

of lots or land as aforesaid shall be unknown to the assessor, or, if known, non-residents of the county, then the ten days' notice aforesaid shall not be required, and the assessor may proceed immediately to procure the same to be surveyed, platted and recorded in the manner described by the terms of this act.

Unknown
owners.

SEC. 4. This act, being deemed by the General Assembly of immediate importance, shall take effect from and after its publication in the Iowa State Register and State Leader, newspapers published in Des Moines, Iowa.

In force when.

Approved, April 11th, 1872.

I hereby certify that the foregoing act was published in the *Daily State Leader*, April 13, and in the *Daily Iowa State Register*, April 14, 1872.

ED WRIGHT, *Secretary of State*.

CH. 100.] CHAPTER XLII. [S. F. 98.

EXEMPTION OF SEWING MACHINES.

AN ACT to Amend Section 3305 of the Revision of 1860, Exempting Sewing Machines from Execution. APRIL 11.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section 3305, chapter 125, of the Revision of 1860, be, and the same is hereby, amended by inserting therein, after the words "All spinning wheels and looms," the following, to-wit: "One sewing machine."

Sewing machines
exempted from
execution.

Revision: 3305.

Approved, April 11th, 1872.

CH. 101.] CHAPTER XLIII.* [S. F. 12².

AN ADDITIONAL PENITENTIARY ESTABLISHED.

AN ACT to Permanently Locate and Provide for the Erection and Control of an Additional Penitentiary. APRIL 12.

SECTION 1. *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

* See chapter cviii.

Penitentiary established near Anamosa.

Anamosa, Iowa, an additional Penitentiary, in which convicts sentenced for life or any term of time shall be confined, employed, and governed, as hereinafter provided.

Board of Commissioners to be chosen by General Assembly.

SEC. 2. That three persons shall be chosen by the General Assembly who shall constitute a Board of Commissioners to purchase a quarry, and, without expense to the State, procure not less than seventy acres of grounds, and to superintend the erection of suitable buildings thereon for said Penitentiary; and, in case of a vacancy in said commission, the same shall be filled by appointment by the Governor.

Vacancy, how filled.

Bd. to purchase quarry.

SEC. 3. That said Board shall select and purchase the best and most eligible quarry, of not less than ten acres, on or near the line of the Dubuque Southwestern Railroad and the Wapsiepinicon river, and may pay therefor the just and fair value thereof in cash, not to exceed fifteen thousand dollars, and take a conveyance thereof in fee simple to the State of Iowa; and said quarry so purchased must be the cheapest and best that can be procured by them after due examination, inquiry, and public notice for offers of sale in the Anamosa Eureka or Anamosa Journal, and shall contain not less than one million cubic yards of stratified limestone suitable for building purposes.

Cost of same.

Requirements as to quarry, and purchase.

SEC. 4. And the Board shall also receive and take in the name of the State of Iowa, and cause to be recorded in the proper office before the purchase of said quarry, a deed conveying the title in fee simple for seventy acres of land, suitable for agricultural, horticultural, and grazing purposes, convenient to said quarry. And they shall not purchase said quarry, nor in any manner bind the State therefor, until said seventy acres as provided in section two of this act be first secured without expense to the State.

Bd. to obtain 70 acres of land free of expense to State before buying quarry.

Plans for building of stone.

SEC. 5. The board shall also, at the earliest day practicable, procure plans, drawings, and specifications for the buildings necessary and proper for said institution, which building[s] shall be of stone procured from the quarry so purchased; but the plan chosen by the Board shall be such as will admit of future enlargement by wing or otherwise, so as to preserve the symmetry, and be, when ultimately completed, of capacity sufficient to confine and employ five hundred convicts: *Provided*, That the erection only of such portion of such building shall be commenced by said Board, under the provisions of this act, as may be completed and made ready for occupancy by the appropriation herein made.

Plan to admit of enlargement.
Ultimate capacity.

Proviso: limitation.

Qualification of Commissioners.

