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HISTORY AND DEVELOPMENT OF FORT
MADISON PENITENTIARY 1839-1933

By

BEULAH WHITE WALKER

A thesis submitted in partial fulfillment of the requirements for the
degree of Master of Arts, in the Department of
Sociology, in the Graduate College of the
State University of Iowa

June, 1934

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Fort Madison Penitentiary 1845

Airplane View and Old Cell House

Recreation Yard and New Cell House

Interior Views

Typical Cell in Iowa Penitentiary

CHAPTER I

ORIGIN OF THE NAME FORT MADISON

The present state of Iowa was part of the famous Louisiana Purchase of 1803. On October 3, of that year an act of Congress authorized the President to take possession of this territory lately ceded by France, and establish a temporary government. On the twenty-sixth of March, 1804, an act was passed organizing the Territory of Orleans, which embraced what subsequently became the State of Louisiana, while the remainder of the purchase was made the District of Louisiana and placed under the jurisdiction of the Governor of Indiana Territory. Soon after the purchase of Louisiana, the government fitted out expeditions to explore the upper Mississippi and Missouri rivers. Captain Meriwether Lewis and Captain William Clark were sent up the Missouri. In the following year, 1805, Zebulon M. Pike, was placed in command of another expedition to explore the upper Mississippi valley. Setting out from Saint Louis in a keel boat the explorer proceeded north and "on the ninth of September he reached the mouth of the Upper Iowa or Oneota River, which is near the northern limits of the present state of Iowa."¹

1. Gue, B. F. History of Iowa, Vol. I, p. 129.

In 1806 the loyal American citizens of the Mississippi Valley were excited by rumors of a secret conspiracy said to be organizing under the leadership of the late Vice-President of the United States, Aaron Burr, to separate that region from the Union. It was reported that the provinces of Mexico were uniting with them to found a western empire. After formal charges were made in the United States court, President Jefferson issued a proclamation warning all citizens against aiding the conspiracy and ordering the arrest of all concerned in the unlawful enterprise. With the arrest of Burr and his party the whole scheme failed. The mass of the people were loyal to the Union, and emigration rapidly spread westward.

General James Wilkinson, who was governor of Louisiana Territory, was in command of the Military Department of the West, with headquarters at St. Louis, when he sent Lieutenant Zebulon M. Pike on an expedition to the upper Mississippi river. He gave him instructions to select a site for a military post somewhere between St. Louis and Prairie du Chiene,

and procure the consent of the Indians for the building of a fort. In Lieutenant Pike's report he says:

"I have chosen a site on a hill forty miles above the river De Moyen rapids, on the west side of the river. The channel of the river runs on that shore; the hill is about sixty feet perpendicular. Nearly level on top."²

2. Gue, B. F. History of Iowa, Vol. I, p. 135.

"In September 1808, Lieutenant Alpha Kingsley was sent with a company of the First United States Infantry up the river to take a plot of the ground and begin the erection of the fort. During the fall and winter barracks and store houses were built and work pushed on the block houses and fort. In April of the next year it was garrisoned and named in the honor of the new President, Fort Madison. It does not appear that the Indians had consented to the erection of this fort on the west side of the Mississippi, which was consequently a direct violation of the treaty negotiated with the five Sac and Fox chiefs in 1804. By the eleventh article of that treaty the United States was entitled to build a fort in the vicinity of the mouth of the Wisconsin River; but the

sixth article of the treaty provided that if any citizen of the United States, or any other white person, should form a settlement upon lands belonging to the Indians, such intruders should at once be removed. Notwithstanding this article, Fort Madison was built on lands belonging to the Sac and Fox Indians, without their permission, in clear violation of the treaty. It is not strange that the Indians complained of such an act of bad faith and hostility and under the lead of Black Hawk made an attempt to capture and destroy the fort.

"Lieutenant Kingsley's force at the time he built the fort, and up to August, 1809, when he was relieved by Captain Horatio Stark, consisted of seventy men. In September, 1812, the fort was under the command of Lieutenant Thomas Hamilton, who had about fifty men. On the 5th of that month a band of about two hundred Winnebago warriors made an attack upon the fort. Among these Indians was Black Hawk, then a young man. A lively fight ensued, lasting until the 8th, when the Indians withdrew after having burned several buildings in the vicinity.

"In 1813 the fort was again attacked by Indians, who were defeated, but several soldiers were killed.

In August of that year a large force of Indians laid siege to the fort entirely surrounding it. The garrison, under Hamilton, made a brave defense until the provisions were exhausted and they were reduced to the verge of starvation. During the night of September 3, Hamilton ordered a trench to be dug from the block house to the river where the boats were lying. There was no prospect of reinforcements being sent to their relief. Starvation, massacre or escape were the alternatives confronting them. They chose to attempt the latter. The night was dark and cloudy with a fierce wind roaring in the forest surrounding the fort. The little garrison, crawling on hands and knees along the bottom of the trench in perfect silence, at midnight entered the boats without alarming the watchful savages. The last man to enter the trench applied the torch to the fort. A moment later the boats pushed out into the rapid current of the Mississippi, and before the Indians were awakened by the roaring flames of the burning buildings, the fugitives were beyond reach of rifle shot. They reached St. Louis in safety and the fort was never rebuilt. But the name clung to the spot where the ruins of the fort were long visible and later generations built a city on the historic site,

giving it the name of Fort Madison."³

3. Gue, B. F. History of Iowa, Vol. I, pp. 135-137.

The town was laid out in 1835 on the west bank of the Mississippi and incorporated in 1838, the year that Iowa was established as a territory separate from Wisconsin.

CHAPTER II

ESTABLISHMENT OF IOWA STATE PENITENTIARY 1839-1854

Among the various problems which confronted Iowa's first Legislative Assembly of 1838, was that of the compilation of a criminal code, so as to graduate the various crimes and offences, and provide suitable punishment for each. It was recognized by the first Governor, Robert Lucas, as a subject of deep interest and concern to the community. In his message to the members of the Legislative Assembly he called attention to the fact that the purpose of criminal laws should be to prevent crime, and to reform rather than merely to punish. Since the Territory had no penitentiary in 1838, it was difficult to carry out such a program. Hence Governor Lucas expressed the following opinion: "I would wish to see confinement at hard labor for life, substituted in all cases, in lieu of capital punishment, when suitable prisons for the purpose can be had; but in our present situation we will necessarily be compelled to adopt more sanguinary punishments than would be advisable had we a suitable penitentiary in the territory."⁴

4. Council Journal, 1838, "Governor's Message" p. 8.

In his message to the territorial legislature of 1838, the Governor also called attention "to the importance of providing, by law, for the transmission to the penitentiary, of all prisoners that may be sentenced to imprisonment within any part of the territory, for a violation of our criminal codes. It would be attended with but little expense to prepare a temporary prison to secure the convicts at night, and by surrounding the works with pickets, with attention of a few guards they might be safely kept at work through the day and shut up at the prison at night. Thus they might erect a prison for themselves."⁵

5. Council Journal, 1838, "Governor's Message," p. 195.

When members of the legislature began looking for a suitable site for such an institution, Fort Madison was considered an excellent location because it was bordered by the Mississippi on one side, and the prison could be located on a high elevation overlooking the river. Since the territory had few towns,

and these were mostly located on the Mississippi, it was natural that the first state institution should be established on the eastern border of the state.

By an act of the first Legislative Assembly of the Territory of Iowa held at Burlington, January 25, 1839, the following bill for the erection of a penitentiary was approved:

"Be it enacted by the Council and the House of the Representatives of the Territory of Iowa, that a Penitentiary, of sufficient capacity to receive, secure, and employ one hundred and thirty-six convicts, to be confined in separate cells at night, shall be erected, at or near the place hereinafter designated, for the confinement and employment of persons sentenced to imprisonment and hard labor in the Penitentiary of said Territory, or state."⁶

6. Laws of Iowa 1838-1839, Section 1, p. 365.

The visitor may ask, after viewing the prison and its present inadequate surroundings, who it was located upon this site. Captain J. W. Campbell in the Bulletin of Iowa State Institutions for 1900 gives an answer to this question. "It was not the valuable donation of ten acres of hills and hollows, with its babbling brooks on either side thrown in, that induced the Territorial Legislature through

their directors to accept the present site, but through a more influential source, exercised by the President of the Council and Speaker of the House, both of whom were residents of Fort Madison, who I infer, from self-interest in their official capacity, resorted to the Granger custom in harvest time 'You help me, and I'll help you', from which resulted the location being fixed for Fort Madison."⁷

7. Bulletin of Iowa State Institutions, Vol. II, pp. 171-178, April, 1900.

However that may be, the citizens of the town of Fort Madison donated and conveyed ten acres for the site of a prison, and on July 9, 1839, Amos Ladd, who had been appointed Superintendent, began the erection of the warden's house, a plain two story stone building, "at the southwest corner of the first stone wall, with a continuance eastward of a stone building the same height, sufficient to contain one hundred thirty-six cells, which was deemed sufficient for many years."⁸

8. Bulletin of Iowa State Institutions, Vol. II, pp. 171-178, April, 1900.

These buildings were located on an elevated plot of ground within one mile of the public square of Fort Madison, overlooking the Mississippi river, and situated at the extreme northeastern limit of the city, upon a narrow sand ridge, terminating at the base of a bluff, about four hundred yards back from the river, where it can be seen from the railroad and passing steamboats. The cost of construction of the necessary buildings was not to exceed \$40,000.00. Three directors were elected by the Council and House who were "authorized and empowered to cause to be employed, in erection of the penitentiary all such persons as now are, or may be hereafter convicted of infamous crime in the Territory, and sentenced to hard labor."⁹

9. Laws of Iowa, 1838-1839, p. 367.

A record was to be kept of the labor performed by the convicts and reported annually by the directors to the Legislative Assembly. The Superintendent proposed a plan for the prison to be modeled as closely as possible upon the Connecticut State Prison at Wethersfield. The style of construction, as in the case of many of the eastern prisons, was patterned

after the Auburn plan, i. e., "the erection of a prison within a prison, with a cell for each convict for lodgment by night and workshops for associated labor by day, which is in all of these respects the general plan of our own prison."¹⁰

10. Legislative Documents 1859-1860, "Inspectors' Report", pp. 11-12.

"'The Auburn' plan itself is one of cellular architecture, in which cells are enclosed within a great containing building, the cells being back to back, several tiers in height and therefore designated as the 'inside' type of construction." Lewis, Development of American Prisons 1776-1845, p. 77.

