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Slaves and convicts: a comparative study of the black family in two socially oppressive institutions

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SLAVES AND CONVICTS: A COMPARATIVE STUDY OF THE BLACK FAMILY IN TWO SOCIALLY OPPRESSIVE INSTITUTIONS

A THESIS
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THE DEGREE OF MASTER OF ARTS

BY
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ABSTRACT

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SLAVES AND CONVICTS: A COMPARATIVE STUDY OF THE BLACK FAMILY IN TWO SOCIALLY OPPRESSIVE INSTITUTIONS

Advisor: Professor Julius Debro

Thesis dated May, 1988

The primary result of this study is to offer conclusive evidence in support of the contention that the black family concerned itself with survival, even under the most oppressive conditions. This study is limited to the state of Georgia during two specific eras—1850 to 1860 and 1898 to 1908. It is composed of four chapters.

The first chapter serves as an introduction. It is devoted to the historical backdrop of the events that resulted in the acceptance of slavery in the colony of Georgia. It also describes the conditions that were necessary after slavery had run its course legally in the state of Georgia, that made the convict lease system an acceptable alternative to the plantation system after Emancipation.

The second chapter presents the arguments of those who supported both slavery and the lease system as well as those who opposed each system. Some social historians considered the impact that such systematic oppression had on the black family. Others only disliked slavery because of the economic implications. Opinions from both verbal camps are included.
The contents of the third and fourth chapters focus on the evidence offered by those directly involved in slavery and the convict lease system of Georgia. The descriptions of the effect that each system had on the family are made available as evidence of the rate of survival of the black family under each system. Because the black slave or convict serves as descriptor, the slave testimonials, plantation records, state hearings, lease company records, farm records, and oral histories reveal the connection and distinction between both systems and how the black family fit into each of the socially oppressive institutions cited.
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CHAPTER I
INTRODUCTION

As a colony, Georgia stood firm in her protest against and abhorrence of the introduction of African slaves on her soil. There were three specific reasons for rejecting the slaves. Firstly, James Oglethorpe, the founder of the colony, felt that slave owning would not promote hard work among the colonists. King George II agreed to establish Georgia to provide relief from the very large unemployment problem in British cities. Secondly, silk, the intended staple crop, did not require the arduous labor of slaves. Lastly, ownership of African or non-white slaves was not militarily sound. For Georgia, the colony was established to protect South Carolina against Indians and rebellious Spaniards to the South.

In point of fact, in 1735, an act was passed which prohibited the importation of black slaves or free Negroes into Georgia. The act provided that those colonists found in violation could be punished by heavy fines; and runaway slaves were to be returned to their owners who resided in the other colonies. Coleman suggests that this legislation was acted upon primarily for the sake of defense, Georgia being a frontier colony.\(^1\) The persistent argument of the colonists was that slaves could always join ranks with the enemy, the Indians.

Carolinians actively opposed Georgia’s anti-slavery posture. Slaveholding proved profitable to them, so they worked hard at making compromises that would allow them to transplant their operations to Georgia. But it was the people of Georgia who voted to permit slavery in 1750. Gradually, various laws were effected to guarantee that blacks would be slaves in perpetuity. The first slave codes of Georgia were published in 1755; they were similar to the South Carolina’s
codes written earlier. These laws were so restrictive that they had the effect of reducing slaves to chattel. The first section of the slave codes of Georgia stated:

... be it enacted, that all negroes(sic), Indians, Mulattoes (sic), or mestizoes, who now are, or hereafter shall be in the province (free Indians in amity with this government, and negroes(sic), mulattoes, or mestizoes, who now are, or hereafter shall become free excepted) and all their offspring are hereby declared to be and remain forever hereafter absolute slaves, and shall follow the condition of the mother, and shall be deemed in law to be personal property in the hands of their respective owners.  

By the time Georgia had obtained statehood, 1777, the same slavery which it once considered an evil weed in its Garden of Paradise, had become a well cultivated flower with roots touching nearly every aspect of Southern life. Being a gentleman, or a gentle lady, soon came to mean owning black servants. In the minds of the southern elite, and especially on their farms or plantations, African slaves became essential.

Slaves were necessary to the agricultural success of Georgia by mid-nineteenth century. Cotton was the major export crop due to the great demand by Europeans. And, unlike silk, cotton growing and harvesting was strenuous work; and, also unlike silk, cotton generated very large revenues for Georgia. Thus, not only was the ownership of slaves a symbol of one's social status, but possessing a large quantity of slaves represented a profitable business in the 1840s and 1850s in Georgia.

On the eve of the Civil War, Georgia was diametrically opposed to its earlier position of slavery. Slavery had permeated all of life for Georgians by then. The issue of African slavery entered into the political, economic, social, religious, and intellectual lives of all-black, white, slave owner, abolitionist. The politicians, farmers, businessmen, and others with financial investments in slaves, in the
decade of 1850-1860, had no intentions of voluntarily releasing the black bondsmen of Georgia.

The white slave owner population of Georgia was a ruling minority even as late as 1860. They numbered about 40,000. The state’s total white population was 590,000 during the last decade of slavery. And the state’s slave population was more than 450,000. Clearly slave owners were out-numbered by slaves and non-slave owners. But that small group controlled the state’s commercial and political affairs. For this reason, Georgia slave owners played an aggressive role in secession from the Union, whose leader eventually promised freedom to enslaved blacks residing in the states which rebelled against the Union.

After the war, legal and extra-legal methods were made in order to re-establish the same form of cheap labor evident during the slave era. Some former slave owners remained silent, keeping their slaves ignorant about Emancipation. Other planters involved ex-slaves in the crop lien or sharecropper schemes, which held black families in peonage slavery for generations. This was made possible by recurring debts owed former masters. Still other white ex-slavers turned to the courts and the criminal justice system to help control blacks. The courts had played the role of protecting the slaveholders’ interest by insisting that slaves were property\(^3\), and that each citizen was guaranteed protection and ownership of property by the United States Constitution.

The close of the Civil War found the black man with a new status. He had moved from a perpetual slave to a free citizen with certain inalienable rights. The Union army began to occupy Georgia and the other rebel states to make sure that the black man in the South gained access to his new rights that accompanied freedom. The South felt under siege.
Indeed Southerners were angry, but they were also poor. When the fighting ended in April of 1865, Georgia found itself financially destitute. Land had half its pre-war value. Citizens had little money, and no immediate credit was extended by the other states. The situation was so bleak that Georgia cancelled state taxes for the years 1864 and 1865. Economic recovery was slow.

After the Union militia departed the South, it did not take long for whites to lash out and express their anger over the liberation of blacks. Most southern states introduced a set of laws called the Black Codes.

The Black Codes accomplished several purposes: (1) they specified the legal rights basic to the condition of freed blacks; (2) they supplied a special criminal code for Negroes; and (3) they provided both protection and control for freedmen. They were thinly disguised efforts to re-enact the substance of slavery, including race control and labor discipline.  

The Codes required that the former slaves hire themselves out or face criminal prosecution. Prosecution usually resulted in hard labor on plantations from which the ex-slaves had just recently been manumitted. This form of restitution through hard labor, which developed into the convict lease system, was begun ironically by the Union army.

Convict leasing was initiated to solve the problem of incarcerating prisoners in a manner rendering them least expensive to the state government. In 1868, a Union officer who was also the provisional governor of Georgia, General Thomas H. Ruger, agreed to furnish William Fort with "100 able-bodied Negro convicts" to work on the Alabama Railroad for one year in return for $2,500. Another contract for ‘colored’ convicts was made later that same year to work the Selma, Rome, and Dalton Railroads.
By June 1869, all of the prisoners were leased to Grant, Alexander and Company. This company made an agreement with the state of Georgia to take all convicts sentenced to the penitentiary. It would relieve the state of all inmate expenses, except the salary of the principal keeper of the penitentiary. In return, the state received no money, but was relieved of the expenses of supporting its prisoners. The labor of the convicts belonged solely to Grant, Alexander and Company. The hours of labor and punishment policies for the prisoners were regulated by the state in the legislative sessions of 1871.

