

REPORT

OF THE

BOARD OF INSPECTORS

OF THE

IOWA PENITENTIARY,

FOR THE TWO YEARS ENDING FIRST OF OCT., 1859.

DES MOINES, IOWA.
JOHN TEESDALE, STATE PRINTER.

1859.

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THE WARDEN, IOWA
JAMES M. WARDEN

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Board of Inspectors of the Iowa Penitentiary.

FOR THE TWO YEARS ENDING FIRST OF OCTOBER, 1859.

To His Excellency R. P. Lowe, Governor of Iowa :

By the Code of Iowa, the Inspectors of the Penitentiary must annually, in the month of November, report to the Governor all particulars necessary to inform him fully concerning the condition of the prison, and must at the same time furnish an estimate of the probable income and expense of the said Institution for the ensuing year.

We will now proceed to comply with those requirements, embodying, by your permission, the reports of two years in one.

On the first day of May last, the official term of P. Inskeep, as Warden, expired, and Edward A. Layton was appointed Warden for two years ensuing.

We have had most of the past two years, four wall guards, four shop guards, and two night guards.

One office guard has also been appointed and employed during the greater part of the same time.

The resources and expenditures of the Prison during the two last fiscal years, are exhibited by the report of the Warden, a copy of which is herewith sent.

It will be seen that our expenditure for General Support during the two past years, has greatly exceeded the sum appropriated for that purpose by the Legislature. Our estimates made in Novem-

ber, 1857, for the support of the prison for two years, amounting to \$17,000, were based upon the presumption that provisions and other articles largely required in a prison, could be furnished at least 30 per cent. lower than during the preceding year, and that the convicts would continue to multiply at about the same rate which has hitherto prevailed.

With these impressions we set our estimates at the lowest sums which, as we supposed, our necessities would allow, and asked only \$300 for contingent expenses. In all these particulars we have been disappointed. Provisions have been scarce and expensive. The number of convicts has increased from 47 to 113, an addition of 66; whereas, during the previous two and one half years, the increase was only 30. We have had to add two to the number of guards, have been compelled to lay a plank floor through the cell room; have enlarged the prison yard, building a new plank fence and moving the old one; have built guard houses and have erected two wooden buildings, which will be spoken of in another place—all of which have consumed large sums of money, and occasioned unforeseen expenses.

Besides these things, we have been subjected to the payment of old indebtedness to the amount of \$2,533.85 over and above our former estimate of indebtedness.

In our former report we reported our indebtedness to be \$1,300, as nearly as we could then ascertain from our books or otherwise, and asked for that sum.

In March following we advertised for a presentation of the old debts; and notes and accounts to the amount of \$3,833.85 were presented, the most of which had no recognition in the books, some of which reached back for some years.

The payment of these old notes seemed to be demanded by every principle of justice and economy. They not only burthened and annoyed the Warden and Inspectors, but they also depressed, to a low point, the credit of the Penitentiary, and subjected the State to far higher prices than those ordinarily paid by private purchasers.

In connection with the financial portion of our report, the undersigned would state that during the month of April last, we laboriously examined the pecuniary relations of the late Warden, Inskeep, with the State. This investigation was attended with much difficulty. Our sole assistant was Mr. R. A. Brown, who

was the Clerk of the Penitentiary during the whole of the late Warden's administration.

A thorough revision of any set of account books demands the aid of some practical book keeper other than the one who kept the books, which are to be subjected to scrutiny. But we would not have been justified in incurring the expense of such outside assistance, especially with the full knowledge that your Excellency was, by the law of 1858, required to appoint annually, a Commission for examining the affairs of all State Officers, which provision of the law you have fully complied with in respect to the Penitentiary, since the close of Dr. Inskeep's term of office. We, however, from the best light which we could then obtain, effected a settlement with the Warden upon what seemed a just and legal basis. Since that settlement was made, facts have come to our knowledge, showing serious omissions and inaccuracies, both upon the debt and credit sides of the Ex-Warden's accounts. Unless we had relinquished for months our ordinary pursuits, been authorized to employ one or more book keepers not connected with the Prison, to review all the computations and entries of our Clerk for the two preceding years, and made extensive personal inquiries of persons who had transacted business with the Warden, we respectfully but confidently submit that it would have been impossible for us to have detected those errors and inaccuracies prior to our above mentioned settlement.

Two accomplished book keepers, Messrs. S. Guthrie and Daniel Webster, have recently spent months of unintermitting labor, including correspondence and personal inquiry in elucidating the financial affairs of the Penitentiary, to the satisfaction of the Board of Examining Commissioners, appointed by your Excellency, in July last.

Mr. Guthrie by himself, and in connection with his Assistant, was occupied about three months in merely examining the books. And we have gladly, by every means in our power, facilitated their labors. The researches of those gentlemen extend from May 1st, 1857, to June 1st, 1859. Under the circumstances, we submit to your Excellency that an application should be made to the proper legal tribunal for opening and rectifying the settlement made with Dr. Inskeep, and we ask such action on your part in the premises as shall seem legal and expedient.

In closing our remarks upon this subject, we would add that

Mr. S. Guthrie, above mentioned, is reputed to have few or no superiors as a book keeper, and as a man of integrity, and that he was, so soon as he had fulfilled his engagements with the Board of Examining Commissioners, appointed Clerk of the Penitentiary. We confidently believe that our books and accounts will be found fully reliable and lucid, so long as we are able to retain him in our service.

IT IS SUPPOSED BY MANY THAT THE PENITENTIARY SHOULD BE SELF SUPPORTING.

We ask leave to offer a few words upon this point. The convicts are contracted out at thirty-five cents per diem for ten years. If every prisoner worked for the contractors, if each were able to do full work and had never for any cause lost a day or any part of one, the labor for each convict would annually amount to the sum of \$109.20, equal to \$2.10 per week.

But several hands are reserved from the contract, to do cooking, washing, chopping, choreing, &c.

Some of the convicts are constant invalids, and are exempted from work, either wholly or in part. Saturdays are never reckoned full working days, and many are, during the year, temporarily disabled by sickness.

These causes largely reduce the annual average of Prison labor. We have never been able to get a much higher annual labor average, for each convict, than from \$70.00 to \$75.00.

When we become able to adopt better sanitary regulations, and better economical arrangements, we hope that this average will be increased. The sum above mentioned shows that the average weekly earnings of each convict, amount to from \$1.40 to \$1.45. Now to say nothing of the salaries of the several officers, the pay of the night, wall, and shop guards, or various improvements to be made and contingencies to be met—can men be fed, warmed, clothed, lighted, medically attended in case of sickness, religiously and morally instructed, furnished with citizen's clothes, and the small sum allowed for traveling expenses on their being discharged from prison, on \$1.45 per week? Let reason and humanity answer.

Very few Penitentiaries are self-supporting, even under the most favorable circumstances, as when the number of convicts is large, when the important improvements are completed, when the

contract price for labor is from 40 to 60 cents per day, when purchases are made with cash, and of course at the lowest prices, and when they manufacture all their own shoes and other clothing—as prison statistics and reports abundantly show.

DIFFICULTIES CONNECTED WITH THE LEASE OF CONVICT LABOR.

In the fall of 1858, the lessees of the prison labor erected a saw mill in the prison yard, without the consent or knowledge of the Board. The said mill was so situated as to exclude about 60 feet of the plank fence from sight, from the only guard house that could at any time command a view of that portion of the fence or yard. This was previously the most exposed and dangerous portion of the prison yard for escape. It was rendered still more so by this building.

The Board, on learning the fact of the location and erection of the mill, at once called upon the resident officers, to know if leave had been given for the erection of the building. The Warden stated that he knew nothing about it till it was up and covered. The Board then demanded of the lessees, through the Warden, by what authority they had erected the building, and were thus exposing the prison to increased dangers? The reply was in writing, that they had erected it to increase their shop room. That they had not had shop room enough for the successful working of 50 hands, and that from and after the 20th of January, they should refuse to work over 50 hands, until more room should be provided, and should also claim damages for the past lack of room. This paper was handed to the Chairman of the Board 6 days previous to the said 20th of January, the evening or the next day after one of the regular meetings of the Board. It is true that the State, by the contract, is obliged to provide sufficient shop-room for the successful and profitable working of the hands. (See copy of contract in appendix.)

This paper constituted the first intimation the Board ever had received that there was then or was likely soon to be any lack of shop room. On the contrary, the Board had ever been persuaded that there was a large amount of shop room unoccupied, except for storage purposes. They at once instituted measures to ascertain from other prisons the amount of shop room necessary for the successful working of hands at the same employment, or work re-

quiring a similar amount of room, and they became fully persuaded that there was at that time room sufficient for the profitable working of many more than 100 hands. In fact up to this time the lessees had 75 or 80 hands on contract in the shops, at the same employment.