The legislation for the erection of the Iowa institution provided that the penitentiary be of sufficient capacity to take care of one hundred thirty-six convicts. But when the plans were drawn up it was found impossible to construct the building so as to contain one hundred thirty-six cells without leaving a vacancy and destroying the proportion and as a result the plan was changed to a building of one hundred thirty-eight cells. The work began with the

laying of a foundation for sixty cells. Stone was cut by the prisoners, two wells were dug for a supply of water, and the directors reported that "the site selected for the penitentiary is suitable in every respect for such a building; water abundant, and building material procured at some distance from the site, but of excellent quality."¹¹

11. Council Journal, 1838-1842, "Directors' Report" 1839, pp. 17-18.

Of course there were prisoners before any of the cells were completed, and consequently, "to accommodate them, a deep cellar was dug and walled up, under the hallway of the warden's house, over which was laid a double oak floor, with a trap door in the center. Here the first warden, William Anderson, would thrust his guests at night for safe keeping, although each one was provided with a ball and chain, while a few, who were considered the most desperate, were required to wear the necklace, which was an iron band around the neck, with two iron horns extending beyond the shoulders with points extending upwards. In the morning when the sun was far up in the horizon, the deputy would pound upon the floor for his dungeon

lodgers to come up and partake of the morning meal, usually consisting of corn bread, bacon and molasses. When the meal was finished they were relieved of the ball and chain, and the guard shouldered his old flint lock and marched Co. 'I. P.', painted in large letters upon their chip hats, with semi-bedticking uniform with one side light, the other dark, to the nearest wood where they engaged in chopping timber into saw logs."¹²

12. Bulletin of Iowa State Institutions, Vol. II, p. 172, April, 1900.

It soon became evident that the appropriation of \$40,000 for the prison was inadequate. Only the outer wall, warden's house and sixty cells of the prison could be completed for the above amount, but the remaining portion of the project could be erected by the labor of convicts. In July, 1839, the Superintendent proceeded to erect the penitentiary according to the specifications. A boarding house for accommodating the hands was first put up by the Superintendent. By the first of November, the two wells had been dug on the grounds, the basement story of the warden's house and guard room had been erected and the foundation of

sixty cells had been commenced. In addition three hundred fifty feet of stone cut for the cells was on the ground and one hundred fifty perch of stone from the quarry, not laid in the walls. The project progressed rather slowly, which was probably due to the inability of the Legislature to make the necessary appropriations.

By 1840 three-fourths of the walls and the main building, including cells, guard room and keeper's house were thirteen feet high. The second floor of the keeper's house was then completed and a temporary roof was added for accommodation of the keeper and guard and to secure the work from the weather. Ten cells were completed all but the doors and twenty others begun, ten of which were built over those already finished. By the fall of 1840, twelve convicts were received but seven escaped, due to the difficulty of keeping them in an incompleated building. The convicts worked among the masons and stone cutters which gave them an opportunity to conceal iron instruments to aid in their escape. At that time the country around the penitentiary was very broken and covered with a thick undergrowth of timber, by means of which all the prisoners escaped. The yard wall was begun with stone

and was planned to be five hundred fifteen feet long, twenty feet high, three feet thick at the bottom, and eighteen inches at the top. The stone was more difficult to obtain than had been anticipated, hence progress on the wall was very slow. Finally a board fence was substituted for the stone.

In 1841, the directors still reported little progress in completing the penitentiary. A quantity of stone had been hauled to the ground. Four doors for cells were completed except for locks, and six more were nearly completed. The warden's house and about one half of the main prison were covered which enabled the warden to have all convicts advantageously and securely employed. The convicts cleared and fenced a large garden. They also made brick and part of them were employed in the blacksmith shop. The director felt certain that "ten convicts would pay their own maintenance."¹³

13. Council Journal, 1838-1842, "Directors' Report", 1841, p. 272.

By 1842, floors were laid and some of the windows put in the part to be occupied by the warden, but again funds were lacking and convict labor had not been made

productive. "Most of the prisoners were unacquainted with mechanical devices, terms were short and materials were difficult to get, being obliged to purchase from proceeds of labor, by barter or otherwise."¹⁴

14. Council Journal, 1842-1846, Appendix to 1842, pp. 198-199.

One end of the building was still unfinished. The men were very crowded. The cooper's and blacksmith's shop were in one room which together with the guardroom occupied the space between the finished end of the cells and the unfinished end. The shop had poor light. The men were so crowded that they hindered each other at work. The warden estimated that "one-fourth to one-third of actual labor of convicts was lost for lack of proper room and arrangement."¹⁵

15. Council Journal, 1842-1846, Appendix to 1842, pp. 201-202.

The unfinished or east end of the building was well planked up, but the building was so remote from other parts of the institution that the officers had to rely upon their own resources for defence. At this time one guard was alone in the absence of the

warden. "He was compelled to be among the men to enforce discipline, and in such immediate contiguity as to always be within reach of their implements, and in such a situation they might easily over-power him and escape. The portion which enclosed the cells was open and exposed to storm. Cells and workshops were covered with snow and there was no room where convicts could warm, but in this open barrack. It was also difficult to procure supplies. There was no uniformity in quality or distinction of appearance in clothing of convicts."¹⁶

16. Council Journal, 1842-1846, "Warden's Report", p. 202.

An inventory of the property belonging to the Iowa Penitentiary December 1, 1842, gives some indication of how crude the institution was in its first years.

6 balls and chains	2 hoes
1 full set blacksmith tools	4 axes
2 full sets coopers tools	3 chairs
2 wheel barrows	3 blank books
3 shovels	2 pistols
1 mattock	1 hand saw
1 well bucket	2 fire shovels
2 large boiling kettles	5050 undressed staves
37 pork barrels set up ¹⁷	

17. Council Journal, 1842-1846, Appendix F, p.212.

Under the supervision of Warden Edwin Guthrie in 1843, a portion of a workshop was added, which enclosed the open and exposed barracks. He also adopted a more humane policy and substituted solitary confinement in place of corporal punishment, which change he believed was attended with the most beneficial results.¹⁸

18. Council Journal, 1842-1846, "Warden's Report", p. 20.

Religious services were also held every other Sunday.

Warden Guthrie, in the spring of 1843 had the walls of the main building carried up throughout its whole extent, and roofed over, so as "to complete a workshop where all the prisoners might be safely and profitably worked. This made the main building two hundred feet by forty-four feet, thirteen feet above the water table (level), or fifteen in all above the ground, of which forty-four feet of the west end was to be occupied as a keeper's house; fifty-six feet of the middle, by the cells, blacksmith shop, shoemakers' shop and kitchen; leaving one hundred feet of the east end for a coopers' shop. All of this was completed by December 1, 1843, and met the approval of the governor

and sanction of Legislative Assembly of that year."¹⁹

19. Council Journal, 1842-1846, "Warden's Report",
p. 190.

With this shop room and nine men at his disposal, the warden believed he could bring the expenditures within the earnings of the prison, but in this he was disappointed. He thought this failure due to inexperience of the men and the falling off in demand for cooper's work, and low prices upon completion of sales. He lamented that the 1843 spring term of court closed without a single conviction. Since he had only five men, one of whom was the cook, unable to do heavy work, and one a Winnebago Indian, ignorant of the English language, there were only three men for productive labor. Prison affairs continued to drift along in this way, until the Legislative Assembly of 1848-1849 passed a law instructing Superintendent A. W. Haskel "to arrange for completing the walls of the building, placing a roof over that part intended to be under cover, and finishing such additional cells as the means at his disposal will justify and public demands. The government to issue bonds not to exceed \$6,000."²⁰

20. Laws of Iowa, 1848-1849, p. 83.

This sum did not prove sufficient for this work, for Mr. Baker, from the committee on public building, estimated in 1851 that "it will take around \$20,000 to complete the project, including walls around the yard, and half that sum to complete the buildings, exclusive of wall and about \$5,000 for repairs, for safety and comfort of convicts."²¹

21. Senate Journal, 1850-1853, p. 132.

The unsatisfactory conditions of the prison were being gradually recognized and eventually led to a Joint Resolution providing for an examination of the affairs of the penitentiary in 1845. A committee of one member from the Council and two members from the House was appointed "to examine affairs of the penitentiary to report at the next annual session. That this committee may be authorized to receive proposals for leasing the said penitentiary."²²

22. Council Journal, 1842-1846, p. 163.

This committee charged that the escapes were due to lack of food and sufficient buildings. Since the prisoners were employed in outside work, in the timber, on the river's bank, and on the streets it was easy to get away. The system used in caring for the prisoners was strongly denounced. "In our Territory, he (the prisoner) is confined to a loathsome cell, or is associated with companions worse than himself with no stimulants to virtue. He drags out miserably his time in vice. He is turned out on the community an abandoned villain."²³

23. Council Journal, 1842-1846, Report of Committee, pp. 53-54.

Thirty cells were completed in 1854 and eight more were needed to complete the lower tier and to follow the original design of the building. Warden George Grisby estimated that each would cost \$250. At this time there was no provision for female convicts. There was no hospital, dining room, or kitchen for prisoners. The basement of the workshop was being used for dining room and kitchen. The physician reported in the same year that "considerable

sickness was due to close confinement and want of variety in diet. There was much need of a hospital, for previous to this no attention was given to the examination of convicts at their reception into the prison." Already the space (two hundred-ten by one hundred-eighty feet) enclosed by the wall of inch oak plank fourteen feet high was barely large enough for its purpose.²⁴

24. Senate Journal, 1854 (Appendix), Physician's Report, p. 60.

The Legislature appointed three directors to carry out the building project at Fort Madison for terms of three, two and one years respectively. These three directors in turn were to appoint a superintendent of the buildings, who was to hold his appointment during their pleasure or until the buildings were completed. The superintendent was to procure all materials and contract for all the labor necessary for the erection and completion of the penitentiary. All convicts employed "shall be kept at hard labor, under such guards, and according to such rules and regulations, as the directors shall prescribe for that purpose, and an account of the

labor of the convicts thus employed shall be carefully preserved and reported by the directors to the Legislative Assembly annually. The directors shall examine the accounts of the superintendent as frequently as they may choose to do so, not less than once a month, and they shall make a settlement with him quarter yearly, and submit such quarterly settlements to the Legislative Assembly annually."²⁵ As

25. Laws of Iowa, 1838-1842, Section 4-5, p. 367.

soon as the penitentiary was fitted for the reception and employment of convicts, the directors were to appoint a warden of the penitentiary, to hold office during the pleasure of the directors.²⁶

26. Laws of Iowa, 1838-1842, Section 7, p. 367.

The warden was to give a bond of \$10,000 and was to receive a salary not to exceed \$800. He might employ not over ten assistants who were to receive not over \$25 per month. He was to attend to the purchasing of raw materials, to be manufactured in the penitentiary, and also to attend to the sale of all manufactured articles. He was to provide food and

clothing for the convicts, and to have charge of all the operations of the establishment. The warden was to have charge of the money, but the directors were to inspect his accounts every three months, and submit a report to the Legislature in December. In January 1841, the Legislature provided for the appointment of the warden by the following action;

"Be it enacted by the Council and House of Representatives of the Territory of Iowa, that there shall be appointed by the Governor, by and with advice and consent of the Council, a warden for the penitentiary, who shall hold his office for the term of one year."²⁷

