“Slaves of the State:” the Exploitation of Women Through Convict Leasing

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“Slaves of the State:” the Exploitation of Women Through Convict Leasing

Women prisoners setting out to plow a field at the Georgia state prison farm in Milledgeville, circa 1895–1920. Courtesy of the Georgia Historical Society, MS 1766.
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Introduction

In January 1879, a special correspondent from *The New York Times*, H. C., who was based in Washington, D. C., criticized Georgia’s convict lease system based on information learned from Col. Robert. A. Alston, a member of Georgia’s legislature and chairman of the Committee on the Penitentiary. According to Alston, Georgia’s convict camps had a high birth due to the camp conditions: “In many of the convict camps there, men and women are chained together and promiscuously occupy the same huts and sleeping bunks…there are at present in the Georgia Penitentiary 25 bastard children… and that most of the female convicts are about to become mothers.”¹ Such concerns were not unusual and recurred throughout Georgia’s convict lease system.

From the moment the convict lease system was created in 1868, opponents continually railed against it and demanded reform. The Georgia state legislature did make changes in response to the criticism yet calls for reform continued. The problems continued because the reforms were only implemented to allow the leasing to continue without public complaints and not out of concern for the welfare of prisoners. Ultimately, the convict lease system was abolished when it was no longer profitable. The convict lease system had filled the “unfree” labor void created by the Civil War and was ended when it no longer satisfied the need for cheap labor.

In 1865, the South lost its enslaved source of labor through the passage of the 13th Amendment following the Civil War, which inspired the Southern states to look for other sources of unfree labor. The South turned its focus to its growing incarcerated population, which

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was primarily African American men. The population of imprisoned African Americans soon surpassed incarcerated white men for the first time. Some factors influencing the rising conviction rates of African Americans were the enforcement of Black Codes and vagrancy statutes, efforts to maintain the social order, and new punishment systems. As the prison population grew, states developed new ways to manage their prisons.

One penal method adopted by Southern governments was the institution of the convict lease system. Under the convict lease system, the states leased convicts out to entrepreneurs who housed the prisoners and could then use the prisoners to perform hard labor for their businesses. This system of penal servitude arose out of the belief that prisons should be profitable for the state and that a primary goal of the prison system was forced labor.

The lease system was established even though it involved the forced labor of African Americans, despite new constitutional prohibitions against slavery but permissible because of the wording of the 13th Amendment: "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States." The language of the 13th Amendment meant that even though prisoners were forced to labor in chains and received no pay for their work, their enslavement was legally permitted if they had been convicted of a crime. The wording was purposeful since penal servitude had long been the dominant form of punishment in the United States. No prisoner was safe from the convict lease system, as women and juveniles were also expected to labor alongside men. Newspapers often referred to the “public outcry,” yet opposition arose for a variety of reasons and from diverse groups, defying easy categorization as “the public.”

Despite its apparent legality, the convict lease system sparked opposition as soon as it was implemented, as discussed in chapter one of this thesis. Various individuals and groups
derided the penal system for its treatment of prisoners and the conditions in which prisoners were forced to labor, with some calling it the extension of slavery. While some prospective reformers criticized the system as a whole, they also focused on how specific groups were treated under convict leasing. Reformers especially focused on the gender and racial aspects of convict labor, arguing that women should not be expected to perform the same labor as men and that different races should not be made to work alongside one another.

Women’s organizations, such as the Woman’s Christian Temperance Union [WCTU] who submitted a petition to Georgia’s legislature disparaging the convict lease system. The WCTU primarily took offense to the treatment of convict women, especially white women, under the lease system. Focusing especially on how women were worked and housed: “Horrible abuses have brought the leasing system into disrepute among all right thinking people… every Christian man and woman will say that it is wrong, to expose the female convicts to those of the other sex or to the convict guards, and it is only increasing the burdens of the state.”7 The WCTU was likely referencing how convict women were raped and impregnated by fellow prisoners and prison guards. The intermingling of male and female prisoners would continue to cause public criticism leading to the creation of female exclusive convict camps, analyzed in chapter two. But the high rate of births would continue throughout Georgia’s convict lease system.

The convict labor system drew international as well as national critics. The Howard Association, an organization based in London, England, focused on prison reform. And proved to be a vocal and persistent opponent of convict leasing. The Howard Association commissioned investigations and published numerous pamphlets opposing the system, highlighting the racial and gender aspects of the practice. The continued scandal involving the pregnancies of female convicts led the female exclusive convict camps to be closed and the women convicts to be
transferred to Milledgeville State Penitentiary. However, as chapter three reveals, Milledgeville would not be protected from scandal for long.

The outcry of a diverse coalition of critics led state governments to implement reform measures while maintaining the prisons' profitability. However, these reform measures never lasted for long, and the issues they were implemented to fix inevitably arose again. Profit was one of the main goals of the system and, thus, reforms typically only aimed to assuage critics and allow the system to continue. Additionally, the most problematic aspects of the institution were kept in place, such as the valuing of profit over human lives, lack of structural change, and the use of whipping bosses.

For decades historians have devoted increasing attention to the “carceral state,” revealing especially the devastating impact of the penal system on African Americans in response to the Civil War. Most historians have focused on the development of the system, and how it operated. Some works have examined the impact of reformers on the development of the chain gang in the Progressive Era. More recently, historians have emphasized how the convict labor system, in essence, continued to enslave African Americans using new techniques. These studies provide a thorough examination of the convict lease system, but most focus on the prison's structure or the male inmates. However, a few scholars address the experience of African woman prisoners.

Historians Sarah Haley, Talitha L. LeFlouria, and Priscilla A. Ocen focus primarily on African American women’s experiences within Georgia's convict lease system. Sarah Haley, in No Mercy Here and “Like I Was A Man,” analyzed how the intersectional identities of African American women resulted in them being treated differently than white women. These same themes and the experiences of African American women convicts were analyzed in Talitha L. LeFlouria’s Chained in Silence and “Under the Sting of the Lash.” Finally, in “Punishing
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Pregnancy,” Priscilla A. Ocen studied the disparate treatment of incarcerated African American women, in comparison to white women convicts, by examining the treatment of pregnant convict women, and the labor they were expected to do. 9

These historians analyzed the treatment of African American women in Georgia’s legal system using the lens of intersectionality. Academic Kimberle Crenshaw coined the term in 1989 to describe how race, class, and gender intersect with another. These factors inform someone’s identity and how they are perceived and treated by others. Crenshaw has argued that by ignoring the specific problems that face African American women as a group by treating African American women as purely women or African American.10 The intersecting identities of the African American women who labored under Georgia’s convict lease system explains why they were not afforded the same protections as white women and forced to perform the same tasks as men.

In my thesis, I build on the work of these historian to focus on intersection of race and gender in the operation of Georgia’s convict labor system between 1868 and 1937. African American women experienced dual victimization due to their race and gender. As African American women, they were forced to labor alongside men, performing the same “male” work, while white women convicts did “women’s work.” This was due to the belief that African American women had the same physical capabilities as men and could perform the same tasks. Yet, African American women convicts also experienced gendered violence, including rapes and unwanted pregnancies. The history of women convicts is important to recover, for its own sake, but can also explain the treatment of women in today’s mass incarceration. In modern prisons, pregnant inmates are still expected to work and remain chained during childbirth, similarly to the experiences of women during the convict lease system. Furthermore, understanding the treatment
of African American women during the convict lease system is essential because the public's perception of female convicts led reform measures to be made, first seen with the development of convict camps exclusive to women eventually followed by the construction of the state penitentiary.

While historians have noted the failure of prison reform in the late 19th and early 20th centuries, I seek to explore the phenomenon in more depth. Drawing on newspapers, pamphlets, and official documents published by Georgia’s legislature and prison officials. Historian Jerry Knudson believes that newspapers serve as formulators and indicators of public opinion, which is why I have chosen to use them throughout my research. Unfortunately, these sources were not from the perspectives of prisoners though occasionally they did include testimony, such as the 1870 “Proceedings of the Joint Committee.” The perspectives of those portrayed in the sources were typically from those whom the newspapers identified as the “public,” or if it was a more official source then prison officials, lessees, and Georgia’s legislatures. The official sources provided facts such as the incarceration rates, demographics of prisoners, and crimes committed. Newspapers reported on events within the prisons, providing useful factual information, but also provided sensationalized accounts designed to attract public attention. The authors of these articles were typically biased and chose a side to support whether the incarcerated woman or the prison official who whipped her. In “Late to the Feast: Newspapers as Historical Sources,” historian Jerry W. Knudson acknowledged that newspapers frequently have unconscious biases. Despite these failings newspapers are important to analyze because they are a product of their times and play a role in shaping opinions. Knudson noted how American newspaper and magazine coverage of the Mexican Revolution “turned Americans against the Mexican struggle for national redemption.” The similar power of newspapers was seen throughout convict
leasing as newspaper coverage of abuses committed against prisoners turned people against the system. Furthermore, Knudson commented on how newspapers directly impacted history because public officials shared their views with reporters who later shared that information with the newspaper’s readers. The same aspect was repeated during convict leasing as prison officials and state legislatures shared their views on convict leasing with newspapers, as seen with representatives William Harrel Felton and Robert A. Alston. Ultimately newspapers played a significant role in the abolition of the convict lease system similar to how they contributed to the start of the Mexican Revolution. I analyze public denunciations of convict leasing in Georgia and Georgia’s’ response to that criticism between 1868 and 1937, as reflected in the laws passed, the creation of the penal institutions and their management.

I focus on Georgia because Georgia was one of the only states that expressly allowed the system of private citizens paying the fines of prisoners who, in turn, were forced to labor for them. Georgia was the first state to lease female convicts to companies who used their labor for railroad construction. Additionally, Georgia was the first state to establish convict camps exclusively for women, with the opening of the Bolton Broom Factory in 1890. Furthermore, some aspects of the lease system began in Georgia before being adopted in other southern states. For instance, Georgia was one of the first states to adopt the convict lease system. Georgia was also the first state to use the chain gang system to work convicts outside the prison walls. In 1908, these factors led to penal organizations to consider Georgia's penological institution the most backward in the South. These are reasons why I set out to analyze the developments of Georgia's penological institution.

I argue that public perceptions of the leasing of female convicts, in particular, led to reforms. These reform measures included the development of convict camps exclusive to women
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and the construction of a state prison farm. While Georgia did respond to its critics, the same problems persisted, despite reform, because convict women were still forced to perform labor in hazardous conditions under the watchful eye of male armed prison guards and whipping bosses. African American women felt the harshness of this system most keenly. Ultimately, the convict labor system was abolished in 1938 but only when Georgia no longer found it profitable.

The first chapter will explore the development of Georgia's convict lease system, between 1867 to 1890, which ended with greater segregation by race and gender. In addition to pushing for reform of the convict lease system as a whole, reformers demanded better treatment of the state's convict women. These demands arose after the media and legislature reported that women were expected to labor alongside men and were subject to the same ill-treatment of whippings and overwork, as well as sexual abuse.21

The second chapter examines the creation of convict camps exclusive to women from 1890 to 1899. The opening of the convict camps where only women were accommodated arose out of a perceived need to house women separately from men. Yet, women continued to be subject to the same ill-treatment as the men, including cruel whippings administered by camp whipping bosses. Sexual abuse did not stop, either, as many women continued to be raped and impregnated, especially by prison guards. These rapes by prison officials went unprosecuted, especially as African American women were most often seen as un-rapeable.22

The third chapter analyzes the creation and operation of Georgia's Milledgeville State Penitentiary from 1899 to 1937 to house the state's imprisoned women, sick, and juveniles.23 The state’s 20-year convict leases expired in 1899, but were not renewed as public opposition to convict leasing had grown too large and leasing convicts had decreased in profitability.24 At the time, the state admitted that the move to open the penitentiary was inspired by the stories of cruel
treatment, brutal whippings, and the working of convicts when they were ill. However, the new prison did not eliminate the most problematic aspects of the convict lease system: labor continued to be grueling and exploitative, female convicts continued to be impregnated and give birth, and punishments continued to be brutal and harsh. Georgia still sought to profit off its convicts at the state penitentiary, as they were expected to perform agricultural labor, and, in 1908, Georgia instituted the chain gang to work on public projects.

Once again, the inhumane conditions and treatment of prisoners became publicized in the nation's newspapers, pamphlets, journal articles, and books, leading to an end to the chain gang and to the closure of Milledgeville State Prison Farm in 1937. Georgia was trapped in a cycle of abuses against convicts that led to public outcry and reforms to quell the protests, but even the abuses and scandals were unsuccessful in ending convict leasing. Though the outcry over the treatment and abuse of convict women led reform measures to be instituted, but it did not end the convict lease system. Instead, decreased profitability was one of the key factors contributing to the abolition of Georgia’s convict lease system along with the continued opposition.
Notes

1 From Our Special Correspondent, "A Disgrace to Humanity," New York Times, Jan 12, 1897, 1.


12 Knudson, “Late to the Feast.”

13 Knudson, “Late to the Feast.”

14 Knudson, “Late to the Feast.”

15 Knudson, “Late to the Feast.”
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25 “Care of the Convicts Old Lease for the State's Convicts Expires April 1. The New.”
Chapter 1 Roadblocks and Smooth Sailing: Integrated Convict Camps

The South's loss of the Civil War and the end of slavery created a turbulent atmosphere in Georgia as race relations began to be reconstructed. The abolition of slavery created a labor void, which was soon filled by the convict lease system, despite early disapproval from Governor Charles Jenkins. The state of Georgia created the convict labor system to satisfy the demand for “unfree” labor, the desire for profit, and white Georgians’ resistance to emancipation and racial equality, resulting in new systems of racial hierarchy. The long sentences, high incarceration rates, and hard labor punishments show how the criminal justice system satisfied the South's anger and need for laborers. Convict laborers were subject to the same harsh labor practices and cruel punishments they were forced to endure under slavery. Yet, African American bodies were no longer a valued commodity of an enslaver, to be protected from excessive damage that might reduce their marketability. In the convict lease system, lessees could quickly and cheaply buy another forced laborer. Also, unlike under slavery, lessees did not value the fertility of African American women, and subjected pregnant African American women to hard labor.

As the reports of cruel treatment, poor working conditions, high mortality, and high fertility rates became publicized, members of the public began to turn against the convict lease system. The detractors of the system were mainly from within Georgia. However, the plight of convict laborers did gain national and international attention from such organizations as the Woman's Christian Temperance Union and the Howard Association, respectively. Criticism from prominent organizations and renowned figures, such as William Harrel Felton, led Georgia's legislature to implement reform measures. Ultimately, the public's perception of the treatment of female convict laborers revolutionized Georgia's convict lease system through reform measures.
Introduction of the Convict Labor System

Georgia underwent Reconstruction after losing the Civil War from 1865 until 1876 when the Union military occupation of the South ended. Throughout Reconstruction, Georgia’s African American population—460,000 newly freed people—remained hopeful that their lives would improve, and they would be able to enjoy their newfound freedom.¹ These hopes were strengthened by the ratification of the 13th, 14th, and 15th Amendments, and the passage of landmark civil rights acts, which provided federal protections for their basic civil rights. The sweeping constitutional and legislative changes had the potential to include African Americans as full citizens, entitled to the same due process, equal protection, and civil rights as white Georgians. Unfortunately, the promise was not fulfilled as many African Americans were returned to a place of functional slavery with the implementation of Black Codes and the establishment of the convict lease system.

Georgia passed “Black Codes” soon after the Civil War ended, which targeted the recently freed population and denied them fundamental freedoms. The Black Codes criminalized common behaviors, such as public drunkenness, swearing, and public fights/arguments.¹ Violation of the Black Codes provided a primary method to incarcerate the South’s African Americans, including children, who were arrested at high rates for these minor crimes.² These laws also policed femininity by targeting behaviors considered “unwomanly,” but only African American women were arrested for these unwomanly crimes. African American women were 5.8 times more likely to be arrested than white women in 1888.³ Georgia’s criminal justice system also convicted African American women for specific crimes at higher rates. An instance of this is the convictions in infanticide cases. From 1868 to 1936, at least twenty-two women were imprisoned for infanticide in Georgia, though only three of them were white women.⁴
Additionally, African American women were commonly arrested for prostitution offenses in Georgia, whereas white women were arrested far less often for committing the same offense. For example, in Tennessee in 1881, 136 white women and 731 African American women were arrested for solicitation. In Atlanta, Georgia, 1,715 African American women were arrested, with many of the arrests for prostitution offenses.\(^5\)

Black Codes also included vagrancy statutes, which required African Americans to be employed. Each year, freedpeople had to sign a work contract and would be prosecuted as vagrants and sentenced to hard labor if they did not.\(^6\) African Americans would also be prosecuted as vagrants if they left their job before their contracts expired. These vagrancy statutes filled the void for cheap labor since the people prosecuted for misdemeanors under these laws were commonly forced to labor on local plantations or chain gangs.\(^7\) Vagrancy laws remained in effect in Georgia from 1865 to the 1960s. Historians, such as Emily S. Sanford, believe that the purpose of Black Codes and vagrancy statutes was to ensure a cheap source of labor in times of need by exploiting the convict population.\(^8\) That view is shared by Martha Meyers in *Race, Labor, and Punishment in Postbellum Georgia* who observes, “A high demand for the labor of free blacks reinforced the demand for black convict labor.”\(^9\) According to Meyers, the rates of convict leasing went up when the price of goods declined and the demand for cheap labor increased.\(^10\) Furthermore, Meyers saw the vagrancy rates and the resulting high incarceration rates of African Americans, as a way to maintain "the social order by neutralizing the threat posed by the unemployed population."\(^11\) Instead of allowing people to remain unemployed, vagrancy statutes forcefully employed people through convict labor.

Convict leasing also arose for more practical reasons, including a lack of space to house convicted criminals. Georgia's main prison was destroyed when General William Tecumseh Newton
Sherman marched through the state during the Civil War. The penitentiary took a while to rebuild since its reconstruction was projected to cost $1,000,000. Georgia could not afford to rebuild the damaged prison and adopted the convict lease system to punish the state's convicted criminals. Even with the rebuilding of Georgia's state prison in Milledgeville from 1867 to 1868, Georgia did not have enough penal institutions to house the rising prison population. Historically, Georgia had relied on other methods to punish its offenders, such as corporal punishment, which was later outlawed. Additionally, before the Civil War, enslavers did not use the prison system to punish their enslaved peoples. They preferred to punish offending enslaved people themselves instead of losing a valuable workforce and often intervened to prevent their laborers' imprisonment. For several reasons, Georgia’s criminal justice system lacked a robust infrastructure capable of housing the rising prison population.