On the said 20th of January, they refused employment to more than fifty hands. The Board ordered that they should be charged with the full quota, as if they were in their employ. The contractors claim that the State is obliged, under the contract, to provide them with sufficient shop room, that they, on their part, are not under obligation to give any notice of lack, and that if room is not provided, they are entitled to damages. The Board claim that the necessity for more room is a question of fact to be enquired into, and that proper notice should be given, of the existence of such lack and need, and that six or seven days in the middle of January do not constitute such timely and proper notice.

We ask the attention of your Excellency and the Legislature, to the character and terms of the appended contract. It is a remarkable document, that needs to be understood. It requires the State to provide shop room, but there is in it no rule or test, or criterion by which the Board may know or determine the required amount. It requires the State to furnish the stoves and fuel for heating the shops, a fact, we believe, without precedent in other prisons. The contract requires the State to furnish room for the boilers, and for storage of raw materials, &c. (See annexed copy of contract.) Does this item obligate the State to provide a storage house in the yard for raw materials, or even room in the yard for any large amount, or for use for any great length of time? The contract allows the State to retain one-tenth of the hands for cleaning, cooking and repairing, and also forbids the State to carry on any business that shall compete with or injure the contractors. (See language of contract.) Under these stipulations of the contract, the lessees claim that the State has no right to institute within the prison any manufacture of shoes and clothing for consumption or use by the convicts, or in fact, do any work by the convicts for its own benefit, except to clean, cook and repair, either by the one-tenth of the men retained by the contract, or by the invalid hands, not able to work on contract.

To such claims the Board cannot yield their assent without in-

struction from the Legislature, or such other authority as the Board are bound to respect and obey.

By the contract, the lessees agree to employ all the able bodied hands, to nine-tenths of their whole number, at 35 cents per day, and also to pay for the same, monthly, four months after the labor has been performed. But there is no bond, or forfeiture, or penalty of any description on their part, for the non-fulfilment of their obligations, under the contract, in any or in every particular.

In the month of March last, their indebtedness to the State for labor of the convicts, amounted to the sum of about \$2,600. The Board requested payment for the support of the institution, or else security. They set up an offset for damages, which the Board could not allow, and a suit was commenced upon the notes, which is now pending. The Board, after much consultation and advice, considered it as their manifest duty to take measures to have the heavy claims of the State against the lessees, referred to a Court of law for adjustment.

From the increase of convicts during the summer, and the still larger anticipated increase for the fall and winter months, it became apparent and certain that more shop room would be required before spring, for working all the men. Unless such room should be provided during the fall, the State would suffer loss, and would certainly be liable for damages. The Board therefore advertised for bidders for building a brick shop one hundred and five feet long and forty feet wide, two stories high, to be covered with slate, with a cellar under it for the necessities of the prison. The contract was let for \$6,546, to be paid in Penitentiary notes, and the shop is now in process of building. We therefore ask an appropriation for that amount, to enable the Warden to liquidate those notes.

THE KITCHEN AND HOSPITAL.—The Legislature of 1856-7, passed a law making an appropriation for a wall, for certain cells, and also for an apartment to serve as a Hospital, the foundation of which, and other permanent parts of the building to be constructed with a view to making it a Hospital, when completed, that will serve all the requirements of that department of the prison.

That portion of the appropriation intended to be applied to the Hospital, was used for general support, and the Hospital abandoned for the time.

The Legislature of 1858, passed another law, and made an appro-

priation for the erection of a building for a hospital, chapel, dining room and kitchen, to be included in one building. Although the erection of such a building might seem to some a simple and easy task, or a work involving no questions of difficulty or great practical importance, the Board viewed it otherwise. In their judgment, questions and interests of immense importance were involved in the subject. Its best location, construction and arrangement for economy, convenience, supervision, health and security, must all be considered, and were but a part of the questions and interests involved. In short, it must be a building, such as in the language of the law first above cited, when completed, will serve all the requirements of those departments of the prison for which it provides.

It was the wish of the Board to meet these requirements fully and perfectly.

Heretofore little has been done in regard to the prison, after any enlightened, fixed and comprehensive plan, having the future in view, and much that has been done will, ere long, need to be undone. The Board have already felt obliged to make some changes incurring considerable expense. It is not our object to cast censure upon the doings of any former Board. They acted as wisely, undoubtedly, as Boards generally have done in the commencement of such enterprises in other States. Several States are at this time remodeling their whole system, Prison construction, and others are building anew as the best way of meeting their necessities and escaping their difficulties.

The Board have thought it best to act upon a different policy.— They have felt it their duty, if possible to obtain some comprehensive plan which would never require any change, which when perfected would answer all the future wants of the Institution, the parts of which could be carried out as necessities should require and means allow. The subject of prison construction and discipline is a specialty, emphatically so, which mechanics and architects even, are not generally expected to understand. It is not too much to say they generally do not understand it. The Board unaided felt themselves entirely incompetent to the task before them. Nor could they learn of any one in this State or region of the West, able by his thorough study of the subject, and practical experience, to give the desired information and plans.

Then again how could the present Board any more than the former one, judge wisely of the comprehensiveness, adaptation and wisdom of any plan, unless they themselves, should possess more thorough knowledge of the different plans and their practical workings.

After much deliberation and advice upon the subject, the Board determined to send one of their number to visit several of the Eastern Institutions and prison architects, to study the subject and obtain plans. Most other States, if not every one, have sent agents abroad on a similar errand, and we felt that such a measure would not only be eminently wise, but that the necessary funds, taken from the hospital appropriation would be both germane to its object and legitimate. They accordingly with executive approval, commissioned Dr. Shedd the medical and the senior member of the Board, for the discharge of these duties. Nor was it his whole duty simply to study and obtain architectural plans.— He was desired to investigate as far as practicable the whole subject of prison economy, the diet, the clothing, the labor, the discipline together with the moral, educational and sanitary regulations of such institutions as he might visit, and we are firm in the belief that if in other respects no good shall result to our Institution and the State from his tour in these respects, from the valuable information obtained by him, the State will be richly repaid for the expenditure incurred.

Dr. Shedd visited the Penitentiaries at Alton, Columbus, Auburn, Albany, Sing Sing, Blackwell's Island, Philadelphia and Charlestown, and the Jails at Boston and Lawrence, and from the officers at all these Institutions received every kindness and facility for information that could well be shown.

It is not the intention of the Board to make any comparisons or express any opinion as to the merits or demerits of any of these Institutions, further than to say that in their discipline, their neatness, and order, and the intelligence and character of their officers of all ranks, those of Ohio, New York and Massachusetts are models of their kind. It will be the aim as it is the ambition of the Board to make the Penitentiary of Iowa as perfect in these respects as those named.

In the style of construction all these prisons are patterned after the Auburn plan. That is, the erection of a prison within a prison, with a cell for each convict for lodgment by night and work-

shops for associated labor under the eye of a guard or overseer by day, which is in all of these respects the general plan of our own prison.

In regard to the system of punishment practised in these different Institutions, a remark may not be improper. In all the prisons of New York, the various modes of corporal punishment are employed for misdemeanors when deemed necessary.

In Ohio and Massachusetts all corporal punishments properly so-called are abolished and the darkened cell, without seat or bed is substituted, and in the opinion of the officers in charge of those Institutions, with most happy results. The Institution at Philadelphia, it is generally understood, is established and conducted upon a radically different basis from those already mentioned.

Here the confinement so far as the prisoners are concerned, is solitary both by day and by night, and by day as well as by night. Here, also, as in other prisons each convict labors at some useful trade, and some trade that may be useful to him when he leaves the walls of the prison.

But each one works in his own cell and the design is that no one convict shall ever see any other convict or know what other convict may be there. They are visited daily in their cells by certain officers and overseers, instructed in their work and encouraged and strengthened in efforts for reformation.

It is not necessary in this report to go into any detail of the principles or practical workings of this system. Suffice it to say, it is the result of true benevolence and exhibits much that every lover of humanity must admire and value. Whether it is the best possible system, or whether on the whole, it is an improvement upon the ordinary system, as practised in most other States, at least as improved in some of them, in the minds of many who have devoted much attention to the subject, admits of a doubt.

The objections raised against the system are, that it practically tends to imbecility of body and mind, and to an inordinate amount of insanity, dementation and mortality. And so weighty and firmly settled are these objections in the convictions of those who have had the direction of the construction of the penal Institutions in our land, that although the system has been adopted and in operation in Pennsylvania for a third of a century or more, and has been ardently advocated by its friends as the only true and wise plan,

yet it has been adopted and applied to practice in only one or two other States.

The best architectural plans for penal Institutions seen by our agent, according to his view, are found in Massachusetts.

We speak of prisons built upon the ordinary system as found in all the States except New Jersey and Pennsylvania. The Institutions there visited are the State Prison at Charlestown, and the jails at Boston and Lawrence, all of which are constructed upon one and the same general plan.

This plan was devised by the Rev. Mr. Dwight, long the industrious and honored Secretary of the Prison Discipline Society: It is the result of some thirty odd years of extended research and profound study.