27. Statutes of Iowa (Revised), 1842-1843,
Ch. 115, Section 1, p. 487.

The directors of the penitentiary were "from time to time to establish by-laws, rules, and regulations, for the discipline and government thereof, and the warden, for himself and his assistants, shall be responsible for the observance and enforcement of such by-laws, rules, and regulations: Provided, always, that such by-laws, rules and regulations shall not be contrary to law, and the directors shall annually submit such by-laws, rules and regulations to the legislature."²⁸

28. Laws of Iowa, 1838-1842, Section 11, p. 368.

The directors were given authority to employ at their own discretion any minister of the gospel to officiate as chaplain in the prison. In 1840, the Legislative Assembly passed an act to amend "an act to provide for the erection of a penitentiary and establishing and regulating prison discipline for the same. That the duties required of three directors after expiration of twelve months from time said directors were elected be performed by one director, who shall have the same powers and same duties and be responsible in like manner."²⁹

29. Laws of Iowa, 1840, p. 165.

In February 1843, the Legislative Assembly enacted the law "that the offices of Director and Superintendent of the penitentiary are hereby abolished, and that it is made the duty of the warden to perform the duties heretofore imposed on said director and superintendent, whenever any such services are necessary."³⁰ In 1852 an act was passed "to provide for election of the warden by the General Assembly of the

30. Statutes of Iowa (Revised), 1842-1843,
Ch. 9, Section 10, p. 70.

State of Iowa."³¹

31. Laws of Iowa, 1852-1853, p. 40.

The first codification of the Iowa laws in 1851, provided for three inspectors, one warden, one deputy warden, one person to perform the duties of a clerk and commissary and a number of overseers not to exceed ten. The warden and inspectors were to be appointed by the governor. The duties of the inspectors were to visit the prison, audit, correct and settle accounts of the warden, appoint the prison physician, establish regulations, and to make complete reports to the governor. This was soon followed by an act to provide for appointment of the warden for two years by the inspectors.³²

32. Laws of Iowa, 1856-1857, p. 81.

At first, "it was considered advantageous to employ a part of the inmates in the country, doing various kinds of work for the farmers, such as making rails, digging wells and husking corn. These country

excursions were highly approved of by the convicts, as it was in reality a picnic for them, as they dined sumptuously at the farm houses, and in one instance they embraced the opportunity to quietly walk off with Warden J. W. Coheik's old shot gun, while he was taking a nap in the shade of the nearest tree."³³

33. Bulletin of Iowa State Institutions, Vol. II, p. 172, April, 1900.

The penitentiary usually needed more money for its maintenance than was available. The theory then generally accepted was that a prison should be self-supporting. The reports in the early years all imply this and indicate a great desire on the part of those connected with its management to make it self-sustaining. In 1841 the act providing for a penitentiary was amended and the warden was given power to hire out convicts confined there, but no prisoners were to be hired for labor outside of Fort Madison. The amount of labor performed and the money arising therefrom was to be reported by a superintendent of construction to the warden. Owing to the small number of convicts at the Iowa Peniten-

tiary, it never paid its own way.

Due to the fact that the prison was not prepared to properly care for convicts the first few years, they were lodged in the cellar under the warden's house, as previously stated. Often they had only moderate exercise during the day. This led to disciplinary problems, and unsatisfactory methods of control of unruly prisoners. The iron collars, worn around the necks of some of the criminals, was treatment which would not be tolerated in modern prisons today.

"The basswood tree, that stood at the outside at the southwest corner of the prison wall, was the whipping post for horse thieves; the most detestable class of criminals in pioneer days, and more than one had indelible stripes painted upon his bare back by a cowhide, between the years of 1841 and 1845."³⁴

34. Bulletin of Iowa State Institutions, Vol. II, p. 172, April, 1900.

Violent methods of punishing prisoners had been abandoned at Fort Madison by 1846. Half of Saturday afternoon was given to washing up and reading. The prison had the beginnings of a library and each

prisoner was provided with a Bible. Sunday was given to Bible and religious exercises. Section 3151 of the Code of Iowa of 1851 states that the warden may demand a sum, not to exceed twenty-five cents from visitors, which is to be applied toward the purchase of books. This law has continued in use to the present time.

Probably "the first manufacturing done in the prison was begun under A. W. Haskell in 1849, in making cooperage in the east end of the cell room, under the direction of his deputy, John P. Moore, and when he was short of hoop poles he repaired to the adjacent hill sides and cut them, each man conveying upon his back what he had cut to the cell room shop."³⁵

35. Bulletin of Iowa State Institutions, Vol. II, p. 177, April, 1900.

The Legislature in 1846 leased the penitentiary for a term of five years. John W. Cohick was the first lessee.³⁶

36. Laws of Iowa, 1840-1841.

In 1853 the contract system of labor was inaugurated in Iowa. The inspectors and warden of the Iowa

Penitentiary were given authority to lease or hire our prisoners to be worked in shops within prison grounds.³⁷ According to Section 4 of the 1846 laws

37. Laws of Iowa, 1852-1853, Ch. 14, p. 37.

the "keeper of the penitentiary shall have the management, and control of prisoners."³⁸

38. Laws of the Territory of Iowa, 1845-1846, Ch. 20.

Under this plan the contractor fed, clothed, and disciplined the convicts in addition to regulating their labor and selling the products. This lease was not renewed. Upon its expiration the penitentiary was again placed under the control of public officers, and a superintendent was appointed with authority to direct the employment of prisoners.

When the penitentiary was leased the convicts were employed in the manufacture of wagons, buggies, harness, saddletrees, mechanical and agricultural implements. The warden was to furnish within the walls of the prison sufficient shop room for carrying on this work. The plan resulted in a deficit for the institution.

The investigation committee of 1842-1846 found no argument in favor of leasing the prisoners. "The subjection of a fellow being to the will and caprice of another, seems not in harmony with American sympathies and feelings. But the newness of the Territory, the state of its revenues, the prison debt, and its probable increase, the want of any prison discipline or system, all concur in inducing us to recommend the penitentiary to be leased for a term of five or ten years, provided the lessee is capable, honest, and will comply with regulations set by the legislature."³⁹

39. Council Journal, 1842-1846, p. 56.

The committee further stated that rather than have prison labor leased out "it would be better for the Territory to support them in idleness by direct taxation. Laborers and mechanics would leave any community before they would long submit to be on the level, or brought into competition with State prison convicts. It would ruin a state or a city. The system is a great and growing evil."⁴⁰

40. Council Journal, 1842-1846, pp. 51-52.

Obviously the committee was much more concerned about the public at large than about the effect of idleness on the prisoners.

CHAPTER III

PRISON DEVELOPMENTS 1854-1898

According to a Report of the Board of Control of State Institutions in 1914, the State Penitentiary established by the territorial legislature in 1839, was reestablished in 1854.⁴¹ This probably

41. Report of the Board of Control of State Institutions, 1914, p. 19.

referred to an attempt to complete the prison which had received a series of appropriations over a number of years. At that time (1854) thirty cells were completed. As yet there was no provision for female convicts. There was one such prisoner in 1856 who was "employed by order of inspectors in the family of the warden."⁴² She was employed in making clothing

42. Legislative Documents, 1856, Warden's Report, p. 211.

for the male prisoners. A hospital, dining room and kitchen were still lacking. The wall was only of inch oak plank fourteen feet high, inclosing a space two hundred-ten by one hundred eighty feet. Prisoners

were prevented from escaping only by the careful watchfulness of the guards. The number of prisoners had grown to thirty-five in 1854. In August, 1855, the workshops were consumed by fire. The inspectors immediately made arrangements for their reconstruction, for which they were compelled to contract an indebtedness of about \$2,900.⁴³ There was continual

43. House Journal, (Special Session), 1856,
 "Governor's Message", p. 12.

complaint as to the great inadequacy of the prison, since it was now crowded to capacity. The cells were small and unwisely constructed in regard to the health and safety of convicts. Iron beds with new bedding had been substituted for the original bunks, but proper light, warmth and ventilation were lacking. Kerosene lamps furnished artificial light and common stoves were used for heating. The stoves were set at such a distance from the chimneys as to require about one hundred feet of pipe; the pipe was fitted with an occasional drum which resulted in a great deal more smoke than heat. The tubes intended for ventilation connected the cells so that the convicts could easily converse."⁴⁴

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44. House Journal, 1864, "Report of Joint Committee," p. 338.
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The Legislature of 1856 passed a law making an appropriation of \$20,000 "toward the further completion and improvement of the penitentiary. It was the duty of the inspectors to have the wall built inclosing the cells, workshops and other prison buildings. They were also to construct twenty-five new cells, like the ones already completed and to construct an apartment to serve as a hospital."⁴⁵ The appropria-

45. Laws of Iowa, 1856-1857, p. 30.
-

tion intended for the hospital was used for the general support of the prison. The Legislature of 1858 passed another law making a second appropriation for building a hospital, chapel, dining room and kitchen to be included in one building.⁴⁶

46. Legislative Documents, 1859-1860, "Report of Board of Inspectors", pp. 7-10.
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The wall specifications stated that the "foundation (should) be of stone, the wall four feet thick and sunk

six feet below the surface, the whole to be done in solid masonry with quick lime. The wall placed on the foundation will be three feet thick at the bottom and eighteen inches at the top, and twenty-two feet high, with cap stone three feet wide and eight inches thick to be built and finished in a substantial and workmanlike manner."⁴⁷

47. Laws of Iowa, 1856-1857, p. 30.

In place of the proposed hospital, a temporary wooden building was built in a cheap and hurried manner in the winter of 1858, with the hope that it might answer the purpose of a kitchen, dining room, and hospital, until a more suitable and permanent building could be constructed. The building soon became too small to accommodate the increased number of convicts, besides being so leaky as to afford almost no shelter in stormy weather. Its occupancy by the sick was out of the question. Previously the damp and poorly ventilated cell room, and a room in the warden's house, were the only places provided for the sick.

