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OF  
MISS D. L. DIX



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MEMORIAL

OF

MISS D. L. DIX,

IN RELATION TO THE ILLINOIS PENITENTIARY.

FEBRUARY 5, 1847.

Laid on the table and 3,000 copies ordered to be printed.

*To the Honorable, the General Assembly of the State of Illinois.*

GENTLEMEN: The reasonable claims of humanity, not less than the requisitions of justice, require that you should have a clear understanding of the system on which the State Penitentiary is established; its general organization; its advantages, if indeed it possess any; and its defects, as well of location as of architectural arrangements and daily discipline. I believe that I can represent these to you impartially. I have confidence, that, for palpable errors, you will not delay to search out and apply a remedy; and I therefore take the liberty of soliciting your attention to the actual condition of the State Penitentiary at Alton; to the system which has most unfortunately been adopted for the disposition of convict labor; as also to the daily discipline, and its influences in this prison; annually becoming more populous, and which will probably more than triple its inmates in a few years. Your vast extent of territory, now promising more rapid settlement, insures this result. I think you will acknowledge the wisdom, not only of guarding the present, but of taking a prospective view of this serious question.

Within the last eight months, I have seen a good deal of the citizens of Illinois individually, and of the state of society in general, and I entertain no apprehension that the disinterested and impartial deliberations of her Representatives, concluded by efficient legislation, will not be sanctioned by all who regard the well-being of communities, and the honor of the State; as well as looking higher, owning their obligations to employ all consistent measures for the restoration of the guilty from an evil and criminal, to an amended life.

There is certainly no substantial cause why the State prison of Illinois should hold so low a rank, compared with many State prisons in the Union;—those of Georgia, Mississippi, Louisiana, Connecticut and Ohio, for example: and if I do not cite the best prison, as viewed under all aspects, the Eastern Penitentiary, in Pennsylvania, it is because I would, for the present, be almost well satisfied to see this take a respectable place near the first named, and under a system which,

according to my convictions, is but secondary in procuring the results at which we should aim in the imprisonment of criminals, viz: the security of society, and more especially the *reformation* of the convict.

It cannot be, that the rising State of Illinois will voluntarily refuse to adopt the improvements introduced of late years, in the construction of prisons, and in the moral discipline of prisoners, while almost the whole civilized world is thinking and legislating upon these great questions ; and which affect the whole aspect of society infinitely more than is now comprehended by those who rule, and those who are ruled.

Before entering specially upon the affairs of the prison at Alton, it is but justice to observe, that my remarks in no wise point censuringly to the Lessees of the prison, or to any of the officers employed therein. These are not at all, in the first instance, accountable, either for the defects of the system, or for those of daily discipline: for, to require of officers, results, the means for carrying out which are not supplied, would be an absurdity, illustrating both weakness and injustice in the State Government.

I first visited the prison at Alton, in May, 1846; and, at that season, as since, have been received by all the officers on the grounds, with civility and respect. My many inquiries have been responded to with courtesy, and my objects as a criticising visitor, have been materially aided and advanced.

State officers, as Wardens and their Deputies, or Lessees and their Clerks, will be very likely to conform to whatever system is established by law, and to such details in discipline as shall be prescribed by the Legislature, or the Inspectors by the Executive appointed. Therefore, it is to this body, the Representatives of the people, that we are first to look for an enlightened and carefully devised system of Prison Discipline.

The office of a Representative of many minds, involves very grave and high responsibilities. The peace, the prosperity, the honor of States, depend upon the intelligence and fidelity with which these duties, in their various forms of obligation, are discharged. To fill, in an upright, manly and honest manner, a seat in the halls of the Capitol, is no sinecure. Hoping that the respectable and numerous Assembly now appealed to, view their obligations in a clear light, I have felt encouraged to make representations, and offer suggestions, which otherwise I might not have attempted.

The first and most obvious objection advanced against the prison at Alton, is its ill-chosen location; than which, both in view of health and convenient internal arrangements, none could be worse. Instead of constructing and inclosing this prison upon the table land, which extends back from the crest of the bluffs, or inclosing a sufficiently open area on the level below, the Commissioner which executed the trust bestowed by the State, of locating the prison upon the ten acres given to Government by Mr. Russell, for this purpose, caused to be inclosed a space upon the abrupt, nay, precipitous descent of the bluff east; a portion of the prison-buildings on the west being erected as substitutes for part of the inclosing wall, and absolutely on the edge of the descent; so much of the space within, being levelled, excavated, or filled up, as might serve to lay the foundations of the same. The other buildings put up from time to time, now crowd the small area, impeding at once the business of the prison, obstructing the passages, and threatening the health of all who occupy the premises, by the exclusion of a free circulation of air. As for the buildings, I have never, in any prison, save the old Indiana prison at Jeffersonville, seen any so ill-contrived, ill-built, and ill-suited for the purposes they were to subserve. The materials and work are inferior in quality and kind. In seasons of rain, and in winter, the flow of water, and falls of snow, over the inclined surface, which seems never to have been graded or McAdamized, produces a depth of mud, through which, as I can fully testify

it is in nowise easy to make way; or an ill-covered foot-way, ascending or descending, which it is difficult, and sometimes even perilous, to traverse. As there are no sufficient drains and sluice-ways, the water makes passages in small streams, or by slower and often more destructive percolations, beneath the foundations of the buildings, and the base of the lofty eastern wall; on the one hand rendering the shops damp and wet, and on the other steadily advancing the process of undermining the most expensive, because necessarily the highest portion of the inclosing wall, which here ascends above thirty feet.

✓ The *second* prominent defect of this prison, is, the confined limits within the walls, viz: one acre and five-sixths, bearing most disadvantageously upon all business to be carried on within the same, and *prospectively* threatening the health, or rather insuring the ill-health, of all the inmates. The entire prison inclosure is compassed by a wall, measuring 320 feet by 290. This area, which as before stated, occupies, *not a level*, but a precipitous declivity, contains the following named buildings, most of which require either repairs, additions, or entire replacement: 1st. Guard house; 2d, Warden's dwelling; a kitchen beyond and a smoke house, in all extending seventy-six feet; 3d, Lodging prison, sixty seven by forty-four outside the walls; 4th, Dining room and cook room, one hundred feet by twenty-five; 5th, Tailor's shop, (frame,) adjacent to the preceding, sixteen feet by twelve; 6th, Stable, thirty feet beyond No. 5—measuring sixteen feet by forty; 7th, Rope walk, sixty-seven feet *below* the dining room, is two hundred and forty feet by twenty-five; 8th, Wagon and smith shops, thirty-seven feet by thirty-seven feet; 9th, Hemp factory, thirty-four feet by forty-four; 10th, Boiler rooms, (engine?) entry and dry house, thirty feet by thirty; 11th, Pole house, thirty-one feet by fifty; 12th, Office, twenty-one feet by thirteen; 13th, Inclosed wagon way, thirty-six feet by sixteen; 14th, Cooper shop on the south wall, ninety-four feet by twenty-five; 15th, On the eastern wall, do. two hundred and seventy feet by twenty-five; 16th, Machine shop, between hemp factory and cooper shop, thirty-three feet by thirty-five; 17th, The well. Most of the remaining space is necessarily often occupied by the coarse and bulky materials employed in the different factories, and the completed works wrought from those materials, as barrels, wagons, &c. There, too, in the crowded

✓ space, we find imperfect drainage, obstructed circulation of air, and accumulating vegetable substances quickened into deleterious fermentation by the wetness of the place, for months every year; and for these obvious present and threatening evils, no remedy is applied.

