

AMERICAN BASTILES

—BY—

CLARISSA OLDS KEELER

WASHINGTON, D. C.



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Author of

"Crime of Crimes or The Convict System Unmasked"

WITH AN INTRODUCTION

BY

EDWARD E. RICHARDSON, Ph.D.



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INTRODUCTION

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CLARISSA OLDS KEELER

I have known the author, Mrs. Clarissa Olds Keeler, for several years, and her devotion to the object of her life, viz., the amelioration of the conditions surrounding the inmates of penal institutions, has been an inspiration to those who have known of the sacrifices she has made in order to further this aim. In spite of sickness and bodily infirmities she has persistently carried on her work in a careful and painstaking manner such as to give reliability to the results of her labors. This has been a labor of love with her, a work done with the sole motive of calling attention to the existing conditions with the view that an awakened public conscience would put an end, it is hoped, forever, to the intolerable conditions that are found in connection with convict establishments. To this end she has unhesitatingly sacrificed her comfort, health, and means. Preferring to relinquish a life of comparative ease and comfort to one of privation and toil in an unpopular field, she has, however, wrought far more for good than many who have been more fortunately situated. Living in a retiring way, and keeping herself as much as possible in the background, her life has been untiring in carrying forward the purpose mentioned above. When one realizes all the circumstances of serious and expected fatal illness, as well as the material hardships that she has endured, the unswerving devotion she has manifested in this cause, in which she has labored many years, compels the belief that there has been divine guidance in a life like this. The incidents of self-sacrifice in her life, were they written, would compel attention, but these are passed over, for I feel assured that it is not her wish to have attention directed to herself, for hers is one of those lives that finds its highest satisfaction in its self-abnegation in order that a conceived purpose may be furthered. This is a lesson that may well be heeded—the sinking of a life in the work that it sees before it, especially when the work is of a kind that brings, by its very nature, heartaches to the one thus engaged, and a work that the busy world passes by in its pre-occupation and indifference. What the world needs is more lives like that of Mrs. Keeler's, who are willing to forget self and press forward in a worthy cause, no matter how great are the obstacles in the way. Such a life is the incarnation of a purpose. A purpose so fixed that no sacrifice is too great if only the goal that is sought is but brought nearer. When attention shall have directed more fully toward the conditions which this work portrays, and these inhuman conditions shall have been ameliorated, or shall disappear altogether, as eventually they must, there will be the consciousness to her of having borne no little part in a work that makes for the wiping out of unnecessary suffering and for the betterment of mankind. It requires a different kind of spirit to labor in a work of this kind than in most fields of philanthropic or religious endeavor. There is here little commendation to hearten and to cheer one on. It is the unending misery of a certain class of unfortunates that have been branded as criminals, and hence outcasts, in a certain sense, from human thought and care, with which a worker along the lines that Mrs. Keeler has devoted many years of effort, deals. To one with ready sympathy for suffering in any form—and such Mrs. Keeler has—work of this kind is almost tragic in its bearing upon such a person.

Concerning the things with which this pamphlet deals, I have no personal knowledge, but the concurrent and unrefuted evidence that is brought forward not only here, but in many other places, leaves no doubt in my mind as to the correctness of the statements made. One cannot but feel appalled at the disclosures that are here made. It is almost unbelievable that such heartless cruelty can exist in the twentieth century and in this enlightened land. These pages read like events of the dark ages. The reason that such practices, as are here shown, exist is because they exist in darkness and obscurity to a considerable extent. It is not to be believed that any community in this country would allow the cruelties that these pages depict to continue unchecked if its attention be fully called to them. To believe that such would be the case is to cast serious reflection upon our civilization and bring into question whether, after all, much of our so-called advance in humanitarianism is not a mere seeming. It appears well-nigh incredible that these practices have not only occurred at all, but have apparently continued without material abatement for many years. Human sympathy appears to have been unresponsive to the cry of the tortured. Yet in spite of all the apparent indifference one cannot believe that the heart no longer responds to the cry of the rack and that mankind as a whole, except for a veneer of civilization and religion, is still in the thralldom of pitiless avarice and entirely indifferent to the welfare of others. The only conclusion that can be adopted is that, absorbed in their various activities, states and communities within the states, and the nation, to a certain extent, as well, have not had their attention sufficiently directed to the existing evils that this work endeavors to lay bare, to give the heed to them that their enormity deserves. It requires usually a large amount of effort to awaken public conscience, especially when the object in regard to which the awakening should come is an unpopular and distasteful affair, and, in addition, when the evil is entrenched behind avarice and ill-gotten wealth. This, I believe, is the reason why, in spite of the fact that attention has been repeatedly directed towards the inhuman conditions that this pamphlet lays bare, that they have not been corrected. If this work shall succeed in arousing public opinion by directing anew, or more fully, attention to the matter that its pages disclose, it will have accomplished its mission and the sacrifices of its writer will have been repaid.

WASHINGTON, D. C.

EDWARD E. RICHARDSON, Ph. D.

When John Howard, that "prince of philanthropists" of Great Britain, attempted to catch an inside glimpse of the French Bastile, where men who had incurred the resentment of the French monarchs were held in confinement for life, he was refused admittance. Neither the influence of the English Ambassador nor his Parisian friends availed to open the gates to that dark world of suffering.

With undiminished interest he procured a pamphlet written by one who had been an inmate there, which gave "horrible details of the sufferings of those confined in this huge fortress." This he got translated and gave to the public.

The great key which refused to open the door of that notorious prison to John Howard may be found encased in a glass case in Washington's home at Mount Vernon. In another room may be seen the model of the Bastile, the material of which it was made being some of the original wall of the prison, both of which were presented by Lafayette.

Visitors to this historic place look upon these silent witnesses of "man's inhumanity to man," and perhaps "thank God that we are not as other men are—extortioners, unjust," while unmindful of the fact that here in Christian America, this land of bibles and churches and schools and charitable institutions, there are "bastiles" hidden away from the eyes of man, which official investigations have shown are perhaps as full of torture, cries and groans unheard by human ears outside the prison, or closed stockade, as the Bastile in far away France which was, more than a century ago, demolished by an enraged populace. One who has looked upon its model at Mt. Vernon can no longer wonder that Carlyle said: "To describe the siege of the Bastile perhaps transcends the talent of mortals."

A late writer says: "Of late years it has been the fashion for historians to deny the horrors of the Bastile. These painstaking historians studied the documents of the Bastile. Other documents have come to light confirming the old tales in all its horrors." "Mirabeau's pamphlet," says this same writer, "was written on scraps of paper, on pieces of linen torn from his shirts, and ingeniously concealed," during his confinement. "Later on it was to electrify France and prepare the Revolution." The "taking of the Bastile" revealed tortures too horrible to describe here, but, incredible as it may seem, some of the means used for torture in that "impregnable fortress" are duplicated here in the now twentieth century in Christian America.

John Howard, the greatest prison reformer the world ever knew, "gave a graphic account of the treatment of prisoners in the countries he visited; some were held as slaves in chains, confined in small, filthy rooms; some were whipped to death; others were tortured in different ways. He found young thieves and hoary headed villains, guilty and innocent, tried and untried—often even male and female confined together, with nothing to prevent their corrupting and demoralizing each other."

Howard's historian says: "He exposed to the shuddering sight of

mankind the horrible barbarities, the foul and abominable secrets of these dens of suffering and remedied these vast evils by *exposure*."

The people of the United States have become familiar with the accounts of cruelties on the Congo; they know something of the horrible peonage in Mexico, and Mr. Joseph Burt, of the Anti-Slavery and Aborigines' Protection Society of Great Britain, has told the American people of the terrible slavery in the Portuguese cocoa plantations. Mr. Burt's visit was welcomed by the American people, and may very likely result in a "joint action being taken by Great Britain and the United States to put a stop to the slave system in Angola and the Islands." The Great Britain Society has done nobly, but it should not be overlooked that there is slavery under the Stars and Stripes—slavery in its most terrible form. Wherever convicts are sold bodily to heartless contractors there is slavery. There is also peonage slavery in some of the Southern States. There is abundance of proof that men, women and children, including Americans, both white and colored, as well as Russians, Italians, Greeks, Scandinavians and Swedes, are caught in the dragnet prepared by men engaged in this new form of slave-holding. Many of the victims are worked in phosphate mines, on turpentine farms, on railroad construction, and in lumber mills, the operators, it is alleged, being many of them Northern men. The treatment of these newly-made slaves is horrible.

During the last few years American writers have been giving vivid pen pictures of the Old Bailey, Newgate and other prisons of the Old World, but the object of the present writer is, after more than a score of years of almost uninterrupted study and investigation of the conduct of American institutions, especially jails, penitentiaries and convict camps, to call the attention of the sleeping public to the horrible abuses of prisoners worked under the infamous contract system—a system not confined to the Southern States alone, but can be found in any State where the idea prevails that the possession of a convict's person is an opportunity to make money. Politics controls the prisons to a very large extent in both the South and North. Prison officials are often chosen without any regard to their fitness, and these, backed up by political influence, go "roughshod" over any or every law made for the protection of the helpless prisoner.

In some States where convict labor is sold to the highest bidder the cruel treatment of the helpless human chattel in the hands of guards is such as no tongue can tell nor pen picture. Prison inspectors find convicts herded together, irrespective of age; confined at night in shackles; housed sometimes, as has been found, in old box cars; packed almost as closely as sardines in a box. During the day all are worked under armed guards, who stand ready to shoot down any who may attempt to escape from this hell upon earth—the modern American bastille. Should one escape, the bloodhounds, trained for the purpose, are put upon his track, and the chances are that he will be brought back, severely flogged and put in double shackles, or worse.

Should another John Howard gain admittance to some of our many closed-prison stockades, some of which are in places almost outside of civilization, he would find cruelties as refinely terrible, as debasing, as dehumanizing, as deadly destructive to both soul and body, as those found in the prisons during the unenlightened age of the seventeenth century.

What a leading Texas paper said recently can be said of other convict-contracting prisons:

"Investigation of conditions among prisoners in the Texas penitentiary by the joint committee of the Legislature shows just one object dominating every aspect of the system. Within the walls, on State farms, on contract farms, every effort is being directed to get the last ounce of labor out of the convict—to make the most possible profit out of his labor. There is no thought of reform, no consideration for bodily or moral welfare of the prisoners. * * * Profit, under the guise of punishment, is the watchword of every guard, every official. * * * If a prisoner be old or feeble a pardon is more likely, for he will not be likely to show a profit to the State. * * * The only thing that is always at hand seems to be the five-foot strap and the muscular arm of the sergeant. * * * Brutality may lessen the laboring capacity of a man as well as a horse. The only difference is that the horse represents an initial investment while the prisoner represents nothing but a present force."

It is exceedingly painful to me to have to deal with a subject so unpleasant, but, having in possession innumerable, undeniable facts, the accounts of which I give being but a fractional part, I could not hold up my head nor utter one single prayer to God if I refused to speak for these victims of man's inhumanity to man, who are not allowed to speak for themselves. The States to which I am calling attention are not alone in this cruel, inhuman work, for similar conditions have long existed in other States, some of the atrocities being too harrowing and horrible to present here.

Sterne says that when he would realize the miseries of captivity he would turn his mind from the idea of hundreds of thousands languishing in dungeons and bring before himself the picture of one poor captive pining in his cell.

I give a few illustrations showing something of the cruelty and demoralization caused by the use of the leather strap. They are but representatives of tens of thousands of similar cases. What is to be the effect produced by such cruelty, which must ever remain in the memory of the sufferer? God alone knows. A self-respecting prisoner has sometimes dropped dead when resisting a whipping from a brutal guard. I could tell of tuberculosis, which sweeps through prisons like a deadly plague and carries off hundreds, but the fate of such is preferable to the life of one who must, until death comes, suffer from the physical, moral and mental effects of an inhuman whipping.

If doubts arise in the mind of the reader, and the stories are denounced as "yellow journalism," I would call attention to the recent reports of legislative investigating prison committees, whose accounts of cruelties in their respective States have sent a thrill of horror to the unsuspecting citizens. Perhaps fewer or more terrible accounts could be given than the ones told by the Texas prison investigating committee after months of investigation, which ended in November, 1909. One of the State papers declared: "The horrors of the Russian dungeon pale into insignificance when compared to the cruelty and inhumanity practiced in

some of our convict camps." And even then "the half of the infamy had not been told." *The San Antonio Express* declared the "outrage on prisoners rivaled the horrors of the Inquisition."

In addition to the means used to punish prisoners in Howard's time America has one product peculiar to herself. This is the whipping boss. The dread and terror of the convicts is the strap in the hands of the whipping boss, who is paid for the job of applying it unsparingly to the bare back of the prisoner who fails in accomplishing his daily allotted task.

A writer in a Georgia paper in describing this "instrument of torture," such as is used in convict contracting prisons, says: "It weighs from three to six pounds. It is made of single, and for a portion of its length, double thickness of leather. It is more than two inches wide—say, one-third of an inch thick, and its two feet in length is fastened to a club of wood. This instrument is not designed to break the skin, but at every lick the tissues beneath the skin are broken to a jelly. The sensation of pain can only be compared to a million needle points penetrating the stricken part at every blow. The pain is doubled every time the 'leather' falls. Now, then, the convict short on his task is stripped naked and held over a barrel, or some such object, by other convicts * * * and the lash falls. There is a scream of pain. It falls again, and there is another scream. The booze-besotted warden (whipping boss) gets a certain kind of exquisite satisfaction out of the writhings and screams of his victims. The lash continues to fall. * * * Sworn witnesses have testified before an investigating committee that sometimes one hundred lashes have fallen before the victim becomes unconscious and is carried to the stockade or to his grave."

In another communication the writer says:

"Of all the degrading positions, to our mind, that of the whipping boss in the Georgia penitentiary system is the worst. * * * There is possibly more inhumanity in such a post than in any we can recall under the American system of government, and to successfully fill it a man must be callous, heartless. * * *

"He stands over his pinioned victim and applies the lash on the naked, quivering flesh of a fellowman. Plies it hard enough to lacerate the flesh and send the blood coursing down the bruised back and sides from the gaping and whipcord cuts; and just think of the mercilessness, the inhumanity, the beastiality of the sentiment that can drive the lash deeper and deeper thru the cuts and gashes on the body of a human being, white or black, * * * just as a cool, calculating business for a very niggardly stipend."

In some of the prisons in the Western States some more refined models of torture are practiced—confinement in the "solitary," etc. Here is one illustration: In December, 1907, a boy died in the Pontiac, Illinois, Reformatory, whose back had been broken in three places. The boy's mother said it was done by the guards. The boy, "Hamlin, it was shown by the testimony, was taken to solitary confinement December 24, because he had attempted to saw his way out of his cell. He was immediately chained to the bars, his hands fastened above his head with handcuffs, and he was held prisoner there for twenty-two hours with only

bread and water and without being let down once. He fainted under the terrible ordeal, and the 'water cure' was applied * * *

"After this ordeal he was let down for eight hours, when he was again chained up and compelled to hang, half suspended by his wrists, for sixteen hours more. He fainted again and again—the water cure was applied. * * *

"Again he was given a rest of eight hours, and again he was chained up to the bars of his cell. After hanging there nearly six hours more, making in all forty-four hours out of sixty, during which he was chained in an upright position with his hands bound above his head, he called to the guards to let him down, pleading he could stand it no longer. He was ignored, and, made desperate, * * * the guards declare he climbed to one of the crossbars of his cell door and jumped headlong to the cement floor, intending to kill himself." The guards denied having kicked him.

The boy, who was evidently unconscious, was ordered to be "cuffed" up again. Says the witness, continuing his testimony before the investigating board: "I had to hold him up to the bars while Captain R——s cuffed his wrists to the irons. The body hung limp, the weight of it being entirely on his wrists. The boy was pale and his eyes were closed. * * * I threw water into his face several times, and after about fifteen minutes I rang for Captain R——s," who ordered him to be kept chained up. He still hung limp, and was finally taken down and dry clothes put on him. More water was thrown into the face of the unconscious boy, then his wet clothing removed and a blanket wrapped around his body. He was then carried to another cell and laid on the floor. During the night he became conscious and asked for another blanket, but was refused. With his back broken in three places, caused, it was said, by kicks from the guards, he was allowed to lie on the concrete floor for twelve hours with only a thin blanket around him. He died soon after. Two guards were discharged." (See special dispatch to *Inter-Ocean*, January 28, 1908.)

Another mode of punishment used in some of the prisons is called the "water cure." A special prison inspector, in describing it, says:

"The convict is stripped, blindfolded and placed about twenty or twenty-five feet in front of a hose. A two-inch hose is used with water under a pressure of 280 pounds. Beginning with warm water, the temperature is steadily lowered until it is ice cold. This freezing water, thrown with terrific force on the convict's naked body, puts him in such frightful agony that he is speedily willing to do any task required of him." Another kind of "water cure" which was at one time practiced in a Georgia convict camp was that of forcing water into the nostrils of the prisoner, which sometimes forced the blood from both his ears and nose.

The St. Louis (Mo.) *Post-Dispatch* of September 6, 1908, contains the following:

"Guthrie, Ok., Sept. 5.—That the Oklahoma convicts in the Kansas penitentiary at Lansing are being insufficiently fed and housed in cells insufficiently ventilated and cleansed and are subjected to the 'water cure,'

the dungeon and the thumbscrew is the declaration of Miss Kate Bernard, Commissioner of Charities, who has returned from Kansas, where she made a tour of inspection of the Lansing and Leavenworth penal institutions.