In the fall of 1858, another work-shop was erected. It was built of wood, one story high, thirty by ninety

feet, and divided into three parts. One of these was for a tailor shop for the manufacture of convict clothing; another was for a shoe shop; and the remaining one was for a carpenter and general shop.⁴⁸

48. Legislative Documents, 1859-1860, "Inspectors' Report", p. 22.

During 1858-1859 nearly the entire west wall was completed, with one permanent gate and guard house in connection. The east wall was completed to the extent of about two hundred feet in length, except the capping and a permanent guard house to be built upon it at the southeast corner of the yard. The fence which surrounded the old yard, had been moved so as to connect the north ends of the two walls as above described, and a new fence 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 feet. There then remained for completion of the yard, most of the north wall, less than one hundred fifty feet of the east wall, one of the towers, and two guard houses, together with a considerable amount of excavation. One hundred-eight cells were

also completed for occupancy.⁴⁹

49. Legislative Documents, 1859-1860, "Inspectors' Report", p. 23.

It can readily be seen that the Iowa penitentiary was constructed slowly without any plan with regard to the future. The Board of Inspectors realized the necessity for a comprehensive plan to answer future wants of the institution. This plan must allow for execution as necessity should require and means allow. After much deliberation and advice the Board decided to send one of its members to visit several eastern institutions to study the subject and obtain plans. Accordingly with executive approval, they commissioned Dr. George Shedd, the medical and senior member of the board to carry out these duties. He was instructed to investigate as far as practicable the whole subject of prison economy, diet, clothing, labor and discipline, together with the moral, educative and sanitary regulations. Auburn, Sing Sing and other prisons were visited. According to Dr. Shedd the best architectural plans were found in Massachusetts, especially the jails of Boston and Lawrence where the octagon plan was in use.⁵⁰

50. Legislative Documents, 1859-1860, "Inspectors' Report", pp. 10-11.

The characteristic feature of these plans was the octagonal or eight sided building in the center, surrounded on three or four principal sides with cell rooms for convicts, all in open communication with the principal story of the octagon; while on the fourth side and in immediate connection with it would be the wing for the warden's house and offices. Finally, in accordance with such a plan, it was proposed for the extension of the Iowa prison to build an octagon of sixty-four feet in diameter at the east end of the main building. The plan was to build a warden's house in front of and on the south side of this octagon, to continue a wing of the width and similar to the present building, north of the octagon; and to extend a wing east of the octagon to be used as a female prison; and also to raise the present building fifteen feet in height and construct two more tiers of cells on top of the ones already built; to convert the present clerk's office and warden's house into a cell room, to take out the present small windows and to put

in larger ones.⁵¹ The basement was to serve as

51. House Journal, 1864, pp. 338-339

kitchen and dining room, the first floor for convicts, the second story for a general guard room, the third story for chapel, and the fourth story for a hospital. The plan was sketched and recommended by the Board on the basis of the following features:

1. Its convenience and adaptation.
2. Its value as a sanitary construction.
3. Its advantageousness in respect to supervision and security.
4. Its adaptation to receive extensions or additions.
5. Its economy.⁵²

52. Legislative Documents, 1859-1860, "Inspectors' Reports", pp. 13-20.

The board was enthusiastic over this new plan, and as neither the law of 1857 or 1858 prescribed the size or form of the building, they assumed it would be acceptable to the Legislature, although it called for a considerable expenditure of money. Before the new plan was thought of McHenry and Dinsmore had the contract for building the wall around the entire yard. They came before the Board and said that they were unwilling to surrender so much of their job as the

one hundred-twenty feet proposed to be occupied by the octagon and female wing, without a consideration... They proposed a compromise by which they would release the State from the contract, "so far as the one hundred twenty feet of wall was concerned provided the Board would give them the job of laying the foundation of the octagon. The proposition was deemed very favorable to the State and the Board at once determined to build the foundation of the octagon. This was ready for the superstructure at a cost of \$5,255.50 in 1859."⁵³

53. Legislative Documents, 1859-1860, "Inspectors' Report", p. 21.

Since this plan called for such a complete change in the prison and a large sum of money, it was not acted upon by the Legislature. In 1860 it passed "an act making an appropriation of \$14,000 for building fifty-four cells and repairing the fence, and \$35,000 for general support."⁵⁴

54. Laws of Iowa, 1858-1860, Ch. 71, Sections 1-2.

The appropriation for the yard fence was expended in making a temporary but substantial fence across the

entire north side of the prison yard, as well as the part of the east and south sides, the west side being the only one that was entirely completed. This fence was "built of two inch pine joists, twenty feet long, standing on end, and nailed securely to oak rails fastened to pine and hemlock 'oar stems' (posts) set deep in the ground" Another "appropriation of \$5,400 at this time for cells to continue with the third tier, provided for fifty well ventilated cells covered with cast iron, making a total of one hundred forty-eight and leaving fourteen to be built to complete the third tier."⁵⁵

55. Legislative Documents, 1861-1862, "Warden's Report", pp. 3-4.

There continued to be urgent need for completion of the prison wall and buildings. The prison was not yet provided with adequate firearms which made it difficult for the warden to manage his men. There was a growing need for some provision for the criminal insane, as well as a new hospital. Ill convicts had to be carried in all kinds of weather from the cells to the make-shift hospital in the morning and back at night, no matter how bad the weather might be.

In 1861, the prison library boasted of four hundred volumes such as Pilgrim's Progress, Children's books, religious and text books. These were deficient in number and variety, for the numerous prisoners, who ranged in age from sixteen to seventy years of age. Since many of the inmates were illiterate and under twenty-one, there was need for a school. The convicts had the benefit of preaching once every Sunday morning, and Bible class instruction from the chaplain during the week. The Legislature of 1862 passed an act for the appointment by the warden of a penitentiary physician whose duties were to visit the prison once a day, and oftener if necessary, to examine all ill prisoners reported to him, and to examine prisoners on their entrance to the institution.⁵⁶

56. Laws of Iowa, 1860-1864, Ch. 48, p. 5.

The year 1864 saw the beginning of a number of improvements at the State Penitentiary made possible by a sum of \$14,092 appropriated for buildings, walls, and a warden's house of brick. There was an appropriation for a fire proof brick building suitable for a kitchen, dining room, chapel and hospital to be erected upon the site where the old frame building used for

those purposes then stood. Convict labor was to be employed as far as possible to complete the building by 1866.⁵⁷

57. Laws of Iowa, 1862-1864, Ch. 71, pp. 77-78.

New shops to replace those destroyed by fire on June 6, 1862, were to consist of four rooms: a blacksmith shop forty by ninety feet, a woodwork shop on the second story of the same size, a saw shop forty by one hundred feet and finishing shop, second story of the same size. In order to put up these new shops and other improvements, in accordance with prison plans, after the fire, it was necessary to excavate the hill on the north, so as to set the board fence back to where the wall should be when completed, which was done by lessees, mostly with convict labor.⁵⁸

58. Legislative Documents, 1864, Vol. 2, "Warden's Report", pp. 6-7.

By 1866 the wall was nearly completed as was the warden's house. The latter was a brick building containing fourteen rooms. Thirty-four feet of the west end of the prison had been used for the warden's house before. It was dark, damp and inconvenient.

Later it was filled with additional cells. The building to be used as a kitchen, and hospital was pushed as rapidly as possible. At this time the warden was confronted with the problem of four female convicts who were confined with the men for lack of proper accommodations.

An act for the improvement of the penitentiary in 1868 provided \$15,000 for the extension of the cell building to the line of the east wall and to enlarge the windows of the cell building. Also \$3,000 was allowed for a washhouse, store rooms and necessary cooking range and apparatus. A blacksmith shop was built by convict labor.⁵⁹ The same Legislature also

59. Laws of Iowa, 1868, Ch. p. 143.

provided for the much needed water supply by an appropriation of \$6,000 for the construction of a reservoir with a capacity of 6,000 barrels of water, on the hill above the prison. Lights were also to be furnished each convict at night, "so that he may be enabled to read and write. Punishment by withholding this light was never to extend beyond two days for any one offense."⁶⁰ May 19, 1868 the

60. Laws of Iowa, 1868, Ch. 104, Sections 3, 6,
pp. 144-145.

building known as a hospital burned. The Legislature of 1869-1870 appropriated \$9,519.63 to replace the loss, and \$11,000 for improvements.⁶¹

61. Laws of Iowa, 1870, Ch. 107, p. 111.

May 9, 1869, a prison Sunday School was organized and was reported to have a good effect on the convicts. Less punishment was needed and better and more work was done. An organ was also added. Soon after this the chaplain acted as a teacher and conducted a school five nights a week, with three grades; elementary, intermediate, and higher. Reading, writing, and arithmetic were taught.

In 1872 the fourteenth General Assembly appropriated \$9,600 for a second story to the foundry, and for purchase of gas fixtures and apparatus for lighting. Gas for lighting was regarded as much more healthful than kerosene oil. By 1875 the gas works were erected consisting of a retort room twenty-four by thirty feet, a coal house twenty-four by fifty feet, a tank house fifty-eight feet in circumference. An addition

was also made to the workshops. Under the old contract for labor nearly all the yard was leased, and this space occupied for the storage of iron and other unmanufactured material, coal-houses and for other purposes that added many disadvantages to the enforcement of proper discipline and increased the risk of damage by fire. This contract expired October 31, 1874, and the warden had the yard cleaned and restored to its legitimate purposes. He hired teams and had the yard graded and sodded and a low, one-rail wooden fence placed around it and along the walks leading from building to building.

By 1877 the additional cells previously authorized by the General Assembly were constructed on the old site of the deputy's house. The west end wall of the cell house was removed and the cells built, a portion of the warden's house was converted into a convict's receiving room, a turnkey's room, and the upper story converted into two rooms for the confinement of female prisoners, and new work shops were erected. The new fireproof hospital was two stories high, with stone walls, iron roof, connected with the cell house so that the sick could be conveyed to the hospital without

outdoor exposure, and the convicts could pass to the school-room evenings without taking them outside the guarded cell house. The school had been completed at this time also. The library which now consisted of 2,000 volumes, was housed in the school. A new fence was completed along the south and west of the grounds.⁶²

62. Report of Warden of Iowa Penitentiary, 1877,
p. 8.

The appropriation for constructing a work-shop, dining room and chapel was nearly exhausted in the erection of a new two story brick building, which was used for offices, chapel, dining room, work shop, store room, and bakery and kitchen. The building formerly occupied for the chapel, dining room and kitchen was used for workshops by the chair contractors. It afforded room for about sixty convicts. Additional improvements at the prison consisted of walks, lawns, and flower gardens.

In 1880 the Eighteenth General Assembly included in its prison appropriation a sum for iron roofing over the cell house, an addition to the clerk's office, steam heating plant, new furniture, carpet, for the

warden's house and for books for the library. General improvements were made possible in 1883 by a sum allowed for repairing the old and erecting an additional reservoir near the old one, with a capacity of 2,286 barrels. The much needed fire equipment was added as well. The wash house containing wash-rooms, engine and boiler room, store and dry room was completed. It was a building two stories above the basement and built of stone. An important feature was the twenty-five bathing apartments in the wash-room, with tubs and pipes for hot and cold water. All the main buildings were now heated by steam. The penitentiary had been heated by seventy-five stoves prior to the installation of the central heating plant.

During 1883, \$2,481.18 was received from visitors making it possible to add 975 volumes to the library. Six hundred books were replaced, one hundred Bibles, four hundred singing books and one hundred dictionaries were added, making about 2,200 books.⁶³

63. Report of Warden of Iowa Penitentiary, 1883,
pp. 9-16.

The General Assembly in 1886, appropriated \$1,000 for a solitary cell house and the warden

was authorized to take and use from the support fund the sum of \$7,500 for the purpose of establishing an electric light plant in the prison. Installation of the plant was completed August 3, 1886. Warden G. W. Crosley stated that at this time four of the ten acres of ground belonging to the State were enclosed in the prison walls.⁶⁴

64. Report of Warden of Iowa Penitentiary, 1887,
pp. 6-7.

In his report for 1895-1897, Warden N. N. Jones declared that the prison was in much better condition with the improvement of the cell house, addition of one hundred forty modern steel cells, new pump house, well, and the addition to the yard and wall. \$30,000 had been allowed for a new tier of steel cells and fixtures. \$18,000 for the extension of the yard wall and \$3,000 for building the wall of the cell house and raising the roof. The prison capacity was now six hundred men. On May 31, 1898, the prison housed five hundred fifty-three, the highest number in its history.