The architectural Designs were by G. J. F. Bryant Esq., architect of Boston. Mr. Bryant was for a long time the companion and chosen architect of Mr. Dwight and it is probably not too much to say, that his study, experience, and practice in prison architecture exceeds by far that of any other individual in our country.

These Institutions have been visited and examined by multitudes of eminent individuals, by committees from Legislatures, by commissioners from different cities, States, and foreign countries, and have been pronounced, it is believed by the mass of their visitors the most perfect plan for their object, ever yet devised. We speak of plans of course for associated labor.

We could give many copious extracts from reports of Committees and the messages of Governors commendatory of this plan, but a brief one from a committee of the Massachusetts Legislature, to that body in relation to its adoption as the plan for their States Prison, will suffice.

They say, "From a thorough investigation of the subject, they believe that the proposed extension, plans of which are herewith submitted, combine all the improvements of the present day, and they believe that no other plan than that proposed, taking into view the costs and the wants of the prison, would fully meet the demands of an enlightened community."

Massachusetts has, at the present time, several other Institutions in which the same plan of architecture has been adopted. Maine has two, and is now altering her State's Prison in conformity to the same plan. Rhode Island, Maryland, and Missouri,

with some other States, are building or remodeling their prisons upon the like principle.

The grand and characteristic feature of this plan is, that it has a spacious octagonal or eight-sided building in the centre, surrounded on three of the four cardinal or principal sides if need be, with cell rooms for convicts, all in open communication with the principal story of the octagon, while on the fourth side, and in juxtaposition and immediate connection with it is the building or wing for the Warden's residence and the offices.

It will thus be seen that the whole system of buildings is in the form of a cross, the octagon being in the centre. This octagon is lighted by large mullion windows, situated in the four remaining sides or angles between the several wings. This octagon or central building is four stories high, each story being of a height to suit circumstances. The lower story or basement is for the kitchen, bakery, wash-room and dining room for the convicts, (if the convicts eat at one common table,) and may be entered directly from the several cell-rooms. This is an important feature of the plan. In this way, at certain seasons of the year, that is during the short days, the cooks may be taken from their cells for purposes of breakfast, before the guards go upon the walls, and at an earlier hour than the prisoners generally can be unlocked, and can be taken to the kitchen without entering the yard, and be as safe against escape and other emergencies, as if locked up still in their cells. By this means breakfast may be served much earlier than otherwise.

Under our present condition of things in short days convicts are obliged to stay in their cells from 14 to 16 hours out of 24. Any arrangement that will shorten such nights and lengthen the days, will be an improvement of great and manifest importance.

The second story is for a general guard-room. It is of the full size of the building unless the several stairways to the upper cells and to the rooms above, are taken from it, has its floor upon the same level with the floor of the 2d tier of cells, and extends as high or nearly so, as the top of the upper tier or range.

The 3d story is for the chapel, which is entered directly by stairs from the several cell rooms, and by the same stairs that lead to the upper range of cells.

The 4th story is for the hospital, and is entered by the same stairs extended, that lead to the chapel. This 4th story for the

hospital is one of the important features of the octagon. It can be entered directly from all the cell-rooms by night or by day, and without ever leaving the same, while it is far removed from the noise of the prison, and is accessible to the purest of air.

The second story however, for the guard room, is the distinguishing characteristic of the octagon. By its open communication with all the cell-rooms, the guard on duty there, by one or two changes of position, will be able at any and all times, to see any and every prisoner or other person, entering or leaving any of the cell-rooms, and may at all times watch him while there; may in an instant take a view of every gallery and of the door and fastenings of each and every cell; will be able to hear even a slight noise, even in the most distant cell or part, and by means of the several flights of stairs in connection, may in a moment reach any point desired, and may see any and every one passing to or from the chapel or hospital.

By means of the four windows in the smaller sides or angles of the building, the guard can at all times have a full survey of all the avenues of approach to the building or cell-rooms from without, and may at all times survey a large part of the prison yard, and whatever is being done there.

By means of this guard-room, supervision is centralized and rendered more efficient. By means of this room, much expense of guarding may be saved, as two guards will be able to do the work effectually, otherwise requiring from three to five. This octagon and guard-room act also as grand dispensers of light, and are great ventilators and ventiducts to themselves and to the whole establishment, and hence as a sanitary regulation, they present very manifest and important advantages.

If the objects of penal institutions are to be sought by the common methods of discipline, can any plan better subserve their attainment than this one? Under our circumstances can anything be more appropriate and desirable, not to say demanded for the Penitentiary of Iowa than this plan? The Board think not. It is the desire of the Board, and they believe it is the desire of the State to enlarge and build up this important institution upon the foundation of the truest wisdom, so that in this particular as well as others, Iowa may occupy an honorable position in the sisterhood of States.

This octagon is the plan sketched by Mr. Bryant for our agent,

and brought home by him, for the kitchen, dining-room, chapel, and hospital, to be built for and in connection with the Penitentiary of Iowa, and the same has been approved and adopted by the Board.

But where shall it be located? Fortunately we have the right spot exactly. There is at the east end of the present cell-room, between it and the wall on the east side of the prison yard, as it has been enlarged the past summer, a space of 120 feet in extent. Here adjacent to the present cell-room and directly east of it is proposed to locate the octagon. On the east side of the octagon, and extending nearly to the east wall of the yard, it is proposed that a wing shall be added in the future, or built in connection with the octagon if possible, for the female prison.

On the south and facing the street, and looking out and down upon the river, will be the wing for the Warden's residence and the offices; while on the north side, extending into the prison yard, another wing may be added in the future for cells, if it ever shall be deemed advisable.

This plan, when completed, will give five ranges of cells in height, and will furnish room for 430 cells when the female wing shall be built, exclusive of the wing suggested, extending northward into the yard. At the rate of increase for the past two years, these cells will all be demanded, at the farthest, in some 6 or 8 years. There are five cardinal features of this plan that induce the Board to its adoption:

- 1st. Its convenience and adaptation to our wants.
- 2d. Its value as a sanitary construction.
- 3d. Its advantage in respect to supervision, security, &c.
- 4th. Its adaptation to receive extensions or additions at any time in the cheapest and most convenient manner.
- 5th. Its economy.

Upon the first four subjects named, nothing more, we think, need be added in this report. But is the fifth proposition true? Is it an economical plan, and can and ought it to be recommended as such?

We admit that the octagon, as proposed, will cost more than the appropriation made, and so will any building suitable and adequate to our wants and the purposes specified in the law, making the appropriation. We admit also that a building of some other form and material could be placed within the yard and could con-

tain all the required rooms, and yet be built much cheaper than the proposed octagon. Still we think the plan can properly be recommended on the score of economy. Certainly under our circumstances we are confident on the score of expediency. We present the following facts and considerations on the subject:

1st. This plan gives all the rooms, together with the requisite cellar, above one foundation and beneath one roof.

2d. The octagonal form gives the most internal room for the same foundation walls and roof, of any form except the circle.

3d. This plan saves almost entirely any wall, both to the guard-room and cell-room, on each and every side where a cell-room is built.

These features or qualities are inherent in the plan. The following facts are incidental to our condition of things, and have had great weight in determining the mind and action of the Board:

1st. It was the first great fact impressed upon the mind of Dr. Shedd, that our prison yard, even now that it is enlarged, will be too small for the future necessities of the prison. In view of this consideration, we felt it important to husband the room in the yard in every way possible.

2d. By placing the proposed octagon in the manner proposed, we save to the State, yard-room to the value and cost of \$5,000, and more for other important and needful purposes.

3d. It places the building upon ground otherwise of no use or value to the State.

4th. The octagon will be a substitute for and take the place of 68 feet of yard wall, on that part of the yard. And if the female wing is built, it will save 45 feet additional, thus making in this particular, a saving to the State, of from four to five thousand dollars.

5th. By adopting this plan instead of the former one, we shall be enabled to preserve the roof of the present cell-room, when it shall be raised, and change all the guard houses from curb stone to brick, and make their form octagonal and harmonious with the whole design, and thus save in these particulars, from \$4000 to \$5000 more to the State.

6th. By adopting the proposed plan, the hammered stone that will be removed from the east end of the present cell-room, and the windows when enlarged, will build the most of the entire

outer and front wall of the present prison when its roof shall be raised to its proposed height.

The old plan for which this is offered as a substitute, proposed four stories of cells in the present cell-room, making in all thus 216 cells in that or the male department; it proposed converting the warden's present residence into a female department, and locating his new one in front of the male cell-room, but practically quite disconnected with it; while the kitchen, dining room, hospital, &c., were to be placed within the prison yard, and necessarily at some distance from the cell-room.—With this plan the Board were dissatisfied in many particulars. The number of cells proposed was quite too small; they would all doubtless be filled in three or four years, probably in much less time, when a new prison would be required or a heavy expense incurred in altering and extending the present one. The Board determined, therefore, so to alter and extend the plan at once as to make room for about 400 or 500 cells, and to adapt thereto the size of the kitchen, dining room, hospital, &c.