By January 1870, the leasing company had nearly 400 convicts. There were 926 convicts by the close of 1875. Georgia revised legislation on convict leasing and resolved that contracts for the labor of its convicts be set at not less than twenty-five dollars per year per convict. As a consequence, the state received approximately $10,750 for convict labor during 1875. Thus, instead of becoming an enormous expense, the penitentiary became a significant source of income to the state of Georgia.

The system became more sophisticated and more corrupt when the white political bosses and businessmen realized the profits of free and abundant laborers. These power brokers controlled the leasing of convicts throughout the state. One observer noted that the lessees were the political bosses in every county. "They named judges and solicitors, and they elected members of the legislature." The men who controlled the leasing system held important political offices. President Grover Cleveland did not dare make a federal appointment in Georgia without their approval.

The lessees insisted on a constant and increasing supply of convicts. In Georgia, for instance, the number of state convicts increased from 432 in 1872 to 1,441 by 1877. Whites were not excluded; they were also victims of the lease
system and its cycle of misery. But within a few years, there was a nine to one black/white ratio in Georgia's prison camps. In 1908, the year the lease system was terminated in Georgia, 2,244 of the state’s 2,564 convicts were black.\textsuperscript{10}

Keeping the black family intact was important to some slave owners whose concern may have been to keep their slaves productive and disciplined. On the other hand, the wardens and bosses involved in the lease system regarded the composition of the black family as insignificant, at best, in assigning tasks or correcting behavior problems of inmates. As a group, the level of compassion in the lease wardens never quite approached that of slaveholders, according to the stories from those oppressed by both systems.

The capitalistic motive was the common denominator of the institution of slavery and the convict lease system. Some ideological and even emotional issues may have been different. But was the rate or method of survival for the black family under each oppressive system the same? The following chapters seek to answer, or at least attempt to approach answers to this question. Chapter One is a discussion of intent and evolution of the problem, with references to other works treating the topic. Chapter Two considers the slave’s view of himself versus impartial observers’ interpretation of how he fit into the life of Georgians in the 1800s. In Chapter Three, black convicts who survived the lease system tell of some of their experiences. Some white ex-convicts also comment on the treatment of blacks who were caught up in the leasing system. In the same chapter, relatives of men involved in the lease system tell of how they dealt with the absence of the convict from the family. A summary discussion follows, and conclusions are made according to the information examined.
NOTES

1Kenneth Coleman, *Colonial Georgia: A History.* (New York: Charles Scribners' Sons, 1976), 139. Frontier colonies were military forts whose major objective was the defense of the settlement lands. During the establishment of the original colonies, Indians and Spaniards were the primary forces in resistance to English rule and eventually English domination.


3Ibid., 252. The Bill of Rights of the Constitution of the United States of America also prohibits states from passing laws that abridge any of the privileges or immunities of citizens or that deprive any person of life, liberty or property. During the writing of the Constitution, blacks and Indians were not considered as "full persons". It was not until the passing of the 13th and 14th Amendments that blacks were recognized as persons and citizens of this country.


5Georgia, *Journal of the Senate of the State of Georgia at the Annual Session of the General Assembly* (Atlanta, Georgia: State Printer, 1868)


CHAPTER II

EVOLUTION OF THE PROBLEM

In the state of Georgia, being incarcerated under the convict lease system (legally effective from 1868 to 1908) was similar to being a slave during the antebellum period. Both slavery in the American South and the lease system of the same region, were designed to confine people of African descent. And both institutions evolved from the ideological base that they were making optimal use of those confined. A major concern in this discussion is the indicators of survival, or deterioration of the black family, during the ravages of slavery or during the imprisonment of one of its members under the convict lease system of Georgia.

The Western notion of Africans being culturally, biologically, and intellectually inferior to Europeans was extremely prevalent during the era of American slavery. Apologists emphasized their belief that the extent of this inferiority was so great that the condition was both immutable and perpetual. The mission of civilizing so-called "barbarous inhabitants of Africa" proved to be a pivotal issue which prolonged the regional dispute over slavery. With the aid of religious enthusiasts and militant southern democrats, the argument to keep countless Africans in a state of involuntary servitude underwent a grand transformation. The rationale of slave owners, who wished to maintain an economy and a society based on slavery changed. Once pronounced a necessary evil, slavery was declared a positive good by those threatened by the consequences of legally terminating slavery in the mid 1800s.

In the construction of statutes applicable to African slaves, no consideration was given to the effects of forced servitude upon the individual or the family unit. In the eyes of the law and some slave owners, slaves were merely chattel, property
akin to livestock. However, at the other end of the spectrum, slaves saw themselves as people who were constantly involved in a struggle to maintain some measure of humanity. Contrary to reports from sociologists like Frazier, Africans did not totally accommodate themselves to the cruelties that resulted from such a complete system of oppression as existed in the era of slavery. Of African slaves, E. Franklin Frazier concluded that "...new conditions of life destroyed the significance of their African heritage and caused new habits and attitudes to develop to meet new situations..."11 But creating and perpetuating family unity through extended kinship groups, a traditional African familial arrangement often served as a source of plantation discipline, and even spiritual livelihood for those trapped in American slavery.

After the Civil War, it seems Emancipation gradually gave rise to an attempt to substitute a form of state slavery for individual bondage.12 The Black Belt turned to a penal lease system very similar to antebellum slavery. The original penal slavery was reserved for ex-slaves or their descendants who committed crimes.13 Without exception, all of the states that formed the Confederacy turned towards the leasing system.

At the beginning, leasing was the best response to an area in turmoil. It was initiated to overcome the inconvenient burden of rebuilding railroads. Sherman had destroyed more than 300 miles of rail in Georgia alone. The lease was also begun to replenish abandoned farmlands. Eventually, self-supporting and profit earning convicts became the aim of the prison authorities in Georgia.

The convict lease system—the new slavery—replaced the old, for it too was based on the supply of cheap labor. Georgia’s elite, its politicians, and former slave owners were proud to be among the southerners who created brutal penal institutions that featured hard labor and promoted racist propaganda. Howell
expressed the sentiments of white southerners best when he spoke of the decision to institute the convict lease system; "Georgians felt like freemen again...white supremacy had conquered." Mr. Howell and other southerners were convinced that because of the new freedom given blacks, "the negro (sic) was converted from a well-behaved, industrious, diligent (sic) laborer into a worthless vagabond." Consequently, a system of labor had to be created to combat this innate idleness of the former slaves; hence, the convict lease system.

Every life was expendable in the convict lease system. As the local courthouses were virtually employment agencies, lessees could easily replace one convict for another. Most replacements occurred due to the deaths of prisoners. Governor Rufus Bullock admitted that between the years 1870 and 1871, his administration could only account for 380 of the 495 prisoners of the state; the others "had somehow become ill and died."

Other replacements occurred because inmates had been so badly abused and mutilated. One prisoner reported:

Between 3:30 and 4:30 in the morning the guard would walk into the bunkhouse where the inmates were sleeping, with his strap hanging on his arm. He made each inmate sit at the foot of his bunk. He'd go from one end to the other. By the time he'd get back to the front door, he'd be steppin' in blood in the aisle-way. The guard would whip all but two or three of the black convicts but none of the half-dozen or so white prisoners. He'd do this just about every morning, especially Monday.

The beginning of the lease system marked the period when ex-slaves, once separated from their family members due to the conditions of slavery, were re-uniting with mothers, fathers, brothers, cousins, etc. There exist countless stories of how former slaves set out on very long journeys in search of relatives. A life of freedom was the dream of many that had come true. Any life that was snuffed out because of harsh treatment in a prison camp proved to be a cause of public outcry from the black and white communities to abolish the convict lease system. The
state legislature was asked by Henry McNeal Turner, a minister in the African Methodist Church, to investigate the prison sites with high death rates as early as 1870. Yet, in spite of the squalor and abuses, the lawmakers did not recommend abolishing the lease at that time.

Legislators did, however, appease businessmen by expanding the lease system from one year of leasing an individual convict to twenty years. Within ten years of implementation, ninety-two per cent of the prison population in Georgia was black. Consequently, incarceration in the state of Georgia resulted from the use of a system differentially available to the different segments of southern society.

For African-Americans, who were bound by color and the historical coincidence of an expanding money market, who labored without wages, who lived in a society with laws the legitimated their oppression through codes of behavior, and who were treated and perceived as little more than common animals, harshness and drudgery were often just a way of life.

