

The Rise and Fall of Convict Labor in the Central Georgia Lumber Industry

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In the years immediately after the Civil War, the southern states has to contend with considerable economic, social, and political problems. One situation demanding a quick resolution was the question of what to do with the South's criminal population. During the course of the war, most southern penitentiaries were destroyed. Similarly, many of the county jails, inadequate even during the antebellum period, had been burned or had fallen into disrepair. Furthermore, the collapse of the Confederacy and the abolition of slavery engendered a tidal wave of crime. Desperate unemployed people were resorting to theft and robbery for survival. Compounding the problem of postwar law enforcement in the South, state authorities had to assume responsibility for blacks charged with lesser crimes, who, as slaves, had been punished on the plantations by their owners. Without sufficient prison facilities to confine the crowds of malefactors sentenced by the courts, and being financially unable to erect new ones, many southern states adopted the concept of leasing out convicts to landowners, railroads, and mining and lumber companies.¹

The convict lease system had evolved in the years preceding the Civil War along with two other types of prison labor. Under the public account system, prisoners manufactured items for the state or worked on public projects such as roads and bridges. A second type was the contract method whereby a state accepted bids for convict labor from various manufacturers. The highest bidder then employed the convicts at a fixed price and usually worked them within a state prison. The convict lease was a third method. As in the contract system, the state leased convicts to private employers after receiving bids. Under this arrangement the lessee provided housing, clothing, and food for the convicts, and was responsible for their incarceration. They were also empowered to punish the prisoners. By this method, a state virtually relinquished all responsibility for the care of its prison population.²

A few states experimented with convict leasing during the antebellum era. Massachusetts used a modified convict lease system as early as 1798. In 1825 Kentucky hired out its convicts. Many southern states resurrected the convict lease system after the Civil War as the easiest method of handling their prison populations, while northern states developed more progressive penitentiary systems. Georgia was one of the first states to pass laws enabling a convict lease system

during the Reconstruction period, doing so in 1866. Georgia's only state penitentiary at Milledgeville had been destroyed by Federal soldiers, thus helping to create an acute problem. The lease system, however, was not implemented until 1868 when the state was under the military rule of General Ruger. Ruger leased one hundred convicts to work on the Georgia and Alabama Railroad. It is probable that he regarded leasing as a temporary expedient to the problem of prisoner management since there was practically no financial return to benefit the state's treasury.³

During the governorship of Rufus Bullock (1868-1871), the system was perpetuated when all state convicts were contracted out to the firm of Grant, Alexander and Company, who planned to use them on railroad projects. After the state returned to Democratic control at the close of the Reconstruction era, convict leasing was embraced as a permanent solution. In 1876 three companies, having such powerful state politicians as former governor Joseph E. Brown and future governor John B. Gordon on their boards of directors, were organized to employ the state's entire complement of convicts. This consortium of companies secured a long-term lease of all convicts by agreeing to pay \$500,000 to the state of Georgia over a twenty year period. These three companies were referred to as Penitentiary Companies Number One, Two, and Three. Number One

was owned by Joseph E. Brown; the owners of Number Two included B. G. Lockett, L. A. Jordan, W. B. Lowe, and John Brown Gordon; and Number Three was controlled by Thomas Alexander, W. D. Grant, W. W. Simpson, John W. Murphy, and William H. Howell. The three companies, which were to pay pro rata shares of the annual installment, were subdivided by their directors to carry on an assortment of operations with their newly acquired labor force of "state slaves."⁴

Although the 1876 convict lease law prohibited the subleasing of the convicts, the lessees ignored this provision. One company which subleased convicts from Penitentiary Company Number Two was the Gress Lumber Company, owned by George V. Gress, a prominent Atlanta lumberman. Gress directed an enterprise composed of several lumber mills throughout the state plus a wholesale lumber yard in Atlanta. Pioneering in the utilization of convicts in the Georgia lumber industry, Gress first used convicts at his central Georgia operation in Dodge County. Receiving his first allotment of approximately seventy prisoners in 1883, Gress subsequently utilized only convicts as unskilled laborers at this sawmill.⁵

Soon four other lumber businesses--the Empire Lumber Company, the Enterprise Lumber Company, the Amoskeag Lumber Company and the A.B. Steele Lumber Company, all located in

the longleaf pine belt which covered the southern half of the region between the Ocmulgee and Oconee rivers--were subleasing state prisoners. Unlike the near by Gress mill, these enterprises employed free labor in unskilled positions along with their convicts.