The number of 430 cells as already stated, will be provided for by the plan proposed. This number may be increased still more by building the northern wing, as already suggested; in which case additional yard room for work shops, may be obtained by enclosing, on three sides, the prison garden, lying adjacent to the west wall of the present yard.

In regard to the faults of the rejected plan and the merits of the one proposed, we wish to present as a part of this report, the report in full of Mr. Bryant to Dr. Shedd, presented in connection with his plans. (See annexed document, marked B).

Thus far we have spoken of the plan only in its general features. It is necessary that the plan should be drawn out in detail, or in other words, that a working plan should be prepared. This is indispensable, before any work can be done upon it, or any intelligent estimate made of its cost. Such a plan can only be prepared and such an estimate made by a thorough and practical architect, fully acquainted with the necessary details of such buildings and their objects. But no architect can prepare intelligently and properly, the plan for such a building in detail, without first becoming minutely acquainted with the premises, and no intelligent architect would risk his reputation in such a manner.

Some architect, then, must visit the premises, and prepare the details upon the grounds. It was thought best to bring to the State an architect, long familiar with such buildings, in Massachusetts. By advice of Mr. Bryant, Mr. I. F. Edwards was selected as a man every way qualified to do this work. A practical mechanic as well as architect, of more than thirty years experience with all forms of buildings, with all kinds of material, and with the best style of work.

Mr. Edwards has not disappointed our high expectations of his ability. He has prepared working plans for the octagon, in all its parts, for the female wing, and for the Warden's residence, and the offices, in all their parts, and also a map for the prison yard, as a guide for the size, form, and location of every building that it will probably be desirable to place within the yard.

Should this whole plan, as thus detailed, ever be completed, we feel confident that our penitentiary, in every important quality, will be second to no institution in our country, built upon the ordinary plan.

The Board have felt it an important question, whether any work should be done upon the foundation of the octagon, before another meeting of the Legislature, or in other words, whether the hospital fund should be expended upon this foundation before another session, or reserved for Legislative approval and further appropriation. It would have been certainly vastly more agreeable to us personally to wait the action and instruction of the Legislature, but the Board do not understand that it is their business to consult *pleasure* but *duty*. On this subject we ask attention to the following facts and considerations:

1st. Neither the law of 1857 nor that of 1858 prescribe the size or form of said building, nor do they say or mean as we understand it, that we should erect a building that will cost any particular amount, no more and no less. All these things are left to the Board with the implied expectation that they will use their honest and best judgment upon the subject. The law of 1857 is explicit on this point, requiring the Board to lay the foundation for a hospital, such as will answer the future demands of the Institution. That provision of the law of 1857, is not repealed by any provision of the law of 1858.

The law of 1858 appropriated a specific sum for this purpose, and it seems obvious from the law that it was expected and re-

quired that the Board would expend the money for its appropriate object, at least if it could be so expended to advantage.

2d. We have now room for 108 cells, in all. No more can be had till more room is provided. This additional room by the plan already detailed, can be provided in one of three ways; by filling the Warden's house with cells; in other words by extending the present ranges of cells through so as to occupy the Warden's house, which will furnish room for 40 cells before the roof is raised; or by raising the roof of the whole building and adding more stories; or lastly by building the female wing attached to the octagon, as already explained. This latter plan when completed, will give 60 cells, four stories of which may be used by males.

But cell room cannot be had by either of the first two plans until the Warden has another residence, nor by the third until the octagon is built. Anything therefore, that will hasten the completion of the octagon or the Warden's residence, will expedite the time of providing more room for cells. Now that it is important to expedite that time will appear from the following facts:

We can have under present arrangements but 108 cells. We have, at this writing, 123 prisoners. The increase the last two years has been above 70.

After the session of 1860, it must inevitably be many months before additional cells can be built,—probably not much can be done in that line before the summer or fall of 1861.

By that time, at the same arithmetical increase as for the last two years, the number of convicts would amount to nearly 200, and yet we can have until that time but 108 cells in all.

Under such a condition of things our prison must be little short of a Golgotha. By completing the foundation of the octagon this season, we anticipate that it will expedite the time of obtaining more cells, several months, if not another season. And further, it will cost the State no more to build it now, than at a future time. In fact it will cost less.

Messrs. McHenry & Dinsmore have the contract for building the wall around the entire yard. They come before the Board and say they are unwilling to surrender so much of their job as the 120 feet proposed to be occupied by the octagon and female wing, without a consideration.

They had made preparations to do the whole job—had com-

menced work upon the part under consideration, and had stopped work at the request of the Board. Now if that part of the job shall be taken from them finally and without their consent, the State will certainly be liable to a suit at law for damages.

All parties feel anxious to avoid this state of things. The Board moreover, in asking for further appropriations, wish to appear before the Legislature with clean papers in this particular.

Messrs. McHenry & Dinsmore proposed a compromise. They would release the State from the contract so far as the 120 feet of wall under consideration are concerned, provided the Board would give them the job of laying the foundation of the octagon, and making the necessary excavation, and provided further that they could have the job so as to do the work before the session of the Legislature. They agree also to do the same work at the same prices as specified in the original contract.

This proposition was deemed very favorable to the State, and at once determined the Board to build the foundation of the octagon.

We have done that work. The foundation is now ready for the superstructure. The cost of the work on the octagon thus far incurred, drawn from the hospital fund, is \$5,255.50—(five thousand two hundred fifty-five 50-100 dollars.) We will now speak in relation to our present condition as to a kitchen and hospital.

Four years ago the Legislature authorized the Board to put up a brick building suitable for future work-shops for the contractors, and use it temporarily for a kitchen, dining-room, &c., until other arrangements should be made.

The Board put up such a building, and used it for the said purposes until the winter of 1857 and 1858, when the contractors demanded it for work-shops. In lieu of that a temporary wooden building was built in a cheap and hurried manner in the winter season of 1858,—the roof constructed entirely of boards, with the hope that it might answer the purposes of a kitchen, dining-room, and hospital, until a more suitable and permanent building could be constructed. That building soon became too small to accommodate the increased number of convicts with tables, besides being so leaky as to afford almost no shelter in stormy weather.

Its occupancy by the sick was out of the question. The cell-room, damp and poorly ventilated as it is, and a chamber in the

Warden's house, were for a long time our only rooms for the sick.

Under these circumstances the Board felt constrained to erect another work-shop in the fall of 1858, built of wood in a cheap but substantial manner, one story high, but so built that it can easily be raised another story if desired, to be used entirely for State purposes. This building is 30 feet by 90 and is divided into three apartments. One of these apartments is designed for a tailor's shop, for the manufacture and storage of convicts' clothing; another is for a shoe shop, where shoes for the convicts may be made, mended and stored,—while the remaining one is for a carpenters' and general chore shop, for storage and any other needful purposes.

At present all these wants or kinds of labor are supplied from outside of the prison, or from within the prison at the cost of outside prices, while the State has had no place but the cell room (a wrong place entirely) for the storage and preservation of its property.

No well conducted Institution is without or can do without such shops as the above. Economy demands that the State have the means of preserving its property when not in use, by proper storage and also that all labor for the State as far as practicable, shall be done by the convicts.

This building as above constructed will be used for the present and until better arrangements shall be made for kitchen, dining room, hospitable and chapel, and when no longer needed for these will be applied to its legitimate uses.

WALL, YARD, &c.

By report of 1857, it was shown that the sum of \$16,000.00 was applied to the wall, yard, &c., that interest to the amount of \$449.74 had accrued on Warrants. That work on contract was done to the amount of \$17,304.73; that incidental expenses for sewerage, extras, &c., had amounted to \$935.78, and hence that \$1,790.77 of the retained 15 per cent had been expended.

By the law of 1858, \$12,000 was appropriated for the use of the wall, yard, &c., and the sum of \$4,000 was appropriated for refunding a like sum borrowed the previous year, from the wall and hospital fund, and applied to general support. This last sum the Board have also applied to the wall and yard.

This sum total of \$16,000, increased by the balance of \$804.94, left in the treasury from last year's operations, and also by \$98.00 interest accrued on the above sum, has been expended as follows, to wit:

For the purchase of land for extension of the yard, to-wit: A strip two hundred feet wide bordering the Penitentiary grounds on the east, \$700.00.

Eighty-five per cent for work on contract has been paid, amounting to \$16,203.44.

For extras, engineering and incidentals, \$2,062.76 has been paid. By the above purchase, and the extension of the wall east, the area of the yard has been increased about fifty per cent. The following is the present condition of the work: The west wall, for its entire length, has been nearly completed, with one permanent gate and a guard house in connection, and this wall, gate and guard house, have been used by the State about one year.

The east wall has been completed to the extent of upwards of two hundred feet in length, except the capping, and a permanent guard house built upon it at the south-east corner of the yard. This wall, by means of a temporary plank capping, is now used by the State, together with the guard house.