Many factors led to the disproportionate number of African Americans in Georgia’s prison population after the Civil War. Where African Americans lived and the occupation they pursued after being freed shaped whether they would be imprisoned. For example, African Americans were more likely to be detained if they lived in urban areas in Black neighborhoods. The chances of imprisonment also increased if African American labor competed with white labor. Furthermore, the composition of juries worked against African Americans since only white men could serve on juries, which prevented African Americans from being tried by a jury of their peers. This meant that African Americans who found themselves in a court of law tried by an all-white jury who was typically prejudiced against them and wanted to return freedpeople to a position of inferiority and slavery. Finally, the prison system “hardened criminals,” creating repeat offenders who would be reincarcerated.
The convict lease system’s whole structure devalued prisoners’ lives since contractors exploited the laborers to make the most profit. This meant that the contractors had no incentive to keep the convicts alive for their sentence. Contractors often worked their convicts until they died of overwork, disease, or both. The low price of convict leases and the large convict population furthered the poor conditions within convict camps leading the *New York Times* to remark in a 1934 review of John L. Spivak’s “Georgia N-:” "A man will take reasonable good care of them for whom he has paid $1500 or $1800, but peons only cost $10 or $25 a piece, and there are plenty more where they came from." Unlike during slavery, contractors did not care if their labor force died and made no efforts to ensure survival.

The convict lease system provided southern states with a way to house their prison population and make a profit. Georgia’s legislature passed a law in 1866, which allowed counties to hire out their convicts to contractors. Under the lease system, prisoners were housed in convict lease camps managed by the private individuals who held their leases. Georgia’s legislature stipulated that lessees meet certain requirements for keeping convicts, specifying the amount of food, bedding, housing to be provided, and monitoring punishments by requiring they only be carried out by a whipping boss in the presence of a lessee. Despite this oversight, convicts were forced to labor in inhumane conditions because the requirements were seen as recommendations and not enforced by the state government. Lessees held complete control over their convict laborers living and working conditions. Convicts were commonly only supplied with two meals daily and one change of clothes weekly. Overnight the convicts slept chained together, needing permission to leave the bed, and only had a bucket to use as a toilet.

Despite the need for forced labor, it took Georgia a while to adopt the convict lease system. Enactment of the lease system was delayed even though it had already been planned and
received legislative approval. The main barrier to implementing the lease system was the lack of support from the Union Democrat governor. On December 28, 1866, the General Assembly of Georgia passed the law authorizing the governor to accept offers from individuals who wanted to have the convicts work for them. Unlike his successors, Governor Charles Jenkins refused to force the convicts to work for contractors or on chain gangs and did everything he could to prevent the leasing out of convicts. Between 1867 and 1868, Jenkins repaired the penitentiary building, which made it capable of holding up to five hundred prisoners. Additionally, Jenkins built a separate penitentiary building for female convicts. The overcrowding issue inspired these construction efforts at the existing penitentiary building. Georgia's prison population was the highest it had ever been, at 177 prisoners in the fall of 1865, and many of them were African American. Over time, the prison population would continue to grow due to the Black Codes and vagrancy statutes, which targeted Black Georgians. Even Jenkins' construction efforts would not be enough to house Georgia's prison population. Despite Jenkins' resistance, the prisoners would soon be leased out.

However, Georgia's government would have its desires fulfilled by the appointment of Thomas Ruger in 1868. Union General George Meade removed Jenkins from office after he withheld $40,000 in funds intended for the constitutional convention. Ruger was appointed as a provisional military governor as part of the North’s post-Civil War Reconstruction plans. Unfortunately, Ruger returned many African Americans to a system of virtual slavery by pioneering the convict lease system. When Ruger came to office in 1868, he began leasing out convicts to private citizens to deal with the state prison's overcrowding issue. Under Ruger's administration, the first convict lease was signed on May 11, 1868, with a subsequent one made in July, agreeing to lease one hundred African American convicts to A. Fort. for $1,500 for a
year’s labor constructing the Alabama-Georgia railroad. The second contract was a year-long lease of $10,000 for one hundred convicts to work on the Rome and Dalton Railroad. Ruger's successor would not renew the one-year lease though he would issue lease contracts to a few years. Convicts would continue to be leased to work on railroads.

Georgia's next governor Rufus B. Bullock would dispense with the need to maintain prisons altogether when he leased out Georgia’s entire convict population to Messers. Grant, Alexander, and Co. to work on the railroad. A lawyer named John Harris acted as the representative of Governor Bullock when Grant, Alexander, and Co. signed the contract agreeing to care for the leased convicts stating, "Grant, Alexander, and Co. agree and bind themselves, to receive all convicts as may now be in the Penitentiary… and to humanely treat each one of said convicts, and to securely keep and manage them in accordance with the rules and regulations now of force for their control." As later reports revealed, however, Grant, Alexander, and Co. violated the terms of the contract, severely whipping prisoners who sometimes died from the punishment. In 1869, Georgia's prison population consisted of 393 convicts. The lessee would control these prisoners for two years from June 28, 1869, to April 1, 1872. GAC leased sixty white men, one white woman, 320 African American men, and 12-14 African American women. Over the next few years, Georgia's prison population grew again, meaning convicts were leased out to more companies. By 1875 there were 926 convicts in Georgia, most of whom were leased, including 805 African American men, 90 white men, 30 African American women, and one white woman. These prisoners made Georgia a profit of $10,756.48 just from the money the lessees paid to lease convicts.

Despite the profit prisoners made lessees, they were not treated well, as exhibited by the turbulent year in 1875. Georgia Governor James Milton Smith annulled the lease contract of
Wallis, Haley, and Company because of negligent care provided to the convicts. In 1875, George Harris's convicts were transferred to John Howard following reports the convicts were provided with improper medical attention and were diseased. Howard's lease was canceled after it was made known the convicts were not cared for adequately. 37

Despite poor treatment of convicts, Georgia’s legislature decided to replace annual contacts with a 20-year lease supported by Governor James Milton Smith in 1876. Companies could bid on contracts and those with the winning bids leased out convicts for 20 years. The 20-year lease was set to expire in 1899, and until then, Georgia would receive $25,000 annually from the lessees. Interestingly when the lease was signed, 8/10 of Georgia's prison population was African American. 38 The prison population shows how the lease system effectively re-enslaved some African Americans. From 1876-1899, the convict labor system thrived in Georgia, though not without controversy. The poor treatment convicts experienced during the shorter leases were not addressed when the new lease was signed. The longer leases were adopted to reduce time-consuming administrative tasks, and, presumably, to continue a system which filled the coffers of Georgia’s state treasury. By the time the 20-year lease expired, Georgia would be forced to reconsider its commitment to convict labor as critics increasingly condemned the cruelties of the system.

**Calls for Reform and Legislative Responses**

The first serious opponent of the convict lease system was Aaron Alpeoria Bradley. Bradley had been enslaved in South Carolina before escaping to Boston, Massachusetts, in the 1830s. 39 As reported in the *Columbus Daily Sun*, Aaron Alpeoria Bradley mounted the steps of the City Hall building in Atlanta, Georgia on May 12, 1870. Bradley’s arrival was greeted by the raucous cheers of the gathered audience, “a few hundred colored men and women who had
assembled” to hear his address. The assembly was held to oppose the “new system of slavery that had sprung up in Georgia” following the ratification of the 13th Amendment. Bradley shared his views on Georgia’s convict lease system with his entranced listeners: “Nearly as bad as the old one-viz. the chain gang system, or the hiring out of convicts to wealthy railway contractors, who starve, whip, work and shoot them to death.” The article revealed Bradley had moved from Boston, Massachusetts, and settled in Savannah, Georgia. Bradley had previously been elected to serve in Georgia's Senate but was disqualified after it was made widely known that Bradley had served a sentence in Sing Sing. Bradley had been convicted of “seduction” in 1851 and sentenced to serve two years. Based on Bradley's future efforts to end the convict lease system, it seems apparent that its abolition would have been his main goal if he had become senator. Nevertheless, Bradley opposed leasing publicly and undertook efforts to cause its end, as seen with his rally and petition. The large attendance at the meeting shows how public opposition to the convict lease system was becoming widespread. Bradley blamed Governor Bullock for the new system of slavery. The audience signed a petition opposing the lease system that he planned to submit to Congress, calling for the abolition of the system. Bradley felt the need to petition Congress because Governor Bullock had previously declared he would not stop leasing convicts. While the petition to Congress did not succeed in ending the convict lease system, which remained in place until 1909, Bradley’s protests were the first of many efforts to end the abuses and calls for reform.

Newspapers throughout the nation also raised the alarm about the convict lease system soon after its adoption. On January 12, 1879, H. C., special correspondent to the New York Times, authored an article critiquing the convict lease systems. He denounced the lessee’s attempt to get the most labor out of their convicts at the risk of their lives, attributing the poor
conditions and cruel treatment arose out of a desire to become wealthy: "The Democratic leaders of Georgia have been so much interested in securing their own financial welfare that they have utterly disregarded the commonest instincts of humanity." He further argued that people who support the convict lease system only care about making money. Convict leasing was profitable as the government made $25,000 a year from leasing 1,100 convicts. H.C. also blamed the high death rates on the lack of fines placed on lessees for convicts who died. The lack of fines did not incentivize lessees to keep their convicts alive. H.C. conceded that enforcing fines for deaths may not have lessened the death rate of the camps because lessees were fined for escapes too, and there was still a high rate of escapes.⁴⁴

"The Leased Convicts of Georgia," published in New Orleans, Louisiana’s *New Orleans Picayune* on July 26, 1881, commented that the convict lease system did not reform convicts – presumably, the purpose of the criminal justice system- because the lessees only wanted profit. The *Picayune* supported a proposed act that called for better inspection, management, and control of the convicts.⁴⁵ These articles decrying the terrible conditions within the convict camps spurred organizations to take up the cause of reforming the convict labor.

One of the first reform measures of Georgia's prison system was the appointment of a Principal Keeper in 1868 to oversee the leasing of the convicts and the conditions within the convict camps. The position of Principal Keeper was created to prevent convicts from being treated cruelly, an action which was the cause for canceling the contracts of past lessees. The only involvement the state had in leasing convicts after the contracts were signed was employing a prison doctor for each convict camp and a Principal Keeper who oversaw all convict camps. Soon after Bullock became governor, he appointed Overton H. Walton as Georgia’s first Principal Keeper in August 1868. Walton was soon removed from the office for mismanagement
and replaced by John Darnell in August 1869. Darnell became the first internal critic of the convict lease system.

In May 1870, Darnell met with the prison investigating committee and made allegations, about poor conditions within Georgia’s convict camps. According to the joint legislative committee [Joint Committee], “He claimed that they (convict laborers) were sometimes forced to work until ten o'clock at night and on Sundays. He reported one death from whipping. The lessees also failed to provide civilian clothing for released prisoners.” The information Darnell shared had come from conversations from former convicts. The committee reported Georgia had over 496 convict laborers, with 85% being African American. Despite Darnell's concerns for the prisoners, the system was able to continue unopposed because Darnell did not carry out his duties beyond making his initial complaints. As always, a desire for profit contributed to the system’s continuation.

The "Proceedings of the Joint Committee" revealed the inhumane conditions the prisoners experienced as laborers under Grant, Alexander, and Co. The Joint Committee was comprised of Georgian representatives and senators appointed by Georgia's general assembly to investigate penitentiary conditions. During their investigations in May 1870, the Joint Committee visited the convict camps and interviewed prison officials and former prisoners. The first person the committee interrogated was Principal Keeper John Darnell on May 23, 1870. His interview revealed he did not know much about the operations of the convict camps because he spent most of his time at the Penitentiary and rarely visited the convict camps. Most of Georgia’s prisoners, except for seven prisoners, who were housed within the Penitentiary building, were imprisoned in convict camps maintained by lessees. The Joint Committee commented, "The Principal Keeper seemed to know but little of the management and treatment of the convicts of his own
knowledge, he having spent nearly all his time in Milledgeville, where there are but few of the
convicts kept, nearly the entire number employed on the Macon and Augusta and Air Line
Railroads.”

When Darnell had attempted to inspect the convict camps run by Grant, Alexander, and Co.
[GAC] in the past, he had been prevented entering the convict camps by the overseer for GAC,
Clayton Vaughn. Still, Darnell was able to testify based on claims made by convicts about how
prisoners were punished, forced to work while wearing shackles or double shackles. When
prisoners were double shackled, they wore a chain around each ankle attached to a leather belt
worn around the waist. Another form of punishment was whipping. According to Darnell,
whippings were supposed to never exceed 4-5 lashes though he admitted he suspected prisoners
received more. Darnell, at times, contradicted himself. Darnell told the committee he had never
heard of deaths resulting from a whipping, but later disclosed that he had heard in August 1869
that a prison official named Potts had whipped an inmate to death in June 1869. Furthermore,
Darnell described how he had never received any reports of prisoner deaths from the lessees,
even though the lessees were required to report them to him. The deaths Darnell had learned of
had been recounted to him by current and former convicts, not by the lessees as needed. Lessee
Alexander Thomas and overseer Vaughn proclaimed they did not investigate the deaths of
inmates and just buried those who died.

From Darnell's testimony, it was clear Georgia's legislature had no oversight of what went on
in the convict camps because the man responsible for ensuring the humane treatment of convicts
knew truly little and received most of his information from others. Therefore, after the Joint
Committee completed its findings, it recommended the Principal Keeper visit the convict camps
monthly and inspect the conditions of the convicts. The reform was implemented to rectify how
other people involved in the prison administration proved to know more about the convict camps, such as the lessees and released convicts. The Joint Committee’s recommendation concerns eventually led Darnell to spearhead efforts to investigate the conditions within the penitentiary.

Most of the prison officials stated that the conditions within the convict camps were good. According to them the prisoners were supplied with healthy food, medical care, and housing. However, these prison officials were employed by the lessee and had admitted to killing or inflicting harm on prisoners, so they had a personal stake in making the lessee look good. Elijah C. Ellison, for example, admitted to shooting and killing an African American convict, Ned Hightower, who had been "attempting to escape" in August 1869. A former inmate, W. M. Grant, testified Hightower had been running to get water when he was killed. Ellison was not investigated for Hightower's murder and continued to work as a prison guard. When the Joint Committee investigated the convict camps in 1870, it found guards used any excuse to whip convicts and took advantage of every opportunity. For example, former convict Richard M. Edmonds, was forced to labor for GAC for 20 days in 1870, witnessed inmates’ punishment: "Saw, on one occasion, overseer James stump his toe and get very mad, and immediately whip a convict. I believe that was the reason why he whipped the convict." W. M. Grant also shared that he saw a prison guard named George DeVaney, whip a convict who later died. Grant heard the convict say he was sick and unable to work beforehand, to which DeVaney responded, "Pull down your pants. I will make you able." The convict died within five minutes. DeVaney later admitted he had whipped three prisoners, Ransom Peterson, Aaron Bryan, and Schofield, who later died. His testimony also revealed he whipped Peterson multiple times a day, even though it was against regulations.
These testimonies led the Joint Committee to recommend Georgia's legislature implement reform measures. One of these proposed reforms required the lessees to write monthly reports stating the number of prisoners, deaths, escapes, pardons, and discharges. Another new regulation was that prisoners should never receive more than twenty-five lashes administered in the presence of lessees and no more than ten lashes should be inflicted when the lessees were absent. Additionally, prisoners should not be whipped more than once per offense or more than once a day.\textsuperscript{57} These reform measures did little to increase the well-being of prisoners, as guards were still allowed to whip them for various offenses. It boils down to the fact that guards had too much power over the prisoners and all --the lessees and the legislature--valued profits over human lives.

The committee that Principal Keeper Darnell worked with had some below-the-board practices itself. For example, on February 12, 1869, the \textit{Macon Weekly Telegraph} reported how the Macon and Brunswick Railroad gave members of the investigative committee free train rides. In return, Macon and Brunswick Railroad members were given seats on the State House's floor.\textsuperscript{58} Not coincidentally, GAC ran the Macon and Brunswick railroad. The laborers who constructed the railroad were the same convicts that Governor Bullock leased out. The convict camp run by GAC came under fire in 1869. After the February article, revealing the possible conflict of interest, GAC had made a later deal to lease out more convicts. The prisoners convicted in Richmond County with sentences longer than 30 days were all leased out to GAC starting on March 20, 1869. The railroad company hired the guards.

The only state control of the convict camp were routine visits from prison inspectors. The inspector did not receive an accurate view of the conditions within the convict camp because the visits occurred at scheduled times, which gave the camp officials time to bring the camp's
conditions up to the government's standards. Additionally, the inspector did not write reports about the conditions he witnessed firsthand. Instead, he wrote reports based on information provided by the lessees about the condition and conduct of the prisoners. One can presume the lessee was not honest about the conditions within its camp because prisoners themselves later reported their cruel treatment in the future. The collusion between lessees and inspectors continued during the 20-year lease period.

When another Joint Committee visited Joseph E. Brown's convict camps in 1881 to investigate their conditions, Brown threw a large banquet for the inspectors. One critical senator observed the banquet took so long that it prevented them from inspecting the camp thoroughly. The same senator complained that convicts were forced to work all day within the mines in 60-degree weather with water dripping on them and were not provided with clean clothes at the end of the day. These accounts of underhanded tactics show how lessees attempted to disguise the poor treatment of convict laborers in a wide variety of ways instead of treating the convicts better driven by their desire for a cheap source of labor.

The press provided ample coverage of investigations of convict labor, though newspapers drew different conclusions. In “Report of the Penitentiary,” the Columbus Daily Sun [Columbus, GA] detailed in July 1871 the recent findings of an investigation into the penitentiary conditions. In the report, the author shared that convicts working on the railroad disliked the work and claimed they were whipped. However, the author did not seem sympathetic to the convicts because they shared how prisoners could only receive twenty-five lashes a day, could not be whipped more than once a day, and women could not be whipped. But the New York Times raised the alarm about “Georgia's Abused Convicts,” in its 1879 article, claiming the public outcry to end the lease system was rising in response to stories about brutal whippings: “Such
Chapter 1 Roadblocks and Smooth Sailing: Integrated Convict Camps

abuses exist under the system that the sentiment all over the state demands the abolishment of the system." Georgia soon earned the reputation of having the worst prison system, along with North Carolina, Mississippi, and Alabama, partly because of its high death rates.