✓ The Legislature of 1833, governed by a somewhat unseasonable spirit of economizing for the *present*, and thus burthening the *future*, authorized the Inspectors to cause "to be laid off, lots for stores and dwelling-houses, with intersecting streets, and to make sale of the same at public vendue;" and in conclusion, to "apply the proceeds to the construction of a *substantial wall*,"\* and work-shops within the same of such size and dimensions as they might think most advantageous!" This was done; and now, when the most valuable part of the ten acres given to the State, whereon to construct a prison, has been sold to individuals, (it is true, by the consent of the donor,) we hear of a proposition to purchase land at an advanced price for the purpose of enlarging the area, and affording space for the *re-construction* of shops, &c. One thing is certain; if the prison be *permanently* established at Alton, *this must be done*: for, notwithstanding the Inspectors in their Report of 1844, December, declare "that they are happy to state, that the *number of convicts* is gradually *decreasing*, and it is probable, from present appearances, that no further addition of *cells* will be needed, at least before the next regular session of the Legislature," we find that the hopes of these

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\* A portion of this has twice or thrice fallen!

gentlemen have not been realized. The number of convicts has constantly exceeded the number of cells; and it is evident that the prison population will be continually increased, as the State itself gains inhabitants, and villages grow into towns, and towns are absorbed into cities. Illinois possesses vast internal resources, and is not destined to become a waste wilderness; and we nowhere find that prisons become less necessary, or less crowded, as the tide of business and prosperity abroad rises. A new and higher order of society must exist before prisons can be safely abolished.

Of the work shops in general, one may sum up the condition in few words: They all are, except the hemp factory, and that has recently been partially destroyed by fire, either temporarily thrown up, out of repair, or inconvenient in location or construction. That which demands earliest attention, appears to be the cooper shop. Complaints were made in 1840-'41, of the want of suitable workshops, stock, &c. In 1842-'43, the same deficiencies are represented, and a bill summed up, of \$242 00, for reconstructing the cooper shop. In 1844, the Inspectors state, that "the principal workshop being burned in the spring of 1843, and it being the property of the State," they thought it better that so important a building should be put up in a *permanent*, rather than a temporary manner. "We, consequently, contracted with the Lessee, for a shop to be built of stone, extending the length of the *eastern wall*," (270 feet,) "and a part of the south," (94 feet about,) "to be well inclosed, and partition walls running across at convenient intervals, so as to separate the convicts from each other when at work. This building is completed, and at a cost, as per bills rendered, of \$1,939 15." "The above work was done under the immediate direction and supervision of the Inspectors, and completed in a substantial and workmanlike manner." Let us refer for the excellence of this work, to the next following biennial report, 1845-'46; and which corresponds with my own observations:—"We would call your attention to the workshops (cooper shop,) which as now situated, are both uncomfortable and unsafe, being attached to the outside wall of the prison, and necessarily much lower than the wall, leaving the shops continually filled with smoke, and from the flatness of the roof, entirely unfit for use in wet weather; also the continual use of fires in the cooper shops, against the wall, (that is the inclosing wall,—not of the shops in the first instance, but of the premises,) on the east, will, in a very short time, *ruin* the wall; so that, should it not fall of its own weight, (being 30 feet high,) it will very easily be broke through; and though the roofs are low, they are of sufficient height to leave it very easy to scale the walls." "We recommend that the work shops be removed from the walls." It is really unfortunate, that, season after season, year after year, works in this prison should be put up and pulled down with such utter disregard to method, commodious plans, security, permanence and expense.

I proceed to review the cost, and the *value*, as well as the present condition of the *inclosing walls*, which are of irregular height and thickness, and on *all* sides require, if the prison is to be permanently located here, large outlays for repairs, &c. In 1833, the Inspectors were authorized to build a *substantial* wall round the Penitentiary. This was done, so far as raising a wall, but it has never, with all its repairs and abutments, been a *substantial* wall. From first to last, it has never rested on a suitable foundation. The situation of the grounds render this a difficult work; but it has certainly proved a very weak one. In 1838, an account was rendered for "digging a ditch and banking *against* main wall *outside*." The Report of 1840-'41, presents, that "another improvement is much needed for the safekeeping of the convicts, as well as the *durability* of the walls: it is to build them higher, and to surmount them with hewn stone caps, to protect them in some measure from the weather. This may be done by the addition of a few feet of stone wall, or by excavating the earth *within* the wall, down to the rocks

on which they are founded." "The *west half* of the *north wall*, and the *whole* of the *west wall*, are now so low, that they can be easily scaled; but the *top* of the *whol* wall is in such a condition, that the water which falls upon it, instead of running off, penetrates in any direction *through it*, and frequently finds its way out at the surface of the ground; thus washing out the mortar and weakening it materially." The Report for 1842-'43, shows a charge to the State for building an abutment to *support the wall*, \$19 50; also for rebuilding a large breach in the wall, viz: 274 perch, \$445 25; also \$430 67, for replacing cooper shops, crushed by the falling wall.[!] A bill for extra guards, employed while repairs were carried on, follows the above, of \$1,860 00. In 1844, the Inspectors state, that "repairs are necessary to *preserve and strengthen* the prison and walls;" also, the *west wall* being in danger of falling, an outlay was made to preserve the same, of \$266 15. In conclusion, December, 1846, "about 50 feet of the west wall fell to the ground," and an equal measure is now tottering upon its foundations. A portion of the *south wall* is yielding, and I am told it must be supported by raising abutments *within* the premises. The east wall has already been shown to stand insecurely. It is something more than four feet thick at base; three or a little over at top, and is thirty feet high. It is badly built, of small stone, a thin face on either side, filled in with rubbish and mortar. The *top* of this having never been protected by roofing or capping, has received, and continues to receive, injury from the rains, which falling, flow into the central interstices, and thus steadily aid causes before specified in the work of destruction.

I have been thus explicit in showing the *defects* of the Penitentiary, believing that no outlay of money can convert *t* his prison into a secure, commodious, or durable establishment. It may receive repairs and additions; but these, in the very nature of things, where, from the first mistakes, have been perpetuated, and so very little faithfully accomplished with a view to permanent duration, will only be still succeeded by repairs and additions. The plan, if indeed any plan has ever existed, is defective beyond comparison. I see but one remedy and money saving resource. It is to make sale, as speedily as possible, of this State property, and with the proceeds, purchase and construct a new prison, either in Alton, or elsewhere; and so construct it, that there will be no occasion to sink funds in building and rebuilding, year following year. Should you appropriate the rents for the ensuing six years to repairs and additions, and be assured of a discreet application of the same, you would not, and could not, at the end of that time, have an institution in good condition. The lodging prison occupies the highest ground within the inclosure, or rather it stands upon the extreme limits, the western wall of the *shell*, or inclosing building which covers the cells, being a *substitute* for a suitable wall west, and from which the prison proper should be removed. The outer walls of the lodging prison measure *exteriorly* 67 feet by 44. The area *within*, between the walls and the cells, is incumbered with boxes containing the State arms. These, I was told, are becoming useless for want of care. The central prisons, or the cells, are built of stone, elevated four stories; 22 cells on each floor, 11 cells in a row—that is, 44 on each side, back to back; the rear walls of the cells on one side, being built into those on the reverse side. The successive stories are reached over flights of steps or stairs, terminating on narrow galleries; which, however are of sufficient width to answer daily use. The dimensions of the cells *vary* somewhat, according to the thickness of the separating walls, being from three feet three inches to three feet six inches wide, by nearly seven long in the clear, and seven high, not arched. The doors of each cell are six feet by one foot five-sixths.