The A. B. Steele Company in Chauncey, about ten miles south of Eastman, leased around sixty convicts from Penitentiary Company Number Two.⁶ By 1890, the Empire Lumber Company, located a few miles north of the Gress operation, employed ninety state convicts at their plant.⁷ The Enterprise Lumber Company, north of Eastman, employed fifty-four convict laborers at one time.⁸ Both Empire and Enterprise subleased from Penitentiary Company Number Two as did Gress. The manager of the Amoskeag Lumber Company, just south of Eastman, J. T. Colcord, personally escorted the first group of sixty convicts of the Amoskeag mills. Their arrival in 1890 drew a large crowd and was regarded as an extraordinary event.⁹

In Georgia, primary attention has been focused upon those convicts who constructed railroads and toiled in the mines of Joseph E. Brown. As a result, very little secondary source material exists which examines the use of convict labor in the lumber industry in Georgia or elsewhere in the South. A study of these five lumber mills in central Georgia provides the perfect opportunity to examine the utilization of convict

labor. Since all operated in close proximity during the late 1880s and early 1890s, one can compare and contrast how the convict lease system functioned in this particular industry.

An obvious question which needs to be addressed is why were convicts used in the longleaf pine lumber mills of central Georgia? First of all, these companies are classified as large operations. In fact, the Empire Lumber Company at that time was the largest in Georgia and one of the biggest in the Southeast. It had a daily capacity of 125,000 board feet of lumber, translating into 30,000,000 board feet annually. The Gress mill could produce 40,000 board feet daily; Amoskeag, 80,000; Enterprise, 40,000; and Steele, 40,000 daily. Each operation required hundreds of workers, but the locale of these mills was sparsely populated during the early 1800s.¹⁰ Consequently, convicts provided an available source of labor where free workers were scarce.

Secondly, the proprietors of these companies were prominent businessmen. George V. Gress was one of the leading figures in the southern pine lumber industry. Martin Amorous, one of the Amoskeag owners, also managed a wholesale lumber company in Atlanta. D. C. Bacon, Horace P. Smart, and the other Amoskeag partners, were well-known citizens of Savannah. Empire owner J. C. Anderson, J. W. Pope of Enterprise, and A. B. Steele of the A. B. Steele Lumber Company were all high-

profile businessmen. It is logical to assume that these men possessed the political connections to acquire convicts.

Reliability and controllability were additional reasons convicts were used in the central Georgia lumber industry. Gress considered the prisoners to be more dependable than ordinary employees.¹¹ Another owner opined that convicts were always present for work, while free workers were often absent.¹²

Finally, state convicts were an inexpensive source of labor. In 1885 Gress paid the state twenty dollars per month for each prisoner assigned to his lumber operation.¹³ Free laborers, on the other hand, were paid anywhere from seventy-five cents to \$1.25 per day depending upon the local availability of labor--ninety cents being the average wage of Georgia lumber workers.¹⁴ This meant that monthly salaries for free laborers ran a few dollars over twenty per month. By comparison, agricultural workers during the same period received daily wages ranging from fifty to seventy-five cents per day.¹⁵ In 1885 Gress maintained that convict labor was more expensive than free labor considering the added cost of employing guards. Nevertheless, he was willing to pay the higher price for such labor because of its reliability.¹⁶ By 1894, however, using prisoners was a better deal for Gress since he was paying only forty cents per day for each, a

monthly rate of twelve dollars. Lower cost resulted because the penitentiary companies had a twenty-year lease (1879-1899) at a fixed rate, but as the number of prisoners increased over these same years, the state was paid less per prisoner. By 1894 Gress was also leasing prisoners directly from the state rather than subleasing them as before.¹⁷ Undoubtedly, Gress derived a definite monetary advantage by his labor practices.