The cruel punishments inflicted on the convict laborers and the public's negative response regarding the lease system led Georgia's government to require the Principal Keeper to submit yearly reports on the conditions within the convict camps in 1882. Rather than relying on the leases' reports the Principal Keeper had to visit the convict camps monthly and make a report on the conditions. In 1882 Governor A. H. Colquitt made Colonel John R. Towers Principal Keeper and appointed E. T. Schubrick as Assistant Principal Keeper to help him carry out his duties. Another Principal Keeper, John W. Nelms, compiled the annual report based on Principal Keeper Tower's monthly reports to be sent to Governor Colquitt. The report for 1882 disclosed there were 1,243 prisoners in Georgia composed of 1,100 African American men, 112 white men, 30 African American women, and one white woman. The regulations imposed by the Joint Committee in resulted in a slight decrease in the death rate from the untold number-only three were confirmed- in 1870 to two deaths in 1882.

Another reform instituted in 1882 was the specification that only people with special permission from the governor could punish a convict, which led to the creation of whipping bosses. Someone violating this requirement could face six months to two years imprisonment. These regulations were imposed to cut down on deaths from whippings, as evidenced by this quote from the Principal Keeper’s 1882 report, "Corporal punishment shall not be inflicted upon any convict beyond that prescribed by law, and only when it becomes absolutely necessary to enforce discipline." Furthermore, in 1882 the legislature required inquiries into sudden deaths to be conducted. The 1882 law was a complete turnaround from 1870 because no one, not the
prison overseers, lessees, or Principal Keeper, had previously investigated sudden deaths. Prison officials might have decreased the severity of their punishments if they knew they would be punished if it resulted in a death.

Yet, the “whipping boss” reform appeared to do little to stop the abuse of prisoners. Under the 20-year lease period of convict labor, many men became rich from profiting from forced labor. One of these men was Joseph E. Brown, who became a millionaire by using convict labor in his Dade County Coal Mines. Brown leased out three hundred convicts in 1876 according to the terms of the new lease contract. In 1881, Brown received permission from Governor Alfred H. Colquitt to appoint a whipping boss. The appointment of a whipping boss foretold trouble for the lease system because Brown repeated the same abusive treatment as GAC, leading prisoners to complain about their treatment, which attracted widespread attention. On July 13, 1886, convict laborers locked themselves into a dormitory building and refused to work because they had been punished severely. This act of nonviolent protest did not accomplish the goals of the prisoners. As soon as they were starved out of their barricade, they were re-chained and severely whipped. A labor organization in Washington, D.C., heard about the event and declared that it was deplorable that slavery should still exist in the modern world. The World's News published an article on July 31, 1886, criticizing the treatment of convict laborers saying it was, "Worse than [slavery in] antebellum days."

In 1887 Georgia's legislature investigated personnel involved with the convict lease system, whether they were private prison or state officials. The investigating committee inspected Principal Keeper Towers, Assistant Principal Keeper E. T. Schubrick, camp physician Dr. Westmoreland, and lessee W. B. Lowe. The investigation uncovered new topics of concern, especially the treatment of women convicts.
Women made up a minority of convict laborers, but they began to garner a lion’s share of attention devoted to problems in the convict labor system. The investigation uncovered that several children had been born to convict women during their incarcerations. Commonly, the children were kept at the convict camp or sent to live with foster families. As revealed in the article reporting on the investigating committee, "Atlanta, June 20," an African American woman had given birth to four children since being sentenced at Chattahoochee Convict Camp. The woman had been convicted of infanticide when she was eighteen and sentenced to serve a 19-year sentence. Concern over the high birth rate --and the illicit sexual relationships that gave rise to it-- generated a debate whether women should be relocated to a reformatory prison or separated from male prisoners.

Both prison officials and lessees opposed separating women or treating them differently. During his testimony, the lessee W. B. Lowe declared: "The women criminals are beyond reclamation." This opinion could have been based on the fact that most women were convicted of aggravated crimes. Lowe repeated this sentiment when a member of the Investigating Committee, Mr. Huff, questioned him. No doubt anxious to retain the women to labor in his business, Lowe was firmly against the opening of a reformatory prison: "The majority of convict women are in for murder or other aggravated crimes, and they are the worst class of criminal." Lowe also opposed sending juveniles to a reformatory prison: "The younger convicts have generally been to the courts a number of times…they are generally pretty hardened criminals when they reach the penitentiary." Lowe did urge one reform, reminding the investigators, that lessees commonly petitioned Georgia's legislature, asking for the old and infirm convicts to be pardoned because they could no longer work and cost the lessees money to manage. Lowe bemoaned how the governor rarely granted pardons based on the lack of ability to work.
Principal Keeper Towers agreed with Lowe, in describing the female convicts as dangerous, focusing especially on African American women convicts: "A negro woman, when she is inclined to be a great criminal, is the most dangerous sort of a citizen." Towers asserted that half of the female convicts were convicted of murder and were as “bad as any of the men we have here in the penitentiary.” Despite being responsible for ensuring the well-being of African American women, Towers’ believed the woman he was supposed to be protecting were morally bad. This opinion could have led Towers’ to not investigate pregnancies, reported rapes, and violent whippings.

Despite the resistance of prison officials and lessees, convict women began to draw the attention of reformers within and outside of Georgia, who were appalled by their treatment and especially by the high rate of pregnancies. The first published report of the treatment of African American women convicts was made in 1886 following the House Committee visitations to the convict camps run by Joseph E. Brown. The House Committee singled out the treatment of Carrie Massie and other African American women laboring under Brown. Since June 1882, Massie had given birth to two children while incarcerated in convict camps. In addition to decrying Massie's treatment, the committee shared its beliefs that pregnancies should not be allowed, and children should be removed from convict camps and sent to a proper family.\textsuperscript{74} The issue of pregnancies and rapes occurred in many camps where convict women labored. The issue was widespread because women and men were kept in close contact, whether the men were fellow inmates or prison officials. These concerns would eventually lead to the implementation of female-only convict camps.

Many Georgians protested the living arrangements of convict women. Women and men slept in the same buildings at night in the convict camps according to testimony given in 1870.\textsuperscript{75}
Sources conflicted on where the women slept but agreed they slept in the same building. The report "Proceedings of the Joint Committee" stated women slept in different rooms, while the article "A Disgrace to Humanity" claimed that women slept in the same bunks as men. Women and men were chained together during the day as they labored, according to the newspaper articles "A Disgrace to Humanity" and "Georgia's Abused Convicts." When W. M. Grant testified about the conditions of the Grant, Alexander, and Co. convict camps, he claimed to have never heard of a pregnant convict woman. Yet, one of the public's main concerns regarding the leasing of women in following years was the high rate of pregnancies.

Newspapers gave ample coverage to the high birth rate among convict women. In 1879 it was revealed in "A Disgrace to Humanity" revealed that most of the convict women had given birth or were currently pregnant. Twenty-five children born to incarcerated women were kept in Georgia's penitentiary in 1879. There were a similar number of births and pregnancies in 1882. The article "Southern Convict Camps: A Crying Disgrace to American Civilization" divulged that most convict women were about to become mothers, and that were twenty-two children had been born to incarcerated women in 1882. The same alarm about pregnancies in convict camps was raised in an 1887 article, "Cruelty in the Camps." The article stated how illegitimate children had been born in the convict camps and described how one convict woman had given birth to seven children in 14 years. Camp physician Dr. Westmoreland testified before the Governor and Attorney General that he did not know what happened to the children birthed by convict women. Another witness, Assistant Principal Keeper E. T. Schubrick testified that many women became pregnant after they were incarcerated.

Pregnant convicts received no special consideration. Some women were sentenced to perform hard labor even though they were pregnant as well. In 1881, courts in Richmond
County, Georgia, sent five pregnant African American women to the chain gang, giving no consideration to their physical condition during sentencing. Additionally, African American women were not released from prison to care for their families, which was afforded to white women. Georgia rejected petitions for pardon from African American women based on the need to care for their families while granting pardons to white women for the same reason. The pregnancies of imprisoned convict women continued to be a problem throughout Georgia's convict leasing. Issues arose from the pregnancies since babies were commonly premature or stillborn, and it was common for women to die when giving birth.

The rapes of women, punishments, and the conditions women were forced to labor under led convict women to try to escape and improve their situation. During convict leasing, reporters and citizens complained about the high rate of escapes which had not occurred when there was a central penitentiary. New York Times' Special Correspondent H. C. disapproved of how the camps were unprotected. Since the convict lease's inception, 20-45% of convicts had escaped, and 520 were still on the run. The high rate of escapes and low rate of recaptures occurred even though lessees were fined $200 for every escaped convict that was not returned to the camp in 60 days. A subsequent article published in the New York Times decried how many prisoners escaped from the convict camps. The author shared that the escapes occurred because the camps were not adequately secured and recommended that Georgia return to the penitentiary system to prevent escapes.

Female as well as male convicts escaped prison. For example, an African American girl escaped from the Chattahoochee convict camp in 1888 after she was sentenced to serve four years on the chain gang. The following year, another African American woman escaped from prison. Caroline Smith was sweeping the yard of the county convict camp when she was left
unattended by a guard and seized the opportunity to escape. Smith visited her mother, where she was found by prison guards and made to return to the convict camp. The conditions Smith was subjected to must have been extreme because she was only serving a four-month sentence on the chain gang. The occurrences of female escapes show how women were desperate to escape their poor treatment. These escapes were one of the reasons people opposed the convict lease system because the system failed to detain prisoners.

The escapees also brought to mind unpleasant memories of fugitive enslaved people who escaped bondage before the Civil War, being chased down by bloodhounds before being forcibly returned to the plantation to receive punishment usually in the form of whipping. Lessees used the same tactics to hunt down escaped convicts, leading critics to draw comparisons between leasing and slavery. These escapes revealed the poor conditions within the convict camps. Such conditions sparked the concern of organizations like the Women’s Christian Temperance Union and the Howard Association, who brought attention to the brutalities of the convict labor system for women.

The Women's Christian Temperance Union was an international organization with chapters throughout the United States, including Georgia, was an early advocate for reform, focusing especially on the plight of women convicts. As the name suggests, the Women's Christian Temperance Union's main concern was abolishing the sale of liquor, but it also sought to better the lives of women and their families. Other social reform areas the WCTU focused on were child labor, prison reform, and labor laws. These reform efforts all coalesced in the WCTU's opposition to the convict lease system. Similar to Bradley, the WCTU sent a petition opposing the lease system in November 1886, though addressed it to Georgia's legislature. The
WCTU declared: "Horrible abuses have brought the leasing system into disrepute among all right-thinking people."\textsuperscript{86}

The WCTU focused especially on the treatment of convict women. Savannah, Georgia’s Savannah Morning News reported on November 30, 1886, the inspiration behind the WCTU’s petition: "Every Christian man and woman will say that it is wrong, to expose the female convicts to those of the other sex or to the convict guards."\textsuperscript{87} The reasoning within the petition shows that the public had begun to resist how women labored alongside men and often performed the same duties as men.

Such petitions highlighted the often-overlooked experiences of women in the Southern criminal justice system. African American women, especially, became subject to a system that had little regard for color-blind justice of for their status as women and mothers. African American women were often treated more like men, undeserving of the protections extended to white women prisoners. For example, sometimes African American women were forced to dress like men.\textsuperscript{88} White women convicts typically wore striped dresses, but they later wore plain dresses. The lack of acknowledgment of African American women's femininity opened African American women up to harsh treatment that white women would not have experienced. During his interview with the Joint Committee, Darnell said that white, black, male, and female convicts were all treated the same.\textsuperscript{89} At the time of Darnell’s testimony in 1870, no white women were incarcerated in Georgia, meaning that no white women were whipped by a prison official. African American women were whipped just like men and typically received 15-50 lashes.\textsuperscript{90} Similar to men, African American women were whipped when they were fighting, stubborn, and hard to manage.\textsuperscript{91} African American women were reduced to a state of near nudity when they were whipped:
They were whipped in the same manner as men; they were whipped on the shoulders and on the rump… when whipped on the shoulders, the dress is dropped down to the waist, and the whipping done on the underclothes; when whipped on the rump, their outer dresses, and the whipping given over a thin under-dress.  

When women were stripped and whipped, it was done in the presence of male overseers and prisoners. The main difference between how women and men were whipped the position women had to adopt when whipped. Women had to place themselves in a submissive position that mimicked a sex act: “The clothes were pulled over her head and the overseer standing on them, with her head between his knees, and he was whipping her on the naked butt.” The harsh treatment women were subjected to in convict camps led the public to demand reform measures when it became public knowledge.

The same treatment of the male and female prisoners pertained to punishments and job assignments. African American women performed tasks typically reserved for both men and women, such as hard labor and washing laundry. Everyone was required to do the same amount of work and was whipped if they refused to work or could not meet the quota. African American women leased by Grant, Alexander, and Co. were required to work alongside the men. Overseer DeVaney testified about the duties performed by convict women: "I work them with men, on the railroad. Some of them shovel, others drive carts, and do such work as boys do." There were two white women imprisoned in 1870, but they typically performed domestic tasks. Another gender specific task was washing laundry. The convict women leased by Chattahoochee Brick Yard performed gendered duties alongside men as well. At Chattahoochee, women were expected to perform less physical labor, "The women are only made to do light work, such as cooking, washing, sewing, hoeing, plowing."

While African American women dominated the convict women population, white women proved to attract the most attention from reformers, as seen in the case of Elizabeth Rooney. The
WCTU advocated for female inmates to be pardoned and released from prison. In one case, the WCTU successfully endorsed the pardon of Isabella Rooney on the grounds that Rooney was the only “female inmate” in Georgia. During Rooney's imprisonment, there were widespread demands for Rooney to be pardoned.\(^99\) On November 27, 1887, a member of the WCTU, Mrs. Harper, took Rooney to visit Governor Gordon and thank him for pardoning her.\(^100\) In fact, other women were incarcerated at the time. Rooney was the only white woman imprisoned. "Female" was a term reserved to describe white women. The fact that Rooney was surrounded by men and African American women motivated white Georgians to demand that Rooney be released.

Not many women were pardoned throughout the first phase of convict leasing. Rooney's pardon could have been due to the high-profile organization advocating for her. In contrast, the other pardoned female inmates relied on the governor's sense of morals and petitions filed by the public. The application for pardons often claimed that these women had been wrongly convicted and juries, lawyers, or experts later retracted their decision. Most of these pardons were enacted during Governor John Brown Gordon's administration and some were issued to African American women convicts.

However, one of the pardons was carried out by one of the lessees. The pardon of a female convict by a lessee occurred in 1869 when GAC released a white woman from laboring on the railroad. Beforehand, this white woman had been the only white woman working on the railroad. Hubbard Crueton was an African American man who had been sentenced to serve on the chain gang for 12 months after sleeping with a white woman and was forced to labor on GAC's railroad for eight months. Crueton testified he had overheard Mr. Alexander release the white woman. According to Crueton's testimony to the Joint Committee on Prison Conditions, Alexander pardoned the woman because she was white: "'He said his wife was a white woman,
and he could not stand to see a white woman worked in such places.”101 This unnamed white woman was released from prison for the same reasons as Rooney: both women were the only white women imprisoned.

Gordon pardoned other female convicts based on a lack of evidence. Governor Gordon pardoned Lou Clark, an African American woman, in March 1888 after she served seven years of her 12-year sentence for voluntary manslaughter.102 Citizens of Gordon county signed a petition asking for Clark's release based on the beliefs Clark may been innocent and that she had been punished enough.103

In 1890, Governor Gordon pardoned Sallie Awtry, an African American woman. Awtry had been sentenced to life imprisonment for infanticide in 1871 and had served 20 years of her sentence. As in Clark’s case, there was no hard evidence in the Awtry case, the records noted that Awtry was "feeble-minded" and young when she was convicted.104 The pardon’s cases suggest that governors would show mercy for both African American and white women convicts, but white women faced a lower bar. Awtry and Clark produced evidence of a wrongful conviction while Rooney’s release hinged on her race, not whether she had committed the crime. These pardons also show how the public played an essential role in the prison system citizens started for petitions asking for a female convict's release, which led to the release of both women they championed.

Reforms and their Limits

Attempts by Georgia's legislature to reform the convict lease system began shortly after its inception. Most of these reform efforts failed, such as the bill to open a central penitentiary. On September 6, 1870, the House of Representatives introduced a bill to relocate all prisoners to a central penitentiary, but it was squashed. Georgian Senator Robert A. Alston spearheaded
another attempt to end the convict lease system. In a report to the Senate in December 1879, Alston condemned the convict lease system and demanded reforms. Unfortunately, Alston was murdered before any reforms could be made. The reforms proposed by Alston would have ended the convict lease system if Georgia’s legislature approved it.

William Harrel Felton in the Georgia House of Representatives led another effort to reform the convict labor system. Felton proposed a bill in July 1885 that, if passed, would have led to the construction of a reform penitentiary to replace the convict labor system. Felton believed that his constituents would support the bill because he saw the lease system as evil. An article in the Savannah Morning News published on July 10, 1885, detailed Felton’s motivation: "He considered the present chain-gang system as barbarous, degrading, malignant, and devilish." Felton declared that all but five states in America had developed a reform penitentiary. Details of Felton's reform bill were shared in an issue published two days after the original Savannah Morning News article on July 12, 1885. The bill called for all inmates under eighteen and female convicts to be moved to a reform penitentiary. However, these convicts were still expected to perform agricultural labor. Felton's reform bill was not passed, but he did not give up.