Brutality and violence to the individual were inevitable by-products of social institutions founded on the principles of repression. Under slavery and the convict lease system, could the oppression of the individual also translate into a kind of oppression of the family? Did both systems (slavery and the lease) allow for a cohesive family unit to thrive, in spite of the potential for many abuses? Was total destruction the only course for the black family which had to endure the overwhelming circumstances of slavery? the convict lease system?

There are vast difficulties inherent in studying either the institution of slavery or the southern penal system of the late nineteenth century. Availability of desired material, and oversimplification of the facts by those presenting only one view, are common problems. As such, it has proven rather challenging to offer an unbiased
perception of conclusion about black families involved in either slavery or the convict lease system.

Lenor Johnson has suggested that researchers should focus on several different approaches to determine whether survival or deterioration characterize the tendency of black families during specific eras. In the writer’s treatment, she will utilize Miss Johnson’s suggestion by viewing the black family on three separate levels. Her proposed operational approaches to be applied in this essay are: (1) subjective--formulated by members of the family, (2) cultural--formulated by members of the community, and (3) objective--formulated by impartial observers and dependent on statistical trends. Of the approaches that Miss Johnson suggests, the emphasis here will be on the subjective and cultural perspectives in examining the black family experiencing slavery and the black family experiencing the convict lease system.

On the matter of slavery, the writer shall use narratives in the George P. Rawick collection, or other similar collections of slave testimonials referenced according to states. The information from these interviews with ex-slaves will provide the images that blacks had of themselves, how they fit into southern life, and their concept of their family. Secondary sources from social scientists will also be included for the sake of analysis and interpretation.

In regard to prisons, the writer will use the Georgia General Assembly’s annual reports on prisons in the state in order to present general information about convict leasing. Further, archival evidence will be used. Specifically, the writer will examine the books of three leasing agents which were involved in the leasing of convicts for several years. These agents maintained thorough and consistent records of their activity. They are Grant, Alexander and Company, the Gress Lumber Company, and the Arlington Camp. Qualitative data such as letters,
diaries, and interviews are also available and will be used. Finally, Georgia's House and Senate Journals of the 1870s, and early 1900s, will be explored to obtain testimony from black convicts about their treatment in the camps. Their families' ability to cope with the experience of one of its members being incarcerated is also explored. The records of church missionary organizations, lodges and secret societies that sponsored charitable services for ex-convicts in the 1900s will furnish information about prisoners and their families.

To reiterate, the period 1850-1860 has been chosen for examining slavery, and the period 1898-1908 has been selected for the convict lease system. Each period represents the last decade that slavery and the lease system (respectively) were legally operative in the state of Georgia. At the end of each era, the condition of the black family will be assessed.

Three major themes are consistent in the discussion of Afro-American slavery as it existed in this country. There are primary sources indicating the very oppressive nature of Afro-American slavery (Blasingame, 1977 and Owens, 1976). Another important source is the slaver who projected views demonstrating the positive good aspect of enslaving Africans (McKitrick, 1963). A third school of thought led by Kenneth Stampp (1956), and Stanly Elkins (1976), suggests a peculiarity about the type of slavery in North America which resulted in a personality disorder characterized as the Sambo type. The literature on Sambo describes him as passive, submissive, obedient, trusting yet conniving; he was childish, lazy, and content with his lot as a slave. This thesis suggests either a different treatment of the slaves in this country as compared to other countries, or else a different interpretation of the facts. For the Sambo character type does not appear in Latin American or African descriptions of African slaves. It is fairly likely that the childish image was projected because the slave owner in North America
had absolute power over the slave. In contrast to the absentee landlords of Latin America and the Caribbean, because he was present, his complete control could be expressed directly. One of the facets of black life that the North American slaver constantly affected was the family. He could destroy it or protect it at will.

A mid-twentieth century report suggests that the black family has a pathological nature which stems from its instability and the fact that a large percentage of the families are matri-focal. This tradition, some sociologists and historians insist, originated in slavery with the selling of black families. Herbert Gutman and Richard Sutch (1976), however, feel they have dispelled the myth that the auction block and the apathetic disposition of many slave owners resulted in fragmented black families. Billingsley (1968), and Bobby Jones (1965), also showed that the black family did exist during slavery, where it was modeled on African traditions with signs of cultural adaptations from Euro-American families. Robert Hill (1972), refused to accept that weakness, instability, and pathology should be the primary foci of studies concerning the black family in America. Instead, he showed the strengths that characterize some black families through a historical perspective. Finally, Gutman (1977), used genealogical charts, diaries, and information from slave owners' journals to demonstrate that even though members of the same slave family may have been sold to different owners, the nuclear and extended black family continued to exist throughout the slave era.

Just as slavery has been evaluated as having three functions, namely economic utility of otherwise lazy people, religious conversion of heathens and parental guidance for a continent of childlike people, so too have prisons. For Haskell and Yablonsky (1978), intimated that there are three distinct functions of penal institutions in America; and they are: protective, punitive, and reformatory. However, others like Adamson (1983), and Elizabeth Taylor (1934), suggest that
the early southern prison was a legal mechanism which abused blacks and others for economic gains. Others like Sellin (1976), and McKelway (1908), maintain that the prison system of the early 1900s served a psychological and social function for southern whites. It was the closest replacement for slavery, and perhaps affirmation of white supremacy, that was then available. Kirchheimer and Rusche (1968), stated that prisons help to fit certain members of our society into fixed or accepted roles. They concluded that American penal institutions have historically proven to be microcosms of the country's political and social continuum.

When a family member is incarcerated, certain changes in familial relationships occur. L. Alex Swann's 1981 study described a composite of black prisoners' families in the late 1970s, and determined the nature and the extent of adjustment before and after imprisonment. The families, Swann noted, were generally able to maintain a high level of family stability. Stanton (1977), made observations on the effects of incarceration of female offenders on their children by closely examining mother-child relationships. He described the criminal justice system's response to family disruption as lackadaisical. According to Knowles and Prewitt (1969), the criminal justice system has always operated to the disadvantage of people who are culturally and historically different from whites, the dominant group in America. In agreement with those two authors and their conclusions are Wolfgang (1964), Conot (1967), McKelway (1908), and the United States Commission on Civil Rights, which published its findings in 1963.

E.L. Homer (1979), used a statistical approach to show that the imprisonment of a central family member does have deleterious effects on all members of the family. The negative influences were long and short range. Even though family ties proved resistant to the influence of time spent in prison, Christianson (1981), Brodsky (1975), and the Conference of Charities and
Corrections in Chicago (1910), whose major interest was the male prisoner, showed that interpersonal relationships deteriorated over time.

In assessing the black family with respect to slavery and the convict lease system, qualitative data like diaries, journals, and letters can be used effectively. The primary sources indicate that under slavery, the black family may have been protected by the same system that oppressed it socially and economically. The literature that has been summarized in this section describe how some black families react to incarceration in modern prisons. This information about contemporary prisons has helped tremendously by providing parameters--guidelines of what to look for while examining the testimonials of the lease convicts and their families at the turn of the century.
NOTES

1. E. Franklin Frazier, *The Negro in the United States*, 2nd ed. rev. (Chicago: The University of Chicago Press, 1966), 15. The very same position that African-Americans surrendered all of their cultural traits from Africa as a result of the Atlantic slave trade was heartily defended in a later work by the same author. See also E. Franklin Frazier, *On Race Relations* (Chicago: The University of Chicago Press, 1968), 192.


5. Ibid., 585-586.


SLAVE TESTIMONIALS

Slave narratives have painted vivid pictures of the fear and anger of slave sales where parents and children were sold separately. John Blassingame and Herbert Gutman, however, presented data which suggest that in spite of those horrific stories, the black slave family remained intact. Both of the historians claimed that the average slave household consisted of the father, the mother, and their offspring.20

In the George P. Rawick collection, one finds that both conditions prevailed; some families were completely destroyed, while others were left unimpaired. But even more importantly, the Rawick series allows for former slaves to detail specific cultural features and social norms relevant to the slave family. Firstly, there is an enormous amount of evidence indicating continuous parental presence. Secondly, adoptive family arrangements were neither unique nor threatening to the slave community's sense of cohesion. Lastly, special efforts were made by some of the slave owners to keep the black slave family together.