The fence which surrounded the old yard, has been moved so as to connect the north ends of the two walls as above described, and a new fence has been built, connecting the east end of the cell room with the south end of the east wall, thus increasing the area of the former yard several fold. This was a work of indispensable necessity.

By contract, the State retains fifteen per cent of all moneys due on contract for work done, until the entire job is completed and accepted. Of course the State has no right to the use of any part of the wall or yard until the whole is accepted and paid for, without consent and a consideration. But it was necessary, in enlarging the yard, and also for the security of the prison, to use the gate, the guard houses, and the walls, as far as practicable. The Board made arrangements with the contractors for using the same, by paying a part of the retained per centage on such works and parts of the work as are used.

There remains now to be done for the completion of the yard, most of the north wall, less than one hundred and fifty feet of the east wall, one of the towers, and two guard houses, together with

a considerable amount of excavation. This does not include one hundred and twenty feet space between the east end of the cell room and the east wall already spoken of in connection with the octagon and female wing.

If the octagon and the female wing shall ever be built, this wall will constitute a part of those buildings, and must of necessity be put up in connection with them. The sum still required for completing the whole work, exclusive of the one hundred and twenty feet as above, is estimated at \$25,000, including all sums now due and all foreseen incidental expenses. We ask for that sum.

The yard, when completed, will measure 360 feet from north to south, (exclusive of the cell room,) and 340 feet from east to west, and we are happy in believing that the wall and yard, when completed, will compare favorably, in security and sanitary advantages, with those of any other States.

It may be of use to remark, in this connection, that the natural surface of the ground in the south-east corner of the yard dips some 25 feet below the grade of the yard, which fact has required a heavy outlay for the foundation of the wall and embankment necessary to fill up the yard and secure the wall. It is at this point that the sewerage commences for draining the yard and for carrying the contents of the cess buckets to the river. This is one of the most important and indispensable items of improvement and construction connected with the prison and is one that has required a large outlay of money.

THE CELLS, &c.

In the summer of 1857, a contract was made with Winterbotham & Jones for building 50 cells (that number completing the second tier of cells) at \$180,00 per cell, to be completed as fast as the State should require them for use; payments to be made for every four cells completed. This job was not advanced as rapidly as the wants of the Institution demanded, nor as fast as the Board had anticipated. In the month of March, 1859, but 22 cells had been completed out of the 50, and there were an average of 20 convicts more than there were cells for occupancy, and the Board had no satisfactory evidence that the work would be expedited any more in the future. They therefore, in the month of March last, gave the contractors notice that from and after 60 days, if the

job was not completed, the contract would be declared forfeited and void.

Nothing was done during these 60 days upon the job, until the evening of the last day, when one load of stone was brought into the yard. The Board advertised for a new contract, when, as they were about to open the bids and to award the contract, they were served with an injunction upon their proceedings. The Board felt that efficient measures must be adopted to obtain the completion of the cells, and so made application for a dissolution of the injunction. A compromise was finally entered into between the Board and the Contractors for the cells, that the entire job should be completed by the 1st day of Nov., or the injunction, by that failure, should be dissolved.

We are happy in being able to state, that the job at this writing is nearly completed, so that we shall soon have 108 cells for occupancy.

A few remarks in connection with the cells, upon the subject of ventilation are demanded. On two different occasions, it is understood, complaints have been made by Grand Juries of Lee County, before the District Court, against the cells and the cell room, for their lack of proper ventilation. There certainly have been grounds for such complaints. Practically, there has been no ventilation of the cells, and in the winter season none for the cell room from the beginning. There has, it is true, been an attempt at ventilating the cells, but the tubes have served only as speaking or whispering tubes, from one cell to another, and they have been the means by which many a plot has been concerted for escape.

An efficient plan for ventilation, which at the same time would preclude the possibility of inter-communication between the cells, has been with the Board a desideratum.

The Board are now happy to be able to report that, through their architect, Mr. Edwards, they have found and adopted a plan that they feel sure will answer every reasonable demand. This plan has been applied to several of the last cells built, and will be applied to others. It has cost the sum of \$15,00 additional to the original contract price.

MORAL DEPARTMENT.

The order and discipline during the past two years has been quite satisfactory.

There have been two escapes

Several outbreaks have been anticipated and feared, but none have been actually attempted.

For the more perfect security in this respect, an additional guard has been stationed upon the wall since the last session of the Legislature. Very little punishment has been required to enforce order, and very few breaches of the rules have been recorded.

The large majority of those who have left the institution by expiration of sentence, have had no infraction of the rules recorded against their names. We are more and more convinced that the law offering a reward by curtailment of sentence, for good conduct, works good to the convicts, and is based upon sound policy and true wisdom.

So rapid is the increase of prisoners, that we respectfully submit that the Board of Inspectors should be empowered to employ more guards as the necessities of the Prison require.

We subjoin an estimate of the probable expenditures for the next two years, in making which we have anxiously studied to pay the strictest regard to economy, which seemed compatible with the true interests of the State.

General Support for the next two years,	\$50,000
This amount will probably be reduced one-half, provided the Prison labor proves available.	
The completion of the wall and yard,	\$25,000
For new work shop,	
One hundred new cells,	16,000
Past indebtedness,	22,000
Octagon, Warden's house, and female wing,	80,000

As before explained the completion of the octagon, the Warden's house and female wing, will greatly facilitate and expedite the increased number of cells, which are so greatly needed in view both of the safety of the Prison and the health of the convicts.

All which is respectfully submitted.

FRANCIS O. DORR,	} Inspectors.
GEORGE SHEDD,	
P. H. BABCOCK,	

COPY OF CONTRACT WITH WINTERBOTHAM AND HEADLEY.

This contract, made this 20th day of July, A. D. 1853, between the Warden and Inspectors of the Iowa Penitentiary of the one part and John H. Winterbotham and H. D. Headley, of the City of Columbus, Franklin county, Ohio, of the other part. Now this agreement witnesseth, that the said Warden and Inspectors aforesaid, for and in behalf of the State of Iowa, covenant and agree to hire and let to the said John H. Winterbotham and W. D. Headley, for the term of ten years from the first day of June, 1854, the labor and services of all the convicts now in the said Iowa Penitentiary, and also the labor and services of all other convicts received into said Penitentiary during the term of years above mentioned, always excepting those convicts whose services are required in cleaning, repairing or cooking in said Penitentiary, which shall not exceed one for every ten men, to be selected by the Warden, together with those who may be sick, crippled or unfit for labor. Said convicts are to be employed by the said John H. Winterbotham and W. D. Headley in the manufacture of wagons, buggies, harness, saddle trees, mechanical and agricultural implements, or in any other mechanical trade which may be sanctioned by the Warden. Such convicts to be such as are generally denominated able bodied men; and the said Warden and Inspectors agree to furnish within the walls of the prison, sufficient shop room for carrying on said business, and working convicts to advantage, and room for steam engine, boilers, &c., and for raw materials sufficient for manufacturing purposes. Also that the said John H. Winterbotham and W. D. Headley shall have the privilege of going to and from said shops at all proper times, to instruct convicts in said trades and the different branches of business carried on by said John H. Winterbotham and W. D. Headley, and to carry in and out materials and manufactured articles, or the said Winterbotham and Headley may employ suitable persons to do the same, they being, while in the prison and shops, subject to all the rules and regulations established by the Warden and Inspectors, and the Warden and Inspectors further agree to keep the convicts hired to said Winterbotham and Headley, under good discipline, at the expense of the State, and the said John H. Winterbotham

agree to pay or cause to be paid, for all convicts who may be employed by them, to said Warden or to his successors in office, thirty (30) cents per day for the first year, and thirty-five (35) cents per day for the remaining nine years, for each convict so employed, no charge to be made for such as a convict may be disabled by sickness or otherwise from performing his ordinary labor, but whenever any of the convicts shall have been taken into the employ of the said John H. Winterbotham and W. D. Headley shall be unemployed for want of materials to work upon, or tools to work with, or for want of necessary instruction in the business, said Winterbotham and Headley are then to be charged and to pay the same as if said convicts had been constantly employed, and it is agreed by and between said parties, that all tools and implements are to be provided at the expense of said Winterbotham and Headley. The shops to be suitably warmed at the expense of the State.

A uniform credit of four (4) months for the hire of said convicts is to be given to the said Winterbotham and Headley, by which it is understood that they are to labor four months, and then said Winterbotham and Headley are to pay for one month's labor, and thus monthly thereafter. The same branches of business as are herein specified, or any that may be carried on by said Winterbotham and Headley by the consent of the Warden, are not to be carried on within the walls of the prison in behalf of the State or by any firm or individuals.

It is further understood that the said Winterbotham and Headley cannot assign this contract without the consent of the Warden of said Iowa Penitentiary. It is hereby further understood that the said Winterbotham and Headley are to have the use of the tools now in the prison belonging to the State, which they hereby agree to return at the expiration of said time to the State, in good order, the same as when they received the same. Each of the above named parties have mutually interchanged a copy of this agreement, which they have also mutually signed.