* * * "There are 536 Oklahoma convicts in the Kansas prison, and during her stay she heard many harrowing tales from prisoners, who, notwithstanding the efforts of the guards not to leave Miss Bernard alone with any prisoner, were induced by her to talk of their conditions, which in many instances they did with tears flowing freely and often.

"Miss Bernard visited the dungeon, or 'dark hole,' and found a



"WATER CURE," AS PRACTICED ON OKLAHOMA CONVICTS AT LANSING, KANSAS, AND WOMAN WHO MADE REPORTS TO GOVERNOR.

From *St. Louis Post-Dispatch*, September 6, 1908.

sixteen-year-old boy from Oklahoma leaning against the wall, his hands chained at the wrists and suspended high above his head, his toes barely touching the floor.

"It is required that each prisoner produce three dumps of coal each day. Each vein is twenty-two inches in diameter, necessitating the miner to lie either on his back or side digging it. This boy, who had been there only a few days and had never been in a mine before, failed to produce the required three cars and had been placed in the dungeon at 6 p. m.

"He was allowed to lie down during the night upon the stone floor without covering of any kind. At 6 a. m. he asked that the warden be

sent to him, expressing a willingness to do anything in his power to relieve himself from the torture. One of the rules of the institution is that when a prisoner calls for the warden he shall be notified at once. The guard to whom this boy made his request answered, "No, you will stay here for a while; you have not been punished enough yet. We don't approve of the necessity of putting prisoners here a second time."

"Nine hours later Miss Bernard found him suspended by the wrists, which were blue and swollen from contact with the chain, and heard his story, notwithstanding the warning glances of the guard.

"Prisoners are frequently punished by the guards * * * without the knowledge of the warden, to whom a report is supposed to be made in each case of correction.

"The water cure is used in this form: A prisoner is placed in a box resembling a coffin, his hands tied beneath him, and a hose turned upon his face, in many instances filling his mouth, lungs, ears and nose with water. The water is played on him till it reaches a point where he can bend his head no farther to keep it from submerging his mouth and nose, and in this condition he is left until he becomes exhausted and falls back under the water.

"Miss Bernard also inspected the coal mines and found men inexperienced in mining handling explosives and forced to lie in puddles of cold water six hours a day with a small pick. Men cried when Miss Bernard talked with them—men hardened in crime and absolutely stoical under ordinary circumstances. She penetrated the mines beyond the electric lights, beyond the visitors' limits, and watched the men dig as they lay in streams of dingy, black water." She told of other cruelties.

Miss Bernard said the contract system was "the cause of many of the objections arising there now." She found "the deplorable state of affairs at Lansing absent at the Leavenworth prison," where the prisoners were well cared for.

A board of inspectors afterward investigated the prison and corroborated Miss Bernard's story, the full particulars of which I do not give here. The Oklahoma prisoners were afterward removed.

The author of the book describing the penitentiary at Lansing, entitled *The Kansas Inferno*, says:

"Working convicts in a coal mine is the most heinous crime under heaven. It is hard to convince a man condemned to continual suffering under this infamous system that there is a just and loving God."

TEXAS PRISONS AND CONVICT CAMPS.

I will not attempt to give anything but a condensed account of the cruelties practiced in the Texas convict camps, where convicted felons are worked, some in coal mines, some on farms, some at railroad construction, etc., etc., as brought to light first by John Waverly Briggs, of the *San Antonio Express* in the Fall of 1908, and later, after giving public notice several months previous, by the legislative prison investigating committee. The average number of felons is about 3,600.

In an issue of the *Express* of January 9, 1909, Mr. Briggs says:

"When paganism found itself assailed by the heroic expounders of the Christian religion, its cruel imagination conceived the direst tortures to inflict on those prophets of truth who foretold the conquest of God and right. * * * The stories told were thought to have been too cruel to be true now. * * * So one might think who does not know. * * * But let him wander through the paths and by-ways of the Texas penitentiary system, ascertain the types of cruelty that have been inflicted upon helpless convicts by great, strong, cowardly guards in their brutal passion for venting their personal spleen and anger upon disliked prisoners. Let him listen to tales of discharged convicts, by neighboring farmers and by discharged guards. Let him see for himself * * * and the conclusion will dawn upon him that the Pagan foes of the early Christians must have been the prototypes of some of the villains that have found their way into the corps of petty officers employed by the Texas penitentiary system."

Mr. Briggs relates the following story told him by the Chaplain:

"The victim of the outrage was named Foster. He was sixty odd years old when death occurred one year ago last Spring. * * * He was on a contract (prison) farm and incurred the hate of one of the guards. He was treated inhumanely by this officer and died several hours after the punishment had ceased, in the arms of Dr. Jake Hodges (Chaplain), recently dismissed. * * * after he had condemned the system and urged a reform.

"On one of his visits to the farm where this prisoner was confined Dr. Hodges found him in the hospital dying." Mr. Briggs, in repeating the story, says: "The pathos of the scene is portrayed in the anguish expressed by the old man's words. * * * The feeble voice, the sighs of sorrow and of resignation must be imagined; no pen can picture them:

"'Doctor, won't you sit down by me and comfort me? I haven't a friend to whom I can appeal.'"

"'Why, certainly,'" said Dr. Hodges; "that's what I'm here for.'"

"'Oh, they treated me so meanly. They've abused me until it doesn't matter now what they do to me. * * * I'll tell you all if you'll just put your arm around me; I want to feel the support of a friend once more before I die.

"'Now, brother, tell me your story. I'm here to help you and I will.'"

"'I'm old,'" said Foster, "and I can't work like the young men. I was always falling behind; I tried, oh so hard, to keep up, but I couldn't. My arms and legs just couldn't work faster.

"'The guard railed at me, cursed me and struck me, and, doctor, I did my best. God knows I did, but I couldn't keep up.

"'At last he said, "I'll show you how to shirk your work"; and he knocked me down and whipped me till I bled. He took sand and rubbed it on my back and whipped its cutting grains into my back. I cried out and begged him to quit, and told him that he would kill me. But he whipped me all the harder.

"'After whipping he dragged me to my feet and to a tree that was

infested with ants. He made me climb up to its forks, where I remained until the ants had covered my body. They stung me until I cried with pain, and begged him to let me get down and die. He kept me there a long time, and at night I was brought here and put to bed. I know I'm dying and am * * * glad to get away from this place of abuse and torture.' * * * A few moments more the convict was dead in the Chaplain's arms."

The guard was discharged, but received another position as guard over Texas convicts.

The *San Antonio Express* of January 8, 1909, tells of a Mexican convict while being worked on a Texas cane farm who "had a burning fever, but was worked by the guard until he fell. The Mexican was then whipped until he begged the guard to kill him. Finally, to end his sufferings, the Mexican arose and, taking a long cane knife with which he was working, he laid his left hand against a tree and deliberately cut off every finger of his left hand, and, slapping his body with the stumps in the guard's face, said: 'Now, d—n you, kill me; I can work no further.'"

A story is told in another issue of the *San Antonio Express* of a negro convict whose dead body was exhumed and examined, and it was found that the "deep stripes and their great number on the negro's back" had caused his death and not "heart trouble."

"Harrowing stories" were told to the committee, which found their way into the Texas papers. The *San Antonio Daily Express* of July 22 says:

"Stories of the cruel infliction of corporal punishment on convicts confined at outside colonies transcended in horror similar recitals that have been published in these dispatches. One convict testified that he had assisted in conveying from the field the dying bodies of two convicts who had been unmercifully beaten at one of the share farms within the last two years.

"This prisoner witnessed the castigation, and swore they were administered the same day. The victim of one was a Mexican called Antonio; the other was a white man named Mike Dunn. No inquest was held over the dead bodies of these two men, and upon the head-board that marked their graves was inscribed:

"'DEATH BY SUNSTROKE.'

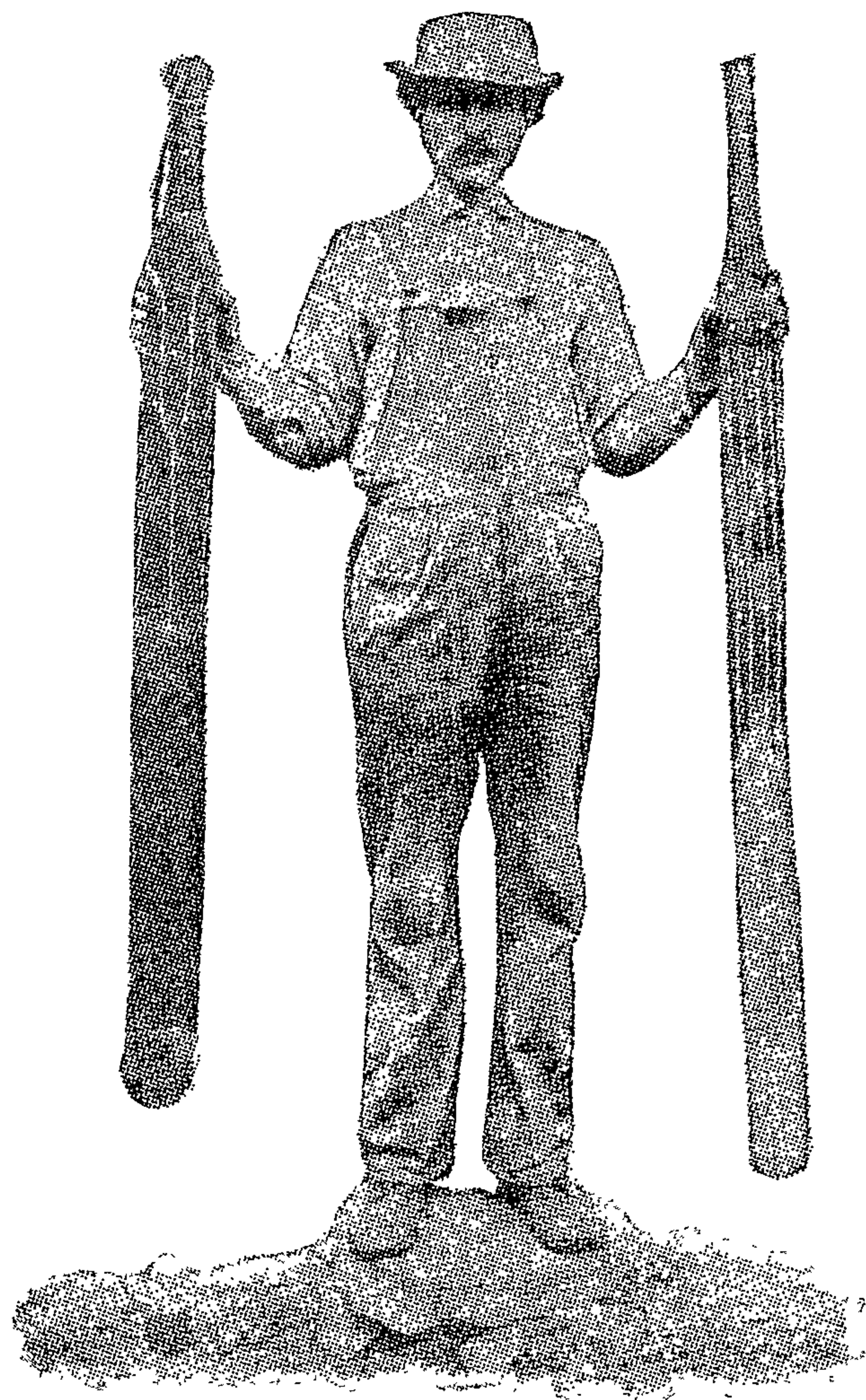
"One of the guards compelled a convict to dance upon the grave of Dunn in substitution of religious or ethical ceremony.

"The witness told of the death of a German at this farm. The German was large and could not keep up with the lighter convicts in the trot back to the building from the field. One of the guards threw his saddle rope around the convict's neck and put his horse in a gallop, while another administered propelling power from the rear with a quirt. The German was dragged by the neck over a considerable distance, and succumbed to the severities of the torture."

The witness told of the shooting of a Mexican who had asked per-

mission to step out of the squad for a moment. The convict walked out, and the guard shot him without the least warning.

The witness said that in the five years he was on the farm he had seen 800 men whipped, apparently without permission being granted.



STRAPS USED IN CONVICT CAMPS.

From the Galveston (Tex.) *Daily News*.

A prisoner on one of the share farms "swore that he had been struck ninety-three blows by a former sergeant. "Blood ran from me to the floor," said he, "and I had to be carried to my bunk. I can prove every word I say." The convict told of one prisoner being whipped an hour and a half for "talking back to the guard." The convict died in eleven days.

Another convict testified: "I saw a sergeant strike a Mexican ninety-eight licks with the leather. The Mexican's body swelled up to double its normal size and when he exerted himself blood and pus oozed from his back." He also testified that he had seen convicts suspended from the rafters by their wrists "until their arms were black." Other modes of punishment were described.

"At the male camp on the Eastman farm * * * a Mexican was whipped in the field and died shortly thereafter." (See *Antonio Express*, July 31, 1909).

The Austin Statesman and many other of the state papers of Nov. 6, gave "heart-sickening tales of brutality" which were given to the committee by eye witnesses. "Having grown heart-sick of the revelations of the mistreatment of criminals * * * the investigating committee were ill-prepared for the revolting testimony which they received." Other evidence had substantiated the statement in a large degree. The report said:

"But the convicts who were most severely treated are now beyond the reach of the committee * * * they will lie in their graves out of the range also of the heartless employees of the State of Texas who sent them there."

The convicts who gave testimony were, as others before them had been, "in terror of punishment," notwithstanding they had been assured they should not be punished for exposing some of the horrible secrets. "One of the convicts carried an ugly scar extending all the way across his neck, * * * he explained that he had attempted to cut his throat in preference to a whipping. "A very reliable witness" told the committee "a graphic, blood-curdling story" of cruelty practiced on the convicts who gave testimony during the investigation the summer previous.

The witness said: "After the committee left some of the guards called a number of the boys who had testified before the committee and asked them what they said." The evidence of displeasure was first vented upon the Negro convicts. One of the Negroes who was unable to keep up his row of hoeing in the field was whipped over the head with the bat in the hands of a guard who was riding a horse. "He fastened his hands together on the horn of his saddle so that every time he struck the fellow the horse reared up and jerked the Negro into the air. As he plied the licks to the fellow he would holler out: 'Damn the committee! They are not protecting you. I am running this place and you've got to work.' He then went over to the Mexicans, rode along among them and pounded them over the head with his doubled quirt."

After further description showing evidences of "almost unbelievable cruelty," and the penalty paid for the slightest complaint made to an inspector, the witness says of an officer on whom he "smelt whiskey very strongly": "He got one of the Negroes down and I never heard such lashes as he gave that Negro. He would hit him and say, 'Committee? You G—— d—— son of a b——. Looking for a committee are you? Those d——d educated sons of a b—— can't run it over me.' As he kept on whipping he would take a few strokes at the men holding him and they

would run away * * * After he had finished with the Negroes and Mexicans he went over to the white boys."

There has been abundant evidence to show that convicts almost unnumbered have been whipped to death, others shot to death.

"MOST APPALLING TALES."

"At the female colony on the Eastman farm * * * the committee heard the most appalling testimony. Four or five of the negro women who testified, testified to most unprintable things under former administrations" (which were in existence until two months previous). The women gave the names of the guards involved. Two were still in the service. "The majority of the offenses were committed in the building." The testimony was corroborated.

The female convict colony is located 20 miles from Huntsville at a remote point in the Trinity bottoms, 16 miles from a railroad and the women are under the exclusive control of men. No matron is provided. "Children have been born in prison to women whose commitments antedate by several years the date of their children's birth." Dr. Hodges testified that he had seen mulatto children who had been begotten and born in the camp. One child was born in the field where the mother with the other women had been sent to work. The prisoners numbered about 70, including three whites. "They were the lame, halt, blind and desperadoes." The women are "worked in the dew and sometimes when the ground is wet, irrespective of their condition." The dresses worn by the women were made of coarse, striped material and the skirts ended at the knee, the sight of which aroused the indignation of the committee. In winter they were furnished with coarse stockings which reached above the ankle, leaving a wide space between the tops and the bottom of the dress skirt. A guard said:

"When a woman is whipped her skirts are thrown over her head, but she is not disrobed."

There was abundant evidence to prove that the assistant superintendent of the penitentiaries, then in charge of Rusk prison and who had formerly been in control of a convict force on a convict farm had been not only inhumanly cruel but that he "habitually drank liquor." When under its influence he used the "leather" with such severity that death sometimes resulted. "The severity of his punishment was described by references to bruised and bleeding bodies lacerated by the lash from shoulder blade to leg calf, upon which wounds as big as a man's hand were formed that adhered to the convict's clothing so tenaciously that when the garments were loosened the scabs would be torn from the sores. These things were seen by to-day's (Nov. 22, 1909) witnesses during their service on the Burlison and Johns farm under Mr. D——m prior to his transference. * * * A former guard testified that he had seen Mr. D——m strike convict Lemons sixty-one blows * * * the blood run profusely and formed puddles on the floor. D——m said: 'You are that G—d d—— educated s— of a b—— ain't you?' The Negro boy when asked "how much is twice 8½" failed to answer correctly and then the bat was applied. The testimony was corroborated.

A guard corroborated the testimony of other witnesses in regard to the drunkenness of Sergeant D——m. He said: D——m drank constantly at the Burlison and Johns farm, usually about one quart of liquor a day. I was his assistant and he often asked me to drink with him. When he was drinking he was specially brutal. * * *

"His common word at the building at the * * * farm was 'You G— d—— thieves from hell.'" (Here the testimony is unfit to publish). "I have heard him style himself 'the King of the Leather.'" The guard, he said, must do as his sergeant wants him if he holds his job.