Leasing convicts nonetheless has its negative aspects. Once having contracted for convict labor, the mill owners, bound by long-term contracts, were unable to convert to free laborers when they became available. Furthermore, economic conditions in the lumber industry worsened during the mid-1890s, and many of these mills, particularly those subcontracting for convicts, were in a disadvantageous position. To ride out the economic hard times, the lumber companies would often cease operations for weeks and sometimes months. In such circumstances, the companies still faced convict lease payments as well as the upkeep of the prisoners. Free laborers, on the other hand, could be discharged during depressed periods as did the Amoskeag Lumber Company in 1891.¹⁸ The Empire Lumber Company, in 1891, concluded that it was more economical to employ free labor, and allowed its convict lease contract to expire.¹⁹ Free workers not only could lose their jobs to prisoners, but their wages and working conditions were

adversely affected. Since convict leasing was less expensive than hiring free laborers, except during an economic downturn, lumber operators could offer lower wages to regular laborers.²⁰

Those enterprises using convict labor were required to construct stockades for the incarceration of prisoners. The Principal Keeper of the Penitentiary issued detailed instructions regarding grounds and hygiene to the lessees. Prison accommodations were to be spacious enough to allow each convict "five hundred cubic feet of air or breathing space." Prisoners were to be provided with sufficient bed clothing which was to be washed every four weeks. Buildings were to be cleaned thoroughly "by washing and scrubbing once every two weeks." Bath tubs were to be available for the convicts to bathe each Sunday. Each camp was required to have a hospital with an attending physician, a steward, and "as many nurses as the physician in charge may think necessary." The Principal Keeper prescribed a diet of "fresh meat and succulent vegetables . . . so as to prevent scurvy."²¹

Sources confirm that convicts were well-fed and properly clothed at most mills. A writer for the *Northwestern Lumberman*, visiting one of the convict camps, was surprised at the seemingly healthy condition of the prisoners. To him, they appeared to be well-fed and cheerful.²² One observer of the Gress operation commented that their convicts were

"stalwart, powerful looking men."²³ The presentments of a Dodge County grand jury in 1892 related that convicts at the A.B. Steele Company were "well fed, properly clothed and taken care of as necessary."²⁴ Another source revealed that the Amoskeag prisoners were fed a diet consisting of "peas, cabbage, bacon, beef, cornbread and syrup, and . . . flourbread. . . ."²⁵ J. T. Colcord, the company manager, even served his convict laborers a turkey dinner each Christmas day.²⁶

Although these lumber companies maintained that their convicts were properly fed and clothed, other conditions were reported to be far from ideal. Convict workers at the Gress mill wore coarse cotton clothing with thick leather belts around their waists. They were outfitted with leg irons held off the ground by chains fastened to their leather belts. At all times the convicts were under the supervision of guards armed with shotguns. As in the days of slavery, whips were used on those who were slack in performing their tasks. In common with most sawmills, working hours ran from sunrise to sunset. When not at work the prisoners were incarcerated in barracks enclosed within the stockade.²⁷ During the night, as an added precaution against escape, the convicts were fastened by their leg irons to a large chain running the length of the room. One visitor to the Gress mill in 1886, troubled by the

inhumanity of the convict lease system, afterwards wrote, "It is not pleasant to see those dark forms unwillingly performing their daily tasks, and to hear the sound of those clanking chains." Yet, he concluded, "the owners say it pays, so I suppose that settles it."²⁸

The same lumber companies allegedly showed concern for the health and welfare of their convict laborers by providing hospitals and camp physicians on the premises. A survey of the "Sickness and Mortality" lists in the penitentiary reports reveals that there were, however, frequent cases of pneumonia, malaria, dysentery, typhoid and many other diseases in these camps. The Gress camp seemed to have more sick convicts than the others in central Georgia. During the biennium 1886 through 1888, Gress averaged sixty convicts. Within that two year period, sixty-four cases of sickness and two deaths were reported.²⁹ In the next penitentiary report for 1888 through 1890, statistics revealed that out of an average convict population of seventy at the Gress site there were seventy-six cases of illness and seven deaths. Likewise the Enterprise Lumber Company camp at Dempsey (with fifty prisoners on the average) reported fifty cases of sickness and two deaths between 1888 and 1890.³⁰

