

## CHAPTER 76.

## PENITENTIARY.

AN ACT to provide for the appointment of Warden of the Iowa Penitentiary, and to amend the several acts relative to the government and discipline of the Penitentiary.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the Inspectors of the Penitentiary shall appoint the Warden thereof, who shall hold his office for the term of two years, or until his successor is appointed and qualified; *Provided, however,* That the Inspectors may at any time remove the Warden from his office for incompetency or gross neglect, and impropriety in the course of his official duties; and the Warden appointed to fill a vacancy occasioned by death, resignation or removal, shall hold his office for the full term of two years, unless sooner removed for misconduct in the performance of his official duties, as above provided; *And Provided further,* That when the Warden is removed from his office, it shall be the duty of the Inspectors to state the reasons thereof at large, upon the journal of their official proceedings; *And provided further,* That the present Warden shall not be removed before the expiration of his official term of office.

Warden's appointment and term.

Removal.

SEC. 2. No officer or other person employed in or about the Penitentiary, shall be permitted to receive in any way, perquisites for themselves or families, except that the Warden shall keep his office, and reside with his family in the Penitentiary, and shall be furnished with a garden of a quarter of an acre, and with fuel, and lights, and stationery, from the stock provided for the use of the Prison. Nor shall they be permitted to receive any compensation or reward from any contractor, under penalty of dismissal from their office, and forfeiture of one month's pay, or either, as the Inspspectors shall determine; and if any officer procure the escape of any convict, or connive at, aid or assist in the escape of any convict from the Penitentiary, whether such convict escape or not, he shall be guilty of felony; and shall, upon conviction thereof, be sentenced to hard labor in the Penitentiary, for any term not less than one, nor more than three years. The deputy Warden, clerk, and day and

Perquisites abolished.

Compensation forbidden.

Penalty.

night guards shall be appointed by the warden, subject to the approval or disapproval of the Inspectors, and shall hold their offices during the pleasure of the Warden; *Provided*, That in every case of the removal of said officers by the Warden, he shall state his reason therefor in writing to the Inspectors at their next regular meeting.

Duty of deputy warden.

SEC. 3. It shall be the duty of the deputy warden to keep a book in which shall be entered a record of every infraction of published rules of discipline, with the name of the prisoner so guilty, which record shall be submitted to the Inspectors at each quarterly meeting, and every 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 for the first month be entitled to a diminution of one day from the time he was sentenced to the penitentiary; and if at the end of the second month, no infraction of the rules is recorded against him, two additional days of diminution from his sentence; and if he shall continue to have no such record against him for the third month, his time shall be shortened three additional days; and if he shall so continue for subsequent months, he shall be entitled to four days diminution of time from his sentence for each month he shall so continue his good behavior; and if any prisoner shall so pass the whole term of his service, or the remainder of his sentence after this act take effect, *Provided*, He shall have the term of one year yet to serve, he shall be entitled to a certificate thereof from the Warden, and upon the presentation thereof to the Governor, he shall be entitled to a restoration of the rights of citizenship, which may have been forfeited by his conviction, and it shall be the duty of the Warden to discharge such convict from the penitentiary, when he shall have served the time of his service, less the number of days he may be entitled to have deducted therefrom, in the same manner as if no such deduction had been made; *Provided*, That if such convict shall be guilty of a violation of the printed and published rules of the prison, after he shall, as provided in this sentence, have become entitled to a diminution of his term of service to which he has been sentenced, the Inspectors shall have the power to deprive, at their discretion, such convict of a portion, or all (according to the flagrance of the

violation of discipline) of the diminution of the term of sentence to which he had been previously entitled by this act.

SEC. 4. The inspectors may, as the necessities of the case may require, increase or decrease the pay of the officers of the prison, but not beyond the following amounts, that is to say—to the warden, seven hundred dollars; to the deputy warden, five hundred dollars; to the clerk, four hundred dollars; to the inspectors, one hundred dollars each; to the night guards, fifty dollars per month each; to the day guards, forty dollars per month each.

SEC. 5. The guards shall also each give bonds to the State of Iowa with security to be approved by the Inspectors in the sums of five hundred dollars, conditioned for the faithful performance of their duties, which bonds shall be deposited with the Warden.

SEC. 6. All laws or parts of laws now in force contrary to this act are hereby repealed.

SEC. 7. This act shall take effect from and after its publication in the Iowa City Republican and the Fort Madison Plain Dealer.

Approved January 22d, 1857.

I certify the foregoing was published in the Fort Madison Plaindealer, Feb. 6, 1857, and in the Iowa City Republican, Feb. 9, 1857.

ELIJAH SELLS,  
Sec'y of State.

## CHAPTER 77.

### STATE ROADS.

AN ACT to establish certain State Roads therein named.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That James A. Altorn, Thomas Dibble, Jr., and J. C. Vernon, of the county of Van Buren, be, and they are hereby appointed Commissioners to lay out and establish a State road from Farmington, in Van Buren county, to Mt. Sterling, in said county; also to lay out and establish a State road from the West bank of the Des Moines river, opposite the town of Lawrence in said county, to intersect the first de-