Two years later in, August 1887, Felton spearheaded another bill calling, again, for the construction of a reformatory prison for women and juveniles. This time Representative Arnheim opposed the bill because he believed that juveniles would be chained to hardened female convicts at the reformatory. Arnheim proposed a bill that would have required the lessees to construct camps to house the men, women, and juveniles separately. Additionally, he wanted the races to be kept in separate camps. Arnheim's bill shared the same fate as Felton's, but both goals were accomplished by female-only convict camps.
In 1887, Georgia's legislature fulfilled the spirit of the reform bills by passing a law that granted the governor the ability to separate female and male prisoners in convict camps. The legislature also reformed the prison system by appointing a warden in each convict camp to oversee the convicts, and only he would have the ability to punish convicts. These reforms arose from the public's demands to reform the convict lease system to end the abuses against the convicts. Georgia's legislature wanted to satisfy the public but still make money from convict labor, which led it to implement these reform measures that modified the existing system and ensured its continuation. The ratification of this law ushered in the next stage of Georgia's convict lease system, which was the creation of convict camps for women convicts only. As the next chapter will show, the female convict camps continued to be plagued with issues and haunted by demands for reform.

One probable reason the convict lease system continued to be plagued by scandal could be the continued use of male guards in female-only convict camps. In 1885, Mrs. C. F. Collins of Chicago attended the National Prison Association hosted in Detroit, Michigan. At the event, Mrs. Collins presented a paper she wrote called "Reformatories and Women's Prisons." In the presentation, she demanded that women's reformatories be placed solely under the supervision of women. According to Collins, women could not be reformed by men who debased them. To support this view, Collins pointed out how guards used their position to enjoy full access to the women's cells. Collins fear was a legitimate concern. For example, the "Convict System to be Investigated" article in The Morning News in 1887 disclosed how a prison superintendent was discharged after speculation arose that he was having an affair with a female convict. Another incident of a male prison official having an illicit relationship with a female convict occurred that same year. An article in the Macon Telegraph reported that whipping boss W.S. Bryant was on
trial for having relations with a female convict. Two convicts testified against Bryant, but Bryant's defense attorney attacked their characters. The jury found Bryant not guilty, and he was able to resume his duties as whipping boss. Historian Priscilla A. Ocen detailed another case in the 2012 edition of *California Law Review* titled “Punishing Pregnancy.” Ocen mentioned how an African American inmate was raped and impregnated by a prison guard. The woman was immediately separated from her child following the birth and sent to the dungeon.

The Howard Association shared Mrs. Collins’ views that removing male guards was essential. The Howard Association was based out of London, England, and concerned itself with prison reform. In an 1889 issue of the Howard Association's annual report, the organization suggested that women should be employed in prisons. According to the report, the employment of female guards had been advocated for in the press. Georgia's legislature probably later wished that it had enforced the use of female guards when it required the construction of convict camps for women only. The gender-separated camps had been opened because of the demands from the public, which only continued during this era of convict leasing. These continued troubles of pregnancies and scandalous relationships could have been prevented if men were not guarding women. Though employing female guards would not have ended the labor exploitation, adverse conditions, and cruel punishments convict women endured.

Georgia state officials did respond to the public’s criticisms, but in a limited way: they undertook reforms to segregate based on race and gender. The desires to segregate based on race were also driven by a desire to preserve racial hierarchies. Profit motives continued to dominate, as both state officials and lessees shared a common desire to profit from convict labor. Prison officials defended their treatment of convict women by relying on arguments that they deserved what they got. Changes did happen but as seen in the next chapter, the problems continued.
Notes


4 Haley, No Mercy Here, 46.

5 Ocen, “Punishing Pregnancy,” 1262-1265.


11 Myers, “Inequality in the Punishment of Minor Offenders,” 314.


13 Adamson, “Punishment After Slavery,” 564.

14 Browne, “Rooted in Slavery,” 78.


18 Sanford, “Constitutionality of Chain Gangs,” 1157.

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26 Sanford, “Constitutionality of Chain Gangs,” 1159-1160.


32 Taylor, “Convict Lease System in Georgia,” 114.


34 Taylor, “Convict Lease System in Georgia,” 114.


36 Taylor, “Convict Lease System in Georgia,” 118

37 Taylor, “Convict Lease System in Georgia,” 115-118.


40 "Aaron Alpeoria Bradley," *Columbus Daily Sun* (Columbus, Georgia) XV, no. 118, May 13, 1870: [1].
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41 “Georgia Elections,” *Macon Weekly Telegraph* (Macon, Georgia) III, no. 30, May 8, 1868: [4].


43 “Aaron Alpeoria Bradley.”

44 From Our Special Correspondent, “A Disgrace to Humanity.”


49 Joint Committee, “Proceedings,” 6-11.


51 Joint Committee, “Proceedings,” 199.

52 Joint Committee, “Proceedings,” 35.


54 Joint Committee, “Proceedings,” 140.

55 Joint Committee, “Proceedings,” 73.

56 Joint Committee, “Proceedings,” 159-162.

57 Joint Committee, “Proceedings,” 199.

58 “Legislative Acts/Legal Proceedings,” *Macon Weekly Telegraph* (Macon, Georgia) XLIII, no. 12, February 5, 1869: [7].

59 “A Profitable and Easy Disposition of Convicts,” *Macon Weekly Telegraph* (Macon, Georgia) XLIII, no. 22, April 16, 1869: [6].


61 “Report on the Penitentiary,” *Columbus Daily Sun* (Columbus, Georgia) XV, no. 170, July 14, 1870: [2].


70 “Atlanta, June 20,” Macon Weekly Telegraph (Macon, Georgia) LXII, no. 13, June 28, 1887: 9.

71 “The Convict System to be Investigated.”

72 “Atlanta, June 20.”

73 “Atlanta, June 20.”


75 From Our Special Correspondent, “A Disgrace to Humanity.”

76 Joint Committee, “Proceedings,” 79.

77 From Our Special Correspondent, “A Disgrace to Humanity.”

78 “Southern Convict Camps: A Crying Disgrace to American Civilization.”


80 Ocen, “Punishing Pregnancy,” 1268.

81 From Our Special Correspondent, "A Disgrace to Humanity."


84 “Female Convict at Large,” Macon Telegraph (Macon, Georgia), no. 13050, July 11, 1888: [2].

85 “She Broke for Liberty. A Colored Female Convict Escapes at Athens but is Captured," Macon Telegraph (Macon, Georgia), March 30, 1889: 2.


87 “Our Convict System.”

88 Ocen, “Punishing Pregnancy,” 1263.
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89 Joint Committee, “Proceedings,” 7.
90 Joint Committee, “Proceedings,” 145.
91 Joint Committee, “Proceedings,” 163.
92 Joint Committee, “Proceedings,” 165.

Darnell’s statement would apply to white women if there had been any imprisoned within Georgia at the time. The only white woman convict had been pardoned. Therefore, the only incarcerated women in Georgia were African American.

96 Joint Committee, “Proceedings,” 163.
97 Joint Committee, “Proceedings,” 144.
98 “Atlanta, June 20.”
100 “Georgia and Florida,” The Morning News. [volume] (Savannah, Ga.), 27 Nov. 1887.
102 “Pardoned. Lou Clark Set at Liberty after Seven Years' Servitude,” Macon Weekly Telegraph (Macon, Georgia) LXII, no. 51, March 27, 1888: [1].
103 “A Female Convict Pardoned,” Macon Telegraph (Macon, Georgia), no. 12042, March 24, 1888: [4].
104 “Pardon for an Infanticide. A Weak-Minded Negro Female Convict Released after Twenty Years,” Macon Telegraph (Macon, Georgia), June 21, 1890: [1].
105 Taylor, “Convict Lease System in Georgia,” 115-120.
106 “Georgia’s Abused Convicts.”
112 “The Convict System to be Investigated.”
113 “Eastman Events. Dodge Superior Court Adjourned-Bryant's Acquittal,” *Macon Telegraph* (Macon, Georgia), no. 11834, September 11, 1887: 3.

114 Ocen, “Punishing Pregnancy,” 1268.

Chapter 2 Band Aids for Bullet Holes: Female-Exclusive Convict Camps

The scandals and resulting criticism during the first phase of convict leasing led Georgia to implement female-exclusive convict camps. Incidents experienced during the second phase of convict leasing proves that the newly introduced regulation of having female convicts isolated from the men did not reform the system. The removal of convict women from the public eye first to a private factory, and later to a convict camp deep in the roads, was done to reduce publications of events within the female-exclusive convict camps. These measures failed. Newspapers continued to report on the escapes, deaths, rapes, pregnancies, violent punishments, and armed altercations in the female-exclusive convict camps. These continuing challenges led convict camps to be closed down and leases canceled, followed by signage of new leases and the transfer of convicts to new camps. Ultimately, the female-only camps were considered a failure and ended with the opening of Milledgeville State Penitentiary to assuage the outcry for reform demands from international/national organizations and many Georgia citizens. Georgia's legislators and prospective lessees wanted to avoid newspapers reporting on scandalous events within the convict camps, and instituted reforms to appease critics while, Georgia's government could continue profiting from forced labor. Unfortunately for Georgia, scandals were not avoided because nothing profoundly changed.

The move to segregate convict women came in the midst of broader debates about the future of the South in the American nation. “New South” advocates, such as Henry Grady (editor of the Atlanta Journal in the 1880s), sought to build a new robust Southern economy while also reassuring the North that race relations would be handled in a reputable way. Atlanta, Georgia,
was viewed as the “capital” of the New South at the time, and served as a model for what the South could be. The New South would be economically progressive, but racially segregated.

At the same time that some imagined a New South emerging from the ashes of the Civil War, other Southerners held tight to nostalgic views of the antebellum South. A part of the model Georgia set that other Southern states followed pertained to the romantic relationships between the races.\textsuperscript{2} Elite Southern white women were essential to reestablishing the old social order. As historian W. Fitzhugh Brundage put it in “White Women and Historical Memory:” “With the hierarchical order of the South shaken by war, many elite white women recoiled from the potential social chaos and committed themselves to reestablishing antebellum class and racial privileges.”\textsuperscript{3} The desire to reestablish the long-standing ideals connected to white womanhood provided another vital context for debates on women convicts, and sheds light on different treatment of African American and white women convicts.

Georgia became increasingly more segregated in all aspects of life, its proponents defending racial separation as a progressive strategy to handle race relations. African American leaders struggled to find a purchase for social mobility. In 1895, Booker T. Washington attended the Atlanta Cotton Exposition and gave his infamous “Atlanta Compromise” speech where he conceded racial segregation if it allowed African American economic progress.\textsuperscript{4} Ultimately, the United States Supreme Court decided on racial segregation in \textit{Plessy v. Ferguson} in May 1896. \textit{Plessy v. Ferguson} ruled that Louisiana’s law requiring separate train cars for people of color and whites was constitutional and did not violate the 14\textsuperscript{th} Amendment.\textsuperscript{5} The ruling ushered in an era defined by racial segregation based on the separate, but equal doctrine. But, as African Americans knew all too well, separate was rarely equal.
The South resorted to violence to maintain these racial separations. From 1882 to 1930, more than 450 lynchings occurred in Georgia with most of the victims African Americans. Over 90% of the victims of “mob violence” were African American, and they were murdered primarily by white mobs. According to historians Stewart Tolnay and E. Beck, “Georgia’s lynch violence almost always consisted of white mobs killing Black men.” The killings were commonly motivated by allegations that an African American man attempted to or successfully raped a white woman.6 Policing sexual boundaries between the races became a pervading concern of legislators and white Georgians alike. The concerns over the “relations” between whites and African Americans extended to African American women too. African American women, like African American men, were perceived to be oversexed and promiscuous.

These broader debates on the future of the South, and, especially, on the boundaries of race and gender in the New South, would seep into discussions of convict women as Georgia set upon its next reform effort: women-only convict camps.

**Bolton Broom Factory**

Following Georgia's legislature's demands convicts be separated based on gender, lessees began to operate convict camps exclusive to women. The June 6, 1890, issue of the *Columbus Enquirer Sun* reported that Chattahoochee Brick Company [CBC] opened the first female-only convict camp. CBC opened the Bolton Broom Factory convict camp in 1890 and transferred thirty convict women to labor there. The *Columbus Enquirer Sun* stated that the move was motivated by a desire to mitigate the publicity aroused by working women alongside men:

> Some months ago, Chattahoochee Brick Company resolved to remove the female convicts under there charge to a separate camp. There have been so many charges, growing out of the presence of female convicts at the camps where males were worked that this company has decided to place the matter in such shape that there would be no more trouble or suspicion…This will remove a fruitful cause of scandal, and the enterprise will, doubtless, be a profitable one.7
Historian Sarah Haley describes another motivating factor behind the opening of Bolton in *No Mercy Here*. According to Haley, "Camp Bolton was… created as a response to black women's perceived unruliness in the integrated convict camps. Established to control stereotypical black female lasciviousness." According to Haley, Georgia's legislature blamed the women for becoming pregnant even though their children were most likely the product of rape. To prevent scandal, the women were isolated from male prisoners and sent to female-exclusive convict camps.

Courts began to relocate women in 1890. On June 7, 1890, Savannah, Georgia’s *The Morning News* divulged that Georgia's superior court approved the transfer of female convicts to the Bolton Broom Factory. A subsequent article published on January 24, 1891, revealed the population of female convicts working at the Bolton Broom Factory had decreased to twenty-three women. The article declared the prisoners at the broom factory were well cared for: "The quarters are very comfortable…their fare is excellent, and they have every indication of being well treated. They work only in the house." To avoid any further criticism, the female convicts only worked within the factory and had no interaction with the convict men who labored in Bolton County. Another article published in Macon, Georgia’s *Macon Telegraph* reported that conditions within the Bolton Broom Factory were good: "The broom factory where women convicts are separately confined, is so comfortable that the jury doubts whether they fared so well at home." The establishment of the Bolton Broom Factory reveals how the lessees were concerned with defusing the critics the reform measures enacted at the Bolton Broom Factory in its operation were done to prevent future scandals, while also allowing Georgia to continue to profit off the forced labor of its imprisoned citizens.
Unfortunately, for Georgia's legislature, the occurrence of scandals was not stymied forever. Georgia made itself vulnerable to future scandals and criticism by employing a whipping boss at the Bolton Broom Factory. When the convict camp was initially opened, there was no whipping boss, but, ironically, women convicts wrote a letter to the governor asking for a whipping boss to be appointed—at least that is what the *Macon Weekly Telegraph* claimed. According to the newspaper, conflict reigned among the women and the whipping boss would help keep the peace: "The women did not say they wanted to be whipped, but said they managed to get along better with a whipping boss conveniently near." J. J. Cowan was appointed as a whipping boss in April 1890. However, appointing a whipping boss only created new scandals because whipping bosses abused their position as they had in the past, such as when female inmates were whipped to force resistant women into wearing a man's uniform, such as in the case of Eliza Randall. Nor was the whipping boss able to keep the peace among convicts; Nora Day on May 1, 1891, escaped after an argument with other female convicts. Bolton Broom Factory had to contend with high-profile, infamous escapes. These events eventually caused CBC to lose its ability to lease female convicts.

Convict leasing gained the public's ire once more a few months after the reports commending the conditions within the Bolton Broom Factory. Female-exclusive convict camps garnered complaints over their security due to accounts of escapes similar to gender-integrated convict camps. The first infamous escapee was Nora Day, a 17-year-old African American girl who scaled the fence of the Bolton convict camp and escaped a few weeks after being sentenced to serve 99 years for committing arson in May 1891. This bold escape seemed to encourage others to flee. A later article published by Marietta, Georgia’s *Marietta Journal* on May 7, 1891, revealed Day escaped on May 1, 1891, and been recaptured by May 7th. Fortunately for
the lessees, Day was returned before 60 days, meaning the lessees did not have to pay the $200 fine. Another infamous escape occurred shortly when a prison guard aided Eliza Randall's escape.\textsuperscript{16}

Unlike Day, Eliza Randall's escaped with the assistance from a prison guard and highlighted the illicit sexual relationships between women convict and male guards. "The Mismatched Couple Caught," published in Savannah, Georgia’s \textit{The Morning News} on June 1, 1891, reported that Randall and prison guard Miles M. Bollen had been recaptured on May 31st following Bollen's assistance in Randall's prison escape from Bolton Broom Factory on May 18th.\textsuperscript{17} Sheriff McGinnis caught Randall and Bollen and turned them over to the acting president of CBC, Captain James W. English. Regaining custody of Randall allowed Captain English to punish Randall in a way he saw fit.\textsuperscript{18} Randall had been caught before the 60-day period elapsed, meaning CBC did not have to pay the fine. Bollen ended up receiving a sentence of four years in the penitentiary for aiding the escape of a convict.\textsuperscript{19} CBC also sued Bollen for breach of contract.\textsuperscript{20} Eliza Randall's escape caught more of the public's attention, given the extensive press coverage, and was more notorious than Day's. Furthermore, Randall's escape with prison guard M. M. Bollen created a scandal for CBC, which they had hoped to avoid by establishing a female-only convict camp.

News accounts revealed that Randall was serving life imprisonment for the murder of her stepfather, making her appear a hardened criminal.\textsuperscript{21} But historian Talitha L. LeFlouria in \textit{Chained in Silence} provides more context for Randall’s case, revealing Randall killed her stepfather in 1888 when he made "incestuous advances" and threatened to whip her for refusing to satisfy his lewd desires. Randall escaped from Bolton in 1891 for similar reasons. Before escaping, a guard had threatened to whip Randall, but Randall could not escape the threat of
punishment for long. When Randall was returned after her escape, the whipping boss whipped Randall thirteen times. Upon Randall's recapture, it was revealed that the tryst between Randall and Bollen had resulted in Randall becoming pregnant, which could have further motivated Randall to escape. The punishments Randall was subjected to after being recaptured could have contributed to the death of Randall’s newborn.22

Soon after the escapes by Day and Randall, the Bolton Broom Factory would lose its female convicts as Georgia relocated the women to a convict in Elbert County, likely due to the negative publicity sparked by the escapes and the illicit interracial relationship. Other exposes raised the alarm of inappropriate sexual and racial mixing too.

**Heardmont Convict Camp**

The female convicts from the Bolton Broom Factory ended up at the Heardmont Convict Camp in Elbert County, leased by William H. Mattox, only to experience much the same treatment. Heardmont's operation soon came under fire for prisoner escapes, altercations between guards, and the treatment of convict women.23 Women at Heardmont, according to newspaper reports, were expected to perform agricultural labor.24 Yet, work tasks differed according to race. Only African American women were expected to perform agricultural labor; white women were only required to perform field labor as a punishment for misbehavior.25 Women’s work at Heardmont could be quite dangerous. Mary Washington lost a finger, and Fannie Dinks had her arm amputated after getting cut while lumbering. Furthermore, Rose Henderson, Sarah Johnson, and Annie Marshall were all struck by falling trees.26 These women were injured while clearing a forest to make field land suitable for planting.