The *dimensions* of these cells do not vary essentially from those in most prisons which are constructed on the *Auburn* plan, excepting that prison itself, the cells of which are 7 1-2 feet long, 3 feet 8 inches wide, and 7 feet high. But it may be observed that the ventilation in *all* the prisons on this plan is so *defective*, and the disadvantages growing out of this defect so serious, affecting the health of the prisoners, &c., that they are fast falling into disrepute; and I have, within two years, heard propositions from various sources, to enlarge the cells, (but not to multiply the occupants as here, and in Indiana and Kentucky,) even though it should be at great cost to the States owning such prisons. But 80 of the 88 cells have ever been completed, and 6 of the 80 are too insecure for the safe custody of prisoners.

The work seems to have been executed in a very unworkmanlike manner, and with but little reference to *security* or *duration*, as I will proceed to show. The dimensions of the lodging cells require, that, for the preservation of health, and a tolerable degree of comfort, where so many causes exist for destroying the wholesome qualities of the atmosphere, great care should be taken to secure a constant and thorough ventilation. The air flues in the rear walls of the cells in this prison are quite useless, and must have been so from the first; the mason work having been so clumsily done that the passages are completely obstructed. To prove the inutility of these, I held a lighted lamp to the apertures, which are all very small; and though I passed into at least one-third of the cells for this purpose, I did not find in a single instance, the flame disturbed, nor could any current of air be perceived. The investigating committee, (see Reports of session 1838-'39,) declare that "the cells, from want of sufficient ventilation, are *extremely uncomfortable and unhealthy*;"—in summer the water trickles down the sides of them," (from defects in the inclosing roof and walls,) "and in winter they are coated with ice!" The Report of the present session shows that, though there are 88 cells now in all, but 80 of them *are available*, the other 8 having *never been floored over*;" and, I may add, that a careful examination will reveal such defects in the floors of others, &c., that the prison may be declared insecure, even now, when year after year, repairs have been demanded, and additions to cells required. This year's Report also declares that "the *locks* of the cells, as a *general thing*, are of cast iron, tender and insecure for the purpose for which they are used. In one or two instances, these have been several of them opened with a single key." Of these locks, 38 cannot have been in use before 1839. See Report of 1840-'41, charged 38 locks at \$1 25 each. It does not seem necessary to adduce additional illustrations of the *insecurity*, insufficiency and bad construction of the lodging prison.

I proceed to show the *necessity* for additional cells for the reception of the convicts. It is, to say the least, most unfortunate, that, in the location and construction of this prison, *no prospective* views have been taken respecting the wants of the State, as regards fit provision for the detention and care of convicts. The Report of Inspectors, 1838-'39, shows that they "now have 56 cells," 32 having been added to the 24 previously built, "of like materials and workmanship with those already erected; also the *walls* and *roof* of the prison house were *extended* so as to inclose the same." The Inspectors go on to remark, "that it is very probable, that, before the next two years end, *they will all be occupied*."—That this supposition was verified, is shown in the Report of the Committee, and that of the Inspectors, the following session, 1840-'41. The first states that while there are 56 cells, the number of convicts is 89; this number is likely to increase in a ratio that requires the *immediate* enlargement of the Penitentiary, and an increase of cells, and they urge, with sound arguments, the erection of *at least* "94 additional cells," &c. It may be well to quote what the Inspectors set forth: "There are now, December, 1840, 56 cells of a size *barely sufficient*

for the accommodation of the convicts; and these are now 90; and the number increasing, by a ratio that will more than double this number before another regular session of the Legislature. Of the 34 convicts now in excess, some, when it will possibly do, are placed two in a cell, some are chained to the walls in the passages of the prison, and others confined in the cellars!" "The practice of doubling occupants in cells, is very unhealthy, and ought not to be permitted; and confining in the passages and cellars, facilitates their escape, and endangers the lives of the warden and his family." "In our opinion, the number of cells should, in the two succeeding years, be increased to *at least two hundred*; and it will be *cheaper* to do it in one job," (and it might have been added, more durable and more secure,) "than by piece meal." The Committee on the Penitentiary, 1842-'43, remark, "that, from the Report of the Inspectors to the present General Assembly, it appears that there are not cells for *one half* the convicts confined in the prison at the present time; that *two are put together in each cell*, and that these were constructed for the accommodation of *one only*; the remainder, consisting of twenty or more, are confined *in a mass*, in the cellar of the prison, in other words, in the cellar of the warden's dwelling, directly beneath the family lodging rooms; said cellar being 13 feet by 27; the same which at present is converted into a hospital for the sick!"

The Committee continue, following some judicious remarks: "And we cannot but come to the conclusion, that this Legislature will not be justified in permitting such a state of things to continue. An appropriation *must* be made to erect more cells, or the mode of punishing offenders *must be changed*." "The objects of the Penitentiary are understood to be two-fold; the *reform* of the offender and the *safety* of society; but under such a state of things as exists in our Penitentiary, neither can reasonably be expected. A very large portion of the convicts sent to our Penitentiary, are in a short time let loose again upon society. By the Report of the Inspectors, we find that, during the last two years, *ninety-nine* convicts were discharged from their confinement, having served out the time for which they were sentenced, or having received pardon through the clemency of the Executive. It must, therefore, be apparent to every one, that unless there is a reform wrought in the convict, there can be no protection to society; for we may be assured that the Penitentiary will be to the convict a school of reform, or of *vice and iniquity*; and if of the latter, the discharged convict enters again into society, a much more dangerous man than when sentenced to the Penitentiary; having been schooled in vice and iniquity by the free intercourse he has had with other criminals while in confinement; and such results can only be prevented by having *separate cells* for each convict, and all conversation between them, except in relation to their labor, be strictly forbidden. and if possible, wholly prevented." A report so honorable to the gentlemen who drew it up, so creditable to the State, so just in its views, reaching to the security of society and the real good of the convict, ought not to be forgotten.

But the wise opinions of both inspectors and committees, were not regarded. An insufficient number of cells has continued to mar discipline, and counteract wholesome restraints. But thirty-two cells were added, and these at a cost of \$8,788 50; and, as remarked on the first pages of this communication, the Inspectors in 1844, reported their sufficiency, on the singular ground of a hoped for decrease in the number of convicts. We now arrive at the latest Report, viz: that for 1845-'46. The first recommendation is, as usual, the extension of the cells; and the well known fact is repeated, that "of the 88 cells, but 80 are fit for occupation, the others never having been floored over." The Inspectors, singularly enough, do not comment on the exceeding evil of placing *two* convicts in a space 3 1-2 feet by 6 1-2 or 7; but remark, that, in any emergency, "not more than two prisoners can be put in one cell, and not more than one

with safety." To me, it seems there are many objections, obvious enough, beside endangering the safe keeping of the convicts and the lives of the guards.

Dr. Lieber, whose sound philosophical views entitle his opinions to respectful consideration, writes: "If you bring two evil disposed persons, especially two individuals whose presence in the prison points out crime as a prominent feature in their life, in close contact, and if in both, there was before the contact, a certain and equal degree of criminality, this criminality will have greatly increased after the contact; because they, as all other men, good or bad, will propel each other in that line which is characteristically their own.

"The prisoner shows to his fellow prisoner, by the fact that they meet in that place, that *crime* has brought him there. As criminals they meet, and as criminals they commune with one another, and corrupt one another."

