

## CHAPTER 40.

## ADDITIONAL PENITENTIARY.

- . F. 6. AN ACT to Amend Chapter 43 of the Acts of the Fourteenth General Assembly, and for Other Purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa:*

Expiration of present term of officers. That the present term of office of the commissioners and warden of the additional penitentiary at Anamosa, shall terminate on the first day of April, next.

Warden shall be elected. SEC. 2. The warden of said penitentiary shall be elected by the general assembly, and shall hold his office for two years from the first day of April, 1876, and until his successor is duly elected and qualified.

Salaries of officers. SEC. 3. The provisions of the statute relative to the appointment and salary of clerk, physician, and hospital steward, for the Fort Madison penitentiary, shall also apply to the additional penitentiary at Anamosa; *provided*, that until the number of prisoners shall reach two hundred the salary of the physician shall not exceed thirty dollars per month, and the warden shall employ some suitable person who shall act as religious adviser and teacher, at a salary not to exceed forty dollars per month.

Warden, his powers and duties. SEC. 4. The warden, under the direction of the executive council, shall have charge of the erection of the walls, and buildings of said penitentiary, according to the plans and specifications already adopted.

He may, with consent of the executive council, employ and discharge a superintendent, whose duty it shall be to superintend the work on the walls and buildings.

He may, with the approval of the executive council, also employ, or authorize the superintendent to employ such foreman or assistants as he may deem necessary on the buildings and at the quarries.

He may call on the architect, whenever they may deem it necessary, to visit the premises and give such instructions as may be proper.

He shall, with the approval of the executive council, purchase or cause to be purchased, all material necessary to carry out the provisions of this act; *provided*, that all stone used in the construction of said walls and buildings shall be taken from the state quarries whenever it can be done without loss to the state.

Same. SEC. 5. The provisions of the statute in regard to the warden of the penitentiary at Fort Madison shall apply to the warden of the additional penitentiary so far as they do not conflict with the provisions of this act; and he shall safely guard and cause the prisoners to perform labor, and work in the preparation of material for and in the erection of said work as directed by the executive council, as to the mode and manner of work; *provided*, that he shall not appoint a deputy warden.

SEC. 6. The clerk of the penitentiary shall keep all accounts of expenditures and disbursements on account of said work, for which he may be paid such additional salary as the executive council may direct; *provided*, that his whole salary shall not exceed one thousand dollars per annum. Clerk—duties—salary.

SEC. 7. The warden shall keep an 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 of labor, in excess of three hundred dollars, performed in any one year, by any convict not sentenced for life, there shall be commutation of sentence of such convict, upon the recommendation of the warden, of fifty days time; and the third part of such excess shall be paid him, out of the state treasury, upon his discharge, upon the certificate of the amount due, by the warden. Warden to keep account of convict labor.

SEC. 8. The additional penitentiary at Anamosa, Jones county, shall be maintained as a penitentiary of the state of Iowa, in which such convicts sentenced for life, or any period of time, as the executive council may designate, shall be confined, employed and governed according to the provisions of law relating to the government and discipline of the penitentiary at Fort Madison, county of Lee, so far as the same do not come in conflict with the provisions of this act; *providing*, that nothing in this act shall be so construed as to authorize the leasing of the convict labor. Grade of prisoners to be kept.

SEC. 9. All resolutions, acts, and parts of acts, inconsistent with the provisions of this act, are hereby repealed. Repealing clause.

SEC. 10. This act being deemed of immediate importance, shall take effect from and after its publication in the Iowa State Register, Iowa State Leader, and Staats Anzeiger, newspapers published in Des Moines, Iowa, and shall take effect from date of last publication, notwithstanding section 33 of the Code to the contrary. Publication.

Approved March 4, 1876.

I hereby certify that the foregoing act was published in the *Iowa State Leader*, March 10, *Iowa State Register*, March 11, and in the *Staats Anzeiger*, March 16, 1876.

JOSIAH T. YOUNG, *Secretary of State.*

## CHAPTER 41.

### FOR THE RELIEF OF HARRISON COUNTY.

AN ACT for the Relief of Harrison county.

H. F. 427.

WHEREAS, The safe of Harrison county, state of Iowa, was on the night of the 17th day of February, 1868, broken open by

Preamble.