The completion of the new wall added to the area of the prison yard a space three hundred eighty by two

hundred fifteen feet, providing for better sanitary conditions, letting in air and sunlight and greatly facilitating the improvement of the prison roadways.

In 1893 an apparatus for mechanical ventilation was installed in the cell house. Also a new three-story work shop was erected to be occupied by the Farming Tool Company, Button Company, and one large store room for the State. The much needed sewer to the Mississippi river was in process of construction.

The gradual improvements and additions to the institution, enumerated in preceding paragraphs, made it rank as one of the better prisons in 1900.

Prison Labor

As previously stated it was assumed that a penitentiary should be self supporting, and accordingly the prison went through many years of unsatisfactory arrangements in an effort to carry out such a theory. As early as 1841 convicts were hired out to work in the town of Fort Madison. The warden employed the prisoners in blacksmithing, cooperage, and shoe making, and sometimes in wood cutting, digging cellars, and other odd jobs.⁶⁵ There was a

65. Council Journal, 1845, "Report of Warden",
p. 190.

comparative small amount accomplished from labor of prisoners because of the small number of productive hands. In 1846 the Legislature leased the penitentiary for a term of three years. This lease was not renewed. In 1853 the contract system of labor was inaugurated. The inspectors and warden of the Iowa Penitentiary were given authority to lease or hire out prisoners to be worked in the shops on the prison grounds, if they deemed that the interests of the State would be best promoted by so doing. They accordingly executed a contract, hiring the services of the convicts for the term of ten years from the first day of June, 1854.⁶⁶

66. House Journal, 1854-1855, "Governor's Message",
pp. 25-26.

Difficulties constantly appeared in connection with prison labor; for example, in 1858 lessees erected a saw mill without consent, so as to exclude about sixty per cent of the plank fence from sight, hiding it from view of the guard house. The contractors

refused employment to more than fifty men. It was not conducive to good prison discipline to have these contractors in the prison shops.

In 1862, the warden and assistants were given the sole management of the penitentiary workshops as the contract of 1854-1864 was drawing to a close. The Ninth General Assembly at an extra session in 1862 appointed Edward Johnston, Joel C. Walker and Edward A. Layton, as commissioners to enter into another contract for labor. In 1868 the General Assembly passed the following act: "That for the general support of the convicts there is hereby appropriated the monthly sum of eight and one-third dollars to each convict in said prison."⁶⁷ The O. B. Dodge con-

67. Laws of Iowa, 1868, Ch. 69, Section 3.

tracting Company failed in business in 1876. Business generally was depressed by hard times, making it difficult to keep the men employed.⁶⁸

68. Report of Warden of Iowa Penitentiary, 1877,
pp. 16-17.

In 1877 two hundred and seventy convicts were employed under labor contracts, besides seventeen waiters, runners or chore men. An average of forty

able bodied men were idle.

In 1883 there were three contracts for prison labor in existence. 1. A shoe contract to run eight and one-half years from July 15, 1883, calling for services of ninety men. 2. A contract with the Iowa Farming Tool Company, Fort Madison, to run ten years from April 1, 1881, calling for the services of seventy-five men. Also for a term of nine and one-half years from the same date of forty additional men, making a total of one hundred fifteen men. 3. A contract with the Fort Madison Chair Company, April 2, 1880, for nine years from May 1880, calling for another fifty men, making one hundred men in all.⁶⁹

69. Report of Warden of Iowa Penitentiary, 1885,
p. 19.

By 1893 these contracts had expired, but on July 5, 1894, Warden N. N. Jones entered into new contracts with the Iowa Farming Tool Company of Fort Madison for a total of one hundred thirty-nine men. Again adverse conditions of trade and business throughout the country, and the passage of laws by the Legislature of various states discriminating against the sale of prison-made goods within their

territory, made it extremely difficult to make contracts for convict labor. The warden was unable to obtain another shoe contract to take the place of the old one.⁷⁰ The same warden reported an increase

70. Report of the Warden of Iowa Penitentiary,
June 30, 1895, p. 8.

in the earnings of contract labor over the previous period due to the fact that more men were put to work. In his report of 1899, he stated that "the general support fund of the institution consisted of earnings of convict labor, and a large surplus conveyed to the State treasury."

In 1899 a contract was made with the Iowa Button Company for the services of fifty-seven men for five years from December 1, 1899 at fifty-five cents for each day, but in 1900 an act was passed to prohibit the manufacture of pearl buttons and butter tubs in the State penitentiary, after the expiration of the then existing contracts.⁷¹ This legislation was

71. Laws of Iowa, 1900, Ch. 138.

secured through the efforts of the Iowa Federation of Labor and employees of button manufactures.

From 1854 until about 1910 the prisoners at Fort Madison were employed mainly in contract labor. The following manufactures were carried on under this system for the years specified: farming tools, 1854-1910; chairs, 1875-1910; shoes, 1878-1910; cigars, for a few months in 1876; and pearl buttons until the 1899 contract ran out.

The price received by the State for prison labor has varied little in the history of its existence. The contract labor system never made the Iowa penitentiary self-sustaining.

Prison Discipline

There was little provision for punishment in the early days of the Iowa penitentiary. The primitive whipping post existed from the first in conjunction with this institution. As late as 1868 the visiting committee reported that the "barbarous and brutish use of the 'cat-o'-nine-tails' was occasionally resorted to out of sheer necessity."⁷²

72. Legislative Documents, 1868, Vol. 2, "Report of Visiting Committee", pp. 9-12.

The iron collars worn around the necks of some of the

worst criminals were certainly brutal. The Legislature had authorized the treatment by confinement in a dark cell and bread and water diet of offenders against the rules of the prison. Warden M. Heisey abolished the method of punishment by "the degrading and cruel lash."⁷³

73. Legislative Documents, 1870, Vol. 2, "Warden's Report", p. 11.

The law passed in 1857, giving a reduction of time for good behavior had a very good effect and operated as an incentive to good behavior. According to this act "any prisoner who shall have been sentenced for a term of years, who shall at the end of the month have no infraction of the discipline recorded against him, shall be entitled to a diminution from the term he was sentenced as follows:

One day from the first month for good behavior
 Two days from the second month for good behavior
 Three days from the third month for good
 behavior
 Four days from the fourth month for good
 behavior and four days for each month following of
 his term.⁷⁴

74. Laws of Iowa, 1856-1857, p. 82.

By constant good behavior during the first year, a convict might shorten the term forty-two days; during the succeeding years forty-eight days each.

In his survey of penal institutions in 1880, which was practically world wide, E. C. Wines makes the following statement regarding the Iowa institutions: "The state (Iowa) is wide awake on the question of prison discipline and reform, and, though 'not having as yet attained', it is continually 'going on unto perfection'. It may be fairly pronounced one of the banner states of the Union in its penal system and administration."⁷⁵

75. Wines, E. C., State of Prisons and of Child-Saving Institutions (1880), p. 118.

Additional Penitentiary at Anamosa

Although several additions had been made to the original building, it continued to be filled almost to capacity and it became evident that Fort Madison must be again enlarged or a new prison erected. It was now realized that the present prison location was a badly chosen and unfortunate site, and many difficulties attended any further enlargement. The site of the prison enclosure consists of a plateau dug out

of the nose, or descending ridge of a high bluff, having a deep ravine and a running stream on both sides.

It seemed to be for the best interests of the State to erect another prison with aid of the prisoners. Accordingly the General Assembly of 1872 passed the following act: "Be it enacted by the General Assembly of the State of Iowa that there shall be and is hereby permanently established at or near the stone quarries near Anamosa, Iowa, an additional penitentiary, in which convicts sentenced for life or any term of time shall be confined, employed and governed, as herein after provided."⁷⁶ The enclosure consisted of

76. Laws of Iowa, 1872, Ch. 43, p. 59.

fifteen acres with a frontage of 663 feet. Work began immediately in 1872 and May 13, 1873, twenty convicts were transferred from the Fort Madison Penitentiary.

The Board had been instructed to purchase the best stone quarry of not less than ten acres near the Wapsipinicon river at a cost not to exceed \$15,000. The Board was also instructed to buy seventy acres of land, suitable for agriculture, horticulture and grazing purposes, convenient to said quarry. "Able bodied

male citizens hereafter convicted of crime and sentenced to imprisonment in the penitentiary may be taken to said quarries and additional penitentiary and there confined and worked."⁷⁷ When completed the

77. Laws of Iowa, 1872, Ch. 43, p. 52.

Anamosa institution was a massive, fireproof, stone building with excellent sanitary conditions. It boasted of large, airy and well lighted shops, eight hundred cells, good industrial, educational equipment and a farm containing 257 acres of land.

In 1884, the General Assembly included in its appropriations for the Additional Penitentiary at Anamosa a sum to establish a department for the criminal insane and a department for female convicts. Any insane convicts at Fort Madison were then to be transferred to Anamosa. The same assembly also authorized the warden to appoint a matron for the woman's department, who would have exclusive charge under the direction of the warden.⁷⁸

78. Laws of Iowa, 1884, Ch. 187, Section 2.

The Board of Control

The existing system of administration of penal institutions, which are now grouped with all other institutions, except educational institutions, is the result of a gradual process of development. Beginning with a superintendent and three directors in 1839, the warden was first appointed by the directors in 1840, in 1842 by the Council and the House, in 1852 by the General Assembly, in 1856 by the inspectors, and in 1860 again elected by the General Assembly.

In 1898 the General Assembly authorized the Governor to appoint three electors of the State who should constitute a "board of control of state institutions" which was to have "full power to manage, control, and govern, subject only to the limitations contained in this act....."⁷⁹

79. Laws of Iowa, 1898, p. 62.

"Prior to this time the management of these institutions had been vested in various boards of trustees and commissioners for each institution. The Governor and the Executive Council were in charge of the penitentiaries. But with the advent of the State Board of Control "all the powers heretofore vested in

or exercised by the several boards of trustees, the Governor or the Executive Council with references to the several institutions were abolished."⁸⁰

80. Briggs, E., Social Legislation of Iowa, p. 148.

The warden of the penitentiary is appointed by the Board of Control under this act.

CHAPTER IV

PRISON DEVELOPMENTS 1898-1933

In August, 1911, Governor B. F. Carroll, requested Attorney General George Cosson, to make a personal investigation of the conditions existing at Fort Madison and of the charges against Warden J. C. Sanders. The Governor suggested that he associate with himself two other prominent citizens. Mr. Cosson accordingly appointed the Hon. M. A. Roberts of Ottumwa, and the Hon. Parley Sheldon of Ames to assist on this committee to investigate the complaints which were grouped as follows: First, the personal integrity and moral character of the warden; second, the physical and sanitary condition of the institution; and third, the general management of the institution.