Filthy conditions at the convict camps could have contributed to the spread of disease. Amoskeag inmates were

only "required to bathe each Sunday morning. . . .," as suggested by the Principal Keeper of the Penitentiary.³¹ On one occasion the Dodge County grand jury, displeased with the prison barracks at Amoskeag, announced that the bed clothing and bath through were "not in good condition."³² The A. B. Steele Company camp was described by the Principal Keeper as "being in bad condition. . . ."³³

In addition to uncleanness, the effects of "deliberate cruelty" have to be considered.³⁴ For example, it was related that the overseer in charge of the Steele company stockade would not permit "the sick to stay in the hospital as ordered by the physician in charge."³⁵ There are numerous accounts of prisoners being worked to the point of exhaustion and receiving whippings or other horrible punishments for real or imagined infractions. Little regard was shown for safe working conditions. Convict laborers sustained more serious injuries than free laborers, and more convicts died as a result of sawmill accidents than did the regular work force. This leads one to conclude that convicts were employed in the most dangerous occupations. In one major accident at Amoskeag in which the main saw was "torn into a thousand pieces," one convict laborer was seriously hurt, while another received fatal injuries.³⁶ The penitentiary reports indicate that convict injuries were very frequent, especially at Amoskeag.

The list included a mashed foot, a fractured skull, a fractured tibia, an axe wound, and amputated finger, an injury from a falling tree, and a hand cut by a saw.³⁷ At the Empire operation one black convict was killed when a log rolled over him.³⁸ Apparently, there was little concern for the corpses of these fatalities. The body of a convict, who had been shot by a guard at the Gress mill, was mutilated by hogs before being placed on a train.³⁹

Innumerable escape efforts attempted by the convicts are a further testimony to their adverse living conditions.⁴⁰ Escapes were so common that at least two of the companies, Amoskeag and A. B. Steele, kept bloodhounds.⁴¹ Ingenious in their plans, prisoners often procured civilian or guard clothing to make good the escape.⁴² Trustees were usually in the best position to plot a successful getaway. One trusty at Amoskeag, the cook, carried food to the train for transport to loggers in the woods and never returned to camp. The bloodhounds refused to hunt for him since he fed them.⁴³ Another unusual escape attempt occurred at Amoskeag. As the convicts returned to the camp from their daily work, one was missing. As the search proceeded, a deep water puddle between two buildings was checked. One guard "accidentally stepped on the head of the missing man as he lay securely hidden under two feet of muddy water, from whence he was dragged a sadder

and wetter man."⁴⁴

Several escape attempts ended in death. Between 1888 and 1890 one convict was shot while fleeing from the Empire Lumber Company. During the same biennium an escapee from A. B. Steele was fatally wounded.⁴⁵ The 1892-1893 *Penitentiary Report* lists as a cause of death at Amoskeag, "Shot by Guard in Trying to Escape."⁴⁶

The most scandalous aspect of the lumber convict camps was the incarceration of women prisoners along with the men. The Georgia General Assembly did not prohibit the leasing of women prisoners until 1897.⁴⁷ Most were probably used as camp cooks.⁴⁸ There is no way to determine the number of women working in the central Georgia lumber convict camps since the lists do not distinguish between male and female, but the *Penitentiary Report of 1888-1890* indicates the presence of at least one woman at the Gress mill. In the "Sickness and Mortality" list there was one entry for childbirth.⁴⁹ Rebecca Latimer Felton, an early reformer and wife of a Georgia legislator, states in her memoirs that four women were imprisoned at the A. B. Steele Lumber Company. These women complained that Mr. Bryant, the camp overseer, "compelled them all to submit to his carnal desires, and he would threaten them with the lash if they did not submit." Felton added, "One of these women is now pregnant, and tells me that Bryant

is the father of the unknown infant."⁵⁰ In 1886 Mrs. Felton presented a memorial to the state legislature "imploing the State authorities to take those convict women out of the prison camps, and thereby protect them from the lustful guards."⁵¹