The Rawick interviews also show that traditionally the parents play an invaluable role in determining many behavioral patterns, ideals, and values in their children. The slave parent proved no different. The slave father had several roles. He was protector, provider and husband. As a parent, the slave father assisted the mother in rearing the children. If the mother were absent for any given reason, the slave father took on all child care responsibilities.

The slave mother played roles similar to her male counterpart. Sometimes she was separated from her baby within a short time after birth, in order to return to her regular chores. In this arrangement, the plantation took charge of the
newborn. The term "plantation" here refers to the father, sisters and brothers, grandparents, others from the slave quarters, or even the slave owner family.

The responsibilities associated with child care also fell on the older slaves. Georgia Baker and her sisters were kept by their grandfather as their parents labored in the fields. Being a surrogate parent was not difficult, Georgia insisted, for all of the slaves on the plantation were related in some way. This type of arrangement, and the mere presence of a grandparent, indicated that slaves could assume that their families would endure for some length of time.

There were, of course, parents whose life with their children was circumscribed. Jasper Battle's parents were owned by two different farmers. Neither of the farmers seemed to have made sincere efforts at reaching a compromise where only one farmer owned both of Jasper's parents. As a result, the father could only visit his wife and children two days per week.

Nancy Kinney's parents also had separate owners who lived approximately one mile apart. She was visited by her father every night. Her master had no other slaves but her sisters and brothers and mother. She bragged of excellent treatment of each family member. The entire family remained with Mrs. Kinney's owner after Emancipation.

Children born of these divided unions were the sole property of the wife's owner. With the children following the condition of the mother, they too became slaves. The slave mother's owner gained an additional slave each time a birth occurred. Legally, neither the slave father, nor his owner, could lay claim to the children.

If the natural parents were not present, because of death, separate ownership, escape, or any other reason, there were figures from the slave community who played active roles in making the child part of a larger family, as
with Ellen Clairborn, a gift to her owner's daughter. She had knowledge of her father on a distant plantation, even though she never had an opportunity to see him. But her grandfather, a trustee slave, was granted freedom upon the death of his master and he visited Ellen and his other grandchildren frequently.\(^{25}\)

When slaves used the word "family" it may have applied to their white owners. Susan Castle remembered living with both of her parents and five sisters and brothers. Their owner was the politician Thomas R. R. Cobb. Miss Castle never lived on his plantation as a slave, having been born in 1860, the beginning of the Civil War. After the war, some of Cobb's former slaves chose to remain and were housed to the rear of his mansion. Susan expressed great affection for her other family, the white one.\(^{26}\)

Close proximity to owners indeed has attributed to some of the more pleasant memories of slavery. G. W. Patillo was born in 1852, in Griffin, Georgia. He could recall only one family while in slavery. This family included his parents, their twelve children, and the white slave owner and his wife.\(^{27}\) All worked the fields together. No mention was made of punishment of slaves on the Patillo farm.

Another exemplar of biracial unity could be found on the Davis plantation. Mose Davis recounted that all of his family was owned by one white family. According to him, no one ever suffered for lack of clothing. Each family was given a meat allotment at the end of the week. The slave quarters, Davis suggested, were composed of a community of families, and not simply a collection of unrelated workers.\(^{28}\)

A Putnam county storyteller revealed that there was usually a superannuated slave whose job was to keep surveillance over the quarters.\(^{29}\) As such, he was generally the first to observe budding relationships which he promptly reported to the master. The couple was questioned concerning intent, and nuptial vows were
usually exchanged. It becomes obvious that on some large plantations, and on most small farms, slave owners made conscientious efforts to protect the slave family by providing factors like the presence of spouses, refusal to sell children away from parents or relatives, and by making adequate provisions available for their slaves.\textsuperscript{30}

Not all slaves remained in touch with other members of their immediate families. Accounts where some family members were sold apart are plentiful in \textit{The Unwritten History of Slavery}.\textsuperscript{31} One finds constant disruption of family life in the slave quarters, disunity in the slave community due to the master's teachings, and the slave's inability to successfully combat violence against himself and his family. The Fisk University series, \textit{The Unwritten History of Slavery}, is slightly different in content from the Rawick collection because the Fisk interviewers apparently allowed the former slaves to speak in-depth. The interviewing technique may have been designed to permit the ex-slaves to speak at will, while the interviewers' roles were simply to supply topics. At any rate, the reader can gather more information regarding the slave's concept of self, an essential ingredient in the discussion of family and family life.

In the random sample of interviews, the former slaves in the Fisk Study admitted that as slaves they felt like the property of their former masters. In response to questions about slavery, participants described their jobs and their experiences which were the result of being owned. There were slaves who had some control over their personal lives because they could hire themselves out. But the vast majority of the slaves admitted in the Fisk series had no control over their jobs, their children, or their personal lot in life.

Reverend W. Allen recalled that slaves could be punished for leaving the farm without a pass, talking back to whites, lying, loitering on their work, owning
firearms, or mistreating a fellow family member.\footnote{22} One might ask if the latter crime was acted upon by the master because of economic considerations or genuine humanistic feelings. Mr. Avery dismissed the existence of sentiments in white slave owners with whom he was familiar. The former slave recounted the tale of how his grandmother was critically beaten by a former white master. She was caught kneeling down in pain, praying without permission of the slave owner.\footnote{23}

For mulatto slaves, those with white masters who were perhaps also their fathers, life could be carved from the roughest stone. Nancy Boundry, of Thomson, Georgia, never met her father, a white planter. But she did "recollect" how slavery was for herself and her mother—overwork, childbearing, poor food, and long suffering.\footnote{24} Boundry had to plow, split wood, and perform other duties commonly assigned to men. She was whipped and ridiculed constantly by her owners who resented her white appearance.

During the slave era, interracial sexual relationships or miscegenation was not only regarded as immoral, but it was illegal too. Prohibitions of interracial marriages and other amalgamations remained on Georgia's law books until much of the twentieth century. The law insisted that because of the lascivious nature associated with black women, rape of a black slave was impossible.\footnote{25} Inference from this statement suggests that if a child was conceived between a slave woman and a white man, the woman was more than willing. Legally, then, a black female slave could not protest against violent sexual attacks that were initiated by white males.

Children of mixed heritage were probably well received by the rest of the slave community. Only a few of the slave narratives for this survey hint at discrimination in the slave quarters. Those interviews state that it was the master
class which instructed slaves to make a difference among themselves. Not much is known about the attitudes of other blacks in the slave community regarding mulatto slaves. It may have been either fraternity or hostility, according to Genovese. Boundry's case suggests that, "the mulatto, especially the mulatto slave was 'just another nigger' to the whites."37

An 88-year-old man, born March 1843, told the Fisk interviewers that he had been sold four times. Twice he was sold by his white half-brother. In 1889, the ex-slave became a teacher. After a successful writing campaign, he found his mother in 1890; he had searched her out for more than thirty-three years. He had no knowledge of his other relatives, except that his mother had had sixteen children, many fathered by her former slave owner while she was his servant. It was the white slave master, this unidentified slave averred, who attempted to cover up the truth of miscegenation.

Another unidentified slave in the Fisk Study remained with his former master after the South had been defeated in the Civil War. His parents and six other sisters and brothers also remained. The slave had a sister who toyed with the master's clock and then accidentally broke it. The slave owner tied her up with a rope around her neck. She was whipped for several hours. Before her stood the mother, father, and all of their children, watching. None could rescue her without fear of immediate death.40

The tales of slaves feeling so indebted to their former owners that they remained after Emancipation support the idea that some slaves felt as though their families were mere extensions of white families. But the story above about the whipping that occurred in the presence of the slave's entire family, makes the point that other blacks may not have had a real choice. It appears that this group was financially bound to whites because they had no skills to offer in the competition
with free white labor. For one slave who had been released, the psychological abuses of slavery were unending, and had become permanently embedded as part of his psyche. This slave indicated that the white man used to "teach the Negro that he had no soul." This was an impressive piece of information for those who "did nothing except for what was allowed; didn't know nothing except for slavery; and never thought of nothing except for slavery," and who were facing all of the new responsibilities that came with independence.

