Second-Class Prisoners

When the territorial prison was established at Deer Lodge in 1871, no thought was given about where women inmates would be housed. Between 1871 and 1889 only two women were incarcerated at the prison. Both women were in their 20’s and from Missoula County, and had been convicted of manslaughter and murder. These women were separated from the men by housing them on the third floor of the Federal Building. Anyone under the age of 18 sent to the prison in Deer Lodge from 1871 to 1889 was also housed in this area.

The first woman to serve a prison sentence in Deer Lodge was Felicite Sanchez. She was convicted of manslaughter and sentenced to three years. Deputy Sheriff Thomas K. Andrew was the man responsible for delivering her to the prison. According to a short column from the December 6th 1878 issue of the “New North-West” newspaper, she made quite an impression on Warden Bolkin when she arrived. Once in the office she made herself comfortable, sitting down with her feet propped up on the stove, she skillfully rolled a cigarette and “smoked with manifest enjoyment.” Apparently, Warden Bolkin was so embarrassed and shocked by this behavior, that it took him about 30 minutes to compose himself to write to the deputy a recite stating that custody of the inmate was turned over to the prison.

The next matter of protocol was to search the woman for weapons and contraband. The article stated, “After mature reflection, this was not regarded as a practicable proceeding and Felicite was taken to her narrow apartment.” Three guards also quit their jobs after Sanchez’s arrival.

Most women that served sentences at the Deer Lodge prison from 1878 to 1910 were between 20 to 39 years old. Nine were ages 16 to 19. Five ranged in age from 40 to 59. The ages of two others were not listed. The grand total of female inmates during this 32-year period was 63, and their average sentence was 2.7 years.

From 1911 to 1943, 126 women were sent to the prison, and again most were in their 20’s. However, the youngest woman at the prison during this time span was only 15 (currently, her name is unknown.) She was sentenced to life in prison for the crime of “luring a man to his death.” Other crimes that were committed by females were grand larceny, assault, burglary, forgery, bigamy, robbery and arson.
The first area built to separately house the women who committed these various crimes was built in 1889 and used until 1895. This was a small 18 by 24 foot building that was inside the prison wall.

The next building that served as the women's quarters was slightly larger, and on the west side of the prison yard. This was used from 1895 until about 1907. Either in 1907 or 1908 (official records are not clear on the date) the women were moved to a building outside of the main wall. This building still exists and was used as the women's prison until 1959.

In 1931, a prison inspection committee was unsatisfied with the conditions the women were housed in. They described the building, and the smaller security walls around it, as a rotting shell. The committee recommended the prison stop using the building to house inmates, but the advice was ignored by the prison administration. The women were eventually moved out of the area, but not because of the poor conditions. The administration wanted the building to house the maximum-security inmates after a prison riot in 1959. (This area remained in use until the site closed in 1979.)

There were other areas around the prison complex that the women called home. One location was over the warden's garage (behind his house) from 1959 to 1963. The old laundry building was used from 1963 to 1966. Next on the list was the basement of the guards' quarters, utilized from 1966 to 1970. The women were also housed at Warms Springs (the site of the State mental hospital) and various out-of-State prisons between 1970 and 1977.

The women's prison was officially moved away from Deer Lodge in 1977. Between the years of 1977 and 1982, the Missoula and Billings Life Skills Training Center, out-of-State prisons in California, West Virginia, and Nebraska, and county jails in Missoula, Powell, Gallatin, and Lake counties were all used to house Montana's female inmates.

Finally, during the 1981 legislative session, funding to house 41 women offenders was budgeted for. At the time there were 37 women serving prison sentences. The State chose a vacant nurses' dormitory on the Warm Springs State Hospital campus as a temporary site. This building served as the women's prison until the mid 1990's when the women were moved to the new facility in Billings, Montana. This location still operates as the Montana Women's Prison.