A witness explained how sergeants managed to get extra pay from the planter during the busy sugar making season and every "lick of work possible got out of the convicts." This encouraged the use of the strap. One convict was "punished to death," he said.

The guard's story of cruelty was corroborated by another guard, who also was an eye-witness and gives instance after instance of the most horrible lashings by Sergeant D——m. He told of seeing the convict, Ethel Jones, after the punishment. "The convict, for a number of days during the work hours, lay in the field on his stomach, so sore and lacerated that he could not work. His clothes stuck to him and when he would undertake to get them loose the hide would come off with the garments."

A witness told of one convict being whipped because he had sore eyes. After the third whipping "Lively's body from the shoulder blades to the calves of his legs was lacerated, some of the wounds being as large as a man's hand." He was never taken to the hospital and subsequently became stone blind.

Another story was told of a white convict who was whipped one Sunday evening and died shortly afterward. "The cause of his death was supposed to have been blood poisoning which set up in his wounds."

The witness saw Sargeant D——m punish a Mexican who was afterward obliged to lie in the hospital two months. "His skin was broken from his shoulders to his heels."

The witness saw pools of blood on the floor while D——m was punishing convicts, a foot in diameter.

The witness declared: "D——m drank all the time and I saw him under the influence of liquor almost all the time. When drinking he was as brutal as a man could be."

Drunkenness was found to be one great cause of the cruelties practiced in the convict camps.

"A STORY OF PRISON CRUELTY."

Among the numerous harrowing accounts of cruelties in Texas convict camps a citizen gives one incident in a State paper which came under his own observation, from which I take extracts. He says:

"The only evidence of the incident at the present time is a grave that lies on the banks of a creek, a mile south of the town of Nacogdoches. Underneath the dirt, now level with the ground, lie rotting * * * the bones of a man who was once a convict, and who in his last hours, with the thoughts of home and loved ones in his heart, begged for an oppor-

tunity to live. That opportunity was denied him and one hot night in July, while crowded in a box car like rats, with other convicts, this convict died at Nacogdoches, and was buried in a pine box on the right of way. His name was Jim Palmore.

"In this story is written in letters of blood man's injustice to man, the farce and cruelty of courts, when misguided, and the weakness as well as cruelty of the penitentiary lease system as practiced by the State of Texas."

"Palmore had a wife and two small children." The writer after giving a pathetic account of his conviction, which was really unjust, says:

"With a number of other convicts he was leased by the State to the Houston East and West Texas Railway, in July * * * and put to work cutting down the grade. * * * About the middle of July and on one of the hottest days in the year while working this cut Palmore was taken with a fever. He begged the man in charge of the convicts to allow him to go to the shade and rest, but the man would not do so. Finally he fainted and fell in a heap on the hot sand. He was taken out of the way and placed under a small bush on the bank and lay there till the convict train was taken to Nacogdoches late in the evening. That night he died."

Papers for his pardon were before the Governor and had the prisoner lived a few days longer would have been a free man.

The writer adds that this case is but one out of many where neglect or cruelty has resulted in the death of the convict.

"BEAUTY IN CHAINS."

Newspapers once told the story of a "fair, delicate, blue-eyed and golden-haired" German girl living in Texas who had ignorantly taken "an easy way to a get a little money." She was a virtuous girl and of a good family, but utterly inexperienced although naturally bright. She was convicted of forgery and sentenced to the penitentiary for two years.

When she was taken to the penitentiary she "had a chain put about her neck" and then "yoked to an exceedingly brutal Negro convict who went up for a term of years." In this way "she was driven through the streets to the depot and probably made the long trip in that condition to Huntsville."

The *Austin Statesman*, issued Oct. 23, told of the committee's report on the Calvert mines:

"Seeing the state convicts in the coal mines near Calvert forced to dig seven tons of coal a day while standing in water half-knee deep, viewing the feet of the men as they had been warped and cracked by continual standing in water, * * * young fellows not yet out of their teens flogged with the leather bat for their inability to meet the tasks of seven tons a day, the members of the sub-committee investigating the state penitentiary system, denounced this mine as an *old time hell hole*."

"The men are compelled to wear their wet shoes outside the mine as well as in it, and although they discard their wet suits as soon as they come out of the mine * * * don them again when they go back to

work. Generally the clothes are still wet when put on again, except in winter months when they are frozen.

"Men are frequently compelled to put on frozen clothes when they start out in the winter mornings. * * * All have to go through mud and water going to and from the mines.

"Many of the fellows who are unable to make their daily task have been severely flogged. * * *

"One convict a few months ago after having been flogged for failure to dig the required amount, stole away into the deserted tunnels * * * and was killed there by coal caving in on him.

"One of the men had been driven back to work after he had been laid up with a broken limb only three days."

One witness testified "that he had seen a four-pound strap made wet with water and dragged through sand and applied to the naked body of a convict held down by four or five men." In this way convicts were flogged for being unable to accomplish an impossible task.

"The shirts on some of the men look as if they might have been washed two years ago. There are no buttons on them; they are black and greasy in appearance, all the stripes are obscured in the dirt, grease and grime. The trousers are greasy, dirty, muddy and black in appearance, some of them do not fit the men, and they are held up around the waist by horse shoe nails and other contrivances. No belt or suspenders are furnished."

The beds were filthy and bed bugs so bad the men couldn't get much sleep. The straw in the mattresses is changed once a year.

"There are 105 convicts at this camp, all white men, many of them young." Two towels only were furnished for the men and these were made of old sheets and changed twice a week. There were no religious services and no schools.

An intelligent ex-convict, in telling of his experience in the mines, says: "The Calvert mines were scenes of horror. * * * The convict toilers far beneath the surface were taken down the shaft before day-break and not brought up until after sunset. * * * Our clothes were scanty and our rations poor." If a man failed in his task he was whipped at night.

SUGAR FARMS.

"The Cunningham place is the property of the Texas Sugarland Company, composed of St. Louis capitalists. Of its 86,000 acres 4,000 are in sugar cane and there are three convict forces thereon. The prison buildings are old, unsafe and unsanitary." The building had been repeatedly condemned but the company would not improve the quarters provided for the convicts. At camp B, known as Bullhead, there were seventy-nine negro convicts. "The prison building is old, rotten and unsanitary." "The site is low and muddy," near acres of stagnant water. "Foul-smelling closets stand within a few feet of the sleeping bunks, which take up practically all of the interior, leaving little if any available room for circulation. The bathing facilities consist of a few tubs and old sugar kettles kept in a corner of the yard. * * * The convicts at this camp reflect the conditions under which they live."

At another camp "repellant conditions" were reported. The stench arising from "wooden toilets and receiving tubs" was unendurable. The kitchen was dirty and alive with flies. "The corn bread which was ready to be served to convicts was nearly three inches thick and was devoid of crust. Toward the top it was nothing but dough."

At another camp the committee found 98 Negro and 87 Mexican convicts. "About 30 of the convicts showed the cruel effects of the strap, one having a scar six by ten inches," another was two inches square, etc.

A guard who had served over ten years testified that "convicts on the State sugar farms worked in the fields, no matter how hard it rained; often in the rain, sleet, snow and water. On one night Chaplain Hodges was down there to preach to the convicts. The next day the convicts were marched through water up to their waists though it was nearly freezing." He said the convicts were furnished with slickers but they are short and do not protect them at all from the water in which they are at times compelled to wade.

He said Negroes received more whippings and received worse treatment than whites, although Negroes were easier to control.

The day's program was invariably this: Up at 4.30 o'clock in the morning, trot two to five miles to the cane fields, work there in squads until noon when fifteen to twenty minutes would be allowed for the eating of a cold dinner; driven hard during the afternoon and brought back by starlight at night in the same dog trot they went out in the morning. The weak must keep up with the strong in his work or be punished.

Convicts slept in their underclothes or naked, as it happened to rain or shine during the day. If it rained they hung up their clothes to dry and slept without. One convict testified that he had frequently taken his clothes from the nail frozen stiff.

One man was on a farm a year, and during that time the bed clothes were not washed and were sunned but twice.

The *Waco (Texas) Times Herald* of Nov. 2, 1909, gives the following story told by Hon. J. R. Bowman a representative and member of the investigating prison committee and who confirmed all that had been printed concerning the treatment of convicts. He told of convicts working in a certain mine who were compelled to work in water almost to the knee. "An abrasion of the skin would result in a running sore that would not heal and convicts were examined whose feet and ankles were covered with ulcerated sores. At another camp he said there were four towels a week for one hundred men, and these men were permitted to bathe once a week in narrow troughs. All the men bathed in this allowance of water and the four towels were passed around. In the tank from which the water supply was drawn Mr. Bowman saw with his own eyes, eleven hogs."

"In another camp sixty or seventy men were compelled to bathe in half barrels with no change of water until the last man had made the dash. This bathing was all in the open. Winter and summer it was the same. The intense heat and the blistering rays of a Texas summer sun and the

rigorous blasts of a polarian norther made no difference so far as the convict is concerned" At another camp Mr. Bowman says, "one-third of a squad of sixty or seventy men were the victims of a loathsome disease, * * * these convicts were compelled to bathe in the same trough, in the same water and to use the same towels—towel would come nearer covering the case."

Mr. Bowman told of an old white man who had been sent to the penitentiary, though innocent, for a term of ten years for the alleged crime of rape. There were 152 ridges on his body made by a tissue-cutting lash of a bull whip in the hands of a guard. His head bore evidence of brutality and inhumanity. Two dents were exhibited to the prison probers. The prisoner said he could not perform the work allotted to him by his taskmasters. * * * The girl afterward made affidavit that she had given false testimony at the trial." The man was pardoned at Mr. Bowman's request but "was practically bereft of his reason."

PRESS COMMENT.

Houston (Tex.) Post: "A sense of shame and humiliation must involuntarily oppress the right-thinking citizenship of Texas because of the deplorable conditions in the lignite mines in Robertson county operated by State convicts under lease. * * * If the State of Texas cannot make the prison system self-sustaining without subjecting the convicts to such unspeakable brutality then it is the duty of the taxpayers * * * to pay the bill.

Ennis (Tex.) Daily Post: * * * "The findings of the committee reveal cruelty, graft, barbarity, criminal carelessness, inhuman rules and unreasonable demands, death-traps in which men are worked, brutal whippings and almost every character of cruelty. The men composing the investigating committee cannot be scared or cajoled but are reporting conditions as they find them * * * agents who have gone there made whitewash reports, and the authorities have allowed the subject to pass almost unnoticed."

State Senator Thomas W. Perkins in *McKinney Courier-Gazette*: * * * "The fact of a great commonwealth—the greatest in the Union—leasing out human beings to private corporations and individuals, and allowing them to be treated worse than dogs is a burning shame. The report of the penitentiary investigating committee, so far as made public reveals a condition of affairs in different camps that is simply appalling. No one could have believed that such a condition could have existed in this enlightened state, in this the twentieth century, 'the heir of all the ages and foremost in the files of time,' but its existence has been established * * * beyond the shadow of a doubt. By such a system the unfortunate inmates of our prisons are put in direct competition with free labor, and they are worked to the limit of human endurance, herded like cattle, provided with poor and insufficient food, dirty bunks in which to sleep, and scarcely no aid for the sick and weak. The great State of Texas has no right in justice, law or morals to wring blood money from those who are paying penalty for violated laws * * * they should be treated like human beings and not like beasts."

Dallas (Tex.) Times Herald: "It is the men in charge more than the system that is to blame. There is no sort of a system that would justify gambling, the barbarous beating of convicts, * * * and the illegitimate child industry that has been shown to exist."

Hillsboro (Tex.) Record: * * * "Under the law as it is written the control of the penitentiary and its convicts are absolutely in the hands of the governor. He not only appoints the penitentiary commissioners and officers from guards to superintendent but all the proceedings * * * must be approved by him."

Austin Tribune: * * * "Now no one * * * would for a moment contend that commercialism should rule our courts and that the verdict should go to the man with the fattest purse. Yet that is precisely the theory which controls in the penitentiary. With his sweat and by his blood the convict, rendered so by some infringement of the statutes, is made to yield a profit * * * to a capitalist, big or little, who uses him at work scorned or shunned by free labor.

"There is nothing corrective about this. The man who passes through several years of this hell on earth beneath lash and goad is all but justified in taking revenge upon a society which permitted it. Compared to this African slavery was, so far as the individual concerned, a trivial thing, for the slave represented a large sum of money. * * *

"In this twentieth century slavery the slave is nothing and his labor everything. He must work in all kinds of weather despite physical exhaustion and is it any wonder that, pushed too far, some die in their tracks, while others court death at the hands of armed guards?"

Another editor says:

"Witness after witness told of the horrors of the camps—of old men and boys beaten to death, of starvation, neglect of the sick and of slave-driving methods of overwork and hard treatment. The stories related could have been supposed to be Congo or Turkey atrocities."

After months of careful investigation the Texas committee issued a lengthy report condemning the prison system and its brutality in strongest terms. Concerning the use of the strap they said, "it knocks the last vestige of respect and manhood out of the being; it creates a spirit of revenge not only against the penal system but against society that only dies with the culprit. * * * If a mother at the birth of her babe, knowing the hellish conditions prevailing on some of the Texas penitentiary farms, camps and coal mines, could see that her darling would, in course of time, be condemned to one of these places, she would perform a charitable act to emulate the mocking-bird, when it, failing to liberate its ensnared young one, brings it a poisonous berry, utters a chirping cry, vanishes into space and mourns."

Hon. E. B. Hudspeth, a member of the committee, said: "After witnessing with my own eyes accounts of brutality, and hearing with my own ears tales of atrocious and brutal treatment * * * I cannot find it in my heart to endorse the use of an instrument by which death has been inflicted upon human beings. * * * I would as soon lend my official sanction * * * whereby a sergeant might be permitted to punish a

convict by shooting him * * * with a 45-caliber pistol and take chances on same resulting in death."

"In making this minority report," said Senator Hudspeth, "I do not wish to convey the idea * * * that there are not some humane officers connected with the system. * * * Their hands are tied by an antiquated and vicious system, the foul odors from which have permeated this state for fifty years, * * * but the people have been lulled to sleep by the siren song of men of avarice and greed and the professional politician. * * * I trust that this report will sufficiently arouse the people of Texas to the atrocities daily heaped upon the mass of 3,600 breathing human souls, wards of the state, to such an extent that the people will rise and demand a called session of the legislature * * * whereby this organized hell and 'black hole of Calcutta' will be * * * a ghastly memory in the minds of the people."

STATE RAILROAD CAMP.

"Nowhere in our findings is there any report of the state railroad camp. * * * The evidence will show that the brutality of the guards and sergeants in this camp exceeded that of any visited by this committee; that the convicts were poorly fed, half clothed, and that they were driven to their work with the lash, like galley slaves from early dawn until the somber shadows of evening put an end to their sufferings and gave them relief from the bull whip. From a preponderance of evidence before the committee, I believe that every spike upon this road was driven in human blood, every tie and rail was put there at the barter of the bones and muscle of these poor unfortunates by men in high power in this great commonwealth.

"In our state prisons are men * * * often superior to the guards who lash them. What hope is there for the reparation of such convicts * * * to be beaten like a dog during the week and then to listen on the Sabbath day to a lecture on charity, brotherly love and mercy. It would be a ghastly mockery on their misfortunes."

In giving a summary of the conditions Mr. Hudspeth said in part: "The history of our penitentiaries for the last thirty years shows a terrible treatment of the convicts during all that time. Twenty-six years ago a legislative committee saw forty convicts housed in one board room on the Wynn farm, some of them sick with pneumonia, and with but one stove in the coldest weather ever felt in Texas until then. We saw that farm and it is still a bad place. At that time, in midsummer, men were confined in box cars at night, and some pulled out dead next morning from that Calcutta death box. A state senator (Mr. Gibbs, of Dallas) described the method of housing convicts while working on railroads. A few green logs across a railroad ditch, under which the men entered by a hole, and over which the sergeant watched, gun in hand, until next morning, as one would watch a den of snakes. Men were lashed into insensibility then as they are still by brutal sergeants, and yet the system went on. Seven years ago a committee sent by the legislature revealed a condition of sickening barbarity. They reported having seen many whose

backs were lacerated by the lash. Men were often chained up by the head and lashed into unconsciousness. Others died under the lash whose backs they could not see. Still the system went on, and the legislators who reported these conditions were called 'the smelling committee,' and their report kicked about the legislative halls as though it had been a football. The whole system is devilish and corrupt which permits brutal guards to lacerate the backs and kill men under the lash and to receive bribes from planters to do it."

George Waverly Briggs says: "Texas returns 21 per cent of its criminals to prison. New York percentage of repeaters is less than half that figure."

Mr. Briggs says: "The ultimate consequences of corporal punishment is revealed by one of two conditions. The victim is either broken in spirit and pride or petrified in criminal inclinations. If the former, his manhood and self respect are lost. If the latter he is eventually graduated by the penal system with a master's degree of crime. Returned to society broken in spirit and without pride, he becomes a burden and a cost; liberated with vengeance upon the system that humiliated him gnawing at his heart strings, he becomes a constant menace to society and institutions. These are irrefutable truths which have been revealed by cold unsentimental statistics compiled by experts who have devoted lives and energies to the study of crime and its treatment."