Women convicts also experienced systematic sexual and physical violence, both before and during their incarceration. The experiences of Sophia Baker, who was moved to the Heardmont
convict camp when it opened, revealed that women convicts were just as likely to be the victims as the perpetrators of violent crime. In 1888 Sophia Baker was suspected of stealing from a burnt-down house when she was only fourteen years old. At the time, Baker admitted to the crime and stated she only committed it because the older man she lived with, Joe Johnson, had threatened to kill her. Ultimately, Baker was convicted of arson, which carried a life sentence at the time. Baker was pardoned in 1894. The pardon was most likely owing to Baker’s age at the time of her conviction and how she only committed the crime because she feared she would be murdered otherwise. Unfortunately, not all women fared as well as Sophia Baker and were forced to serve their complete sentences.

Women remained vulnerable to sexual violence and control during their incarceration. Eliza Randall, the prisoner who had escaped from Bolton Broom Factory with prison guard Bollen, was transferred to Camp Heardmont in 1892. Randall’s deceased child was the first of three children Randall would birth while imprisoned at Camp Heardmont. Historian Talitha LeFluruia’s *Chained In Silence* provided horrible testimony from Bud Hilley, who acted as a prison guard at Heardmont. According to Bud Hilley, the operator of Heardmont, Colonel Mattox, had the children born to female convicts killed: "No time could be spared for a nursing mother, so on Colonel Mattox’s standing order, the newborn was simply taken to the river and thrown in." The cruel treatment of newborns reveals how Colonel Mattox valued the profit the prisoners could make him more than human life. The reproductive process of women's bodies was controlled so wholly that their children were disposed of like refuse. Even when the children were allowed to survive, they were forcefully separated from their mothers.

Randall’s repeated pregnancies were not an isolated incident, as seen with Ella Gamble, an African American woman convict. Gamble was convicted of murdering her employer on
October 24, 1884. While incarcerated she was imprisoned at Bolton Broom Factory, Heardmont Convict Camp, and later Milledgeville State Penitentiary. Before Gamble was pardoned in 1904 because of the circumstantial evidence used to convict her, she gave birth to six children while imprisoned.31

Another African American woman convict, Dilly Echols, became pregnant after being transferred to Camp Heardmont in 1892. At the time, Echols was three years into her life sentence. Echols was raped by a guard and impregnated shortly after being relocated to Heardmont similar to Randall. On November 24, 1892, Echols suffered a “miscarriage.” One can presume Echols induced abortion because her original sentence was for infanticide, a crime motivated by Echols’ not wanting to have a child. The significant difference between the two women is how Echols took matters into her own hands, while the ability to choose was taken away from Eliza Randall. The sexual violence women endured, and the harsh working conditions led women to escape from prison.

Camp Heardmont soon attracted the public's ire for the high rate of escapes similar to Bolton Broom Factory. The escapes of prisoners from Heardmont probably frightened the lessees because the flights of Nora Day and Ella Randall contributed to the closure of Bolton, and even more female convicts escaped from Camp Heardmont. Interestingly, Nora Day, who had previously escaped from Bolton, was the first convict to escape from Heardmont.33 "The News at Elberton," published on July 21, 1892, reported that five female convicts had escaped from Heardmont. When the escape occurred, there were sixty-five women imprisoned at Heardmont. The women who participated in the escape had been sentenced to serve long sentences. The event also called the owner of Heardmont, Colonel Mattox, into disrepute because the article identified him as the operator of the convict camp multiple times and blamed him for allowing
the escapes to occur. Immediately following the mass escape, a white woman --Alice White-- and an African American woman were recaptured. Instead of trying to improve conditions for the female convicts, Mattox hired more bloodhounds and prison guards, purchased more rifles, and began to shackle the convicts to combat these escapes. As a result, the sexual violence and culture of rape continued.

Before Alice White's escape, she benefited from her race. Instead of performing hard labor like the other women, Georgia’s only imprisoned white women, Alice White and Pearl Prendergast, were employed as seamstresses because they were believed to be too weak to work in the fields. Prendergast was also given some authority because she was made responsible for counting female prisoners. Despite the better work conditions, White was still subjected to the same sexual violence as African American women.

The sexual violence White endured led her to escape from Heardmont. After White was recaptured, she no longer enjoyed a high social standing. She was made to work alongside the African American women though it was performing a less labor-intensive task of measuring wheat. Governor Northen pardoned White when it became known the camp's guards had raped her. White's pardon from prison because she experienced sexual violence further sets her apart from the African American women she worked alongside. I found no reports of African American women being pardoned because they were raped. Accounts of the audacious escapes were not the last time Heardmont earned the public's disapproval.

Months after the escapes, Heardmont appeared in the headlines again for the wrong reasons in October 1893. This time, newspapers reported that an argument between two prison guards led to a female convict being injured. Guard Sayre accused Guard Johnson of violating the regulations guards had to follow. The two men fought before Sayre shot Johnson. In
happenstance, Sayre's bullet traveled through Johnson and wounded a female convict, Eliza Randall, behind him. Sayre was later arrested with a charge of intent to murder. Randall was shot in the shoulder and spent two months recuperating in the camp hospital before returning to work.

Such stories became compounded by others that reported on the death of inmates at Camp Heardmont, sometimes a consequence of sexual violence by prison officials. W. E. B. DuBois, the African American activist and writer, raised the alarm in a 1904 pamphlet about the frequent rape of African American female convicts, using an example from Heardmont: "A young girl at Camp Heardmont, Georgia, in 1895, was repeatedly outraged by several of her guards, and finally died in childbirth while in camp."

Selena Sloan Butler, an African American woman from Georgia who was a teacher and child welfare advocate, reported on another gruesome case in her seminal "Chain Gang System," published in 1897:

One of the most touching cases that has come before the public, is that of a young girl at Camp Heardmont, a camp for women. The guards became so infatuated with her, that peace did not always reign within the camp among the guards. One day an offspring came; both mother and child died.

These accounts could be retellings of the same event as they share many commonalities. Butler went further than Du Bois by identifying the young woman as Carrie Massie, "a plaything of beastly passion." Before dying in February 1895 in Camp Heardmont, Massie spent ten years in prison and birthed four children who appeared to have white fathers. Massie died a month after giving birth to her last child from a bacterial infection of the reproductive organs. Massie's exposure to bacteria likely occurred when she was giving birth. The child died of starvation because Massie could not feed it when she was ill. Both deaths could have been
avoided. If the baby had not died with Massie, it might have been disposed of under Colonel Mattox’s orders.

Besides negative press, Heardmont also had to contend with increased legislative oversight in the form of inspections by Assistant Principal Keepers and Joint Committees. Female-exclusive convict camps were still subject to regular inspections by Principal Keepers. However, instead of sporadic investigations seen under the first phase of convict leasing under John Darnell’s supervision, the Assistant Principal Keeper, visited each convict camp in Georgia monthly beginning in 1892. At that point, the lessees’ employees were more cooperative, allowing the Principal Keeper to fulfill his duties. These inspections revealed that the conditions within the female-only convict camps were relatively better than the intergender camps.

The *Columbus Daily Enquirer* informed the public about the findings of the Principal Keeper Geo H. Jones about the conditions within the convict camps from October 1, 1890, to September 30, 1892. In 1890 there were 2,802 convicts in Georgia, but by 1892 that number had decreased to 1,940. The demographics in the prison population in 1892 consisted of 1,710 African American men, 194 white men, 14 African American women, and two white women. Over these two years, 107 prisoners had died, sixteen had escaped but were captured, and sixty-three had escaped and were still at large. Principal Keeper Jones found the convict camps in good condition, but had a recommendation. He advised Georgia's legislature to open a reformatory prison to prevent people from becoming career criminals. He would make similar recommendations in his 1892/93 report.

Jones believed the convict camps to be in good condition in 1892/93 as well. Principal Keeper Jones believed the conditions within the convict camps had improved by 1893, despite sixty-two deaths, five escapees who were recaptured, and forty-four escapees still at large. As
evidence of improvement, Jones pointed to new procedures for investigating violent and accidental deaths.\textsuperscript{44} According to Jones, Georgia's prison population had grown tremendously and was now at its highest numbers in the state's history.\textsuperscript{45} The prison's population totaling 2,168 in 1893 was composed of 1,917 African American men, 185 white men, 64 African American women, and two white women (Pearl Prendergast and Alice White).\textsuperscript{46}

Besides providing the characteristics of the prisoners, the report also describes where they were imprisoned. All female convicts were still incarcerated at Heardmont by Colonel Mattox. The farm in Elbert County was isolated from the convict camps where men worked, as Governor Northen had ordered.\textsuperscript{47} It was hoped the pregnancies of female inmates would end once the female inmates were physically isolated from the male inmates. The high birth rates attracted public attention and aroused demands for reform centered around how women should not be worked alongside men. Ultimately, the reform effort backfired because female prisoners continued to experience a high birth rate, but now it could not be attributed to male inmates. The only possibility was that the women were impregnated by male prison officials, which gained the ire of the public even more. The pregnancy rates were not divulged in either of the Principal Keeper's reports, but were reported by outside sources. The information came directly from the "Annual Report of the Principal Keeper," annually written by Jones and addressed to Governor W. J. Northen. Since this report is a first-hand account of the prison conditions, it goes more into depth about the prisoners. Principal Keeper Jones had Assistant Principal Keeper Colonel R. F. Wright conduct the monthly inspections.\textsuperscript{48}

The Principal Keeper's Report for 1893/94 revealed that Georgia's prison system continued to have the largest prison population in the state's history and boasted that conditions were improving. Under Governor Northen's direction, Georgia’s inmates were experiencing
improved health and a lower death rate of only sixty-three deaths out of 2,813 inmates in a year. The incarceration rate had increased by 645 inmates, while the death rate had only increased by one. The improved mortality was probably due to the legislative reform in 1894 requiring the Principal Physician to visit each convict camp once every two months. 49

Despite these improvements, Georgia still had a high rate of prison escapes, with nineteen escapees on the run in 1893/94. 50 These escapes exemplify the conditions in the camps and how people were willing to resort to illegal methods to free themselves at the risk of losing their lives from over-eager bloodhounds and unscrupulous guards firing at them. If captured, these escapees would have to face longer prison time and severe whippings as punishment for their escape attempt. The racial and gender composition of the prison's population was similar to 1892-1893, with 2,069 African American men, 189 white men, 68 African American women, and two white women. 51 These reports indicate how the conditions within the convict camps had appeared to improve in some ways, but little changed in terms of demographics and ongoing challenges. Despite these efforts, scandals continued to occur and attracted the public's attention, ultimately leading to the creation of Milledgeville Prison.

In addition to enduring inspections from the Assistant Principal Keeper and the Principal Keeper in 1894, convict camps underwent a review by a Joint Senate and House Committee. The investigative committee visited every convict camp in Georgia, including the Heardmont convict camp. 52 All female convicts were still housed at Heardmont when the Joint Committee visited. After the inspection, Governor William Y. Atkinson imposed reform measures, which implies the report's findings were negative. In addition to imposing new regulations, Atkinson considered fining the negligent lessees. In 1894 Heardmont was one of the only camps found to be in good condition. 53 Unlike felony convict camps, misdemeanor convict camps were not
Chapter 2 Band Aids for Bullet Holes: Female Exclusive Convict Camps

The lack of separation led to criticism from the public and the state's legislative bodies. Ultimately, the conditions within these penal institutions where the genders intermingled resulted in reform demands.

Convict camps continued to endure inspections from the Principal Keepers. In 1897 Principal Keeper Joseph Turner submitted the annual "Report of the Principal Keeper of the Georgia Penitentiary," as usual. The report summarized the conditions of the convict camps Assistant Principal Keeper J. C. Moore had visited throughout the year. In 1897, there were twenty-five convict camps in operation throughout Georgia, housing 2,235 prisoners. In 1897, 1,881 African American men, 196 white men, 57 African American women, and one white woman were imprisoned. 56 of these 2,235 prisoners died. Besides race and gender, the report detailed the convicts' ages, crimes, and sentences: 1,636 convicts were under 26 years old, and 36 were younger than 25. This statistic fits in with past reports because teens and 20-year-olds were imprisoned the most. The prisoners were convicted of 378 murder convictions, 56 arson convictions, 92 rape convictions, and 81 attempted rape convictions. 399 convicts were serving life sentences, and the average prison term excluding life sentences was over eight years.

According to Turner, the average prison sentence in Georgia was abnormally high, "This average is higher than in most other States." The conditions Moore found within the convict camps led Turner to recommend opening another facility for juveniles, women, and the infirm.

In addition to inspections by the Principal Keepers and the legislature, convict camps had to undergo investigations ordered by Georgia's governor. After hearing reports of the conditions within misdemeanor convict camps in 1895, for example Governor Atkinson required the camps to be investigated. The findings of Atkinson's inspection were reported in "Chain Gangs of Georgia," the November 19, 1895, issue of the Union Recorder. Atkinson appointed Hon. R. F.
Wright to probe into the conditions of chain gangs. Wright's findings dismayed Atkinson because different races and genders worked alongside one another. Most camps had no separation of sexes or races, even in sleeping quarters.\textsuperscript{56} The ruling of \textit{Plessy v. Ferguson} in would give Governor Atkinson the impetus to separate the races, which was seen at Milledgeville State Penitentiary. Wright was also shocked to find female prisoners dressed in male attire while working alongside male prisoners. Atkinson was also disturbed by the lack of a whipping boss appointed to the chain gangs. Instead, all prison officials carried whips and had the authority to punish convicts for any reason. The freedom to punish convicts undoubtedly led to poor and unsafe conditions since ninety-eight convicts escaped from chain gangs in one year. The report's findings revolted the editor of the \textit{Union Recorder} to the extent that he considered the lease system a disgrace and called for its abolition:

\begin{quote}
The report of Mr. Wright reveals a state of affairs that is a burning disgrace to the state of Georgia…Of course, the legislation will make haste to enact a law that will better the condition of convicts in the chain gangs. The whole process of hiring out convicts is radically wrong and should be speedily abolished.\textsuperscript{57}
\end{quote}

In addition to critiquing the system, the editor also proposed ways Georgia's penal system could be reformed. Unfortunately, for those hoping to profit from the suffering of inmates, the editor thought only abolition, not reform, of the convict lease system would remedy the injustices it caused. The editor's musings also reveal his optimism that Georgia's legislative body would do what was right and protect the lives of the convicts by abolishing the system. Unfortunately, Georgia failed to meet the editor’s expectations as it valued profit over lives, Georgia continued leasing convicts for another 14 years and after the end of the lease system, Georgia continued to use chain gangs until 1937, which some consider to be worse than the lease system.

In addition to describing how the prisoners worked, Wright also researched the composition of the inmates who worked in chain gangs, revealing stark differences along racial
and gender lines. According to Wright, "The total number of convicts imprisoned in these gangs is 795, of which there are 27 white males, no females, 749 colored males, and 19 colored females." Including race for all groups except for “females” makes it apparent how white women were the only group seen to be females. In contrast, African American women were not viewed as being females, evidenced by how their gender was listed. Furthermore, the fact no white women labored in chain gangs while 19 African American women did encapsulate the belief that African American women were capable of physical labor just like men.

The belief that African American women were more suitable for performing arduous labor has its roots in slavery. In colonial Virginia, English settlers viewed African bond women as an exploitable source of agricultural work, unlike English women who were relegated to the domestic sphere. The belief that enslaved African women were productive laborers was made evident in 1658 when a Virginia tithable law taxed the labor of English men, African men, and African women. County records of Virginia tax exemption petitions from 1680-1699 and 1730-1749 strengthened the idea African American women could perform strenuous labor because petitions submitted by African American women were not accepted unless they could prove they had a physical disability that prevented them from working. Whereas petitions by white women were accepted because they were seen to be fragile as a whole. The belief white women were incapable of performing physical labor was enduring because, by the time of Georgia's convict leasing, white women were still not expected to achieve the same labor as African American women.

The belief that white and African American women had different physical capabilities still shaped views in Georgia’s convict camps, as exemplified by the sentencing of Mattie Crawford, an African American woman. In 1896 Crawford was convicted of murdering her
abusive father. Even though Camp Heardmont was still operating under the control of Colonel Mattox, Crawford was not sent to his prison farm. Instead, Crawford was sentenced to perform hard labor at Chattahoochee Brick Yard in 1896, even though all female inmates were required to be housed at Heardmont. The verdict and the sentence were based on the perceived physical abilities of Crawford, an African American woman with a muscular build. While at Heardmont, Crawford decided to learn blacksmithing instead of performing hard labor and later became renowned as the only female blacksmith in America, gaining notoriety because of her convict status. During Crawford's time at Chattahoochee Brick Yard, she was forced to wear men's clothing because she was whipped each time she refused. Based on this evidence, one can assume that the women Wright encountered dressed as men laboring in the chain gang were forced to adopt men's dress similarly to Crawford. Another convict woman who was forced to dress in men's clothing was Eliza Randall. Colonel Mattox made Randall adopt men's clothing to prevent her skirt from being stuck in the gristmill. Mattox reasoned that Randall was too valuable a laborer to risk being hurt by the heavy machinery she operated. Later, Randall served as a blacksmith for Camp Heardmont. In "Some Notes on Negro Crime, Particularly in Georgia," W. E. B. Dubois criticized how women were forced to dress as men in the chain gang system. According to Dubois, "Women were mingled indiscriminately with the men, both in working and sleeping, and dressed often in men's clothes."Physical force could have been exerted by any official in the misdemeanor camps for any reason, including refusing to wear the uniform, due to the lack of oversight.

White women were not subject to the same restrictions as African American women and could display their femininity. One such white woman who displayed her femininity in Georgia's prison system was Pearl Prendergast. Throughout her seven-year tenure in the convict system,
Prendergast had multiple advocates who wanted her to be released. These petitions were based on the combination of Prendergast's race and gender.

Even the corrupt nature of Prendergast's crime was not enough to dissuade her advocates. Prendergast, along with Alice White, had been convicted of kidnapping for immoral purposes in 1892 for kidnapping 13-year-old Ella Holmes. The attempted prostitution of a minor was so despicable to the Savannah, Georgia’s *The Morning News* that it denounced Prendergast as: "So depraved as never again be able to honor the name of woman." Prendergast violated white southern norms of white femininity as seen in statements made at her sentencing. The prosecutor in Prendergast's case referred to Prendergast as the epitome of sin, calling her, "A demon of harlots, the mention of whose very name is the synonym of corruption, vice, and infamy."  

Prendergast's crime was severe because it involved the corruption of a young white girl, which was considered the most significant offense in Southern society. The editor of *The Morning News* shared this viewpoint in "The Holmes Abduction Case:" "The testimony showed them to be not only very bad women, but very dangerous ones to society. The amount of harm such women can do in corrupting the morals of young people and leading them from the path of virtue is almost incalculable."  

The corrupting nature of Prendergast's crime targeted the purity of Ella Holmes and ruined her own. Holmes, the kidnapped victim, remained pure because she was able to resist Prendergast's attempts to marry her to a male associate, Percy Sibley.  

Despite the shocking nature of the crime, Alice White and Pearl Prendergast received shorter-than-expected sentences. Before sentencing, observers predicted the women would serve the rest of their lives in prison laboring in the coal mines, or, at the very least, receive a sentence of 20 years imprisonment. Instead, Alice White only served five years and Pearl Prendergast seven years. The short penalties for the severity of their offense were likely due to the women's
race. Typically, white people received shorter sentences than people of color and were sentenced at lower rates. Throughout Prendergast's prison term, the governor had to field requests to have her pardoned. These requests began as early as 1894, two years after Prendergast was sentenced. Prendergast gained a valuable supporter in the form of Colonel Mattox's wife. Mrs. S. P. Mattox wrote a petition asking for Prendergast's release, based on the fact that Prendergast was one of two imprisoned white women. Mrs. Mattox also viewed Pearl as ill, hardworking, and well-behaved. Mrs. Mattox’s request for Prendergast’s release was denied. The failure to have Prendergast pardoned did not set her supporters back for long.

Eventually, the basis for the requests for a pardon was strengthened because Alice White was released after she served her sentence, and Prendergast remained imprisoned as the sole white woman. This attempt was submitted to Governor Atkinson by Georgia's pardoning board. Atkinson denied the request because he believed Prendergast was a hardened criminal. Atkinson was correct in his beliefs because Prendergast had previously been convicted for being a "procuress."Shortly before kidnapping Ella Holmes, Pearl Prendergast was released from prison in Columbus, Georgia, where it was alleged she had led multiple girls into a life of shame. By 1897, Prendergast was still serving out her sentence and was set to be released from prison not because of a successful pardon request, but because her court-dictated sentence was over. The pardons given during the second phase of convict leasing were quite different from the first in one way because Prendergast did not receive a pardon even though she was the only imprisoned white woman. During the first phase, pardons were granted to convicts for the sole reason of the combination of their race and gender. African American women still hardly received pardons.
Racial disparities in the treatment of prisoners did gain attention by the 1890s. The Howard Association, the London-based organization that had lobbied for women-only convict camps, published "The Colored Race in America," in 1899, criticizing the system of convict leasing, in general, but also highlighting how it targeted people of color. The report divulged that 90% of the South’s convict population were people of color, sentenced for lengthy sentences for minor offenses. The racial disparity in prisons led the Howard Association to compare leasing to slavery, saying: "In reality, the lease system produces the most terrible sufferings and fatalities to many thousands annually. It is, practically, a revival of slavery, and on a very extensive scale." While the Howard Association called for an end to the convict lease system as a whole, it focused increasing attention on the plight of convict women. According to the Howard Association, the treatment of female convicts was the worst aspect of the convict lease system:

Their conduct to the female convicts is indescribable. A large number of illegitimate births take place in these camps. The wretched children born in them are, in some instances, permanently retained as slaves. And the breeding of such has become an avowed purpose, at least in one State. Woe to the women and girls sent to such camps.

Within Georgia's convict lease system, children borne by female convicts were commonly kept within the prison for years until a "suitable home" could be found, as an 1887 report by a Georgian prison official revealed.

Under the lease system, women were subjected to the repeated brutalities of sexual violence. These women were incarcerated in a system where “rape culture” was prevalent and guards often engaged in sexual or romantic relationships with female inmates. The women involved in these relationships could not consent due to the power imbalance and the prison officials, position of authority. African American women, in particular, found that they had little recourse.
Chapter 2 Band Aids for Bullet Holes: Female Exclusive Convict Camps

The prison officials could easily coerce the inmates into sexual relationship with force. The Howard Association decried how women had continued to be raped and impregnated in the convict camps despite the reform measures: “Women and girls are habitually subjected to the grossest indecencies and exposures. In one camp was found a woman who had seven children whilst there, and another had had six there. And such cases are legion!” The report detailed how a 17-year-old girl in one camp had been raped by prison guards multiple times before escaping. Unfortunately, the girl was recaptured and subjected to further punishment, which took the form of being stripped and flogged in the men's presence. Another girl who labored in a Southern convict camp was impregnated by a prison official and died shortly after giving birth along with the baby. The Howard Association was aghast to discover how women were raped and impregnated multiple times throughout their prison terms. One convict woman had seven children, and another had six when she was imprisoned.

The 1899 "Annual Report" of the Howard Association focused on the growing demands for reform of the convict lease system. The Howard Association noted, with approval, that many people wanted the convict lease system to end. In response, the South attempted to reform its penal institutions by ending the lease system and turning to chain gangs. Despite the reform efforts, the Howard Association was not entirely pleased that chain gangs were becoming more universally used, seeing them as just as cruel and objectional as the convict lease system. Returning to the subject of Georgia, the Howard Association detailed Governor Atkinson's views of the convict lease system. Atkinson considered the lease system to be Georgia's burning shame.

White men rarely, if ever, faced, prosecution for the sexual assault of women, a practice that was rooted in the slavery era’s determination that African American women were
“unrapeable.” The law engendered racial differences by setting African American women apart from white women, when it came to sexual violence. Historian A. Leon Higginbotham in *Race, Gender, and Power in America* summarized the justice system’s unequal treatment of African American women and white women:

The court was also alluding to the theory that masters and slaves were subject to different laws because masters possessed moral standards and slaves did not. Specifically, the court was alluding to the widely held theory that white women possessed moral virtues and black women did not. According to that theory, black women so totally lacked "moral virtue" that it was not within their nature to be raped, indeed, for some time, the law simply did not recognize the rape of a black woman by any man, either black or white.\(^8^0\)

The idea that African American women could not be raped was also summarized by historian Eugene Genovese, "Rape meant by definition, rape of a white women, for no such crime as the rape of a black women existed at law."\(^8^1\) The perpetuation of the belief that African American women were “unrapeable” was shared in the 1899 issue of the Howard Association's Annual Report. The 1899 report included a quote from the leader of the North Carolina Friends. According to this respected religious leader, African American women could not be raped, "I think it must be a very rare occurrence, if it ever occurs at all, that a white man outrages a negro woman."\(^8^2\)

These beliefs about African American women's promiscuity and how they could not be raped contributed to the lack of prosecution by prison officials. Even though prison officials violated their positions by violating the bodies of female inmates, they went unpunished. The only time prison officials were prosecuted for raping prisoners was when one was perpetrated on white women.
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The Hope for the Future: Milledgeville State Penitentiary

Eventually, the Milledgeville State Penitentiary was opened to combat the scandals arising from the rape and impregnation of female convicts. Milledgeville State Penitentiary's opening was a reform measure originally suggested by Principal Keeper Joe S. Turner originally suggested the creation of a centralized prison to house particular groups of “vulnerable prisoners,” in his 1896/97 annual report to Governor Atkinson. Under these recommendations, the 1,850 able-bodied men could still be leased. Turner also suggested these able-bodied men could be worked on the public roads within the counties they were sentenced. Turner assuaged any fears over loss of profit by reassuring legislatures would still be able, “to cultivate the farm, manufacture brick, and quarry stone.” By 1899, Atkinson put Turner's suggestions into practice and established the Milledgeville State Penitentiary.

The move to open a centralized prison was motivated by repeated scandals, Turner's suggestions, and the expiration of the 20-year which expired on April 1, 1899. On that day, Camp Heardmont was shut down, and all the female inmates were transferred to Milledgeville State Penitentiary. All the other protected classes would also be relocated to the penitentiary.

During its opening year, the Senate Joint Committee inspected the conditions within Milledgeville. The Joint Senate Committee's investigation discovered the penitentiary to be in good condition. The report revealed that women and men were housed in separate departments in the penitentiary. At the time of the investigation, there were ninety-six men, twenty-two boys younger than fifteen, and seventy-three women at Milledgeville State Penitentiary. Only four men were hospitalized, and all the women were in good health. The apparent health of the convicts led the Senate Committee to approve of the penitentiary, "The new system is, in our opinion a great improvement on the old one, from many points of view.” However, as the next
chapter reveals, the good conditions within Milledgeville State Penitentiary would not last for long.
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Notes

1 Title is referencing how moderate reforms were made for big problems and how nothing was really changed. Also, a reference to Eliza Randall’s shooting.


7 “Female Convicts to be Separated,” Columbus-Enquirer Sun, (Columbus, Georgia) no. 6, June 6, 1890.


9 “The Broom Factory for Female Convicts,” The Morning News, (Savannah, Ga.), June 7, 1890.


11 “A Disgrace to Atlanta. The Fulton County Commissioners Presented by the Grand Jury,” Macon Telegraph (Macon, Georgia), January 24, 1891: [2].

12 “Women Want a Whipper. The Novel Request of Female Convicts at Bolton,” Macon Weekly Telegraph (Macon, Georgia), April 9, 1890: [1].

13 “Among the Convicts. Two More Escapes Heard from,” Macon Telegraph (Macon, Georgia), May 30, 1891: [1].

14 “Escaped from the Chain Gang. A Mulatto Girl Walked Away in Broad Daylight,” Macon Telegraph (Macon, Georgia), May 3, 1891: [1].


16 Not only did Day’s escape amass a negative response, but so did her sentencing. A May 3, 1891, issue of Columbus, Georgia’s Columbus Daily Enquirer revealed a northern commentator had taken offense to the disparity in length of sentences received by Nora Day and a white woman named McKee. The statement reveals how African American women typically received longer sentences.

17 “The Mismatched Couple Caught,” The Morning News, (Savannah, Ga.), June 1, 1891, Image 1 “

18 “Runaways Captured. The Escaped Female Convict and the Guard. They Led the Sheriff a Hot,” Columbus Daily Eneruirer (Columbus, Georgia) XXXII, no. 132, June 2, 1891: [1].
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19 “Bollen Gets Four Years,” Columbus Daily Enquirer (Columbus, Georgia) XXXII, no. 150, June 23, 1891: [1].

20 Haley, No Mercy Here, 93.

21 “Bollen to be Prosecuted.”


23 Specifics of the camp were elaborated on in a February 4, 1892, issue of Columbus, Georgia’s Columbus Daily Enquirer. Thirty-five women were imprisoned at Heardmont, most of Georgia’s female convict population. The remaining 12-15 female convicts were under the control of Captain James M. Smith at the Smithsonia convict camp.

24 “News from Elberton a Female Convicts Camp,” Macon Telegraph (Macon, Georgia), January 15, 1892: 2.

25 Haley, No Mercy Here, 82.

26 Haley, No Mercy Here, 76.

27 Haley, No Mercy Here, 43.

28 LeFlouria, Chained in Silence, 133.


30 LeFlouria, Chained in Silence, 61.

31 LeFlouria, Chained in Silence, 97.

32 LeFlouria, Chained in Silence, 136.

33 LeFlouria, Chained in Silence, 135.


35 LeFlouria, Chained in Silence, 136.

36 LeFlouria, Chained in Silence, 127.

37 “Shooting in a Convict Camp. Two Guards Grew Angry and Used Their Guns in the Direction of Each Other,” Macon Weekly Telegraph (Macon, Georgia), October 30, 1893: 3.

38 Haley, No Mercy Here, 94.


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LeFlouria, Chained in Silence, 103.


“Chain Gangs of Georgia,” Union Recorder, November 19, 1895.

“Chain Gangs of Georgia.”

“Chain Gangs of Georgia.”


Kathleen M. Brown, 119.

Brown, 124-126.

Haley, No Mercy Here, 95.

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64 Haley, *No Mercy Here*, 133.


69 “Stolen From Her Mother,” *The Morning News. [volume]* (Savannah, Ga.), 23 March 1892.


72 “Stolen From Her Mother.”

73 “A Clew to Ella Holmes,” *The Morning News. [volume]* (Savannah, Ga.), 24 March 1892.

74 “[Pearl Pendergrass; Chatham W. H. Mattox],” *Macon Telegraph* (Macon, Georgia), November 13, 1897: 5.


76 Howard Association, “The Coloured Race in America.”

77 Howard Association, “The Coloured Race in America.”

78 Howard Association, “The Coloured Race in America.”


81 Melton Alonza McLaurin, *Celia, a Slave*, 93.


84 A. P. Passmore, and R. G. Dickerson, “Senate Committee on the Penitentiary, and Subcommittee on State Farm, Submitted the Following Report ... [Report] Prison Farm Located in Baldwin County.”
By 1900, Georgia appeared to be entering the new century by leaving its much-criticized penal practices behind. Georgia adopted two main changes: first, the opening of Milledgeville State Penitentiary for juveniles, the infirm, and women, and second, the adoption of chain gangs. However, reforms could not effectuate any real change when humans continued to be exploited so people could make a profit. Imprisoned people were still expected to labor at Milledgeville even though their youthful age, health status, or gender rendered them incapable of performing the same labor as healthy adult men. Furthermore, Georgia continued to attempt to make the most profit by providing prisoners with lower-quality food, medical care, clothing, and housing. The governors still appointed whipping bosses to extract the full capabilities of their bound workforce and punish them for minor offenses seen to interfere with their ability to work. Brutal whippings left physical and psychological scars on those who survived. In sum, no real change was made in the quality of the prisoners' lives despite the establishment of Milledgeville State Penitentiary because laborers continued to be dehumanized, and their lives were not valued. As reports of the continued abuse reached national audiences, Georgia once again faced unwanted scrutiny and eventually abolished both the chain gang and Milledgeville in 1938.

As Milledgeville State Penitentiary opened for business, Georgia became swept up along with the nation at large in a sweep of reform. The Progressive Era lasted from the 1890s to the 1920s and was characterized by a series of reforms in hopes to make a better society. In Georgia, Progressive reformers focused on abolishing the convict lease system and reforming the penal institution. The Progressive Movement took off in Georgia, during the reign of Governor Hoke Smith from 1907-1909 and 1911. Smith was a progressive Democrat credited with ending
Georgia’s convict lease system. Smith proved to be the most influential leader of Georgia’s Progressive Movement.

Governor Smith worked with a diverse group of progressive reformers, including academics, intellectuals, and journalists. One such intellectual was the African American leader, W. E. B. Du Bois, who advocated for penal reform while teaching at Clark Atlanta University from 1897 to 1910. While in Georgia, Du Bois helped to found the National Association for the Advancement of Colored People [NAACP] in 1909 and to launch the Niagara Movement, an association of black intellectuals. Women also became prominent activists in progressive reforms, joining well-established women’s organizations such as the Women’s Christian Temperance Union [WCTU].

Unfortunately, Progressives in Georgia could not effectuate much change because they were motivated by too many desires (often conflicting), as summarized by historian Jeffrey Hobson: “Southern progressives were animated by a humanitarian impulse, but also economically minded, and often paternalistic in their outlook.” These conflicting desires were evidenced by the leader of the WCTU, Julia Tutwiler, in 1890 when she stated that convict leasing had all the evils of slavery without any of the “ameliorating features,” such as paternalism. Ultimately, these disparate desires were why Georgia was caught in an endless cycle in prison reform: abuses led to reforms that never seemed to resolve the problem, leading to more outcry and reforms throughout the Progressive Eras.

**Milledgeville State Penitentiary: Continuing Scandals and Criticisms**

As in the second phase of convict leasing, Georgia segregated female and male convicts at Milledgeville Penitentiary, hoping to keep the women away from men and away from the public eye. Milledgeville State Penitentiary isolated male and female convicts in separate
dormitory buildings, situating the woman's building in the middle of the property and a half mile from the men's facility and two miles from town. The remote location made it harder for convicts to escape but also kept them far from prying eyes. In the past, convicts worked in full view of Georgians, which led to complaints about prison conditions. But the prison's isolation from the public did not prevent newspapers and other sources from uncovering scandalous events.

Only a year after opening, Milledgeville received negative press over the cruel treatment of prisoners. A guard at the penitentiary shared with the Macon Telegraph, that one of the convict women was whipped weekly. In "Tells of Old Mrs. Nobles," published on March 10, 1900, the paper revealed that Elizabeth Nobles, a 69-year-old white woman, was whipped every Monday morning for refusing to work. The claims were refuted by Col. Thomas Eason, who was running to be re-elected to serve on the Prison Commission's pardoning board: “[The story that] Elizabeth Nobles…has to be whipped every Monday morning in order to force her to work, is absolutely untrue.” The newspaper questioned the credibility of Eason, noting his political ambitions, and portrayed Nobles as a sympathetic figure, undeserving of her treatment, in a surefire way to evoke a strong reaction from readers of the Macon Telegraph.

"Babies in Prisons," published just a few months later in Georgia’s Henry County Weekly reported on the high rate of births experienced at the penitentiary, revealing that segregating the sexes had evidently not reduced the birth rate: “Very few people outside official circles know what a large number of babies are born every year in the infirmaries or prisons and penitentiaries,” the newspaper confided. Newborns were always greeted with fanfare by convict women, the paper reported, who did their best to mark the occasion the best they could by designing baby clothes from fabric scraps: “The most refractory and difficult of prisoners soften
and greatly alter by being allowed to do little things for it; indeed, it acts throughout like a veritable ray of sunshine among the whole of the poor prisoners.” Unfortunately for the celebratory convict women and the child’s mothers, the children were taken away from the penitentiary and forcefully separated from their mothers shortly after their birth.9

Not all children were immediately removed from the convict camps. Some children remained in the camps until a “suitable” home could be found for them. Historian Sarah Haley speculates on the sufferings the children who remained in the convict camp could have endured, "vulnerable to the heinous conditions, potentially suffering from the violence other imprisoned women and men faced and separated from their mothers by the grueling labor demands that so profoundly compromised parental bodies."10 Children in convict camps grew up away from peers and without the constant presence of their parents. Haley imagines the heartbreaking lives of such children:

Were their cheeks always wet from the tears of hunger or pain from the unattended cuts and scrapes and bruises they undoubtedly sustained in play?.. Did they pretend they were hiding when they cowered behind walls to avoid seeing the lash hit the skin of their adopted aunties and uncles who kissed them when their mothers were busy?... Did they hear stories of grandparents and aunties on the outside and what towns and cities looked like? Did they think everyone in the world wore stripes?11

The continuation of births exhibited how constructing a female dormitory at the penitentiary did nothing to decrease the birth rate experienced during the preparatory phases of convict leasing. Convict women were still guarded by men who abused their position for sexual gratification. Fellow prisoners could have impregnated convict women, but it is unlikely. Male inmates were almost a mile away and were composed of boys under 16 years old and older men. Complaints over harsh punishments and sexual relations would continue until Milledgeville’s closure in 1937.
Convict women resorted to desperate means to thwart future punishments and rape. Prison escapes, well-covered in the media, remained common, partly because of the ease of escaping. On September 8, the *Macon Telegraph* published an article describing the escape. One day, an African American woman named Alice Brown walked out of Milledgeville's unattended open gate while washing dishes. Brown was only serving a 12-month sentence for larceny. The ease of Brown's escape exhibited how inmates were not adequately guarded. Brown spent days hiding in the woods out of fear that bloodhounds would chase her. While Brown was in the woods, she gave birth to a stillborn baby. Following this event, Brown turned herself into local police officers. From the newspaper, it is unclear if Brown was pregnant before beginning her term or was impregnated afterward. Brown could have been attempting to escape her possible rapist or wanted to ensure her unborn child's survival. Whatever the reason, Brown's actions were those of a desperate woman. Another group of female convicts—one white and three African American women—took more aggressive action: setting fire to a portion of the female building and burning down the residence of Warden F. M. Allgood in January 1901, perhaps in retaliation for a cruel whipping issued by him. The women convicts often had little time left to serve, ranging from one to four years. Their willingness to risk further punishment, adding time to their sentences, speaks to the poor conditions and cruel treatment they endured. But the prison officials appear to have done nothing to address the motivating factors behind the arson, subjected the women to further criminal proceedings.

Convict women had legal means to secure their release from prison: a pardon from the governor. Periodically, Georgian citizens would lead campaigns to pardon particular prisoners, including African Americans, who seemed sympathetic figures or who had redeemed themselves in some way. In 1915, for example, Georgian citizens demanded that an African American...
woman convict be pardoned, Lena Fyre, for her faithful service. Fyre was charged with infanticide in 1913 after secretly giving birth to a child. The baby was later found with a necktie around its neck and Fyre was suspected of strangling the baby. But only two years later, Georgian citizens demanded Fyre’s release after she nursed the jailor's wife back to health. The demands for pardons pressured the governor into pardoning Fyre. The pardon saved Fyre from having to serve her whole sentence in the poorly kept African American women’s ward at Milledgeville. The case of Fyre revealed that African American women had to be redeemed and shown to be moral people before they could be pardoned.

Sympathy for women prisoners grew as newspapers brought shocking cases of abuse to light. While African American women prisoners could gain occasional public support, as seen in the pardon case above, public outcry was most fierce when white women prisoners were involved. One of the most notorious cases of abuse involved the brutal whipping of a white female convict, Mamie DeCris, in 1903 at the state farm, a case that shed light on the public’s fascination with whipping stories and gendered and racialized dimensions of corporal punishment. The chairman of the Prison Commission, Judge Joseph Turner, admitted that official documents report DeCris was whipped for insubordination. At the time, the whipping boss was allowed to whip male and female convicts. The whipping aroused public interest, both because of the race of the convict woman and the reason she had been punished. DeCris claimed Deputy Warden Allgood had whipped her because she refused his improper advances and then told Allgood’s wife and other convict women about his illicit proposition. According to DeCris, the other convict women told her she would fare better if she gave in to Allgood's advances.
Before being whipped, Dr. I. H. Adams inspected DeCris’ health, as requested by Warden Allgood, to see if she could withstand the whipping. Dr. Adams was also present when DeCris was whipped. The care taken in monitoring the health of DeCris was novel, most likely owing to the perceived fragility of DeCris as a white woman. Perhaps Georgian prison officials were motivated to prevent any more deaths from whippings performed on ill individuals. In contrast, to the standard procedure with African American women convicts. DeCris was also whipped while fully dressed. Whippings of women remained sexualized; DeCris was whipped while lying face down on her bed. Perhaps the change of location from a “whipping chair” could have been done to provide a softer surface, but DeCris’ pain from being whipped would not be reduced. The sexual manner DeCris was whipped in is further suspect because she alleged Allgood had whipped her because she refused his advances.

The case attracted the attention of Kalamazoo, Michigan’s The Kalamazoo Gazette News. The article alleged DeCris had been whipped at the behest of Warden Allgood’s wife. Unlike, Georgian newspapers, The Kalamazoo Gazette News was sympathetic to DeCris:

But the warden Allgood broke all records by bringing the cowhide down on Miss DeCris’ back 40 times. Every stroke drew blood and the woman’s screams were heart rendering until she fainted. When the woman revived, she was sent to the field with a hoe, with her back still raw and bloody. She fainted in the field. Superintendent Foster happened along and had her removed to the hospital.

The account also contested reports DeCris was whipped while fully clothed. In the Kalamazoo’s version Allgood forced DeCris to strip beforehand. Allgood ordered DeCris to strip to the waist and when she refused another guard ripped her shirt open.

Further angering Georgians was how DeCris was forced to labor following her punishment. Immediately after DeCris was punished, she was forced to perform agricultural labor. The prison superintendent K. R. Foster had opposed Allgood sending DeCris to work
afterward, and in fact had not permitted Allgood to whip DeCris. DeCris had previously been excluded from fieldwork, as revealed by Prison Commissioner Turner: "When Miss DeCris was sent to Milledgeville, the superintendent was instructed not to put her to work in the field. This is the usual alternative for prisoners among the women willing to obey orders and abide by discipline when given light housework." DeCris' femininity had previously prevented her from performing tasks too strenuous for "fragile" white women, who were deemed more suitable for African American women. African American women performed the agricultural labor at Milledgeville. Instead, DeCris performed secretarial tasks for Allgood, such as organizing his files. According to Allgood, he whipped DeCris because she failed to complete her duties, "For some days she had persisted in leaving undone various tasks which I had been assigned to her by Mrs. Allgood." After DeCris was whipped her secretarial position was assumed by an African American woman at the order of Mrs. Allgood. Georgians saw it an affront to reduce DeCris to the same level as African American women by requiring her to labor in the field. The *Columbus Ledger* acknowledged how DeCris was only sent to work in the field as punishment. The unclear circumstances surrounding the whipping led Allgood to be put on trial.

In subsequent investigations and the trial of Allgood, prison officials disputed DeCris’ story, depicting her as troublesome. They alleged that DeCris manufactured the story about Allgood’s improper advances, pointing as evidence to a letter DeCris had sent a newspaper asking to be left alone and saying the Allgoods had been nice to her, which led them to believe DeCris manufactured the improper advances claim. The investigation failed to consider that Allgood probably pressured DeCris to write the letter. Allgood was found not guilty by the jury, but was suspended from his job. Georgia’s legislature also abolished the whipping of white and African American female convicts in Milledgeville State Penitentiary.
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seen with the juries not guilty decision was another reason the prison system remained unreformed, as prison officials continued to not legally be punished for abusing their position. Ultimately, DeCris went unpardoned despite the demands and served out the rest of her sentence.\textsuperscript{28}

Despite the cloudy circumstances surrounding DeCris' whipping, neither side denied that she had been whipped. Why she was whipped did not matter to most observers, as many opposed the whipping of women for any reason. According to the \textit{Columbus Ledger} (GA), in "Miss DeCris, "A great many people condemn the whipping of the women." The violence against DeCris inspired the \textit{Columbus Ledger} to demand reforms: "There is something radically wrong at the state farm. A change of some sort is needed."\textsuperscript{29} The Prison Commission probably would have denied the whipping occurred, but it could not be due to the substantial physical evidence and testimony from women convicts. Mary Dillard, Sarah Dixon, and Mary Trailer (white female convicts) and Nora Day, Roxie Colyar, and Mollie Farmer (African American female convicts) all testified at Allgood's trial. Some of the convict women mentioned how DeCris' back was covered in bruises after she was whipped.\textsuperscript{30} The \textit{Columbus Ledger} corroborated the testimonies by sharing how they had seen how DeCris' back was still severely bruised.\textsuperscript{31} Despite such evidence, Allgood’s versions of events had prevailed.

The outcry aroused by the whipping of Mamie DeCris and the following lack of justice even provoked international attention, as newspaper reports crossed the Atlantic. The 1903 report of the Howard Association based in London, England, mentioned the DeCris case multiple times, referencing to the "Cruel flogging of a white woman prisoner, Mamie DeCris." The Howard Association included an August 15, 1903, excerpt of the \textit{Milledgeville News}, which claimed the case had captured Georgia’s full attention, "The unmerciful whipping of Miss Mamie De Criss, a
white female convict, at the prison farm has brought indignant protests from every section of our state."32 Georgia's citizens had rallied around DeCris and demanded justice even though the legal system had failed her. Now international commentators joined the outcry.

The Howard Association was horrified after learning the brutalities women in the convict lease system were subjected to: "The Committee cannot too strongly express their horror of crimes against women, whether white or black, and their sympathy with the victims of such outages."33 Compounding the Howard Association's horror about the violent abuse convict women endured was how the perpetrators went unpunished. The injustice in the DeCris instance led the Howard Association to recommend that female inspectors be employed to investigate prison conditions.34 The suggested reform was most likely prompted by how Warden Moore examined DeCris’ ill-treatment. Prison inspections in Georgia were carried out by men. Perhaps the Howard Association hoped a woman inspector would believe claims filed by convict women.

Besides attracting the attention of Georgia's citizens and international organizations, the whipping of Mamie DeCris had wider reaching and unexpected ramifications, such as changes to the approved methods to punish convict women. The negative publicity arising from the DeCris case resulted in prison officials adopting other methods to discipline convict women to avoid future criticism though they still occasionally used whipping as a punishment method. Instead of primarily whipping women, prison officials built sweatboxes to isolate troublesome women in solitary confinement. Prison officials believed the boxes would be as effective as whipping saying, "Solitary confinement is enough to break any stubborn will."35 Despite these reform efforts, female convicts were still subjected to whipplings, as seen in the treatment of Annie Clare.
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The whipping of a white woman convict, Annie Clare, in 1910 once again created an uproar when publicized by Georgian newspapers who covered the issue closely. The September 13, 1910, issue of the *Atlanta Semi-Weekly* reported Reverend C. C. Daniel had filed a complaint with Secretary Godloe Yachy, of the Prison Commission, against Superintendent O. O. Fanning for the cruel treatment of Annie Clare. Reverend Daniel claimed Superintendent Fanning had given Clare 100 lashes. When Clare was punished, she had been doing an eight-month misdemeanor sentence at the Buckhead convict camp. Clare was the only white woman at Buckhead. 36

According to the *Macon Telegraph* Hill Tiggle, inspector of the Prison Commission, investigated Reverend Daniel's claim. Tiggle reported that Fanning had administered one hundred lashes to Clare as punishment for crude language, an appropriate punishment in Tiggle’s opinion. 37 Witnesses who testified before the Prison Commission, including Superintendent Fanning, claimed Clare deserved her ill-treatment. According to Fanning, Clare had been using profane language for days before her punishment. 38 Using improper language, in his opinion, seemed to excuse the pain Fanning inflicted on Clare. The Prison Commission disagreed however, declaring, women should never be lashed: "The prison commission condemns in the strongest terms, as has been the uniform course, the use of a strap in punishing women." The *Atlanta Semi-Weekly* declared, "Denouncing in general terms the whipping of women, and taking the stand that the lashing of a female was never justifiable under any conceivable circumstances," 39 affected general public sentiment. Women's groups and civic organizations wanted Superintendent Fanning to face criminal charges since he was the one who ordered Clare's whipping. 40 Ultimately, Fanning was summoned before the prison commission and was only left off with a warning. 41 Repeatedly, prison officials tended to shield prison officials

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accused of abusing their position, thus limiting the impact of reforms and the lobbying of reformers.

Though the whipping of Annie Clare alarmed Georgia's citizens, the brutal whipping of a 13-year-old African American girl drew less attention. A prison physician reported in 1910 that the child had been forced to strip down to her undergarments before being whipped. The manner she was whipped signifies how even young girls were whipped in a sexual manner. Despite her existing injuries, the girl was forced to work the next day, which caused her to bleed through her bandages. The fact that the girl was forced to work the day after she endured abuse epitomizes how prison officials wanted to maximize on the labor potential of convicts and had no concern for their survival. Yet, the story of Black girl’s treatment did not reach the public until 1912, when the whipping was included in a 1912 article, "Cruelty to Women and Children in Georgia's Prisons." Despite the widespread outcry, Superintendent Vining faced no criminal convictions.

The brutalities the women endured, and the subsequent escapes attracted the attention of prison reformers. The convict labor system, in general, drew attention in the early 20th century by Progressive era reformers. In 1904, W. E. B. Du Bois, then teaching in Atlanta, Georgia, published Some Notes on Negro Crime: Particularly in Georgia to argue that convict leasing was a return to slavery. Du Bois was one of the first to notice the fatal defect in the 13th Amendment, which exempted the “involuntary servitude” of convicts from the prohibition of slavery. Convict laborers had filled the labor void created by the abolition of slavery, Du argued: "Thus, a new slavery and slave trade was established." Convict labor also perpetuated the worse of aspects of slavery still practiced during leasing, included, in addition to forced labor, the rape of women and the whipping of young children: “Children, and adults, men and women, given into
complete control of practically irresponsible men…women were outraged and children tainted; whipping and torture were in vogue, and the death rate from cruelty, exposure, and overwork rose to large percentages.”

The Howard Association renewed its campaign against convict labor in 1904, appointing Edward Grubb to conduct a special report on Southern prisons. In *Methods of Penal Administration in the United States*, Grubb focused on convict camps in Alabama and Georgia to argue that a lack of genuine oversight had allowed "terrible abuses" to occur. In addressing, the specific problems encountered by women, Grubb consulted with “an African American woman dedicated to prison reform,” who revealed that many women continued to bear children in prison:

> The saddest part is that the women prisoners will keep having babies. The fathers are either guards or other prisoners. How far the women are consenting parties it is impossible to say; but when they are colored, they have no more idea of resisting any orders of the boss than my dog has of resisting mine.

To prevent these abuses from occurring, Grubb argued that female prison officials should be hired to oversee female prisoners. While his report focused on the abuses experienced by African American women convicts, he used the peril of white women at the hands of male guards to drive his argument home. When Grubb visited the Fulton County Jail, he saw many jailed women supervised by men. According to Grubb, "There were several white women, and a good many colored with no woman to look after them." Grubb found similar conditions when he visited the jail in Macon, Georgia, "I noticed an attractive white girl in a cell by herself (for larceny) and only men to attend to her." Grubb’s explicit concern for white women as potential victims echoed earlier critics obsession. Though African American women dominated the prison population, investigators devoted particular attention to the plight of white women.
In drafting his report Grubb conferred with a prominent prison reformer who wrote about the suffering of convict women, Clarissa Olds Keeler, who also supplied W. E. B. Du Bois with copies of her research. During Keeler’s career as a prison reformer, she wrote two renowned reports, *The Crime of Crimes* in 1907 and *American Bastilles* in 1910. Keeler declared that judges, legislators, and citizens in Georgia denounced the lease system, quoting Alexander Stephens Clay, a lawyer in Cobb County who served in Georgia’s House of Representatives and Senate before becoming a U.S. Senator, who claimed lessees profited at the cost of human suffering: "These lessees have gone along with the accumulation of massive fortunes made from the very blood of Georgia's convicts. The work along has been steeped in blood." While prisoners were forced to labor endured many hardships, Keeler considered the suffering of women to be the worst: "Convict women, both white and colored have helped to pay the price with their virtue and their blood." Keeler highlighted the high profile whipping of white women, including that of Annie Clare in 1910, but also pointed to the racial inequalities as well. Only African American women were forced to labor in fields and chain gangs, she pointed out, and she included the story of the 13-year-old Black girl’s brutal whipping.

The crusade against convict leasing gained steam, as the *New York Times* and other national newspapers took up the cause, under such headlines as "Georgia's Barbarous Convict System." Alfred C. Newell of Atlanta, Georgia attested in an article for the *World’s Work* that change was happening in Georgia: citizens formed committees, preachers made sermons, mass meetings were held, and some contributed money. Newell remarked on the similarities of these prison reform efforts to those of the abolition movement. At a meeting 4,000 Georgians to abolish convict leasing, attendees labeled convict leasing as the barter of human beings. Such comparisons reappeared in "Convict Leasing Horrors" published in New York’s *The Times on*
August 10, 1908, comparing Georgia's legislature to a slave driver: "Its operation has laid the state open to being a slave driver of the worst sort." The cruelties prisoners endured led thousands of Georgians to oppose the system, even as applied to African Americans: "It is worthy of note, considering the antipathy towards negroes in the South, that public indignation in Georgia has not been solely aroused by sympathy with the ill-treated whites; it is not a question of color, but of humanity." The lease system unified Georgians of all races to advocate for its reform as reported by The Times' special correspondent.

The united front Georgians presented paid off in October 1908, when Georgia's legislature voted to abolish the lease system by March 1909. However, the decreasing profitability of convict leasing, rather than pressure from reformers, seemed to drive the abolition of convict leasing. The cost of subleased convicts increased to $670 by 1908, which was a free laborer's wage. Nevertheless, the celebrations did not last for long as leasing was soon replaced with chain gangs. Instead of private individuals profiting from forced labor, the state profited. Georgia used chain gangs to macadamize, repair, and surface dirt roads. The institution of chain gangs in Georgia was hailed as a progressive victory for prison reform, but it had many of the same characteristics of convict leasing. African American prisoners still outnumbered white prisoners ten to one in 1908. The labor may have changed, but the laborers did not.