Currently, the Montana Women's Prison houses about 150 adult female offenders and has partial responsibility for 245 more. There are educational, vocational and parenting programs that inmates can take part in. Volunteers staff the parenting program, where women learn prenatal skills, infant care, adolescent behavior and more.
The volunteers also assist at the hospital when inmates give birth.¹

For over a century, women inmates were housed and cared for in an inferior manner in comparison to their male counterparts. There was no permanent facility for women other than the structure built at the location of the men's prison from 1889 to 1959. From 1907 until 1959 the women didn't have access to indoor plumbing in the women's section of the prison. Fortunately, conditions have improved and more programs are made available to women inmates. Since the construction of the women's prison in Billings, they are no longer treated as second-class prisoners.

Bibliography


Second-Class Prisoners: Questions

Directions: Write a short answer to each question

1. How many buildings were specifically constructed for women prisoners on the site of the Old Prison Museum Complex?

2. List the different crimes that female inmates were convicted of.

3. Why was the women's prison moved in 1959?

4. Name the first female inmate housed at the prison in Deer Lodge?

5. What was her crime and sentence?

6. What year did the Montana Legislature pass a budget to fund a temporary women's prison, and where was it located?

7. List the different locations that women inmates were housed in from 1959 to 1982.
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<td>8. In what city is the current Montana Women's Prison located?</td>
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<td>9. What programs are offered to women in prison?</td>
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<tr>
<td>10. Name the warden of the Territorial Prison when the first female inmate was sent to Deer Lodge.</td>
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Frank Conley was born on February 28th, 1864 at Havre de Grace, Maryland and was the youngest of seven boys. As a young man he left his place of birth and found himself in Montana Territory. Conley ended up spending 35 years of his life at the prison in Deer Lodge, from 1886 until 1921. However, he did not serve a sentence for any criminal act. Conley was there because he wanted to be.

At age 22, Conley was an undersheriff in Custer County. He arrived in Deer Lodge in March of 1886. His task at the time was delivering Fred Choate, E.L. Hallenbeck, and Lincoln Lee to the penitentiary. These men had been convicted of assault, forgery, and grand larceny. Once the men had been turned over to the custody of the federal prison, Conley learned of a job opening as a guard. He took the position, beginning his legacy at Montana’s prison.

Four months after Montana was granted statehood on November 8, 1889, the federal government gave control of the prison in Deer Lodge to the new State. The first course of action for operating the prison was to create the State Board of Prison Commissioners. The members were the governor, secretary of state, and the attorney general.

The commissioners had a large problem to deal with. The new State had little money and the prison in Deer Lodge was in desperate need of structural improvement. The problem was made worse by the daily cost of housing the inmates. This had been the financial responsibility of the federal government while Montana was a territory. The board decided the best course of action was to take bids for an independent contractor to operate the prison. In February 1890, the contract was awarded to Thomas McTague and Frank Conley at the rate of .70 cents per inmate, per day for the first one hundred people.

The partners had total control over prison operation. Conley controlled the daily lives of the inmates, while both men jointly oversaw the faculty’s administration, discipline, purchases and construction of buildings as they saw fit. The commissioners only maintained the right to inspect the prison at any given time.
The State renewed this contract several times. McTague and Conley almost lost control in 1908, to F.A. Henderson and Jack Wyman from Butte who underbid them. The State was forced to give the contract back to McTague and Conley after conducting an inventory of the property and equipment necessary to operate the prison. The State’s holdings filled one page, most of which were buildings. McTague and Conley's holdings filled several pages and was worth several thousands of dollars. Neither the State, nor Henderson and Wyman, could afford to buy-out McTague and Conley. The State also officially made Conley the prison warden, a position he held until 1921.

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The inmates’ first project in 1893 was the prisons stonewall. The wall replaced a 12-foot high wooden fence that was easily blown down by gusting winds. The prison was also in desperate need of more cells, so the next item on the list was to build a cell house, completed in 1896. In 1907 the women's quarters was built which allowed Conley's staff, for the first time, to separate the women from the men that were housed in the cell house.

The population of the prison continued to grow and more cells were needed. In 1912 the external wall was extended and a new cell house built. This structure contained 200 cells and was equipped with indoor plumbing, electricity, and a mass controlled locking system on the cell doors. The old 1896 cell house lacked all of these features. Another building that was constructed, thanks to the financing of W.A. Clark Jr., was a theater built in 1919. This was the first theater within the walls of a prison in the United States. In addition to these building, the inmates constructed storage facilities, both on the prison site and at the prison ranch.

