Lesson 4

This final segment of the lesson deals with how prisoners were treated in the early 1870's. There is clearly a desire on behalf of the state to create a self-sustaining prison system that would not draw upon public resources and financially burden the state. Work was not seen as redemptive as much as it was sound fiscal policy. Students will look at the Rules for Government of Convicts, the General Assembly Report of the Joint Committee Jan. 24, 1872, and the Commissioners of the Penitentiary Minority Report to the Illinois General Assembly in 1871.

The first document students should study is the Rules for Government of Convicts, published in the 1874 edition of Illinois Reports to the General Assembly. There are 15 rules for prisoners to obey. Assign a rule or two each to small groups and have each group of students read the rule verbatim, then paraphrase the rule for the class, then assess the fairness of the rule. Groups should articulate why they judge a rule to be unfair if they so maintain. The teacher should maintain a record of all rules deemed appropriate and all rules deemed inappropriate by the class.

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RULES FOR GOVERNMENT OF CONVICTS.

RULE 1.—The first duty of the convict is strict obedience, and it will be for his interest to obey all rules and regulations.

RULE 2.—Strict silence must be observed. No conversation allowed except by permission of the officer under whose charge they may be.

RULE 3.—The convict must not speak to any visitor; give to, or receive from them, anything without permission of the Warden or Deputy.

RULE 4.—Convicts must not leave the line, or their place of employment, without permission. If sick or unable to work, must make it known to the officer in charge, and act as he may direct.

RULE 5.—Convicts must approach an officer in a respectful manner —always touching his cap or forehead before speaking. He must be prompt in taking his place in line, march lock-step with his right hand upon the shoulder of the man in advance, incline his face towards the officer, and attend to and promptly obey his orders. Convicts passing through the yard must walk in file (never abreast).

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RULE 6.—On entering the cell-house, convicts will stand at cell with their right hand on the door. At a given signal, will open the same, step in, close within six inches, keep hold until the second signal is given, when they will close altogether, remaining with their hand upon the door until the bar is closed and the count is made. In case of miscount, he will resume his position at the door until the count is correct. RULE 7.—He must keep his cell and furniture clean and in good order. No marking or scratching the walls, nor spitting upon the floor, will be allowed. At the ringing of the 9 o'clock bell, P. M., all convicts must put out their lights, undress and retire.

RULE 8.—At the ringing of the morning bell, he must turn out, dress.

RULB 8.—At the ringing of the morning bell, he must turn out, dress, make up his bed neatly, and be ready for marching out. At the signal, he must open the door, step out, close the same—holding on until the bar is closed—and stand erect until ordered to march.

RULB 9.—No convict will be allowed to gaze at visitors or strangers passing through the prison; neither will they be allowed to make any alteration in their clothing or the furniture of their cells.

Rule 10.—All convicts not employed in the Warden's office, or about the Warden solutions, on entering, must uncover.

Rule 11.—All convicts are required to attend religious services on Sunday, unless sick or excused by the Warden or Deputy. In chapel, silence must be observed. No reading will be allowed, and strict attention must be given to the service. Spitting upon the floor, shrifting of the feet, or any unnecessary noise is strictly forbidden.

Rule 12.—Insolence in any few page.

RULE 12.—Insolence in any form will not be tolerated. No smoking y convicts allowed on the prison premises.

Rule 13.—Convicts will be required to bathe once a week in summer, and once in two weeks in winter, unless excused by the Physician, Warden or Deputy.

RULE 14.—Every convict shall have permission to write once in five weeks. In case of special letters, written permission must be obtained from the Warden or Deputy. All letters written or received must first be examined at the office, under the direction of the Warden, before sent or delivered. Visits from friends allowed once in eight weeks. The permission to write or receive letters and visits from friends is depend-ent upon general correct deportment and obedience to rules.

RULE 15.—The use of library books, and all reading matter, may be suspended by the Warden for violation of library rules.

of library rules.
R. W. McCLAUGHRY,
Warden. January 1st, 1874.

GOOD TIME LAW.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly, That every convict who is now or who may hereafter be confined in the Illinois Penitentiary, and who shall have no infraction of the rules or regulations of the Penitentiary or laws of the State recorded against him, and who performs in a faithful manner the duties assigned to him, in an orderly and peaceable manner, shall be entitled to the diminution of time from his sentence as appears in the following table, for the respective years of his sentence, and prorata for any part of a year where the sentence is for more or less than a year:

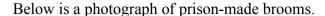
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The following is an excerpt from Illinois Reports to the General Assembly Report of the Joint Committee Jan. 24, 1872 p 4:

The employment of convicts at "hard labor" is provided for under our criminal statutes, and has been the policy adopted by this State ever since it had a Penitentiary. This is entirely proper, as a portion of at least of the expense attending the conviction and caring of criminals should be paid back by the convict in fulfilling his sentence. The acts of 1867 and 1871, providing for the management of the Penitentiary, evidently contemplated a system both punitive and reformatory in its character. Labor is necessary as a reformatory measure, as it is generally conceded that a reasonable amount is essential to reformation, as is a necessary condition of the right application of punishment. It should not be the paramount object to make it a source of income, but rather that it should serve partly to preserve and promote as well the bodily as the mental and spiritual condition of the convict, and also, in part, educate and prepare him to earn an honest living when he shall have obtained his liberty. It was a maxim with (John) Howard, "make men diligent, and they will be honest." These should be the considerations which should govern prison officers in making choices of occupation or trades for convicts, keeping in view the pecuniary consideration in making such selections, so that the public interest may be protected, and, as contemplated by the present law, make the Penitentiary self-sustaining.

Students should consider the ramifications of convict labor, where convicts are expected to work, not to earn wages for themselves, but to provide the penitentiary with income to offset the cost to taxpayers. A class discussion should ensue as to whether this is a fair working environment that would truly "and promote as well the bodily as the mental and spiritual condition of the convict."





Next, students should carefully examine the photographs of the <u>prison shoe and boot shop</u> and <u>prison quarry</u>. Although these photos were likely taken sometime after the 1870's, The <u>Illinois Commissioners of the Penitentiary 1871 Report to the General Assembly</u> describe these and other industries (machine and blacksmith shops and foundry, wagon and agricultural implements manufactory, cooper shop, paint shop, chair making and rustic work, broom shop, cigar shop, harness shop, tailor shop, and the making of army tents for the United States Government, under contract) within the prison to make it as self-sustaining as possible.





Discussion questions for whole group:

Consider the nature of this work and the fact that prisoners performed it wearing a striped uniform. What effect might have this had on the morale and attitudes of the men involved? What rights might these men have had regarding the length of the work day, the possible dangers of the work, and the fact that they were essentially working for free?