SEC. 6. Before entering upon his duties, each Commissioner shall make and sign an oath, and execute a bond

in the penal sum of ten thousand dollars for the use of the State of Iowa, to be approved by the Census Board, and filed in the office of the Secretary of State, conditioned upon the faithful performance of his duties, and the honest, judicious, and faithful execution of the provisions of this act and the faithful disbursement of and accounting for all moneys which may come into his hands under the provisions of this act.

SEC. 7. Said Board shall have full power to appoint and discharge, at their discretion, a superintendent, whose duty it shall be to employ men, purchase material, and superintend the work on said building, and he shall receive for his compensation only such sums as said Board may fix.

Bond.
Superintendent;
compensation.

SEC. 8. There is hereby appropriated out of any money in the State treasury, not otherwise appropriated, the sum of fifty thousand dollars, or so much thereof as may be necessary for the purposes contemplated in this act.

\$50,000 appropriated.

SEC. 9. The Warden of the Penitentiary at Fort Madison, when suitable accommodations have been provided by the Board at or near the quarries so purchased, shall, at the request of the Board, transfer thereto as many able-bodied convicts as can be taken from said Penitentiary; and said Board shall elect a Warden for this Penitentiary, whose duty it shall be to safely guard and subsist them, and cause them to perform labor, and work in the preparation for, and erection of, such building, as directed by the superintendent, as to the mode and manner of work. The expenses necessary to carry out the provisions of this section shall be paid by the Board out of the money hereby appropriated, and said convicts so transferred, or any other convicts so employed, shall be deemed to be lawfully held, as though directly sentenced to labor at said quarries.

Warden of present Penitentiary, at request of Board, to transfer convicts to new prison.

Board to elect Warden.
His duty.

Expenses, how paid.

Convicts held.

SEC. 10. The accounts of expenditures necessary to carry out the provisions of this act shall be approved by the Board of Commissioners, and certified to by the superintendent, and then paid by Auditor's warrants in the usual manner, drawn in favor of the party to whom payment is due.

Accounts, how approved and paid.

SEC. 11. The members of the Board shall each receive five dollars per day while actually employed in the discharge of their duties, and their actual traveling expenses; and the compensation of said Warden for said additional Penitentiary shall be such as the Board may fix.

Pay of Commissioners.

Do. of Warden.

SEC. 12. The Warden of said Penitentiary shall keep a faithful and accurate account with each convict, showing the number of days' labor performed by each and the value thereof in cash, not exceeding two dollars per day for each day of ten hours, and for each and every one hundred dollars' worth of labor in excess of three hundred dollars, performed in any one year by any convict not sentenced for life, there shall be a commutation of the sentence of such convict, upon the recommendation of the Warden, to the amount of fifty days' time; and the one-third part of such excess shall be paid him out of the State treasury at the time of his discharge, upon the certificate of the amount due by the Warden. And the duties of the Warden of said additional Penitentiary, and his powers, shall be the same as prescribed by law for the Penitentiary at Fort Madison, so far as practicable, under the directions of said Board, who shall have the power to remove him at pleasure, and appoint another.

SEC. 13. Whenever it can be done without hindering or delaying the completion of said building, the superintendent may and shall furnish from said quarry, stone, dressed or in the rough, of dimensions specified, and deliver them on the cars upon the order of the Board or authorities having control of any building being erected by the State, and, when the part of such building provided for by this act is completed, the warden having charge of the convicts therein shall fill all such orders as above specified.

SEC. 14. Able-bodied male persons 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 under the care of said warden as soon as suitable accommodations have been provided therefor.

SEC. 15. This act, being deemed of immediate importance by the General Assembly, shall take effect and be in force from and after its publication in the Iowa State Register, and Iowa State Leader, newspapers published at Des Moines, Iowa.

Approved, April 12th, 1872.

I hereby certify that the foregoing act was published in the *Daily Iowa State Register*, April 13, and in the *Iowa State Leader*, April 18, 1872.

ED WRIGHT, *Secretary of State.*

Account of convicts' labor to be kept.

Allowance for extra labor;

commutation of sentence ;

Cash payment.

Duties of Warden same as those of present Warden.

Bd. may remove Warden.

Superintendent to furnish stone for other State buildings.

Convicts sent to new Penitentiary.

In force when.