Mr. Briggs says: "The great argument against eliminating the strap is the high percentage of negroes in the penitentiaries here. Between 60 and 70 per cent of Texas convicts are negroes. The testimony of witnesses before the investigating committee from employers showed that negroes were more tractable than white and needed the strap less."

The following extracts are taken from the *San Antonio Express* of January 10, 1910.

"PEONAGE IN TEXAS."

"The Government expects to prove:

"That men are unmercifully beaten.

"That they are held far beyond the terms of their sentence.

"That conditions are demoralizing to health and morals.

"That peonage equal to the worst in the world is practiced.

"That men guilty of no offense are sentenced to these farms.

"That men and women are housed together.

"That Negro women are made the sport of motley crowds.

"Reports that peonage is widespread in the county (misdemeanor) convict camps of Texas, especially in the Brazos and Colorado River counties, where unhealthy conditions make it hard for farm labor, have stirred the Federal officers at Washington into activity.

"Four special agents of the Department of Justice are now in Texas investigating conditions * * * have been in Texas quietly for six weeks, and their reports reveal a horrible state of affairs, exceeding in cruelty the barbarous conditions said to exist in the turpentine districts of Florida or in the henequin districts of Mexico.

"The Government was stirred to action by a pitiful story told by Joe Foller of St. Joseph, Mo. He is of good family and only 20 years old. While enroute to Brownsville he ran out of funds. He left the train at Somerville. There he was arrested and fined, * * * he was sent to the county farm to work it out. His sentence was for sixty days. He * * * was kept on the county farm six months and then only released when too weak to work longer.

"Young Foller told the Federal authorities that he was taken to the farm and there put in shackles, which were kept on him day and night. He exhibited great scars on his ankles and wrists where the rusty bands had rubbed away the flesh, cutting nearly to the bone. He related that when the boys did not fulfill their appointed task a negro man would sit on their heads while another negro would beat them almost into unconsciousness with a six-foot leather strap. He exhibited scars all over his body to prove his assertions. The hours of labor were long and food poor and the sanitary conditions of the camp revolting. Negroes and whites were housed together, as were men and women. When leaving their task for the noon meal the men were compelled to run to and from the field. * * * Failure to do so resulted in horrible whippings.

"The names of other white boys * * * were supplied by Foller. * * * When the grand jury at Austin took up the case * * * more than forty witnesses were present to testify as to the treatment they had received at this farm." The witnesses were from various cities and many were under 20 years of age.

"Some of the witnesses had similar experiences on other convict farms in Texas. * * * It is estimated that within the past year from 1,500 to 2,000 men have been illegally held in peonage in such county convict gangs. In some instances * * * these convicts were leased to farmers and that the county officers profited by the labor. As a result, a close watch was kept on all incoming trains, and every man found who had no friends was arrested, fined and placed in county convict gangs and then made to work on the farms. Often they were detained many months after their term of confinement had expired.

* * * "It is said that conditions existing on the county convict farms were much worse than in the state (felony) convict camps. * * * The county convict farms in certain parts of Texas have for many years been the worst in the world from the point of view of the convict."

In another communication from Austin to the *Express* the writer says: "The Federal grand jury is in session and there are some forty witnesses here, being about 25 white men and 15 negroes. * * *

"According to the stories told by persons who have been prisoners there conditions on several farms have been horrible beyond description, worse than the penitentiary investigation showed. Men were driven to work, beaten with bats until blood flowed and their bowels moved; were made to commit unmentionable crimes; dogs were sicked on them for the amusement of the guards; they were made to run two or three miles to work; were clad in thin cotton clothing with no underclothing during the coldest weather; some fifty lived in a small room amidst filth; some had sores over their bodies, two had eyes gouged out, two died from in-

human treatment, and one white man died without disclosing his name * * * Guards stamped the prisoners. Some of them claim to be horribly cut and scarred.

* * * "At one place the local peace officers would lay hands on a victim, arrest and condemn him on a trumped up charge and cart him off to one of the farms. * * * It is said that just any stranger dropping into the town might * * * be consigned to a farm and it would be many a day before he got away suffering awful torment the meantime."

The *San Antonio Express* of Feb. 13, 1910, gives further information in regard to peonage in Texas, and shows without the fear of successful contradiction how "young white men from different parts of the United States were brought to Austin * * * to give testimony * * in regard to the peonage that they have been made to suffer upon a Texas plantation. Most of these witnesses are under 20 years of age. Some of them only 17 years old when they were subjected to the most horrible cruelties, * * * and when they were permitted to leave the place they were physical wrecks. In most instances these boys are of good families and when they fell into the alleged clutches of the agent of the plantation they were guilty of no offense that would mark them as criminals."

The following account written from Milwaukee, Wisconsin, under date of July 27, 1908, says:

"Mat Wagner, aged 16, returned yesterday from Texas, where he served part of six months for stealing a ride on a freight train, and says John Kulick, his chum, was beaten to death in a Texas prison. Half an hour after one beating, says Wagner, Kulick dropped dead. He says a third Milwaukee boy, a negro named Williams, is still in the prison and will die unless soon saved.

"The boys started from California, when unable to get work because of a strike. They were taken off a train in Texas, beaten and set to work. Kulick was forced to work when dying, until he dropped dead. He was buried in the jail yard in a shallow trench with not even a pine box for a coffin."

GEORGIA'S CONVICT LEASE SYSTEM.

It is doubtful if any person has a more complete history of Georgia's convict lease system than the one who writes these lines. "Its presence has been marked by a trail of blood almost ever since its inception," as one writer has truly declared. But all along the years the press has, at times, made a gallant fight in its efforts to uproot it. Judges, members of the State Legislature, and private citizens have denounced the system in unmeasured terms, but without avail. The "ring" which had gotten possession of the convicts when the state's finances were low on account of the civil war, was not to be defied.

The official investigation of Georgia's convict lease system in the summer of 1908, and the cruelties seemingly almost unparalleled ex-

posed, were so thoroughly advertised that I feel it unnecessary to do more than give a few incidents, and also refer to the "startling facts" brought to light showing the inhuman, illegal traffic in convicts by "middle men," the Chief Warden being one, which had been going on for years.

The Cleveland (Ga.) *Courier* said:

"Right beneath our very nostrils has been arising almost the fumes of hell upon earth, viz.: the horribly shameful and inhuman state of affairs in our penitentiaries and yet we were as ignorant of it, perhaps, as the deer upon the sides of the Blue Ridge, and possessed not with the knowledge of the buzzard that soars above our heads, who may have appeased his terrible appetite on the remains of the victims of this most unmerciful system."

The following truthful accounts are some of the stories told before the Felder investigating committee and reported in the Georgia papers.

"Beating to death of white and black convicts, indescribable filth, wretched food, inhuman driving and utter negligence by the prison commission" were "graphically described."

"Lips that heretofore had been sealed under the shadow of the six-pound lash poured forth tales of heart-rending cruelties in the Georgia convict hells."

The Atlanta *Georgian* of July 14, tells the following story about the white convict, Jim Bankston, "to show what conditions prevail in the convict camps. * * * The story is true and the details can be verified by an eye witness."

"They began beating Jim Bankston within four days after he reached Sugar Hill convict camp. Just why nobody knew, because he worked and tried to do as he was told. He was a white man without many friends when he left Atlanta for the stripes and chains of Sugar Hill. * *

"He wasn't like some of the other white men and negroes who were suffering torture with him, for they were strong and could make a better showing in the work of getting out the iron ore. But he tried the best he could.

"Two worthies, Thomlison and Blevins by name, were the whipping bosses who seemed to take a delight * * * in plying the strap on Bankston's body.

"It became a common sight to see Bankston whipped daily. The other convicts wondered that he retained one spark of life in the body that was so horribly mutilated. * * *

"His beatings continued and the whipping boss declared with an oath that he would work him or kill him.

"Finally Bankston was carried into the barred pen. It was on a Friday. Then Bankston was forgotten. Not quite for his miserable comrades in torture tried to help him.

"Sunday afternoon a colored convict passed the pen. He heard a horrible noise. He peered through the bars.

"As his eyes became accustomed to the gloom he saw Bankston gasping for breath. He reported Bankston dying and he helped carry him to the hospital.

"Then he found out why Bankston was dying. When his eyes beheld Bankston's body presented he wondered the man had lived since Friday. His back and legs were covered with marks of the lash. No Cossack with the dreadful Russian knout could have done worse. * * * A most vital portion of his body * * * plainly visible was the mark of the lash. The flesh was about crushed through and the swollen contents were about to burst forth.

"Bankston died before supper time. News of Bankston's death leaked out, and with it a few details of his horrible death. * * * The whipping boss was indicted. Whoever heard of a whipping boss being made to answer for his crimes? The system is too strong for that."

The *Georgian* adds:

"There is now in Atlanta a respected negro in business for himself who spent six horrible months in Sugar Hill camp. White friends believing him unjustly convicted secured a pardon for him. * * * In those six months he remained at Sugar Hill * * * was the death of Bankston.

"Many are the tales of horrid cruelty and torture that this man can tell, and every one is seared into his memory until indelible. A volume could be filled with tales of these horrors—of shackles so tight they ate their way through skin and flesh toward the bone to finally clasp gangrened legs; of men being fed at 3 o'clock in the morning while chained to their bunks like beasts; of brutal beatings with victims falling at command where they stood in mud or water, to receive the lash; of beatings so brutal that things unprintable happened; of convicts shivering all night in reeking wet and filthy clothes and of a multitude of gross violations of those beautifully humane rules the prison commission ordered framed in glass."

In a later issue of the *Atlanta Georgian* there appears the following:

"We had thought that enough of the horrors of the convict lease system had been presented through our columns to arouse the most heartless citizen of our State. We have not told the worst cruelties—some of them are too black to tell—and we shall never assume the responsibility of putting them in print. It seems, however, that as soon as we obey the call of decency to cease printing these horrible disgraces on the name of our state the agencies of hell and cruelty slowly crawl forth to try to perpetuate the convict lease system. The little we have told is only the beginning.

"The man who leases the convicts to use them makes them work from the moment they can see in the morning until it is too dark to work at night; feeds them the vilest of food; gives them little clothing, and scatters cruelty and deprivation simply for the dollars there are in them.

"An old man who had been a preacher, but, who as evidence showed, should have been in the insane asylum, * * * was sentenced to twelve months for stealing an old pair of shoes. He was sent to Sugar Hill camp in Burton county. He refused to eat anything and refused to work, so with the physician at the camp assisting, two other men pro-

ceeded to whip him. * * * His legs were sore where the shackles had chafed the skin off. He had eaten hardly anything for fifteen days, and as he lay in his bunk on Sunday before his death on Monday, he requested a fellow convict to write to his daughter, giving her name and address, saying he was prepared to die. On Monday he was struck a number of blows on the head and made to get off the ground, then whipped on his back and shoulders until the bruises of the lash left testimony that the grave could not erase. * * * After he had been held and beaten he was chained to a tree with the chain run up into the forks of the tree and around under the old man's arms. * * * He writhed and struggled in this position until even the physician who helped to chain him to the tree said that after he had been there about ten minutes his hands fell and his head dropped over and he was dead." Evidently no efforts were made to send word to any relative.

"The doctor had said there was nothing the matter with the man but damned laziness. * * * Another said they ought to take him out and kill him. And the verdict of the coroner's jury, held a week after the man's death, read as follows:

"'We, the coroner's jury empanelled to hold inquest over the body of ———, do find that he came to his death by the unlawful beating administered by Warden ———, warden of the convict camp known as Sugar Hill camp.'"

This unfortunate prisoner was not a negro but a white man, sixty-two years old. The *Atlanta Georgian* adds:

"The details of the story above are *unprintable*. The warden and physician were indicted by the grand jury, were acquitted and are now administering justice and reform to Georgia's criminals."

"A negro named Jim had been given 103 licks. The witness said: 'You could have heard that nigger holler a mile.' All the facts connected with his condition after the whipping were 'too dirty to tell.' A week or two later he died and his death was attributed to tuberculosis."

In 1906 a sixteen-year-old white boy named Winn was convicted of stealing two cans of potted ham, and was sentenced to a term of hard labor in a coal mine, "confined with hardened criminals, black and white, to pay, in chains, the penalty of his crime.

"Seated one morning upon a log eating his convict's breakfast, he chanced to spill some hot coffee upon a passing pig, the property of the warden. Angered by this inoffensive accident, the warden, an official of the state, applied the lash to the tender flesh of the boy while being held down by negroes.

"Among other witnesses heard by the investigating committee was F. C. Lewis, a guard at the Durham Coal and Coke Company at the time Abe Winn was given sixty licks with a sanded leather strap, and horribly mutilated. Warden Goode during the whipping of Winn repeatedly drew the leather strap under his foot to get sand on it. A sanded strap takes the skin off. The whipping left him too weak to rise. He was sent to the hospital and never came out."

F. C. Lewis, the guard, who is a son of C. H. Lewis, a former mem-

ber of the legislature, told how he saw Winn in the hospital next day, and was told by him: "I will never get out of here; that whipping will kill me."

"His skin was so badly lacerated he could not lie on his back, and his flesh was black from the bruises made by the whipping. His death was given on the hospital records as due to pneumonia."

"Criminally killed by the state," says the *Atlanta Constitution* after telling the story, and then adds:

"What of the system that made possible this inhuman crime?"

"Enlightened humanity stands indicted before the nation, at least of indifference and neglect which have been appalling in their consequences.

"IT WILL NOT DO MERELY TO END THE ABHORRENT LEASE SYSTEM AND SAY THE WORK IS DONE!

"The real work is then just begun!"

"The state must make it possible for other boys to have a chance at life, for as horrible as is the fate that came to the boy * * * its atrocity cannot descend below the depths of the system which sent him there to meet it or to emerge a hardened criminal!

"No higher, louder call; no more pitiful or worthy plea has ever reached the ear of a Georgia legislature than is voiced in the brief but piercing story of sixteen-year-old Winn.

"But that boy was somebody's son!

"And he had a soul like you!

"And his God was your's!

"And if the gentle hand of Humanity had touched his heartstrings and told him to look up! * * * that boy would no doubt be living to-day a good citizen instead of filling a felon's grave, to the shame of the state."

It was proved that the boy was an unusually strong and healthy boy when he was sentenced to the coal mines. He was worked at night cleaning out the mines, sometimes in water. He contracted consumption which, with the whipping, ended his life. "He had been a model prisoner and his conduct exemplary."

The *Atlanta Georgian* of July 30, in continuing its report of the investigation, says:

"A fourteen-year-old negro boy, a mere child in stature, Dave Long, of Marietta, pulled up his shirt and showed a back covered with revolting scars which had been made there several months ago in Pinson's convict camp by a warden named Matthews.

"The boy's mother accompanied him to the committee room and told a pitiful story. She said she had received a telegram from a white man * * * saying he (her boy) had been beaten nearly to death and that hot turpentine had been poured on him." She went for her boy, and Warden Matthews told her he had beaten him to death and thrown him down in the sluice. She brought him back home and put him under a doctor's care who treated him from March until May of the present year (1908). Dr. Nolan, who treated the boy, testified to his condition,

and said the boy's right hand was useless and his injuries permanent caused by the beatings he received.

The boy was put to dipping turpentine, and sometimes received as many as seventy-five licks in a day, he said, for not doing enough work. There was a scar on his body as large as a man's two hands made by the lash.

The following is from *The Atlanta Georgian*, July 13, 1908.

"WHERE MEN DIE LIKE DOGS."

"White men, negro men, negro women—in one building only separated by lattices, the openings in which are large enough to reach an arm through.

"No hospital, no place to eat. Slaves and bribed slave-drivers who, with the lash soaked in water, and rolled in sand, so it will cut the flesh, pay for their bribes in human blood.

"A white man, sick with fever lies in his dirty bunk; no sheets on his bed; he wears double shackles; in his weakness he staggers and falls fainting to the ground. Two negro convicts pick him up and carry him back to his bunk, and they are the only ones who know he ever faints. * * *

"Take a typical case—one building—over a hundred convicts existing in it, white men, black men, black women. Not a sign of a hospital. * * * A negro man is stricken with pneumonia; he is a burden, an expense. The slave drivers don't want to be bothered with him; they allow a negro woman, not the man's wife to live in that room with him and over eighty negro male convicts during the man's sickness.

"Hospital? Yes, that is the hospital. That is morality taught its convicts by the great state of Georgia, and 750 of them are sentenced for life; they meet death in these surroundings. Who is responsible?

"A dining room, a bath house? Yes, here it is. The building stands on posts just high enough off the ground that the men may walk under it—sitting on the ground is a rough table. There are no sides to protect it in winter or in storm, and alongside the table is a trough with a water faucet at one end; in this trough the men may wash their clothing, such as they have, on Sundays, and those who care to bathe may get up in the trough and wash as best they can, though these beautiful rules say the convict shall be required to bathe at least once a week.

"Privacy and decency are unthought of. * * * The women are separated by lattice—nobody cares.

"The food * * * it looks good to see it on the 'rules,' but pork and corn bread three times, and sometimes the pork is alive (with worms). Is it any wonder the men have gangrene where the shackles rub their legs?"

"The case of Joe Frisby, told by one of the best known lawyers in Atlanta, who had been employed by Joe Frisby's father to get the boy out of the convict camp after he had been beaten nearly to death by a drunken guard.

"Joe Frisby was an Atlanta white boy. One day he got drunk, was arrested and given three months in the chain-gang. This was in May, 1906.

