

**DEVELOPMENT, GROWTH AND PROGRESS OF
TENNESSEE'S MAIN PRISON**

—————

PORTER RIDLEY KNOBEL

DEVELOPMENT, GROWTH
AND
PROGRESS OF TENNESSEE'S MAIN PRISON

An Abstract
Presented to
the Graduate Council of
Austin Peay State University

In Partial Fulfillment
of the Requirements for the Degree
Master of Arts
in History

by
Porter Ridley Knobel

May, 1977

ABSTRACT

The history of Tennessee's main prison dates back to shortly after the beginning of the Nineteenth Century. It was not until the Jacksonian era that America began to construct and support institutions for deviant individuals who committed crimes against the community. Prior to that time an offender was fined, whipped and/or put in stocks. If the offense was serious enough, he was executed by hanging. Imprisonment for specific periods of time for crimes against the state had yet to be conceived.

By 1831, Tennessee had established a new concept and the main prison became a reality. The first facility located in the proximity of 16th Avenue North and Church Street in Nashville was operational for sixty-seven years. It ultimately was replaced by a new and larger institution on February 12, 1898. Today Tennessee's prison stands in West Nashville, as it did in 1898, like a Medieval fortress, housing approximately 2400 inmates.

Since its birth, Tennessee's prison administrators, Legislative bodies and Chief Executive have, whether consciously or not, given different weight to diversified concepts. The results have been observed in standards, practices and programs that have characterized the prison since its inception.

Nevertheless, the need for such facility cannot be denied.

There always has been and always will be a certain number of hard-core individuals in our society who are unsalvageable, and who must remain in a secure and managed institution like the Tennessee prison.

DEVELOPMENT, GROWTH
AND
PROGRESS OF TENNESSEE'S MAIN PRISON

A Thesis
Presented to
the Graduate Council of
Austin Peay State University

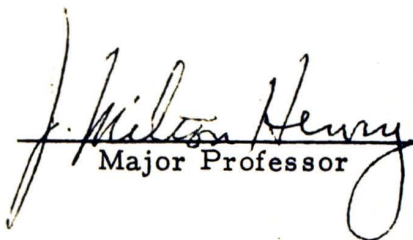
In Partial Fulfillment
of the Requirements for the Degree
Master of Arts
in History

by
Porter Ridley Knobel

May, 1977

To the Graduate Council:

I am submitting herewith a Thesis written by Porter Ridley Knobel entitled "Development, Growth and Progress of Tennessee's Main Prison." I recommend that it be accepted in partial fulfillment of the requirements for the degree of Master of Arts, with a major in History.

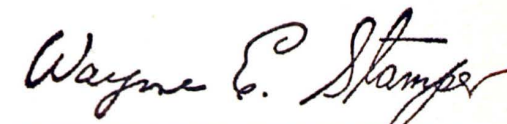

Major Professor

We have read this thesis and
recommend its acceptance:


Second Committee Member


Third Committee Member

Accepted for the Council:


Dean of the Graduate School

ACKNOWLEDGEMENTS

The author wishes to acknowledge his debt to the many persons and agencies that aided in the preparation and production of this document. Especially his family for their patience, understanding and support, which provided him with much needed encouragement. A most grateful appreciation is acknowledged for Professor Preston Hubbard's assistance in preparing the writer for the final phase of this production, and for Professor Paul Hyatt and his advise in finalizing this paper. A deep appreciation is expressed to Professor J. Milton Henry who gave much inspiration, understanding and motivation in planning this study. Finally, and perhaps most of all, it has been a great pleasure to be associated with the History Department and a staff of persons who are so fully proficient and dedicated to their profession.

TABLE OF CONTENTS

Chapter	Page
1. Introduction	1
2. Origin of American Jails and Prisons	4
Early European Jails	4
Jails and Prisons in Early America	10
3. Tennessee Times Before a Prison	18
Jail Problems Before the Birth of a Prison	19
First Efforts for a Prison Failed	20
4. Tennessee's First State-Wide Prison	23
Title to the Property	23
Construction and First Years	24
Period to the Civil War	26
Civil War Days	30
War's Aftermath and Increased Population	31
5. Changing Times and a Move for a New Prison	37
Convict Leasing Problems	39
Closing of a Century and a Prison	41
6. Dawning of a New Century and Prison	43
A New Operations Begins	45
7. The First Forty Years	50
Period Through World War II	56

TABLE OF CONTENTS (Continued)

Chapter	Page
8. The Fifties and Beyond	60
9. Summary	64
Bibliography	72

Chapter 1

INTRODUCTION

Since the establishment of Tennessee as a state, care and attention of prisons and inmates have been among her laws. This, however, is not intended to imply that Tennessee has always lived up to the "letter of the law," but has made reasonable efforts within its financial capabilities to provide suitable facilities and moderate care for prison inmates.

From the beginning of time man has attempted to develop methods of dealing with individuals who commit acts deemed harmful to their communities.

Although crime and violence existed in Colonial America, it was tolerated by citizens because it usually consisted of petty vice, drunken assaults, and aimless brawls which were dangerous largely to the participants and not to honest citizens. Most often punishment was in the form of ducking stools, the stocks and the pillory. The more serious criminals were punished by hanging.

As American towns burgeoned in population during the first third of the Nineteenth Century, Tennessee, like other states, was unable to cope with increasing crime and a country in transition. Along with a need for complete restructuring of town law enforcement was a need for replacing Tennessee's antiquated local jail system.

Tennessee was soon to recognize that there must be a central place for punishment, and hopefully rehabilitation for the criminal.

The Constitution of the State of Tennessee pertaining to prisons and prisoners states: "That erection of safe and comfortable prisons, the inspection of prisons, and the humane treatment of prisoners shall be provided for."¹

That portion of the Tennessee Constitution pertaining to pardons and reprieves responsibilities of the Governor state: "He shall have power to grant reprieves and pardons, after conviction, except in cases of impeachment."²

The attitudes and practices towards the criminal during the Colonial period and those of the decades prior to the Civil War were remarkably different. Even though this is no longer totally true, the criminal during the Jacksonian era was beginning to pay for his deeds.

Since Tennessee's main prison was established, penal reformers have had to combat an apathetic, vengeful, and sometime hostile public, and thoroughly politicalized penal system. Only recently Tennessee's prison system began to evolve into a genuine correctional apparatus, administered by professionals, with rehabilitation of inmates

¹State of Tennessee, Constitution, Article I, Section 32.

²State of Tennessee, Constitution, Article III, Section 6.

its actual, as well as its professed, objective. However, no one really knows if this approach will evolve into an economic asset or a liability for the Tennessee citizen.

From the day of inception Tennessee's prison administrators, Legislative bodies and Chief Executive have, whether consciously or not, given different weight to diversified concepts. The results have been observed in standards, practices and programs that have characterized the prison.

Nevertheless, the need for such facility cannot be denied. There always has been, and always will be, a certain number of hardcore individuals in our society who are unsalvagable and who must remain in a secure and managed institution such as the Tennessee prison.

Chapter 2

ORIGIN OF AMERICAN JAILS AND PRISONS

The earliest function of jails in Anglo-Saxon society, from which we derive most of our social institutions, was to detain accused persons to be sure they were on hand to stand trial when the King's travelling judges came around. This function dates back to the Tenth Century and it was several centuries later before jails also became places of punishment for petty offenders, vagrants, and debtors.¹

EARLY EUROPEAN JAILS

The jail (or "gaol") is an ancient institution, its origin lost in the hazy mist of antiquity. As a place of detention, however, its counterpart has existed since Biblical times. The concept of imprisonment as a substitute for death or mutilation of the body was derived in part from a custom of the early church of granting asylum or sanctuary to fugitives and criminals. Begun largely during the reign of Constantine, this ancient right existed earlier among Assyrians, Hebrews and others. The church at that time had under its aegis a

¹William J. Bopp, Police Administration--The Planning of Jail Facilities (Boston: Holbrook Press, Inc., 1975), p. 313.

large number of clergy, clerks, functionaries, monks and serfs, and, except the latter, most of these fell under the jurisdiction of the church courts. Traditionally forbidden to shed blood and drawing on the Christian theme of purification through suffering, these canon courts came to subject the wrongdoer to reclusion and even solitary cellular confinement, not as punishment alone, but as a way of providing conditions under which penitence would most likely occur. Some of the monastic quarters provided totally separate facilities for each monk so that it was a simple matter to lock up an errant brother for brief periods.

As "mother houses" of monastic orders had satellite houses often located in less desirable places, it was also the practice to transfer monks for periods of time to such locations. There is some evidence that some of those satellites came to be regarded as punitive facilities.² As we understand the jail in modern times, we might accept the date of origin as 1166, when Henry II commanded the construction of jails at the Assize of Clarendon.

Jails were originally conceived as places for detention of suspected or arrested offenders until they could be tried by the courts. This function still persists along with others not so logical. Later, another institution evolved in England known as the House of Correction

²Norman Johnson, The Human Cage: A Brief History of Prison Architecture (New York: Walker and Company, 1973), p. 8.

(or Bridewell), which was a place of confinement and punishment.

During the Eighteenth Century these two types of institutions merged and frequently were under the same roof and were administered by the same keeper. Hence, the jail was not only a place for detention of suspects but also a penal institution for convicted petty offenders and vagrants. Herded together in small quarters were diverse types who had conflicts with the law, some of them probably innocent.³

Criminals have always been subjected to some of the most horrid punitive acts. The most common forms of state punishment over the centuries have been death, torture, mutilation, branding, public humiliation, fines, forfeits of property, banishment, transportation, and imprisonment. These themes, and numerous variation of them, have always symbolized retribution for crimes.⁴ The imprisonment of a criminal is considered a relatively modern method, however, since the beginning of time we have had the death penalty. As a matter of fact, death was considered the most universal method of punishment in early societies. Capital punishment came in many ways: hanging, crucifixion, burning on a stake, drowning and many other cruel and

³Harry Elmer Barnes and Negley K. Teeters, New Horizons in Criminology (Englewood Cliffs, N. J.: Prentice-Hall, Inc., 1959), p. 389.

⁴Harry E. Allen and Clifford E. Simonsen, Corrections in America (Beverly Hills, Calif.: Glencoe Press, 1975), p. 8.

highly unusual ways, while other forms were torture, public humiliation and flogging. Some mutilations were often committed to match the crime--such as a rapist having his genitals removed, or a thief having his hand severed.

What kinds of prisons existed during this early era? It is important to examine some aspects of these early prisons which related to later correctional practices. Some form of detention for offenders, whether temporary or permanent, has been a social institution from the earliest times. Offenders were, of course, detained against their will, but the concept of imprisonment as punishment in itself is a fairly recent one. Formerly imprisonment was primarily a means of holding the accused until the authorities had decided on his real punishment, chosen from the varieties described above.⁵ Actually this applies today to some extent, except the offender has his day in court where he is released or punishment is decided.