It is added, "the least possible number of new cells now needed, is 48, which would make in all, 136; being less than the whole number of prisoners that have been confined here already." But why not provide for at least as many convicts as may be expected to swell the population of the prison for the two years to come, at least? The fact is, suppose these and no more to be built—what then? At your very next session, the first important clause of the biennial Report will show "too few cells." I found at the prison, in May, 1846, 128 convicts. In July the number was greater; in December, notwithstanding a diminution of the old set, by expiration of sentences, deaths, escapes and pardons, still a larger number remaining, viz: 135. Permit me to ask, is it wise, is it good economy, to make up such a patch work prison? Small biennial additions, finished only to reveal how inadequate they are for the positive necessities of the Institution? The cost of breaking down and replacing the end wall of the inclosing building; of removing the inclosing wall west; of opening the roof, &c. &c.; the temptations offered to prisoners to escape, while the imperfect work opens many enticing avenues to a bold spirit; these and other reasons, continually support a wiser and broader plan of future operations. But it is not that money is wasted, or injudiciously appropriated in doing little by little, and multiplying defects upon what originally was badly devised. It is not merely the cost, confusion, disarrangement, and finally, the insufficiency of the work, that should be made the prominent consideration: it is the moral well-being of the convicts, which Benevolence, whose hand-maid is long suffering Charity; Justice, whose best attribute is Mercy; Religion, whose heavenly spirit is Love to God and all mankind, commend solemnly to your care. It is upon your deliberations, upon your action, a great and not-to-be-evaded responsibility rests. It is as you refuse to, or provide for, your convicts in the Penitentiary, the means of improvement; as you put it in the power of governing officers, or withhold facilities, that the correct discipline, and consequently reformatory influences of the prison depend.—As you neglect this prison, you become accountable, not to an earthly, but to an immutable tribunal, for the bad consequences which accompany bad arrangements and want of discipline. As you study, with manly fidelity and wise discretion, its real good, you become alike benefactors to the degraded and unfortunate, and benefactors to your fellow-citizens at large.

I shall comment very briefly on the condition of the prison cells, as I have dwelt at length on their defective construction. They are *not* furnished with permanent bed-frames of iron, clothed with sacking, as in most prisons; but the substitutes for these, as also the beds and bedding, are not in a tolerably good condition for the maintenance of health and cleanliness. There are but two prisons in the United States which are so badly supplied, and so comfortless and disorderly, as this, viz: Indiana old prison, and that of Kentucky at Frankfort. I do not like comparisons of this sort; but sometimes they are needed. The

lodging cells of the Arkansas prison, this year destroyed by fire, and those of the Missouri prison at Jefferson City, were in *all* respects more comfortable and cleanly. An improvement has lately been made in the lodging building at Alton, which justice to the Warden requires should be mentioned. The walls have been recently whitewashed, and two stoves placed in the damp areas to secure a more healthful temperature. I believe it is not the duty of the Lessee to furnish the cells in the first instance.

The prison building which incloses the cells, requires repairs; the gutters and spouts having all fallen from the eaves, and during rains or the melting of snow, the waters wash the foundations of the structure.

The eating room connected with the prison, is in many respects the best building on the premises, though it has never been completed. In 1838-'39, the Inspectors reported that there was "no suitable room for the convicts in which to eat their meals; the Warden, therefore, was directed to put up such a building as was needed for that use." "A building, one story in height, 18 feet by 40, was erected and finished for this purpose." For this and other repairs not specified in the report, the sum of \$75 appears on the bills.

In December, 1844, the Inspectors, (another Board,) say that "the eating house and kitchen were originally built in the most temporary manner, and also had become entirely too small for the accommodation of the convicts; they were also built of the most combustible materials, and placed within a few feet of the main buildings; thus constantly endangering the existence of the whole." "We have thought that the safety of the buildings, and the comfort of the convicts demanded the improvements we have made." "The new building is of stone, with a good cellar under the kitchen, and like the last, is as permanent as the prison itself. The aggregate cost, as per bills, is \$1,485 98." The above described building is 100 feet by 25. Of its defects, the Inspectors of the *present* season speak as follows: "We would also recommend the enlargement of the eating room, which, of necessity, will have to be done soon, and the flooring or flagging of the whole with stone. As it is now, it is muddy and disagreeable in wet weather, and cannot be washed or cleansed in dry weather." The reason is apparent: there has never been any floor to the room, other than the ground on which the prison is built. But there is another deficiency here, not mentioned by the Inspectors; and but for the fact that their attention has been called to it, one might suppose that they were unconscious that it existed. I mean the want of common wooden benches upon which to seat the convicts while they eat.—The Penitentiary at Alton is the *only* prison in the United States, in which the convicts partake their meals standing, whether separately or in common. These convicts, as is their duty, labor diligently and continually during the hours appointed, from day light to the close of day. No intervals of suspended action arrive, except in cases of illness, and at the time of meals. Is it reasonable or humane, nay is it merciful, or is it even good policy, to require the tired laborer, after leaving the shops, and ascending in heat or cold, through storm or sunshine, amidst rain or snow, in summer and winter, that toilsome hill, to stand while he hastily partakes his food, and then returns to his labor till darkness gives notice that "look up hours have come." The Inspectors say they have no authority to furnish seats; the Lessees affirm that they are under no obligation to do so. Will the Legislature decide this knotty question, and cause seats to be furnished at once? The cost must be a mere trifle; but much or little, I conclude all will concede, that, for the sake of decency and humanity, it should be done, and that speedily.

In regard to discharged convicts, I find no law in force, providing a suit of clothes, and a sum of money to defray the first certain expenses following liberation, and before time has afforded opportunity for engaging in any honest labor.

It is true, that, at the solicitation of Wardens and Inspectors, who must know the necessities of these men, there has been from time to time a small grant, when expense has been first incurred, on the responsibility of the officers. For example, in 1838-'39, the sum of \$55 25 was allowed for 15 convicts who had served out their time, giving an average of \$3 68 for clothing, traveling expenses and sustenance. In 1840-'41, the account reads as follows: "Paid money and clothes for 17 discharged convicts, who, at the time of their discharge, were *entirely destitute, and whose clothes had been lost or mislaid previous to the lease, \$107 00.*" They add: "we have procured the *cheapest* clothing that could be purchased;" and further, "we have supposed that we could not be justified in turning them into the streets, naked or pennyless; thus exposing them to the strongest temptation to commit again the crime for which most of them were sent here." In 1842-'43, \$54 25 was paid to discharged convicts who were destitute; and for *clothes lost* previous to lease, \$38 75, making \$93 in two years. The whole number of convicts discharged in the same period, was 99. See Reports. How insufficient for their first pressing necessities, must have been the aid received. In 1844, the Inspectors again urge the necessity of granting a sufficient sum to discharged convicts, to relieve present wants; and add, that, "they are brought to the Penitentiary but poorly clad, generally without money or funds; and by the time their sentence has expired, their clothes, such as they had, though preserved with as much care as possible, are ready to fall to pieces of their own weight, and they are turned out into the street, almost naked, without money, and certainly not having received any moral or religious instruction to restrain them, and are in a fit condition to fall back into their old habits. Indeed it would be surprising if they did not do so." See Reports, 1844. The Inspectors of the present year remark, that, "for humanity's sake, a small amount in money should be provided by law, to be paid to discharged prisoners, as well as a suit of common clothes. It seems, (say they,) hard to confine a man three years for theft, and then turn him upon the world without covering, or means even for a meal's victuals; thereby forcing him, by the operations of law, to steal again." For cash paid out to 105 prisoners, between June 22, 1842, and March 5, 1845, \$201 62.

The legal allowance to discharged convicts, in most of the Penitentiaries of the United States, is a suit of *good* clothes, and a sum of money varying from \$3 to \$5; in some cases \$10. I have before me the reports of many States, and find this rule established by law; and it seems so clearly obligatory upon Government to render these supplies, that all argument to enforce this truth is superfluous. In New York, and elsewhere, it is thought by many, connected officially and otherwise with the prisons, that even this is inadequate to meet just requirements.

I have heard that the want of a prison for women convicts, who are sentenced to a Penitentiary life, has been repeatedly expressed. At present, there are no women convicts in the prison at Alton; not probably because there are none whose offences subject them to being sent there, but because there is not the smallest provision for their reception. Moreover, *no decent and approved arrangements could, under any circumstances, be made there, for that class of transgressors.* The objections are so obvious, that all exposition is needless.