"He was sent to Hamby's camp where he was working misdemeanor convicts, which was an illegal thing for Hamby. One night the boy walked out of this illegal camp. He was brought back. 'Beat him,' was the order. So Joe was tied down to the steel rail kept for that purpose, handcuffed to it with his back bared. The lash came down and laid the flesh open. The boy shrieked in agony, but the guard, W. J. C——, had heard shrieks before. * * * The beating went on and on, the shrieks echoing where citizens beyond the camp could hear."

The lawyer was powerless in his efforts to save the boy, and he was prosecuted, charged with having escaped, tried and sentenced to two months' additional time for having escaped.

"In one of the camps a young negro convict was seen walking away and was shot, his body left unburied for ten days and the dogs ate it where the chains did not hinder them."

During the investigation the account of a negro convict being smothered to death with blankets was again brought to light. It was done in a lumber camp.

The Atlanta *Georgian* of August 3 tells this story:

*"A mother with her two-days'-old babe sat on the ground leaning against a building in one of the camps—the birth took place there, too. A guard saw her and ordered her to go to work. She couldn't, and was shot with the little one in her arms."**

At a mass meeting where the "horrors" of the system were vividly pictured," Judge Covington said in part:

"If the state had worked her own convicts for the past forty years instead of farming them out, Georgia would to-day be \$20,000,000 better off.

"I don't believe in taking a man who has stolen a ride on a railroad and putting him to work building a railroad for men who have stolen it.

"In Georgia one of the white man's burdens is the welfare of the negro race that he dominates. And our burden of responsibility is not to make money out of negroes crucified and destroyed."

In recalling the case of the young white lad beaten to death for spilling hot coffee on a warden's hog, Judge Covington said: "The worst part was not the death of this young man for such a trifle but the fact that the man who dealt him death still lives, untouched by the law and is left to propagate his own low kind."

In Judge Covington's speech before the legislature he "traced the bloody record" of Georgia's convict lease from the close of the civil war down to the present time. He declared: "The people do not wish to gather profit from cruelties and tortured nerves and muscles of human beings; they have no disposition to drive along highways along which are the unmarked graves of negroes that died of 'heart disease;' they do not care to have their children learn to lisp the alphabet of language

*Not italics in the original.

under a teacher paid by toil of men while shrieking under the lash of the benevolent deputy warden.

"This is the most profitable form of labor in the world, * * * while Georgia has been receiving a few paltry hundreds of thousands of dollars, the lessees have accumulated their millions out of it * * * many a convict lessee has his white mansion 'neath the white spreading oaks. * * *

"Nothing is sadder than the performance in our criminal courts.

"A convict is not a mule. * * * Forty years of dishonor appeal to us. The rotting bones of men—immortal men—speak from unmarked graves. Immortal spirits—maimed by this system—are now limping through both worlds.

"Men of Georgia, three thousand years ago * * * the Hebrew prophet proclaimed the coming of a Law-giver before whose touch the prison doors should fall down and at whose command the lash should cease to hiss over the back of the toiler.

"He spent His time with sin-sick folks and died under sentence of the courts. * * * He swept past applauding angels from awful degradation to a throne. He was accompanied by a crucified thief."

Representative Seaborn Wright said in his speech before the House:

"If in Georgia our convict lease camps are turning out, as gallant Bob Alston said thirty years ago, the offspring of convict guard and convict women; if the shrieks of helpless victims of convict guards ring out from the filthy pens of the system; if visions of the maimed and the bruised and the dead pass before us in horrible succession through the long years of the past, behind it all is the lust of money.

"In this mad, brutal, criminal race for dollars, the state leads, and behind the state is the rich conscienceless lessee with his paid lawyer and political agents, and last the whipping boss, with bloody lash in hand and the prize for which they all contend is dollars! dollars! dollars!

"Oh, representatives of the people, let us destroy this thing which has cursed us as no other thing has done."

He declared: "Every time a county convicted a negro it put \$450 into its treasury. When a county wants \$10,000 to build a court house what must it do? Convict twenty negroes."

The editor of the *Georgian* of July 23 tells of the inspectors finding a negro convict sick with consumption, too weak to speak, lying on the floor of a little building in which was kept the feed for the mules. "He had something under his head, and a quilt, but there was no stove and no way to heat the place. It was in November, and it was cold." He had been there for weeks.

The Chattahoochee Brick Company has had an unenviable record for cruelty toward both male and female convicts which have been worked at the Chattahoochee camp. Perhaps few men who have had charge of the camp have been more cruel than Captain Casey who, as the late investigation showed, was paid by both the state and lessees to get all the labor possible from the convicts. The following tells something of Captain Casey's cruelty as brought out in the summer of 1908:

"A negro who had been there just a few days was put to work pitching brick in one of the camps. His hands were sore. * * * The convicts were always whipped when they didn't fill the clamp in a day.

"Captain Jim Casey came around and said: 'Nigger, I'm going to murder you if you don't pitch those brick faster.' The negro did not pitch to suit him, and finally Casey whipped him. Other convicts held him over a barrel and Casey laid the lash on. When they turned him loose the negro staggered around a little and fell over a lumber pile. They dumped him into a wheelbarrow and carried him off to the hospital. * * * But the negro was dead when the doctor came. * * * Warden Casey stayed on in charge there after the negro's death. But Foreman C. D. Wortham was fired because he reported the whipping to the prison commission and tried to prosecute somebody for it."

The former guard, Wortham, corroborated the testimony of the other eyewitness concerning the whipping to death of the negro and also gave further particulars.

The publisher of the *Atlanta Georgian* in his issue of July 11 said:

"The greatest evil in our state to-day is the convict lease system. Each week two men go down to their death in convict camps—some whipped to death. It has gone on from year to year and no one has had the courage to expose and fight it.

"The *Georgian* has determined to rid the state of the vilest disgrace that ever cursed the people."

In his appeal to gospel ministers he says: "If you love mankind; if you have boys of your own, picture the degradation that is being perpetrated under the great state of Georgia, and see if you can rest until you have demanded that your people write your representatives in the legislature and you preach it on Sunday."

In his issue of August 26 he says: "This fight was taken up with the determination to go only so far as was absolutely necessary to bring about the needed reform. We have tried to save Georgia the odium of telling the world of the interest some of the lawmakers have in this momentous disgrace. * * *

"The people do not know that there are members of our legislature sitting in the Capitol to make this law—paid by the state for their services—who are convict lessees in their own name. They do not know that many more of the men who are sitting on this matter are directly or indirectly interested in the convict leasing business."

The committee appointed by the Georgia legislature to investigate into the charges made by the *Georgian* (one of Atlanta's leading papers) of the cruelty and inhumanity in the state convict system made its report to that body August 25, 1908, and upheld every charge made by that paper.

The prison commission, in which had been vested by law the exclusive management of the prison system, "was censured in the strongest language for negligence in the discharge of its duty."

The commission had one employee whose title was State Warden

and who used his position for private gain in the illegal and inhuman traffic of helpless convicts. For many years he had received a salary of \$140 per month. While being paid by the state he received from convict lessees for his dishonest deals during his ten years' service fees which aggregated \$2,700.

Deputy wardens, and in some instances physicians and guards, received compensation from lessees. These state officials whose duty was to the state only were entrusted with the care of the state's convicts whose labor alone had been hired by lessees. These watchmen for the state who were hired by the state and paid for seeing that convicts were humanely treated, worked within fixed hours, fed, clothed, housed and cared for in sickness were false to the trust reposed in them, and they too received from lessees compensation.

CONVICT FARM AT MILLEGEVILLE.

The 2,500 or more convicts confined in state camps and at the state prison farm at Milledgeville did not comprise the great number of misdemeanor convicts confined in county camps scattered through the state and whose condition, many of them, has been described by prison inspectors as deplorable in the extreme.

The prison farm at Milledgeville came in for a share of attention during the inspection of 1908, but not the county camps. Broken down men and convict women compose the class confined at the farm. The *Atlanta Georgian* of July 18 says:

"While the various convict camps of the state will be furnishing tales of horror * * * the state farm at Milledgeville will show a condition of affairs * * * equally as sensational. There are at the farm an average of 135 men and between 80 and 100 women.

"Guards at the farm receive \$25 per month and a house to live in." The *Georgian* tells of the wife of one guard who had to take her children and move away. "She could not allow her children to be reared * * * where the sound of the cruel lash on the backs of convicts and the screams could be heard. The children would run into the house and tell mother how many licks they counted.

"On one occasion it is recounted that she heard the screams of a convict being beaten, and during the beating she counted seventy-two licks of the lash, and there were some before and after she counted. She begged her husband to go and see if the sudden stopping of the screams meant the death of the convict, but the husband knew that inquiry meant the possible loss of his job."

Some of the most revolting accounts of cruelty toward convicts, such as whipping a sick convict to death because he was unable to work, giving the convicts rotten food, wormy meat, etc., etc., were told by the witnesses from the prison farm. Convict women had borne children; and some had been flogged unmercifully again and again.

I have given but a little of the committee's report of the investigation in the summer of 1908. Some of the stories are too revolting to repeat—too nauseating, too horrible.

GEORGIA'S STATE PRISON FARM IN 1903.

The investigation of the inhuman whipping of a young white woman by the warden at the prison farm in 1903 revealed cruelties of a most shocking character.

A representative of the *Atlanta Constitution* gained admittance to the farm, and after investigating, told the story of what some termed "Georgia's Hell Upon Earth." The following are extracts from the *Constitution*:

"To-day anything about Georgia's convicts is an absorbing theme, whereas a month ago few knew, and fewer cared, about the wearers of the zebra stripes who atone for infractions of the law constantly under the muzzle of a repeating rifle in the hands of some guard whose heart is as hard as the steel of which the barrel of his gun is made.

"WOMEN IN MEN'S CLOTHING."

"At the main entrance to the women's quarters I was met by a woman attired in men's clothing. 'She is my blacksmith,' said the warden. * * *

"It is the lash which brings the convict under subjection. * * * The rules are hard and inflexible, and are carried out with a severity so harsh that it drives that little spark of hope a felon carries into the camp away within an incredible short period.

"There is not an hour of sunshine the convict can call his own. From the dawn he is under the constant watchfulness of a guard armed with a repeating rifle and ready to shoot him down like some wild animal should he make the slightest attempt to leave the camp.

"These guards have dealt with convicts so long that the last semblance of pity has long ago died out, and by them the convict is thought even less of ~~than the mule~~ the convict is driving.

"It is from dawn to dark the convict toils, and during that work there is never a minute of rest except the two hours at noon. * * * After dark only can the convict call himself free from the watchful eye of the guard.

RULES ARE CRUEL.

"Here is one. An even dozen plows are sunk into a field side by side. * * * Before each plow is the mule, and behind is the convict to hold the point well in the ground. Two guards are assigned to this squad of twelve, one on either side with repeating rifles and both ready, if not anxious, to draw a bead upon a convict who may take a chance to get away. At the word the plows move forward. * * * It matters not if the last man be the weakest one of the lot no mercy is shown him. * * * And many is the hard lick some luckless convict has received from the butt end of a rifle in order to make him close up. * * * They are convicts and scant mercy is shown them.

"This race across the cotton field or the corn field is a task few can keep up. So hard is it that when a strong convict has an enemy in his squad who happens to be weaker than himself he resorts to fast work to even up with him. * * * The weaker one will follow until he drops over exhausted and may be dead.

"A rule prevents convicts speaking to any one without permission of the guards. Convicts are taught to speak to no one until they are spoken to, and that rule has been responsible for a great deal of suffering. A case in point: Some years ago a strong, healthy young negro was given a long term in the penitentiary. * * * He was finally sent a cripple to the state farm. He * * * appeared to be walking with excruciating pain. He finally asked the doctor, if he might have a word with him. * * * The doctor examined his leg and discovered that the bones of the limb were broken in two just below the hips and that * * * every time the convict stepped upon that foot the bone was pushed against the flesh with a force equal to the weight of the convict's body.' And the convict had been compelled to work. The limb had been broken in a mine while working for the convict lessee and never received any surgical attention."

The convicts at the state farm are not worked by lessees but by the state. Nevertheless the worst possible cruel treatment has been accorded the convicts as was shown in the investigation in 1908. It was shown that even dying men were not free from the lash.

What some of Atlanta's clergymen say:

Dr. Len G. Broughton, of the Baptist Tabernacle, in a sermon in which he discussed the convict lease system, said:

"I have never felt our state so disgraced as at the present moment. Any man who reads the harrowing stories that are being brought out in the investigation is bound to feel the disgrace to our state.

"If I were in the position of a prison commissioner in Georgia at the present time I should feel so disgraced as not to be able to lift up my head in the presence of decent people.

"Think of it. * * * Here we have been going on in this thing for years and bragging about our democracy.

"It has been perpetually in power in this state since the days of reconstruction, and see what it has done! It has heaped a disgrace upon us in this prison business that will stigmatize us for twenty-five years. Read the stories of the 'whipping boss;' one feels almost like swearing when he thinks of one of them; a 'whipping boss,' a man who does nothing but walk around the camps and beat convicts for any little trifling thing that may displease the fellow that's got him leased. I cannot conceive of a job lower down; I had rather be the keeper of a dog kennel. I would feel such a job an honor beside that of the 'whipping boss.' But what about the state that allows it when men are even beaten to death?

"Then think of the infamous graft that has been brought to light. * * * God only knows where this thing will end, * * * we have plunged the state, through this infernal system, into slime and filth.

"But what will be done with the prison commission? The last one of them ought to be impeached. They have disgraced the state. They have besmeared us with innocent blood. * * * The Governor found this condition the result of carelessness, and he will do himself and his state honor if he will wipe it out."

Dr. James W. Lee, pastor of Trinity Methodist Church, when preaching a sermon on the evils of the convict lease system referred to an editorial in a late issue of the *Atlanta Constitution*, and said:

"It was enough to make the rocks cry out. It was enough to make the hills weep. Christ never raised His voice in denunciation and scathing rebuke except against those who oppressed the poor, who neglected the inmate of the prison. * * * And now He is saying through all our sorrowing souls this:

"Ye time servers, ye hardened, palpitating, human specimens of delusions and deceit, ye lovers of the woman that damns more than of the God who saves, ye shackle-binders, and ball and chain riveters on human flesh, how shall ye escape disgrace and with which by your voice and vote, ye are seeking for three more years to blacken the character of a great state. * * * The state is too poor, it is said, to get along without the money the poor convicts bring to the treasury just now. It is true that a terrible state of things has been unearthed by the investigation—death by the lash, and other forms of treatment as mean as murder, but still we must not get excited.

"Think of it. On the side of automobiles, bank accounts, good houses and fine clothes and every other sort of plenty, Georgia is rich, but on the side next to the convicts, the imprisoned, we are too poor to stand alone. * * * As Georgians we have been brought up to hate the devil. * * * No metaphysical devil ever was so black and malignant and soul-devouring as the one hoarded and lodged on the industry of Georgia. * * * One might search hell a million years and never find a meaner, fire-enveloped devil than we have at this time in our state converting the heart's blood of poor criminals into fortunes for a few, and into money to educate the children of the many. It is enough to make the heart stop beating and the hair to turn white.

"Now, what is Christ doing to-day? He is trying to find as many persons as will lend themselves to Him in order that He may lay down His life, to receive it again in the utter obliteration of this lurid, wicked, blood-sucking devil that has fastened itself on the body of our state."

There were very many heartrending accounts of cruelty toward convicts, victims sometimes of drunken wardens, brought to light during the investigation in 1908, such as men dying directly under the lash, spikes riveted on a convict's shackles, convict nailed up in a coffin, etc., etc., but the stories are too harrowing to present here.

Hon. Mr. Alexander said in a speech before the House: "These lessees have gone along with the accumulation of massive fortunes made from the very blood of Georgia's convicts. The work all along has been steeped in blood. * * * Even yesterday, in a corner of this capital building, stories were told by men under oath of helpless criminals being beaten, by heartless whipping bosses, unto death."

Since the investigation the 1,200 felony convicts have been transferred from the private stockades throughout the state to the counties in which their crimes were committed and with the 3,000 misdemeanor convicts throughout the state * * * the men are to be worked on the public roads. But the unfortunates are still at the mercy of guards, and as one has truly said, the reform should begin also with them.

The following few extracts are taken from the *Atlanta Georgian* giving the report of the official investigation of Atlanta's city prison stockade the latter part of December, 1909:

COMMITTEE VISITED STOCKADE.

"Accordingly a special committee of the jury, consisting of L. H. Beck, Joseph T. Orme, Darwin G. Jones, W. S. Byck, W. B. Disbro and F. L. Seely, made a visit of inspection to the stockade. It was the report of this committee that was adopted by the grand jury and read by Mr Seely before Judge Ellis.

"The committee prefaced their report by saying that they were surprised, disgusted and mortified by the conditions as they found them.

"The prisoners are compelled to live a beast-like existence, it is charged, and their quarters are much worse than the mule stable which the city maintains adjoining the stockade. Filth and brutal cruelty are in evidence everywhere, it is alleged.

"Here are some of the specific charges against the institution:

"An unspeakably filthy eating room, where 160 men are crowded together in a room sixty feet square. The entire place is a breeder of disease.

"The sleeping apartments of both white and colored prisoners are incredibly dirty and the bed clothes seem never to have been washed.

"No sleeping clothes are supplied, and some of the prisoners never changed their clothes while there, one man having no change of clothing for forty-four days.

NO BATHING FACILITIES.

"There are practically no bathing facilities, no ventilation at all, and no discipline, the prisoners doing pretty much as they please while in quarters. The stench in the entire place is unbearable, some of the committee having to hold their noses as they passed through.

"The food is inadequate and filthy, and the sick lie about, spreading their diseases, until they get so sick that they have to be taken to Grady Hospital.

"The 'bucking machine,' in which prisoners are whipped, is barbarously cruel. Photographs of the machine accompanied the report as an exhibit.

"Prisoners were sometimes chained, face forward, to the wall, and their hands fastened to rings in the wall, where they were kept for thirty or forty minutes.

"It was also charged that Officer Cornett confessed to drinking, and

"But what will be done with the prison commission? The last one of them ought to be impeached. They have disgraced the state. They have besmeared us with innocent blood. * * * The Governor found this condition the result of carelessness, and he will do himself and his state honor if he will wipe it out."

Dr. James W. Lee, pastor of Trinity Methodist Church, when preaching a sermon on the evils of the convict lease system referred to an editorial in a late issue of the *Atlanta Constitution*, and said:

"It was enough to make the rocks cry out. It was enough to make the hills weep. Christ never raised His voice in denunciation and scathing rebuke except against those who oppressed the poor, who neglected the inmate of the prison. * * * And now He is saying through all our sorrowing souls this:

"Ye time servers, ye hardened, palpitating, human specimens of delusions and deceit, ye lovers of the woman that damns more than of the God who saves, ye shackle-binders, and ball and chain riveters on human flesh, how shall ye escape disgrace and with which by your voice and vote, ye are seeking for three more years to blacken the character of a great state. * * * The state is too poor, it is said, to get along without the money the poor convicts bring to the treasury just now. It is true that a terrible state of things has been unearthed by the investigation—death by the lash, and other forms of treatment as mean as murder, but still we must not get excited.

"Think of it. On the side of automobiles, bank accounts, good houses and fine clothes and every other sort of plenty, Georgia is rich, but on the side next to the convicts, the imprisoned, we are too poor to stand alone. * * * As Georgians we have been brought up to hate the devil. * * * No metaphysical devil ever was so black and malignant and soul-devouring as the one hoarded and lodged on the industry of Georgia. * * * One might search hell a million years and never find a meaner, fire-enveloped devil than we have at this time in our state converting the heart's blood of poor criminals into fortunes for a few, and into money to educate the children of the many. It is enough to make the heart stop beating and the hair to turn white.

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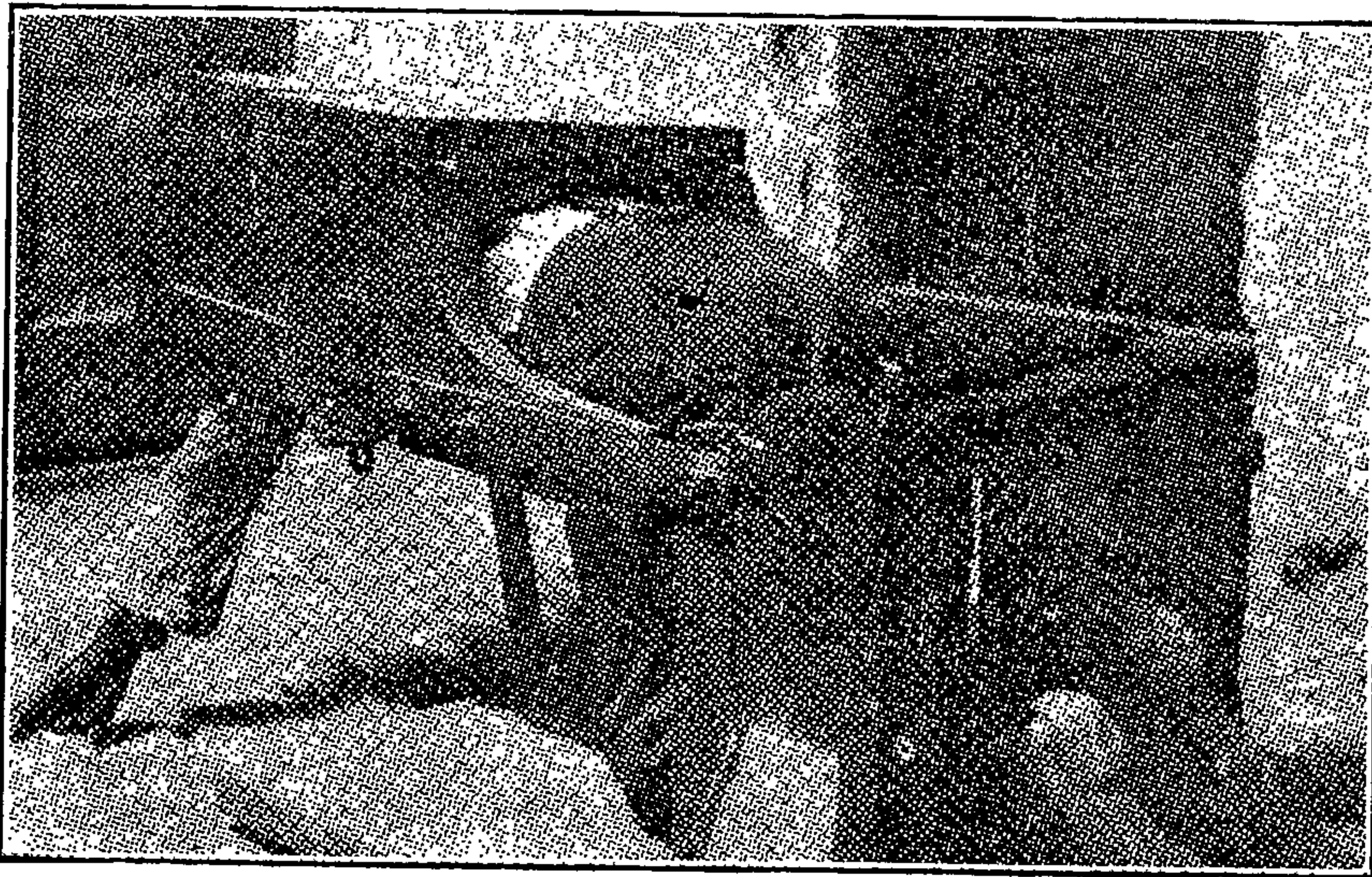
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that the records of the police commission showed that he had resigned from the city police force when charges of drunkenness were pending against him in 1906.

"Floyd Pritchard, a negro, was operated on at the hospital last week for gangrene in the leg. His leg was cut off and he is now in the hospital suffering from general blood poison. According to the statement of one of the physicians of the hospital, the negro informed the surgeons that the infection was caused by abrasions made on his leg by shackles placed on him at the stockade."

A few days later death ended his sufferings.



THE WHIPPING CHAIR, "BUCKING MACHINE."
From the *Atlanta Georgian*, January 1, 1910.

CONDITIONS OF UNSPEAKABLE FILTH SEEN AT STOCKADE BY COMMITTEE.

"While the members of the committee were in the midst of their inspection the miserable horde inhabiting the stockade returned from the day's work.

"Amid the clanking of chains, filthy and in an atmosphere redolent of indescribable stench, these prisoners ate their evening pittance.

COMMITTEE NAUSEATED.

"The negro prisoners—about 150 men—ate in a room with a dirt floor and in the corner of which was an alleged closet which nauseated the members of the committee. The white men ate under conditions but little better. They had a concrete floor, but they also had a closet in an adjoining pen with an open door.

"And the meal these men sat down to after a day in chains with pick and shovel on the streets!

"You who read in cosy quarters after a good meal and with thoughts of the Christmas on its way, think if you can, the plight of these white men out at the stockade! These men are not cut-throats or murderers or rapists. They are men sent to remain amid such conditions for petty offenses, and if they had only had money most of them would not have been there. That's it—

"Money!

"They are paying the price of being poor!

"Superintendent Vining had the committee in charge, but he didn't have a *Georgian* reporter. And so these miserable prisoners could tell their troubles without being overheard and without fear of the 'bucking chair' in the hallway outside.

"'Taste this, old man,' said one prisoner. 'Is it on the level to give men such stuff as this after a day's work in the cold with a pick and shovel?'

"He pointed to a chunk of corn bread, another chunk of pork fat and to a pail of black stuff said to be molasses. A taste was enough.

"Remember, too, what these men were in for and why. One was a chauffeur, who turned the corner the wrong way. Another was a man who got drunk and into a fight. Still another had escaped from this hole once, had voluntarily given himself up and said he wanted to make a man of himself. Instead of having a chance to serve out the time he should have served and then having a chance to turn over a new leaf he got another sentence.

THE BUCKING CHAIR.

"The committee saw the 'bucking chair,' too. Superintendent Vining had the chair built, and eloquently explained its excellent features to the six busy business men. But they did not enthuse over it. He playfully ordered a trusty to get in this instrument of torture and show the gentlemen how victims are held while a brawny guard flays them with a strap.

"The negro women prisoners were seen as they trudged in from the fields and took from waiting attendants their pittance of food in vile looking pans. The members of the committee heard the superintendent admit he had cut the shackles from the women the day before and the lame explanation of why this had been done.

"It was also noticed whitewash drippings were on the filthy mattresses and blankets, as if there had not been time to remove them. The white men said there had been a hurried attempt to clean up the day before. * * *

"They asked the superintendent to remain down stairs while they went to the sleeping quarters of the white men and talked with them. They wanted a heart-to-heart talk with these wretches who were paying the penalty of not having money with which to pay fines.

" 'Don't come in here, gentlemen,' said one man of evident education. 'You'll get lousy if you do. We are full of vermin.' * * *

"They heard men tell of wearing the same clothing for a month and more at a time; of having been unable to properly bathe because they had no money with which to buy soap or towels; of how they sometimes got a shave when there was a nickel to pay the night watchman for the use of his razor, and they saw underclothing and outer clothing which backed up the assertion of the men.

"Men there were with horrible sores on their legs and living in this filth. One man had a gunshot wound in his breast, and over this was underclothing which would infect a well man. Blankets and mattresses there were which bore evidences of never having been washed. Windows were fastened and the air reeked with stenches.

A SICK MAN.

"Some were fortunate in not being shackled, and even these could not protect themselves from the filth and vermin infecting the place. In with these white prisoners was one man sick. He couldn't eat the stuff provided. His comrades in misery had chipped in pennies and nickels and had bought him light bread so he could eat.

"In strong contrast with these seemingly impossible conditions were the quarters where the MULES were kept.

"Everything was clean, the air was fresh and the only odor was that of baled hay. Quite frankly did members of the committee tell the superintendent that the mules had better quarters than the men.

"Another contrast was provided the committee just as the members were leaving. As these Atlanta business men went out the side door, the wagon from police headquarters arrived with three new victims. They were negroes sent up for three different offenses. One had separated from his wife, and was sent out because he did not think she was entitled to any money from him. Another said he had shot off a pistol, while another said the man for whom he was working had sold whisky. He happened to be the goat.

"As soon as they entered, they stepped to an anvil-like contrivance where a guard riveted shackles on their ankles over their trousers. This operation sealed their clothes upon them until their sentence expired. Yet an examination by the committee showed these negroes were fairly well dressed and wore clean underclothing. No white victims were in this crowd.

"These business men saw all these things and more. They smelled the awful stenches. They saw all the misery suffered because of a lack of money with which to pay fines; they saw the filth, and some of them held handkerchiefs over their noses. And they exclaimed one to the other upon the existing conditions, and they didn't hesitate to express their opinions."

THE UNMERCIFUL BEATING OF A CHILD.

"A witness called by the city of Atlanta, in the investigation into the charges made by the *Georgian* in reference to cruelty and mismanagement at the city stockade, a graduate physician, in fact, testified to and described the most horrible details of inhuman barbarism that the people of this community have, or ever will have, to listen to. He told of a little thirteen-year-old negro girl being placed in the whipping chair invented by Superintendent Vining. She was brought down stairs with only two thin undergarments on and placed in the chair. The front was fastened and it was turned over on its face as shown in the picture.

"A white man then whipped her with a strap, about which the *Georgian* has told, until when she was released from the chair she was hysterical. She said something in this hysterical condition, she knew not what, and the superintendent ordered her placed back in the chair and again whipped.

"While being beaten she slipped her arms down through the box alongside her body, being so small that she did not fill the box of heavy plank which tightly incases the body of an adult prisoner. She placed her hands over the parts of her body that were being beaten, trying to take some of the blows on her hands. They were soon bleeding from the blows, and the doctor testified that as she went away to work that morning the blood showed through her clothing where the cuts had been made with the whipping strap.

"What will the citizens of a city like Atlanta, of a state like Georgia, do to bring justice to men who are so free from human instincts as to administer such cruelty, such disgrace, such shame?"

"Are we men or are we brutes and animals?"

"The *Georgian* is making this fight in the name of humanity, in the name of civilization cursed by the men who are responsible for these atrocities.

"Even the attorney who is defending these men in his very opening words ridiculed what we are doing, and stated to the committee that a 'mountain was being made out of a mole hill.'

"What do you say now, Mr. Attorney?"

WOMAN GETS 110 LASHES IN GEORGIA PRISON CAMP.

A dispatch from Atlanta, Ga., dated September 14, 1910, gives the following: "Anne Clare, a young white woman, is in a critical condition to-day as the result of 110 lashes administered to her at the Fulton county woman convict camp by orders of Superintendent Fanning, and the greatest indignation prevails here.

"Women's clubs and a number of civic organizations of Atlanta are preparing vigorously to prosecute Fanning, who to-day was summoned before the prison commission.

Fanning admits he administered 110 lashes with a heavy strap because, he says, that was the only way he could silence the woman.

Later accounts show that Fanning was let off with a "reprimand" from the commission.

In the *Atlanta Georgian* of December 30, 1909, the editor, Mr. Seely, who was one of the stockade inspectors, tells of a white woman at the stockade being suspended from the rings, as shown in the illustration, until she fainted. "The witness stated that the woman came to consciousness by having water thrown in her face." Witness also said: "That on the same day he had chained up another white woman."

Mr. Seely considered that punishment, "cruel, inhuman and barbarous;" that the pain resulted from stretching of the muscles of the arms when suspended above the head.

"As to filth," said Mr. Seely, "I do not believe there is a prison in the world that can compare to the city stockade."



SHOWING PUNISHMENT BY COMPELLING CONVICTS TO STAND IN THIS POSTURE.

"Four men were found in the stockade whose legs had great sores on them." One man told Mr. Seely he had been there forty-four days and had not taken his clothes off in that time. It was impossible to do so on account of the shackles.

WEST VIRGINIA PENITENTIARY.

The *Wheeling* (W. Va.) *Register* of February 18, 1909, in an editorial says: "The condition of West Virginia public institutions, as shown in the report of the legislative investigating committee, is the most shameful and disgraceful in the history of the state."

Some disclosures made by the prison investigating committee showed "political favoritism," etc., etc. "All newspaper men were excluded from the room during testimony on immorality in the pen," says the *Wheeling Register*. One of the charges made, says the *Parkersbury Dispatch*, was "that money was received from convicts for neglecting to punish them at the whipping post."

"One of the charges," says the *Wheeling Intelligencer*, "was the finding by the doctor of the sick negro formerly from Washington. Walker (the negro) was put in the dungeon and when found was in a dying condition, clothes wet, eyes set, almost pulseless. He died eight days later. The doctor inferred that the man had been very roughly treated," etc. "When he was received from Washington at the prison he walked with a limp and was weak minded. The evidence showed that Walker's punishments had been handcuffing him up to the cell door for three hours at a time with his hands up; the water cure, requiring the man to stand naked and have the water turned on him from a hose. He had been given five days in the dungeon for having a 'dangerous knife.' No notice was taken of the case or report made until brought out in the testimony."

The *Wheeling Register*, in an editorial, denounced the whole work of the investigating committee as "a farce;" that "not one-tenth of the rottenness will have been exposed."

"The penitentiary is a revenue producer at the rate of \$112,000 for the last two years, 1887, 1888." And this is one of the penitentiaries where the nation's Capital has for years been sending its convicted felons.

Col. Griffith J. Griffith, of Los Angeles, Cal., who told of his prison life before the National Prison Congress held in Seattle, Wash., August, 1909, said:

"I took a post-graduate course of twenty months at San Quentin, receiving my diploma from the Governor in December, 1906. It was while serving my two years' sentence there * * * that I saw this false philosophy of revenge translated into hideously realistic facts.

"I wish I could make it convincingly clear that the prisoner can never be reformed by being wronged. * * * Insanitary conditions at San Quentin spread tuberculosis, foster rheumatism and other complaints, and result in men who entered the penitentiary in perfect health emerging so physically disabled that they are necessarily burdens on society. I have shown the over-crowding and the degenerate vices to which it gives rise—a matter that should enlist the immediate attention of every mother. The entire system is designed to break the convict's will, and I have pointed out the unspeakable stupidity of turning this broken-willed man out into the world with the odds all against him and practically without a penny in his pocket."

Col. Griffith describes the moral effect of the manner of execution of prisoners as "the worst conceivable." Torture was in constant use.

"Men went insane from solitary confinement, and when it became necessary to transfer them into other cells their appearance was so shock-

ing as to produce a spontaneous outburst of indignation from the convicts who witnessed the transfer."

MISFORTUNE TREATED AS CRIME.

Col. Griffith tells of the "working of the man-catching machinery as applied to those who were only suspected of crime," as he saw it in the Los Angeles county jail, which is duplicated in county jails in many other states which I might mention. He says:

"I have known the jail to be crowded with men who assured me that their only offense was that they were out of work and money and were traveling in search of employment. When I came to examine the matter—and I have my facts and figures from the court records—I found that there were several classes of officials—deputy sheriffs, county constables and justices of the peace—who had a direct financial interest in lodging as many men in jail as possible."