In 1911, Georgia also amended its penal code to limit the whipping of all prisoners -- not just the whipping of women -- possibly as a response to scandals arising from the cruel treatment women endured. The law stated that prisoners could be whipped only "in cases where it is reasonably necessary to enforce discipline or compel work or labor by the convict." The penal code still allowed considerable leeway for officials. Superintendent Fanning’s whipping of Annie Clare for foul language could be justified under the penal code. Furthermore, the penal code
shielded prison officials from being prosecuted for harming prisoners, stating: "No superintendent, commissioner, guard, whipping boss, or other person or employer of convicts shall be personally liable for any injury or damage to any convict resulting from the employment, care, keeping, control, work, and discipline of convicts who are under the direction of said governing authorities." The penal code thus limited Georgia's citizens’ ability to hold prison officials accountable.

State inspections of Georgia’s penal system continued, but as usual, resulted in little real change. According to historian Alexander Lichtenstein in "Twice the Work of Free Labor," the investigations were useless: "These sorts of sporadic investigations and slaps on the wrist were commonplace and derived from the political power of the lessees and the loose and inefficient system of oversight that prevailed under Georgia's twenty-year lease law."

In 1921, an investigation of Milledgeville by a Joint Committee of the Georgia legislature revealed startling findings. Many people believed the prison would be closed because of its abhorrent conditions. The Joint Committee declared that the African American woman’s ward was uninhabitable. The Joint Committee was especially shocked to find dungeons in the woman's building. Senator Dennis Fleming stated, "In one part of the building dungeons were found where women were imprisoned for infractions of rules."

The Joint Committee's probe revealed that members of the Prison Commission knew of the wretched conditions. However, instead of rectifying the problems, the Prison Commission stopped performing its duties. One member of the prison commission admitted to Representative Jones Perryman that he had not visited the state farm in six months. In response to the allegations of dungeons, the Prison Commission admitted they were present, but claimed they went unused and insisted that “the female prisoners… are treated as humanely as possible."
The introduction of the chain gang and the rules limiting whipping had limited effect, especially for Black women convicts. Chain gangs had been championed by Progressive reformers as conceived as a “model of reform and progress,” in the words of historian Alex Lichtenstein\textsuperscript{68} The state-run chain gangs did not compete with free labor and promised to eliminate the corruption and brutality of the convict leasing system.\textsuperscript{69} But the introduction of chain gangs did little to change the primary impact of Georgia’s criminal justice system: the exploitation of African American labor.\textsuperscript{70}

**Chain Gangs and How they Singled Out African American Women**

The profit, paternalism, upholding established racial differences, and prison reform motivations behind the implementation of chain gangs were held by Hooper Alexander, a Georgia legislator in 1913. At the Southern Sociological Congress, Alexander explained how progressive penology and prison reform hoped to establish the prior conditions that existed under slavery. According to Alexander, slavery was implemented to resolve the racial burden instituted by the African slave trade, and in return for government action and racial control, the government received compensation in the form of slave labor. The convict lease system was similar since it was implemented to deal with the burdens placed on the government following the abolition of slavery, while also dealing with the inborn criminal tendencies of African Americans. The main difference Alexander pointed out was how African Americans did not benefit from the convict lease as they did under slavery. Alexander believed that the suffering of the convicts under the lease system was not its worse feature; that position belonged to how convict leasing competed with free labor.\textsuperscript{71}

Chain gangs were not as much as Progressive Reform as they were hailed because the prison system in Georgia did not change with the implementation of the chain gang system since
its basic function was the same: the exploitation of African American labor. Even after Georgia’s legislature required all women to be imprisoned at Milledgeville State Penitentiary, African American women were still sent to labor in chain gangs along male inmates. White women were commonly sentenced to Milledgeville with only four white women laboring on the chain gang from 1908-1938, as compared to the 2,000 African American women sentenced to chain gangs. White women were not sent to labor on chain gains unless they had committed an extreme offense. When white women labored on chain gangs, prison and government officials argued for their pardon or transfer to Milledgeville. But no criticisms arose from the imprisonment of African American women on chain gangs, resulting in them being left to labor in the dangerous environment.

Georgia’s penal code for 1911 gave the Prison Commission full authority to decide which incarcerated individuals deserved to be transferred to the prison farm, a discretion that often resulted in vastly different outcomes for white and African American women convicts. Women were supposed to perform a task suited to their physical abilities. The presumed fragility of white women excluded them from performing hard labor. While African American women were viewed as having the same physical capabilities of men and were assigned the same tasks as men, the perceived fragileness of white women prevented them from being sent to chain gangs. Judges typically sentenced white women convicted of misdemeanors to Milledgeville. The decision of where a female convict was sent was left up to judges: “If the convict be a female, the judge may, in his discretion, sentence her to labor and confinement in the women's prison on the state farm in lieu of a chain gang sentence, not to exceed twelve months.” The loophole allowed African American women to be sent to chain gangs at much higher rates than white
women. Since African American women, in contrast to white women, were viewed as having the same physical capabilities of men, judges had few qualms about sending them to the chain gang.

According to historian Sarah Haley, the masculinization of African American women under Georgia's penal code in 1911 was elaborated by the penal code’s legal definition of “woman” originating in 1908, which only recognized white women as true “women.” The racial connotation of “woman” in the 1908 law, meant that all white women were supposed to be sent to the state prison farm at Milledgeville, while African American women could still be sent to the chain gang. According to Georgia's Prison Commissioner, Joseph S. Turner, assigning white women to chain gangs was immoral: "The close daily contact of males and females, especially of white women and negro men, is shocking to moral sensibility and demands a change." Unlike at the state farm, there was no gender segregation in chain gangs, which is why only one white woman was imprisoned in a chain gang in 1908, in contrast to the 165 African American women laboring in chain gangs.

Judges did not even consider the condition of African American women when they were sentenced to perform hard labor. In 1912, a pregnant African American woman, Hattie Johnson, petitioned the Georgia State Prison Commission, appealing her sentence to the chain gang as the only woman among 26 men and asking to be sent to the prison farm: “Nothing but all mens and me one woman and they carriage me on the road every day like I was a man… I am in no shape to be out here I am in the family way.” Mrs. J. Calloway of the local Women's Civic League argued Johnson should be released due to her condition, but the judge wanted Johnson to serve her entire sentence. Johnson was not released until she fell while working and endangered the life of her unborn child. African American women performed hard labor despite their
pregnancies, showing how the femininity of African American women was devalued, often leading to devastating consequences.

An African American convict woman, Julia Grant, was severely burned while working on a chain gang. Despite the severity of Grant's injuries, she remained at the prison infirmary until January 23 before being transported to the state hospital. The newspaper detailed the extent of Grant's wounds: "From her waist down the woman is horribly burned, and large pieces of roasted flesh have been dropping from her limbs." Surgeons attempted a skin graft, but according to Grant's doctor D. C. Barrow, she was in deplorable condition: "The woman's chances of recovery are decidedly slim...she has suffered the most intense agony." By February 3, no volunteers had come forward, and Grant was on the brink of death. Grant's condition did not improve in the intervening days, and her health further deteriorated after she contracted pneumonia.

In addition to the conditions within the prison, the Joint Committee provided information about Georgia's penal population in 1921. When the inspection was conducted, there were 7,000 people imprisoned in Georgia. Of those, 350 people were housed at Milledgeville meaning that 6,650 people worked in chain gangs. At the time of the abolition of convict leasing in 1908, Georgia was hailed for ending the sale of African American prisoners. But by 1930, Georgia had more forced laborers than ever before.

Beginning in 1926, W.E.B. DuBois revived the campaign to reform Georgia's penal system. Now the editor of The Crisis, the publication of the NAACP, DuBois in the October 1926 edition of The Crisis analyzed Georgia's prison system in "Crime." Du Bois recounted how prisoners in Georgia were whipped. According to DuBois, "as many as forty-seven lashes have been administered to men and twenty-five to Negro women. (White women are not whipped)." Further compounding this racial injustice was how prisoners were forced to strip before their
punishment. In 1929, DuBois further examined Georgia's penal institution, reaching out to a lawyer based in Atlanta, Georgia, A. T. Walden, to build the case chain gangs were both unlawful and immoral.

DuBois’s denunciations, while passionate, were nothing new. Reformers had been voicing the same complaints ever since the convict lease system was created in 1868. Georgia’s convict system proved remarkably adaptable, appearing to reform while continuing to operate in much the same way. Yet, finally, in 1937, chain gangs would be abolished, and Milledgeville prison would be closed – but not necessarily because of the reformers’ efforts.

The End of the Convict Lease System

Historian Blake McKelvey seemed to foreshadow the closure of Milledgeville and the end of chain gangs in his 1935 “Half Century of Penal Exploitation.” By 1935, the Department of Public Welfare of Georgia were investigating prison camps because the National Penal Information Society believed Georgia's prison system was the worst in the country. Additionally, Georgia was the only state not to centralize its penal institution.

But the nationwide attention to chain gangs was not the only reason they were eliminated. Economics played a key role as New Deal programs made convict labor unprofitable. By the 1930s convict labor was no longer cheaper than free labor. Georgian convicts labored on federal roads. Beginning in 1916, convict labor was used on highways covered by the Federal Road Aid Act. It gave states incentives for using convicts on roads and supplied convict labor to match federal funds, instead of money. In the 1930s, the US Bureau of Public Roads banned the usage of convict labor on federal relief projects. The regulation reduced the available roads that chain gangs could work on. Without the needed revenue source, counties could no longer afford to maintain chain gangs. Instead, prisoners were transferred to state-run prisons. Further harming
the profitability of penal labor was the Hawes-Cooper Bill under discussion in 1935. If passed the federal bill would have threatened the market for prisoner-made because it regulated the interstate sale of products produced by convict labor. Additionally, the National Industry Recovery [NRA] Act of 1933 regulated the prices of convict made products and reduced the hours of convict labor.\(^9^0\) The NRA act severely reduced the profitability of convict labor because the sale of convict produced goods had approximately made Georgia $1,546,882 in 1906.\(^9^1\)

In 1937, Georgia’s legislature required all the prisoners laboring on the chain gangs to be relocated to a state-run prison. Milledgeville only had the capacity to house 500 prisoners after Governor Charles Jenkins Jones’ renovations in 1868.\(^9^2\) Milledgeville had undergone further renovations in 1899 before it was reopened, but it still did not have the capacity to support the influx of 6,650 prisoners. Furthermore, the Joint Committee’s investigation in 1921 revealed that the penitentiary was in an abhorrent condition. These factors led Georgia to construct a new state prison in Reidsville. With Reidsville State Prison’s opening in 1938, Milledgeville State Penitentiary was closed down.\(^9^3\)

The continuous railings against convict leasing, the suffering of prisoners, and the decreased profitability led the convict lease system to be abolished. The convict lease system had filled the “unfree” labor void created by the Civil War and was ended when it no longer satisfied the need for cheap labor and created too much scandal for Georgia.
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3 Inscoe and Zainaldin, "Progressive Era."

4 Inscoe and Zainaldin, "Progressive Era."


7 "Prison Commissioners Busy Laying Plans for the Convict Farm," *Macon Telegraph* (Macon, Georgia), January 26, 1899: 2.

8 “Tells of Old Mrs. Nobles. Prison Commissioner Tom Eason Says She is Not Whipped," *Macon Telegraph* (Macon, Georgia), March 10, 1900: 8.


12 “Escape from Prison with Pathetic Touch Roamed Woods for Several Days Living on Wild Berries," *Macon Telegraph* (Macon, Georgia), September 8, 1907: [5].

13 “Escape from Prison with Pathetic Touch.”

14 “Convicts Confess Arson.”


16 “Woman Whipped at State Prison Farm Records Show That Miss Mamie DeCris Was Beaten for Insubordination," *Columbus Ledger* (Columbus, Georgia) XVI, no. 187, August 9, 1903: 15.

17 “Story of Whipping of Miss Mamie De Cris at State Prison Farm Brought out In," *Macon Telegraph* (Macon, Georgia), August 12, 1903: 2.

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21 “Story of Whipping of Miss Mamie De Cris.”

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24 “Cruelly Lashed Georgia Prison Warden Lashes White Woman.”

25 “[Miss. DeCris].”

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27 “Abolishes Whipping,” Boston Herald (Boston, Massachusetts), August 13, 1903: 1.

28 “Mamie DeCris,” Boston Herald (Boston, Massachusetts), August 13, 1903: 1.

29 “[Miss. DeCris].”

30 “Story of Whipping of Miss Mamie De Cris.”

31 “[Miss. DeCris].”


35 The Marietta Journal.


37 “Woman Needed the Whipping, Plea of Superintendent Hill Tuggle Investigates the Charges Against Official Of,” Macon Telegraph (Macon, Georgia), September 14, 1910: 8.

38 “Annie Claire Should Have Had the Lash According to Witnesses before Prison Commission, Which Sat,” Macon Telegraph (Macon, Georgia), September 17, 1910: [One].


42 “Cruelly to Women and Children in Georgia Prisons,” 116.


Grubb did not identify his correspondent beyond this, but I suspect it was Selena Sloan Butler or Clarissa Olds Keeler. Both were women prominently involved in Georgia’s prison reform scene and had previously denounced the treatment of female convicts. I could not find any concrete information about Keeler, though I suspect she was white because Du Bois thanked Keeler for “her work in helping his people.” Grubb also addressed Keeler by name and thanked her for her help. So, it was most likely Butler or another female reformer I did not come across.

Grubb, Methods of Penal Administration, 42-43.

Grubb, Methods of Penal Administration, 45.

Grubb, Methods of Penal Administration, 45.


Keeler, American Bastilles, 41-43.


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66 “Warden’s Dismissal is Suggested after Pen Investigation Conference Will be Held to Discuss Steps toward Impeachment,” *Columbus Daily Enquirer* (Columbus, Georgia) XCIII, no. 253, July 25, 1921: Page [One].


71 Lichtenstein, “Chain Gangs in the Progressive South,” 92


76 Haley, *Like I Was a Man*, 55.

77 Haley, *Like I Was a Man*, 56.

78 Haley, *Like I Was a Man*, 66.

79 Haley, *Like I Was a Man*, 62.


81 “No Volunteers to Furnish Skin Yet,” *The Savannah Morning News*, (Savannah, Ga.), 03 Feb. 1904.


83 “State Penitentiary Probe is ‘Just Started,’ Says Perryman Commission Says Charge False Political Machine.”

84 Blackmon, *Slavery By Another Name*, 371.


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Conclusion

From 1868 to 1937, Georgia was trapped in a cycle of abuses against convicts that led to public outcry and reforms to quell the protests. Throughout the practice of convict leasing, lessees and state prison officials violated the regulations imposed by Georgia’s legislature. The most shocking abuses reported by the newspapers who sensationalized and reported on the events were the repeated pregnancies and whippings enacted on women. The news articles attracted the attention of prominent prison reformers, such as the Howard Association, Women’s Christian Temperance Union, and W. E. B. Du Bois.

Despite, the fact that, African American women made up the vast majority of incarcerated women, reformers usually focused on the experiences of white women. Imprisoned African American women who were impregnated or raped were not portrayed as being the victims of rape within Georgian newspapers or by prison officials and lessees. These beliefs resulted from the belief that African American women could not be raped during the Jim Crow Era. Historians Chelsea Hale and Meghan Matt argue in a recent article that white men raped African American women to remind them that their bodies were not their own, quoting scholar Patricia Hill Collins: “No longer the property of a few white men, African American women [and girls] became sexually available to all white men.” White men in positions of power, such as prison guards, used rape to dominate African American women. The presumed sexual availability of African American women was seen throughout convict leasing. African American women were victimized by prison officials, male family members, and white men. The dichotomy between the perception of rapes on white and African American women was summarized as: “While white women have been spared at all costs, African American women’s bodies have always been like a buffet for white men to have, and take, and come back as often
White women who were victims of rape received justice, as seen with the pardoning of Alice White. But rapists of African American women were commonly found not guilty.

The lack of justice for African American women victims occurred because members of the justice system saw them as complicit in their rapes and not as victims. Such views continued long after convict leasing ended, a judge who participated in the 1971 study “Attitudes Toward Rape: A comparative analysis of police, rapists, crisis counselors, and citizens,” shared his views on the rapes of African American women: “With the Negro community, you really have to redefine rape. You never know about them.” The statement shows it was clear-cut in cases of rape on white women that they were the victims. In contrast, in cases of rapes committed against African American women, it was hard to determine whether they were victims. The judge’s statement also shows how long-lasting the beliefs of the “unrapeability” of African American were. These contrasting views were shared by journalists and legislators who often blamed African American women for having “relations” with prison officials and becoming pregnant and causing scandal for Georgia. Nevertheless, the relations between prison guards and convict women and subsequent pregnancies garnered public outcry because of the illicit aspect of the relationships.

The widespread public outcry over the “improper” relations and “racial mixing” throughout Georgia, America, and the world led Georgia’s legislature to implement reform measures. As historian Blake McKelvey observes, “Tragic stories, some of them truly heart-rendering, have crept into the press, and many of these… have made a strong appeal to public sentiment, urging humane reforms.” Ultimately these reforms were unsuccessful because Georgia did not truly reform the system by continuing to use men to guard convict women and retaining the position
of whipping boss. These problematic aspects were retained because Georgia’s legislators only implemented the reforms, in response to public outcry, to allow the leasing to continue without public complaints and not out of concern for the welfare of prisoners.

The abolition of chain gangs and increased regulations of convict made products reduced the profit of forced labor. Other contributing factors to the abolition of convict leasing were the continued abuses that sparked outcry, overcrowding in Milledgeville State Penitentiary, and the poor conditions within Milledgeville. Georgia's legislature valued money more than human lives and continued practicing "hard labor" despite the widespread suffering because Georgia no longer wanted to deal with the outcry over the suffering if the system was no longer profitable. The public’s perception over the treatment of women led to some reform measures, but ultimately the lack of profitability played a key role in ending convict leasing in Georgia. The reform measures were implemented to appease the public and ensure convict leasing could continue unopposed, not out of concern for the welfare of the prisoners. Georgia’s legislature reformed Georgia’s penal institution to allow it to continue to extract labor from prisoners and make a profit, when penal servitude could no longer make the state money and was more trouble than it was worth, leasing was abolished.
Conclusion

Notes


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