Bridewell, a workhouse built for the employment and housing of London's riffraff in 1557, was based on the work ethic that was developed with the breakup of feudalism and movement to the urban areas. It was so successful that by 1576 Parliament required the construction of a "bridewell" in every county in England. The same unsettled social conditions prevailed in Holland, and the Dutch began building

⁵Ibid., p. 12.

workhouses in 1596. These were soon copied all over Europe.⁶

During the Seventeenth and Eighteenth Centuries workhouses were not the normal facility for confinement and most cities had to construct prisons out of buildings that had been built for other purposes. During this period of time females were kept with males, old with the young and sick with the well. There were no foods provided and those without money did not eat.

Exploitation of inmates by other inmates and jailers resulted in the most bestial acts of violence. Jail fever (typhus) spread easily to surrounding cities, and appeared to be one method of keeping the country's population down. By the beginning of the Eighteenth Century, workhouses, prisons and houses of correction in Europe and England had deteriorated into shocking conditions.⁷

The first known person to take notice of prisons and their conditions was John Howard, born 1726 in London. He became a British prison reformer, was apprenticed to a London grocer as a young man and inherited a fortune at the age of 25. He built model cottages for his workmen, but did not begin his major work until his appointment as High Sheriff of Bedfordshire in 1773. In this job, shocked by what he found in prisons, he began a monumental study called "The State of the Prisons in England and Wales" (1777). It led Parliament to correct

⁶Ibid., p. 13.

⁷Ibid.

many abuses. To keep his study up to date, Howard visited every prison in the country four times, and traveled throughout Europe visiting prisons and plague hospitals, measuring rooms, inspecting kitchens and talking to inmates. He died on an inspection tour of military hospitals in Kherson, Russia.

Howard spent an entire fortune on his remarkably thorough work. He stubbornly refused to be sidetracked, and forced reforms by the solidity of his evidence. He consistently refused personal credit for his work.⁸ He saw similar deplorable conditions in most areas, but was most impressed by some of the institutions in France and Italy.⁹

As a result of Howard's efforts perhaps the first attempt at prison reform emerged. They were set by Parliament in 1778 and called the Penitentiary Act. This legislation directed reform in the areas of a reformatory regime, secure and sanitary buildings, inspections and discontinuation of fees. Howard was the only sheriff to consider changing conditions in these human storage tanks.

In 1875 when transfer of England's convicts to Australia was terminated, the increased prisoner loads caused havoc in England's few available facilities. The immediate solution to that problem

⁸Alan Keith-Lucas, "Howard, John," The World Book Encyclopedia, Vol. VIII, p. 366.

⁹Allen, op. cit., p. 21.

created one of the most odious episodes in the history of penology and corrections: the use of old "hulks," abandoned or unusable transport ships anchored in rivers and harbors throughout the British Isles, to confine criminal offenders. The brutal and degrading conditions found in the gaols, houses of corrections, and workhouses were no comparison for these offensive and rotting human garbage dumps.¹⁰

JAILS AND PRISONS IN EARLY AMERICA

One of the earliest recorded American attempts to operate a prison for felons was located in an abandoned copper mine in Simsbury, Connecticut. This underground prison began operation in 1773 and quickly became the site of America's first prison riots, in 1774. Although some have called it the first state prison, it was really not much more than a throwback to the sulphur pits of ancient Rome, and did nothing to advance progress in American corrections. The prisoners were housed in long mine shafts and the administrative buildings were placed near the entrances. Underground "mine shaft" prisons constituted one of several American attempts to make a special place in which to house and work the convicted felon. These efforts reached a focal point in Pennsylvania in 1790.¹¹

¹⁰Ibid., p. 26.

¹¹Allen, op. cit., p. 29.

It is hard to imagine a time when there were no long-term penitentiaries for felons, but prior to 1790 that was the case. Ironically, the modern prison system was born in the same city that produced the United States of America as a nation. Philadelphia, Pennsylvania, the home of the Declaration of Independence, is also the home of the Walnut Street Jail, the first true correctional institution in America--thanks to the Quakers.¹²

When the early colonists came to America they brought with them institutions developed in the mother country. In 1632, a small wooden structure was erected in Boston to serve as a jail for the Massachusetts Bay Colony. This building served for eighteen years until jails were built in other towns. In 1655, the General Court of Massachusetts Bay Colony ordered that "there shall be a house of corrections provided in each county at the county's charge" to house the idle drunkards and other petty offenders. The socially inept and indigent sentenced there were to be taught useful skills.¹³ This is perhaps, the first and beginning of our present county jail system. Hence, we see the jail set up as soon as numbers of people began to collect in any one place. There are a few of these early jails still in existence, although not in use. The jail at York Village, Maine, was

¹²Ibid.

¹³George T. Felkenes, The Criminal Justice System (Englewood Cliffs, N. J.: Prentice-Hall, Inc., 1973), p. 261.

erected in 1653; that at Williamsburg, Virginia, in 1701. Both are still standing and are open to the public as historical museums. The colonies began their penal system using fees and other features of the English system. Town constables early played the role of the English sheriff and coordinated their efforts with prison officials in securing guards and jailers for jail duty. The fees charged the inmates covered many services, including "turning the key" to lock up or release prisoners. Eventually, prison guards came to be known as turnkeys, a term still in use today.¹⁴

Colonial jails were alike in most respects. Nearby were the stocks and pillory, and in some places, the whipping post. Persons suspected of crimes were held in these houses of detention until the meeting of the court that was called "Quarter Sessions and General Gaol Delivery." In many places they are still officially known by this title.

There were no cells in these early jails; only small rooms in which were often herded 20 to 30 prisoners. There was no heat except that which the inmates could furnish for themselves by burning material in fireplaces that were in each room. Food was sold by the jailers, or the inmates got it from friends or philanthropically inclined persons.¹⁵

¹⁴Ibid., p. 262.

¹⁵Barnes, op. cit., p. 389.

Following is a vivid description of a maximum security prison found in New York. In 1825 prisoners arrived in leg shackles from Auburn at a site on the Hudson River, later to be known as Sing Sing, to construct a new prison. The plan was similar: tiny cells back to back on five tiers, with stairways on either end and in the center of the very long range. Cell doors were iron with grillwork in the upper portion, and secured with gang locks. Cells received small amounts of light coming through a tiny window located 9 feet away in the outer wall opposite the cell door. These cells were extremely damp, dark and poorly ventilated and, like those at Auburn contained no toilet facilities except buckets. The East House, which alone contained 1000 cells and continued in use until 1943, was to become the prototype for most American prison cellhouse construction, rather than the earlier Auburn prison from which the system took its name.

For the remainder of the Nineteenth Century in this country, the characteristic layout for nearly all prisons was to consist of a central building housing offices, mess hall and chapel, usually flanked and joined on each side by a multitiered cellblock. In the prison enclosure formed by the wall would be shops, hospital and power plant. Five tiers of tiny cells (7X3 1/2X7 feet) back to back were built with convict labor. In 1834 Ohio opened a prison on this plan at Columbus. Wisconsin opened a similar type of prison at Waupun in 1851. The Illinois penitentiary at Joliet (1856-1858), the Rhode Island penitentiary

at Cranston (1873-1878), the Tennessee penitentiary at Nashville (1898) and a number of others were on this plan.¹⁶

The development of the penitentiary was basically an American idea. It was conceived at about the same time as the new nation was breaking away from the old connections with European ideas. The American prison is both a monument to, and a milestone in, corrections.¹⁷

The whipping post may still be seen in Delaware, where it is not yet an historical curiosity. The laws of that state call for a given number of lashes for certain offenses to be administered by the warden in the state prison near Wilmington or in the county workhouse. However, in recent years the whipping post has lapsed in disuse. The last flogging took place in that state on June 16, 1952, the victim receiving 20 lashes for breaking and entering. Maryland, too, used the whipping post for "assault on wife; or wife beating" from colonial days until its repeal in April 1953. The last flogging in Maryland was in Ann Arundel County in 1948.¹⁸

There is a difference in a jail and a prison. Most jails have people for minor offenses and as pre-trial detention awaiting trial.

¹⁶Johnson, op. cit., p. 40.

¹⁷Harold J. Vetter and Clifford E. Simonsen, Criminal Justice in America (Philadelphia, Pa.: W. B. Saunders, 1976), p. 266.

¹⁸Barnes, op. cit., p. 290.

One will find all types of humans in a jail--young and old, black and white, pervert and just an ordinary person who happened to have crossed the law and gotten caught.

For the most part only the poor and those charged with major offenses remain in jail pending trial. Some communities provide a pretrial release program for the poor; however, it is suspected, at least by this writer, that this is a political tool used by elected officials. Nevertheless, under our system of criminal justice one is presumed to be innocent until proven guilty, and consequently should be allowed some degree of freedom pending his day in court. Like any other phase of our society, if one cannot take care of himself, then government assumes the responsibility for his well being.

Although jails and prisons have been in existence since the beginning of time, there are those who have from the date of origin considered jails and prisons a failure. A commission appointed by Herbert Hoover in 1929 reported: "We conclude that the present system is antiquated and inefficient. It does not reform the criminal. It fails to protect society. There is reason to believe that it contributes to the increases of crime by hardening the prisoner. We are convinced that a new type of penal institution must be developed, one that is new in spirit, in method, in objective. The commission recommends. . . individual treatment. . . indeterminate sentences. . . education in the in the broadest sense. . . skillful and sympathetic supervision of the

prisoner on parole. . ."¹⁹

The 1967 report of the President's Crime Commission, The Challenge of Crime in a Free Society, called for more intensive parole supervision, establishment of "model small-unit correctional institutions," the strengthening of screening and diagnostic resources "at every point of significant decision," the upgrading of educational and vocational training programs.²⁰

Joseph F. Fishman, who was an inspector of jails for the Federal Government for some time, defined the jail thus:

An unbelievably filthy institution in which are confined men and women serving sentences for misdemeanors and crimes, and men and women not under sentence who are simply awaiting trial. With few exceptions, having no segregation of the unconvicted from the convicted, the well from the diseased, the youngest and the most impressionable from the most degraded and hardened. Usually swarming with bedbugs, roaches, lice, and other vermin; has an odor of disinfectant and filth which is appalling; supports in complete idleness countless thousands of able-bodied men and women, and generally affords ample time and opportunity to assure that most inmates have a complete course in every kind of viciousness and crime. A melting pot in which the worst elements of the raw material in the criminal world are brought forth blended and turned out in absolute perfection.²¹

¹⁹Jessica Mitford, Kind and Unusual Punishment (New York: Alfred A. Knopf, 1973), p. 271.

²⁰The President's Commission on Law Enforcement and Administration of Justice, The Challenge of Crime in a Free Society (Washington, D. C.: Government Printing Office), p. 159.

²¹Edwin H. Southerland and Donald R. Cressey, Principles of Criminology (New York: J. P. Lippincott, 1966), p. 420.