Charles Edward Russell, in his article on prisons in *Hampton's Magazine* of October, 1909, tells the following story. He says:

"Columbus (Ohio) penitentiary, that grimy old dungeon, has housed many desperate prisoners, and concealed many appalling cruelties, but of all its prisoners of all times Ira Marlatt is conceded to have been the most desperate and the cruelties he suffered to have been the most savage.

"I wish I could so tell their story," says Mr. Russell, "that every man and woman in this country would be compelled to read it; for here is the heart of the whole matter, this is the perfect epitome of the prison problem and of the punishment problem:

"Marlatt was a long-term convict. * * * He was assigned to work in one of the shops. * * * This shop was operated on the abominable contract system. * * * He became convinced that for some reason he was discriminated against. He complained to a guard. Result: he was ordered to be paddled for insolence.

"The man had a powerful constitution and a powerful will. * * * He * * * had been unjustly treated and then unjustly beaten. * * *

"When he went back to the shop he refused to work. They paddled him until * * * there was no place to paddle. They had torn the skin from him. Then they hung him up in the bull rings. Then they gave him the water cure, * * * he could be subdued only by making him unconscious.

"All the force of prison authority was aroused; here was a prisoner whose spirit must be broken. * * * To break it they beat the man within an inch of his life, and he nearly killed six guards. * * * He made long wicked-looking stabbers of wire. * * * One day he turned on the guards and with his wires sent two of them to the hospital. * * * The others hurried him to the water cure, and all but finished him. * * *

"This time, having exhausted upon him all the prison resources of

beatings with a sanded paddle, of bull rings and of water cure, the authorities had constructed for him a separate steel cage wherein he was thrust like a wild beast, thenceforth to dwell alone. This place was referred to as the 'Demon's Cage,' and Marlatt as the 'Demon.'

"The guards amused themselves and took their revenge by jibbing at * * * their now impotent enemy." Mr. Russell here tells how the prisoner sought revenge and was sent to the lunatic asylum. "When he returned he was locked up in the Demon's Cage. * * * The guards took no chances with him * * * and passed his food and drink to him on long poles. Some years he lived thus as a caged hyena.

"One day Senator Rose, of Marietta, a noted public man and new member of the Board of Prison Managers, came to the penitentiary and asked for Marlatt. They showed him the Demon's Cage. He asked for the key. Guards and deputies broke instantly into protest.

"'He'll kill you if you go near him. * * * He is a demon!' 'I'll take my chances,' said the Senator. 'Open the door.'

"So they opened the door and Mr. Rose walked in. The visitor advanced with outstretched hand. 'Come, Marlatt,' he said, 'let's be friends.' The Demon took the proffered hand and shook it. 'Now,' said Mr. Rose, 'lets sit down here. I want to talk with you.'

"They sat down side by side, and for half an hour talked quietly. It was the first time anyone had spoken decently to the convict or looked upon him with any but a menacing countenance. All his life he had been accustomed to blows and curses and had given the like blows and curses to others. No one had ever offered him a hand or a kindly word. * * * When they got up they walked out and sought the warden.

"'This man wants to go to work,' said Mr. Rose.

"From that time on there was no more trouble with Marlatt. * * * You can see him in the prison now. He is one of the trusties, janitor of the hospital, a model prisoner."

And this is one of the penitentiaries where Washington has been sending her convicted criminals.

The following story, taken from the July 24, 1909, issue of *Collier's Weekly*, gives but one account of peonage cruelty out of many similar ones which I might give. Very few victims of "labor camp torture" were so fortunate as this Russian Jew who was rescued by the law and then given a verdict for a sum of money. The account is declared to be "pitifully true." The writer says:

"The case of Callas is recent. The crime for which Callas was handed over to the overseer with his rifles and his whips was unemployment. Joseph Callas is personally known to this paper. From his own lips we give the story of his wanderings and sufferings and White House rescue which freed him from bondage in February, 1909.

"He was beating his way across country from New York to Colorado in the year of unemployment, November, 1908.

"At Little Rock, Ark., Callas was standing at the railroad station. A man approached and put a revolver to his forehead.

"Who are you, and where are you going?"

"I am looking for work," Callas answered.

"Have you any money?"

"Ten cents."

"You're arrested."

"He was locked up in a barn, and the next day fined ten dollars and all expenses.

"Others of the unemployed had been gathered in. After the trial the men were chained, led to the railroad station, and shipped to a small



SHOWING HOW CONVICTS ARE SHACKLED.
—From the *Atlanta Journal*.

town in southeast Arkansas. What the men ate while travelling and the provisions of the detectives guarding them were charged to the prisoners, * * * the debt of each prisoner was \$90, although the railroad fare was \$6.40. Callas says:

"As soon as we left the train we were surrounded by six negroes armed with rifles. We were seated in a wagon and went slowly through the forest. In front of the wagon rode a negro, on both sides were

negroes, and behind us rode Mr. Simpson, the whipping boss, and Mr. Gentry, the superintendent. All were armed.'

"On arrival at the labor camp they asked the men already there about the place.

"'You'll see for yourself to-morrow,' said one of them. 'It is worse to live here than in hell. Men are flogged and shot down.'

"DRIVEN BY THE LASH."

"The next morning we formed in two lines in the yard. * * * There were eighty-five men, white and black. * * * In front of us are two negroes armed with rifles; behind us the same, and on one side rides the overseer. To his saddle is attached a large whip with a heavy wooden handle, and a strap three feet long, three inches wide and one-quarter inch thick. The rear of this procession is brought up by a negro leading a pack of bloodhounds designated to hunt runaways.

"We stopped before a field sown with cotton. Bags were tied to our backs and we were told to gather cotton. * * * Behind us was the overseer scolding and cursing us. He was particularly angry with one of the comrades, Schmidt. Calling, he said, 'Are you going to gather cotton or not?'

"'I work for the first time,' answered Schmidt; 'as soon as I become used to it I will work faster, but I can't now.'

"'You can't? I'll teach you.'

"He dismounted and took his whip.

"The overseer called two negroes.

"'Lie down,' he shouted to Schmidt. * * * At a distance stood the sentinels with their rifles and watched the proceedings.

"The negroes threw Schmidt on the ground. One of them held his head, the other his feet. The overseer took his whip in both hands, shook it in the air, looked around and then struck Schmidt on his naked back. * * * Schmidt cried out with an inhuman voice. The overseer became still more enraged and struck him * * * seven times. Schmidt arose with great difficulty and staggered to his place of work.

"Simpson * * * called out two more men and gave them five blows each. After that all worked faster.

"Before my arrival to the *peonage* * * * one of the white men tried to escape; but * * * was shot down by a negro sentinel. During that time was also shot a negro and racked to death a white man. He was given twenty-five blows of the whip, after which he died.

HUNGER AND DISEASE.

"We were put to different work. We gathered cotton, we felled trees, cleared the fields, etc. There was not one day in which somebody was not flogged. Two or three were flogged every day, and some times the number rose to ten. Very often Mr. Gentry would become intoxicated. Then he would punish the sluggards himself, and he flogged

them with all his strength, with rage, on the back, head, or any place where his lash could reach. * * *

"For the first two months of my life in the peonage the number of whites was increased to forty-five, and of the negroes to one hundred. * * * We were always hungry. Exhausted, half fed, we could find no rest even at night. Work, lash and hunger; hunger, lash and work, such was our life, and this miserable existence was undermining my health. * * * We, forty-five men were lodged in one small room with four tiny windows. Along the walls stood benches for sleep, two stories high. * * * On Sunday we stayed in bed all day under dirty, full-of-vermin blankets. Many of us became sick.

"From the first of January of this year the overseer was discharged. * * * His place was taken by Mr. Nichol, an older man than Mr. Simpson. He disliked the negroes so much that it gave him real pleasure to flog them. If a negro would say a word to him, he would beat him on the head with the handle of his whip. * * *"

Callas had written letters which were forwarded to the State Department at Washington.

PRISON PUNISHMENTS IN KENTUCKY.

One of the first to traffic in the bodies and blood of Kentucky's convicts, after taking the keys of the prison, called the prisoners before him and said: "Men, I'm a man of few words and prompt action. I came here to make money, and I'll do it if I kill you all." A responsible man of the white race who had a thorough knowledge of the inside workings of the prison said to the writer: "Men fell at their work, weak from flogging, and when taken to the hospital died before morning from pneumonia and the strap. Six days in the week the swish of the strap and the howling of the victims rang through the prison, often the whole day long. Men took poison; others hung themselves; some cut off their hands and others cut their throats to escape the burden thrust upon them.

"This lessee," said the informant, who was a Christian minister, "made \$100,000 in four years and literally killed 250 convicts out of an average of 370."

The following extracts are taken from a statement of George P. Chinn, whose services as warden of the penitentiary at Frankfort, Ky., began June 10, 1907. He says:

"I found it to be the custom to instruct guards to sign all charges made by the various foremen against the prisoners, and that punishments in the broom shops especially had become so severe and frequent that several prisoners had deliberately cut off their own fingers rather than be again whipped for not completing their daily tasks. I found that I was expected to continue the same system. * * * I issued a new order to all the guards that they were not, under any circumstances, to sign a foreman's charge unless they were convinced that it was just. I was informed that Madigan, the guard who by special order was in

control of about 900 prisoners in the shoe shop and had been the chief advisor of Acting Warden Hawkins in regard to punishing prisoners, was drawing a salary from the Hoge-Montgomery Company in addition to the \$75 a month from the state. It was then I refused to accept reports from Madigan * * * but visited the shops in person each day. * * *

"I found the prison record showed that while Acting Warden Hawkins, with Madigan as chief advisor, was in control, from January, 1907, to June 2, 1907, 6,240 lashes were administered to the prisoners, an average of more than 1,200 a month and * * * rapidly had the rate increased * * * in the month before I was appointed. I found that a great part of these lashes were given for short tasks, bad work, etc. On several occasions prisoners were given twenty lashes for having money on their persons, for laziness, talking in the dining room and many other minor offenses. I found on investigation that there were two straps used for whipping prisoners, both securely fastened to heavy wooden handles, and one made of very heavy leather with straight, sharp edges and square end. The latter strap was covered with blood. I found that the prisoner to be whipped was handcuffed, gagged by stuffing a sheet into his mouth, and securely bound to a board in a remote part of the cell house, strapped around the body and both legs, with pants down, while a powerful man administered twenty lashes on the naked skin. * * * With such conditions as these, with the report that Madigan was receiving pay from the company, can you wonder that I refused to accept his reports? * * * I would not whip a prisoner unless I was satisfied no other punishment would answer. * * *

"I was called to New York in October, and during my four days' absence they severely whipped a woman. * * * I was cheerfully granted a leave of absence, as this exactly suited the plans of the commissioners. * * * On the day of my return to Frankfort nine prisoners were handcuffed to the board and given 180 lashes with a newer and heavier strap, and I had ordered the old strap trimmed down until it would not draw blood. I am informed that the new strap is covered with blood, and another finger has been cut off in the broom shop."

Of course Chinn was removed.

(See *Shoe Workers' Journal* for June, 1908.)

The *Louisville (Ky.) Times* of July 26, 1909, tells of the testimony of a former guard in the Kentucky penitentiary at Frankfort. When questioned by the State Inspector the guard said that at the beginning of his work, which was that of whipping the convicts, he whipped twenty persons one morning. During the one and a half years that he did the whipping he whipped on an average of five per day, except Sunday morning. "He had whipped many men until the blood would trickle from them from the hips to the heels and would splash from the strap a distance of several feet. He had to whip severely to hold his job."

In the spring of 1909 Mrs. Caroline B. Crane, of Kentucky, made a tour of inspection in the interest of the State Board of Health. The

following few extracts are taken from her report. She says of some of the jails visited:

"These jails * * * are unfit places in which to house human beings for any length of time. When, to the darkness and gloom is added untidiness and filth, these places become hotbeds of disease and contagion. There are some good jails in Kentucky. * * * The general indictment of Kentucky jails is, sad to say, an indictment which holds against most jails everywhere, that they are hotbeds of contagion and schools of crime; that the prisoners spend their days in idleness; that there is scarcely any classification of prisoners. * * * Children aged six to ten years have been for days or weeks housed in your jails in intimate association with adult prisoners. Women in this jail are waited upon by men prisoners, who unlock their doors * * * unattended by the jailer in person. I found no matron in any jail visited by me. * * * The women of this country should unite to protect womanhood from such a situation as this. * * * I have found presumably modest women from the mountains serving sentences for moonshining. * * * There is small hope that these women, committed to the charge of men—sometimes men prisoners—and associating with prostitutes, will return to their homes as good as they left them. * * *

"Frankfort has the best conducted workhouse in Kentucky. At Lexington a most outrageous condition was found. The men and women prisoners occupy cells directly opposite and in full sight of each other, the water closets in each cell being in full view. The women were worked alongside of men pounding stone.

"In your state prison at Frankfort I found a boy, said to be fifteen, in stripes. It was said there was no room for him in the Industrial School. Another boy, said to be eighteen * * * was serving * * * a life sentence. There is no school room for the prisoners."

Mrs. Crane gives a harrowing account of the treatment of unfortunates in the almshouses and insane asylums in the state, and says: "What is needed is to take all the state institutions forever out of politics; to put some expert medical men upon your Boards of Control of such institutions."

ALABAMA CONVICTS DRIVEN LIKE SLAVES IN COAL MINES.

A correspondent of *The Kentucky Post* writes from Birmingham, Ala., under date of September 4, 1908:

"To see slavery with all its revolting cruelties, it is necessary only to visit one of the convict-operating coal mines. The Pratt City mine, near this city, is one of these.

"It was with an air of pride they showed me through. The system had been somewhat changed and I was to see how well it worked. I saw the men, their quarters, what they ate, where they worked and slept; the four-foot leather trace-strap with which they were whipped when their armed, keen-eyed taskmasters said they shirked; the rifle-

carrying, square-jawed guards with their packs of bloodhounds kept always ready to track men down—I saw it all. * * *

"That leather bludgeon keeps coming to my mind. Each man is assigned his daily task; and if he fails he is strung up and whipped.

"'But,' explained my guide, 'a state law has limited the strokes to twenty-one.'

"'Can't they kill a man with that many blows?'

"'No, I should judge not. But they can cut him up pretty bad.'

"'Four tons a day is the task required of an able-bodied man. * * * A man rated in the second class must mine three tons, and a third rate man two. Those who can mine more than four tons a day are supposed to get paid for an excess over this amount at the rate of 25 cents a ton.

"There were at the Pratt City mines about 1,000 men. About half were convicts of the state—long-term men; the others were the county's men, sent here for misdemeanors. The latter class are leased to private mining companies at an average of \$18 per head a month.

"The state (felony) convicts are now worked by the state, and the companies pay the state so much a ton for coal delivered. The present rate is 47 cents paid by the Sloss concern for coal delivered at the heading, while the Tennessee Coal and Iron Company pays 74 cents a ton delivered above ground.

"Probably the worse feature of convict labor is its continued competition with free labor."

In February, 1909, the *New York Globe* sent a special correspondent to make an investigation of convict conditions in Alabama who gave a lengthy description of what he considered the good treatment of the convicts and said: "The state has made its penal system a great school of instruction." Quoting from the last report of the Convict Bureau, he says: "The state received for the labor of her 2,347 felony convicts about \$500,000 as net profit." The net receipts received by lessees are known to themselves.

The *Globe* representative, in describing the convicts worked by the Hand Lumber Company, says: "Their prison is a long woodshed structure where the beds in rows are swung from the ceiling in rope slings. All men are together in one big room. * * * Every Sunday those who do not care to do any special work for which they are specially paid, gather in groups, some swapping stories, others playing cards and many of the devout listening to one of the minister murderers preaching a sermon. There are four negro murderers who are preachers. * * * The men are locked in the prison on Sundays."

The editor of the *Mobile Register*, in commenting on the story published in the *Globe*, said in part: "The *Globe* representative has decided that we are all wrong; that convict camps are the state's pride; that Alabama's penal system is a school of instruction. * * * This is very surprising to the people of Alabama who have been here a long time and who have been reading in the newspapers about the numerous escapes from convict establishments, of murderers and other felons

occupying positions as 'trusties' and that abuses of the system were at one time almost weekly occurrences; that men have been beaten to death for not performing their allotted tasks in the mines; that minor offenders committed for misdemeanors are more harshly treated in the lumber and turpentine camps than confirmed criminals; that these camps and the convict-working mines are hotbeds of tuberculosis. * * * The subject could be continued in detail and the details would make horrifying reading.

"Against this knowledge of the people of Alabama, who have been observing the system for years, the New York *Globe* representative places the observations of one week in one lumber camp. He made a local investigation in half a day and spent Sunday in a convict-leasing lumber mill north of Mobile. * * * The facts remain which were not told to the correspondent, that two murderers committed from Mobile escaped from the place in one year * * * that a negro murderer who got away from the camp last year stole whiskey, arms and ammunition before he left, outraged a white woman in a nearby settlement, escaped from a mob bent on lynching him, and is still at large. The legislature upheld the system and is partly responsible for it."

FLORIDA'S PRISON SYSTEM.

