

SUPPLEMENT

TO THE

DESERET WEEKLY.

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GRAND JURY REPORT.

SALT LAKE CITY, UTAH, Dec. 14, 1889.

Honorable C. S. Zane, chief justice and judge of the Third judicial district court, territory of Utah:

Sir—The grand jury for the September term of said Third district court has closed its labors, and submits herewith its final report.

We have as directed by your charge to us at the beginning of the term, inquired into the case of every person imprisoned within the district on a criminal charge and not indicted; into the condition and management of the public prisons within the district, and into the willful, corrupt misconduct of public officers therein, so far as time and circumstances would permit.

Below is a

TABULATED STATEMENT,

showing the result of one department of our labors, to-wit:

Indictments found in United States cases.....	21
Indictments found in territorial cases.....	62
Total number of indictments found.....	83
Number of persons indicted in United States cases.....	21
Number of persons indicted in territorial cases.....	88
Total number of persons indicted.....	109
United States cases ignored.....	7
Territorial cases ignored.....	20
Total number of cases ignored.....	27
Total number of witnesses examined.....	333

The examination of public offices was, to some extent, and of necessity performed by committees of the grand jury, supervised and controlled by the jury as a body, and confined to—

First—The clerk's office of the Third judicial district court.

Second—The United States penitentiary, and the United States marshal's office.

Third—The county court, which, with the probate court, is the governing body in county affairs.

Fourth—City government of Salt Lake city.

We examined the United States penitentiary, the county and city jails, and find them all well kept—the food provided at each is of good quality, well prepared, and plenty of it.

Clerk's Office Third District Court.

We have caused to be made a careful examination of the accounts of the clerk of the Third district court, as far as such accounts pertain to the incumbency of John M. Zane and Henry G. McMillan, and find no evidence of mismanagement. We have made comparison of receipts on account of judgments and costs, with deposits of money to the credit of the United States, in United States depository, and find that each of them deposited the full amount for which he was liable according to law, and as shown by the books in that office.

The United States Marshal and the Penitentiary.

We have made a careful examination as to the manner in which the several United States marshals have conducted the penitentiary from 1882 to the present time and find that the management has been about the same by the several gentlemen who have had charge of that institution during the period covered by this report.

The penitentiary is in charge of the marshal as warden. He has from ten to twenty guards under him, one of whom acts as deputy warden at a compensation of \$75 per month and board.

The deputy warden from 1882 to 1886, was George N. Dow, appointed by Marshal Ireland. Mr. Dow also served for some months under Marshal Dyer. From October, 1886, to the close of Mr. Dyer's administration, O. L. Brown and Arthur Pratt were the deputy wardens. Mr. Joseph Amos is the deputy under Marshal Parsons.

The supplies were furnished for the penitentiary during all this time—with few exceptions—by the following named firms:

Groceries and provisions, Remington, Johnson & Co.
Groceries and provisions, Kahn Bros.
Fresh beef, Martin Lannan.
Fresh beef, Cook & Glanfield.
Dry goods and clothing, Auerbach Bros.
Dry goods and clothing, L. Goldberg.
Flour, George A. Lowe.
Coal, Pleasant Valley Coal Co.
Hay, D. C. Lee.
Oats and bran, Sears & Liddle.
Potatoes and milk, by the deputy warden above named.

THE VOUCHERS.

Upon examining such vouchers as we have been able to find, with a view of ascertaining prices paid for supplies, etc., for the penitentiary, we ascertained that all vouchers rendered the government for potatoes and milk by Deputy Wardens Dow, Brown and Pratt, were not according to the facts. The potatoes were raised upon the penitentiary reservation by prison labor; the milk was from cows owned by the marshal, cared for by prison labor and fed principally from food either raised upon the reservation or paid for by the government; the deputy wardens presented the vouchers for such supplies in their respective names, but the money went to the marshals. These potatoes cost the government from sixty to seventy-five cents per bushel and the milk from twenty-five to forty cents per gallon.

From 1882 to the present time the government has paid on account of these milk vouchers between two thousand five hundred and three thousand dollars—this for the use of one, and a portion of the time, two cows, to supply milk for the warden's table and guards, and occasionally a few quarts for the prison hospital. It was also made to appear that during the time Mr. Brown was deputy warden, not half the milk was furnished which the vouchers called for.

We are unable to state the amount of money the government paid on these so-called "potato vouchers," but are entirely satisfied that it was in excess of the amount paid for milk.

There were confined at the penitentiary during the fiscal year ending May 31, 1889, a daily average of 203 5-10 prisoners, which, with the twelve guards and the deputy warden and matron, made a total of 216 5-10 persons to be provided for. The total cost of this for the year was about \$37,500; deducting salaries of guards, warden and matron, the expense was about \$27,300.

The expense of keeping prisoners for the year ending July, 1889, including pay and board of guards, and the warden's salary, was about 48 cents per day; deducting pay of guards and warden's salary, it was about 35 cents per day.

We are of the opinion that many of the supplies furnished were excessive in quantity and extravagant in price.

In March, 1889, there was 11,100 pounds of fresh meat used, at 8 cents, \$888; ham and bacon for same month cost. Total, \$132 \$1,020.

In April, 1889, they had 11,166 pounds of fresh beef, at 8 cents per pound, \$893.28.

In May, 1889, they had 12,063 pounds of fresh meat, at 8 cents per pound, \$965.04.

In February, 1889, they had 10,000 pounds of flour, at \$2.60 to \$2.75 per hundred.

In April, 1889, 9,000 pounds of flour, at \$2.60 per hundred.

In May, 1889, 8,000 pounds of flour, at \$2.60 per hundred.

PRICES FOR SUPPLIES.

During these months there was an average of about 206 prisoners, and we are of the opinion that the fresh meat, ham and bacon furnished during this time was as to quantity about 25 per cent. in excess of what was necessary, and as to price was 25 per cent. too high.

The price paid for flour 10 per cent. higher than it might have been purchased for.

In June 1889, candles cost the government \$5 per forty pound box; they could have been bought for \$4.40 per box.

For many months, the hay, corn, oats and bran purchased on the penitentiary account, for the use of the penitentiary team and cows owned by the warden cost the government from fifty to sixty dollars per month—this in addition to the hay raised by prison labor on the penitentiary reservation.

For years past the marshal has been paid by one grocery firm the sum of \$25 per month for delivering their groceries to the penitentiary, and the gentlemen who have furnished meat to the prison have also paid him \$30 per month for the delivery of that article. There is an account kept and charged against the government, which is known as the wagon account; this is made up from the earnings of a team and wagon owned by the marshal which is kept at the penitentiary and fed at the expense of the government; it is cared for, and driven by prison labor between the penitentiary and the city and other places for transportation of prisoners and other necessary business. This team is in charge of a "trusty convict," as driver. The marshal receives for the use of it \$5 for each trip to and from the city with one or more prisoners.

This wagon account for one year, from June 1, 1888, to May 31, 1889, itemized, shows the following: