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THE CRIME OF CRIMES OR THE CONVICT SYSTEM UNMASKED

By CLARISSA OLDS KEELER

"If thou forbear to deliver them that are drawn unto death, and those that are ready to be slain; If thou sayest, Behold we knew it not; doth not he that pondereth the heart consider it, and he that keepeth thy soul doth not he know it? and shall not he render to every man according to his works? —Prov. 24: 11, 12.

When attending the Christmas Workers Convention held in New York in the Fall of 1887, where the work of reaching the masses by Christian effort was discussed by men and women from all parts of our country, a young man in attendance from a distant State said to the writer:

"I wonder why Christian workers do not take up the work of alleviating the suffering of prisoners whose labor is hired out to contractors and whose treatment is *most atrocious*."

He then told me how he, although a free man, had been an eye-witness to the most inhuman treatment of convicts who were being worked by a large corporation. The sick convicts were made to perform the same amount of labor performed by the well and strong, and if they died their places

were immediately filled by fresh convicts. He described their condition to be that of "*starvation, fear and disgusting filth.*"

For many years I had known something of the evils resulting from a cruel prison system, having long been interested in penal institutions, but the story told me of cruelty and oppression by a responsible eye-witness was a new revelation to me and I resolved to sift the matter to the bottom. I determined to know nothing but the truth; and now after nearly a score of years, much of the time of which has been spent in careful research and investigation, I can say with the Christian Register:

" THERE IS NO SUCH THING AS JUSTICE IN THE UNITED STATES IN THE PUNISHMENT OF CRIME. "

The editor of a leading paper says truly:

" The laws for the punishment of crime in this country are a burning disgrace to civilization. "

Rev. Dr. Wayland says: "We punish a man who steals a loaf, if he steals an entire railroad we say a financier; let us ask him home to dinner."

A prominent Chicago Divine declares the whole penal system wrong from beginning to end, and suggests that all State institutions be placed under the protection of civil service law and grafters run out of office.

It is true also that "in some States the stigma affixed by law to a certain crime is so deep as to be indelible; in another State it is so pale as to be almost unrecognizable."

A chaplain of long experience says: "The cases of people who wrongfully go to prison because time and liberty are not given them to prove their innocence and because they have no friends to do it for them are wofully numerous." A person arrested for crime who has neither money nor friends is almost sure to be convicted, while greenbacks serve as sure penal non-conductors for the rich, however guilty.

A writer who is familiar with criminal statistics estimates the number of arrests annually in this country to be over three millions, the number of convictions over one million, and the average prison population over one hundred thousand. It is estimated that over twenty-five thousand persons are discharged annually from the various penal institutions in the United States. It is declared that the criminal element costs the Government \$600,000,000 annually.

There are over two thousand jails, between fifty and sixty penitentiaries, and an untold number of lock-ups, convict stockades and chaingangs. It is worthy of note that in many of the prisons ninety out of one hundred of the inmates are victims of the saloon power for which society is responsible.

It is the united testimony of leading criminologists, especially such men as William Tallack, Caesre Lombroso, and 4 others, that prisons are breeding places of crime, that cruel punishment of criminals light anew the fires of resentment and stimulates the criminal mania. They declare that "crime should be treated by going at the conditions that produce it."

Forty-five thousand people have been murdered in the United States during the last five years.

Judge Kavanaugh, of Chicago, declares the United States the most criminal country in the world.

President Henry Hopkins of Williams College says: "The prevalence of crime in this country is greater than ever before, and the foundations of our national life are threatened."

The following pages are extracts taken from a large mass of reliable evidence, mostly official, which has been obtained by the writer, who is a woman whose love for the welfare of her country has come to her as an inheritance from ancestors who served in the war of the Revolution, and whose maternal grandfather, after enduring almost incredible hardships during a long dreary march through a virgin wilderness, scaled the heights of Quebec, and boldly faced the volleys of musketry while treading the blood-stained snow, and who later stood in the front ranks in the decisive battle for freedom. Shall such as she be silent when her country is in danger?

My aim in presenting this is not money, as some may suppose, but to arouse the morbid public conscience and assist it to "*Remember them that are in bonds, as bound with them,*" knowing that public information is indispensable to any reform. The gross ignorance concerning our penal institutions, and the inhuman treatment of many of the inmates, especially of those whose labor is hired out to heartless contractors, is not wholly confined to any particular part of our country. However I shall at this time endeavor to show something of the evils resulting from convict leasing in our Southern States.

After the civil war, the colored people having been set free without any provision whatever being made for their welfare, unable to even read a code of laws to which by their freedom they had been made amenable, it was but human that some should drift into crime. Prisons were few in the Southern States and as the number of both white and colored prisoners increased, one State after another adopted the plan of hiring out the labor of the convicts until twelve of the States had

adopted what is known as the convict lease system. What was apparently designed to be a “savor of life unto life” proved to be a “savor of death unto death” to thousands of convicts.

Southern men and Northern men, members of the United States Senate, Democrats and Republicans, who were leading politicians, members of State Legislatures, wealthy corporations, railroad contractors, and private individuals saw the advantage of obtaining cheap labor and seized the opportunity of coining money out of crime. Millions have flowed into the pockets of lessees, but much of it has been the price of blood.

A correspondent writing from Buncome county, North Carolina, to the Ashville Gazette under date of March 15, 1903, says:

“Where are we at, and where is the society for the prevention of cruelty to animals, that they or the Christian world have never heard the cries from the poor, unfortunate prisoner in the ‘buck,’ ‘Lord have mercy, Captain!’ (overseer) and the ringing of the cruel blood stained lash? I have seen white men beaten until their persons were blue, and blood oozing from the Captain's hands in the Buncome chain-gang.”

The writer condemns the discrimination made between the rich and the poor, the latter being unable to pay fine and cost of trial he “is sent to the road prison and in servitude pays for his crime, which is but a misdemeanor, and there the lash is administered on the naked back, contrary to the spirit of the constitution in abolishing imprisonment for debt, and the lash at the whipping post.”

Another correspondent writing from the same county complains of the “deplorable state of affairs” and tells of the insane, blind, deaf and aged, some of whom are in jails who should not be there.

TENNESSEE.

The felony convicts of Tennessee were first leased in 1870. Some years after the adoption of the system, the convicts were leased for a term of years to the Tennessee Coal, Iron and Railroad Company, one of the wealthiest corporations in the South with, as was alleged, two influential politicians of the North at its head. The State received annually \$101,000 from the labor of the convicts, and the profits realized by the corporation were estimated to be about the same amount. (See report of Controller for 1890, also letter to New York *Herald* of April 26, 1890).

In February, 1889, the Legislative prison committee investigated the prisons at the mines where the male convicts were worked, and the buildings where the men were housed at night were reported

by members of the committee, to be "rough board shanties unfit for the habitation of human beings." They were constructed of rough board planks, spiked up and 5 down, and unplastered and unsealed. The beds were ticks filled with filthy straw, and the covering scant and filthy. Rough boards formed the platform for the continuous rows of beds. They reported "cruel and inhuman whippings with a heavy strap on the naked backs of the convicts for failure to get out tasks," and "for nearly everything." Convicts were poorly fed and scantily clothed, some having on no socks in winter. Sodomy prevailed in some of the camps "and the little boys were the sufferers." A member of the committee declared that it would be better for the convict to "banish him to a distant island of the sea." He said: "If I had held my peace, the pale and haggard faces and emaciated forms of some of those prisoners would have haunted me to my grave, and risen up at the judgment to condemn me."

The punishment was denounced as "cruel, inhuman and barbarous," and the prisons, "*Hell holes of rage, cruelty, despair and vice.*"

The above is but a fraction of the printed report. The full report was unfit for publication. (For fuller account see *Nashville American*, Feb. 21, 1889.)

In 1893, the felony convicts numbered 1,560, less than one-fourth being whites, all being held under lease by the same corporation with a new president at its head. One thousand and eighty-eight male convicts were worked in coal mines by the corporation and its sub-lessees. During the first of the year the Senate investigating committee, inspected the condition of the prisoners, the report of which was sent to the *Chattanooga Times* under date of March 8th, from which the following few extracts are taken:

The committee reported that 139 convicts (all negroes but four,) held under a sub-lease by the Knoxville Iron Company were housed, fed and clothed by still another sub-contractor. The stockade in which the convicts were confined was located "with a view to obtain the most possible work out of the convicts." The sleeping apartments (prisons) were three loosely constructed box houses into which the prisoners were crowded and "very much cramped". "The beds were made of rough plank in a continuous row, a narrow piece of plank separating each bed." A similar row of beds was placed above.

"The bedding consisted of straw filled ticks (though some of the ticks were worn out and some had practically no straw in them) and two cotton blankets. The bedding was filthy to an extreme degree; * * * the convicts had no night shirts or change of clothing, but slept two in a bed close against each other, and naked or in the clothes in which they had worked. The beds were without sheets or pillows, and covered with grease, grime and coal dust. "The prisoners were furnished with shoes but no socks, drawers or night shirts as required by law, notwithstanding the bitter

cold weather in winter." Their scanty clothing was changed once a week, and when washed was distributed indiscriminately, no man getting the same clothing he had before. One half of the prisoners were afflicted with diseases, one disease of which was unmentionable. This "outrageous practice" prevailed in some of the other mining prisons.

The "committee found prevailing at this, as well as other prisons, brutal and degrading vices and practices." The method of punishment was to lay the convict flat on his stomach and whip him on his naked back with a heavy leather strap attached to a handle. The number of licks varied from ten to sixty laid on sometimes with both hands, by a stalwart guard. The punishment was inflicted for all breaches of rules and for failure to do the task assigned, which was about four tons of coal per day.

From the books in which accounts were kept the committee "figured" that the feeding of each convict cost the contractor from three and a half to four cents per meal. The diet was: For breakfast a "pretense" of coffee, "soup" and bad corn bread. Dinner, hog meat and corn bread. Supper, cow peas, or dried beans, and corn bread. The convicts were "compelled to carry in their hands through the grit, water and smoke of the mine their sodden piece of corn bread and fat meat which constituted their only dinner."

The hospital was a "rough boarded up room." Among the number of sick were four with consumption which were "recommended for pardon."

The committee condemned "such petty meanness and cruelty which originated in grasping greed," one of the results being "to reduce the price paid to free labor from \$1.52 per ton to 50 cents per ton." At another mining prison there were 523 convicts, over one-third being whites. A part were worked in coal mines, and a part in coke ovens where the convicts were exposed to the inclemency of the weather. The committee found some of the convicts to have neither coats or vests, and their pantaloons and shirts "as wet as wet could be." In this condition they worked in rain and snow, and at night slept in their wet garments, or none at all. The punishments administered by the whipping boss were terrible. The convicts were better fed than at the other prisons. This prison *only* kept a record of deaths of convicts.

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Convicts at the other mining prisons were somewhat better treated, and "one of the officials trying to do his whole duty." The committee declared however, that the controlling motive of those in charge under the contract system will always be to make the last possible cent out of flesh and blood * * * and *never* to reform."

Said the committee: "The simple statement of facts contained in this report will hardly convey to the unreflecting mind the enormity of some of the wrongs endured by the prisoners. Conceive of the helpless desperation of the man who for ten, fifteen or twenty years has to bury himself in a coal mine with its attending dangers and discomforts, toil to the limit of his strength, carry his indigestible and unsustaining food in his dirty hands, to return at night to a supper whose unvarying monotony causes his stomach to revolt, is cabined and driven into a room where fifty others are packed like cattle for shipment; a man whose spirit of manhood is broken and who is made to writhe under the lash for failing to complete his task, who has not a foot of space nor a single thing to call his own nor a moment of privacy, an almost de-individualized unit of a suffering brutal throng and you have a partial idea of the fate of some of those poor wretches."

The penal institutions were declared to be "nurseries of crime, anarchism and degradation," and that "the public needed to be awakened to the cruel outrages that were perpetrated under the protection of the State." Attention was called to the fact that over 500 convicts enter and leave the penitentiary every year; in a period of 30 years, some 15,000, a small army, many find their way back and none are reformed, but most all are cultivated in crime, contaminated, debased, embittered and degraded. * * * And what results may the state expect from the outpouring of 500 of these wretches per year, and from the offspring of such?"

The tabulated statement for 1893, and '94, shows that the average number received annually was not 500, but over 800, and the number discharged, escaped and pardoned averaged over 700 annually.

The prisoners here referred to do not include the large number of misdemeanor convicts who are sentenced to serve on the county chaingangs, the number annually of which is very large.

"Many prisoners were found," said the committee, "who should not have been sent there for the trivial crimes for which they were convicted, such as stealing a few cents, a chicken or a few rails."

The condition of the main prison was "deplorable." Forty-six women and young girls were crowded into "half enough cells," and some were guilty of "unmentionable crimes." The girls were "not instructed as the law required." One of the guards had admitted male convicts to the women's department and the result was that four children were born inside the prison. When the women were punished they were compelled by the guard, in the presence of the other women, and sometimes of a man, to lie down on the ground, and with one foot or the guard placed on the neck of the prisoner, she was whipped on the naked body with a heavy strap "the same as the men."

The life of a Tennessee convict whether he is worked in a coal mine, or on railroad construction, as the Tenn. Coal, Iron and Railroad Company worked some of them, has been short and terrible. A writer in the New York *Sun* of Sept. 11, 1891, in giving a description of some of the convicts said in part: "They are herded about from place to place like wild animals. No life could be more horrible. The company counts upon the guards to get a certain amount of work out of each convict. As the guards are from the lowest sort of white men in the State, the treatment of the wretches can easily be imagined. Sickness is not counted as inability to work. The policy is to work him until he drops and then cure him if possible; if not let him make way for some other for there is never a lack. * * * The guard curses, kicks, clubs or kills at pleasure. The company asks no questions; the State has meagre chance of finding the truth and would be slow to act unless public indignation should be aroused. To make a dash for liberty is simply a way of committing suicide; * * * convicts frequently court death by making this bold dash. The rifle rings out its challenge. The convict runs on a bit, then his striped and ragged legs begin to totter, and then he sinks down. A hole is dug and the dead zebra is put out of sight speedily. Any guard can tell you many a tale and the chances are he will boast and laugh a good deal. * * * There is a code of ingenious punishments which beguile the tedium of guard life * * * for those who do not do as much work as the guards size up his muscle to be capable of."

In December, 1894, there were 1,582 male convicts, and but three of the number had served over 9 years. Convicts had died and been buried without a single religious rite more than would be given a dead animal. Some of the convicts who had been worked by the Knoxville Iron Co., had escaped and perished from cold.

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In 1898, the male convicts numbered 1,528. Out of this number there were 384 serving sentences ranging from 10 to 43 years, 83 were serving life sentences. Only 17 of the whole number had served 10 years or over.

Tabulated reports have confirmed the statement of the President of the Prison Committee when he declared in his report in 1885 that the lease system in Tennessee, was responsible for the murder of 132 prisoners annually. He adds: "Before these figures humanity stands aghast, and our boasted civilization must hide her face in shame. * * * The once proud State of Tennessee stands to-day before the world a self-convicted murderer, and her victims are her own sons and daughters."

Hundreds upon hundreds of boys have been "educated in the most revolting crimes" as the reports affirm, "boys who are not criminals from choice, but creatures of circumstances."

Coal mines where convicts are worked have been described as "schools of crime" where the "obscenity and blasphemy are too horrid for description," and "men are degraded lower than the

brutes." Some are "compelled to work and wallow about all day while getting out their coal, more like swine than anything else."

Mr. J. E. Morris, who was for many years identified with the coal mining industry in Tennessee, says: "If the American people only fully knew the conditions under which the poor miner toils, a cry of horror would be universal, and the optimistic student of sociology would be forever dismayed."

During recent years a new penitentiary building has been erected and other improvements added. It is alleged that politics has long controlled the prison, and when a new Governor comes into power which is every other year, new wardens and new guards are appointed, men who have worked for the election of the new Governor. Such a course is demoralizing and unjust, and evil results follow.

The *Memphis (Tenn.) Commercial-Appeal* of April 11, 1903, called attention to the "convict camp horrors" at Brushy Mountain mines, "which had recently been brought to light by the prison investigating committee. The full report was withheld from the public. The editor said in part: "When human beings are condemned to helpless and unresisting servitude and who are subjected to torments and tortures, floggings and flagellations which are merciful only when they end in speedy death.

"Convicts have been whipped to death. Convicts have been whipped sufficiently to keep them in bed for months and injure them permanently. * * * Torturing them in the prison or in the mine recesses is a sin against high heaven."

The convicts are at present hired out to various lessees, some to work in mines, others for various kinds of labor. "The present contracts are the most advantageous ever made by the prison commissioners." (See *Nashville American* Feb. 18, 1905.)

The net profit from the labor of the convicts during the year 1904 was \$187,880.76.

Seventy per cent. of the deaths among the prisoners is caused by tuberculosis.

ALABAMA.

The convicts in Alabama were first leased in 1846, the lessee being the Warden. During the seven years prior to 1874, when the number had greatly increased and the convicts were worked constructing railroads, the official reports showed that over one third of the convicts died annually. A prison official has said that if tombstones were erected over the graves of all the convicts who fell

either by the bullet of the overseer or his guards during the construction of one of the railroads, it would be one continuous graveyard from one end to the other.

In 1882, when most of the convicts were worked in coal mines, the pens in which they were confined at night were declared by an investigating committee to be "unfit in every particular for the habitation of human beings." They "breathed and drank their bodily exhalations and excrements." (See Biennial Report 1890, page 339.) The Health Officer declared that if the death rate should be kept up among the convicts working in one of the mines all would die within three years.

In 1888, the Tennessee Coal, Iron and Railroad Company, a company composed of both Southern men and Northern men, leased the labor of the convicts to be worked in the Company's mines, and this Company, and the Sloss Steel, and Iron Company have controlled most of the labor of both the State and county convicts up to the present time.

Previous to 1888, the female convicts had been sent to the convict camps with the men, the same as was done in other convict leasing states. "The practice resulted in immorality, shocking to all sense of decency. Often children were born, and there were few female convicts who, at the end of their term of imprisonment, did not have a child to take home." (See Biennial Report of 1890.)

In 1889, the Health Officer made an inspection of the mining prisons, and reported contaminated water and bad air in one of the prisons, and an epidemic had broken out which had left the convicts in a weak condition. During the first 8 two weeks of June when the average number of convicts was 165, there were 137 floggings of men who were unable to accomplish their daily task.

In 1890, the Penitentiary committee declared: "The convict lease system is slavery in its worst aspects." Although more comfortable prisons had been erected tuberculosis alone destroyed many. The greatest number of deaths has been among the misdemeanor or county convicts, who, although short term convicts, were deprived of all hospital facilities and every other comfort needful to the sick. The following extracts I gather from Biennial Reports.

During the two years ending August 31, 1890, there were 101 deaths among the county convicts worked in the mines by the Sloss Steel and Iron Co., out of an average of 324. One half of the number of deaths was caused by tuberculosis of the lungs or bowels.

During the two years following, the county convicts worked in the mines by both companies averaged 915. Out of this number there died 107, more than one-half of whom died of tuberculosis or pneumonia.

In 1893 and '94, there were 126 deaths out of an average number of 700. Tuberculosis and pneumonia killed 55 of the number. More than one-half of the deaths among the felony convicts, all of whom worked in coal mines, were caused by the two diseases.

In 1895 and '96, tuberculosis and pneumonia destroyed the lives of 265 convicts. At one of the mines 104 deaths were caused by the two diseases out of an average number of 800. The two following years, 133 county convicts died out of an average number of 865. The two diseases killed 80 of the number. During those two years 55 died of tuberculosis within six months after their arrival from the jails, 15 of whom died within the first month.

In 1899, 1900, tuberculosis and pneumonia were responsible for three-fourths of the deaths. Hundreds of convicts were pardoned, some of whom "were far gone with consumption and a dead expense to the contractors." Many were turned loose to spread a fatal disease as is done annually in many other prisons.

In 1903, the number of felony convicts averaged about 1,870, and under the overshadowing care of the then new Board of Prisons their condition was improved, although tuberculosis was still doing its deadly work and was the cause of over one-third of the deaths. The bulk of both felony and misdemeanor convicts were still worked in coal mines by the two companies. Under existing laws no care whatever was extended to the misdemeanants who were serving sentences for small fines and large costs. The Governor in his message in 1903, said of this class: "Death comes to many of them. They come from jails in which they perhaps have been locked up with fifty and even seventy-five men in a cagely far gone in some chronic disease, and ly far gone in some chronic diseases, and many die before they take up pick or shovel."

Mr. Carmichael, the President of the convict Board, in reporting the condition of the county convicts said in part:

"The punishment and treatment of these convicts is of such importance as not be overlooked at any time; 360 of the 600 (the average number) in the mines are persons not guilty of offenses involving moral turpitude. Many of them are boys and enfeebled old men, all without physical force to undergo the hardships of a miner's life. They wilt and wither under its influence, and die and are buried like dogs in a dung-hill. Many of them are thoughtless boys, white and black, whose greatest crime was carrying a pistol, fighting or some other crime not greater in itself. A large number of these people were convicted and sentenced in justice courts, and for offenses, of which there is a question as to whether they were guilty. Again they are arrested, and sent hundreds of miles from

the place of conviction and plunged into coal mines thousands of feet under ground until they die in despair."

"The operation of the fee system," he declared, "is a blot upon civilization. The poor and unfortunate are often made to suffer for the greed of the official; men and women too, white as well as black are caught in the meshes of the drag net and imprisoned on the most frivolous charges. Men, women and little children give up their lives seemingly to increase the fees of some official. The county convicts have no safeguard thrown around them * * * they are leased and delivered per capita to the highest bidder, regardless of the work they are able to perform. These unfortunates are now no more than the beasts of the field.

"So stupendous has the fee system become that it is debauching the very officials themselves. * * * As the law exists to-day the convict board is powerless; we stand by and see those worked in the mines totally unfit for such labor without the power to mitigate their sufferings.

"There can be no question that our criminal laws need remodeling, and in no direction more radically changed than in the management of county convicts."

In a later Biennial Report, he says "The county convict system is a continual grief to every humane man having any knowledge of the evils attending it. Everything pertaining to it, ought, in my opinion, to be wiped out of existence by an Act of Legislature. This can only be brought about by a public sentiment, which will influence members of the Legislature, and induce the repeal of all laws having any reference to the present system as it now exists.

"Hundreds and hundreds of persons are taken before the inferior courts of the county, tried and sentenced to hard labor for the county, who would never be arrested but for the fees involved. * * * Large numbers of these people are * * * sent to the coal mines and lumber camps who are unable to do successfully, any kind of work. They drag out a miserable existence and die. Some one is responsible for their death."

He adds: "Suppose our Judges, generally, following the example of Hon. N. B. Feagin, of the Police Court of Birmingham, should adopt the method of releasing persons brought before them, and putting them in the charge of some one with the understanding and condition that if they behave well they would not be brought before the court again, yet holding the sentence against them, how many hundreds of poor unfortunates would thus escape a miserable death in some coal mine or lumber camp?"

Dr. Shirley Bragg, a member of the Prison Board, said in his annual report in 1904: "In many instances the county convict is a victim of the fee system a living monument fostered by the State, whose people as a rule know nothing of his sufferings. Men, women and children are made to feel its withering blast. It does not spare the old man tottering on the verge of the grave, nor does it respect the child scarcely old enough to leave its mother's arms, but neighborhoods must be rid of beggars and officials have their fees if it takes the last drop of blood from suffering humanity." (See *Mobile Register*, Nov. 20, 1904.)

In Dr. Bragg's report to the Governor in January, 1907, he says:

"The county convict system is worse than ever before in its history. The demand for labor and fees has become so great, that most of them go now to the mines where many of them are unfit for such labor, consequently it is not long before they pass from earth. * * * If the State wishes to kill its convicts it should do it directly and not indirectly. * * * If he develops tuberculosis or any ether disease he has to stay in camp until it means death to a large proportion." The Doctor adds that many of these "poor defenseless creatures ought never to have been arrested at all."

Governor Jelks in his last message says: "The county convict system is beyond words. I hardly trust myself to write it." He says, "the felony convict camps are largely camps for whiskey graduates."

Tuberculosis is the prevailing disease among the convicts. The chaplain in his report tells of 70 men being confined in one cell at night at one of the mines.

In a late issue of the *Montgomery Journal*, a writer says the attempts to improve the prison system is defeated by the fact that the system is increasingly profitable. The published reports confirm this statement. The net profit to the State from Alabama's felony convicts during the twenty years prior to September, 1900, was \$1,134,107.38. The President of the Board in his report in 1900, said: "The pecuniary profit to Alabama from its penitentiary in all its connections is equal to the taxes paid into the State Treasury * * * under lawful assessment valued at many millions of dollars."

Governor Jelks in his last message says, that during the six years ending 1906, the net profit of the felony convicts to the State was \$1,322,279.00. In 1902, the new system went into effect, and lessees paid for getting out coal by the ton. This increased the profit and in four years the net profit has been \$1,129,839.00. The lessees have also received a large net profit. The felony convicts have increased in numbers annually, and on January, 1907, there were on hand 2,059 about 600 being worked in the coal mines. The income to the counties from the labor of the misdemeanor convicts has also been increased. They are mostly negroes, many of whom are young who have been

arrested for the most trifling offenses, but are obliged to serve long terms for costs of court. The following are samples.

The *Mobile (Ala.) Register* of March 13, 1901, gives an account of an official examination of the records of the Butler county court. It was found that the Deputy Sheriff made all the arrests receiving a fee for each arrest made, that there "was a list of stock witnesses ready to be presented in each case," and that some had had no trial in court. Recently the Deputy had arrested eighteen men fourteen of whom were sent from the jail to Pratt mines without any trial. In the case of one of the men who had a trial "the court fee was \$6.00, that of the prosecuting attorney \$7.50, that of the sheriff \$6.00 and that of the clerk \$2.50." The records showed that during the preceding three months, 91 convicts had been sent from Butler county alone to the mines for unlawfully riding on trains. A little negro boy, dirty and ragged was arrested and as he was not worth sending to the 10 mines, the Deputy sold him to a farmer for one dollar.

A March number of the *Montgomery (Ala.) Advertiser*, in 1901, told of "seventeen white men and three negroes securely handcuffed and tied together with a rope, on their way to labor in the Pratt mines. They were in charge of the agent of the Tenn. Coal, Iron and R. R. Company and would be put to work digging coal. Not one of the twenty had had a trial. They were arrested at the point of the gun, marched to jail where they were kept four or five weeks, and then without any ceremony they were put aboard a train and sent to the mines to work there from one to three months." Among them was a physician from New York, and a musician on the battleship Alabama.

"These men were arrested for unlawfully riding upon trains—everyone of them claimed to be innocent—by a man who is paid \$2 for every person he arrests upon that charge." Their treatment, "recalled the tales of suffering which used to come from Siberia."

One inspector has declared that one of the worst features of the system is in working the convicts in competition with free labor, thus making the State a party that tends to lower the wages of free men.

A small number of misdemeanor convicts are worked in camps in the counties where they were convicted. In some of these, and other so called convict camps, innocent men and women have been confined and held in involuntary slavery. In 1903, the Secret Service unearthed cruelties which had long existed in such camps.

The following extracts are taken from the *Montgomery (Ala.) Advertiser* of June 7, 1903.

"Law abiding people all over Alabama are looking to the Federal Court to do what the State courts have tried for many years to do and failed. * * * The evil is of proportions only beginning to be

realized. One reason why it has now started into light is that it is spreading. Practiced for years without let or hinderance in the Black Belt of Alabama, the system of worse than slavery is edging its way into the uplands where it was never known before.

“It is of the utmost importance that the extent and nature of these crimes against humanity and the laws should be publicly understood. But a fragment of truth has so far been told. We are informed that affidavits are in existence proving not only illegality, but cruelty of the most shocking description. Negroes are not only compelled to work under guards, being shut up in what is practically a prison at night, but are flogged to their work after the worst style of the plantation in the days of slavery. Slaves used to be housed and clothed, after a fashion; but these new Alabama slaves are sometimes worked naked and barely kept from starvation. And, all owing to a conspiracy between officers of the law and heartless employees. First, the ignorant and friendless negro is arrested on some trumped up charge; then he is fined to the full extent of the statute; then sold at hard labor and kept in the most abject form of slavery long after his fine and costs have been worked. * * *

“Who shall say in view of these facts that the nation has not a duty in these premises?”

GEORGIA.

Georgia has no penitentiary building. The felony male convicts are leased as formerly to be confined in stockades, and worked wherever the most money can be coined out of their flesh and blood by the contractors. The convict lease system in Georgia, has been fraught with evils, in some respects, unparalleled in American prisons. An investigating committee has, again and again told the story of cruelty and wrong toward the helpless victims of man's inhumanity to man. Female convicts have been the greatest sufferers.

Georgia's convict stockholders have been many, some of whom have been office holders and influential politicians. Much money has been coined by the “stockholders”, especially by those holding the twenty years' lease which expired in 1899, but it has been the price of hunger, of sickness brought on by privation and overwork, of bloody lashings by whipping bosses, cruelty and death. Convict women, both white and colored have helped to pay the price with their virtue and their blood. Thousands of dollars have been paid into the State Treasury by convict lessees for “cruel whippings” of convicts by whipping bosses. The victims, who were perhaps crippled for life, received no recompense for their sufferings.

The system has been strongly opposed by the people of the State. The editor of the *Atlanta Journal*, after the renewal of the lease by the Legislature in 1903, declared "the system on a basis more vicious than before" that "the State was again betrayed and the wishes of the people disregarded."

Georgia's convict "trust" it is alleged, has become a power in the Legislature.

Each county works its own misdemeanor convicts in chaingangs. Many of these are vagrants. "This system," as a Governor once said, "is the darkest blot on the fair name of Georgia."

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In 1897, the Governor sent out an inspector to investigate the misdemeanor convict camps. He found fifty-four. The felony camps then numbered twenty-five. The inspector reported cruelties almost incredible, such as whipping men to death, confining male and female convicts at night in "sweat box dungeons," and other accounts of long drawn out agony and suffering, especially endured by the females, which are too horrible to describe.

Probably one of the worst chaingang camps now in operation is kept by two brothers, one of whom is a member of the Georgia Legislature. For many years this camp has had an unenviable reputation for cruelty. The story is told that on one Christmas eve a convict was whipped to death. Papers have repeatedly told the stories of cruelties practiced on the unfortunate men and women in this camp.

An Atlanta correspondent writing to the *Memphis (Tenn) Commercial Appeal*, in June, 1903, says:

"The Georgia dealers in human beings proceed along the same lines as their brothers in Alabama. They watch the courts, pay the fines of every misdemeanor convict, and transport them to his stockade. There is some of this species of slave dealing in nearly every county of the State, but is practiced more frequently in the Southern counties, where the turpentine and lumber camps are located. In that section there are the stockades, the blood-hounds, the whipping post and every adjunct of the slave trade."

The editor of a leading Georgia paper says: "A most woful system of abuse has grown up. The courts have become the terrors of the poor and ignorant; they keep the jails filled with petty offenders, * * * bailiffs armed with authority, prey upon the poor without let or hindrance." The same can be said of other states.

In the spring of 1898, the Georgia papers gave horrible accounts of men, women and children being held in peonage slavery. The *Atlanta Constitution* said the indictment of the slaveholders was one of the most sensational papers ever filed in the United States court. The account of cruelty

practiced toward young and old peons was shocking in the extreme. The immorality of one of the slaveholders, and his conduct toward his female peons deserved the severest punishment ever inflicted by a court. It was alleged that thousands of negroes in the State were being held in bondage in like manner.

Judge Emery Speer, United States Judge for the Southwestern District of Georgia, in rendering a decision in court on June 28, 1904, denounced the county chaingangs, and "the deplorable and degrading punishments for minor offenses tolerable under the American system" which, he declared, "caused the misery of thousands of humble men and women, when more humane methods would result in the uplifting of millions of people." After showing that many prisoners in the Bibb county chaingang were held illegally, he said in part:

"Every ignominious mark of infamous punishment is stamped upon the miserable throng in the Bibb county chain-gang. The sufferers wear the typical striped clothing of the penitentiary convict. Iron manacles are riveted upon their legs. These can be removed only by the use of the cold chisel. The irons on each leg are connected by chains. The coarse stripes, thick with the grime of the long semitropical summer, or encrusted with the icy mud of winter, are their sleeping clothes when they throw themselves on their pallets of straw in the common stockade at night. They wake, toil, rest, eat and sleep to the never ceasing clanking of the manacles and chains of this involuntary slavery. Their progress to and from their work is public, and from dawn to dark, with brief intermission, they toil on the public roads and before the public eye. About them as they sleep, journey and labor, watch the convict guards armed with rifle and shot gun. This is at once to make escape impossible, and to make sure that the swift thudding of the picks and the rapid flight of shovels shall never cease. If the guards would hesitate to promptly kill one sentenced for petty violation of city law should he attempt to escape, the evidence does not disclose the fact. (He here tells of three prisoners who were shot down a day or two previous). And the fact more ignominious than all, with each gang stands the whipping boss with the badge of his authority. Thus, the evidence discloses this to be a heavy leathern strap about two and a half or three feet long, with solid hand grasp and with broad heavy lash. From evidence, we may judge that the agony inflicted by this instrument of torture, is not surpassed by the Russian knout, the synonym of the world around for merciless corporeal punishment * * * For no day is the strap wholly idle. * * The whipping boss runs down the line striking with apparent indiscrimination, the convicts as they bend to their tasks. At times the convicts on the gang are called on the 'dog lot' * * * called the stable door, made to lie face downward across the sill, a strong convict holds down the head and shoulders, and the boss lays on the lash on the naked body until he thinks the sufferer has been whipped enough." The judge here describes the whipping of two white boys, 12 one having but one arm. The offense of one of the lads was "loitering in the depot."

BOY IN CHAIN GANG

The judge showed from the record of the Recorder's Court that during the month of March, 1904 alone, one hundred and forty-nine persons were convicted by the Recorder for violations of municipal ordinances, such as disorderly conduct, walking on the park grass, etc., etc. Upon these people were imposed sentences amounting to an aggregate of nearly nineteen years of the misery and degradation of the Bibb county chaingang. (See *Macon, (Ga.) News*, June 28, 1904.)

MISSISSIPPI.

The convict lease system was fully adopted in Mississippi, in 1876. The convicts soon became the subject of public spoils. Official reports showed "long terms of imprisonment for trifling offenses, a large prison population" and the treatment of the convicts "*cruel and debasing beyond the powers of description.*" "Twelve per cent. were annually consigned to the grave, while eight per cent. of the worst criminals, educated in crime, escaped."

Since 1904, when the last lease expired, all the felony convicts which now number about 1,200, have been worked on farms, the profits from their labor going to the State. The "reform" has not been all that was hoped for. Rumors of terrible whippings of convicts and other cruelties by guards have not been infrequent. The following extracts taken from a report of an investigation by a legislative committee will give some idea of how "graft and mismanagement to an appalling degree has existed" at some of the prison farms.

The inspectors in their report before the Legislature on March 31, 1906, declared the whole testimony recently taken to be "reeking with piteous accounts of drunkenness, cruelty and petty forms of graft." "Graft had disgraced the penitentiary management until it had become a festering sore." The Board of Control was charged with negligence in the discharge of its duties; no rules were posted up where the convicts could see them as required by law; "drunken subordinates were allowed to maltreat the convicts * * * whenever the unfortunate ran counter to their inebriate wishes." * * * Supplies provided for the convicts on the Rankin farm, were sent to a hotel kept by a relative of one of the drunken overseers. One of the white convicts who had dared to complain of his treatment was shot dead by order of a drunken overseer who, as the committee said, seemed "utterly devoid of human sentiment." "The drunkenness, cruelty and debauchery shown in the testimony concerning this man is sickening in the extreme. His will seemed to be law. He would wreak vengeance on any one who would remonstrate against his villainy or cross his whims."

"The killing of Crockett in June, 1903," they declared, "was wholly unjustifiable, and a cold, heartless and fiendish assassination done by a convict under the order of a brute, the recital of whose cruelty by the witnesses is sufficient to stir a heart of stone. After the killing, the dead body of the unfortunate man was left in the rain where it fell, from 6 o'clock in the morning to 4 in the evening, and not even a convict hand was allowed to arrange his stiffening limbs, wipe the death foam from his lips, or close his staring eyes." It was declared that no inquest was held as required by law, no report made of the murder which "was covered up as quickly as possible."

On the convict farm at Oakley, 21 miles from Jackson, are kept the sick convicts from all the prison farms, and also the female convicts. Here the principal overseer had worked the sick convicts and secretly pocketed the profits. Enormous quantities of whiskey had, at the expense of the State, been shipped to the overseer, and in connection there had been an "enormous amount of drunkenness in the neighborhood" outside the prison which resulted in "shooting scrapes, burning of buildings," etc. "All the shipments of whiskey were made in direct violation of law."

The hospital at Oakley was found to be "a huge shack" with numerous cracks an inch or more in width. The window glass was broken out of the windows, one of which was near a sick man's bed and which had every glass broken out. Such was the condition during the previous winter when there were sixty patients some of them incurably sick.

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Extracts from State press comments.

"When the report was submitted to the Legislature one of the Jackson papers said it was a fake story. * * * That this is not true, one has but to read the testimony printed in to-day's *Herald* which is from eye-witnesses to the cold-blooded tragedy, which is almost without an equal in any other civilized country."— *Yazoo (Miss.) Herald*.

The testimony in the Rankin farm investigation reads like a chapter from the tales of horrors of the Siberian mines. We raise money to send missionaries to heathen lands, when the most cruel barbarities of darkest Russia can not furnish an equal to the fiendish deeds perpetrated right under our noses in a civilized community and under the eyes of official sanction. * * * There is not one scintilla of truth that Crockett was killed while assaulting a guard."— *Yazoo Sentinel*.

"It does not require a close inspection of the record, to show that all the convicts were treated more like untamed brutes than they were like human beings. It seems it was nothing uncommon to take them out in droves and beat them on the bare back unmercifully. The record shows further that old Dave Puckett and his next best man, Strong, were drunk all the time. It shows that Crockett had been

beat so much and without his knowing what about * * * he decided he would rather die than stand it any longer."— *Collins Commercial*.

It was alleged that the Governor who kept one of the negro convicts as his servant whipped him very severely.

FLORIDA.

The convicts in Florida were first leased during the civil war, and a more ghastly record of convict leasing was never known anywhere. Anything like a true account of the sufferings of convicts turned over body and soul to inhuman taskmasters would put romance to shame. Stories told of the ill-treatment of convicts working on railroad construction, and at turpentine culture in pine forests, would compare favorably with the torture practiced during the Spanish Inquisition. Florida has no penitentiary building.

The Florida *Times-Union and Citizen* of May 20, 1899, gives extracts from a report of the investigating prison committee, which had just returned from a tour of inspection. The seven hundred felony convicts, including males and females, white and black, were confined in camps and worked mostly in turpentine and phosphate. During the year six had been shot dead by guards and two had committed suicide. Many cases of deaths had occurred that "appeared suspicious." In a phosphate camp in Citrous county, where eighty convicts were kept including white men, and black men, and women, the committee found a "deplorable condition that could not be presented in language * * * a system of cruelty and inhumanity that would be hard to realize." "There was an insufficiency of food; severe and cruel punishment as evidenced by the lash cuts on the prisoners; the well prisoners were compelled to sleep all mixed up with the sick men in the cell." "There was no bedding except a pine floor and one blanket for each during the severe weather in winter. The blankets were filthy and stench nauseating. The stockade was entirely too small, and cooking arrangements bad; the punishments frequent and very cruel." Some of the other camps were in a similar condition, where women and boys also shared in the sufferings.

The *Times-Union and Citizen* of April 5, 1901, tells how the convicts were punished in the camp at Odessa. James Miller "was thrown to the ground, and a negro convict made to sit on his head, while there was one on each hand and foot to hold him down. His back was bared and the lashes administered on the bare flesh with a leather strap four inches wide. The bruises and scars were to be seen months afterward."

"Susie Brown, a colored female convict, was stripped and held upon the ground in the same way and whipped."

"A boy not over fifteen years old was whipped in the same manner and given seventy-five lashes." Other instances of even greater cruelty were given.

In the summer of 1903, a case was brought to light, showing that a sixteen-year old white boy from Georgia, had been sentenced to work sixty days in the phosphate mines at Dutton, Fla., for some trifling misdemeanor. While there he was held by two negroes, while the strap was applied by a man weighing 200 pounds. The boy died from the effects and the verdict of five physicians who performed an autopsy on the body was: "*Death from torture.*"

It is now stated that the 1,234 felony convicts, including men, women and boys, 91 per cent. of whom are negroes, are leased to a syndicate composed largely of Georgians. The company pays \$207.70 a year for the labor of each, and guards and clothes them. None can suffer more than the convicts sub-let to work in turpentine forests. The work is declared to be "severe to a degree almost impossible to exaggerate."

The *Jacksonville Metropolis*, of March 28, 1907, after criticising the late exposure of the cruel treatment of the convicts adds: "Nevertheless the system is 14 far from perfect, and no one more fully realizes it than the lessees, who gladly welcome any reforms likely to *enhance the value of the convicts to themselves* and society at large." Perhaps it is to "enhance their value" that a hospital for sick convicts has been erected.

The following extracts taken from a letter of a Florida correspondent to the *Philadelphia Press* issued February 19, 1895, will show something of the treatment of misdemeanor convicts. The writer says: "Faint from hunger and with backs bloody from repeated lashings, eleven young men stood before the Circuit Court Judge Hooker, to-day, and told of ten days of torture passed by them on the Morris convict farm in this County, (Ocala) whither they had been sent by an Ocala justice as tramps."

Continuing the correspondent said: "They were very intelligent, and after Judge Hooker heard the evidence he ordered their release, denouncing their arrest and treatment a disgrace to civilization. The young men reached here about two weeks ago. All were walking to see Florida, and to hunt and fish as well. They did not ask for aid. Two days after reaching here, they were arrested and taken before Justice Clay, who sent them to the convict farm for thirty days as tramps.

"At the farm they were subjected to such barbarous treatment that some of them will probably die. They were chained to negroes and ordered to do tasks which were impossible. At night when they

reported their tasks unperformed, they were stripped naked, tied across logs, and lashed with raw-hides until the blood gushed. Their faces were also badly gashed by the lash, and one, Cumming's ear was nearly torn off. They were given bread twice a day but no meat.

"The other night with the mercury below freezing, the guards drove the young men into a lake near by shouting, "You've been begging for a bath, now get clean." Judge Hooker made them bare their backs, which were found to be raw and quivering. Citizens living near the convict farm substantiated the story, and said many convicts had been killed by brutality the last few months." Citizens were outraged at the barbarities practiced by guards toward the 100 prisoners confined there, but the judge discouraged the proposed plan of storming the camp and setting the prisoners at liberty.

The truthfulness of the story of the young men was vouched for by a friend, a man of integrity, who was well acquainted with the prison camps, and, who in a private letter told of ex-convicts who had scars they would carry to the grave. He told of barracks where two hundred men were confined at night, "a plain wooden building about 60 × 18 feet with a small window at each end." "The air was horrible."

It is alleged that immigrants are arrested as vagrants and sent to the county chain-gangs.

TESTIMONY OF MR. COLLIS LOVELY.

Mr. Collis Lovely, special agent sent out by the Department of Labor of Missouri, to investigate the operation of penal institutions in the United States, tells his story in the July, August, September and October numbers of the *Shoe Workers' Journal*, 1905. published in Boston, Mass. He says in part:

"For revenue only, seems to have been the governing purpose in the management and control of convicts in this country.

"Wherever I found the lease system in the South, I found convicts in a hopeless state of slavery, more cruel and inhuman than chattel slavery ever was during the last half of the last century. * * * The lessee has no interest in the convict except to secure the largest amount of labor in a given time. What matters it to him if the convict's health is broken down? There are plenty of more convicts. * * * Overseers employed by these contractors are, almost without exception, men of brutal natures without a saving touch of kindness in their makeup. When the convict fails to satisfy the exactions of one of these taskmasters, the whip, more often a club, and sometimes even more direful methods of chastisement, are brought into immediate requisition.

"The great majority of criminals are State and county prisoners and are slaves to the lease system, which in all my travels and investigations in the South I was unable to find more than one who was its advocate and defender, and he was a prison official."

In describing the "varieties of torture" used in some of the prisons he tells of "The Cross," a cruel system of punishment in the Virginia penitentiary at Richmond. He says, "the convict is pinioned to the floor in much the same manner that he might be fastened to an upright cross. He is laid flat on his back on the hard floor in a cell absolutely bare and dark with his arms outstretched and his wrists and ankles fastened in a rigid position. There he is confined from one to six days. He is released for a luncheon of bread and water at meal times, and is taken out at night so that he may sleep enough to bear the tortures of the following day." Another cruel custom in the prison is "throwing a convict 15 over a barrel, stripping off his clothes and laying the flesh on his back and legs open with a long thick strap. The victim's feet are shackled and one holds him

"THE WATER CURE."

by the wrists while the other applies the lash."

"The Water Cure," the torture which he says the contract system stands sponsor for, is used in the penitentiary at Moundsville, West Virginia, and at the Branch Penitentiary, Eddyville, Kentucky.

"The convict is stripped, blindfolded and placed about 20 or 25 feet in front of a hose. A 2-inch hose is used with water under a pressure of 280 pounds. Beginning with warm water the temperature is steadily lowered until it is ice cold. This freezing water thrown with terrific force on the convict's naked body, puts him in such frightful agony that he is speedily willing to do any task the warden or prison contractor requires."

At the State Prison in Concord, New Hampshire, where the prisoners are employed in making chairs, Mr. Lovely found a "new system of torture in every day use. It was called the slide, and is an instrument fashioned after a window frame. * * * At the top of the frame there is a ring to which the wrists of the convict are handcuffed. The frame is then raised until the victim's feet swing free from the floor. * * * Five minutes is the longest any prisoner has been able to endure this torture."

He found the paddle and whipping-post prevalent forms of punishment in the prisons, both North and South where the contract system is in vogue. The State pays a guard but \$20 a month and requires him to board himself. He attributes the excessive cruelty in every prison camp to the unprincipled character of the wardens and guards, the latter of whom are often ignorant and dissolute.

He declares that "all manner of human tortures are still employed in nearly every State in the Union to compel convicts to perform Herculean labors that the contractors mark out for them; and the general public is, and always has been wholly unaware of the crimes that have been, and are still being perpetrated in their penal institutions," also that this "curse of 'man's' inhumanity to man" is not peculiar to any one section of our country, but exists in every penal institution, that seeks to derive profit from the labor of its inmates."

The ignorant and the vicious prisoners are alike, "punished with unrelenting severity" and "barbarous tortures administered," Mr. Lovely considers the crowning vice of the system to be the disastrous competition between the products of the prisoner's enforced industry and those of the free workingman." Among the instances given he points to the New Castle County Workhouse at Wilmington, Delaware, where there are 180 convicts employed by contractors to manufacture men's and boys' trousers. For men's trousers the contractor pays 65 cents per dozen pairs; for youths' trousers 55 cents per dozen; for boys' pants 18 cents per dozen.

Mr. Lovely found the convicts in Rhode Island employed in the manufacture of fine shirts which usually retail for from \$1.00 to \$1.50 per shirt. The State furnishes the material, and the contractor pays for the cutting, making, starching, ironing, folding and packing of these shirts, including a pair of cuffs for each garment, 50 cents per dozen shirts. The favorite punishment for these who lack in their work, is the straight jacket, another instrument of torture.

CONDITION OF FEMALE PRISONERS.

And now we come to the darkest chapter in the catalogue of evils connected with some of our abominable prison systems. Our country can boast of having two female prisons controlled entirely by women, who alone should have charge of female convicts. But what of other women and girls confined in jails, penitentiaries, workhouses and in stockades, the latter sometimes being remote from human habitation? Prison inspectors have told us that the condition of some of these unfortunates is so pitiable that it is unfit to present to the public. Enough is known however to show that both white and colored female prisoners have been outraged by guards times without number. I could give many incidents showing 16 inhuman treatment of these helpless victims held in confinement. A young white girl confined in a convict camp composed mostly of male convicts and guards, was pardoned out to die. The Governor declared her to be "the vilest creature on earth." But what were the facts? She was compelled to be a slave of beastly passion. If she attempted to escape she was caught with blood-hounds, brought back and flogged into submission.

The condition of female convicts worked in county chaingangs with men as they are *to-day*, is a disgrace to civilization. They have been whipped naked. They have been compelled to wear men's attire and been worked side by side with men; and *worse far worse*.

The *Waycross (Ga.) Journal*, dated June 5, 1903, tells of a colored girl, Lulu Frazer, who was arrested by a "professional crime hunter" and accused of bigamy. She was tried in court and found to be innocent. To pay her lawyer's fee which was \$50, she was sent to a convict camp owned by a member of the Georgia State Legislature and his brother, to work fourteen months. She was locked up at night, whipped with a leather strap and although then a wife and mother, she was compelled to marry a prisoner in the camp. It was alleged that both women and men were most inhumanly treated in this camp.

Georgia's convict system has been responsible for many illegitimate children born in convict camps. It seems the State convict farm is not wholly free from such things. The *Atlanta Constitution* of August 16, 1903, tells of a child on the convict farm—"a child conceived in sin and swaddled in stripes, * * * the birth occurred a year after the mother became a convict." Reports of prison investigating committees have shown this case to be but one out of great numbers the system has brought on in Georgia." Very little, if any, provision is made for female misdemeanor convicts in county camps scattered over the State. Their condition is deplorable.

The *Macon (Ga.) News* of July 4, 1904, gives an account of a negro girl, fourteen years of age being taken to the Bibb county chaingang on January 1st, of that year. The June following she was sent home to die. The scars on the girl's body corroborated her dying testimony that she "had been whipped to death." The verdict of the coroner's jury was, "Her death was the result of cruel treatment."

In 1903, when the federal authorities made an investigation of peonage in Georgia and Alabama, one of the many horrors which was brought to light was the torturing to death of the colored girl, Sarah Nealy, in Alabama. It seems she had been convicted on some trumped up charge by some "crime hunter" and put in confinement with a gang of men held in involuntary servitude by a wealthy planter. The next day after her arrival at the camp she was stretched across a log, her clothing drawn up and while her hands and feet were held by negroes, the white guard who was the son of the planter, gave her one hundred lashes with a buggy trace. She was then handcuffed, her feet tied together, a rope put around her neck when she was drawn up until her toes barely touched the ground. In this condition she was kept from 10 a. m. until 12 o'clock, when she was released and she crawled away. She was afterward ordered to go to work but being unable the guard beat her on the head and jumped upon her stomach. Before three o'clock she was dead. She was then buried by two

negroes, "unattended by friends, and without ceremonials," (See special dispatch to Chicago *Inter-Ocean*, July 1, 1903.)

Another true story is told of a sixteen-year old colored girl living also in Alabama, who was charged with having "improper relations" with her employer who was a white man. For this she was held in a State of slavery until rescued by Federal authorities, which was after she had served one year and had been repeatedly flogged, once when her hands were tied under her knees and she received twenty blows from a buggy trace on the bare back "with all the force that a burly white man could put into the blows." There is no account of her *employer* being punished.

In 1899, a grand jury made an inspection of the Mississippi penitentiary and in it were found female convicts and a few male convicts. In the same building were kept cattle, horses, and from twenty-five to forty hogs. "In the enclosure hogs were raised and the filth produced and discharged from the place was appalling."

Newspapers have given harrowing accounts of the treatment of women in the State's misdemeanor convict camps, and how young negro women have, after serving a sentence, been turned out with children, which had been begotten and born in camp. The State of Mississippi is not alone in this nefarious work. Investigating prison inspectors have found great numbers of children in convict camps. In one of the convict leasing States twenty-five children under five years of age were found during one investigation. All had been begotten and born in convict camps. A prison physician has told of one woman who had borne seven children inside a convict camp; another had borne six.

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INNOCENT MEN HELD IN BONDAGE.

Making merchandize of crime has resulted in a form of slavery almost unparalleled in cruelty and injustice toward many who are innocent of crime. Contractors of convict labor have found a way of mixing among their prisoners innocent men and women, mostly colored, who have been kidnapped and whom they hold and work like legal convicts. It would no doubt be surprising to know how many missing men and boys have become the victims of "middle men" who not infrequently kidnap innocent men and run them in with criminals. The following few extracts are taken from the truthful account of a kidnapped white man.

The *North American* of February 28, 1901, gives the awful experience of Rev. Jonas H. Price, of Pleasant Valley, Penna., who was chloroformed by two strange men while on a P. W. & B, train. He was carried away in spite of his protestations and put in confinement in a stockade, herded with sixty negro convicts in a pine forest in South Carolina. He was forced to dress in convict garb,

toil from dawn to dark in phosphate rock with the negro convicts, guarded by armed men, fed on bread and water only and treated with the utmost brutality. He says: "If a man uttered a word to his neighbor one of the overseers would bring down his stick upon the fellow's back. * * * I have seen men unmercifully flogged for the slightest infraction of rules. I have seen men scarcely able to stand driven to work with blows. Often during the night the blood-hounds would bay and set me to shuddering." At the end of three months he was assisted to make his escape and arrived at home in an almost dying condition. In a private letter which lies before me, written several months after his return, he says: "May God in his mercy give you wisdom, and strength, and sufficient information so that you may be the means of opening up a way by which a most cruel and hellish practice may be brought to naught. From having once been a healthy man I am now a physical and mental wreck."

There is abundance of evidence to show that many are held in involuntary servitude in several of the Southern States. It is alleged that hundreds of men, both white and colored, are held in bondage in Southern Florida, many of whom are immigrants, that those responsible for this condition of affairs are mostly Northern men and companies engaged in the turpentine and lumber business and in mining phosphate. It is alleged also that sheriffs in the various counties are parties to the enslaving of negroes, many of whom have been brought from other States.

It is well known that an employment agency in New York, ships men including immigrants and native Americans, to Florida and Alabama where they are held in practical slavery. Many heartrending accounts of cruelty practiced in the camps where the men are worked are told in the papers. The Florida *Times-Union* in some of its late numbers tells of whippings, and "the inhuman and barbarous treatment" of men held in servitude in the Jackson Lumber Company's camps in Lockhart, Alabama. Blood hounds are kept to trail men trying to escape. "These unfortunates are mostly immigrants newly landed and beguiled into the power through shameless falsehoods." The Attorney General under whose directions the investigations are made, declares that, "communities that would tolerate such things are about three thousand years behind American civilization."

Among the many cases of peonage recently brought to light are the details of a most atrocious case alleged to have occurred in Rankin County, Miss. The testimony showed that a negro named Dan January was in debt to a white farmer. The farmer with some companions seized January, bound him hand and foot to a tree and beat him almost to death, the assailants taking turns in so doing until they were themselves exhausted and their victim completely unconscious. The next day the farmer produced a rope and threatened to hang him unless he consented to be sold, with his entire family. The family was sold for \$1,000.

It is alleged that all the victims of such outrages in Mississippi are negroes.

The *St. Louis Post-Dispatch* of June 15, 1906, gives an account of more than forty negroes including four women being held as slaves by a syndicate at Cape Gerardeau, Missouri. The negroes were brought from the South under promise of work and good pay, but upon their arrival were confined in a stockade as prisoners and treated with great cruelty. At night they were confined in two frame buildings each 14 feet long and 12 feet wide. They slept almost without air, amidst dirt and vermin. The *St. Louis Republic* said "the conditions were beyond description." The slaveholders were tried in September and fined. The testimony revealed a shocking state of affairs. One negro had been found sick with pneumonia, lying on the floor covered with filth and vermin. One of the negro peons had been a member of Company I Tenth Cavalry, and was in the charge at San Juan Hill. Another who was covered with scabs made by vermin had served five years in the Ninth Cavalry. Shot guns, revolvers, 18 rifles and clanking chains had been freely used by the white overseers.

The *St. Joseph News Press* says "As yet the Boston and New England press hasn't taken up the matter, but it is fully expected to do so, and Missouri will get it good for being the hot bed of American slavery."

In his charge to the United States Grand Jury, on March 21, 1905, Judge Speer said:

"If the wrongs and outrages to which American people daily submit were imposed by any foreign government, if not atoned for, it would result in a declaration of war, as soon as Congress could be assembled. Should the Sultan of Morocco, or Abdul Hamid at Constantinople, consign to an Oriental chaingang, American citizens for such trivialities as are daily punished here, before the sun went down the steel clad battleships of the Union would be speeding over mountain wave of ocean, to demand redress for the injury or to avenge the wrong. It is time that people should arouse themselves and crush crime—crush all its hydra heads. No other crime is so subtle in its operation, more destructive in its results than that which degrades the public conscience, until it can tamely and without protest witness the unlawful slavery of the citizen.

Let the peonage continue, and the plastic mind of the rising generation will become imbued with principles as vicious and regardless of human rights as those of the Arab slave trader or West Indian buccaneer. Labor will be degraded, because, demanding the wages of freemen, the working men can not compete with the labor of the unpaid peon. Our nation can not live half slave and half free. Let this crime continue and we will all be slaves: slaves because we slavishly rail to perform a lofty civic duty." (See *Augusta, Ga. Herald*, March 21, 1905.)

"They are slaves who fear to speak For the fallen and the weak; * * * * * They are slaves who dare not be In the right with two or three."

COUNTY JAILS.

Mr. William Tallack in his book entitled, *Penological and Preventive Principles* published by the Howard Association of Great Britain, of which Mr. Tallack was secretary for thirty-five years, says:

"Is it any wonder that murders, robberies and outrages of all kinds so abound in the United States at the close of the Nineteenth Century, when the numerous jails and their administrators are such as have been described by the most unimpeachable native authorities."

A delegate to the annual meeting of the National Prison Association once said:

"If by some supernatural process, our two thousand jails could be unroofed, and the scenes they conceal be thus exposed to view, a shriek would go up from this Congress and this country, that would not only reach every nook and corner of the land, but be heard in scriptural phrase, to the ends of the earth."

The *St. Louis Republic* said recently: "Probably in no other modern institutions do the methods and ideas of barbarism so survive, as in the jails and poorhouses from one end of the country to the other."

Josiah Flynt Willard, author and sociologist, in his book entitled, *Our Criminal Classes*, describes the county jail as "the public school of crime," and says "the majority of professional offenders in this country have generally spent a part of their youth in such institutions."

A correspondent of the *Nashville (Tenn.) American*, says in its issue of February 18, 1905: "No people in the United States suffer more in cold weather than the inmates of jails, poorhouses and workhouses. Some of these institutions have no heaters in them. Many people never think of the poor men, women and children confined in these places."

More than a decade ago the jails of Georgia were declared by men of legal profession to be "slaughter houses." One such said:

"Our jails are thronged with dying men. They put men in them before they are convicted and with the presumption of innocence in their favor, and when they are brought out and acquitted or found guilty they totter out of the temple of justice and fall away and die."

A man whose business it has been to conduct prisoners to and from the jails in Georgia, in giving a description of them in a State paper, said in part:

“Dante's inscription over the gates of hell might well be written over the doors of Georgia's jails.” He declared that “among the more than one thousand people in the jails in the State nowhere could the same number of people be found who were suffering the same torments.” He told of finding female prisoners awaiting trial crowded into the same room with men “and the scene was awful.” They begged with tears running down their cheeks to be taken to the penitentiary. The rooms where the poor creatures were confined were “vermin infested and awful.” (For description of the county jail at Augusta see *Augusta Chronicle* of September 6, 1903.)

The editor of the *Augusta Herald* in commenting on Georgia's jails says: “Take for instance the very life and sustenance of the prisoners held in the South. 19 The law allows the sheriff so much per day for their keep, and it is an open secret that the officials as a rule, feed them as poorly and as cheaply as possible in order that their own profit shall be the greater.”