In 1933, thirty-one percent of those persons committed to all jails on sentences were committed on default of payment of fines.²² About sixty percent of the persons committed to the Baltimore City Jail in 1940 were committed for non-payment of fines. Ten percent of the 152,000 persons fined in Finland in 1959, entered jail for inability to pay the fine.²³

The objective of the jailing process and its relations to the administration of criminal justice remains somewhat ambiguous. The concept of protecting society, punishing the offender, and rehabilitating the offender have lent themselves to separation in practice. No orderly evolution of the jail/prison role can be charted. Time and time again new theories and promising reforms have been tried and for some reason have failed. The problems found in most prisons today are not new; they are evident throughout the entire history of jail and prison management.²⁴

²²Ibid., p. 330.

²³Ibid.

²⁴George D. Eastman and Ester M. Eastman, Municipal Police Administration (Washington, D. C.: International City Managers Association, 1971), p. 287.

Chapter 3

TENNESSEE TIMES BEFORE A PRISON

When Tennessee law makers met in 1796, they passed three separate Acts, looking toward the establishment of courthouses, prisons and stocks in the three separate counties of the State. Thereafter, over a period of twenty years, numerous other similar Acts were passed which provided for establishment of small prisons.

At this time (1796-1830), there was no State Penitentiary in Tennessee in which to put criminals. Each county had to handle its own law breakers. About the first county building put up in the early days of Tennessee was a jail. Into these cheaply-built shacks were thrust the law-breakers, the suspected criminal, the thief, the debtor, and sometimes the insane.¹

Naturally, as the population increased, a necessity for larger prisons became more and more apparent. Always the prison population increased along with the general population. At least that has been the history in this country.²

¹Robert H. White, Tennessee Its Growth and Progress (Kingsport, Tenn.: Kingsport Press, Inc., 1936), pp. 484-485.

²Thomas P. Gore, Tennessee State Penitentiary History (unpublished, 1939).

JAIL PROBLEMS BEFORE THE BIRTH OF A PRISON

By the year 1799, the death penalty for horse stealing was among Tennessee laws. This method of execution was by hanging, which remained until 1913, when death by electrocution was approved.

Tennessee was moving forward as a place of commerce and trade. Its towns were evolving and the social dislocation caused by structural changes in the new state created additional lawlessness.. As the Tennessee town grew in population during the 1800s so did the criminal element and a need for more prison space. Before 1831, Tennessee had no state prison but punished criminals locally by hanging, branding, whipping and stocks.³ These Tennessee jails had been crude affairs. The local jail, soon after construction, was quickly filled with thieves, murderers, debtors, and minor offenders. Children were placed in the same rooms with men; men and women were housed together. Nothing was directed toward restoring these people. Guards merely sat by with instructions to shoot if anyone attempted to break jail. Inside the inmate lay around in filth. There was nothing for them to do. They learned nothing that would be beneficial upon release, unless it was the ideas they exchanged on the best methods of making a dishonest living.

³H. W. Crew, History of Nashville (Nashville, Tenn.: Publishing House of the Methodist Episcopal Church, South, 1890), p. 104.

As this problem became worse, people in the counties decided to get rid of the filthy and overcrowded jails. They thought it would be more appropriate to have a state prison and allow all counties to send their worst criminals thereto. Thus, this would rid local jails of the filth and problems created by inadequate facilities.

Even though citizens of those Tennessee counties where jails were located wanted a central prison, they were not interested in paying the cost of such improvement. Apparently, like today, there was little, if any, real public enthusiasm for financial support of prisons and rehabilitation.

Although this has not been documented, but this writer surmises that many inmates succumbed to sickness and insanity during solitary confinement and enforced idleness during the period prior to 1831, and a new state prison.

FIRST EFFORTS FOR A PRISON FAILED

As early as the administration of Governor Willie Blount, in 1813, there was a feeble effort made to raise a fund by voluntary subscriptions for the purpose of building a penitentiary.⁴

When the Tennessee Legislature convened for the 1813-1814 session they authorized on November 13, 1813, subscriptions for

⁴William Robertson Garrett and Virgil Goodpasture, History of Tennessee (Nashville, Tenn.: Brandon Printing Co., 1900), p. 179.

erecting a penitentiary in Tennessee. This Act directed the clerks of the courts to keep a subscription paper for the purpose of permitting citizens to subscribe any amount they deemed appropriate, for the purpose of building a penitentiary or workhouse, as a place of punishment for criminals or offenders against the criminal laws of Tennessee.⁵

Citizen response to this approach for a state penitentiary was not sufficient. Two years later on November 13, 1815, the law was expanded and directed the court clerks to keep the subscription open. Also, in an attempt to insure success Justices of the Peace, who were appointed, were directed to obtain a listing of taxable properties and present a subscription to each property owner entitled to pay taxes, and submit both at the same time to the court clerk who was to receive the amount of the subscription.⁶ There is no evidence of this approach being successful, however.

Four years later it was evident that efforts to collect voluntary monies for construction of a state penitentiary were hopeless and ineffective. The sum of \$2,173.40 was down on the subscription list, but it was estimated that there was a small chance of collecting much of this money.⁷

⁵Tennessee, Public Acts, 1813. p. 145.

⁶Tennessee, Public Acts, 1815. p. 237.

⁷Philip M. Hamer, Tennessee A History 1673-1932, Vol. II (New York: The American Historical Society, Inc., 1933), p. 741.

On September 20, 1819, the first session of the Thirteenth General Assembly met at Murfreesboro for the first time, and adjourned on November 30, 1819. Governor McMinn was the first governor who recommended, on September 20, that a state penitentiary be established.⁸ Recognizing this as a need, Governor McMinn appealed to the Legislature to commence such work, which he declared, "would do lasting honor to its founders."⁹

Efforts for a state penitentiary continued to prevail through Governor McMinn's term and into the next administration. In 1825, Governor William Carroll, at the suggestion of the General Assembly, procured information about costs and operations of prisons in Kentucky, Virginia, Ohio, New Jersey, New Hampshire, and Maryland.¹⁰ This was perhaps the first positive step made towards a new prison.

⁸John Trotwood Moore and Austin P. Foster, Tennessee The Volunteer State (Nashville, Tenn.: Clark Publishing Co., 1932), p. 371.

⁹Garrett, op. cit., p. 179.

¹⁰Stanley Folmsbee, Robert E. Corlew and Enoch L. Mitchel, Tennessee A Short History (Knoxville, Tenn.: University of Tennessee Press, 1969), pp. 303-304.

Chapter 4

TENNESSEE'S FIRST STATE-WIDE PRISON

Tennessee did not experience any noticeable advancement for the next decade; however, on October 28, 1829, during Governor Carroll's administration construction of a public jail and penitentiary house in Tennessee was signed into law. This Act¹ outlined the fact that convicted persons would be imprisoned and placed on hard labor therein. The prison was to be situated at Nashville within two miles of the town limits, and would be no less than 4 acres or more than 10. The title of this land would be vested in the name of the governor of Tennessee and his successors. On November 5, 1829, the building design was approved to be constructed of brick or stone, be fire-proof and large enough to house two hundred inmates. During December 1829, the law makers decided what type criminals would be punishable in the penitentiary, modes of travel, and rules for internal management and sanitary control.

TITLE TO THE PROPERTY

Title to the penitentiary real estate was passed from John Boyd to William Carroll, governor. There were nine acres recorded

¹Tennessee, Public Acts, 1829, p. 5.

under deed dated March 23, 1830, recorded in Book X, page 374 at Nashville, Tennessee.² Payment was \$1700.00; one hundred dollars of which was paid by state funds and the balance by the citizens of Davidson County, Tennessee.

The only restriction contained in the title transfer was that prison buildings could not be located so as to obstruct the view of the town from the home of John Boyd.

CONSTRUCTION AND FIRST YEARS

Construction of Tennessee's first penitentiary began in April, 1830, and was located due west of the center of Nashville at a point which presently would be between Church Street and Charlotte Avenue at about where 16th Avenue crosses in a north-south direction. The facility was completed on January 1, 1831, and accepted by Governor Carroll. It contained 200 cells, quarters for the warden, and a storehouse and hospital.

It fronted 310 feet and was 350 feet in depth. The yard walls were 4 1/2 feet thick at the bottom, and 3 feet at the top. The average height of the wall was 20 feet. The original tract fronted Stonewall Avenue to the east, Spring Street to the south, and backed to the west along an alley which ran north-south at a point about where Belmont

²Book X, Page 374, Records of the Register, Davidson County, Nashville, Tennessee.

Avenue (now 16th Avenue) crossed Spring (now Church) Street.³

When it was completed and in operation in 1831, after a cost of \$50,000 Tennessee was hailed by every state in the Union, as a pacesetter in prison systems. Government officials came from as far away as New York to observe this great advance in prisons.⁴

The penitentiary was conducted upon the Auburn Plan which meant that convicts worked together during the day but occupied separate cells at night.⁵ Its structure was patterned after the prison in Wethersfield, Connecticut.

Tennessee was the 16th state to establish her first prison. This was 41 years after the first prison in America had been constructed in 1790 at Philadelphia, Pennsylvania.⁶

The convicts were put to various types of work, such as blacksmithing, picking wool, shoe making, hat binding, harness making, stone cutting, painting, and mattress making.⁷

³G. M. Hopkins, Atlas of the City of Nashville (Philadelphia, Pa.: G. M. Hopkins, 1879), Plate 10.

⁴Lee Norman, A History of the Tennessee State Prison (unpublished training document, Tennessee State Prison Research and Development, undated).

⁵Robert H. White, Tennessee Its Growth and Progress (Kingsport, Tennessee: Kingsport Press, Inc., 1936), p. 485.

⁶Harry E. Allen and Clifford E. Simonsen, Corrections in America (Beverly Hills, Calif.: Glencoe Press, 1975), pp. 60-61.

⁷White, op. cit., p. 485.

At this same time Robert C. Foster, Joseph Wood and Moses Ridley were appointed as commissioners to superintend the new prison. The Legislature appropriated a total of twenty-eight thousand, five hundred fifty-seven dollars and sixty-seven cents towards completing construction of the new prison.⁸

The first prisoner was George Washington Cook, a Jackson tailor from Madison County who was given a two-year sentence for stabbing a man.⁹

By the year 1833, one out of every four inmates was to die from the infectious intestinal disease of cholera.¹⁰

PERIOD TO THE CIVIL WAR

Laws designed to ameliorate living conditions of the prisoners were enacted through the period (1831-1837). Coarse but substantial food was served, and in 1837, at the insistence of Senator J. P. Hardwicke of Dickson County, convicts were furnished tobacco at state expense. Hardwicke's efforts to provide a chaplain for the prisoners met failure, but ten years later a clergyman began ministering to their spiritual needs.¹¹ Senator Hardwicke's request for a tobacco

⁸Tennessee, Public Acts, 1831. p. 106.

⁹White, op. cit., p. 486.

¹⁰Norman, op. cit.

¹¹Stanley J. Folmsbee, Robert E. Corlew and Enoch L. Mitchel, A History of Tennessee (Lewis Historical Publishing Co., Inc., 1960), p. 496.

ration became law in 1838. From then on the state was required to provide tobacco to those inmates who were accustomed to its use.¹²

The period 1837-1842 found the Tennessee General Assembly amending the laws for transporting criminals and creating a procedure for disposing of profits from the penitentiary, which were to be paid to the state treasurer.