The committee made a thorough and complete investigation, inspecting every part of the Fort Madison institution. Testimony was given under oath, and taken down by a stenographer at closed hearings in order that every one who desired to give information would feel free to do so.

Four different hearings were held in the city of Des Moines and testimony was taken at the penitentiary at Fort Madison upon two different occasions. Nearly

one hundred prisoners were examined under oath. The committee also visited the prison at night, and the prison yard on Saturday afternoon to question the prisoners. The witness, Mr. Haley, who had instigated the complaints, was given ample time to set forth his charges. A large number of business and professional men of the city of Fort Madison were interviewed. Before the committee completed its work, it visited a number of penal institutions in other states and conferred with superintendents and wardens.

The first complaint, in regard to the honesty and moral character of the warden, was most thoroughly investigated because it had a very important bearing upon all the other charges.

"It was charged by some that the warden had deposited money of the prisoners at the banks and personally received interest upon such deposits. The testimony, however, of the bank officials of Fort Madison disclosed the fact that this statement was false in every particular.

"The charge made that the warden personally received from the merchants in the city a discount upon supplies furnished to the prisoners was refuted absolutely by the several merchants from whom he pur-

chased supplies. He received a ten per cent discount in the purchase of the clothing which was entirely proper as the prisoners received the benefit of the discount." As a result the report reads, "the committee is unanimous in its opinion that the attack made upon the warden's moral character and his personal honesty was malicious in its nature. It originated from former discharged employees of the prison, unsuccessful applicants for positions and a few prisoners and former inmates of the prison who had had some difficulty with the warden."⁸⁰

80. Report of the Cosson Committee, Des Moines, Iowa, May 25, 1912, pp. 9-10.

In reporting upon the second complaint regarding the physical and sanitary conditions of the institution, the committee found the buildings clean and sanitary although they were old and far from modern. They found that ventilators provided for fairly good air night and day; that cells were clean, each scrubbed about once a week and treated regularly to prevent vermin. The bedding, kitchen, dining room and refrigerator were clean, but the dining room and kitchen were small. The dining room tables were arranged so

that it was necessary for men to handle dishes in passing food to others on the opposite side of the table. This was considered an unfortunate defect for sanitary reasons.

The committee had received much complaint from prisoners who stated that portions of meat uneaten by prisoners were collected from the tables at the end of each meal, returned to the kitchen, trimmed and washed and used in hash. This was found to be true and the committee recommended that the practice should be at once discontinued. Otherwise the food was found to be wholesome and sufficient.

The committee found the hospital clean but lacking in size, equipment and sunlight. The machinery in the workshops was found to be in good condition, but some of the floors were badly in need of repair.

The third division of the investigation with reference to the general management of the prison, involved prison labor, discipline and reform, and since the complaints were directed against contract labor, it took up the larger part of the report and was the most difficult to handle.

"There was complaint made with reference to the receiving of supplies and it was charged that the

warden had trafficked with prisoners; it was claimed that the warden was too lax in his discipline, and it was also claimed that he was too severe in his punishment; that the solitary was used by the warden and his deputy upon slight provocation; it was claimed that prisoners did not receive proper dental treatment; objections were also made to the prison physician; much criticism was made of the guards; it was also claimed that men were compelled to work upon contract when they were not physically able; that they were denied parole because of their skill and strength which made them valuable to the contractor; it was charged that the warden or some member of his family had a private interest in the contracts; there was complaint against the foremen and private employees of the contractors; it was claimed that not only the guards but that the foremen and other employees of the contractors co-operated with the prisoners in passing of letters and information in and out of the institution, and also in the passing of various articles including liquor, drugs and dope.

"The committee is of the opinion that nearly all of these complaints are due to the present system which is in operation at the penitentiary at Fort

Madison..... On the whole the complaints are a result of the system in use, the condition of the old cell house and a lack of other facilities which the warden is unable to secure."⁸¹

81. Report of the Cosson Committee, Des Moines, Iowa, May 25, 1912, pp. 13-14.

The committee reported that the prisoners were unjustified in their complaint about their mail since it was the warden's duty to intercept letters containing obscene language or dangerous communications. They concluded that there were many opportunities for the passing of forbidden articles and that probably employees did carry information and dope to prisoners.

The warden admitted purchasing supplies which he re-sold to prisoners but that he made no profit on them.

Evidence collected from various sources convinced the committee that Warden Sanders was more humane in his treatment of prisoners than some of the former wardens. They found no evidence of improper punishment except for the use of the solitary. In that case prisoners were sometimes fastened to the door so that

they could not walk or lie down.

Prisoner Haley had filed charges against the warden claiming cruelty to prisoners and general mismanagement. The warden had had this prisoner put in a cell because he refused to work on contract. Haley had also secured the publication of a letter by passing it out secretly. He refused to do any form of light labor which he could have done without injury to his health.

In regard to the dental treatment of the prisoners there was a rule that any whose teeth were seriously affected should receive treatment, but there were no funds to carry out the ruling.

With reference to medical attention the committee realized that it was impossible for one physician at seventy-five dollars per month in one daily visit, to give proper treatment for a large number of men, working in confinement with many of the men sub-normal, many diseased or tubercular, and some on the border line of insanity.

In any prison system it is necessary that guards and subordinate officers be loyal and in full cooperation with the warden. In the case of Fort Madison, the committee found that "there were a number of

guards who were not loyal to the warden, the board of control, or the state."

It was found that guards in Iowa were paid less than those of other states. The average paid at Fort Madison was fifty-six dollars and eighty-five cents per month. A man of sufficient ability and character cannot be permanently kept at such a salary.

A large number of the complaints were due to the system in use rather than to the warden in charge. This is particularly true of those concerning the contract labor system. Mr. Haley had stated "that he would die before he would do any work under the contracts."

All the testimony showed that there was no foundation to the statement that the warden, or members of his family, had an interest in the contracts. Various prisoners had written the attorney-general complaining of the treatment from the contract foremen. It was called a system of slavery. The committee could not gather sufficient evidence to express an opinion, but recognized that opportunities for abuse existed in such a system.

The records showed that the number of paroles given to men working under the contract system "was in a greater ratio than the men not so engaged", indicating that the charges regarding the parole of the strong, able workers had no support.

The committee concluded in their summary that contract labor "is an unjustifiable form of slavery because it is a delegated form in which responsibility and authority are divorced. It is the exploitation of the helpless convict, not for the profit of the state, but for the profit of a private corporation,..... It furnishes opportunity for convicts to communicate with the outside world in violation of the rules of the institution..... It furnishes opportunity for corruption between the contractors and prison officials and officers of the law and subjects prison officials to criticism regardless of whether there is any foundation in fact for the charges. It tends to destroy discipline, it impairs reformation and destroys hope on the part of the prisoner; it is injurious to the manufacturer employing free labor; it is unfair to free labor because it tends to destroy the living wage, and lessens the opportunity for labor, and on the whole is economically

unsound."⁸²

82. Report of the Cosson Committee, Des Moines, Iowa, May 25, 1912, p. 28.

The investigation resulted in a condemnation of the system of labor rather than the warden. The committee recommended the abolition of contract labor and advocated the establishment of state use industries and penal farms as substitutes.

Abolition of Contract Labor

In 1915 the General Assembly abolished contract labor by adopting the recommendation and providing that "inmates of the penitentiary and of the reformatory shall be employed only on state account and for state use and on any public works..... excepting such employment as pertains to existing contracts or exclusively for the benefit of the state..... The Board of Control is to establish such industries as it may deem advisable, but no service shall be rendered by any such inmates for any person, firm, or corporation at a less wage than is paid free labor for a like service or its equivalent."⁸³

83. Laws of Iowa, 1915, Ch. 257, Section 1.

The last contract work for private companies expired May 1, 1918. The legislature of 1918 made an appropriation of \$75,000 for the establishment of prison industries which were of three classes:

(1) Manufacturing plants to replace prison labor contracts equipped for and doing a commercial business. The Board of Control established the furniture industry under this group. (2) Departments not equipped for commercial business, the products to be used for maintenance of inmates (shoe industry, tailor shop, brush and broom factory and knitting mills) and (3) institution farms, the products going for support of the institution.

The manufacture of furniture was the most important industry at the State Penitentiary. For this industry "there was expended from an original appropriation by the General Assembly, the sum of \$152,500 and borrowed capital the sum of \$45,192.76, a total of \$197,692.76, which sum was returned to the general fund of the state on February 17, 1921. Also this industry had a large fire loss, occurring March 2, 1922,

which included buildings, machinery, lumber and finished product; following which a new factory building was constructed, new machinery installed, and new lumber purchased, all of which was paid for from the industry fund.....

"During the ten year period, 1918-1928, the industries were developed to the present magnitude without any financial assistance from the legislature in the way of special appropriation, involving an expenditure of \$1,095,179.60 for buildings, machinery and raw materials for manufacturing the articles produced.

July 1, 1918 there were ten small industries, employing three hundred forty-two prisoners in the three penal institutions. July 1, 1928, the number of industries in operation totaled sixteen, (nine large and seven small) employing one thousand two hundred forty-six prisoners. During these years every able-bodied prisoner in the Iowa penal institutions was employed at some useful occupation, excepting those sick in the hospital or those confined in the department for the insane.

Three systems of employing prisoners were in use at this time: state account, piece price contract

for output, and state use.

The furniture factory at the State Penitentiary is operated under the state account system. For some years the furniture was sold by the state to numerous jobbers in carload lots, but at the present time the output is sold to one firm on a merchandise sales contract, with a guarantee and bond. The state owns this plant and there are two hundred eighty-one prisoners employed therein.

The shirt factory at the State Penitentiary is operated under the piece-price system, one firm taking the output, and this company owns the machinery."⁸⁴

84. Board of Control of State Institutions, Report, 1928, pp. 15-18.

Contracts had been made in 1921 with the Reliable Company of Chicago for the manufacture of men's shirts at Fort Madison. The company furnished machines, materials and inspectors, while the state provided the buildings and the labor. A fixed sum per dozen was paid for the garments and the prisoners were paid.

There are four industries operating under the state use system at Fort Madison. These are the shoe

industry, the tailor shop, the brush and broom factory, and the knitting industry.

The stone quarry industry is part state use; producing limestone for sale to institutions and farmers, and also is equipped to turn out small quantities of crushed rock.

The Iowa Penitentiary also owns two farms of some 3,000 acres near the town of Fort Madison where about seventy-five picked inmates do the work. The produce is used in the institution. Men from the prison have been sent to clear up and do construction work at the State Parks at Winterset, Forest City, Ruthven, Keosauqua, and Ely. These men are practically placed on their honor, and usually stay till released by discharge or parole. There is only one superintendent on each farm and park.⁸⁵

85. Hollowell, T. P., Prison Labor, Public Welfare and Crime Prevention (pamphlet)

The National Society of Penal Information of New York, which makes surveys of penal institutions in the United States, visited the Iowa institutions in 1928 and expressed its approval of the chief industries, and of the general conditions under which the

prisoners are employed. The furniture and shoe factories were especially commended as being modern in every respect and affording a degree of vocational training not found in many of the larger institutions.⁸⁶

86. American Prisons and Reformatories Handbook, 1929, pp. 337-338.

Attempt To Establish State Use Plan

In December, 1923, the Cedar Rapids Gazette called public attention to the Anamosa situation and questioned whether making aprons and dresses was reformatory. As a result of this criticism aroused by the Cedar Rapids newspaper, the Board of Control cancelled all contracts, including the Fort Madison contract. Later contracts were made and approved by joint resolution of the two houses of legislature to extend to July 1, 1927.