I would suggest that some one of the most *populous* counties in the State, should cause to be established a County house of Correction—Cook county, for example—where idlers, vagrants and petty offenders, should be sentenced for a term of months; when, for men, the nature of the offence does not subject them to the State prison. But let all women State criminals be sent thither, and such mutual arrangements agreed on between the County and State, for the expenses, employment, and control of the same, as shall be satisfactory and just.

The Hospital, so called, is reached by descending a flight of stairs or steps, from without, into a *cellar*, situated immediately beneath the family apartments of the resident Lessee. The dimensions of this dismal place, are thirteen feet by twenty-seven, and eight feet high. On the 9th of May last, I found in this wretched den, uncleansed, unventilated, utterly comfortless, several sick convicts, one very low of contagious erysipelas. Since then, three have died here of this disease; and though, as the Lessee writes to me, "it has been the most unhealthy season ever known in the prison, we have got along much better than we have any right to expect, with the poor conveniences we have for taking care of the sick." In rainy weather the water finds way from without, flooding the floor of this dreary room, increasing the unhealthiness of a place always damp, and one would suppose, while examining it, inevitably to be fatal to all its unfortunate occupants. These occupants are prisoners, convicted of crimes which have for a time banished them from society; but it was made no part of their sentence, this cruel condemnation to such a dungeon during the days and weeks of painful sickness. To charge the Lessee with intentional neglect of the sick, would be unjust; for if he were not a humane man, as I believe him to be, his pecuniary interest is involved in employing every means he can command for restoring and preserving the health of the convicts, and rendering their situation as little irksome outwardly as possible. Men rarely become spiritually better by being made subject; through *human* discipline, to extreme bodily discomforts; these convicts are not made morally better by such treatment as they are subjected to here in the days of bodily weakness and pain.

That I do not express any exaggerated opinions of this Hospital department, is easily shown by a few extracts from reports, rendered at various periods to the Legislature.

The Inspectors, in their biennial Report, December, 1844, state that, "*first, they would strongly recommend a Hospital Department for the sick.*" Though, say they, "*the mortality has not at any time been very great, yet it is the opinion of the physicians who have been in attendance, that lives are sometimes lost that might have been saved, if they had been provided with the ordinary comforts that humanity calls for.*" The sick are now obliged to be confined in their cells, which are scarcely *three feet six-twelfths*, by *six and a half or seven*, and *badly ventilated*, or in a *basement story*, (the cellar so called at the prison,) *where the air is bad at best*, and when there are several on the sick list, *at times almost insupportable.*" "The convicts, when sick, especially, seem entitled at least to common comforts and conveniencies, *not only from motives of humanity*, but from the fact that *they not only defray their own expenses*, but pay a considerable sum into the Treasury;" and it might have been added, yield a liberal income to the Lessees.

The newly appointed Inspectors for 1845, refer to this subject in the following terms: "We proceeded to visit the prison"—"and found the sick *better than could be supposed* by any one acquainted *with the location of the hospital, under ground as it is, without air or light, and wet every time it rains!*" A member of the Penitentiary Committee, makes the following Report in February, 1845: "The necessity for the erection of a Warden's house, is of no small importance to the State, when, by having the hospital of the Penitentiary restored to its original purpose, instead of being used as a dwelling house for the Warden, thereby *transferring the sick from an underground room*, which is at present from necessity used for that purpose, and which, from the report of the attending physician, "*is well calculated to terminate the life of any one who may be compelled to remain there* for any considerable length of time, rather than to restore them to health." To me it does not appear that the building, in which the Lessee resides, is suitably situated for a Hospital; neither is it properly constructed so as to answer the purposes of an infirmary in a prison.

But it seems superfluous to add arguments to statements so explicit and urgent as the preceding, and I leave this subject with those who are fully authorized to redress, and that speedily, such an injurious and negligent course of treatment on the part of the State towards the helpless convicts. Submission is their *duty*; obedience their *necessity*; while merciful and humane treatment is their *unquestionable right*.

Moral and religious instruction for the convicts at Alton, has, with slight exceptions, been singularly overlooked by successive Legislatures; and of course usually disregarded by the Inspectors, and still less appreciated by Wardens and Lessees. An honorable exception, during the administration of prison affairs by Mr. J. R. Woods, is on record: and it was at this time that the attention of the Legislature was so far awakened, that we find in "the Laws of Illinois, 1838-'39—Act on page 278; sec. 10, the following passage: the Inspectors are authorized to furnish, at the expense of the State, a copy of the Bible to each convict who is able and willing to read the same." In the Revised Statutes, 1845, chap. LXXXI—pe. 406—sec. 12, the same is recorded. Except in the lines above quoted, I can discover no record, nor can I ascertain through verbal inquiry, that this subject has ever received the slightest consideration in the assemblies of the Legislature. Very few Bibles have ever, at any period, been supplied at the cost of the State or otherwise. The committee, directed by the Legislature, January, 1839, to visit the Penitentiary, and report its condition, state that they found the convicts very indifferently supplied with Bibles and other books necessary for their moral instruction: there have been no means employed to insure regular preaching on the Sabbath, &c. (See Reports, 1838-'39—Page 18. The Inspectors report, December, 1840, an expenditure of "\$41 75 cts. for 75 Bibles." Some few of these, it is believed, were distributed; a part were stored away, and forgotten until recently.

All reasoning minds, whether religiously disposed or not, will admit the fact, that convicts are not sentenced to the Penitentiary through a spirit of *revenge* on the part of society, nor yet for *punishment* merely. If this were the case, one would say that imprisonment should reach through the term of their natural lives; since, if REFORMATION is not the paramount object, public security is greatly more endangered by the discharge of these bad men from prison, than it would have been before they were subjects of the indurating influences of association for years, with the assembled criminals of the land, indulged in vicious conversations, and cut off from all the aids which are employed to strengthen the weak minded, and restore the fallen.

It is due to Mr. Woods to refer explicitly to exertions on his part for the benefit of the prisoners at Alton. I quote at length from his report:—See "Reports of session 1838-'39." "Believing it to have been the paramount object of those benefactors of our race who founded the penitentiary system, to punish the criminal by a mere deprivation of liberty alone, and to reform him by the influence of means that could be used with advantage in such a situation only, I have deemed it a duty to afford the convicts every facility which lay in my power, to receive moral and religious instruction, and accordingly solicited the services of a number of the clergy in this neighborhood, and which I am happy to say have been cheerfully rendered, and so far as I have been able to judge, beneficial to the prisoners generally. A sabbath school was also commenced in the autumn of 1837, and with some few intermissions, has been regularly sustained; and the result has been, that, of *seven* who were ignorant of the alphabet, four were tolerable readers when I discharged them, and the remaining three read in the spelling-book. "The Methodist Book concern," in Alton, have made a donation of twelve Bibles, and the clergy of that denomination have manifested a very laudable interest in behalf of the prisoners. The other books and pa-

pers used by the convicts, with the exception of the Temperance Herald, ten copies of which are circulated monthly amongst them, have been taken from my own library. If a variety of moral and religious books were kept for the use of the convicts, it would evidently add to their comfort, and contribute greatly towards preparing them for usefulness in society when discharged.

Further, Mr. Woods remarks:—"Of the fifteen discharged since I have had charge of the prison, one is in business with his father in Kentucky, four are at work in the vicinity of this city; and these five maintain a correct moral deportment. The others I have not heard from. In Dr. Hart's report, it is shown that Mr. Woods' discipline has been thorough and effective; and this is satisfactorily shown by the quiet, industrious, and obedient demeanor of the convicts."