The Legislative session for 1843-1844 introduced laws prescribing additional duties for agents of the penitentiary; procedures for slaves acquitted of felony due to insanity; prescribed duties of agents and convicts to begin work on the capital; regulating government of the penitentiary and designating Secretary of State, Comptroller and Treasurer to the board of inspectors.¹³

When the law makers met on January 28, 1846, they authorized that a suit of clothes be issued to each discharged inmate. The next day, January 29, 1846, an Act was approved better to organize the penitentiary and prevent it from conflicting with mechanical interest of the country. At the same time the law makers granted corporal punishment with approval of the inspector only. Also that inmates were to be worked behind the walls, and that each inmate was authorized one pint of coffee each day.¹⁴

¹²Tennessee, Public Acts, 1838. p. 222.

¹³Tennessee, Public Acts, 1844. p. 185.

¹⁴Tennessee, Public Acts, 1846. p. 182.

By 1847-1848 the penitentiary was accumulating surplus revenues. The Legislature approved these funds for payment of principal and interest on bonds issued to build the state capital. At this session a resolution was passed appropriating \$100 to purchase bunks for prison inmates.¹⁵

While the prison was accumulating excess revenues the cost of housing inmates was also escalating. In 1850 each prisoner received \$35.00 for his or her support, while school children received forty and three-fourths cents.¹⁶

The first officially appointed chaplain was authorized on February 9, 1850, by the Legislature. During this session an Act was passed to defray prison expenses and to continue building of the state capital.¹⁷ It was not until some years later, in 1919, that the position of chaplain was to become a full-time salaried position.¹⁸

On January 1, 1852, David C. Lowe became treasury clerk for the prison.¹⁹ His appointment was followed on January 9, 1852,

¹⁵Tennessee Historical Society, Report on the Committee on the Removal of the Penitentiary, Commercial Club of Nashville, November 22, 1890. Hereafter referred to as Committee Report.

¹⁶White, op. cit., 364.

¹⁷Tennessee, Public Acts, 1850. p. 398.

¹⁸Tennessee, Code Annotated, pp. 4-616.

¹⁹Leroy P. Graf and Ralph W. Haskins, eds., The Papers of Andrew Johnson (Knoxville, Tennessee: University of Tennessee Press, 1970), p. 208.

in the same enactment when lawmakers took cognizance of the fact that a better and more efficient means of keeping the prison finances was in order. Subsequently on February 22, 1852, the Comptroller, Arthur R. Crozier, was to issue warrants for expenses of the prison based on the fact that inmates were being used to build the state capital. Three days later commissioners were appointed to examine the books and accounts of the prison. They were to determine what were profits and expenses, and make settlement with the prison keeper.²⁰

On March 4, 1854, during the administration of Governor Andrew Johnson, the state was directed to provide for repairs at the prison and to add additional inmate cells to the institution. Two days later, March 6, 1854, Richard White was appointed prison keeper, replacing Charles M. Hays who retired.²¹ The next year lawmakers purchased burying grounds for inmates and extended the prison walls to the Charlotte Turnpike (now Charlotte Avenue).

In 1857 the prison population had grown to the extent that additional space was needed. Only 78 inmates of the 286, at this time, could read and write.²² In 1858 the prison was augmented with an additional wing and extended to what is now Church Street.

²⁰Tennessee, Public Acts, 1852. p. 613.

²¹Graf, op. cit., p. 218.

²²Folmsbee, op. cit., p. 496.

The General Assembly approved an Act on March 20, 1858, regulating salaries of prison officers. This was the first effort ever at establishing a salary schedule for prison personnel.²³

Shortly after expanding to Church Street, ten thousand dollars was appropriated for much needed prison repairs in order to make the institution more habitable.

CIVIL WAR DAYS

From its infancy to the Civil War period the Tennessee prison developed into, not a rehabilitation unit, but just another jail. The only real difference was that it was larger and with more devastating punishment and ill-treatment given the inmates.²⁴

Tennessee, like other southern state prison systems, was devastated by the war, and was virtually destroyed. The war rudely interrupted a feeble effort and move by Tennessee towards humane treatment of inmates. After the beginning of the war and prior to the fall of Nashville inmates were compelled to make supplies for Confederate Army troops.

The ravages of the war rendered the prison building uninhabitable and caused much disease and hardships upon the convicts. During

²³Tennessee, Public Acts, 1858, p. 410.

²⁴Norman, op. cit.

the war no provisions were made by the Legislature to maintain the institution. The prison was temporarily doomed due to a lack of support and the war.

The years 1860-1865 found the Legislature and prison functions to be at a minimum. In 1863, the Union Army took control of the Prison and converted it into a military confinement facility. During the period of Union occupation at Nashville the Tennessee State government also came to virtually a standstill, not only for the prison activities, but other government functions as well.

In 1865, while the Union Army was in control of the Tennessee State Prison, inmate Champ Ferguson, a guerilla fighter for the Confederacy, was hanged. He was charged with killing fifty-four Union soldiers.²⁵

With the termination of war time hostilities, Tennessee once again began to pick up where activities had ended during the conflict.

WAR'S AFTERMATH AND INCREASED POPULATION

After the war between the States, a check-up showed that the penitentiary was costing the State on an average of fifteen thousand dollars a year.²⁶

²⁵Ibid.

²⁶White, op. cit., p. 487.

During 1865, while William Brownlow was governor an effort was made to manage the penitentiary more effectively. The institution was enlarged and the keeper was to be elected by the General Assembly. The Legislature also employed three directors to coordinate a possible convict leasing system. In late 1865, the Legislative Committee investigating prison management recommended a convict leasing system. By May 12, 1866, both Legislative bodies had approved the system and made it law. The State, under the lease system, was responsible for housing, feeding and clothing the convicts. All labor, however, was to be performed under supervision of the leesees.

An appropriation of \$55,000 was approved on March 7, 1866, and at the same time the Legislature directed that officers of the penitentiary could be removed by the General Assembly, or by the governor, if not in session. It was during this year that the warden's salary was set at \$1800 per year and prison guards received \$30 per month.²⁷

On May 12, 1866, the first lease Act was approved. This was for a period of four years and outlined the conditions for lease treatment of convicts, forfeiture of lease, highest and best bid to be accepted, and that a bond in the amount of fifty thousand dollars be furnished by the lessees.²⁸ By July 16, 1866, the convicts were leased to J. L. Hyatt

²⁷Tennessee, Public Acts, 1866. p. 48.

²⁸Ibid.

and C. M. Briggs, Nashville furniture manufacturers, for a four-year period. The lessees, who immediately built workshops on the prison grounds, agreed to furnish suitable food and clothing for the convicts, and to pay the state forty-three cents per day for each man.²⁹ Shortly afterwards on July 24, 1866, after considerable debate, Tennessee became the first Confederate state to be readmitted to the Union. The remainder of 1866 found two committees being appointed to investigate officers of the prison, contracts and all matters pertaining to management of the institution.

From 1866 to 1871, there were problems with prison labor; mechanical work in competition with free world work, and too many escapes from prison railroad work.

During 1867 some inmates protested loudly and others refused to work; finally, in June they burned the workshops.³⁰ This disastrous fire destroyed buildings, raw materials and finished products at a cost of \$75,000. The loss naturally rendered an already precarious situation more unstable. Finally in July 1869, due to many difficulties, the contract was terminated. Monies were appropriated on November 19, 1867, in the amount of \$36,000 to pay for fire damages that occurred in June. Also during this year the law makers required that the warden furnish

²⁹Folmsbee, op. cit., p. 165.

³⁰Committee Report.

the Legislature with a listing of all inmates by name, length of sentence and crime.

On July 27, 1868, a message by Governor William G. Brownlow called attention to the fact that overcrowded conditions prevailed and recommended a branch of the penitentiary in East Tennessee. At about the same time the Legislature requested a report of penitentiary conditions and problems, and also requested to know if the lessees had provided bond in the amount of \$50,000, as required.³¹ By February 5, 1870, an Act of settlement with lessees had been approved, and inmates were leased to private companies as laborers. Inmates could be worked within or outside the penitentiary walls. The first lease Act, May 12, 1866, was repealed. During this year \$73,516.36 was appropriated by a Legislative Act for payment of accounts due from the penitentiary.³²

In June 1870, property north to Cedar Street was to be sold and the proceeds applied to support of the penitentiary. On February 2, 1871, improvements and extension for a new wall and a dry house were directed. It was during that year that all prison labor was in coal mines.

During the year 1871, there were many convicts working on Tennessee's railroads. The nature of this type work naturally created increased difficulty in guarding the inmates. During one year 257

³¹Tennessee, Public Acts, 1868, p. 12.

³²Tennessee, Public Acts, 1870. p. 137.

inmates made good in their escapes from farms and railroads. This type prison employment was subsequently discontinued.

By the year 1875, the rapid growth of Nashville had encompassed the prison and its grounds. Tennessee's main prison was no longer in the country and problems were developing daily with the citizens of Nashville. The prison was filled and overcrowded with murderers, robbers and thieves. By the year 1880 there were over 1200 convicts in the main prison. In 1883 a law was introduced under Governor William B. Bate limiting the number of convicts in the prison to 550 men. However, the House Journal of 1889, reports concerning the main penitentiary, indicated that it housed 591 inmates who were well supplied, and had no complaints. The cells were described as too small and badly ventilated. There were two or three men in each cell. At this time there were 150 convicts at Coal Creek, 298 at Inman, and 352 at Tracy City.³³

During the period following 1870 for about twenty years the state profited so greatly from the lease system, that despite objections, the system was renewed. The state did have a clause in the contract which gave the state the right to repossess inmates after a sixty-day notice in the event a new prison was constructed.

³³Committee Report.

Around 1875, it was a rather usual thing to hear the penitentiary called the "State University," for it was the only higher institution of learning upon which the state was expending any money.³⁴

Youthful offenders were housed with adult criminals until 1887. At that time Colonel Edmond W. Cole provided monies for the establishment of a reformatory for young offenders. This facility was later to be known as the Tennessee Industrial School. Facilities at the new institution were limited and some youthful offenders were to remain housed in the main prison.

Tennessee continued to lease inmates. In 1889, the state leased the convicts in the penitentiary to the Tennessee Coal, Iron and Railroad Company for a period of six years. Permission was given to this company to sub-lease the convicts for work in various mines and guards were employed by the lessees to prevent the escape of the inmates.³⁵ The miners were much incensed at this lease and complained of it bitterly.³⁶

³⁴White, op. cit., p. 487.

³⁵John Trotwood Moore and Austin P. Foster, Tennessee The Volunteer State, 1769-1923 (Nashville, Tennessee: The S. J. Clark Publishing Company, 1923), p. 572.

³⁶William Robertson Garrett and Albert Virgil Goodpasture, History of Tennessee (Nashville, Tennessee: Brandon Printing Co., 1900), p. 274.