The legislature of 1924 made provision for the adoption of the state use plan for prison industries. In 1929 the legislature passed a measure "to eliminate the expiration date of prison contracts," which had been advanced to July 1, 1929, by the preceding legislature. This action left the state use law on the

statute books, but provided no date when its provisions are to go into effect.

"The efforts of the American Federation of Labor, the Manufacturers' Conference on Prison Industries, the General Federation of Women's Clubs, the National Committee on Prisons and Prison Labor, the United States Chamber of Commerce, and similar organizations finally resulted in the passage by the Seventieth Congress of the Hawes-Cooper Bill (H. R. 7729, Public No. 699), the text of which follows:

"Be it enacted, etc..... That all goods, wares, and merchandise manufactured, produced, or mined, wholly or in part, by convicts or prisoners, except convicts or prisoners on parole or probation, or in any penal or reformatory institutions, except commodities manufactured in Federal penal and correctional institutions for use by the Federal Government, transported into any State or Territory of the United States and remaining therein for use, consumption sale, or storage, shall upon arrival and delivery in such State or Territory be subject to the operation and effect of the laws of such State or Territory to the same extent and in the same manner as though such goods, wares, and merchandise had been manufactured, produced, or mined in such State or Territory, and shall not be exempt therefrom by reason of being introduced in the original package or otherwise.

Section 2. This Act shall take effect five years after the date of its approval. (Approved January 19, 1929)"

"This measure is primarily directed against the contract and the piece-price systems and secondarily against the state-account system; its effect will be to restrict greatly and to narrow the market for prison goods. Sixteen states already have laws requiring that prison-made goods be so labeled, and other legislative requirements such as diversification of industries, short work days, special license to sell, etc., were mentioned in the preceding chapter. In the past, such legislation has been held unconstitutional when it was applied to goods in interstate commerce, but the Hawes-Cooper Act gives a state full authority over prison goods sold within it, even though made outside. The only thing a state cannot do, apparently, is to discriminate in its regulations against prison goods from outside: i. e., if it restricts the sale of such products in any way, it must restrict the sale of its own prison products similarly."⁸⁷

87. Robinson, L. N., Should Prisoners Work?, pp. 108-110.

Although there is a question as to whether or not the Hawes-Cooper Act is constitutional, it is having serious effects already. Many states are finding it difficult to renew contracts and some contractors are canceling existing ones. This law will mean the abolition of all labor systems except the state use system. This will make for increased idleness in Iowa as in other states. Due to the economic conditions of the last few years, Iowa has not been able to employ all of her prisoners and exclusive state use will result in mass idleness. If the Iowa Penitentiary should lose its most important industry, that of furniture manufacture, a greater problem of idle men will again face the State. Since institutional needs are quickly supplied, state use industries cannot be developed to keep all prisoners busy. For some years authorities have realized that state use has been carried about to the limit in Iowa.

Construction and Discipline Since 1900

In 1902 an appropriation provided for a new power house, machine shop, blacksmith shop, and a new building for a hospital, library and school room.

These were completed by 1905 and 1906. The old power house was remodeled for a bathroom, kitchen, storeroom and cellar. Construction of the new prison wall in 1905 and 1906, and consequent enlargement and grading of the prison yard made it necessary to abandon the old well and provide new sources of water supply. Four new wells, one four inch and three of three inch diameter were drilled in the west part of the prison yard to a depth of one hundred feet; a reservoir with a capacity of 15,000 gallons to receive the water as it flowed from the wells was constructed. The combined capacity was 30,000 gallons of water each hour.

In 1906 there was an appropriation of \$10,000 to commence a new cell house. The foundation was laid by 1909, but the building was not completed until 1911, when another appropriation of \$60,000 was allowed. 1914 and 1925 saw the completion of a third and fourth cell house, and in 1930 another cell block was erected for about fifty more men. The original cell block was remodeled in 1926-1927, making additional modern cells. At the present time there are five cell houses with a total of 1160 cells, and a population of about 1460 prisoners. 300 men are

sleeping in dormitories, army barrack style. Each cell is six feet wide, eight feet long and eight feet high, with a grating of steel bars covering almost all of the front end of the cell, insuring light and air. The cell blocks are ventilated by mechanical means using forced air drafts.

Each cell is furnished with a bed, a chair, a table, lavatory and stool, a shelf for books and other articles and hooks for clothing. Each is lighted by an electric light. Each bed has a mattress, pillow, two blankets, sheets, and pillow cases, and are radio equipped. Nearly every man can avail himself of \$2.50 with which to purchase ear phones.

The hospital building is entirely modern; furnished with antiseptic furniture, and has a medical and surgical ward accommodating forty patients. There is a modern operating room and small rooms for observation of patients. Consulting rooms are provided for the physician, surgeon, oculist and aurist; the dentist has a combination office and laboratory on the first floor, with a sun room in connection and a tubercular ward.

In 1917-1918 the third residence for the warden was completed. This is of red brick and situated on

the east side of the second house which was remodeled for administration offices. Both buildings are outside the walls facing the river.

The most recent construction is the new five story building completed in 1933 which houses the chair and furniture factory, the weaving and knitting mills, the kitchen, dining hall, bakery and a large auditorium, which serves as chapel for both Catholic and Protestant services and prison entertainments. Each of these is modern in every respect.

The only project in progress at present is that of excavating and leveling the hill behind the prison. This partly solves the problem of idle men and will enable the prison yard to be doubled and give the men more room for recreation. Prisoners are anticipating a ball diamond this spring (1934) in the space now being worked upon. The 500,000 square yards of dirt in the hill will furnish enough work for nearly two years. Colonel Haynes has had a high wire fence constructed around this area, arranged so it can be charged with electricity to prevent escapes.

A progressive step was taken recently when the old rule book with its ninety-three rules and fifty

"do-nots" was given up. The silent system has been done away with for the most part, except at meals, where a code of signals is used. Waiters are stationed throughout the dining hall and are requested to patrol constantly the tables assigned to them.

In regard to self government Gillin says: "We find that only recently has any attempt been made to introduce devices to promote a sense of responsibility in the prisoner. The honor system was the first of these devices in which a small percentage of men were trusted on their honor not to run away if allowed outside the walls of the prison. Under wise administration it has worked fairly well with carefully selected prisoners. Warden Tyman of Colorado, in his road work, was very successful with the system, and he and Warden Sanders of the Iowa Penitentiary, with his trustees about the prison and the men who were sent out upon prison farms, were pioneers."⁸⁸

88. Gillin, J. L., Criminology and Penology, (1926), p. 422.

The scale for diminution of sentence for good behavior, the possibility of a parole and the special reduction given to "honor" prisoners are all incentives and important factors in the present prison discipline. The 1915 Laws of Iowa provided that "any inmate of the penitentiary or reformatory, who may be hereafter employed in any service or labor outside the walls of the institution who may be listed as a "trusty" or "honor" inmate may at discretion of the Board of Control or warden be given and allowed a special reduction in term of sentence at the rate of ten days for each and every month so employed or listed; and every month of such employment shall be counted one month and ten days in point of service on the sentence to be served in addition to the "good time" allowed by law for good behavior."

The prisoners no longer wear conspicuous striped suits but are dressed in a standard uniform of striped denim trousers, plain blue shirts and blue jackets. A man who has broken the rules must wear tell-tale trousers of a wider stripe for a certain length of time.

The library of some 7,000 volumes and the school

continue to be important factors. Perhaps the most outstanding feature of the library is the large number of current periodicals to which all have access every week.

Approximately nine per cent of the men are unable to read or write and the chief emphasis of the school is to reach this class. The first five grades are all that are taught; the higher branches have been discontinued.

The prisoners have motion pictures, lectures and other entertainments at various intervals. The inmate orchestra which plays twice daily at meals is an outstanding feature. The prisoners are particularly proud of their own show "The Frivolities of 1934", given in their new auditorium, before two packed houses of citizens of Fort Madison.

For the first time in many years the institution is attempting a monthly magazine "The Presidio", the first copy of which came out March, 1934.

The Iowa State Penitentiary is the oldest penal institution west of the Mississippi. The buildings are of various ages and types but the worst features have been eliminated until the plant is modern in many respects. The institution's greatest

handicap is its unfavorable location with little or no opportunity for expansion. Every new building takes away more of the small recreation ground which has been inadequate almost from the first. The prison population has increased at the rate of ten per cent in the last few years. The ever existent crowded condition is becoming more acute with three hundred men sleeping in the dormitories. Another cell block of at least five hundred cells is badly needed.

PRISON POPULATION IOWA PENITENTIARY

1840	12
1841	5
1842	6
1843	9
1845	9
1853	8
1854	18
1855	19
1856	32
1857	47
1859	113
1861	126
1862	70
1863	87
1866	104
1867	160
1869	212
1871	273
1872	228
1873	276
1875	309
1877	388
1879	413
1881	341
1883	378
1885	412
1887	360

(Compiled from the Iowa Documents)

PRISON POPULATION IOWA PENITENTIARY (continued)

1889-1891	402
1891-1893	417
1893-1895	429
1895-1897	494
1897-1899	520
1899-1901	477
1901-1903	441
1903-1905	496
1905-1906	530
1906-1908	443
1908-1910	487
1910-1912	507
1912-1914	529
1914-1916	640
1916-1918	578
1918-1920	466
1920-1922	567
1922-1924	830
1924-1926	994
1926-1928	1,068
1928-1930	1,164
1930-1932	1,361

(Compiled by Bernard D. Karpinos, State University of Iowa, from Reports of the Board of Control of State Institutions.)

WARDENS OF IOWA PENITENTIARY

1839	Amos Ladd (Superintendent of building)
1840	C. Claypole (Director)
1841	William Anderson (first warden)
1842-1845	E. Guthrie
1845-1853 ¹	
1853-1854	G. Grisby
1855-1856	F. A. Baker
1856-1857	P. Inskeep
1857-1861	E. A. Layton
1861-1867	T. Hale
1867-1871	D. Doerr
1871-1877	S. H. Craig
1877-1883	E. C. McMillan
1883-1885	W. C. Gunn
1885-1887	G. W. Crosley
1889-1891	E. C. McMillan
1894-1906	N. N. Jones
1906-1916	J. C. Sanders
1916-1920	J. R. Perkins
1920-1933	T. P. Hollowell
1933	G. C. Haynes

(Compiled from Iowa Documents)

¹No reports available. Capt. J. W. Campbell gives J. W. Cohick and A. W. Haskall as wardens following E. Guthrie, in Bulletin of Iowa State Institutions, Vol. II, April, 1900, p. 175.