The Inspectors, in their report for 1844-'45, suggest that "some provision should be made for the *moral* and religious instruction of the convicts. The very object and intent of *penitentiary* punishment, as the term implies, is *reformation*; and yet nothing is done to bring about so desirable a result. This has been attended to, we believe, in almost, if not every penitentiary in the Union, and its neglect is matter of reproach against that of Illinois. The convicts work during the week, and are shut up on Saturday night, where they remain till Monday morning, without a single word of encouragement from any one who seems to take an interest in their welfare, to induce them to change the course of life which has brought them into their present condition. A building might be erected at a moderate expense, which would answer the purpose of a shop, with a second story which might be fitted for a chapel, and a chaplain appointed with a sufficient compensation, whose duty it should be to have religious services, at least once on every Sabbath, and to administer to the sick and dying the consolations appropriate to their condition." I regret that the sentiments embodied in the paragraph I must next quote, are not in harmony with the just and manly as well as excellent suggestions above quoted.

The Inspectors, in their concise report to the Legislature the present session, express themselves as follows. I forbear comment upon the propriety or obvious interpretation of the same, only observing that, however the Inspectors are adverse to convict instruction, the citizens at large are not indifferent on this subject:

"We have received some communications relative to the establishment of a chapel, with requests that we make the mention of them a part of this report. If it should be thought proper by the Legislature to erect a chapel, and establish the institution of preaching on the Sabbath, or any other day in the week, we would recommend that the time be left entirely to the Warden, as he would be the only person competent to judge in case of insurrection or any other disturbances, whether it would be safe to release the prisoners from their cells. But our opinion is, that if those people's efforts had the desired effect in the *community at large*, there would not be any, *at least not so many*, to preach to in the penitentiary. And no man except *an officer* of the prison, or some other person well known, should be permitted to have private conversations with the convicts. It is much easier to make bad worse than good better."

ROBERT DUNLAP,  
THOMAS CLIFFORD,  
JOHN A. MAXEY,

*Penitentiary Inspectors, State of Illinois.*

*See House Document, referred, Decemler 14th, 1846, and 300 copies ordered to be printed.*

The above paragraphs, gentlemen, embrace the whole evidence I have been able, after diligent investigation, to search out respecting the slightest official interest or provision for the instruction of the State prisoners of Illinois. Remotely

from time to time, clergymen have volunteered a service, and though not always refused, they have received but little encouragement to repeat their benevolent labors. Latterly, bibles and tracts have been distributed: especially has this been done through the agency of Rev. Mr. Williams, of Alton. A visitor of prisons purchased the last summer, for the use of the convicts, a quantity and variety of books as a foundation for a permanent library, which it is hoped and believed that the Legislature in the exercise of their rights, in fulfilling the obvious and just obligations, of all the citizens, will, from session to session, make sufficient appropriations to sustain and enlarge. The books supplied the last summer, are called for with interest and used with manifest advantage, according to the testimony of Mr. Pierson, the Clerk, and other persons who interest themselves in the distribution of the books. I found these on my last visit used with as much care, and as well kept by the prisoners, as their circumstances and situation seemed to permit. I have heard casually and recently, that a gift of books from a distant prison has been made through Mr. Williams, and also that a set of "the Children's Sunday School Library has been sent by an agent of the Sunday School Society."—Books are important aids, when suitably chosen, in awakening the higher faculties, and kindling desires for that which is wiser and better in life than has heretofore been attained and practised; but these helps are insufficient. The counsels of a benevolent and religious man, who, to heartfelt interest in the work, joins that aid and skill in conveying instruction, at right times, and in the right way; one who possesses both discrimination and firmness, gentleness and sympathy; who day by day should pass among the prisoners, urging by "line upon line, and precept upon precept," the duty and happiness of a *good life*; such a man should be sought after and established at the prison, supported in his vocation by the State, and allowed all facilities for conveying needed instruction both on Sunday and every day in the week. To him should the prisoner look as his spiritual guide and helper:—to him the sick look for the counsels and consolations their deplorable condition claims; through this teacher should the convict learn to experience that the State, that society, do not abandon him to misery and perdition; but that they aim, through all the discipline to which he is made subject, to restore him to liberty, a wiser, happier, and better man.

I urge the appointment of a moral and religious instructor, not because most other States offer the example, led earlier to a sense of duty to the recreant, but because *it is right*. I cannot better conclude this subject, upon which I earnestly hope you will take early action, and so direct your deliberations that substantial benefits shall reach the convicts, than by referring to a communication laid before your honorable body early in the session, and which, in a manly and christian spirit, advocates the claims of the prisoner. "The Synod of Illinois, composed of one branch of the Presbyterian church, convened in Springfield, on the 8th of October, 1846, feeling their responsibility as ministers of religion and advocates of good morals in the community, would present to your honorable body, the condition of the convicts in the Penitentiary of our State.

"It has seemed to us an unfortunate oversight, that an institution denominated a "*Penitentiary*," should be entirely destitute of the means of repentance and reformation. We, therefore, request you to take the subject under consideration, and by legislative enactments provide accommodations, by which the convicts may be assembled for christian instruction, especially on the Sabbath, and such *other arrangements* as may be necessary to afford opportunity and facility to various *denominations of christians* who may be willing to give that instruction. And for your prosperity and that of our common country, we feel bound ever to pray."

In conclusion, permit me briefly to recapitulate the most prominent defects, wants and usages of the Penitentiary:

1st. The inclosed area, one acre and five sixths, covering the declivity of a hill, is too *confined*: the walls of the Michigan penitentiary, inclose an area of 666 feet by 524, and the Kentucky prison, at present embraces more than *three acres and a half*.

2d. The walls are defective, and require rebuilding rather than repairing.

3d. The cooper-shops are defective over head and under foot, and rest against the inclosing wall.

4th. The *office* is small and inconvenient.

5th. The stable, the tailor, waggon, and smith shops, are temporary frame buildings, exposed to conflagration, and requiring repairs.

6th. The warden or lessee has no suitable house.

7th. The hemp-factory needs to be restored, having recently been partially destroyed by fire.\*

8th. The *Eating room*, which has never been *floored*, is too small, it is said, and has never been furnished with any description of seats for the convicts while taking their meals.

9th. The *Lodging prison*, is out of repair, and contains less than 55, fewer finished cells than there were convicts in December.

10th. A new *Guard room* will be required, if the Warden's house, as is proposed, is built where the guard room now stands, and if the present residence is converted into a Hospital.

11th. The Hospital is a damp, unventilated cellar!

12th. There is no Chapel, neither any furnished room which might temporarily supply the place of one.

13th. There is no Chaplain, or moral and religious instructor.

14th. The law makes no provision for the destitute discharged convicts.

15th. I cannot learn that there have been in use at any time any authorized by-laws, emanating from the Legislature, as in all well organized prisons, setting forth, in explicit terms, the duties and obligations of all officers, and other persons employed in the prisons, towards the convicts; and also declaring to the convict his duties and obligations, to those who have authority to control his whole outward life while he is subject to a prison.†

16th. I could not learn that any records of the prison were required to be made and preserved for the use of the State, setting forth its history, discipline, the number of convicts, and all important facts connected with the prison life; the punishments to which they are amenable; the number of individuals corrected; the kind and amount of punishment, together with a statement of the offence, and a clear specification of the rules which had been broken. A small *waste-book* is kept, wherein are entered the names, ages, terms of sentence, &c.

17th. I could find no books of record belonging to the prison, or to the State, showing the number of prisoners disabled by sickness; the number which had

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\*It is to be regretted that the manufacture of hemp has ever been introduced, than which for the eyes and lungs a more injurious employment could not have been adopted; and at the State Penitentiary I am clearly satisfied that it is as unnecessary as it is injurious.