Chapter 5

CHANGING TIMES AND A MOVE FOR A NEW PRISON

The changing American social scene caused by a nation in transition forced the State of Tennessee to seek a new approach for its prison. There were attempts by groups to force--through legislative enactment or through moral suasion--the relocation of the prison.

When the move was initiated to relocate the main penitentiary to its present location, the real estate agents of Nashville (F. R. Cheatham, J. H. Yarbrough, Thomas Callender and C. F. Sharpe) estimated that the real estate, after removal of buildings, would bring the sum of not less than fifty thousand dollars. An architect estimated that the old building materials would bring the sum of ten thousand dollars.

The Committee on Removal of State Prison, as a part of its actions, reported of the dangers of the present prison to the lives, health and comfort of the inmates, and also the sanitary conditions of the state and city of Nashville. As a result of the Committee's actions the Nashville Academy of Medicine and Surgery gave its recommendation for relocating the penitentiary.¹

¹Committee Report.

This Committee recommended the penitentiary remain within Davidson County, but should be in such a direction that the Nashville city limits would not reach it. They felt the main penitentiary should be in the geographical center of the state and near the state capital. They also envisioned branch prisons eventually to be located throughout the state.²

It was estimated that the proposed new main penitentiary could be erected for between five and six hundred thousand dollars, and take four to five years to complete. The Committee felt that the lessees, which was bringing in an estimated \$100,000 annually, would pay for most of the new prison.

The Tennessee State Comptroller, J. W. Allen, estimated that a one mill increase in property tax would bring in \$290,000 per year. With two years at this rate, plus the selling price of the old prison, adequate funding would be available for a \$600,000 prison.

The Warden at that time had visited many prisons throughout the United States and reported that by far Tennessee was the poorest that he had seen anywhere.³

J. A. Cartwright, J. B. Richardson, W. M. Cassetty and T. M. Hurst composed the Committee, advised by Tennessee Senator

²Ibid.

³Ibid.

J. W. Sparks. There was also a similar Committee in Davidson County headed by A. B. Tavel.⁴

CONVICT LEASING PROBLEMS

The penitentiary suffered a major problem during 1891-1892 due to an insurrection by miners protesting the use of inmate labor in coal mines. The miners went so far as to place inmates on trains out of town, and this resulted in Governor John P. Buchanan calling out the state militia.

On July 20, 1891, a second revolt broke out and this time Governor Buchanan not only accepted their resolution, but promised to call a special session of the Legislature to consider their grievances. The Legislature did nothing and a third uprising occurred in October, 1891. At this time inmates were released and the stockades burned. In the end the miners had placed the inmates on trains and they were taken out of town. Later the inmates were returned to the prison in Nashville. The stockades were ultimately rebuilt and the convicts returned with the help of the Tennessee militia.

This uprising cost the state \$250,000, plus \$12,000 for recapturing released convicts.

The General Assembly during Governor Peter Turney's administration abolished the convict lease system and authorized the

⁴Ibid.

purchase of land for a new penitentiary, which is the present site.

Early in his administration Governor Turney dismissed the State militia from active service in the mining districts.⁵ On April 4, 1893, Governor Turney approved the final Act of the Legislature, providing for erection of a new penitentiary, with workshops and stockade.⁶

In 1884, nine thousand acres of mining lands were purchased in Morgan County, known as the Brushy Mountain tract. Upon this tract was erected a new branch prison, which was completed on January 1, 1896.⁷

By the year 1895, less than half of the states inmate population was housed at the main prison in Nashville. The inmates were allocated as follows:

Coal Creek	132
Margrave Springs	189
Monterey	120
Rockwood	98
Brushy Mountain	75
Tracy City	611
Main Prison	450
Females	47

Also, during 1895 a permanent Prison Commission was created.⁸ On January 1, 1896, the contract by which the convicts were leased to the

⁵William Robertson Garrett and Virgil Goodpasture, History of Tennessee (Nashville, Tennessee: Brandon Printing Co., 1900), p. 277.

⁶John Trotwood Moore and Austin P. Foster, Tennessee The Volunteer State (Nashville, Tennessee: Clark Publishing Co., 1932), p. 580.

⁷Garrett, op. cit., p. 277.

⁸Ibid.

Tennessee Coal, Iron and Railroad Company expired, and the state was free to adopt a more humane policy.⁹

CLOSING OF A CENTURY AND A PRISON

While all idealistic reforms and programs could not be adopted, the direction for change had been established. As the Nineteenth Century drew to a close, the move for a new prison had been sparked by a new feeling of vigor and energy.

Management of the prison was inadequate and inmates were being sold at 40 cents per day to work the farm of W. H. Jackson of Nashville.¹⁰ It was time for a change.

In line with a 1895 report concerning mis-management and the proposal for a new prison, the New York Times of March 21, 1895, reported an alleged scandal. In connection with the penitentiary investigation it was shown that the Board of Penitentiary Commissioners purchased a piece of real estate near Nashville the previous year as the site for a new penitentiary, and advertised bids for the structure. There was a charge of scandal in the deal. This caused the appointment of a committee. The committee was furnished testimony tending to

⁹Moore, op. cit., p. 581.

¹⁰State of Tennessee, Joint Investigation Committee of Penitentiary Affairs, April 25, 1895.

show that terms of bids for erection were designed to preclude contractors within the state.¹¹

Nevertheless, the situation was resolved and decisive plans for the new penitentiary were finalized. The new facility was to be situated 7 miles west of Nashville's central business district.

What was officially titled the "Main Prison of the State" was declared completed on February 12, 1898. The old penitentiary had still to be used until June 1, of that year, mainly because certain factories had not been built in the new penitentiary.¹²

Thus, the old prison, born in 1831, was officially closed after serving the State of Tennessee for sixty-seven years.

¹¹New York Times, March 21, 1895.

¹²Philip M. Hamer, Tennessee A History 1673-1932, Vol. II (New York: The American Historical Society, Inc., 1933), p. 744.

Chapter 6

DAWNING OF A NEW CENTURY AND PRISON

It stands like a medieval fortress with its domed towers, barred windows, and high stone walls, on nineteen acres of rocky ground in a wide bend of the Cumberland River west of Nashville, Tennessee.¹ This unique structure was the beginning of the second major advancement in the origin and development of Tennessee's main prison.

On February 25, 1899, Tennessee Law makers directed that the Penitentiary Commissioners were to be responsible for pardons of inmates. The body was to conduct an investigation on each applicant and return its findings to the Governor for his consideration within thirty days.² The board of Commissioners consisted of W. M. Nixon, Chairman; John H. Trice, Secretary; and A. J. McWhirter, member.³

There were 1508 inmates housed in the prison and its branches at that time. It was during that year, 1899, that the convict lease system brought to the treasury of Tennessee a net profit of \$83,483.90.

¹Horace Woodroof, Stone Wall College (Nashville, Tenn: Aurora Publishers, 1970), p. 5.

²Tennessee, Public Acts, 1899. p. 16.

³William Robertson Garrett and Albert Virgil Goodpasture, History of Tennessee (Nashville, Tenn: Brandon Printing Company, 1900), p. 284.

With the creation of a new facility Tennessee was now on the eve of modifying an old prison regime. This new concept was to begin with a completely new institution and ideas. Tennessee lawmakers were now cognizant of the fact that a new facility, as well as a new approach, was necessary.

Tennessee's prison was built with economy, security and isolation in mind; however, by 1900 the idea of gothic-style institutions was beginning to be discredited. The new prison was to follow the Pennsylvania and Auburn prison systems. The structure was patterned after the Wethersfield, Connecticut, prison, which was of the Auburn cell-block type. The facility was designed for three purposes: elimination of extended influences; provisions for work; and opportunity for penitence, and acquisition of religious knowledge. Tennessee was the thirtieth state to construct a maximum security prison in the United States. Two years later there were thirty-three such facilities in America. Tennessee, duplicating other States, had constructed her prison on the gothic-style.⁴

These great gothic-style monoliths were built in the belief that this type architecture, as a part of the total system, would aid in the restoration of prisoners.⁵

⁴ Harry E. Allen and Clifford E. Simonsen, Corrections in America (Beverly Hills, Calif: Glencoe Press, 1975), p. 143.

⁵ Ibid.

The new prison was situated on the south bank of the Cumberland River about seven miles west of the Davidson County Courthouse. The buildings were constructed of concrete and brick and basically fireproof. There were two wings to the prison with 400 cells in each wing. Each cell was about 6 X 8 X 8 feet. There were a few cells made larger, however.

The acreage where this unusual architecture was erected was purchased from Mr. Mark S. Cockrill, President of the West Nashville Land Company, on February 3, 1894. It was estimated that about twenty percent of the total cost of the prison was awarded to firms and contractors outside the state of Tennessee. Additionally the new prison farm cost \$75,000; the reservoir and pump \$7272.60; architectural services \$4724.60 and excavation and piping \$12,481.62,⁶ for a total cost of about \$598,975.00.

A NEW OPERATION BEGINS

The new facility was completed and inmates transferred from the old prison shortly thereafter. On February 12, 1898, the institution was formally occupied.⁷ Tennessee's old prison, which had been described as "the old vermin infested prison on Church Street," was

⁶Tennessee, Joint Investigation, Committee on Penitentiary Affairs Report, April 25, 1895.

⁷Garrett, op. cit., p. 282.

now closed. No longer were infants, prostitutes and hardened criminals thrown together in a "hell-hole," such as was the old institution. In some respects the prison was similar to that of a small city. There was a dairy, vegetable gardening, and work of all types. Among the industries was a laundry, a hosiery mill, shoe shop, a foundry, tobacco and soap factories.

A typical work schedule at the facility required the inmate to arise at 4:30 AM; breakfast at 5:30, and begin work at 6:30. They were allowed to break for lunch at 12:00 noon and to stop work at 5:00 PM. At 8:30 PM each man was locked in his cell for the remainder of the night.

An inspection of the prison by an official of the United States Government revealed that the new institution was comparable with the most modern prisons in the United States. The inspector was especially commendable of the heating, ventilating and plumbing systems.

When the new prison opened it housed: 377 white males; 985 black males; three white females, and 38 black females, a total of 1403 inmates. By December 1, 1900, there were 1744 inmates confined at the facility, 229 of which were federal prisoners. Of this total, 544 were white and 1200 black.⁸ Already it had been acknowledged by

⁸ Robert H. White, Messages of the Governors of Tennessee, Volumes I-VIII (Nashville, Tenn: The Tennessee Historical Commission, 1972), p. 121.