The use of convict labor was not restricted to just the prison. The inmates worked around the city of Deer Lodge as well as other locations throughout the State. Convict labor was used to build roads in the Deer Loge Valley, around Flathead Lake, and other county roads. The inmates erected several State buildings at other locations, including the State Mental Hospital at Warm Springs and a Tuberculosis Sanitarium in Galen.
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All of Conley’s actions, professional and personal, became an embarrassment for the State government. In particular Conley’s abuse of the prison, its ranches and free inmate labor to further his own personal wealth. Documents proved that Conley operated
all of his ranches with inmates. These men were not paid and the State was not reimbursed either. Outside of the prison, Conley offered the use of inmate labor to replace workers on a strike organized by the Butte Miners Union in 1914. This was an effort to help his friends in the mining industry. The use of prison labor for prison operations also angered the working classes and organized labor unions. They saw this as State jobs being taken away from them. Newspapers around the State published articles on these contentious topics, adding to the State government’s embarrassment.

Against the recommendations of Montana Governor Dixon’s advising staff, (the State’s attorney general and financial campaign supporters), the governor ordered T.H. MacDonald to investigate Conley. The investigation focused on the warden’s finances, the prison’s administration and purchasing contracts made by Conley. MacDonald agreed to this reluctantly, but after five months he reported there was evidence that Conley used his method of operating the State prison to better his personal wealth. MacDonald reported that Conley, in one way or another, took money, goods or services to the value of about $200,000 from the State. After reviewing the report, Dixon ordered the attorney general to conduct a full audit and to take legal action against Conley. The audit covered Conley’s control of the prison from 1908 to 1921.

The document listed some of Conley’s suspected corruptions:

- Gutting the penitentiary’s warehouse, garage, and machine shop just prior to his removal
- Appropriating beef, assorted groceries and produce, cream, and butter for his private use to the amount of some $8,330
- Using over half a million tons of State coal for his private residence: a gas, oil and maintenance bill of over $12,000 per year on the vehicles
- Using the prison’s ranch to feed his private dairy herd and employing free inmate labor to care for and feed his livestock
- Selling to the State (for prison use) dairy products and beef produced by the herd, at market rates
- Selling pork to the prison from his own herd, which had been fed on prison swill

In the State’s case against Conley, they sued for $200,000 worth of money and property. In reaction to this, Conley’s lawyer, former Montana Attorney General C.B. Nolan, filed a counter suit for $120,000 in unpaid claims. Judge A.J. Horsky heard the case in a Helena district court without a jury. Conley’s defense noted that the arrangements he made were oral and difficult to prove specifics. All of the witnesses substantiated this. Conley himself took the witness stand for two weeks, during which time he explained that he hadn’t broken any written laws and that he always kept the State informed of the prison’s administration and operation.

Judge Horsky decided the main issue was whether Conley had violated any written laws, not whether he had illegally taken State funds or property. The State had never

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clearly defined the administrative relationship with Conley after 1908, other than naming him warden. The lease had been terminated but the State retained Conley and the personal property he was using to operate the prison. Conley was acquitted since no written laws had been violated. The judge also dismissed the majority of the counter suit, awarding Conley only $632. Judge Horsky also ordered the State to pay for the cost of the trial. The judge noted in his closing statements that Conley had always acted in the best interest of the State of Montana.

This marked the end of the States relationship with Frank Conley. Conley remained in Deer Lodge after being removed from his position of warden. Conley had first been elected mayor in 1892, a position he held for 37 years until 1929. Conley died in Butte on March 5th, 1939 after a month-long illness.

Even in death, Conley's connection with Deer Lodge and the Montana State Prison has not been completely broken. Of the existing structures at the site of the Old Prison, only two were built after Conley's dismissal. The street to the south of the museum parking lot is named after him, and ironically, in the 1970's the State built the new Montana State Prison west of Deer Lodge on ranch land that was formerly owned by Conley. This includes his private man-made lake, named Conley Lake.

Whether you feel Frank Conley was good or bad for the prison system that developed in Montana, he was definitely the man most responsible for it. Whilst under his control, Conley shaped and created a self-sufficient prison system that became a model penitentiary for the rest of the United States.