Convicts utilized in the central Georgia lumber mills were overwhelmingly black as was the case throughout the state and the South. In 1888, when the lumber kingdom in central Georgia was at its height, Georgia had a prison population of 1537. Of those, 1336 were black males, 149 were white males. There were fifty-two black females and no white females. In 1890 the prison system contained 1694 persons. Black males numbered 1478, white males 168, black females forty-eight, and white females zero.⁵² During the late 1880s and early 1890s a large percentage of these convicts were employed in the central Georgia lumber industry. Local newspaper accounts occasionally listed the number of convicts in the camps with a white/black breakdown. In 1893 Amoskeag possessed sixty black prisoners and seven whites. The Enterprise mill at Dempsey had fifty black and four white men incarcerated. In 1894 Amoskeag counted seven white and sixty-three black prisoners. There were seven white and fifty-five black convicts at that same facility in 1895.⁵³

Why was there such a preponderance of black convicts in the system? One historian in the field contends that "the southern prison system was. . . shaped specifically to deal with blacks." He further maintains that southern whites were intent on keeping blacks "in their places."⁵⁴ Another expert states that during the antebellum period, southern whites had "developed the habit of exploiting the labor of less fortunates."⁵⁵ Thus, following the Civil War, southern whites reverted back to their old pre-war practices. Furthermore, frequent charges were made that the Georgia judicial system conspired with convict lessees to provide an abundant supply of convict laborers. Rebecca Latimer Felton was convinced of the existence of "a 'capital understanding' that no criminal shall get off easily who steals fifty cents,..."⁵⁶ Some contended that cooperative judges who meted out harsh sentences to blacks were often rewarded by the political bosses of the state.⁵⁷

As inhumane as conditions were for state prisoners in the central Georgia lumber industry, accounts such as the penitentiary reports, *House Journals*, newspapers, and criticisms leveled by the system's opponents indicate that worse conditions prevailed in the mines of the Dade Coal Company and the Chattahoochee Brick Company.⁵⁸ On the other hand, since the lumber mills were relatively isolated, many

abuses probably went unreported. Also there was a tendency in Georgia to focus more attention on the Dade Coal Company since its proprietor was former governor Joseph E. Brown. Furthermore, as was the case with slavery, the treatment of convicts depended upon the individual lessee. Having no monetary investment in the convicts, many regarded them as expendable. Care was not taken, in many instances, to protect the health of the convicts. With virtually nothing known about convict labor in lumber mills outside of Georgia, it is impossible to make comparisons. However, conditions in other industries were just as inhumane in other states as in Georgia.

From its inception, there was disapproval of Georgia's convict lease system. In 1869, John Darnell, the then Principal Keeper of the Penitentiary, stated that the state legislature "did not anticipate the very demoralizing consequence of 'farming out' the Penitentiary."⁵⁹ Criticism mounted throughout the 1880s. The *Columbus Enquirer-Sun* appealed for reform of the lease system as early as 1881 after a seventeen year old white boy died as a result of severe beatings by a camp guard. This newspaper continued to push for change for many years.⁶⁰ The General Assembly during the 1880s responded with legislation arranging for more frequent camp inspections. A law whereby only governor-approved

"whipping bosses" could inflict corporal punishment was enacted, as was other piecemeal legislation attempting to lessen the cruelty system.⁶¹ Thomas Watson, in 1882, in his first term as a state representative, attacked the convict lease system.⁶² In the forefront of the movement to reform the convict lease system in Georgia were Dr. William H. Felton, a state representative from Cartersville, and his wife Rebecca mentioned earlier. Embarrassed by the negative reflection the system made on Georgia, Dr. Felton introduced a bill to provide a reformatory for juvenile offenders and to separate male and female convicts.⁶³ His efforts, however, were unsuccessful.