Warden M. H. Gammon that a new and larger institution was indispensable if Tennessee was to cope with this segment of society.⁹

Pursuant to the 1901 session of the State Legislature, the employment of inmates to work on railroads from the coal mines at Brushy Mountain to Nashville and intermediate points, was authorized.¹⁰

Effective April 14, 1903, the first real effort was made at improving the working conditions for prison guards. Governor James B. Frazier was authorized by the Tennessee General Assembly to grant up to five days sick leave and ten days vacation leave annually to all guard personnel at the prison.¹¹

The Legislative message of January 3, 1905, to the Fifty-Fourth General Assembly, concerning state affairs by Governor Frazier revealed that there were 1680 inmates confined in Tennessee's prison. It was also pointed out by Governor Frazier that management of the prison was creditable and that the present system used for conducting penitentiary business should be continued.¹²

During the year 1905, inmates released from the prison after serving their sentences were authorized to receive from one to five

⁹Tennessee, Biennial Report of the Warden of the Penitentiary, (Nashville, Tenn: Brandon Printing Company, 1899).

¹⁰Tennessee, Public Acts, 1901. p. 292.

¹¹Tennessee, Public Acts, 1903. p. 1240.

¹²White, op. cit., p. 293.

dollars. The amount was determined at the discretion of the prison commissioners. The mustering-out-payment did not apply to those inmates detained under federal charges.¹³

Factories at the new prison were built from materials salvaged from the old prison on Church Street. However, it took several years completely to dispose of the old institution and property. By 1905, the property, consisting of sixty-four lots, was sold to become McMillin Sub-Division. The lots were sold at public auction requiring terms of 20 percent cash with the balance paid over a period of one to five years at 5 percent interest. The Sub-Division was named in honor of Governor Benton McMillin. Today McMillin Street extends North-South between Church Street and Charlotte Avenue.¹⁴ The property netted \$40,866.00 over and above all disposal expenses.¹⁵

Governor John Isaac Cox reported on January 7, 1907, in his Legislative message that during his tenure he had found four boys under the age of sixteen; their ages ranging from eleven to fifteen, in the main prison. The Governor announced that he subsequently paroled the young people and placed them in suitable foster homes.¹⁶

¹³Tennessee, Public Acts, 1905. p. 1054.

¹⁴Ibid., p. 563.

¹⁵White, op. cit., p. 162.

¹⁶Ibid., p. 373.

Under Governor Malcolm R. Patterson, beginning on May 1, 1909, county sheriffs were required to move convicted criminals, who had been sentenced to death, from the counties where tried to the main prison. Executions from then on were to be carried out at the prison by the warden in strict privacy and seclusion. Prior to that time executions were open to the public and conducted in the county where the convicted individuals had been tried.¹⁷

¹⁷Tennessee, Public Acts, 1909. p. 1810.

Chapter 7

THE FIRST FORTY YEARS

The dawning of the Twentieth Century saw a good deal of prison reform, not only in Tennessee, but across the nation. This was an age of bigness and expansion. There were ample opportunities for potential criminals and ultimately a need for more confinement facilities. The decades that followed were full of bright hopes for the prison inmates. Compassionate efforts and humane treatment were beginning slowly to emerge.

While Tom C. Rye was governor the Legislature authorized a matron to be employed at the prison for a four year term. She was to be paid \$600.00 per annum, receiving her compensation in equal monthly payments.¹ By 1915 the death penalty was abolished for all crimes in Tennessee except rape, for which it was retained. In 1919, however, the death penalty was restored. It was in 1919 that the General Assembly authorized Governor Rye to employ a dentist for the prison inmates. The institution was required to provide a suitable room for the dentist with all the necessary furnishings and equipment.²

¹Tennessee, Public Acts, 1915, p. 62.

²Tennessee, Code Annotated, 4-620. p. 310.

During the 1920s, while A. A. McCorle was warden, the prison was referred to as the "old red top" because of its sloping red tile roof. Also during this period a State Board of Control was appointed to manage institutions. This was later changed to State Board Administration, and in 1921 was changed to the State Department of Institutions, under Commissioner Lewis S. Pope. During this same year the Shelby County Penal Farm was founded and utilized for minimum security inmates. A major improvement during this period was the creation of the Industrial Division, which was to manufacture goods for state institutions at a minimal cost.

By now the prison, being operated under the supervision of Warden A. W. Neeley, was thirty years old and was being described as "unsanitary." Assignments of inmates to cells were made after a hasty and incomplete physical examination. There were no mental health services, no psychologist nor psychiatrist on the prison staff. A plan for reforming the inmate did not exist and hardly any attention given to educational activities, other than what the Chaplain was able to provide.

During 1932 Warden James E. Harris replaced A. W. Neeley. At that time the institution housed 2034 inmates, many of whom were no doubt incarcerated as a result of the great depression hardships. It was also at this time when a Bureau of Identification was established. An inventory disclosed a total of 9,111 fingerprint cards, 4615 of which were new records, being retained at the institution. Warden Harris began to classify and file these records and provide a copy of each

and every inmate's record to the National Bureau in Washington, D. C.

Between 1930 and 1934 the prison experienced leadership under three different wardens--A. A. McCorle, A. W. Neeley and James E. Harris. Also during this period there were sixteen death sentences executed under civil authority at the prison.³

In 1935 the Tennessee Taxpayers Association conducted an investigation to determine the financial results of inmate labor and its impact upon the private sector. It was the general recommendations of this investigative body that products generated with inmate labor be restricted to governmental units within Tennessee and that eventually prison industries provide all the needs for this market.⁴

Until 1937 the State of Tennessee had operated a private contract industrial system at the prison. At that time Warden Joe W. Pope was confronted with a prison in total idleness as a result of discontinuation of the contract system. The prison had approximately 1800 inmates left idle, after regular housekeeping details were filled. This was a sizable number of idle persons to be confined behind a wall. The effect upon prison industries was sudden and very disruptive. The activities

³United States Department of Justice, Capital Punishment Report (Washington, D. C.: Government Printing Office, 1975).

⁴Tennessee Taxpayers Association, Special Research Report on Prison Industries of the Department of Institutions (Nashville, Tennessee: Tennessee Taxpayers Association, March 1935).

of the total prison population were violently affected.⁵

During 1937 a survey of Tennessee's prison conditions conducted as a result of the Ashurst-Sumners Act,⁶ which essentially halted interstate transport of prison products, revealed a number of recommendations for improvements and upgrading the prison. First among the recommendations was that a state law be passed requiring inmate produced products be purchased by tax supported institutions and agencies in Tennessee. Other suggestions contained in the final report involved the creation of forestry camps, expanded farming and that an incoming classification and educational staff be added to the prison staff. It was the general recommendation of the committee, consisting of Louis N. Robinson, Joseph N. Ulman, Gustav Peck, James P. Davis and Linton M. Collins, that the prison system required a complete modernization in every phase.⁷

Persuaded by recent events law makers decided that a new attack was in order to prevent total idleness. New legislation was immediately sought and a new system of prison industries projected.⁸

⁵Stanley Johnson. Tennessee Citizenship (New York: Johnson Publishing Company, 1939), p. 228.

⁶United States Congress, Ashurst-Sumner Act, Chapter 412.

⁷Report to the President of the United States, The Prison Labor Problem in Tennessee (Nashville, Tennessee: Office of the Governor, March 31, 1937).

⁸Johnson, op. cit., p. 229.

Obviously some prison officials felt that a change in emphasis upon prison industries could cause a new direction and create a much needed factor for inmate rehabilitation. Even though early day prison administrators did not totally believe in rehabilitation, there were some minute efforts made in that direction. Perhaps the next major innovation in the prison administration came when it was clear that the old way of prison life--idleness--would not work.

It was at that time when the Legislature authorized a bond issue of \$1,500,000, the proceeds of which were to be used in the installation of new industries at the prison, the purchase of additional farm lands for truck and general farm crops, and new buildings to be constructed. A committee consisting of the Governor, Commissioner of Institutions and Public Welfare, State Attorney General, Treasurer and Purchasing Agent, was established to superintend the bond issue. This led to the Tennessee State Industries being created with the following plants:

Metal Work Industry	Woolen Mill
Shoe Industry	Knitting and Clothing
Soap Industry	Tobacco Industry
Paint Shop	Woodwork Plant
Cotton Mill	Mattress Plant

These facilities employed between 500 and 600 inmates, making products for the state, cities and counties throughout Tennessee. At the same time inmates were being taught useful trades. The industries were housed in buildings outside the prison in facilities formerly used by private organizations. The only exception was one new building

constructed by Public Works Administration funds, which housed the shoe industry.

A board of Pardons and Parole was established, with members to be appointed by Governor Gordon Browning. The Commissioner of Institutions, George H. Cate, was designated as chairman of the board. Shortly after assuming office Governor Browning officially opened the Fort Pillow State Prison in West Tennessee to house an overflow of inmates from the main prison.

Tennessee, like other states with prison industries, was now in effect exploiting the available free labor for the sole purpose of perpetuating the institution itself. When the factory production system was introduced into the Tennessee prison, and the latter began to show actual profits from their output, the Tennessee Law makers were quickly convinced that prison industry was a sound investment and operation.

The prison was also utilizing inmates for prison construction. In 1939 a new service building was completed entirely by inmate labor. This provided a main kitchen, dining rooms and cold storage plant on the ground floor. On the second floor there was a 1600 seat auditorium, library and school classrooms.

An annual report in 1939 revealed that there were 1738 inmates at the prison occupying a facility built for 1080 prisoners. One section intended for 82 persons was occupied by 252 individuals. Eighty were housed in a room planned for reading and recreation. Ten cells built

for 24 inmates contained 80 persons. Instead of 364 cubic feet of air space, considered proper for each man in a cell, not half this amount was available.⁹

Between 1935 and 1939 executions under civil authority at the prison almost doubled. During the four-year period 31 inmates received the death sentence.¹⁰

For a period around 1939 there was a newspaper published by inmates at the prison called "Jeep." This was a monthly periodical and was serving the prison population while Thomas Gore was warden and Andrew Taylor served as Commissioner of Institutions.

PERIOD THROUGH WORLD WAR II

Inmates were now able to view motion picture shows. During October and November 1941, moving picture shows for inmates at the prison were: Here Comes the Navy, Christmas in July, The Wagons Roll at Night, Affectionately Yours and Quarterback.¹¹

According to "The Scrap Book," an unofficial newspaper, dated October 1941, a Classification Bureau was established at the prison.

⁹Ibid., p. 215.

¹⁰Capital Punishment, op. cit.

¹¹Tennessee State Library and Archives. The Scrap Book (Tennessee State Penitentiary, October 1941).

The bureau obtained Mr. Carl Basland of the Texas Prison System, to set up the bureau and direct the training and initial operation.¹²

In October 1941, the prison population was standing at 1575, including 26 white females and 81 black females.

Probably one of the most significant developments at the prison during the 1940's occurred when the prison had its first formal education facilities and staff for inmates implemented. Prior to this achievement Chaplain Pickens Johnson, who used inmates for teachers, taught some basic reading and arithmetic. A library, with two librarians, was soon added, and the inmates had a reasonably good supply of books and magazines provided.

By now prison guards were attired in uniforms. This was a first in the prison's history. They were made at the prison by inmates. Also, custodians could not bear side-arms inside the wall. This practice was adopted for safety and practical reasons.