A correspondent of a Western paper, writing from Jacksonville, Fla., November 30, 1907, corroborates the statement of others in his description of "prisoners taken to isolated turpentine and lumber camps to slave under merciless overseers." He says in part:

"One of the most aggravating of the Florida statutes is the vagrancy law. By means of this law any person of any color, without apparent means of support, can be arrested at any time, haled before a justice of the peace, and sent to the chain-gang for a period of from thirty days to one year. The person arrested may not have committed any crime * * * and may have been diligently seeking a job at the time of his arrest. Oftentimes, as the records prove, young white men from the North with money in their pockets have been arrested on suspicion and subjected to the brutal provisions of the vagrancy law. Florida has no penitentiary, and her towns are poorly provided with jails and other places for the retention of criminals, a conviction invariably means that the offender is forced to work out his fine in some turpentine or lumber camp."

Describing the work for turpentine operators, he says:

"The months of June, July, August and September are devoted to the boxing of trees and gathering of gum. It is a hot, unpleasant labor, and the camps are usually situated miles in the forest near some miasmatic creek or swamp where mosquitoes, sand-flies and reptiles are prolific. Common labor is difficult to secure.

"In nearly every justice and police court in Florida agents for the turpentine and lumber camps lie in wait. A batch of vagrants, white and black, are arraigned for trial, convicted and sentenced to the chain-

gang for six months. By arrangement of the court, the agent steps up to the convicted prisoner and agrees to pay his fine if the prisoner will sign a contract to work out the amount in some turpentine or lumber camp. Ninety-nine times out of a hundred the prisoner signs the contract and is transported to the forest. The court winks at the procedure * * * because he is handed a bonus for every conviction. The officer who makes the arrest says nothing. * * * It is almost a universal practice for the operators to pay the officer five dollars for every person he arrests on the vagrancy charge. As a result of this stimulated ambition there are few idle negroes in Florida outside of the large cities, and a white tramp is almost totally unknown.

"Suppose a young white man attired in the humble garb of a mechanic sets out to walk from one town to another in search of employment. He may have a watch and chain and a few dollars in his pocket, * * * he is accosted by the constable, and asked his business. 'I am looking for work,' replies the stranger. * * * 'Well, we don't allow no tramps around here, I guess I'll run you in.'

"The poor fellow is arrested, and if he is ignorant, his watch and money are taken, never to be returned, and he is put through the pernicious processes of the vagrancy law. In three days he is working like a galley slave in some remote turpentine or lumber camp, without pay or hope of reward, frequently under the lash, and his stay in the camp is determined purely by the ability of the overseer to cut off the avenues of escape.

"Northern capitalists come South to develop the resources of the country. * * * It is a part of the commercialism of the country, and is a convenient method utilized by capitalists in exploiting labor.

"More than three-fourths of the lumber and turpentine operators in the state are Northern men. Most of the camp foremen are Northern men. * * * In their rush for the almighty dollar all distinctions in creed and color are obliterated. * * *"

The situation presented pertains entirely to free labor. Referring to the 1,200 felony convicts that are annually farmed out by the state to private contractors the correspondent says: "If the conditions under which 'free labor' works are bad, life in the convict camps is infinitely worse. Quite frequently it happens that no opportunity arises which would enable the turpentine operator to recruit men through the vagrancy laws. Then it is that another expedient is resorted to. Warrants are sworn out against a negro or several negroes, charging them with the commission of some imaginary crime. The victims are arrested, haled into court, and bound over to await trial. The ever-present agent agrees to provide bail for the prisoners if they will take employment pending trial. Rather than face certain conviction for crimes they never committed, the negroes accept bail, and begin their labor in the lumber or turpentine camps, where they remain until they make their escape through the swamps or until death relieves them from their misery.

"Cases of this kind are continually being disclosed, but are suppressed by the newspapers, which dare not offend the powers that be by

giving the facts." Here the writer gives incidents telling how negroes innocent of crime have been held in a state of peonage in Florida and also in Alabama, and then tells how a certain United States Congressman from Florida declared that no peonage existed in his state, being persuaded to do so by men who were his constituents and supporters, but who afterward privately acknowledged that peonage did exist.

Reliable citizens of Florida have recently described the condition of Florida's felony convict camps as being horrible in the extreme. They are leased and sub-leased; each contracting party, and also the state, sharing in the profits. The story is told of two negro convicts being whipped to death in the camps in 1907. It was also declared that neither of them merited punishment.

The Washington Post of April 5, 1908, tells of the "Horror of Peonage Laid Bare in Report to Attorney General," prepared by his assistant after a recent tour of investigation.

"Mr. Russell, who investigated and made the report, is a Southern man and a Democrat."

After giving accounts of cruelty, he says:

"We have henceforth to fight in the open those who have combined to thwart our purposes.' He described conditions of virtual slavery existing in Florida and in other states, conditions which are abhorrent to civilization—the shanghaiing of men in New York, Philadelphia, Pittsburgh and Chicago; their confinement to camps where they have been badly fed, mistreated, beaten and even killed; the stationing of armed guards to prevent their escape," etc.

The writer in her investigations has obtained the most revolting accounts of cruelties practiced, not only in Florida, but in several other Southern states where the peonage camps have flourished unmolested for many years, and which confirm the above statements made showing how free labor is unjustly obtained.

The *Florida Times-Union* of February 13, 1909, says:

"The state convicts are again to be leased January 1, 1910, with the privilege of being sub-leased by the contractors. Both male and female convicts are advertised for sale. The prisoners will number 1,200. The state will be at no expense whatever after the convict is delivered into the hands of the contractor."

THE FEE SYSTEM.

The following few extracts are taken from a lengthy communication to the *Birmingham Age Herald* of July 14, 1907, by Judge N. B. Feagin, judge of the court in that city.

"THE FEE SYSTEM.

"One of the greatest obstacles to remedial legislation for the prevention of crime in most of our states is the fee system. When the sheriff

gets his compensation out of the arrest, the feeding in jail and the conviction of offenders, be he ever so fair-minded, he is opposed, naturally, to any measures that cut short his fees. The juvenile court, the probation system and the suspension of sentence of first offenders in force in some of our states would annul the payment of many fees. The fee system is a relic of a barbarous age. It has ever caused oppression, neglect and cruelty by many sheriffs from the earliest days of Anglo-Saxon history. John Howard, the noble humanitarian, spent a fortune and the best years of his life, enduring great hardships, trying to correct the evils that then existed. For centuries wrongs have been wrought upon helpless humanity through this vicious system. * * * It makes the sheriff his own judge in his own case * * * and his helpless prisoner the defendant. * * * He is allowed in different states twenty-five to forty cents per day for feeding each prisoner. If he feeds sparingly and cleans the jail sparingly his profits increase. * * *

"Is it strange that every official (constable, justice of the peace, judge of court, sheriff and deputy) who is paid by fees, and paid only on the arrest and conviction of a citizen, should strive to increase the number of arrests and convictions? * * * hence it is that our jails and prisons as managed in many of our states are filled with men, women and children, many of whom are innocent or charged with trivial offenses, hunted down by interested officials whose motive is private gain.

"Who can estimate the moral depravity engendered, the outraged feelings acquired in the breast of an innocent man thus maltreated?"

Instances are frequently given in the newspapers which illustrate something of the workings of the fee system. Clergymen in their pulpits sometimes condemn the evils resulting from such a system, unsparingly. In Alabama both felony and misdemeanor convicts are hired out to parties which bid the highest for their labor. The *Alabama Age Herald* of May 17, 1907, says: "The fee system is as barbarous as its contractors, and between the two the reputation of the state is suffering severely." The paper tells of two persons who were arrested and to pay a fine of one dollar and costs of trial they were sentenced to sixty-six days at hard labor. A negro woman had to work out a sentence of 286 days because of fee bill costs. These are not isolated cases. The *Age Herald* here refers to the whipping to death of the negro youth, Charles Ford, at Pratt mines, where he was serving a sentence to pay trial fees, and then adds: "The state board of convict inspectors say a large number are killed every year by barbarities and inhumanities, and no report is made, no attention of the authorities is given." The following incident is but one out of many:

On March 22, 1907, when, as was alleged, "boarders in the jail were few," and "chain-gangs ran short of human material," officers of the law were "sent in search of recruits. They came on 'Pig' Ford and a number of other negroes loafing around who had been disciplined to idleness by their former jail experience."

After being confined in jail "a place not fit for cattle," twenty-one days "Pig" Ford was tried and sentenced to hard labor in the mines, 10

days "for being found without a job," and "104 days more for the remuneration of these said enfranchised officers." He was sent to Pratt mines to work out his fine, but being subject to fits he was unable to accomplish his daily task, and more than once was severely flogged. After his last punishment his mother and sister paid his fine, and when they went to take him home found him unconsciousness. "When they got him home he was dead." The undertaker found "the body of the dead negro was covered with stripes from his shoulders down, and that in portions of the back pieces of the flesh had been torn off. Marks were also observed on his throat as if he had been choked."

"Whipping convicts is recognized as a part of the state's convict system and stands approved by the people of the state." Continuing, the *Age Herald* says: "Let us say no more about the barbarities of Russia until the state is relieved of this stain upon her reputation." A correspondent of that paper in commenting, said: "I ask, how can we hope to induce immigration to this community when crimes which put to shame the savagery of a Hottentot or Cossack provoke nothing more than a passing comment? Whipping is said to be a common practice in the mines."

The whip used has a leathern handle and a two-foot lash also of leather "and biting enough to kill its victim." "If they are not whipped to death," says the inspector, "they soon develop tuberculosis or some other disease."

The following few extracts are taken from the sermon of Rev. Dr. A. J. Dickinson, of First Baptist Church, Birmingham, and reported in the *Age Herald* May 6, 1907. After giving a vivid description of "Pig" Ford's arrest, imprisonment and death, he says: "This is justice as now administered in Alabama." He furthermore tells how the sheriff, the clerk of the court, the probate judge and justices of the peace, instead of being paid by the state a proper wage are allowed a franchise to exploit those who have dealings with them through fees and forfeitures." So very profitable have become their franchises * * * that there is a temptation at every recurring election to form a syndicate to procure and operate these grants to exploit the people for the profits in it."

"A number of gentlemen form 'a gentlemen's agreement,' put forth a candidate, finance the campaign through the Democratic primary and regular election, make his bond, and then proceed to work the franchise of fees and forfeitures of the office for all that it will bear, and distribute the fat to the several members of the syndicate. Every four years we put up these valuable franchises for the frying of fees and forfeitures to the combination which can get the prize. The competition is getting to be so severe, because the reward is so great, that it takes a fortune to finance such a campaign; and this must be recouped with profits during the four years' tenure of the office by the holding syndicate, * * * And so it goes on from administration to administration; * * * we farm out to a syndicate our guests in jail, and each of his farmers must have his pound of flesh. In the end, poor unfortunates who are put into jail must help to pay the expenses of the campaign we have for these officers, and one may well tremble for the poor negro after such a campaign as that we

experienced a year ago. * * * You may rest assured that the holding syndicate will keep full any jail. * * * I say that eighty per cent of the present inmates of that jail could be released on their own recognizance or on small bonds were it not profitable to the syndicates holding the franchise for feeding on fees and forfeitures.

"If the state of Alabama can beat 'Pig' Ford to death, by what right has its citizens to keep its laws? * * * If the taking of the life of a citizen in a foreign land is just occasion for war, what must we say about legalized murder right before our eyes by officers of the law?"

A practicing attorney of Birmingham in a letter to the *Age Herald* of July 25, 1909, says concerning the fee system:

"According to my mind the English language does not contain terms strong enough to decently express condemnation of such a system.

"The fees charged are outrageous in amount.

"Every arrest, whether there is a conviction or not, results in more money to the beneficiaries of the system; * * * and as convictions result in quicker pay, causes a tendency on the part of the beneficiaries to bring about convictions.

"Because in many instances the officers of the law are the only witnesses, and, being interested * * * biased in giving testimony, which results in the conviction of innocent persons.

"Because under this system perjury stalks abroad in Alabama.

"Because, as a rule, the ignorant, the poor and unfortunate class * * * become the victims of this system.

"Because no distinction is made in working out costs under this system, which is at the rate of 40 cents per day, between one accused of stealing and one convicted of some offense not involving moral turpitude.

"Because under this system frivolous persecutions are encouraged.

"Because sometimes a mine sentence means a death sentence, as incipient disease rapidly develops in the dark and damp confines of the mines; and in such a case, if the victim be innocent, it is murder.

"Because nearly all convictions result in broken homes; and some in broken hearts; and if wrongfully convicted, at the expiration of his sentence there comes forth a man branded a convict * * * and an enemy to mankind.

"By all that is good and holy let us get out of the business of manufacturing criminals to gratify the cupidity, avarice and greed of a few individuals."

A late issue of a Texas paper says:

"Innocent men have been fined in Texas because the magistrate needed the fee; innocent men have been arrested and damaging evidence manufactured against them. * * * 'You are fined \$1.00 and costs,' says a magistrate, and \$1.00 goes into the public treasury and a sum ranging from \$10 to \$100 may go into the pockets of officials who look to fees for their compensation."

Sir W. Nevill, in his book entitled "Penal Servitude," tells of the "vast improvements which have been made in the penal system in Great

Britain during recent years" and says, "the good effect which they have had in diminution of crime affords the greatest possible encouragement to prison reformers. After describing the "shameful state of affairs" in regard to prisons and prisoners he says, "there was such an outcry aroused that a vigorous movement in favor of humanity and justice was begun by the Howard Association, powerfully aided by such men as John Bright and Lord Shaftsbury.

"The result was that in 1864 legislation was carried which ever since formed the basis of criminal law and the prison system. It was carried in the teeth of opposition and ridicule, which is very difficult for one to realize at the present day." The average annual number of persons sent to penal servitude in England and Wales fell from 1864 to 1900 to less than one-third the original number. "It is impossible to express in words," continues the writer, "what that decrease meant in the lesson of human suffering. * * * Facts and figures prove beyond dispute that every humane reform of penal laws and the prison system has made the people less criminal."

There are many wrongs in our penal system which I have not referred to, but I cannot close without calling special attention to the hundreds upon hundreds of convicts, worked mostly by contractors, in coal mines in some of our Southern states. Some of these never see daylight until their discharge, if they live to see that time. The condition of these unfortunates, some of whom are innocent victims of the fee system is, of all, the most deplorable. In referring to some of this class a Southern judge said recently: "The press of the country for a long period has shocked civilization with the recitals of the barbarities practiced in the Congo region. Those who read of these atrocities had little thought that so bad, or worse, was being practiced at our own doors in the midst of a civilization that boasts of its humanity and philanthropy."

The *Birmingham (Ala.) Age Herald* of May 17, 1910, gave notice of "OVER SCORE OF CONVICTS ROASTED ALIVE WHEN STOCKADE BURNED." The story told was that some of the convicts had set the stockade on fire with a hope of escaping. The building was of dry pine and very inflammable. There was no escape for the convicts except by being driven into the mine through the door which opened into the mine. Two convicts "were shot while attempting to climb over the fourteen-foot fence around the prison." Twenty-seven dead bodies of convicts out of the one hundred confined, lay in heaps after the fire. Some of the convicts had been "slowly roasted to death." Many more who lived were badly burned. All but three were negroes. The bodies were hastily buried, and the work in the mine went on without even an interruption.

I would also call particular attention to the unmerciful whippings of female convicts, the full particulars of which are too shameful to present here. *The Atlanta (Ga.) Journal* of September 17, 1910, says of Georgia's female convicts: "WHIPPING OF WOMEN MUST STOP," * * *

"These medieval outrages have got to stop!

"Reports from darkest Russia that helpless women in the prisons there are whipped by brutal guards fill us with horror. * * * The whipping of women was only sanctioned as a last resort in the days of the Spanish inquisition. * * * Whipping is a relic of barbarism. * * * It survives to-day in the penal code of the civilized world only in one or two small sections of the globe, among which Siberia and our Southern states are the most notorious."

In conclusion I will say I make no apology for presenting this subject to the public, unpleasant and unpopular as it is. I am but following the example of Him who "made Himself of no reputation," and who, as an example to His followers, answered the call of the prisoners and extended His last act of mercy toward him.

The most revolting accounts of convicts being killed by the strap in the hands of the whipping boss and whose bodies have been found in scores in a lone convict graveyard, I leave untold. I do not even mention the names of the states where these things have occurred. Some who have been members of the United States Senate, and who have been leaders in politics in their respective states, Northern states included, have been first and foremost to lease convicts in the Southern states. They have filled their pockets to overflowing with money coined out of the bodies and blood of their human chattels.

My own eyes have seen what the lash has done on the body of a helpless convict. I have seen and talked with those who have survived some of the most awful whippings by guards, and I have found that the after-life of such is either a life of crime or a life of untold suffering and sorrow.

I have gone from city to city and appealed to editors asking them to make some mention of the inhuman treatment of prisoners. An editor of a religious paper in Boston said to me: "I cannot do it; it would hurt my reputation." I have appealed to many gospel ministers in behalf of these unfortunates who are not only shut out from the world, shut out from all sympathy, but most of them are shut out from all gospel light. I am told that work for prisoners interferes with the work being done for foreign missions. Rev. John L. Sutton, president of the Chaplain's Association, says: "The great need in prison reform work is that the churches bear their part. Over 80,000 people behind prison bars now in this great country of ours are in as great need of the missionary care and attention as the heathen in the wilds of Africa."

Good men and good women, among them Elizabeth Ryder Wheaton, Maud Ballington Booth, and others, have done much to carry the gospel to prison cells. But the work of unrooting this great "Upas tree," such as taking the convicts out of the hands of great corporations such as the Tenn. Coal, Iron & Railroad Company, which, for many years, has enriched itself on convict labor, is left almost untouched.

Will not the International Prison Congress give these victims of man's inhumanity to man some consideration?