When Dr. Shirley Bragg, became a member of the Board of Prisons in Alabama in 1902, he inspected the county jails of the State. In his report he said in part:

“The condition of many of the jails in Alabama beggars description; prisoners are herded in them like sheep, no ventilation, no bathing facilities and no change of clothing (although they may be confined for months), reeking with filth and covered with vermin; this with food of the roughest and poorest character produces disease. This is a mild picture of existing conditions in many of the jails of the State. I have known strong and able-bodied prisoners placed in jail and come out physical and mental wrecks.” The conditions, he says, are owing mostly to an utter disregard for the welfare of the prisoners. (See *Montgomery Advertiser*, December 16, 1902.)

In the physician's report for 1903, he says:

“Many of the jails of the State continue to issue death certificates with a lavish hand. They are deficient in air space, deficient in ventilation, deficient in proper food, deficient in everything pertaining to health, a cesspool of danger and disease. Paved with filth, overflowing with vermin, disseminating diseases, a menace not only to those confined in them, but more far reaching—a menace to the citizens of the State. *Humanity cries aloud for something to be done.* The strong often come out of them physical wrecks, while the weak present their death certificates in their faces. The picture is not overdrawn.” Continuing he says:

“The bulk of our convicts are of a class who are largely grown up children; they need some one to think for them, and surely they need protection from the rapacity of many who look upon them not as human beings, but machines.”

In Dr. Bragg's report for the year 1906, he says:

“I have not changed my opinion in reference to the jails of the State. I am more convinced than ever before that the ideas of humanity and civilization would be better carried out if the torch were applied to every jail in Alabama. *It would be more human and far better to stake the prisoner out with a ring around his neck like a wild animal, than to confine him in places called jails that are reeking with filth and disease, and alive with vermin of all kinds.* They are not only harbingers of disease but nurseries of death. * * *

“We receive prisoners from these jails who are on the verge of collapse for want of nourishment. In many of the jails of the State men and women remain for months without means of washing their faces.” The Doctor recommends having jail inspectors.

ROANOKE (VA.) JAIL.

The editor of the *Roanoke (Va.) Times* in his issue of December 4, 1904, describes the city jail after a personal inspection made the day previous. He says:

“The cells occupy two floors of the building—the lower floor being used more in the nature of a station house, while the upper portion is used for prisoners committed in State custody. Each one supports a large steel cage subdivided into cells. The cell measurements is about six by eight feet. There are four prisoners in each cell. No beds whatever are afforded for the inmates on the upper floor—no bunks or other place for sleeping. The prisoners are compelled to pass the night on the cement floor protected only by a quilt and blanket. Between the cells there is no privacy. However ill a prisoner may be, he is subjected to the same conditions endured by the healthiest man. The heating arrangement does not afford sufficient warmth to keep the pangs of actual suffering from the prisoners. Men are often seen during the night keeping their arms in constant motion to ward off the dread stiffening of the body which precedes freezing. To add to the horror of the situation, it is not infrequently the case that the water tanks overflow—flood the cement floor and drench the bed clothing of the prisoners. The place is vermin infested, of sickening nauseous odor and in all respects little better than a cattle pen.” The number of prisoners was 112 including 52 who were worked on the chaingang during the day and were the greatest sufferers. Nearly all were negroes.

An official investigation of the jail the report of which was made to the Court on January 23, 1907, shows the present condition. The *Roanoke Times* in referring to the report says:

"Talk about the black hole of Calcutta, * * * why the vermin infested, unventilated, ill-heated, unsanitary condition of this disease-breeding hole is hardly better. At the time the report was made, there were 124 prisoners confined in 24 cells, the little dark dingy quarters, 6 by 8 feet, on an average of five to a cell, some cells having as many as nine with one or two bunks (single berths) for their accommodation. This is barely standing room. It is inhuman, unjust, wrong. * * * If these human beings were animals, their case would have had 20 attention long ago by the Society for the prevention of cruelty to animals."

No blame was attached to the keeper, but the inspectors declared that "to permit human beings to be thus literally penned like swine is little less than criminal." The jail was found to be in a bad condition. "All the closets are open" and the tanks to those on the first floor where prisoners were held for trial could not be used at all.

Delaware which has but three counties has no penitentiary, but has three workhouses or jails. Eye witnesses have long borne testimony to the evils resulting from confining youthful offenders in these "schools of vice."

Referring to Delaware's whipping post the President of the Maryland Prison Association has said: It stands out in the yard a relic of a barbarous age and conveys to the mind of the prisoners bitterness and hatred and drives from them almost every remnant of better nature."

PRISONERS FLOGGED WITH CAT O' NINE TAILS.

What can be more revolting to a human mind than such accounts as the following?

"February 7, 1903:—This was whipping day for New Castle County. Long before the time for flogging the prisoners, trolley cars running to Greenback were crowded with persons who wished to see the punishment inflicted. Many women were in the party.

"Prisoners who stood at the post were doubly punished in view of the biting wind which raged while the flogging process was going on. From the workhouse through the tunnel to the stockade the prisoners were marched bared to the waist. With chattering teeth and shivering bodies they awaited their turns at the post."

The *Wilmington Evening Journal* of September 26, 1903, describes the whipping 21 of fourteen prisoners at the New Castle prison, when several hundred men and women witnessed the punishment. Some of the prisoners stood in the pillory one hour each. Several received forty lashes each, one of whose whole back was left as raw as a piece of meat. another was whipped while "each blow sent streams of blood down his back." Another "cried and prayed." Another while being tortured by the lash "tried to climb the post and wrenched his hands free from the iron braces." But the punishment continued.

The *Wilmington papers* reported the whipping of ten prisoners on February 11, 1905, one of the coldest days of the season. Some of the prisoners "were taken from a room with a temperature of 60 degrees to the jail yard where it was 18 degrees" to receive their punishment. One negro received forty lashes well laid on after being in the pillory one hour. A middle aged negro "cried for mercy" as the lashes were laid on unsparingly. "He stole three mackerel to relieve his hunger and ten lashes and a year's labor constituted his punishment." Another negro had been found guilty of having in possession an old heater he had taken from an ash barrel. His skin was "blistered and cracked" from the lashing, and in addition he must serve six months in the workhouse. All were whipped on the naked back.

TEXAS.

Texas which has long been a convict leasing State, has the largest prison population of any State in the Union. The number of felony convicts on hand August 31, 1904, was 3,975. Of this number 2,314 were negroes, 1,851 were illiterate and 1,792 intemperate. Over 700 were under 20 years of age, some being under 15. Nearly one-half are employed on contract force, or in other words are leased to work on contract.

The *Galveston (Texas) Daily News*, of May 31, 1902, gives extracts from a report of a recent official investigation. The investigating committee declared "the lease (contract) system a disgrace to the State." "The prison officials," said the committee, "are furnished palatial homes, but as a rule the life of a (leased) convict is not so valuable in the eyes of the sergeants, guards and contractors, with few exceptions, as that of a dog. We find that the average life of a convict is seven years. Convicts are shot down upon the least provocation and when there is absolutely no excuse for it. Convicts are worked when they are sick and disabled, and some have been compelled to work until they have dropped dead in their tracks, yet nothing so far as we know has been done to remedy the evil." The law regarding whipping convicts was "held in contempt" by lessees and guards. "The sergeant whips

at any and all times, it is his pleasure to do so." Some of the guards had been retained 30 years "which tends to make them callous." The full report was withheld from the public.

The net income to the State from the contract forces alone, during the two years ending September 1, 1904, was \$296,069.84. The contractors also made a large profit. During the two years \$520 were used for shotguns, rifles and revolvers, and \$390 for shackles. Ten convicts had died from gunshot wounds during the two years. Pneumonia and tuberculosis are the prevailing diseases in the prisons.

The Superintendent of the Texas penitentiaries says: "Few changes in the methods and management of convicts have been made during the past few years," and recommends the abolishment of the convict lease system. He earnestly urges that some steps be taken to provide for the more than a score of insane convicts.

The mortality in the Texas convict camps has been ghastly. During one four years alone, seventy-one convicts have been shot to death by guards. The verdict was: "The guard acted in discharge of his duty." Bloodhounds are kept the same as in other convict leasing States, to trail escaped convicts.

The condition of the misdemeanor convicts is pitiable in the extreme.

Crime has increased rapidly in the State. In 1870, there was one in the penitentiary out of every 1519 inhabitants. 22 In 1900 there was one out of every 702 inhabitants.

Public attention is called by the Superintendent to the reform work and aid given convicts by Rev. J. L. Russell, of Durango, Texas, who works without solicitation or compensation. An appeal is made for assistance in this noble Christian work.

DISTRICT OF COLUMBIA.

The District of Columbia, has no penitentiary, and most of its convicted felons have, for some years, been sent to the Moundsville penitentiary at West Virginia, there to be left, if reports are true, to the "tender mercies of the cruel." It is alleged that prisoners are ill fed, flogged with a leathern paddle, chained to doors for hours, and lashed to a cross and drenched with swift streams of water. If reports which not only come from ex-prisoners, but citizens of the State are correct concerning the management of the institution, there is great need of reformation.

VIRGINIA.

In 1904, the average number of felony convicts in the Virginia penitentiary at Richmond, was 1,530 of whom nearly 1,000 were colored, and many illiterate. For many years, the Davis Boot and Shoe Company has hired the labor of over 1,000 of the able bodied male convicts, and the State has received annually a net profit from convict labor the sum of nearly \$50,000. The corresponding secretary of the Conference of Charities and Corrections says in his report for 1901: The institution is ably managed from a financial point of view: otherwise it is a disgrace to humanity, a blot upon the escutcheon of the State. The old structure is in the main, antiquated, * * * stuffy-cells, * * * overladen with foul air, sanitary arrangements of the crudest character, the prisoners crowded, * * * many cells infested with vermin, the condition beggars description." The penitentiary surgeon in his report for 1904, declared the penitentiary more overcrowded and the worst sewerage of any of its kind, abominable kitchen and no dining room. Nearly one-half of the deaths had been caused by consumption.

KENTUCKY.

The convict lease system of Kentucky antedates the civil war. An editor of a State journal once reported it as a "charnel house." Ex-Governor Anderson when referring to the penitentiary in a speech before the Conference of Charities and Corrections in 1883, said: "More lives have been destroyed in the town of Frankfort than ever the Indian despot (Nina Sahib) slew in his life." He declared that he was inclined to say with Laerters: "*Do you see this, O, God?*"

Hundreds have died of pneumonia and tuberculosis, but the dread and terror of the convicts has been the strap. In 1895, a new warden said in his report: "On investigation I learned that the strap had been used for a number of years, at least, * * * there was on an average of sixty-eight convicts strapped per month, and on the bare back with a strap with which the flesh could easily be split, * * * and there were over one thousand licks struck per month for months." They were whipped for "fighting, talking in the dining room, for being short on tasks" and for every manner of offense. The result of such discipline was demoralizing in the extreme, and murders had been committed in the prison. Continuing his report the warden said: "In the last nine years the population of our prison has just about doubled, * * * near one half the number sent here last year were mere children."

In the Chaplain's report for this same year he tells of the "noble band of men and women who teach in our Sabbath School," and other good work done for the prisoners, and then calls attention to the "dark side of prison life." He tells of convicts in the prison "who are guilty of the awful crime which brought destruction upon Sodom, of gambling and profanity in the prison, of children who are sent

there every year, to become hardened in sin." The number of prisoners at this time was 1,104, over 200 being under 20 years of age, and over 600 being colored.

New prisons have been erected within recent years, but the labor of both male and female convicts is hired by contractors and yields a net profit to the State. The labor of the women is hired by the Union Skirt Company at 30 cents per diem per woman. The report for 1904 shows the number of convicts as being 1,893, children furnishing some of the number. The clerk's report shows the cost of provisions per day, per man, as being EIGHT CENTS. Nearly two-thirds of all the deaths during the year had been caused by consumption. The Prison Physician in his report says: "Our consumptive ward is too small to accommodate the number that are cursed with this disease; These unfortunate patients should not be huddled together in a small illy ventilated room, but should be in a ward large and airy." The hospital is situated over the kitchen and bake oven. There is no provision made for the insane prisoners. The net profit to the State for the labor of the convicts during the year was \$7,854.96.