The limitations of slavery made the adoptive family a constant and permanent feature in the lives of black slaves. Different conditions made an informal type of adoption necessary. A Franklin County slave told of her mother and father being owned by different planters. After the death of her mother, the white mistress kept the young orphaned child as a personal servant. The slave's father trekked to see her each work day to verify that his only child was well.

Another slave in the Fisk Collection told of his mother's death that happened early in his infancy. He and his brother were reared by the other seventeen slaves owned by the master. Della Brisco was separated from both of her parents. Her mother was a house servant who was rarely in the slave quarters. Her father was a freeman. Della and her brothers were cared for by their maternal grandmother. Thus, an adoptive family kinship system was necessary because the slave owning class literally had a legally defined "right to destroy the slave family at will," according to Rose. The method varied; the slave owner could separate family members through sale, gift, forced separation, or trade. Slaves were property and their owners could dispose of them in any manner that was within the bounds of the law.

Though marriages between slaves were not sanctioned legally, even a brief reference will assist in a discussion of the black slave family. The narratives reveal
that on the larger plantations, white slave owners restricted the slaves' marriage mates to only others whom the master also owned. The owners estimated that marriage partners at other farms or plantations, or with free blacks, could create disciplinary problems. At times, wives were literally given to slave males to ensure discipline.\textsuperscript{47}

Marriages between slaves belonging to different owners posed many difficulties and hardships for parents and their children. The strain of such unions did have at least two positive consequences. Family ties were strengthened, and non-related, orphaned slaves were adopted into a network of other slave families and kinship groups.

In evaluating the slave's worth in economic terms, it is necessary to cite the master's and the master class's views on slaves and slavery. That being the case, this segment on slaves and their family life uses the objective approach and seeks to demonstrate how "impartial" observers interpreted the slave family as part of a business enterprise.

Some historians like Thomas Dew and Albert Bledsoe did feel that, in the long run, slavery was beneficial. They sought through their works to prolong the theory of the African's alleged inferiority. Each wrote that enslaving blacks was an economic good.\textsuperscript{48} For it was the institution of slavery which transformed the ignorant African into a profitable worker.\textsuperscript{49} The African, the authors summarized, was a non-contributor to modern civilization, conceptually inept, naturally inferior to Europeans.

Lewis Gray espoused the belief that slavery was a highly profitable form of business enterprise. In his observation of the total living environment, Gray stated that slave labor for staple crops would always supplant free labor because slavery was less costly. Also slavery guaranteed a labor supply, and the owner could
appropriate surpluses to his own design.\textsuperscript{50} Gray offered as proof the high prices of slaves in the 1850s; to him this reflected the profitability of such labor. In Georgia, the average field hand sold for $450 in 1800, and $1800 by 1860.\textsuperscript{51}

Another historian proficient in the area of African-American slavery, Kenneth M. Stampp, was also concerned with slavery when it affected economic matters. A central concern of Stampp was "whether the average antebellum slaveholder, over the years earned a satisfactory return from his initial investment." Stampp stated unequivocally that none but the most inefficient masters failed to profit. He and Gray agreed that the reasons for such profitability was because slave labor was cheap and more fully exploited. The capital invested was not an added expense for the slave owner, but it was an advanced payment for free labor until the slave died or was sold. Stampp extended his analysis by attacking pro slavers' contentions that slavery would have eventually faded away. There is no evidence indicating that slavery would have died had war not brought it to an abrupt end.\textsuperscript{52}

Other historians and economists discount the potential for endless profitability of African slavery. For example, Eugene Genovese, showed how slavery and the plantation system led to detrimental agricultural methods:

Slavery forced the South to continue dependence on exploitative methods, and preemptive measures were not taken. The mode of farming prevented reclamation of great parts of worn out lands. Planters had too much land under cultivation. And they rarely provided for crop rotation...Thence, land reform meant either transformation of surplus slaves into liquid capital or an end to slavery.\textsuperscript{53}

Genovese pointed out that by the late 1840s and early 1850s about forty percent of the South's cotton land was depleted.\textsuperscript{54}

C. M. Clay condemned slavery as an economically destructive institution. Clay was a progressive industrialist. He opposed slavery because: (1) it degraded
labor by hindering the development of skills applicable beyond the farm; (2) it froze capital in the form of labor, making investments in other and diversified interests unavailable; and (3) it limited the home market for the local industries. The apparent efficiency of slave labor rested on an impermanent foundation—the extraordinary growth of world demand for cotton between 1820 and 1860. He suggests that the high prices of cotton and slaves would not have been sustained.

Ulrich B. Phillips felt that the plantation system was economically beneficial to the South. Its weaknesses, he lamented, stemmed from the fact that it was bound to a form of slavery which did not allow for diversification in the economy. The system of slavery popular throughout the South caused an enormous capital shortage. Phillips also conceded that plantation-type slavery kept the South dependent on the North. However, he was in the same verbal camp as Bledsoe and Dew. Despite the admitted shortcomings of slavery, Phillips clung to the theory of the barbaric nature of any person of African heritage. In fact, in his own estimation, slavery in the South was maintained after the 1850s only to prevent violent uprisings by savage people who could only be controlled through force.

Gutman demonstrated an interest in the economic aspect of slavery also. He stated that the system of slavery put a high premium on fertile female slaves. Early fertility in the female slave increased her value to the owner. This had the effect of diminishing the probability of sale and the physical separating of the mother from her family of origin. Consequently, economic motives forced many owners to encourage the formation of completed slave families, and made the slave family more secure. Tracing plantation records, Gutman showed that except for a few changes, most men and women listed as husband and wife before 1861 chose to remain together after Emancipation.
In each of the randomly selected slave narratives, the participants mentioned family life as a slave. Family life was considered as significant and binding. The stories show that both slave parents carried out viable roles and that they worked together for the sake of preserving their family.

In summary, while the slave family had no real legal existence, the primary sources support the hypothesis that the family was an important factor for spiritual survival. The Rawick collection of Georgia slave narratives and the Fisk University narratives showed that families were often allowed to remain together for the sake of discipline. Though it may have been an owner's preference for his slaves to obtain spouses from his farm or plantation, some did not. But monogamous marriages and unbroken families prevailed in the slave community. And, lastly, some slaves were fathered by whites, but they were generally accepted as part of the slave family and community.

The cultural approach demonstrates that many efforts were made within the community itself to keep the slave family together. The slave's attitude toward work resulted in less frequent sales by making owners conscious of the potentially dangerous effect of separating family members. The relationship between slave and master seems to have created a special psychology where social oppression was often measured against economic advantages, and the slave family was but one element on the scales.

In the objective approach, most observers disregarded the slave or the slave family. Impartial statisticians tended to look at slavery as an economic venture. Each made conclusions about slavery as beneficial or detrimental to the slave owner. Of the observers, only Gutman considered the effects that the economic picture of the late 1800s had on the slave family. He managed to show that the
immediate family was the foundation of the slave community during the
antebellum period, and the black community which resulted after Emancipation.
NOTES


23 Rawick, The American Slave, 63.

24 Ibid., 24.

25 Ibid., 185.

26 Ibid., 183.

27 Ibid., 166.

28 Ibid., 265-271.

29 Ibid., 127.


33 Ibid. 23.

34 Ibid. 113-116.


37 Ibid.

38 Fisk University, Unwritten History, 41.

39 Ibid., 44.

40 Ibid., 19.

41 Ibid., 19-22.

42 Ibid., 34.

43 Ibid., 27.

44 Ibid.

45 Rawick, The American Slave, 125.


47 Jones, "A Cultural Middle Passage," 77.


49 Ibid.

50 Ibid., p. 17.

51 Ibid., p. 53.


54 Ibid., 96.

55 Aitken, Did Slavery Pay?, 6.

56 Gutman, The Black Family in Slavery, 76.

57 Ibid., 77.
CHAPTER IV

DESCRIPTION OF THE CONVICT LEASE SYSTEM

"From the beginning, convict lease holders were involved in politics, with two of the major twenty-year lessees, Senator Joseph E. Brown and Governor John Gordon, among Georgia's leading politicians."\(^{58}\) To provide an abundant supply of convict labor, the criminal code was revised to make petty offenders subject to very little sympathy form the courts. Immediately following Emancipation, the penal code was updated:

> It shall be lawful for any person to arrest vagrants, and have them bound over for trial. If convicted they shall be fined or imprisoned or sentenced to work on the public works or roads. In the discretion of the court, he shall be bound out to a person for a time..."\(^{59}\)

In *Punishment After Slavery*, Adamson analyzed the political and economic functions of the southern convict lease system at its beginning.\(^{60}\) However, this essay focuses on Georgia's terminal period of the lease system. Like Adamson, some of the information has been taken from persons who were not directly involved, secondary sources. But the Georgia State Archives offer pertinent sources as data for this research interest.