† I have a copy of twelve printed rules, on a sheet of paper written by Mr. Buckmaster, referring to minor duties in general, for his own convenience in directing some mechanical daily movements. They are well devised, and some of them no doubt useful; yet he and his officers admit that the 2d and the 10th rules relating to personal conversations between the convicts in the cells, in the shops, and elsewhere, are constantly transgressed, and with impunity. It would be strange enough, with all the various hourly opportunities they possess both day and night, if they did not hold the most unreserved communication. It can be and it is most largely indulged in, in the hospital, the tailor shop, and that of the shoe-makers; in the kitchen, and in the cells; and if they are not always boisterous, profane and vicious in these hours of intercourse, why should they not be with two in many of the cells; cells adjacent, &c. and who is accountable for this? the lessee? I think not, under present circumstances.

been prescribed for; the number which had died, nor the history or name of the disease; yet this is done in nearly every prison in the Union. I know in fact of but two exceptions, and these by no means honorable examples.

18th. No reports are required of the *physician* to the Legislature, nor of the lessee, under the system of leasing, which has in Illinois, superseded the more correct and just system of governing through State officers, as wardens, &c. There seems no longer to be accountability nor responsibility; the State, through the Legislature, having sold all the convicts which are, and are to be, for a term of years, appears in effect to have abandoned them, regardless only of one thing; the productive rents arising from their labors; whether they have just and humane treatment, live or die, are reformed or lost to all in this world that is correct, and to all in the eternal world that is hopeful, seems to have been overlooked—*forgotten!* The lessee may do his duty in its broadest extent; the subordinate officers *may* all be patterns of a correct and exemplary life;—the physician *may* fulfil all the responsible obligations which are associated with the humane care of the sick; the inspectors may be men of honor, trust, and high moral and religious worth in the community—*supposing all this*, and that they all alike reverence the law of right,—and aim higher even than the mere letter of a series of rules prescribed for daily practice would instruct,—is it still of no consequence to the State to know of, and to preserve the record of these correct proceedings from year to year?

19th. The *diet* of the prisoners, I have reason to believe, is sufficient and wholesome; it is of course very plain, as it should be; but all the meats and bread-stuffs which I have seen, have been good. Of the method and frequency of supplying vegetables, I am not fully informed. Three meals, I was told, are allowed daily, except on Sunday, when but two are given. The warden, Mr. Buckmaster, can be trusted, I have not the least doubt, in managing this department; but I do not conceive that it is at all the less necessary that the inspectors should report upon this subject to the Legislature, recording clearly and briefly a diet table.

20th. The clothing of the convicts seemed in about the same condition as to cleanliness and comfort, as that worn in the prisons of Missouri, Arkansas and Indiana. The prisoners in the prisons of Georgia, Alabama, Mississippi, Michigan, and Ohio, employed at like occupations, make a much more respectable appearance at all times, whether on working days or rest-days, than these at Alton. I do not know that the convicts at Alton are not sufficiently warm in the garments supplied. I did not inquire.

21st. For *bathing*, no arrangements have ever at any period been made at this prison; nor have there been supplied any sufficient means for preserving even a tolerable personal cleanliness. The convicts may wash face and hands in little tubs or buckets in the shops, if they wish.

22d. The area is out of order, cumbered with materials for cooperage, &c. and located on a hill side; it is neither graded nor *McAdmized*.

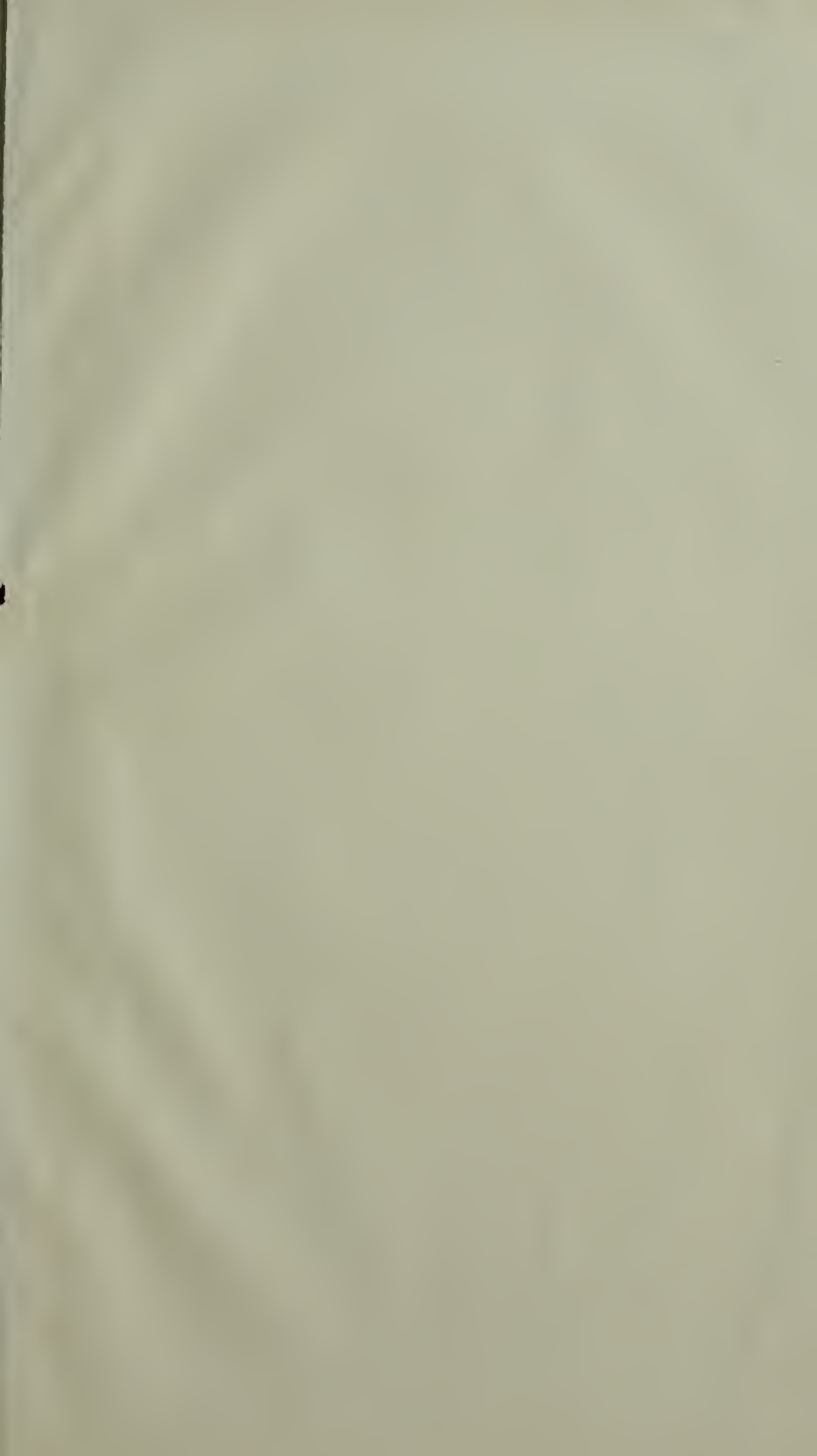
The Inspectors report, there are no books, records, or papers of any value whatever belonging to the State! For this deficiency, I presume the lessees are not accountable.

I have, gentlemen, in this communication, endeavored to represent, clearly and impartially, the wants and defects of the State Penitentiary; in the hope that dealing under a full knowledge of circumstances, you would not authorize any act at this time, which would fetter the future; and if now you cannot commence a new prison, on an approved plan, and under a correct system, you will not permit such expenditures upon that now occupied, as will assure and perpetuate great evils.