JAMES D. EADS, }
 R. W. ALBRIGHT, } Inspectors.
 GEORGE GRIGSBY, Warden.
 JOHN H. WINTERBOTHAM,
 W. D. HEADLEY.

By JOHN H. WINTERBOTHAM.

STATE OF IOWA, }
 LEE COUNTY, } SS.

Be it remembered that on this 20th day of July, A. D. 1853, before me, James M. Reid, a Notary Public in and for said County and State, personally appeared James D. Eads and R. W. Albright, Inspectors, and Geo. Grigsby, Warden of the Iowa Penitentiary, upon the one part, all personally known to me to be the identical persons who affixed their names to the foregoing instrument as parties thereto, and the said John H. Winterbotham also personally appeared before me, and W. D. Headley by John H. Winterbotham, to me personally known to be the identical person who affixed his name and the name of W. D. Headley to the foregoing contract as parties thereto, and all of the said several parties acknowledged the same to be their voluntary act and deed. In witness whereof I have hereunto set my hand and Notarial Seal, the day and year aforesaid.

J. M. REID, *Notary Public.*

BOSTON, 10th July, 1858.

DR. GEO. SHEDD,

Commissioner, &c., of Iowa State Prison Enlargement:

The undersigned in submitting a plan for the enlargement of the Iowa State Prison, in accordance with the principles carried out by him during the past ten years, in the numerous structures of the kind upon which he has been employed,—particularly in the State Prisons of Massachusetts and Maine,—and in the new jail for the city of Boston, desires to call your attention to some of the leading features of the plan which a large experience in designing and superintending the execution of Prisons, had induced him to regard as the most important requisites of such a structure. It is believed that the laborious examination which you have been enabled to give this subject, in your recent visit to the principal penitentiaries of the middle and eastern States, will convince you of the propriety and feasibility of the suggestions herewith given for the prospective enlargement and improvement of your own building.

It may be as well to say in this connection, that I should deem

myself wanting in a proper estimate of my professional duty, were I to omit to suggest to you that I find insuperable objections to the plan which was proposed for the alterations before you left home, and of which I have been favored with a sketch and description by you. The change of the present Warden's house into a "Female wing," would inevitably remove the inmates of that portion of the building from any constant or effectual supervision, while the location proposed for the new residence is open to the serious objection of commanding only a few of the nearest cells in its range. Nor would the execution of either of these proposed features fall in so readily with a design for a still further enlargement,—which the increasing wants of such an institution will doubtless render necessary hereafter.

In short, I must consider the plan in question as entirely at variance with the well-known and acknowledged principles of prison construction—as exemplified in the most approved structures of the kind. You will find a summary of these important principles drawn up by the Rev. Louis Dwight, many years Secretary of the Prison Discipline Society, contained under nearly forty separate heads, and printed in the report on the enlargement of the Charlestown State Prison, already handed you.

The erection of the central octagonal building according to the plans furnished herewith, will readily be perceived to be the chief feature of the enlargement, and the key to all the rest. The basement being occupied as a kitchen for cooking, washing, ironing and baking purposes, the guard-room in it then be as high as the upper stories of the cells, and thus at a glance command a view of every part and portion of the present or future prison. A chapel above this, and a hospital still higher up, and therefore more remote from any noise or other disturbing influences, will complete the accommodations proposed in this part of the addition. The new "female wing" falls naturally into place on the cardinal face of the octagon which is opposite the present structure,—the keeper's house is most conveniently placed on the third side, while the fourth remains for the present as a blank wall capable of being removed at any future period for still further extension of the accommodations likely to be required.

The necessity of absolute connection between all the buildings which form the prison proper, and their union under a single roof, if not already recognized by your committee, will, it is believed,

become perfectly evident to them upon an inspection of the exhaustive report of the Prison Discipline Society, to which allusion has been made in a preceding paragraph. That this connection cannot be obtained in any way so readily, as by the erection of the octagonal building, will, it is believed, become perfectly apparent to every one who will take the necessary pains to become well informed upon the subject. The adoption of this method of arrangement has been the result of much experience, and of much patient thought and study on the part of those by whom it has heretofore been employed. No other equally feasible method for securing so many important results has yet suggested itself to the minds of those who have been most familiar with the subject, and the undersigned has the high satisfaction of knowing that in the important extension of the Charlestown State Prison, the appropriateness and utility of similar arrangements have been most thoroughly tested and acknowledged.

Upon the plan then, as exhibited in the drawings herewith given, your Legislature will secure a building in accordance with the best experience and containing the acknowledged requirements of the day in Prison economy. A fuller understanding of the details, will, of course be had from the drawings themselves, while in the printed documents furnished, will be found a full enumeration of the principles which have been already embodied in other buildings so precisely similar to this in their requisitions, as to render the same remarks equally as applicable in the present instance, as in those for which they were originally framed.

Very respectfully your ob't serv't.

GRIDLEY J. F. BRYANT.

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GEORGE A. LESTER

REPORT OF WARDEN.

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REPORT OF WARDEN

IOWA PENITENTIARY,
OCTOBER 1st, 1859

To His Excellency the Governor, and the
Hon. the Legislature of the State of Iowa:

I herewith conform to the requirements of the Statute by respectfully submitting to your honorable body the following report and Statistical tables, as setting forth the doings at the Iowa Penitentiary for the fiscal years commencing October 1st, 1857, and ending October 1st, 1859.

On entering upon the discharge of my official duties the first day of May last, I found much to be done for the comfort and convenience of the Institution, and have labored hard to add to the appearance and usefulness of every department connected with the Prison, so far as my limited facilities would permit. How far I have succeeded, I will not pretend to say, but that a change for the better has taken place, none who know, will pretend to deny.

The health of the prisoners the past season has been remarkably good, save a few chronic cases I found on hand when I took possession, and a few others that have come in since with diseased systems.

I have established such a system of diet as to exclude scurvy and other diseases with which the Prison had been formerly greatly troubled, and by strict attention to cleanliness, I apprehend no danger of the recurrence of the same.

The rules for the government of the Prison are as mild as the nature of the Institution seem to warrant, and yet when properly enforced, are found to be amply sufficient to maintain good order and obedience.

Our Library is not sufficient to supply the wants of the present and increasing number of men, but we hope through the aid of the Visitors' Fund, set aside for that purpose, soon to be enabled to add a good collection of useful books to it; which is very desirable, as a large proportion of the prisoners are remarkably fond of reading, and while away many a long and tedious hour in that useful way.

The law limits us in our number of Overseers, but when we get our new shops done, it will be highly necessary to increase them, as with our present number of shops we have only one Guard for each, and we cannot get along without more shops as well as Keepers. It is also highly necessary for the safety of the Institution, that we have a keeper for the hospital and kitchen. In fact there should be some discretionary power with the Warden and Inspectors to increase the number of keepers as the necessities of the case seem to require. The number of convicts as you will see, is fast increasing, and of course we must prepare to receive them and afford the Lessees facilities for laboring them.

The convicts have the benefit of preaching once every Sunday morning, and Bible Class instruction after dinner, besides visits and moral instruction from the Chaplain during the week. Some of the convicts, it is to be hoped, profit by the lessons they hear, but it seems rather a hard matter to reach the stony hearts of many of the older offenders. Among the convicts may be seen the hoary headed sinner of over seventy winters, and the youth of but sixteen summers, with all intervening ages, showing that age has little to do with crime. Men of all classes and nations are yet prone to err.

We have been compelled, from the nature of things, to labor many of the men in various parts of the yard without Guards, which is not safe, and contrary to good prison discipline.

For a considerable portion of the past year, a large number of convicts have not been worked by the Lessees of the prison labor (see convict labor table, appendix,) consequently remaining entirely unemployed save when I have used a part of them for grading and improving the yard and grounds belonging to the prison, which I have done, so far as I was able, deeming it better for the interests of the State and the Institution as well as the health of the men, to have them, as far as possible, usefully employed.

At present I am but too happy to say there is not a female con-

vict in the Prison. I am apprehensive, however, that it will not continue so long, and should any come, we have no safe or convenient place to put them.

Not wishing to extend my remarks, and believing that the Inspectors will embody in their report the condition of our yard enclosure, hospital building, cell room, and the limited number of cells, I am pleased to leave it with them to do so.

In order to economy in purchasing supplies for the Prison, it is all important that we should have the ready means to take advantage of the markets, and not be compelled to pay an exorbitant price for want of funds to pay down, as we have been obliged to do the most part of the time, to our great inconvenience, and heavy loss to the State.

There is no safe, or other convenience about the Prison, in which to keep the books and papers, and in case of fire, every record of the whole institution might be destroyed. It will be seen at a glance, that this is not as it should be.

We are at considerable inconvenience for an office suitable for our Clerk. The hall generally used is too dark to answer the purpose, particularly in winter, and the Clerk is now using the Deputy Warden's office with him, a room some twelve feet square, which, with two desks and other office fixtures, makes it entirely too crowded for either comfort or convenience.

