having proved futile, and gangrene having set in prior to the amputation.

The amputation was performed by me, with the assistance of Dr. A. C. Roberts and Dr. Joseph A. Smith, under very unfavorable circumstances, and with little hope of saving the life of the patient; but we were highly gratified that our labor was rewarded by excellent success.

For the unlooked for success in this special case, we are largely indebted to you and your Deputy, in humanely caring for and promptly providing for all the wants of the sufferer.

During this term two prisoners have been sent to the Insane Asylum. One of these prisoners, *Hermann Waldeck*, was mentioned in my last report. In case of the other prisoner the disease developed itself a short time before the expiration of his term of imprisonment.

I beg leave to express my sincere thanks to the officers of the Institution for their uniform kindness and courtesy extended to me, thus rendering the execution of my duties as Physician and Surgeon, very pleasant and comparatively easy.

I have the honor to remain, very respectfully, your obed't serv't,

AUGUSTUS W. HOFFMEISTER, M. D.

Physician and Surgeon to Iowa State Penitentiary.

TABLE I.

Sick Report at the Iowa Penitentiary.

MONTH.	No. taken sick during the mth.	No. of days labor lost by these sick.	Average No. of sick treated in hospital daily.	Average No. of prisoners during the month.	Daily percentage of sick
1869.	20	69	2.30	214	1.07
November.....	32	133	4.29	218	1.96
December.....	37	114	3.68	219	1.68
1870.	24	76	2.64	231	1.19
January.....	33	121	3.90	233	1.74
February.....	24	97	3.33	227	1.86
March.....	30	103	3.32	233	1.42
April.....	38	86	2.86	236	1.31
May.....	40	183	5.90	238	2.48
June.....	49	156	5.03	237	2.13
July.....	28	93	3.10	241	1.29
August.....	16	85	2.74	245	1.11
September.....	24	82	2.73	249	1.09
October.....	26	98	3.16	264	1.19
December.....	27	79	2.54	274	0.92
1871.	26	114	4.07	272	1.50
January.....	44	146	4.71	273	1.72
February.....	21	128	4.26	268	1.59
March.....	26	88	2.84	261	1.08
April.....	40	130	4.33	265	1.63
May.....	41	129	4.16	267	1.55
June.....	48	171	5.51	259	2.12
July.....	44	118	3.93	263	1.49
August.....	21	62	2.00	273	0.73
September.....	749	2661	88.23	6000	35.73
October.....	31.20	110.87	3.67	250	1.48
Twenty-four months.....					
Average per month.....					

AUG. W. HOFFMEISTER, M. D., *Physician and Surgeon to Iowa Penitentiary.*

TABLE II.

Showing the diseases occurring at the Iowa Penitentiary from November 1, 1869, to October 31, 1871.

WARDEN'S REPORT OF THE

[No. 20.]

No. 20.]

STATE PENITENTIARY.

	Nov., 1869.	Dec., 1869.	Jan., 1870.	Feb., 1870.	Mar., 1870.	Apr., 1870.	May, 1870.	June, 1870.	July, 1870.	Aug., 1870.	Sept., 1870.	Oct., 1870.	Nov., 1870.	Dec., 1870.	Jan., 1871.	Feb., 1871.	Mar., 1871.	Apr., 1871.	May, 1871.	June, 1871.	July, 1871.	Aug., 1871.	Sept., 1871.	Oct., 1871.	Total.
Febris intermittend	1					1					3	2				1	1			2	1	5	6	2	23
Neuralgia		1	1																						4
Erysipelas					3	4	2																		6
Catarrh	2	2	3	3	4	2					1				3	1	3		2	1		1			36
Cough																									7
Bronchitis	1		1	3	1	2																			11
Pleuritis	1	1	4	1	1																				8
Pneumonia	1		1	1	1																				20
Phthisis pulmonalis																									3
Hæmophthisis																									2
Sore throat																									1
Tonsillitis																									2
Parotitis																									1
Headache	2	1			2	2		1	1	2	1		1	1		1				1					19
Status gastricus et biliosus	1		4	2	6	1	4	6	5	5	4	2	3	5	7	10	8	4	5	3	11	8	13	5	122
Dyspepsia																									1
Colic					1						1						1								8
Constipation	1					1	1																		6
Hæmorrhoides	1				1	1																			11
Fistula in ano																									2
Diarrhoea	1	3		2	2	2	3	9	13	14	7	2	2												56
Dysentery			1	1				1	4	5	7	5	1												32
Cholera morbus										2															6
Kidney vompe					1	2																			1
Bright's disease																									1
Cistitis																									1
Hydrops																									2