The archival records permit an inside view of the early prison camps. The central concerns in this case are: What were the forces that involved blacks in the penal system of Georgia at the end of the nineteenth century? Did the economic gains or attempts at re-establishing white supremacy outweigh concerns for humane treatment of blacks in prisons? How did the black person who was caught up in the lease system see himself and his family? All three approaches that were suggested by Miss Johnson, the subjective, cultural and objective, will be used to
determine the direction or tendency of the black family during the latter part of the lease era.

After much graft and corruption in the lease system, the Georgia House of Representatives and Senate appointed a special joint committee to investigate the alleged abuses, unexplained deaths, and misappropriation of state funds in 1870, just two years after the lease was created. Prison officials, representatives of suspect lease contractors and public officials were questioned. On this occasion, ex-convicts were afforded the opportunity to give descriptions of their experiences in the lease camps. This testimony was then recorded in the Senate Journal of 1870. Another special session of the Georgia General Assembly was held in 1897. Alongside the testimony of each convict was the label "colored" or "white". Thanks to these pains taken by the segregationists of yesterday, one can today interpret data relevant to the black (male) prisoners in Georgia during the last decade of the state's lease system.

During the Special Committee hearings held by Georgia's Senate in 1870, a 20-year-old man from Atlanta, named Hubert Carelton, told about being on the chain gang. He was found guilty of sleeping with a white woman and was sentenced to twelve months of hard labor. He said each day at prison camps began at about five o'clock in the morning and was never done until after dark.

This ex-prisoner recalled wearing a set of clothes for two or three months without changing or bathing at all. This practice was not uncommon. He described the chains to the committee, "a long chain passed through the stockades on each side of the passage way. Where the bunks rested against the wall is where the prisoners were fastened at night, with shackles."61 The chains worn by the prisoners were permanently riveted on them, and were worn every minute of the
the time. Prisoners worked in them, slept in them, were part of them. The chain could not be taken off unless it was cut off with a hammer or chisel.52

This interview and others suggested that punishment ranged from the very mild to the very harsh. There were rods for rapping the knuckles or extended palms of women prisoners. Heavy iron stocks imprisoned the legs and arms together, and iron hooks or collars were fastened to the neck. The mildest form of discipline was a transfer, which was rarely extended to healthy black convicts.

The committee was told of a black convict at the Jackin camp who was sweated. In order to "sweat" a convict, guards wrapped the convict's head, body, and feet in blankets. Then they placed him in an enclosed box. Death was slow but sure. In the Jackin incident, "a camp physician certified that the convict's death was caused by congestion of the lungs. The report was accepted without question or investigation."63

Carelton's interview further revealed that he had been tied to a log, faced down, he received 25 to 30 lashes from the bull whip on his bare back for not throwing dirt high enough out of a ditch. He did not resist; fear made him passive. Upon being released from the prison camp, he was too frightened to request the money that was due him from the prison. His major concern was getting away from the work site and returning home to his mother, the only family he had.

While a fellow prisoner, J. Robinson was being whipped, Carelton said nothing and did nothing to prevent the beating, even though there were several moments at which he could have intervened. As his main objective was serving his time and returning home, he refused to damage his chances by inviting a speedy death at the hands of guards at the Grant, Alexander and Company railroad.

Punishment of "colored" convicts clearly defined the relationship between prisoner and guard. Submission was the acceptable response to brutality and
subsistence was the key to survival in the lease system. Carelton's descriptions are consistent with other accounts of life in the prison camps.

Richard Edmonds, sentenced to the chains for calling a white man a "damned liar," testified about a prisoner who died after being whipped. The prisoner who was punished was named Smoky. Edmonds stated that, "they commenced whipping him on the second day of the month and seemed to be whipping him at intervals each day up to the eighth. I told the guard, James, that he (Smoky) was a dying man and he ought to stop whipping him." The guard responded by saying that he "wanted to kill Smoky; that he was no account, and that Grant, Alexander and Company could not afford to feed him for nothing."

A survey of the testimonials reveals that the prisoner to be whipped at the Grant, Alexander and Company work site was tied to a ladder that was tilted against a wall, or the convict was confined against a tree, in a building or to the ground, or sometimes in the cases of female prisoners, held down between the knees of a guard. And the women, like the men were "stripped naked, their backs and limbs cut, bruised and mangled by hundreds of blows with the paddle."

A military officer from Fort McPherson of East Point, Georgia made observations of inmates who were disciplined at various camps. He reported his findings to the Special Committee:

they are often hunted with bloodhounds, and shot down like beasts, or torn in pieces by dogs; they are often suspended by the arms, and whipped and beaten until they faint and when revived, beaten until they die; their ears are cut off; eyes knocked out and bones broken.

After lacerating the prisoner's skin, verminous insects were allowed to feed upon the wounds. Vinegar, salt or pepper was sometimes dashed on the prisoner's injury.
A whipping report from the Gress Company detailed that as a result of being beaten, Sidney Gruff, a "colored" man, was deaf in both ears, with a serious scar on the right arm. His elbows had been broken. "Each arm was turned about, his foot was broken, a knot on the right collar bone. And he had a pistol wound under his left eyebrow." After the beating, he was unsuitable for road work and was sent to the state farm.

Death was the only relief some inmates could expect. A magazine reporter told the committee of an incident that prisoners confirmed as true. The victim's name was Mathews; his tormentor was a guard by the name of Charles Phillips. After a beating, Mathews appeared listless and:

Phillips then threw him to the ground, and taking a pick-ax drove one point into the ground beside Mathew's neck, which was placed under the handle on which Phillips placed his foot, thus pinning the helpless man to the ground. Then Phillips with his own hand, laid the strap on until the flesh parted and the blood oozed from the ugly wounds. One application did not appear to be enough in Phillips' opinion and for two days at stated intervals, the dose was frequently repeated until Mathews' death prevented further cruelty.

As with slavery, many women were victims of sexual assault in the lease system. Felton commented on this aspect of the lease. Summarizing her observations, she told of the "herding of women and young criminals in the same pen with men, and the working of convict women under brutal overseers who were made to submit totally to guards, which did result in many infants born on the chain." It was not until 1908 that reforms were made concerning the separation of men and women on a permanent basis. In the Tenth Annual Report on the Prison Commission, one legislator was noticeably vocal in his disgust, "... the close daily contact of males and females, especially of white women and negro (sic) men, is shocking to the moral sensibility and demands change." Sexual relationships between white females and black males in the prison camps was more
repugnant and caused more indignation than black prisoners' deaths and constant abuse.

Joseph Sears, a railroad contractor, had a preference for "colored" laborers. To this effect, he established a system of exchange with North and South Carolina for the most promising convict laborers. He had three levels of payment for work: he paid $5 per month for "full hands", $2.50 for "medium hands", and nothing but keep for "dead hands". These prices seem small, but there must have been a significant rate of exchange of black prisoners from one camp to another involving Georgia and the Carolinas. Several of the convicts in North and South Carolina camps had already been through the Georgia system.

Bob Johnson's testimony was found in material relevant to the North Carolina chain gang. Johnson acquired his family as a result of being sent to prison. He told of male and female prisoners working the same jobs, and how men and women were chained to one another during sleeping hours. Sexual relations were possible and did occur.

Mr. Johnson, by his own definition was rebellious; as such, he never anticipated getting paroled. He felt that he would never leave prison alive, having been convicted of murder. Johnson fathered "several children by the same woman in prison." They were eventually taken away for residence on a state farm for women, juveniles, the sick, aged, and insane. He never saw nor heard from them after they were transferred.