Bibliography

### Conley's Legacy: Questions

**Directions:** Write a short answer to each question

1. Conley held a party at his home in Deer Lodge in 1920. Who was it for and what was the occasion?

2. How long was Conley in control of the prison's administration?

3. Where and when was Conley born?

4. What other public job did Conley have while he was the prison warden?

5. When did Conley first arrive in Deer Lodge and why?

6. What was Conley’s annual State salary as warden?

7. When was Conley removed from his position as warden, and by whom?

8. Who was Conley’s business partner?
9. Conley believed convicted criminals could be rehabilitated by having them do what?

10. When Conley and his partner where awarded the contract with the State to operate the prison, how much did they charge to house each inmate who was serving time?

11. Why was Conley removed from his position as warden?

12. Who was ordered to investigate the administration of the prison for the years that Conley was the warden?

13. How much did the government accuse Conley of taking from the State?

14. Who was Conley’s trial lawyer?

15. Who was the judge that presided over the State vs. Conley, and where was the trial held?
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<thead>
<tr>
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<tbody>
<tr>
<td>16. What were some of the offences Conley was accused of?</td>
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<tr>
<td>17. Conley’s lawyer filed a counter suit for what amount?</td>
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<tr>
<td>18. Which of Conley’s personal friends donated funds to build a theater at the prison?</td>
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<tr>
<td>19. What was Judge Horsky’s ruling in the trial against Conley?</td>
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All of Conley’s actions, professional and personal, became an embarrassment for the State government. In particular Conley’s abuse of the prison, its ranches and free inmate labor to further his own personal wealth. Documents proved that Conley operated
all of his ranches with inmates. These men were not paid and the State was not reimbursed either. Outside of the prison, Conley offered the use of inmate labor to replace workers on a strike organized by the Butte Miners Union in 1914. This was an effort to help his friends in the mining industry. The use of prison labor for prison operations also angered the working classes and organized labor unions. They saw this as State jobs being taken away from them. Newspapers around the State published articles on these contentious topics, adding to the State government’s embarrassment.

Against the recommendations of Montana Governor Dixon’s advising staff, (the State’s attorney general and financial campaign supporters), the governor ordered T.H. MacDonald to investigate Conley. The investigation focused on the warden’s finances, the prison’s administration and purchasing contracts made by Conley. MacDonald agreed to this reluctantly, but after five months he reported there was evidence that Conley used his method of operating the State prison to better his personal wealth. MacDonald reported that Conley, in one way or another, took money, goods or services to the value of about $200,000 from the State. After reviewing the report, Dixon ordered the attorney general to conduct a full audit and to take legal action against Conley. The audit covered Conley’s control of the prison from 1908 to 1921.

The document listed some of Conley’s suspected corruptions:

- Gutting the penitentiary’s warehouse, garage, and machine shop just prior to his removal
- Appropriating beef, assorted groceries and produce, cream, and butter for his private use to the amount of some $8,330
- Using over half a million tons of State coal for his private residence: a gas, oil and maintenance bill of over $12,000 per year on the vehicles
- Using the prison’s ranch to feed his private dairy herd and employing free inmate labor to care for and feed his livestock
- Selling to the State (for prison use) dairy products and beef produced by the herd, at market rates
- Selling pork to the prison from his own herd, which had been fed on prison swill

In the State’s case against Conley, they sued for $200,000 worth of money and property. In reaction to this, Conley’s lawyer, former Montana Attorney General C.B. Nolan, filed a counter suit for $120,000 in unpaid claims. Judge A.J. Horsky heard the case in a Helena district court without a jury. Conley’s defense noted that the arrangements he made were oral and difficult to prove specifics. All of the witnesses substantiated this. Conley himself took the witness stand for two weeks, during which time he explained that he hadn’t broken any written laws and that he always kept the State informed of the prison’s administration and operation.

Judge Horsky decided the main issue was whether Conley had violated any written laws, not whether he had illegally taken State funds or property. The State had never

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clearly defined the administrative relationship with Conley after 1908, other than naming him warden. The lease had been terminated but the State retained Conley and the personal property he was using to operate the prison. Conley was acquitted since no written laws had been violated. The judge also dismissed the majority of the counter suit, awarding Conley only $632. Judge Horsky also ordered the State to pay for the cost of the trial. The judge noted in his closing statements that Conley had always acted in the best interest of the State of Montana.