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LOUISIANA.

Perhaps no State has reaped a greater death harvest from convict leasing than Louisiana. Pen pictures of suffering and inhuman treatment of convicts working on levees, most of whom were colored, have failed to tell the whole story. The Governor in his message, May 10, 1904, said: "The number of deaths during the last eight years of lessee management averaged 100 a year out of a population of a little over 1,000." Reports show that during the four years prior to 1901 almost one-half of the 1,044 convicts died.

Bare statistics are cold and meaningless when no thought is given to the days and nights, and sometimes years of suffering endured before death comes to give relief. Think of 160 half-starved "unwashed, uncombed, unshaven, ragged, bedraggled" men and boys whose labor had begun at half past four in the morning, after being confined at night in a low rough board shanty, 50 feet long by 18 feet wide, without windows and almost no ventilation, watched every moment by armed guards "ready to shoot down any convict, who emerged before daylight." This is but a faint pen picture of Louisiana's convict leasing.

The convicts are now under State control which receives the full benefit of convict labor.

ARKANSAS.

The sickening details of cruelties practiced in the convict camps in Arkansas have been brought to light again and again by investigating committees; State papers have condemned the evils of convict leasing in unmeasured terms, but no convicts ever suffered more from inhuman guards, and in some cases cruel wardens, than the convicts in Arkansas. The poor misdemeanants have been among the greatest sufferers. An Arkansas Governor once said in his message that the fee system was responsible for trials which were "mere farces and mockeries of justice." He said: "Men are tried for trivial offenses, a single offense being multiplied into several in order to pile up costs." Men have been obliged to serve as many as three, five or even six years for one offense being multiplied in this way.

In 1893 the State assumed control of her felons, but pneumonia and consumption still cause the death of many. Reform is still needed.

WORK FOR PHILANTHROPISTS.

An editor in a Southern State calls attention to the great need of charitable institutions, especially among the colored population, and says: "Philanthropists can do a big work in the South which will be genuine charity."

No institutions are more needed, especially for the colored race, than institutions for the training of the young, the developing of the mind and turning it into the right channels. Mr. R. L. Dugdale, author of "A Study in Crime," recommends kindergarten instruction, as such teaching "trains the senses and quickens the spirit of moral accountability, building them into cerebral tissue."

Through the efforts of Rev. Charles M. Sheldon, of Topeka, Kansas, a kindergarten school was started in a negro settlement in that part of the city where the record for crime was notorious. Now, at the end of fourteen years, about three hundred boys and girls have been graduated and not one of the number has ever appeared before a police court. The work among the children resulted in greatly improving the condition of the parents.

Mr. Sheldon says: "When the country shall learn this economic lesson, that it is cheaper in every way to make good citizens than to punish bad ones, we shall have made a long stride forward towards the ethics of criminology. If this government would spend as much money some one year

as it now spends for its battleships, in planting kindergartens over the South for the negro, and in the Northern cities for the slum children, the results would economically pay for the investment, I believe, twice over."

Warden W. E. Hale, of the California Penitentiary says: "It is the want of proper training when boys and girls are young that fills our penal institutions with criminals." He tells of 16,000 children coming from bad localities who had been trained in kindergartens and none had been known to be arrested.

Dr. Frank Lydston said before the Prison Congress: Society manufactures its own criminals, and then threatens to punish them if they follow the path laid out for them. * * * A healthy moral sense is the product of a healthy brain, and to be healthy the brain must have good blood—a condition that is not possible in the case of young waifs whom we see about our streets. * * * The mockery, cruelty, quackery, and dishonesty of the law will never better conditions."

Prof. Gates says: "For each bad emotion there is a corresponding chemical change in the tissues of the body, which is life-depressing and poisonous, while every good emotion makes a promoting change. Every thought which enters the mind is registered in the brain by a change of structure in the cells * * * more or less permanent. Bad thoughts build up structures of cells which engender evil ideas. Take an ill-tempered child. Its evil propensities spring from the overdevelopment of certain brain structures. Too much blood goes to that part of the mind and excessive nutrition causes overgrowth. Every time the child is angry, the blood flows to that portion of the brain. The remedy is this * * * to distract attention from bad ideas * * * starve these particular brain cells to get rid of the habit."

It has been the united testimony of prison inspectors that the cruel and inhuman treatment received by many prisoners called into activity the brutal qualities of both themselves and the guards.

A highly esteemed and well known Southern educator, of the white race, said in 1903: "In estimating crime among the black people, we should keep in mind that since Appomattox nearly every Southern State has maintained schools of crime—an organized institution for the training of criminals. This I charge against the convict lease system of the South. This system with its thousands of victims, has been much of the cause of the outbreak of crime among black people, through its brutalizing and dehumanizing influence on thousands of negroes. * * * To the lessee the body and soul of convicts is assigned. The motive of both State and lessee is not morals, but money; not reformation, but exploitation of criminals for gain. Criminals are generally scattered in branch prisons—quartered in rude stockades without proper sanitation, food or clothing. The average life of these convicts is less than ten years. Old and young are promiscuously chained and herded together. Even men and women are, in some camps, not separated. In a period of two years

over 1,000 of these convicts escaped from Southern prisons. * * * Think of a system that has no reformatory element, no system to cure men of crime, but educate young criminals in crime, and that by its barbarity, dehumanizes men and sends out those who do not die under the horrors of the system, to debauch and degrade society. From such criminals what wonder if there have come forth hundreds of moral monsters?'

Continuing, he adds, "that of all the thousands of graduates from the Christian schools maintained by the benevolence of the North and South, not one graduate has ever been even accused of crime against the sacredness of womanhood."

A well informed writer says, "the motherhood of the black race is being tainted in its childhood" by prison life, and declares "it would be better to kill the unhappy children than to wreck their souls by herding them in prison with hardened criminals."

One of the few who has given attention to this subject tells of the negro class that "crowds the jails and penitentiaries and who, poorly clad and fed, exposed to great extremes of heat and cold, working rain or shine at most laborious tasks while serving terms in the chaingangs, contract diseases and die by hundreds annually. Those who live to be released, flock to the cities to finish their remaining weeks or months and add their quota to the death rate." This, "the writer adds, "is the end of hundreds of boys and girls arrested for misdemeanors * * * placed in the chain-gangs with hardened criminals, to be steeped in iniquity and schooled in crime, and hastened to death of body and soul."

Rev. Crawford Jackson of Atlanta, chairman of the newly established central juvenile reformatory committee, and who is doing a noble work in the interest of juvenile criminals, in a report says:

"The church rarely ever reaches the criminal, whether adult or juvenile; and our legal machinery is set in motion merely for his punishment. * * * The criminal is the one individual in our midst for whom the least provision is made, looking to his salvation and future usefulness; and of all men he is the one most in need of it."

Mr. Jackson, who has recently visited the various prisons in Georgia, tells of finding comparatively innocent children incarcerated with hardened criminals; some for playing a moment on revolving doors, or riding a short distance on a slowly passing train; some had simply lost their way from home, other were temporarily epileptic." He says, "more than a Macedonian cry comes from these children who are "bound in iron and sitting in darkness."

Still later in an address at Charleston, S. C., Rev. Jackson, told how children who were caught by the police stealing a banana, "hooking rides," throwing rocks, and playing other pranks, were carried to the police stations, mixed with hardened criminals, brought before the police judge, sent to jail and chaingang and there associated with teachers old in crime. They come out with disgrace stamped upon them and in the young minds the seeds of criminal ideas sown.

"During the year 1900," said Mr. Jackson, "there were 15,000,000 children in our schools. The entire educational outlay for that year was \$165,000,000. The cost to the country to arrest, try and punish the criminals amounted to \$600,000,000." He adds: "No wonder crime is on the increase." His aim is to establish homes into which children can be placed 25 where they can be trained to good citizenship, instead of being sent to prison to associate with hardened criminals.

A prominent member of a State Legislature when pleading for a reformatory for young criminals said before the House: Take a juvenile at twelve years of age for five years in contact with hardened criminals, gamblers and trusties. He leaves there an expert thief a desperate character, with his hand against every man. * * * Look at the increase of crime in the United States. Crime has increased in the United States more than any other place on the globe. Every discharged criminal from the convict camp is a crime centre. Bibles and churches do not reach the crime centres. I plead for the boys and girls of the State. Better to send them to a bottomless hell than to J—s convict camp. * * * The original purpose was reformation. But oh! the power of money.

There are very few reformatories in our Southern States, and even where a reformatory exists, but a limited number can be admitted as is the case in Alabama. A reformatory for negro boys is almost unknown.

In 1904, there were in Alabama 471 youths between the ages of 10 and 21 years serving sentences with convicted felons. A prominent citizen of that State in writing to the *Age-Herald* says: "No paper in the State would print what I have learned of the horrible abominations of our prison life for these children. Crimes of violence will never cease so long as the State maintains universities for the training of criminals in its prisons, and mining barracks and sixty-six county jails for the same purpose."

In 1904, there were in the Kentucky penitentiary 319 between the ages of 10 and 20 years. The Prison Commissioners of this State said in one of their reports:

"In all penitentiaries where separate confinement does not prevail, buggery, the ancient and most disgusting sin is indulged in, and it is impossible to wholly suppress it where convicts are worked together, as we are compelled to work them, and the boys are those whom the older depraved

prisoners select to debauch. A great many boys who come here are not criminals but only the result of no educational or moral training.”

The Directors of the North Carolina penitentiary have repeatedly called attention to the large numbers of boys and girls who are “manufactured into criminals” in the penitentiary, and who “might be made useful members of society.”

In February, 1905, there were in the South Carolina penitentiary 52 negro boys between the ages of 7 and 16 years, including a little seven year old boy who was serving 15 months for riding away on a bicycle.

In 1904, there were received into the Virginia penitentiary 127 boys between the ages of 11 and 20 years.

During the years 1903 and 1904, there were received into the felony convict camps in Tennessee 127 boys between the ages of 10 and 20 years.

In 1902 and 1903, there were received in the felony camp in Louisiana 278 youths between the ages of 13 and 21 years.

Every State has her quota of child convicts. When released from prison they go out and others fill up the ranks. The great number of vagrant and misdemeanant children which help fill up the county chaingangs in each State, and who are left unmentioned in prison reports are in a condition the most pitiful of all. The number of felony and misdemeanor juvenile convicts in the South number thousands annually. A very large majority are colored, the victims of the cruel fee system.

Many pathetic stories have been told of boys in chaingangs. An Alabama paper tells the following.

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THE BOY IN THE CHAIN-GANG.

‘They were working right in front of the hotel—the chaingang. There were nine villianous-looking men each wearing shackles. A chaingang is an every day sight in the South. A boy not yet 14 years old came up with a pail of water. Larceny had sent him to associate with those villains for three long years. He looked pale and broken down, and nis shame compelled him to avert his face as he came up. At the first kind word tears welled up and blinded his eyes.

“There was a woman there who walked straight down to the boy and put her hands on his head and shed tears with him. Her heart was full of sorrow and sympathy and her words broke the lad down. This lasted five minutes to the great astonishment of the guard in charge. The lightening express coming down the road had just whistled when the guard called out: ‘Come you young thief, get back after more water!’

The woman started back at the words, dragging the child with her, he broke away, clasped her hand and kissed it, and then what? The express was thundering up and the lad turned from the one whose kind words had opened the wellsprings of his heart, and at the same time horrified at his situation, and with one spring he alighted in front of the locomotive. Next instant his crushed and mangled body was flung into the roadside ditch and he had served his sentence. He was picked up tenderly and the women wept over him as they washed his pale face and folded the boy's hands over the crushed breast, but the lad was beyond the need of earthly friends.”

ANOTHER TRUE STORY.

“There was a little boy in a State adjoining Alabama, who was tried for murder, ‘to be hanged by the neck until dead.’ He was young, he was poor, he was friendless, he was afraid. As he was being dragged to the gallows he clutched at the hands of the minister who was with him all the way in prayer, and in a piping little childish voice pleaded for his life, ‘Oh, mister, mister, I ain't had no chance, nohow.’”

THE SUICIDE.