Some of the daily rituals of convict life were not told to the investigating committee but were outlined in an autobiography by Robert Burns. Before retiring, the warden came into the cells with the head guard of each chain gang unit. Each night the guard picked out one or more men from his group who did not work "hard enough". These men were taken from their cells to the mess hall.
On Burns' first night as a prisoner in Fulton county, six convicts were chosen as those slack in their work, or at least those not performing their work to the satisfaction of the guard. The rest of the men in the cells heard a voice speaking to one of the six: "So, you son of of bitch, you won't work, eh? Get your pants down!" The convict started to speak, to say something in his defense, but it was drowned out. Several hands grabbed the prisoner, pulled down his pants, baring his buttocks, then laid him face down on one of the benches. He was held down so that he could not move. A leather strap six feet long, three inches wide was produced. The convict pleaded for mercy. Ten licks and the convict, half fainting and perhaps unconscious, was forced to stand on his feet—blood running down his legs.

The first, and final, objective for any convict was to work as hard as he could on the gang. He paid dearly if he did not. Burns recounted another daily ritual on the gang regarding work. "At night, as we filed in through the entrance to the mess hall, blacks on one side, whites on the other, a voice called: 'Come by me. I want to smell you.' This meant that the guard wanted to smell the perspiration on each convict in order to be sure that the convicts labored hard at a task that day. If the guard could not smell the inmate, then the latter got the beating with the leather strap that evening.

Burns said of the quality of life in the lease system:

All the convicts get is abuse, curses, punishment and filth. In a few weeks all are reduced to the same level, just animals, and treated worse than animals. I have been on three different chain gangs ... Conditions are almost identical on all, I found. Years of this and I will return to society a worthless, defeated creature, unhuman and inhumane.

Though Robert Burns was a white convict, like fellow black convicts he also witnessed and experienced many of the horrors of the southern convict lease system. Some family members knew of the physical abuse suffered by their loved
ones who were on the lease. And other families only knew the hardships and heartaches which were the result of being without their sons, fathers, cousins, and friends.

Byrd Harper, a farmer born in 1865, was married and had fathered eight children, one of whom was a convict in Dade county. Byrd's parents were once slaves, and he knew of the anguish they suffered through their descriptions. And, as Byrd could read and write, he was aware of political and economic aspects of southern life beyond his family farm in Oglethorpe county.

The distance from his farm to the prison work site did prevent Byrd from witnessing the day-to-day life of his son. But he knew about Georgia's chain gang by reading many of the journals of the day, and by the descriptions of others who had worked on it. His own observations of the road gangs rendered the following comment, "They just drain our boys. They work 'em hard, treat 'em mean ... any ol' way really. They don't be no good to nobody else after the chain gang." 79

The entire Harper family made periodic excursions to town for grain, cloth or other staples and necessities that could be obtained from the general store. Byrd Harper began to notice how he and other blacks, especially those living in town, began to be treated about 1900. According to Harper, blacks were gradually denied access to much of what became "white society." He stated:

Us colored folks can't do this and can't do that. Plenty of places I could go a while back. Now you can't go there. There ain't no more slaves, so they got to make up something else. ....used to be a time when us coloreds and the whites was neighborly....Times done changed. 80

Mr. Harper was acutely aware that the new racism could not depend on the existence of slavery to promote the ideals of white supremacy.
Like other black families, the Harpers were members of a secret society. Some of these societies, Byrd said, were established for socializing rural black folks. After 1900, however, many black benefit societies and private charities became more interested in correcting social injustices. One such society was the Ocmulgee Chapter of the Knights of Labor whose objective was the abolition of the convict lease system.

August Meir, in *Negro Thought in the Age of Booker T. Washington, 1880-1915*, summarized that during the first decade of the twentieth century the Black Church became the central social, economic, and moral institution in black life. The Church often provided much that other groups could not—order and structure in the black community. Because the Black Church became an institution that was controlled by the black community, it was a cohesive force in the lives of African-Americans.

The overwhelming majority of blacks belonged to the Protestant churches between 1898 and 1908 (the period under investigation). Ebenezer Baptist Church of Dooly County had a large black congregation and a sizeable white membership. The church maintained records which indicated that a certain ex-member, James W. Hill, had risen in the hierarchy of Ebenezer after returning from prison to find that both of his parents had died. Of James, the church recorder wrote:

> He was most distraught to find his beloved mother and father had passed. We gave each a proper burial. They were members. The Right Reverend was pleased that we had comforted his dear parents in hours of need. Thus, though poverty prevailed among the rural members, the church served both the religious and financial needs of the people in the community.

As the former prisoner wrote back, after moving to Macon, city churches varied little from their rural counterparts. The churches in the cities served as the focal point for nearly every aspect of life. It was a gathering place for conventions,
and the center for discussions and solutions of community problems. The memberships gave financial assistance to those in dire need like orphans, widows, and ex-prisoners (with Hill's insistence). Ebenezer's records show that Hill eventually became a Negro circuit minister as his "charge" was missionary work.\textsuperscript{84}

Julia Hart, born in 1873 in Oglethorpe County, lived with her mother who was widowed. Of the four children to whom she had given birth, only three were alive in 1910. Her son, Opheus, was twelve years old, and he worked as a day laborer. She had two daughters, and they were aged six and eight. They were too young to work. She had only one brother and she expected him to return home from the lease gang. Miss Hart told welfare workers,

I'm hoping soon he will come. He work on the farm gang. Mostly men folk who work on the farms gets early leaves. Mostly they been gambling or doing nothing at all. Since about four years he's been gone. We hoping the gov'ment give us some relief. Times mighty hard for jes' women alone. 'Fore we lef' hit was jes' mean. Me and my mother who is a widow, tryin' to plow the fields and chop cotton ... was jes' too hard.\textsuperscript{85}

It was further revealed that after Julia's brother was sent to a prison camp, she and the rest of her family chose to leave the rural area. They left for the same reasons that had induced thousands of other farmers to move to the city, namely the diminishing returns for farm products.

When Julia's brother was at home, the economic picture seemed different--better. The system of share tenancy and crop liens prevented black farmers from making a profit. Miss Hart reported, "We was down to jes' $15 a month. With five mouths to feed, that ain't much."\textsuperscript{86} Unscrupulous landlords systematically exploited black tenants. Miss Hart grieved, "Times was easier with Rupert here."\textsuperscript{87}

James Johnson's brother, nephew, and son were convicts under the lease system. He had a desperate hope of joining his other relatives who had scrambled northwards for a better life. But, despite this need to improve his own condition,
Johnson would not leave his family behind in the prison camps of Georgia. Johnson was determined to wait until his loved ones returned home before moving North. If this condition could not be met, he would simply continue farming until a total reunion was possible. He said:

There's been harder times than these. Lord willing, we gonna' see this thing through. I been through a camp myself one time for vagrancy. It weren't long, the time I done. An' it ain't gonna' be long my boy an' my brother be gone. It ain't nothing they done. Truth of it is if you a young buck 'round these parts they gonna' git you to work they land.  

The motivating factor for leaving was basically economic. The living standards of many southern blacks rarely rose above the level of subsistence. Johnson had an income of $37 a month. But he did know other farmers with no income after settling with their landlords.

Ed Brown of Wilcox County, Georgia did not personally experience the convict lease system. He had no relatives who were involved in the lease system, but he did have friends who had experienced the lease.

Brown was employed as a cotton picker. His step father worked another man's land. When it was apparent that the land was not profitable, Brown became part of the trade for terminating the father's sharecropping agreement. Brown was to stay behind and work the land when his family moved to Sibbie, Georgia.

In his autobiography, Brown confessed that "very early I learnt to be scared of the white man." He said of his parents and grandparents, "They would join together to keep colored children clean out of the way of trouble with the white people."