In regard to the financial affairs of the Penitentiary, I would say that, to ascertain the balances from Sept. 30th, 1857, to May 1st, 1859, I have been compelled to make use of the books (now on file in my office,) of the Commission to examine Penitentiary affairs, appointed by the Governor in June last.

In order to a proper understanding, I give the balances as derived from the above books Sept. 30th, 1857. (See Exhibit A., appendix.) Accompanying will also be found a statement (Exhibit B.) of the two years' business from Sept. 30th, 1857, to Sept. 30th, 1859, inclusive, and a full balance sheet (Exhibit C.) from the Prison books as they stand Sept. 30th, 1859.

I do not deem it necessary to enter into lengthy explanations of these accounts. It may not, however, be amiss to say something in regard to them.

The balances Sept. 30th, 1857, represent the whole cost of the Penitentiary to that date, together with the moneys in the differ-

ent funds, the amount of notes payable outstanding, and notes receivable on hand, and the amounts due to and from the State.

The Statement B shows the amount received from the State, the amount credited General Support for boarding and clothing United States' convicts; the amount paid from different funds, over what has been put into them, or the amount received in others over what has been paid out; the cost of construction, general support, real estate, &c. &c., for the two years alone.

The item for convict labor, includes the month of September, 1857, not before reported. It will be seen that the physicians' salary has been included in the account General Support. This arises from the fact that no especial provision is made by law for the payment of his salary, and it is paid under the present arrangement from the General Support Fund. Engineers' and architects' salaries are carried to Construction Account, for the same reason. The account, Officers' Salaries, therefore, includes only warden, deputy, clerk, and chaplain.

The account, Improvements, represents the cost of cisterns, sewers, drains, deputy warden's office, wooden building for hospital, &c., for the payment of which a heavy draft has been made on the fund for General Support. As these things properly belong to Construction, I would suggest that in future some provision be made by law for payment from Construction Funds.

The Balance Sheet C, shows the entire amount drawn from the State for Penitentiary account, represents the cost of the different items, the balances of notes, receivable and payable, and the amounts due to and from the State.

By reference to the credit side of Balance, we find the State owes, Sept. 30th, 1859, - - - - - \$24,708 66

In addition to this, it is estimated that the accrued interest, on outstanding notes, will amount to - - - 1,300 00
by the date at which it is expected funds will be in hands to meet them.

There is also a debt of about - - - - - 600 00
on the books of merchants, in this city, from whom the clerk has been unable to obtain bills, although he has called on the parties a number of times.

These together swell the debt to - - ● - - - 26,608 66

To meet this debt we have the balance in Wall fund 1,732 31
and an undrawn balance of the appropriation of 1858 of 3,447 27

Amounting to - - - - - 5,179 58

Leaving as actual debt, for which immediate provision should be made - - - - - \$21,429 08

The amount due from convict labor is pending litigation, and of the amounts due from other parties, but little can be collected at any early day.

Believing that a careful perusal of the following tables and exhibits will give the reader an accurate idea of the financial and general condition of the institution, I submit them without further remark.

The duties of Clerk and Deputy Warden have become extremely laborious, and with the present limited salaries, it will be difficult to retain efficient and competent men in those offices. I therefore present the increase of the salaries of these officers, as a subject worthy of your careful consideration.

It is but due to the Inspectors as well as all my assistant officers, to say, that the utmost harmony has existed between us, and that they have been prompt and efficient in the discharge of their duties.

E. A. LAYTON, Warden.

Approved December 16th, 1859.

FRANCIS O. DORR,

Chairman of the Board of Inspectors.

EXHIBIT [A.]

Balances of Iowa Penitentiary Accounts, September 30th, 1857.

Names of Accounts.	DEBTOR.	CREDIT.
State of Iowa		68,163 75
General Support	\$11,604 24	
Completion Fund	10,345 00	
Construction	27,214 75	
Cell Fund	322 30	
General Support Fund	1,662 31	
Convicts' Fund	53 90	
Officers Salaries	8,915 95	
Salaries of Guards	1,165 98	
Fuel and Lights	291 94	
Expense General Account	108 09	
Bills Payable		2,689 24
Repairs	289 28	
Escaped Convicts	100 00	
Provisions	787 83	
Arms and Ammunition	12 75	
Clothing and Bedding	323 59	
Clerks Office	32 55	
Inspectors Extra Services and Exchange	150 00	
Cell-room Expense	3 83	
Discharged Convicts	76 70	
Postage	50	
Convicts' Kitchen	9 60	
Convicts Expense	8 18	
Interest Account	46 50	
Interest on State Warrants		131 54
Officers Salaries Fund		27 50
Convict Labor		899 30
Printing and Advertising	22 00	
Discount	125 00	
Wall	6,157 35	
Library	78 63	
Hospital Expense	71 73	
Cells	1,736 68	
Bills Receivable	899 30	
Physician	56 25	
Plans and Specifications	85 00	
Improvements	18 70	
Exchange	2 75	

Superintendence	155 00	
McHenry & Dinsmore	387 77	
Retained Per c't. McHenry & Dinsmore		923 58
Winterbotham & Jones		7
Individual Account	2,549 09	3,029 11
	<u>\$75,871 02</u>	<u>\$75,871 02</u>

STATEMENT OF COMPLETION FUND APP'N 1857.

Balance on hand Sept. 30, 1857,.....	\$10,345.00	
Received interest on State Warrants.....	330.80	
“ from State app'n, 1858.....	4,000.00	
Paid on account Wall.....		\$11,569.98
“ “ “ real estate.....		700.00
“ “ “ improvements.....		121.73
“ “ “ engineering.....		31.00
Transferred to general support fund....	1,759.87	
“ to Hospital Building.....	326.34	
Charged P. Inskneep.....	166.88	
	<u>\$14,675.80</u>	<u>\$14,675.80</u>

STATEMENT OF WALL FUND APP'N 1858.

Received from State.....	\$14,926.58	
Brought from general support fund.....	361.64	
Paid on account Wall.....		\$12,295.52
Charged P. Inskneep.....		1,260.39
Balance on hand.....		1,732.31
	<u>\$15,288.22</u>	<u>\$15,288.22</u>

OFFICERS' SALARIES FUND.

Amount overpaid Sept. 30th, 1857.....		\$27.50
Received from State.....	\$4,737.59	
Paid officers.....		4,443.09
Charged P. Inskneep.....		267.00
	<u>\$4,737.59</u>	<u>\$4,737.59</u>

STATEMENT OF GENERAL SUPPORT FUND.

Balance on Hand Sept. 30th, 1859.....	\$1,662.31	
Received from visitors.....	62.45	
“ “ bills payable.....	317.50	
“ “ State back debt, 1858.....	1,300.00	
“ “ State appropriation, 1858..	8,947.56	
“ “ Cell Fund.....	3,062.30	

Received from Completion Fund, 1857.....	1,759.87	
“ “ Hospital Building Fund, '58	199.15	
“ “ Convicts Fund.....	1.75	
“ “ F. O. Dow.....	20.00	
“ “ United States.....	514.52	
“ “ Gov. R. P. Lowe.....	5,000.00	
Balance due Warden.....	316.63	
Paid account general supp't, improvements and borrowed money.....		\$18,802.40
Paid indebtedness prior to Sept. 30, 1857..		4,000.00
Transferred to Wall Fund.....		361.64
		<u>\$23,164.04</u>
		<u>\$23,164.04</u>

STATEMENT OF CELL FUND.

Balance on hand Sept. 30th, 1857.....	\$322.30	
Received from State appropriation, 1858....	6,245.00	
Paid account cells.....		\$3,505.00
Transferred to general support fund.....		3,062.30
		<u>\$6,567.30</u>
		<u>\$6,567.30</u>

STATEMENT OF CONVICTS FUND.

Balance on hand Sept. 30th, 1857.....	\$53.90	
Received from convicts.....	233.87	
Transferred to General Support fund.....		1.75
Paid convicts.....		79.20
Balance on hand Sept. 30th, 1859.....		206.82
		<u>\$287.77</u>
		<u>\$287.77</u>

STATEMENT OF HOSPITAL BUILDING FUND.

Received from State appropriation, 1858.....	\$3,433.59	
Brought from Completion Fund, 1857.....	326.34	
Paid on account Hospital.....		3,100.78
Paid Architects salary.....		460.00
Transferred to General Support Fund.....		199.15
		<u>\$3,759.93</u>
		<u>\$3,759.93</u>

TABLE OF CONVICT LABOR, IN DOLLARS AND CENTS.