Rocco Bell was an Italian boy living in Chicago, whose father sent him out when he was but seven years old to sell papers and beg. If the boy returned each day with less than one dollar, or sometimes more, the father who used the money for drink and gambling, gave his boy a terrible beating. To avoid the beatings, Rocco ran away and soon learned to steal. He was sent to a reformatory several times, where it was said he was cruelly treated. In January 1906, this broken hearted boy after writing a touching letter saying he preferred death and even hell to prison life, committed suicide in the county jail.

For more than twenty years the number of lynchings annually has averaged one hundred and fifty. Twenty negroes including one woman, have been burned to death at the stake since the opening of the present century. It is alleged that the victims of mob violence come from the “floating class

of negroes who prowl the roads by day and by night," and who "float from town to town doing rough work, having no permanent place of abode." There is sufficient evidence to prove beyond a doubt that this "floating class" is made up largely of men, who have been "the unfortunate victims of chaingang barbarities."

Instances can be given of negro youths who have been educated in a convict camp, as a prison official declared, to "become moral lepers," and who have, soon after release, found death at the stake. Among the four negroes who were burned at the stake in August, 1901, was one Joe. Washington, whose history I traced and found that much of his early life had been spent in convict camps which were notoriously vile. Other instances might be given.

It is said that one million tramps, criminals and vagabonds wander to and fro over the country. Ex-convicts form a large part of this great army of men who bear no public burdens, while some at least are continually committing crime.

It is alleged that the confinement of young boys and girls at hard labor in factories, mills, and other branches of trade, help to make criminals. The Secretary of the National Child Labor Committee says: "If we want to live where young children grow up uneducated, deformed, and become criminals we need pay no attention to child labor." There are at the present time 1,700,000 children uneducated, toiling, darkened and dangerous, some in glass factories, some are "little naked boys, packing cloth into bleaching vats in a bath of chemicals that bleaches their bodies like the bodies of lepers," some are working in coal mines, picking out slate; others are "standing ankle deep in blood cleansing intestines and trimming meats," while still others are employed at work equally as unhealthy and unpleasant. U. S. Senator Beveridge says the "bodies of these children are dwarfed, crooked and weak, their minds dull, and their souls dark and vicious."

Another form of child slavery which helps to develop criminal instincts may 27 be found among the thousands of Greek boys who are imported into the United States under the Italian padrone system where they are held in absolute slavery for long periods, at least.

INTEMPERANCE THE CHIEF SOURCE OF CRIME.

Dr. Barker in his book, "The Labor Problem and Social Reform," says: "The officials of prisons, and penitentiaries, and reform schools all over the country unite in testifying that a large porportion of crime is due directly to the liquor traffic." Not long since a general average of testimony gathered from 1,017 keepers of prisons in various portions of the United States showed that the proportion of crime due to drink was 72 per cent. Prison statistics show that in many prisons 90 per cent. of

the criminals are victims of strong drink, as is the case with prisoners in the jail and workhouse in the District of Columbia. Rev. August Drahts, who has made a careful study of crime says: "Intemperance is the chief source of crime. The saloon is the crime breeding centre, * * * and alcoholism as a disease, is the par excellence that engenders the criminal habit and strengthens all its abnormal activities."

Prisons are chiefly populated with men and boys from cities where saloons are numerous.

Ex-Judge Sears in an address said: "It requires no argument to convince you that Chicago is in the grasp of a reign of crime. The city of '93, the White City, the city of your pride has disappeared, and in its place has arisen a black city of lawlessness and crime, the city of our shame." The *Chicago Journal*, of February 2, 1906, says: "No city in times of peace ever held so high a place in the category of crime-ridden, terrorized, murder breeding cities, as is now held by Chicago." In one single year there were 82,000 arrests in the city. The city prosecutor said recently: "Three-fourths of the crimes of Chicago are due to liquor." Pittsburg is also in a reign of crime. In one year there were 7,579 prisoners sent to jail, nearly every one of whom had to be treated for alcoholism. Similar conditions exist in other cities in our land.

United States Representative Hale, of Tennessee, in a speech recently, said: "Most of the crimes committed by the worst class of colored people are directly due to the effects of liquor." It is well understood that liquor is largely responsible for the numerous lynchings.

SOME OF THE AIDS AND SOME OF THE HINDRANCES TO PRISON REFORM.

The fact that noble men and women, especially in the Southern States, are making efforts for reform, and that they are successful should not be overlooked. In some of the cities a juvenile court has been established. Washington being one of the cities. Too much cannot be said in favor of the work of Judge Lindsey, of the juvenile court of Denver, Colorado, who has rescued hundreds of boys from a criminal life. Prof. C. R. Henderson, of Chicago University, says: "The juvenile court represents the parental function and duty of the community. Never was there a holier task assigned to a learned officer of the law than this labor of love."

Among the reforms being introduced, is that of Judge Pollard of the Second District Court of St. Louis, Missouri, who has by his method for the treatment of drunkards brought before him, saved hundreds of men who have reformed instead of being brutalized by judicial procedure. "The class not confirmed drunkards, he saves by appealing to their manhood. After the trial he fines each, and instead of sending them to the workhouse in default, he holds the sentence in suspense if the guilty

party will sign a pledge to abstain from drink for one year. If he fails to keep the pledge he is sent to the workhouse where he is made to work until the fine is paid. The offender is required to report once a week to the Judge. * * * His success has exceeded the most sanguine expectations." (See *Arena* for July, 1906.)

A Southern editor of a leading journal says reform prison work should begin with the guards, who have charge of convicts. Cruel, drunken guards and drunken wardens have sometimes had control of convicts. Where politics control the prisons, as is the case in many of the States, such is often the case. August Drahts says: "Prison officials should be born to their profession, they should be trained with care, equally as thorough as that required in ordinary professions made under educative training."

Training schools for prison officers were established in England in 1896, for perfection of penological duties. From eighty to one hundred males pass through them annually from whose ranks selections are made to fill vacancies, etc.

There are many things to be considered in the work of reform. There is the inequality of legal punishments for crime in the different States. In one State the maximum penalty for counterfeiting is three years, in some of the other States it is imprisonment for life.

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In one State the maximum penalty for the burning of any kind of unoccupied building is four years. In other States the penalty is death, or imprisonment for life. The maximum penalty for perjury in some States is five years, in other States imprisonment for life.

In some States the maximum penalty for breaking and entering a dwelling at night is seven years, in another State it is death.

In fourteen of the States the penalty for rape is death. In one State, or more, an attempt at rape incurs the death penalty.

The average sentence for the negro criminal is about one seventh longer than the average sentence for the white criminal.

A negro has been made to serve a twenty-year sentence at hard labor in a coal mine for stealing a chicken at night, which he always declared he did not steal. Very few serve a ten years' sentence in a coal mine, but this man lived to be discharged, who emerged from his living tomb a mental wreck,

and blind. Another negro has served two years for the crime of stealing a pig "valued by the jury at one dollar," and for the costs of court he served almost four years longer.

"A little negro boy whose only apparel was a pair of misfit trousers and a hat" has been sentenced to serve four months at hard labor in the chaingang for stealing one orange.

During the present month (March, 1907), a negro youth in Alabama was fined fifty dollars and in addition was sentenced to one year's hard labor in a coal mine for the "careless use of firearms." When handling a shot gun it accidentally discharged and killed a little negro girl.

About the same time and in the same State a white woman eighty-two years old was arrested for "abusive language," one of the crimes punished by imprisonment, and confined in jail. Cases similar to those mentioned have been innumerable.

Even at the Capital of the nation poverty is sometimes as heavily punished as crime. A sentence at hard labor while confined with criminals of the lowest grade, has, many a time, paid the penalty for asking for bread by a hungry man or boy.

In any State where the prison contract system prevails, there can be found undue length of sentences and inflection of heavy penalties for trifling offenses.

An eminent criminal lawyer in a Northern State has declared there was but one solution of the convict labor problem. "Pay the prisoner for his work, and you give the man a square deal, and at one stroke destroy the contractor's monopoly against free labor."

PRISON SCHOOLS.

In 1905, schools were established for those who were deficient in the rudimentary branches of education among the criminals in the three State prisons in New York. The Superintendent in his late report says: "The progress made by these adult scholars is remarkable. In some cases the rapid advancement in educational development * * * seems almost incredible." The experiment has shown that schools result in a reformatory way superior to other correctional agencies.

After the present convict lease system in Alabama, went into effect in 1903, the night schools which were formerly held for some of the convicts were discontinued. Referring to the evil results of their discontinuance a well informed lady in a letter to the *Montgomery Advertiser*. said: "Oh, would that it were possible for those who are living in happy homes to imagine the feelings of a decent man

who has struck too hard a blow in a moment of passion * * * when for the first time he sits on his bunk and looks around at his one hundred room mates, many of them the vilest brutes, gambling, swearing, fiddling, uttering the most obscene language, committing crimes worse than those for which they were imprisoned. It is hell on earth—it is worse than hell, * * * in the dormitory of a mining prison there is no authority but the brute force of the stronger. She compares the difference between a pleasant room where a convict can sometimes spend a couple of hours receiving instruction from a kind Christian teacher, and “the horrible pandemonium” and says they are as unlike as Heaven and Hell.

Mr. Tallack highly recommends the visitation of prisoners by suitable volunteers from outside and of giving them scriptural instruction. He says: “Out of sight, out of mind” is a proverb applicable to prisoners. “Not until the governments encourage visitation,” says Mr. Tallack, “will the general public become interested in the prevention of crime.”

DISCHARGED CONVICTS.

Rev. Samuel J. Barrows writes in *Popular Science Monthly*: “It is somewhat surprising that Europe is far better organized than the United States for the care of the discharged convict. There are four or five really active societies of this kind in the United States. There are ninety in England alone, and fifty in France. * * * In Switzerland, it is seen at its highest degree of efficiency.” The most valuable feature of the Swiss system, says Mr. Barrows, “is the appointment 29 of a person called a patron, who makes the acquaintance of a prisoner before he is discharged, and who becomes his guardian after his liberation. * * * These foreign societies are supported by government aid as well as by private subscriptions.”

“A friend in need is a friend indeed” is the motto of the Central Howard Association, whose headquarters is at 79 Dearborn Street, Chicago, Ill. The objects of this Association are “to awaken public sentiment in behalf of the worthy ex-prisoners, to complete the work of the Juvenile Court, by getting work and homes for the boys, to work for better county jails and prisons so that first offenders may not be schooled in crime, etc., etc. The report of the Association shows that ninety per cent. of the four hundred worthy ex-prisoners helped annually, become good citizens.

Another society called the Boys' Home and d' Arcambal Association, situated at 192 Lafayette avenue, Detroit, Michigan, is doing a similar work. Ex-prisoners without friends or influence are released to the care of the Association, and men and boys are aided to help themselves.

A good work is being done for prisoners by Dr. David Paulson and his co-workers of Hinsdale, Illinois. They publish a little religious journal called *The Life Boat*, copies of which are sent to prisoners in different prisons. They have also opened up a large correspondence with prisoners which has resulted in much good. Ex-prisoners are assisted, and good positions secured for them which has resulted in their being restored to society. The work is supported by free will offerings.

There are other friends of convicts and ex-convicts whose works deserve the highest praise.

I have given but a faint pen picture of the wrongs committed toward many of the prisoners in our land, some of whom are innocent of crime. Over some of the most inhuman cruelties I have drawn a veil. Criminals upon whom the law has laid its heavy hand must suffer. Deprivation of liberty, separation, isolation, being continually watched by armed guards, degradation of prison life, all combine to crush out the last spark of hope. Is it right that such, criminals though they may be, should be left unthought of, uncared for?

“God pity the wretched prisoner, In his lonely cell to-day. Whatever the sin that tripped him, God pity him still I pray. Only a glimpse of sunshine, Through the walls of stone— Only surging memories Of a past that is better gone.

“And you, who judge them harshly,— Are you sure the stumbling stone That tripped the feet of others, Might not have bruised your own? Or, if a steadier purpose Unto your life be given, A stronger will to conquer,— A smoother path to heaven,—

“Then bless the hand that crowned you, Remembering, as you go, T'was not wholly your own endeavor That shaped your nature so; And, sneer not at the weakness Which made a brother fall; For the hand that lifts the fallen, God loves the best of all.”