The prison was now operating a 3600 acre farm which produced a large part of the food stuffs. It was providing all of the beef and pork fed at the facility. By the 1940's the prison was able to can 40,000 to 50,000 cans of fruit and vegetables each year. The Cumberland River forms the farm boundary along 3/4 of its total perimeter.

During this decade the hospital was improved and considered a first class prison medical facility. The improvement included a

¹²Ibid.

\$60,000 tubercular unit as a part of the upgrading. Other changes to come about during this period were: A Board of Prison Commissioners was created, a behavior grading system was initiated at the prison, suspension by the thumbs was discontinued as a means of punishment, a parole system was established, and indeterminate sentences were authorized. Also a new power plant was completed in 1941 to provide all the steam and electricity required to operate and maintain the institution. Also during World War II years some private industry began using inmate labor for war production.

Under Governor Prentice Cooper in 1944 the inmates were allowed to create a newspaper called "Inside News" which provided many newsworthy items. These included facts about school activities, religious services and institutional functions. The June, 1944 issue was dedicated to prison employees who had been called into the armed services. Also there was a short article concerning war bonds which stated: "Inmates bought war bonds and stamps in eagerness--they do not desire to give up their way of life even though they may have lost their freedom for a while." During World War II years executions at the prison declined to 19, one of which was a federal execution. The next four years--1945-1949 revealed that 18 executions were carried out at the prison.¹³

¹³Capital Punishment, op. cit.

Perhaps the first major development came about in 1949, when a law was passed by the General Assembly that required the warden at the prison to segregate all first offenders by transferring them to Fort Pillow State Prison or elsewhere, as the law reads. The warden was directed by the Legislative body to prepare a written report upon receiving any first offender at the institution.¹⁴ John M. Harwood, who was superintending the prison at that time, was the first warden to initiate this procedure.

¹⁴Tennessee, Public Acts, 1949. p. 858.

Chapter 8

THE FIFTIES AND BEYOND

On January 20, 1953, the prison admitted the oldest inmate in history. This was Sam Brown, age 83, who had been convicted of stabbing a bus driver to death. Sam Brown's only request of Warden James Edwards was to have a cap to keep his head warm.¹ In February 1953, Charles W. Crow, presently the Mayor of Clarksville, Tennessee, was appointed as Executive Secretary to the Tennessee Prison Pardon and Parole Board.² Shortly after Frank G. Clement became governor the inmate population began publishing a newspaper called "The Inside Story." In 1953 the building that formerly housed female inmates and the hospital ward was razed. Two hundred thousand dollars was appropriated to construct a new facility. Also during this year the prison library received an appropriation of \$1000.00 for the purchase of books. This was the first time monies had been specifically provided from state funds to meet the inmates' library needs.

During the month of August 1954, there were 1520 inmates confined at the prison. On November 20, 1954, Western movie star

¹Tennessee State Library and Archives. Inside Story (Tennessee State Penitentiary, February 1953).

²Ibid.

Gene Autry appeared at the prison for a ninety minute show. In 1954 under Governor Clement the first move was made to establish a Department of Corrections in Tennessee. The next year an Inmate Classification System was created, followed in 1958 by erection of a Maximum Security Section where the electric chair was situated.

During the three decades between 1930 and 1960 there were 93 inmates executed at the prison. They consisted of 27 white males and 66 black males. Of this total sixty-six were for murder and twenty-seven for rape. No females have ever been executed at the prison. Additionally there was one federal execution at the prison in 1943 for murder. Between 1950 and 1960 there was a total of nine executions at the prison. As of December 31, 1975, there were 14 inmates--eight white males and six black males--awaiting execution at the prison.

Again, under Governor Clement an improvement was initiated at the prison when a church and school building was opened to inmates in 1963. Also, the Board of Pardons and Parole was increased to five members, with the first Black person being appointed by Governor Clement. The year 1965 provided for another advancement, for this was the year that the Woman's prison was separated from the main prison and female inmates were relocated to a different location. The same year found the prison's elementary and high schools being established and accredited. The following year, 1966, an Intensive Treatment Center was established at the prison as a joint project of the Departments of Corrections and Education. A Correctional Rehabilitation

Center became a reality at the prison in 1967, operated jointly by the Departments of Corrections and Vocation.

In 1969 under Governor Buford Ellington, the prison was classified as a medium security facility and all maximum security risk inmates were transferred to Brushy Mountain State Prison.

The year 1970 was another milestone at the prison. The Rehabilitation Services Act of 1970 provided for work-release and a Psychiatric-Psychological Service was created. The Classification and Diagnostic Center was also expanded under Governor Ellington.³ This involved incoming felons being processed through a classification procedure and individual inmates assigned appropriately to the proper treatment and custody programs. During 1970, Liberty Institution, later changed to Turney Center, was established to receive the overflow of youthful offenders from the main prison. This was the fourth branch of the main prison to be established since its inception.

When Governor Winfield Dunn assumed office a Work Release Center was established at Chattanooga. The General Assembly also created a full-time professional Board of Pardons and Parole at that assembly. Prior to that time they were appointed, serving at the pleasure of the Governor on a part-time basis. Labor problems at Brushy Mountain State Prison in 1972 resulted in Governor Dunn closing

³Tennessee Department of Corrections. Annual Report
(Nashville, Tennessee: State Printing Office, October 17, 1975).

the institution and relocating those inmates in the main prison. At this time the main prison once again became a maximum security facility. The main prison was forced to accommodate the Brushy Mountain inmates until mid-1976, at which time re-opening of Brushy Mountain State Prison was completed. The prison population was reduced by some 400 inmates. Prior to this reassignment there were 2479 inmates housed at the main prison.

On December 20, 1976, under Governor Ray Blanton, plans for a regional prison at Nashville were revealed to reduce the overcrowded conditions at the main prison and to make further efforts at successful restoration of inmates. Prison officials disclosed that a move was underway to shift from a restrictive maximum security institution to smaller regional prisons, with greater emphasis on rehabilitation.⁴

The most recent major development affecting inmates in Tennessee was in January 1977, when Governor Blanton commuted the death sentences of all those inmates scheduled for execution to life imprisonment.

⁴Nashville Tennessean, December 21, 1976, p. 19.

Chapter 9

SUMMARY

It would appear that the Tennessee State Penitentiary was a step-child among Tennessee's governmental agencies, under-financed and politically manipulated. The needs and problems of the early Tennessee State Penitentiary inmates attracted little public support and there was literally a wall of misunderstanding separating the Tennessee State Penitentiary and the community.

The Tennessee State Penitentiary administrator was most likely judged by the prison production record and the small number of escapes, not by the number of successful rehabilitations. Perhaps if strict disciplinarians were allowed to superintend Tennessee's prisons today, as they were during the 1800's, there would be a reduction of crime in America and cost reduction to the taxpayers to operate prisons.

In retrospect it would appear that the Tennessee Prison was, to say the least, mediocre until the 1895 Joint Legislative Investigation of Penitentiary Affairs. This probe into the institution's operation was really the birth of the present Main Prison. The Legislative review caused a significant development when action was initiated to relocate the original prison from within the town to the suburbs of Nashville.

Elam Lynds, who some have considered to be the father of the penitentiary system in America reported in 1831 (the year Tennessee's first prison was opened) that he had witnessed abuse in prisons for ten years. He described the system then, much the same as in 1977; the problems of expenses, prisoners losing their moral senses, disorder, obstacles in overcoming the state legislature and public opinion. Lynds felt that a prison administrator must be granted absolute authority.¹ Perhaps Lynds felt this way because he was described as a strict disciplinarian who thought all inmates were cowards and could not be reformed until their spirit was broken.²

When Lynds was asked a question in 1831 concerning the behavior of a prisoner after release, he gave this reply: "If one had to make a guess, I would say that a prisoner who behaved perfectly in prison would probably return to his old habits on leaving it. I have always found that the worst types made excellent prisoners; they are generally more adroit and clever than the others."³

One cannot generalize about prisons because they vary from state to state. Alexis de Tocqueville made this observation in 1833

¹Alexis Tocqueville, Journey to America (New York: Doubleday and Company, Inc., 1971), pp. 6-7.

²Harry E. Allen and Clifford E. Simonsen, Corrections in America (Beverly Hills, California: Glencoe Press, 1975), p. 46.

³Tocqueville, *op. cit.*, pp. 10-11.

regarding prisons, "that the several states preserve their individual independence, and each of them is sovereign master to rule itself according to its own pleasure. . . . By the side of one state, the penitentiary of which might serve as a model, we find another whose prison presents the example of everything which ought to be avoided."⁴ This was not only true in 1833, but has prevailed throughout the historical development of America's prisons.

In a report made on September 15, 1845, by Dr. John S. Young, a former Secretary of State, before the Commissioners of Public Buildings in reference to the Tennessee State Prison, he stated:

I am entirely skeptical on the subject of reforming convicts by teaching them mechanical trades; little or no good results from it. When the convict leaves the prison, he lays down his cap, and with it his trade. He looks back upon both as the badges of his disgrace, and the companions of his imprisonment; he aims to something else which he considers better than his trade, or returns to the re-commission of crime. The trade, in most instances, as I believe, serves to better qualify the villian without reforming the man. Those who would attempt the moral reformation of the felon must employ other means. They must bear in mind that three-fourths of those who are stained with crime can neither read nor write. The mind must be cultivated in order to produce those genial influences which are calculated to remove vicious inclinations and base propensities, and give place to proper sensibilities and corrected feelings, from which altered intentions and virtuous actions must spring.

⁴Allen, op. cit., p. 150.

Dr. Young's remarks, in many respects, are as pertinent in 1977 as they were in 1845.⁵

Various studies over the years have frequently shown that the large adult prison operated by the state is the least effective way to rehabilitate and reintegrate offenders. Despite findings to this effect, in the 1920s, the 30s, the 60s and again in the 70s the building and filling of maximum security prisons has continued.⁶

Harry E. Allen, in Corrections in America, quotes early twentieth-century scholar and penologist Frank Tannenbaum: "We must destroy the prison, root and branch. That will not solve our problems, but it will be a good beginning. . . . Let us substitute something. Almost anything will be an improvement. It cannot be worse. It cannot be more brutal and useless."⁷ This, of course, will not be easy. Correctional programs are and always have been very unpopular because they mean more expenditures. Furthermore, the expenditures and efforts are being devoted to individuals who are feared and distrusted by the citizens of Tennessee.

At the beginning of 1976, there were 250,000 inmates in prisons

⁵Leroy P. Graf and Ralph W. Haskins, eds., The Papers of Andrew Johnson (Knoxville, Tennessee: The University of Tennessee Press, 1970), p. 198.

⁶Allen, op. cit., p. 155.

⁷Ibid., p. 160.

in the United States and experts anticipate an additional 127,000 by 1986. Therefore, Tennessee is not alone with her mounting prison population, coupled with a constant surge in cost. The problems found in most prisons are not new, for they have been evident throughout the entire history of prison management.