For September, 1857.....	\$247.45
For October, ".....	311.85
For November, ".....	338.80
For December, ".....	377.57
For January, 1858.....	383.73
For February ".....	333.55
For March, ".....	351.05
For April, ".....	392.00
For May, ".....	432.00
For June, ".....	480.29
For July, ".....	463.40
For August, ".....	449.14
For September, ".....	401.10
For October, ".....	446.51
For November, ".....	473.55
For December, ".....	516.60
For January, 1859.....	548.98
For February, ".....	497.18
For March, ".....	594.84
For April, ".....	636.39
For May, ".....	665.61
For June, ".....	688.89
For July, ".....	647.85
For August, ".....	701.23
For September, ".....	634.73
Total.....	\$12,014.09

From January 20th, 1859, to Sept. 30th, 1859, the Lessees of the Prison Labor, dispute two thousand six hundred and seven and a half days, amounting, at 35 cents per day, to \$912.62 of the foregoing table.

Table showing the number of men received and discharged the past two years.

In confinement, October 1st, 1857,	47
Received to October 1st, 1859,	134
Discharged by pardon,	13
" " expiration of sentence,	44
" " Supreme Court,	7
Died,	4
In confinement, September 30th, 1859,	113
	<hr/>
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Table showing the crime convicted of, and number of Convicts in the Penitentiary, October 1st, 1859.

Murder,	10
Grand Larceny,	56
Burglary,	13
Assault with intent to kill,	2
Rape,	7
Counterfeiting,	14
Obtaining goods under false pretences,	2
Forgery,	3
Obtaining money under false pretences,	1
Attempt at arson,	1
Robbing U. S. mail,	2
Manslaughter,	1
Maiming,	1
	<hr/>
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Table showing the term of sentence and number of convicts in the Penitentiary, October 1st, 1859.

For life,	3
For 15 years,	2
For 12 years,	1
For 11 years,	1
For 10 years,	10
For 8 years,	1
For 7 years,	1
For 6 years,	4
For 5 years,	10
For 4 years,	9
For 3½ years,	2
For 3 years,	13
For 2½ years,	2
For 2 years,	24
For 1½ years,	6
For 1 year,	21
For 9 months,	1
For 6 months,	2
	113

Table showing the County sent from, the Nativity, and the Occupation of Convicts in confinement, Oct. 1st, 1859.

COUNTY.	NO.	NATIVITY.	NO.	OCCUPATION.	NO.
Clayton,	9	Ireland,	17	Laborers,	20
Alamakee,	2	North Carolina,	1	Farmers,	26
Johnson,	5	Pennsylvania,	7	Cooks,	3
Scott,	18	Massachusetts,	1	Painters,	2
Dubuque,	12	Kentucky,	6	Carpenters,	9
Cedar,	1	Connecticut,	2	Brickmakers,	3
Mills,	4	Scotland,	1	Shoemakers,	4
Jackson,	5	Ohio,	16	Chairmaker,	1
Jefferson,	5	Michigan,	1	Bartender,	1
Linn,	2	Virginia,	2	Physician,	1
Jones,	3	Maryland,	1	Tailors,	2
Lee,	10	New York,	21	Raftsmen,	1
Wapello,	1	Indiana,	5	Veterinary Surgeon,	2
Black Hawk,	1	Germany,	12	Bricklayers,	2
Boone,	1	Sweden,	1	Butchers,	3
Des Moines,	10	Tennessee,	3	Waiter,	1
Henry,	3	Holland,	1	Cabin Boys,	2
Tama,	1	Nova Scotia,	1	Cigarmakers,	2
Polk,	3	Canada,	2	Gunsmith,	1
Makaska,	2	Vermont,	2	Engineers,	2
Fremont,	1	Rhode Island,	1	Moulders,	1
Van Buren,	2	England,	4	Planemaker,	1
Delaware,	1	Illinois,	4	Blacksmith,	6
Washington,	1	France,	1	Machineists,	2
Decatur,	1			Boatmen,	2
Hardin,	1			Shoefitter,	1
Clinton,	2			Planer,	1
Louisa,	1			Millright,	1
Muscatine,	2			Bookkeeper,	2
Marion,	1			Stonemason,	1
Benton,	1			Clerk,	2
Ringgold,	1			Barber,	1
				Miller,	1
				Cabinetmaker,	1
				Cooper,	1
				Sailor,	1
	113		113		113

EXHIBIT B.

STATEMENT OF TWO YEARS' BALANCE IOWA PENITENTIARY, FROM SEPT. 30, 1857, TO OCT. 1, 1859.

NAMES OF ACCOUNTS.	Amounts.		General Support.		Construction Account.		Iowa Penitentiary.		State of Iowa.		Balance.	
	Dr.	Cr.	Dr.	Cr.	Dr.	Cr.	Dr.	Cr.	Dr.	Cr.	Dr.	Cr.
State of Iowa.....		4,3590 32								43,590 32		
General Support.....		503 00		503 00								
Officers' Salaries.....	5,018 86		5,018 86									
Comp. and Imp. Fund.....		10,345 00										10,345 00
Cell Fund.....		322 30										322 30
General Support Fund.....		1,978 94										1,978 94
Wall Fund.....	1,732 31										1,732 31	
Convicts' Fund.....	152 92										152 92	
Officers Salaries Fund.....	27 50										27 50	
Walls.....	24,300 63				24,300 63							
Cells.....	7,207 40				7,207 40							
Hospital Building.....	4,418 60				4,418 60							
Improvements.....	2,607 89				2,607 89							
Repairs.....	301 95		301 95									
Convict Labor.....		12,014 09		12,014 09								
Visitors.....		62 45		62 45								
Arms and Ammunition.....	70 95		70 95									
Architect.....	900 50				900 50							
Clothing and Bedding.....	3,633 27		3,633 27									
Clerk's Office.....	374 52		374 52									
Cell-room Expense.....	31 50		31 50									
Convicts' Kitchen.....	333 22		333 22									
Convicts Expense.....	303 57		303 57									
Discharged Convicts.....	1,085 24		1,085 24									
Discount.....	346 78		346 78									
Expense General Account.....	789 99		789 99									
Exchange.....	16 48		16 48									
Escaped Convicts.....	63 43		63 43									
Engineering.....	754 50				754 50							
Fuel and Lights.....	3,775 40		3,775 40									
Hospital Expense.....	676 36		676 36									
Inspectors Extra Service and Expense.....	768 50		768 50									
Interest.....	447 76		447 76									
Interest on State Warrants.....		330 80								330 80		
Library.....	132 20		132 20									
Lawyers' Fees.....	30 25		30 25									
Provision.....	7,869 77		7,869 77									
Postage.....	110 27		110 27									
Printing and Advertising.....	98 00		98 00									
Bills Payable.....		10,969 16										10,969 16
Bills Receivable.....	2,639 70										2,639 70	
Physician.....	540 65		540 65									
Plans and Specifications.....	335 00				335 00							
Real Estate.....	700 00						700 00					
Superintendence.....	148 87				148 87							
Salaries of Guards.....	10,298 12		10,298 12									
Warden's Expense.....	1 75		1 75									
Convicts.....												
McHenry & Dinsmore.....		1,167 05										1,167 05
Retained per centage, McH. & Dinsmore.....		1,384 80										1,384 80
Winterbotham & Jones.....	4,402 11										4,402 11	
P. Inskeep.....	2,278 11										2,278 11	
Individual Accounts.....	2,260 39	9,250 31									2,260 39	9,250 31
	\$91,945 22	\$91,945 22										
By Iowa Penitentiary, as cost of Support for two years.....				24,499 25			24,499 25					
			\$37,078 79	\$37,078 79								
By Iowa Penitentiary as amount expended in construction, for two years.....					40,673 39	40,673 39						
					\$40,673 39	\$40,673 39						
By State of Iowa as cost of Penitentiary for two years.....							65,872 64	65,872 64				
							\$65,872 64	\$65,872 64				
By balance as excess of Expenditures over Receipts.....									21,951 52	21,951 52		
							\$65,872 64	\$65,872 64	\$35,444 56	\$35,444 56		

CASH STATEMENT FOR TWO YEARS.

RECEIPTS.		DISBURSEMENTS.	
Balance on hand September 30, 1857.....	12,356 01	Paid on account of Wall.....	12,326 52
From State of Iowa, appropriated 1858.....	38,859 73	Paid on account of Wall.....	11,569 98
From State of Iowa, Officers' Salaries.....	4,737 59	Real Estate.....	700 00
From Interest on State Warrants.....	330 80	Cells.....	3,505 00
From Convicts.....	233 87	Hospital Building.....	3,100 78
From Visitors.....	62 45	Architect's Salary.....	460 00
From Bills Payable, (borrowed money).....	317 50	Officers' Salary.....	4,443 09
From E. O. Durr.....	20 00	Indebtedness prior to September 30, 1857.....	4,000 00
From United States.....	514 82	General Support—(borrowed money) and Improvements.....	18,924 13
From Gov. Ralph P. Lowe.....	5,000 00	Convicts.....	79 20
From Warden.....	316 63	P. Inskeep, (charged him).....	1,694 27
		Balance in Wall Fund.....	1,732 31
		Balance in Convicts' Fund.....	206 82
	\$62,742 10		\$62,742 10

[To accompany Warden's Report.]