	Nov., 1869.	Dec., 1869.	Jan., 1870.	Feb., 1870.	Mar., 1870.	Apr., 1870.	May, 1870.	June, 1870.	July, 1870.	Aug., 1870.	Sept., 1870.	Oct., 1870.	Nov., 1870.	Dec., 1870.	Jan., 1871.	Feb., 1871.	Mar., 1871.	Apr., 1871.	May, 1871.	June, 1871.	July, 1871.	Aug., 1871.	Sept., 1871.	Oct., 1871.	Total.
Rheumatismus	1	1			1		1		2	1	1	1	2	1	3	1	3		2	1	1		1	1	26
Heart disease		1							1																5
Hydrops pericardii				1																					1
Anæmia																									1
Debility																									1
Mental depression		1																							1
Insanity																									1
Epilepsia				1	1																				4
Crampus																									1
Ophthalmia	1	1	3																						11
Amaurosis																									1
Syphilis		1			1																				5
Paraphimosis		1																							1
Hernia																									9
Boils	1				1	1	2		1	2		1	1												14
Felon		1																							3
Ulcer																									10
Abscess																									1
Tumor	2	1		1	1	3			1																13
Burn	1		1		1																				8
Sprain		1																							3
Fractures																									1
Wounds and Injuries	1	3	1	6	4	1	6	5	4	2	2	2	3	5	2	3	14	5	1	8	1	4	2	2	87
Toothache																									1
Herpes																									1
Diseases of an undefined character, and generally of short duration	1	2	1	1	2	4	7	7	5	8	3	5	6	5	3	1	4	3	5	7	6	4	2	2	94
Total	20	32	37	24	33	24	30	38	40	49	28	16	24	26	27	26	44	21	26	40	41	48	44	21	749

AUGUSTUS W. HOFFMEISTER, M. D.,
Physician and Surgeon to Iowa Penitentiary

CHAPLAIN'S REPORT.

FORT MADISON, NOV. 1, 1871,

TO MARTIN HEISEY, WARDEN OF THE IOWA PENITENTIARY :

SIR:—The following Report embraces the time from the first of January, 1871, to the first of November, 1871, a period of ten months during which time my undivided attention has been given, according to the best of my ability, to the duties of the chaplaincy, and I trust not without some good results. When I entered on my work as Chaplain, it was with a trembling sense of the immense responsibility of the position, and I trust, with an humble dependence on divine wisdom to guide and assist in the faithful discharge of the duties incumbent on me. My labors, as you are aware, are somewhat varied, but consist mostly in preaching to the convicts; once on the Sabbath, and also in private conversation and counsel and advice, as I have opportunity. The time I have taken for private conversation has been mostly on Sabbath days, when the men were locked in the cells, after Chapel service, when I could discharge that duty without interruption, and the men would feel a freedom to express their own feelings with less reserve than when surrounded by the multitude. I have also visited among the men as they were at work in the different shops. But that affords but a limited opportunity for conversation, as the time of the men during working hours belongs to the contractors. But the instrumentality upon which I have mostly relied, as a means of directly benefitting the men, is the preached Gospel, which is listened to with apparent interest, at which times and on such occasions, it is not uncommon to see hardened men melted to tears, under the force of the truths of God's word. A goodly number have given satisfactory evidence of being spiritually benefitted, during the time I have labored among them, and many others seem desirous of turning to the Lord.

The seasons of private conversations in the cells, are to many seasons of rich spiritual enjoyment, and are participated in by many with pleasure, and I trust profit, by the counsels and advice they receive. I am aware that much of the labor bestowed is as bread cast upon the waters, which will be gathered after many days. Yet from the good results that have been already achieved, I am greatly encouraged to labor on and to put forth new efforts. One of the principal sources, tending to reformation in life and conduct, and also to intellectual improvement, is found in the facilities afforded the men for reading, the prison now being furnished with a good selection of books. As there is a distribution of the books once in every two weeks, the eagerness with which they are sought after by the men, gives pleasing evidence that they read with interest, and at least, to some extent, with profit. It is not only historical works and miscellaneous works that are sought after by the men; but in many instances, the religious works, sermons and religious narratives and productions of good men in the different ages. The cells being furnished with Bibles and testaments, many of the men, I learn, have commenced the study of the scriptures for the first time in their lives. The Sabbath-school services, which are held in the chapel of the prison every Sabbath afternoon, have already been productive of much good, and are participated in by the convicts with evident interest. I will here give the statement of the Superintendent, Judge J. M. BECK, from whom I procured the foregoing statistics. I have been astonished at the progress the men have made. One man I call to mind who did not know a letter, in seven months learned to read well, and was put into the Bible class. "Many of the others who could read a "little imperfectly have become good readers, and have been put "into the Bible class. The success of teaching the prisoners is no "longer a question. They learn with a rapidity that is astonishing." The teaching of this class to read has been mostly by youths who attend the Sabbath-school, about one hour every Sabbath. Judging from the success that has attended the efforts of the past in this direction, it is easy to conceive that with proper facilities for teaching, very much greater results would be realized; and if I may be allowed, permit me here to suggest the importance of

the State providing a building, inside the prison yard, of sufficient dimensions for a school-room, and also a room for the chaplain's office, and also that the salary of the chaplain be raised sufficiently to enable him to devote a portion of his time to teaching the men to read, etc., as the circumstances of the case seem to require.

Your obedient servant.

JOHN WARREN.