The Tennessee prison serves as management and disposition of offenders and ultimately is the end product of an interlocking criminal justice system. Fiscal management has always been a troublesome area of control within the Tennessee prison. It would appear that most wardens, at least in the distant past, had little experience in fiscal affairs, and consequently periodically there have been inquiries conducted into the management of the prison.

The prison tends to be a human catch-all for people problems not resolved elsewhere. Prison authorities must deal not only with the person as an offender, but in many instances as an alcoholic, a mentally or physically ill person, a drug addict and/or perhaps a sex deviant. Consequently prison inmates are as different from each other as people among the population of Tennessee. In 1957 it was estimated that two-thirds of the nation's inmates were breeding crime and going unchanged. They were going through the system not once, but more often two, three or more times.⁸

⁸E. R. Cass, "Prisons Breed Crime," The Nations. Vol. 184. Number 19 (May 11, 1957), pp. 410-411.

Today the inmate is housed for confinement and not for punishment. This, of course, requires total security, and necessitates that the prison be fully and totally self-sustained behind the wall.

Tennessee law makers, criminal justice officials and the chief executive must be cognizant of possible implications when overcrowding occurs. This situation could seriously undermine rehabilitation efforts and ultimately have a grim effect upon Tennessee society and her communities. New prisons will have to be built in Tennessee to relieve the population strain and to replace the ancient bastille that is so badly outdated.

The future may find Tennessee closing the main prison and making way for many smaller, more community orientated type facilities. In Minnesota there are tentative plans to close the 775-man state prison at Stillwater.⁹ Pennsylvania closed the old Eastern State Penitentiary, which was opened in 1829. In 1972, the California Department of Corrections announced the phasing out of the California State Prison at San Quentin and the California State Prison at Folsom as soon as possible.¹⁰

So the stage has been set and the trend is developing towards smaller institutions, which perhaps might be the answer for effective

⁹"The Crime Wave," Time, (June 30, 1975), pp. 10-22.

¹⁰Albert R. Roberts, Correctional Treatment of the Offender (Springfield, Illinois: Charles C. Thomas, Publisher, 1974), p. 318.

rehabilitation. The most recent efforts directed at Tennessee's prison system is the development of a five-year master plan. With the use of federal funds the Tennessee Department of Corrections will utilize the services of a consulting firm to identify existing conditions and capabilities within the correction system in order to determine cost-effective alternatives for the future. The end result of the master planning effort will be a clarification of correctional values and goals in the State of Tennessee. This clarification will provide a directional base from which the Department of Corrections, General Assembly and the Chief Executive can determine problems and decisions which will improve the total correctional process and system in the state.¹¹

Regardless of what has been done and what remains, many inmates are beyond rehabilitation. James Q. Wilson flatly states "I have not heard an intellectually respectable defense of criminal rehabilitation." According to Criminalologist Han Mattick, "The prisons have become largely drama schools which force people to act as if they were rehabilitated along stereotyped conventions."¹²

The role of the Tennessee prison is a dual one: treatment, or attempted rehabilitation of convicted offenders, is the major role while custody, or isolation from society, is the other. Obviously the latter

¹¹Tennessee Law Enforcement Planning Agency Newsletter, Face, Vol. 3, Number 2 (July 1976), p. 1.

¹²Time, op. cit.

does not require much thought, but as for rehabilitation, as we all know, many criminals do not respond to treatment, but require permanent isolation. Others, however, can be more useful in society caring for themselves and their families. Consequently there can be no wholesale solution for the Tennessee prison inmate. Each individual case must be treated as such--as an individual.

BIBLIOGRAPHY

Books

- Allen, Harry E. and Clifford E. Simonsen. Corrections in America. Beverly Hills, California: Glencoe Press, 1975.
- Alper, Benedict S. Prisons Inside-Out. Cambridge, Massachusetts: Ballinger Publishing Company, 1974.
- Barnes, Harry Elmer. The Story of Punishment. Montclair, New Jersey: Patterson-Smith, 1972.
- Barnes, Harry Elmer and Negley K. Teeters. New Horizons in Criminology. Englewood Cliffs, New Jersey: Prentice-Hall, 1959.
- Bopp, William J. Police Administration--The Planning of Jail Facilities. Boston: Holbrook Press, Inc., 1975.
- Crew, H. W. History of Nashville. Nashville, Tennessee: Methodist Episcopal Church, 1890.
- Eastman, George D. and Ester M. Eastman. Municipal Police Administration. Washington, D. C.: International City Managers Association, 1971.
- Felkenes, George T. The Criminal Justice System. Englewood Cliffs, New Jersey: Prentice-Hall, Inc., 1973.
- Folmsbee, Stanley J., Robert E. Corlew and Enoch L. Mitchell. History of Tennessee, Vol. I and II. New York: Lewis Historical Publishing Company, Inc., 1960.
- Folmsbee, Stanley J., Robert E. Corlew and Enoch L. Mitchell. Tennessee A Short History. Knoxville, Tennessee: University of Tennessee Press, 1969.
- Garrett, William Robertson and Albert Virgil Goodpasture. History of Tennessee. Nashville, Tennessee: Brandon Printing Company, 1900.

- Graf, Leroy P. and Ralph W. Haskins, eds. The Papers of Andrew Johnson, Vol. II. Knoxville, Tennessee: The University of Tennessee Press, 1970.
- Hamer, Philip M. Tennessee A History 1673-1932. New York: The American Historical Society, Inc., 1933.
- Hopkins, G. M. Atlas of the City of Nashville. Philadelphia, Pennsylvania: G. M. Hopkins, 1878.
- Johnson, Norman. The Human Cage: A Brief History of Prison Architecture. New York: Walker and Company, 1973.
- Johnson, Stanley. Tennessee Citizenship. New York: Johnson Publishers, 1939.
- Mitford, Jessica. Kind and Unusual Punishment. New York: Alfred A. Knopf, 1973.
- Moore, John Trotwood and Austin P. Foster. Tennessee The Volunteer State, 1769-1923. Nashville, Tennessee: The S. J. Clark Publishing Company, 1923.
- Roberts, Albert R. Correctional Treatment of Offenders. Springfield, Illinois: Charles C. Thomas, Publisher, 1974.
- Rothman, David J. The Discovery of the Asylum-Social Order and Disorder in the New Republic. Boston: Little, Brown and Company, 1971.
- Sutherland, Edwin H. and Donald R. Cressey. Principles of Criminology. New York: J. P. Lippincott, 1966.
- Tocqueville, Alexis. Journey to America. New York: Doubleday and Company, Inc., 1971.
- Vetter, Harold J. and Clifford E. Simonsen. Criminal Justice in America. Philadelphia, Pennsylvania: W. W. Saunders, 1976.
- White, Robert H. Messages of the Governors of Tennessee, Vol. I-VIII. Nashville, Tennessee: The Tennessee Historical Commission, 1972.
- White, Robert H. Tennessee Its Growth and Progress. Kingsport, Tennessee: Kingsport Press, Inc., 1936.

Woodroff, Horace. Stone Wall College. Nashville, Tennessee: Aurora Publishers, 1970.

Other Publications

Abbott, Edith. "The Civil War and the Crime Wave" Social Service Review, June 1927, pp. 212-234.

Cass, E. R. "Prisons Breed Crime" The Nations, May 11, 1957, pp. 410-411.

Crowe, Jesse Crawford "Origin and Development of Tennessee Prison Problems" Tennessee Historical Quarterly Vol. XV, 1956, pp. 111-135.

Hutson, A. C. "The Coal Miner's Insurrection of 1891 in Anderson County" The East Tennessee Historical Society Publication Vol. VII, 1935, pp. 103-121.

Hutson, A. C. "The Overthrow of the Convict Lease System in Tennessee" The East Tennessee Historical Society Publication, Vol. VIII, 1936, pp. 82-103.

Keith-Lucas, Alan. "Howard, John" The World Book Encyclopedia Vol. VIII, p. 366.

Nashville Tennessean, December 21, 1976.

New York Times, March 21, 1895.

"The Crime Wave," Time, June 30, 1975, pp. 10-22.

White, Charles P. "Early Experiments with Prison Labor in Tennessee" The East Tennessee Historical Society Publication, Vol. XII, 1940, pp. 45-57.

Governmental And Quasi-Governmental Documents

Gore, Thomas P. Tennessee State Penitentiary History, unpublished, 1939, Tennessee State Library and Archives.

National Advisory Commission on Criminal Justice Standards and Goals, Corrections. Washington, D. C.: Government Printing Office, 1973.

Norman, Lee. A History of the Tennessee State Prison, unpublished training document, Tennessee State Penitentiary, Nashville, Tennessee.

Register of Deeds, Book X, Page 374. Office of the Davidson County Register, Nashville, Tennessee.

Report to the President of the United States. The Prison Labor Problem in Tennessee, Office of the Governor, State of Tennessee, March 31, 1937.

State of Tennessee, Biennial Report of the Warden of the Penitentiary. Nashville, Tennessee: Brandon Printing Company, 1899.

State of Tennessee, Blue Book Series, 1921-1976.

State of Tennessee, Code Annotated.

State of Tennessee, Constitution.

State of Tennessee, Department of Corrections. Minimum Standards for Local Correctional Facilities. Nashville, Tennessee: State Printing Office, 1975.

State of Tennessee, Department of Corrections. Annual Report. Nashville, Tennessee: State Printing Office, October 17, 1975.

State of Tennessee, Department of Institutions. Biennial Report. Nashville, Tennessee: Industrial School Printing Office, 1932.

State of Tennessee, Legislative body. Joint Investigation Committee on Penitentiary Affairs, April 25, 1895.

State of Tennessee, Law Enforcement Planning Agency. Newsletter Pace, Vol. III, Number 2, July 1976.

State of Tennessee, Public Acts.

State of Tennessee, Library and Archives. Inside Story. Nashville, Tennessee: State Penitentiary, February 1953.

State of Tennessee, Library and Archives. The Scrap Book. Nashville, Tennessee: State Penitentiary, October 1941.

State of Tennessee, Library and Archives. A History of the Tennessee State Prison. (Mimeographed).

Tennessee Historical Society. Report of the Committee on the Removal of the Penitentiary. Commercial Club of Nashville, Tennessee, November 22, 1890.

Tennessee Taxpayers Association. Special Research Report on Prison Industries of the Department of Institutions. Nashville, Tennessee, March 1935.

The President's Commission on Law Enforcement and Administration of Justice, Task Force Report: Corrections. Washington, D.C.: Government Printing Office, 1967.

The President's Commission on Law Enforcement and Administration of Justice, The Challenge of Crime in a Free Society. Washington, D. C.: Government Printing Office, 1967.

United States Congress. Ashurst-Sumner Act, Chapter 412, July 24, 1935.

United States Congress. Hawes-Cooper Act, Chapter 79, January 19, 1929.

United States Department of Justice. Capital Punishment Report. Washington, D. C.: Government Printing Office, 1975.

United States Department of Justice, Office of the Law Enforcement Assistance Administration. Capital Punishment National Prisoner Statistics Bulletin. Washington, D. C.: Government Printing Office, 1974.