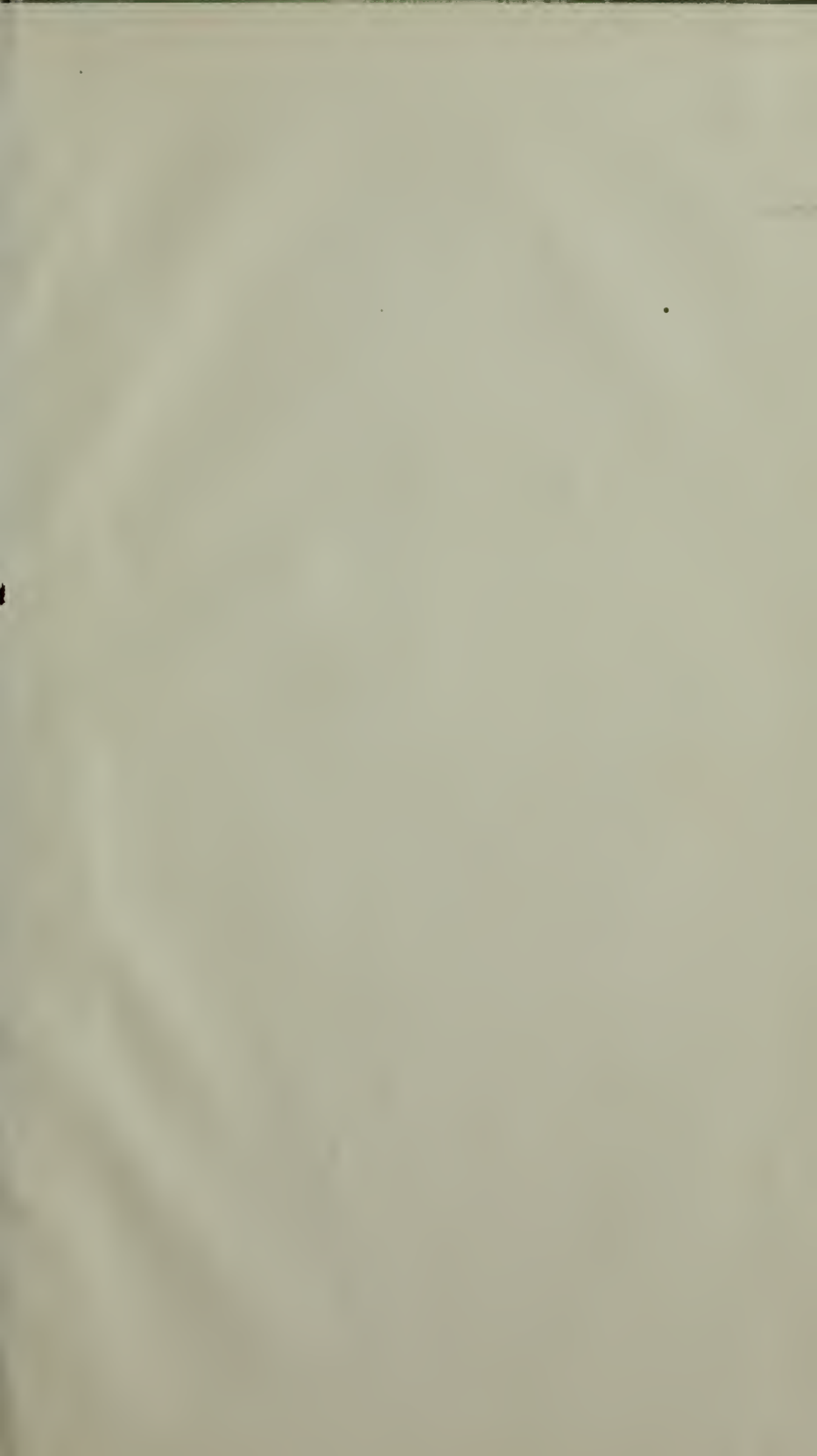
Respectfully submitted.

Springfield, February, 1847.

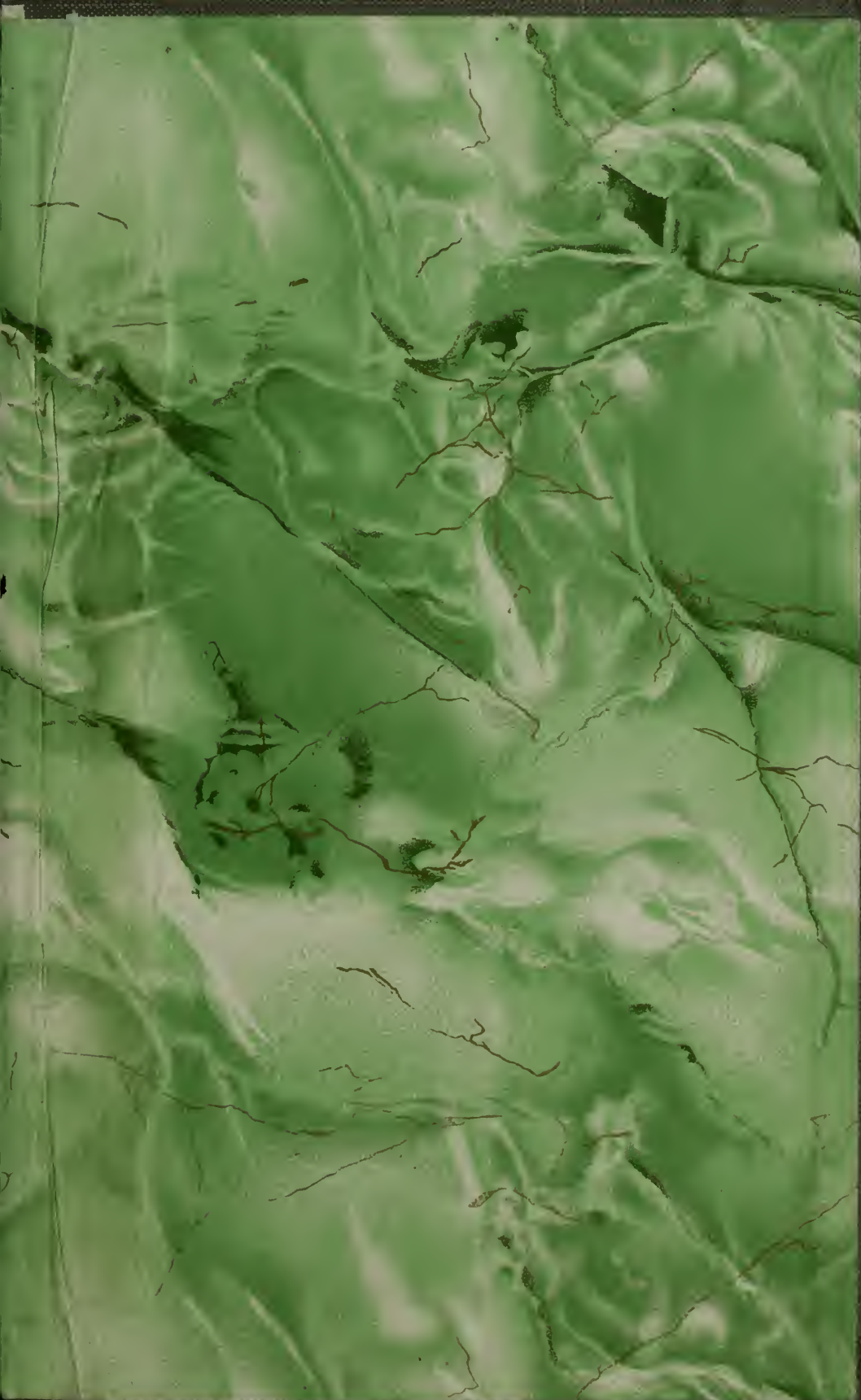
D. L. DIX.











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