This marked the end of the States relationship with Frank Conley. Conley remained in Deer Lodge after being removed from his position of warden. Conley had first been elected mayor in 1892, a position he held for 37 years until 1929. Conley died in Butte on March 5th, 1939 after a month-long illness.

Even in death, Conley’s connection with Deer Lodge and the Montana State Prison has not been completely broken. Of the existing structures at the site of the Old Prison, only two were built after Conley’s dismissal. The street to the south of the museum parking lot is named after him, and ironically, in the 1970’s the State built the new Montana State Prison west of Deer Lodge on ranch land that was formerly owned by Conley. This includes his private man-made lake, named Conley Lake.

Whether you feel Frank Conley was good or bad for the prison system that developed in Montana, he was definitely the man most responsible for it. Whilst under his control, Conley shaped and created a self-sufficient prison system that became a model penitentiary for the rest of the United States.

Bibliography

### Conley's Legacy: Questions

**Directions:** Write a short answer to each question

1. Conley held a party at his home in Deer Lodge in 1920. Who was it for and what was the occasion?

2. How long was Conley in control of the prison's administration?

3. Where and when was Conley born?

4. What other public job did Conley have while he was the prison warden?

5. When did Conley first arrive in Deer Lodge and why?

6. What was Conley's annual State salary as warden?

7. When was Conley removed from his position as warden, and by whom?

8. Who was Conley’s business partner?
<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>9. Conley believed convicted criminals could be rehabilitated by having them do what?</td>
<td></td>
</tr>
<tr>
<td>10. When Conley and his partner were awarded the contract with the State to operate the prison, how much did they charge to house each inmate who was serving time?</td>
<td></td>
</tr>
<tr>
<td>11. Why was Conley removed from his position as warden?</td>
<td></td>
</tr>
<tr>
<td>12. Who was ordered to investigate the administration of the prison for the years that Conley was the warden?</td>
<td></td>
</tr>
<tr>
<td>13. How much did the government accuse Conley of taking from the State?</td>
<td></td>
</tr>
<tr>
<td>14. Who was Conley's trial lawyer?</td>
<td></td>
</tr>
<tr>
<td>15. Who was the judge that presided over the State vs. Conley, and where was the trial held?</td>
<td></td>
</tr>
<tr>
<td>Question</td>
<td>Answer</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------</td>
<td>--------</td>
</tr>
<tr>
<td>16. What were some of the offences Conley was accused of?</td>
<td></td>
</tr>
<tr>
<td>17. Conley’s lawyer filed a counter suit for what amount?</td>
<td></td>
</tr>
<tr>
<td>18. Which of Conley’s personal friends donated funds to build a theater at the prison?</td>
<td></td>
</tr>
<tr>
<td>19. What was Judge Horsky’s ruling in the trial against Conley?</td>
<td></td>
</tr>
</tbody>
</table>
## Scavenger Hunt

Directions: Find and write down the locations of the items on this list.

<table>
<thead>
<tr>
<th>Number</th>
<th>Item</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Painting of two Cocker Spaniel dogs</td>
</tr>
<tr>
<td>2</td>
<td>Turkey Pete’s cell number</td>
</tr>
<tr>
<td>3</td>
<td>Location of a gun port</td>
</tr>
<tr>
<td>4</td>
<td>Location of a second gun port</td>
</tr>
<tr>
<td>5</td>
<td>Baseball</td>
</tr>
<tr>
<td>6</td>
<td>Bazooka</td>
</tr>
<tr>
<td>7</td>
<td>The Galloping Gallows</td>
</tr>
<tr>
<td>8</td>
<td>Trap door</td>
</tr>
<tr>
<td>9</td>
<td>1912</td>
</tr>
<tr>
<td>10</td>
<td>The Stone With Seven Eyes</td>
</tr>
<tr>
<td>11</td>
<td>The Slide Bar Cells</td>
</tr>
<tr>
<td>12</td>
<td>Painting of Frank Conley</td>
</tr>
<tr>
<td>13</td>
<td>Cat Walk</td>
</tr>
<tr>
<td>14</td>
<td>The two gargoyle heads</td>
</tr>
</tbody>
</table>
**Turkey Pete: Questions**

