

EXPENSE OF CONVICTS OF THE UNITED STATES.

LETTER

OF THE

FIRST COMPTROLLER OF THE TREASURY,

TO THE

Secretary of the Interior, relative to the expense of the convicts of the United States in the prisons of the several States.

FEBRUARY 1, 1859.—Laid on the table and ordered to be printed.

TREASURY DEPARTMENT,
Comptroller's Office, January 29, 1859.

SIR: The letter of Hon. Edwin B. Morgan, House of Representatives, dated the 27th inst., addressed to you "to ascertain what amount is paid to each State prison for the support of United States convicts; what amount per week; what for clothing, and what amount for travelling or other expenses paid them at the expiration of their terms of imprisonment," has been received. I herewith return the letter, and report that 50 cents per months is allowed for *rent* of prison for each prisoner in all the States and Territories uniformly. That the per diem, weekly, monthly, or annual allowance for board is extremely irregular, hardly any two districts charging the same rates; whatever has been charged for board, in the absence of any law fixing the amount, has been allowed as charged.

I know of but one State which has prescribed the amount that the United States shall pay for keeping its convicts. In Maryland it is fixed by law at 30 cents per day for *all* expenses, rent, board, medical attendance, clothing, bedding, fuel, &c., that is, the Maryland penitentiary is by law compelled to receive United States convicts on the same conditions as State prisoners, by the United States paying 30 cents per day for each convict towards the *support* of the *penitentiary* of the State.

The allowances for medical attendance and clothing during confinement are only limited to necessary and reasonable amounts. The allowance for clothing at the expiration of the term, money, or travelling expenses, are governed by the law of the respective States or

Territories, the same to be allowed to United States convicts as to State prisoners upon their discharge, and no more.

The rate for board charged will appear from the following table:

Alabama, board per day	\$0 30
Arkansas, board per day	50
North Carolina, board per day	35
South Carolina, board per day	30
California, board per day	2 50
Connecticut, board per week	2 25
Delaware, board per day	35
Florida, board per day	40
Georgia, board per day	20
Illinois, board per day	35
Indiana, board per day	37 $\frac{1}{2}$
Iowa, board per day	50
Kentucky, board per day	37 $\frac{1}{2}$
Kansas, board per day	50
Louisiana, board per day	35
Maine, board per week	2 00
Massachusetts, board per week	2 50
Maryland, expenses of every kind, per day	30
Michigan, board per month	15 00
(In Michingan the value of the labor is deducted from the above rate.)	
Missouri, board per day	40
Minnesota, board per day	50
Mississippi, not known how charged.	
New Hampshire, board per week	2 00
New York, northern district, everything per year	60 00
New York, southern district, everything per day	25
New Jersey, board per day. No prisoners, not known.	
Nebraska, board per day	50
New Mexico, board per day	not known.
Oregon, board per day	not known.
Ohio, board per day	37 $\frac{1}{2}$
Pennsylvania, eastern district, board per week	2 50
Pennsylvania, northern district, board per day	14 $\frac{1}{2}$
Rhode Island, board per week	2 00
Texas, board per day	50
Tennessee, board per day	37 $\frac{1}{2}$
Utah, board per day	1 00
Vermont, everything per year	60 00
Virginia, (convicts sent to District of Columbia, where the actual expenses are paid by the United States, and income from labor accounted for.)	
Wisconsin, board per week	2 50
Washington Territory, board per day	1 00

The only law of the United States, defining the amount that State penitentiaries shall be paid for keeping United States convicts, is the

fifty cents per month for *rent*; no rate for the expense of maintenance is fixed by law of Congress; hence the great disparity in the various rates charged. No rates are fixed in the States, as regards maintenance of United States convicts in their penitentiaries, except Maryland, other than the United States is to be liable to pay the expenses of such maintenance. The Attorney General, in opinion dated January 5, 1857, decided that no deduction from the amount charged by a State, could be insisted upon by the United States on account of the value of the labor of a convict, but that the whole question was purely a matter for previous agreement or contract for a reasonable sum to be paid by the United States to the respective States. Allow me to ask your particular attention to that opinion.

The reason that the States have not prescribed a certain amount to be paid by the United States for the maintenance of its convicts is supposed to be owing to the fact that the penitentiaries are State institutions, the keepers or wardens, State officers, paid by salaries and not fees, and that the *actual expenses* of the penitentiaries are to be kept in items and regularly audited by boards constituted for that purpose or by the legislatures themselves, and the amount thereof reimbursed to the officers having charge of the disbursements, and hence no necessity, so far as the States are concerned, for prescribing a specific fee, as the whole expense is to be borne by the States and the benefits derived from the convicts' labor accrue to them.

If deemed practicable, it seems desirable that some rule by which greater uniformity in the amounts charged and allowed for the maintenance of United States convicts can be attained should be adopted.

Very respectfully submitted.

W. MEDILL, *Comptroller.*

HON. JACOB THOMPSON,
Secretary of the Interior.

