

## MINORITY REPORT.

ILLINOIS STATE PENITENTIARY,  
JOLIET, *December 1, 1869.*

To His Excellency JOHN M. PALMER,  
*Governor of Illinois:*

In conformity with your call for information of September 17th, 1869, and the requirements of the act of the Legislature requiring an annual report from the Commissioners of the Penitentiary, of the condition of that institution, a majority of the Commissioners have submitted their report, with which, however, I am unable to concur.

I therefore beg leave to submit the following, as a minority report, upon the same subject.

The outside history of the Penitentiary, its changes of officers, and general scope of its operations, will be found detailed in the majority report; while I shall attempt to show an inside view of the tendency, of its discipline, and the financial results of its management during the last year.

The following financial statement is made up from the monthly reports and papers on file in the Commissioners' office, which statement I believe to be correct:

### STATEMENT OF DECEMBER 1ST, 1868.

July 1, 1867	To amount of property on hand as per inventory "B" .....	\$54,525 23	
Oct. 2, 1868	To amount drawn from state treasury .....	300,000 00	
Dec. 1, "	To amount due Ill. Manuf. Co. ....	50,000 00	
	To bills due and payable .....	80,076 89	
	Excess of assets over liabilities .....	2,508 16	
			\$487,110 28

*Credits.*

Dec. 1, 1868	By amount of property as per inventory "D"...	\$426,197 78	.....
	Outstanding accounts.....	52,977 39	.....
	Loss by fire.....	7,935 11	.....
			\$487,110 28

This, as you are aware, was the condition of the Penitentiary on the first of December, 1868, and shows that the institution was self-sustaining.

Our present summary is as follows :

STATEMENT OF DECEMBER 1, 1869, FROM DECEMBER 1, 1868.

*Debits.*

To inventory, December 1, 1868	\$426,197 78	.....
To amount of bills receivable, " "	52,977 39	.....
To drawn from state treasury, " "	265,000 00	.....
To Liabilities, " 1869	188,891 45	.....
		\$933,066 62
<i>Credits.</i>		
By inventory, December 1, 1869.....	\$370,813 29	.....
By liabilities of " 1868.....	130,076 89	.....
By interest paid Ill. Manuf. Co.....	5,000 00	.....
By assets, December 1, 1869.....	121,782 15	.....
By permanent improvements in 1868.....	40,352 42	.....
" " 1869.....	31,602 23	.....
Discounts and interest paid on old accounts.....	6,344 91	.....
		705,971 89
Deficit.....		\$227,094 73

STATEMENT FROM 1ST MAY, 1869, TO 1ST DECEMBER, 1869.

To bills receivable, May 1, 1869.....	\$58,992 09	.....
Amount drawn from treasury and paid to warden	260,755 09	.....
Bills due and payable, December 1, 1869.....	188,891 45	.....
		\$508,638 63
<i>Credit.</i>		
By amount of indebtedness, May 1, 1869.....	\$263,314 06	.....
By bills receivable, December 1, 1869.....	121,782 15	.....
By addit'l indebtedness audited since May 1, 1869	11,442 01	.....
		\$396,538 12
Amount of cash deficit to Dec. 1, 1869.....		\$112,100 51

At the present time the indebtedness of the Penitentiary far exceeds its available assets, and running further in debt at the rate of about twenty thousand dollars per month; and if some means are not taken to stop its present lavish expenditures and careless discipline, the financial result of the coming year can be easily imagined.

With regard to the discipline of the institution for the past year: in common with every man of humanitarian impulses, I favored the abolition of the lash and other cruel modes of torture inflicted on refractory criminals, believing that their influences are entirely inconsistent with the theory and genius of our free institutions, and not only exerting a demoralizing influence on the recipient, but cutting off all hope of reformation.

Previous to the salutary change in the laws of punishment, on the first of July, 1867, the discipline of the institution was stringent, hard and severe, and such as tended to morally degrade and crush out any germ of reformation that may have taken root within the breast of any of the inmates of the institution.

Under the milder, though no less effective, rules adopted by the State officers on taking possession, and the strict enforcement of the substitute for the lash (dark cell), the institution was run successfully, both as to safety of the inmates and pecuniary interest to the State; and had the discipline continued during the present year, I have no doubt that we would to-day present your excellency with a report showing not only a self-sustaining institution, but prove satisfactorily that the whipping-post and such like tortures are not indispensable to good discipline.

I am sorry to inform your excellency that such is not the case; that since the fall and winter of 1868, up to the date of this report, the discipline has been getting worse, until the opposite extreme has been nearly reached, of uncontrolled license and loose restraint.

To this laxity of discipline I attribute the fact that the labor of the convicts for the past year has not been so productive as formerly, and to it can be traced, in a large measure, the great financial loss to the State, appearing in this report.

From my observation of the administration of the present warden, and from inquiries from various sources made prior to his appointment (against which I protested), as to his business abilities, I am convinced that he is totally unfit for the position he occupies, and that the interest of the State demands a more able man for warden—one who will fearlessly uphold and enforce the laws and rules as laid down for the governing and disciplining of over 1,250 convicts, and one of good business capacity to conduct and superintend the labor and make contracts for the State, in a straight-forward and business-like manner; and until such a man is appointed to that office, the discipline cannot be improved, nor the business of the institution conducted except with great

financial loss to the State. After the very liberal appropriation made by the Legislature of last winter, and the visits and advice of your excellency during the summer, it was to be hoped that, together with a change of officers, the institution would assume even a more flourishing condition than was exhibited in the report of December 1, 1868.

I regret to have to inform you that such is not the case, as the statements appended hereto fully verify. The suggestions of your excellency when visiting here, I trusted would have caused increased vigilance on the part of the warden and his assistants, and for a time, at least, enforce the laws and rules of the institution for the government of its inmates, and the successful and diligent employment of their labors, and the repression of idleness and insubordination. But, contrary to my expectations and your express declarations, the guards, overseers, and, in fact, *the convicts*, were informed that you fully indorsed the previous state of discipline, and that no change was necessary. Hardened criminals were placed in positions of confidence, where opportunities to escape were numerous and tempting, and which a good many improved, made good their escape, and are to-day loose on society, committing, no doubt, the worst of crimes. I have, on the occasion of your visits, called your attention to this matter, and have missed no opportunity of pointing out to my colleagues the dire necessity of a change in the management. They have at various times admitted the necessity of the change, and promised, on several occasions, to make *some*, and thereby improve the discipline, but for some unaccountable reason it yet remains undone.

In conclusion, I beg to disclaim all responsibility as to the management and present financial standing of the institution, as most of my suggestions have been overruled, leaving me no other course to pursue but that of presenting to your excellency this my minority report, which I respectfully submit for your consideration.

JOHN REID.