The fear of whites was established early. Brown told of life in Wilcox County when he was young. One story he related was about a black farm hand who sought justice after his wife was accosted by a white man. Where this kind of assault was accepted without much controversy by whites, any encroachment on
white society by blacks, or any attempt at equality, was taboo. As the story goes, "They had this fellow go up the tree, go out on a limb, fasten his own chain, and then jump off. They began shooting him after he was hanged."^92

Though Brown was not a prisoner, his boss was chiefly responsible for sending men to jail or prison camps. Brown noted:

Mr. Clarke nearly owned the town of North Rochelle. He did not have to go to court. He was the court. His commands were the law. If the jail was full and help on the farm lands became scarce, land owners like Clarke would get field hands out of jail Monday morning and work them gathering tobacco or picking cotton. Saturday evening the landlord would return them to jail.^[32]

John Paris of Troup County, Georgia felt he had lost a son forever to the lease. His son, also named John, was convicted of attempted rape of a white woman. There was no evidence and no trial for the alleged incident. But the label of rapist hung over his son's head and determined his destiny. The father constantly warned and trained his other children to avoid the white world. He commented, "I tell my boys to look the other way if a white woman be around. Don't even cut your eyes, I tell them."^[34] Mr. Paris was clearly one who used intimidation to his own advantage. He was determined to keep the other males in his family on guard, to avoid the convict lease system. He continued the dialogue about his younger sons:

They don't care nothing 'bout stringing you from a tree 'bout them women. A heap of boys gets hung that way, for nothing. I don't 'spect I be seein' John Junior no time soon. I don't even much know where they keepin' him nowadays. They got him a long ways from here, scared we help him escape, I 'spose. I don't even much know if he still livin'.'^[35]
NOTES

58 Dittmer, Black Georgia in the Progressive Era, 83.


61 Georgia Legislature, Joint and Special Committee [of the State and House of Representatives], Report and Testimony (Georgia Archives, Record Group 37, Volume 1), May-June, 1870.

62 Ibid.


64 Georgia Senate, Journal of the Senate, 1870: 301-302.

65 Georgia Legislature, Report and Testimony, 1870.

66 State of Georgia, Miscellaneous Records (Georgia Archives, Record Group 21, Subgroup 1, Series 19), 1816-1909.

67 Georgia Legislature, Report and Testimony, 1870.


70 Felton, Memoirs of Georgia Politics, 581.

71 Georgia Prison Commission, Tenth Annual Report from June 1, 1906 to May 1, 1907 (Atlanta, Georgia: Lester Book and Stationary Company, 1907), 8.


Ibid.

Ibid., 60.

Ibid., 56.

Ibid., 57.

Ibid., 58.


Ibid.

Ibid.


State of Georgia, *Ebenezer Baptist Church Records* (Georgia Archives, section 12b, access code 79-161).

Ibid.

Georgia State Department of Public Welfare, *Works Progress Administration of Georgia, Project Number 165-34-6069*, [this information appears in Georgia Archives, Koehler Papers, access code 78-424].

Ibid.

Ibid.

State of Georgia, *Speer Family Papers* (Georgia Archives, 0-079, access code 68-062).

Ibid.


Ibid., 28.

Ibid., 31.

Ibid., 36.
94 State of Georgia, *Edmonson Family Farm Records* (Georgia Archives 11, access code 83-012).

95 Ibid.
CHAPTER V
SUMMARY

The slave narratives indicate that on the average, many slaves throughout Georgia either suffered from, or witnessed, physical and mental damages as a result of being a slave. It appears that even though white slave owners were generally responsible for discipline, parental support and guidance kept the young boy or girl slave obedient. The subjective approach allowed the slave to make their personal observations about themselves and their families. Their testimony revealed that where both parents were present, as with G. Baker, and especially when both slave parents were permitted to live in the same quarters, less hostilities manifested themselves. On the other hand, stories like those told by N. Boundry, and one unidentified slave in the Fisk study, suggest that tattered or split families had very little control. Lastly, when one or both parents were absent (as with E. Clairborn), the slave orphan was eventually incorporated into a larger family. Testimonials suggest that for Georgia’s slaves, the nuclear, extended, and adoptive family were among the arrangements slaves made to maintain a sense of completeness. These familial structures were the norm and prevailed throughout the state.

The testimony of black convicts does not illustrate fully how the entire black family fit into the lease system. For this reason, it was necessary to investigate black families with at least one member who served in the lease camps. From the convicts one notes a total disregard for life itself in the prison camps. The rampant beatings and the unexplained deaths and abuses reported by Messrs. Burns and Edmonds, and even lease company whipping reports, are testament to the abject
horrors. Indeed, the central fact of life for most black convicts from 1898 to 1908 was the day-to-day struggle for survival.

The families of lease convicts were also concerned with making a living. The black families in this study emphasized that they tried to keep from falling behind, and to make sure that their families remained together. It was evident to Julia Hart, for instance, that the absence of the only adult male in the family accounted for her family's economic hardships, and that upon her brother's return from the lease camps, money problems would diminish.

Because of the nature of the lease, not all family members could stay together in the same county, as with the Johnsons and Harpers. But, when black families could be a unit upon release from the camps, H. Carelton's story showed that the family proved to be a stabilizing agent. He was willing to undergo severe pain for the hope of reunion with his mother.

Support for former convicts came from religious and social agencies. One ex-convict who needed outside support was Reverend J. Hill. His parents died before he had served his full term on the lease gang. When he returned to his community, the church was there to give him a new start and a sense of belonging.

The cultural approach permitted the broader community to make comments about where the black family fit in southern life during the slave era or during the lease era. The slave family, it appears, struggled to stay together and made efforts at reuniting after Emancipation. For the black family in the 1900's, some social and cultural outlets were made available for the black family to survive and thrive as part of a larger community. This was accomplished through mutual aid societies and the church.

The objective approach presents the views of impartial observers. Those commenting on slavery saw slavery as beneficial to the black man as a civilizing
mechanism. Others, like Gutman, showed that the black slave family was actually the foundation of the black community, and that many of their familial arrangements remained long after Emancipation was first proclaimed. Various reports about the lease system demonstrated that the lease administrators on the local level underminded not only the black family, but each individual caught up in the system. The high death rate and the forms of brutal punishment attest to the disregard for blacks in the lease system.

The objective as subjective approaches, both suggest that at the terminal period of the lease, the prisons were nothing short of cesspools. Several reports to Georgia's public officials revealed that basic hygenics were ignored, and that the prisons were packed with several times the number of convicts they could reasonably hold. They were filthy as a rule; and more than likely, both the prisons and the prisoners were infested with vermin.

The convicts were cruelly punished; they were poorly fed and clothed. Some inmates had marks on them suggesting inhuman and brutal treatment. The interviews sponsored by the legislative committees reveal that among the guards, wardens, and other employees at the prisons, there was little concern for human life, especially black life.

Testimonials by relatives of black convicts involved in Georgia's lease system represent the cultural approach. These testimonials indicate that adaptations to certain lifestyles were necessary for survival. The testimony also reveals that as a result of the prison experience, and other social conditions, the black family increasingly adopted institutions to serve its own needs as part of a larger community. Additionally, we find that the economic picture for those released from the convict camps and their families was bleak. Finally, the convict lease
system left a stamp of intimidation upon those who experienced camp life directly and indirectly (in the case of family members).
Conclusion

As a result of this study, one can make the following conclusions about black family life in Georgia under slavery and the convict lease system. Firstly, the family life of slaves still remains a challenging subject for social historians. For though it was disrupted more often than white families of the same era, black family life was not completely shattered. Survival for the black slave family in Georgia did mean existence under rather adverse conditions.

Neither the defenders, nor the critics, of slavery give the slaves credit for stabilizing their own families. The evidence, however, does point in that direction. Slaves did manage to build family structures and relationships, and honored them whenever conditions made it possible. Indeed, slaves maintained a strong sense of kinfolk, even when distanced by death or sale of family members. No consideration was given to the effect that slavery had on the black family unit during its initial or terminal periods in Georgia. The feeling of unconcern for the black family, or possibly the intense anger of southern whites over general emancipation, probably explains the easy replacement of slavery by the convict lease system.

Secondly, black convicts, like slaves in Georgia, became articles of property to be sold and traded for work. As a result, their human worth was devaluated. The nature of the lease system created sources of production of wealth, through suppression and oppression of black men and women. Unlike a position sometimes taken by slave owners, family was not a deciding factor in the treatment or discipline of black convicts.

Lastly, prisons, like plantations, were manifestations of the racism of the society in which each one existed. As a form of economic and social oppression in post-Emancipation southern life, the convict lease system eliminated blacks from
full participation in the political, social and economic life of Georgia in any manner that was meaningful to blacks. This method of oppression proved extremely effective in disguising racial oppression and penal servitude as crime control. But, pressure not withstanding, the family was an important element of survival, and a source for generating a positive sense of self as a person, rather than property, for the black slave during the last decade of slavery, and for the black convict during the last decade of the convict lease system.


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