Appalled by the cruelty of Georgia's prison system, Georgia Populists mounted a severe attack on the convict lease system during the 1880s. These social reformers called attention to abuse of prisoners and to excessive profits made by the lessees. They described convict living quarters as filthy and lacking in both heat and ventilation. It was alleged that the most basic rudiments of sanitation were neglected in the convicts's camps, and that prisoners rarely were able to wash their clothing. It was further claimed that guards beat prisoners brutally for the least infraction of the rules, and the sick or injured received little medical care.⁶⁴ The campaign to abolish the convict lease system became nation-

wide in scope. In Georgia, as in the other southern states, reformers sought to replace the system of leasing convicts to private companies with a system in which the prisoners would remain in public custody and work either on state or county-owned farms or on public roads.⁶⁵

One of the Populist-sponsored bills in Georgia would have prohibited convict laborers from working in sawmills and lumber yards.⁶⁶ In that year of 1892, approximately six hundred convicts were utilized in the Georgia lumber industry, most in the central Georgia area.⁶⁷ Supporters of the measure argued that prisoners created "unfair competition with free labor."⁶⁸ They stressed that large lumber mills had replaced free workers with convicts, thereby reducing employment in the state. Consequently, they claimed that nearby towns lost trade inasmuch as convicts had no money to spend. One proponent of the bill asserted that "the honest laborers of these sections ought to have the privilege of manufacturing [sic] this fine body of timber into lumber."⁶⁹ The lawmaker added that convicts released from the labor in the lumber mills should be used by the state to maintain roads. Roads improved in the manner, he said, would also aid lumbermen since some would serve their areas. Despite their best efforts, Populists legislators failed to obtain approval for their bill from the Georgia General Assembly.⁷⁰

By the time the Populist movement to reform the convict lease system had failed, the large central Georgia lumber mills had closed due to the exhaustion of the longleaf pine timber stands in the region. Convicts, however, were still employed in the lumber industry in the state since many of the large mills relocated in the southwestern quadrant. Efforts to reform the convict lease system likewise continued.

In 1897, Governor W. Y. Atkinson added his voice to the chorus of opposition to convict leasing. In a message to the legislature, he urged its abolition.⁷¹ Instead of ending the system, the 1897 session of the General Assembly enacted new reforms. Most noteworthy was the establishment of a state farm to incarcerate convicted females, juveniles, and disabled men.⁷² Protests against the prison system were dampened for a few years, but complaints were voiced once again in 1900. Nevertheless, these objections were not strong enough to prevent the state legislature in 1903 from extending convict leasing for an additional five years.⁷³

The year 1908 witnessed a groundswell of public sentiment directed against the convict lease system. This was due mainly to the efforts of Dr. John E. White, an Atlanta minister who organized the religious leaders of that city, and to the work of the editor of the *Atlanta Georgian and News*.⁷⁴ The *Georgian and News* devoted its pages to a crusade

against the existing prison system. On July 7, 1908, the newspaper's editors promised to focus "the full light of publicity on the system."⁷⁵ The paper carried stories of abuses of the prisoners and exposed a scandal in which numerous guards and wardens, hired by the state, were receiving additional salaries from the lessees.⁷⁶

Coincidental to the rising tide of protest was the fact that costs of convict labor had risen substantially after the expiration of the 1879-1899 leases. By 1907 lessees were paying just as much for convict workers as for free labor. With cost equalization, many lessees concluded that it was no longer feasible to lease convicts. When Governor Hoke Smith called for a special session of the General Assembly to address the issue in late August 1908, lessees were no longer anxious to block modification or dismantling of a no longer profitable system.⁷⁷ A special investigative committee, appointed in July 1908, uncovered a series of recent atrocities in the various convict camps. Committee members concluded their report by accusing state prison inspectors of neglect of duty.⁷⁸ After days of debate, the legislature abolished the convict lease system and thus followed states like Mississippi and Tennessee which had done so years earlier. Numerous provisions were contained in the legislation but the most important part prohibited the placing

of any state prisoners in the custody of private corporations or individuals.⁷⁹ Although private corruption was reduced, the treatment of the state's convicted criminals changed very little.⁸⁰ The state did not construct penitentiaries to house the state's inmates, but instead placed state prisoners in the various county "chain gangs."⁸¹ Thereby a humane solution to the disposition of the state's criminal population was delayed for several more decades.