BIBLIOGRAPHY

Primary Sources:

Laws of the Territory of Iowa, 1838-39, 1840, 1845-46.

Statutes of Iowa (Revised) 1842-43.

Laws of Iowa, 1848-49, 1852-53, 1856-57, 1858-60, 1860-64, 1868, 1870, 1872, 1884, 1900, 1915.

Journal of the Council, Iowa, 1838-42, 1842-46.

Journal of the Senate, Iowa, 1850-53, 1854.

Journal of the House, Iowa, 1854-55, 1856 (Special Session) 1864.

Visiting Committee Reports, Iowa, 1868, 1874, 1886, 1890, 1894, 1896.

The Warden's Report of the Iowa Penitentiary, 1861-1932.

Board of Control Reports of State Institutions, 1899-1932.

BIBLIOGRAPHY

Secondary:

- American Prisons and Reformatories, Handbook, 1929.
- Briggs, J. E., Social Legislation in Iowa, State Historical Society, Iowa City, Iowa.
- Bulletin of Iowa State Institutions, Vol. II, April, 1900.
- Gillin, J. L., Criminology and Penology (1926) Century Company, Chicago.
- Gue, B. F., History of Iowa, Vol. I, (1902) Century History Company, New York.
- Henderson, C. R., Penal and Reformatory Institutions Vol. II, (Russel Sage Foundation) New York, 1910.
- Hollowell, T. P., Prison Labor, Public Welfare and Crime Prevention. (pamphlet)
- Lewis, O. F., Development of American Prisons, 1776-1845. Published by New York Prison Association, 1922.
- Report of Cosson Committee, Des Moines, Iowa, May 25, 1912.
- Robinson, L. N., Should Prisoners Work? (1931) J. C. Winston Company, Chicago.
- Wines, E. C., State of Prisons and of Child-Saving Institutions, Cambridge, University Press, 1880.

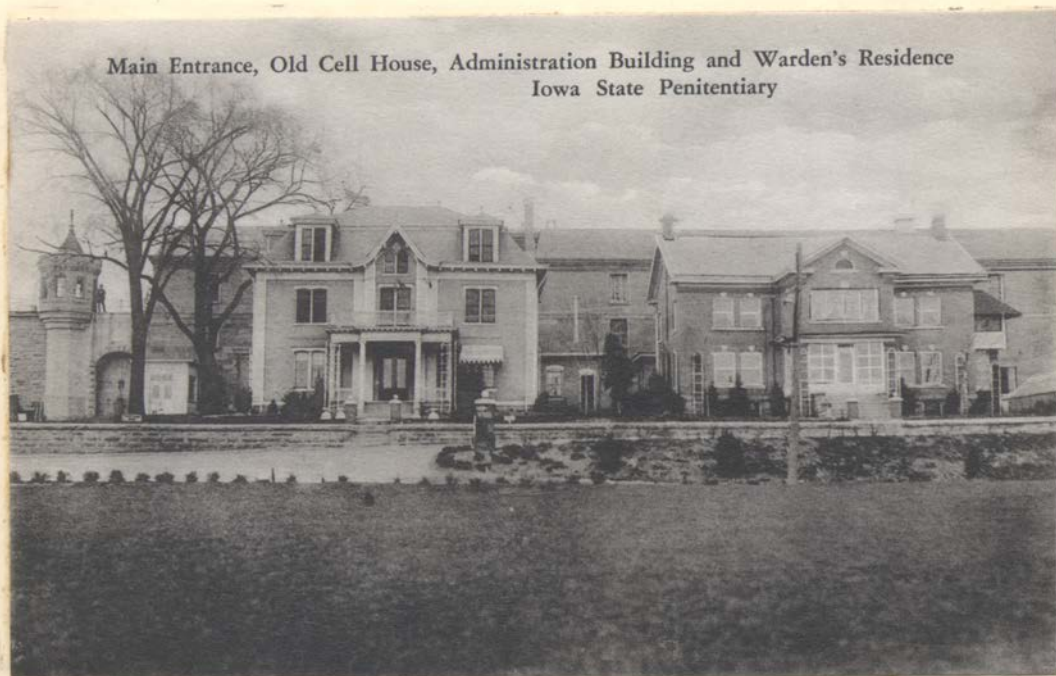


PENITENTIARY AT FORT MADISON, 1845

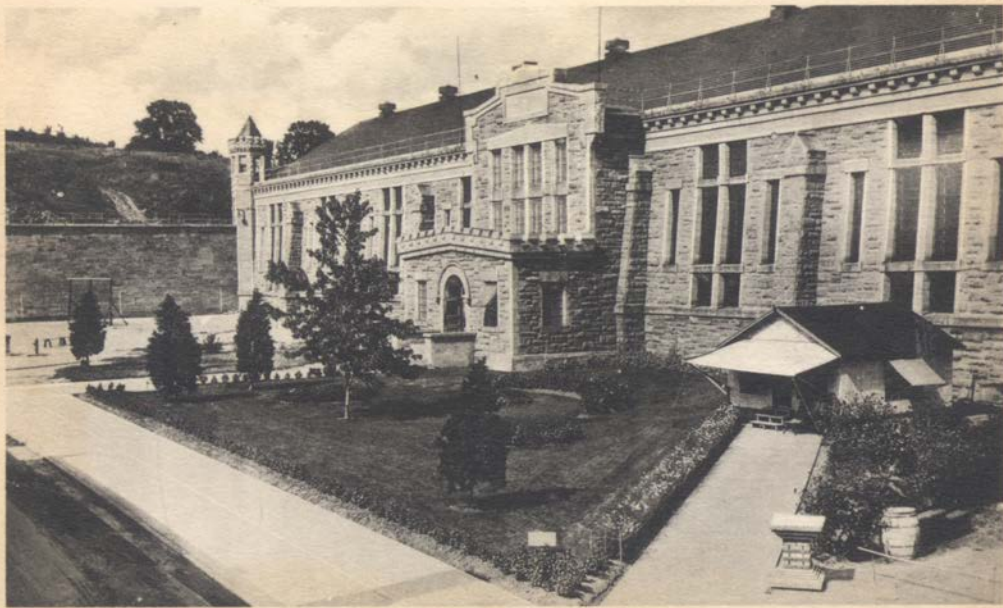
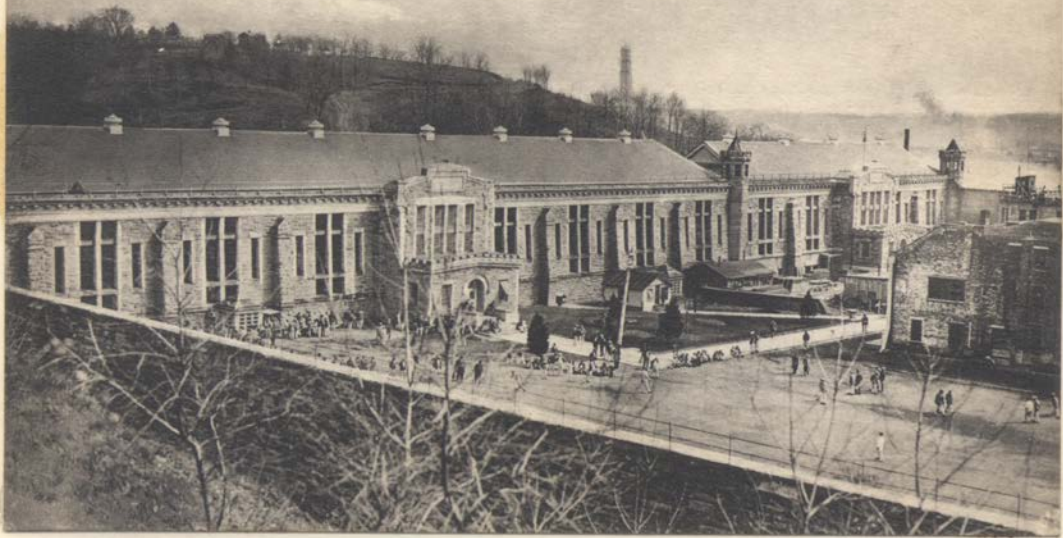
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|------------------------------|----------------------------------|
| A. Warden's Residence | D. Roadway |
| B. Cell Rooms-138 Cells | E. Bass Wood Tree, Whipping Post |
| C. Blacksmith Shop | F. Creek |
| G. Board Fence, Erected 1847 | |



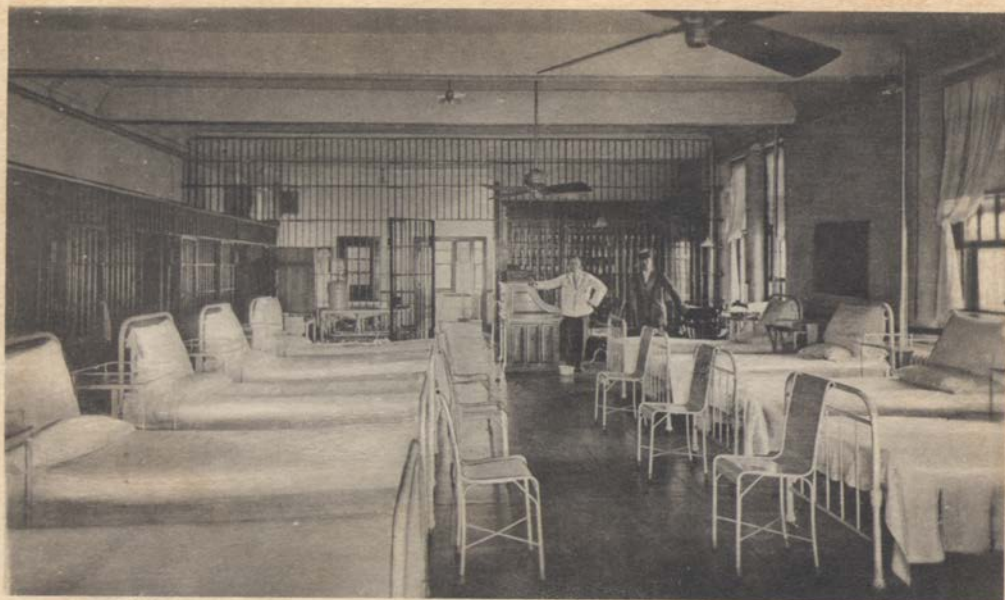
AIRPLANE VIEW OF IOWA STATE PENITENTIARY FORT MADISON, IOWA



Recreation Yard, Cell House 43 and 44, Iowa State Penitentiary, Fort Madison



NEW CELL HOUSE AND TUBERCULAR WARD, IOWA STATE PENITENTIARY, FORT MADISON, IOWA



WARD IN PRISON HOSPITAL, IOWA STATE PENITENTIARY FORT MADISON, IOWA



CHRISTMAS DINNER IN THE DINING ROOM, IOWA STATE PENITENTIARY FORT MADISON, IOWA