1. What was Turkey Pete’s real name?

2. How old was “Pete” and in what year was he sentenced to prison?

3. What was his crime?

4. How did he get the nickname Turkey Pete?

5. What was one of the first things Pete bought?

6. Name some of Pete’s business ventures.

7. What year did Pete die and how old was he?

8. After his death, what did the prison administration do with his cell?
### Turkey Pete: Questions

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>What was Turkey Pete’s real name?</td>
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<td>What year did Pete die and how old was he?</td>
</tr>
<tr>
<td>8.</td>
<td>After his death, what did the prison administration do with his cell?</td>
</tr>
</tbody>
</table>
What Year Was It?

<table>
<thead>
<tr>
<th>Year</th>
<th>Question</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>The prison wall was built to replace a wooden fence.</td>
</tr>
<tr>
<td>2.</td>
<td>Electric locks were installed on the doors in Tower 7.</td>
</tr>
<tr>
<td>4.</td>
<td>The kitchen was converted into the shower area.</td>
</tr>
<tr>
<td>5.</td>
<td>The site became the Montana Territorial Prison.</td>
</tr>
<tr>
<td>6.</td>
<td>The Administration Building replaced the Federal Building.</td>
</tr>
<tr>
<td>7.</td>
<td>The W.A. Clark theater was built by inmate labor.</td>
</tr>
<tr>
<td>9.</td>
<td>The first cell house was built.</td>
</tr>
<tr>
<td>10.</td>
<td>The wall was extended.</td>
</tr>
<tr>
<td>11.</td>
<td>The Tag Plant and Hospital were built.</td>
</tr>
<tr>
<td>12.</td>
<td>The second cell house was built.</td>
</tr>
<tr>
<td>13.</td>
<td>“Turkey Pete” is sentenced to life in prison.</td>
</tr>
<tr>
<td>14.</td>
<td>Lee Smart and Jerry Miles start a riot.</td>
</tr>
<tr>
<td>15.</td>
<td>The Women’s Prison was added on just outside the prison wall.</td>
</tr>
<tr>
<td>16.</td>
<td>The site became a State prison.</td>
</tr>
<tr>
<td>17.</td>
<td>The prison site is shut down and no longer used to house inmates.</td>
</tr>
</tbody>
</table>
### Which Building Came First?

The information you need to complete these worksheets will come from the guided tour book and the other materials provided.

**Building list (incorrect order)**

<table>
<thead>
<tr>
<th>Building</th>
<th>Order</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cell Block One</td>
<td>1&lt;sup&gt;st&lt;/sup&gt;</td>
</tr>
<tr>
<td>Women's Prison/Max</td>
<td>2&lt;sup&gt;nd&lt;/sup&gt;</td>
</tr>
<tr>
<td>Administration Building</td>
<td>3&lt;sup&gt;rd&lt;/sup&gt;</td>
</tr>
<tr>
<td>W.A. Clark Theater</td>
<td>4&lt;sup&gt;th&lt;/sup&gt;</td>
</tr>
<tr>
<td>Tag Plant/Hospital</td>
<td>5&lt;sup&gt;th&lt;/sup&gt;</td>
</tr>
<tr>
<td>Federal Building</td>
<td>6&lt;sup&gt;th&lt;/sup&gt;</td>
</tr>
<tr>
<td>Wall</td>
<td>7&lt;sup&gt;th&lt;/sup&gt;</td>
</tr>
</tbody>
</table>

**Put into the correct order below**

- Of the structures in the above list, which one no longer stands?
- Which building replaced it?
**Word Scramble**

Directions: Unscramble the following words. All words relate to the prison.

1. eradnw
2. mantei
3. dragu
4. iotr
5. lelc
6. lowgsal
7. ardnncnoatb
8. enaittyenpi
9. alwl
10. yraqru
11. centiouex
12. meirc
13. peacse
14. itolayrs
15. iiaeibs