

**ALABAMA DEPARTMENT OF CORRECTIONS RECORD OF
COUNTY CONVICTS LEASED TO CONTRACTORS, 1881-1885**

Finding aid

Call number: GR-COR-49

Extent: 0.27 cubic ft. (1 volume)

**Alabama Department of Archives and History,
624 Washington Ave., Montgomery, AL 36130
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ADMINISTRATIVE HISTORY

The Alabama Department of Corrections was established in 1983 and is the newest iteration of a series of previously established Boards tasked with operating Alabama's state prison system. The agencies it succeeds include the Board of Inspectors of the Penitentiary (1841-1885); the Board of Inspectors of Convicts (1885-1893); the Board of Managers of Convicts (1893-1895); the Board of Inspectors of Convicts (1895-1919); the State Board of Control and Economy (1919-1923); the State Board of Convict Supervisors (1923); the State Board of Administration (1923-1939); the Department of Corrections and Institutions (1939-1953); and the Board of Corrections (1953-1979). The establishment of the Board of Inspectors of the Penitentiary coincided with the opening of Alabama's first state-operated prison, the Wetumpka State Penitentiary, in 1841. Established approximately twenty years after Alabama became a state, the state prison system replaced the practice of handling criminal offenses at a strictly local level, often publicly. Prior to the end of the Civil War, the demographics of the Wetumpka State Penitentiary skewed heavily white at ninety-nine percent with only one percent of the prison's population comprising free Black people. This was due to laws that stated enslaved Black people were to be punished for alleged legal offenses by those who held them in slavery. However, following the abolishment of slavery in 1865, the population of the prison drastically changed to ninety percent Black and ten percent white.

An Act passed in 1846 permitted the leasing of inmates and facilities to private individuals at the Wetumpka State Penitentiary to secure enough funding to maintain the facilities. Private businessman J. G. Graham first leased the penitentiary for six years, acting as the prison's Private Sector Warden. This practice of leasing the prison continued until 1862 when an inmate murdered the Private Sector Warden, Dr. Ambrose Burrows, at which time control of the penitentiary returned to the state. With this change, Dr. M. G. Moore was appointed as warden of the prison. Moore channeled the labor efforts of the convicts into supporting the Confederacy with materials in the Civil War. Following the war, Governor Robert M. Patton legalized convict leasing to direct prisoner labor towards Reconstruction efforts, namely the rebuilding of the railroad system.

After the railroads were rebuilt, the practice of companies and individuals paying the state for inmate labor came to be known as the Convict-Lease System and was utilized by farms, lumberyards, and coal and iron mines. While this system saved funding for the state by housing and feeding the leased prisoners, Alabama did not profit from the Convict-Lease System until 1875. Faced with a fiscal crisis, State Warden John G. Bass implemented a policy in which contractors leasing prisoners made monthly payments to generate a new source of revenue for the state. Under this policy, prisoners were ranked by their physical abilities and skills and priced accordingly by three categories. The attempt to generate revenue was successful, drawing in between \$11,000 and \$12,000 within the first year and inspiring county prisons to implement similar systems. In 1883, the state Legislature approved a plan conceived by Warden John Hollis Bankhead where a majority of the state's prisoners would be leased to select companies, these being the Pratt Coal and Iron Company; the Tennessee Coal, Iron, and Railroad Company; and

the Sloss Iron and Steel Company. These companies would build and operate prisons out of their mining sites, which were to be overseen by a Board of Inspectors tasked with assuring the prisoners were treated well and worked and lived under safe conditions. However, these Inspectors rarely oversaw the convicts' conditions, resulting in a high mortality rate among inmates leased to these companies.

The Coleman Law, passed in 1885, removed the position of Warden from the state system and created the Board of Inspectors of Convicts led by the Board President. Bankhead stepped down from his position, and Reginald H. Dawson took control of the system. Assisted by physician Albert T. Henley and William D. Lee, Dawson attempted to mediate tensions between contractors and inmates as well as improve the conditions for inmates leased to the mining companies. Despite improvements such as reduced workloads and better regulation, work in the mines remained extremely unsafe. Company officials often issued false bad conduct reports to maintain certain inmates' labor after the conclusion of their assigned sentence. As the convict population was over ninety percent Black, the Convict-Lease System gained the reputation of being a new form of slavery. Dawson's reform efforts included a plan to remove prisoners from the mines and instead employ them on state-regulated farms and mills. However, these plans were abandoned by S. B. Trapp, who took over as Board President in 1886. Conditions within the mines would continue to prove horrific until Alabama became the last state to abolish the Convict-Lease System in 1928.

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SCOPE AND CONTENT NOTE

This Board of Inspectors of the Penitentiary volume contains a record of convicts leased out to contractors by county prisons between the years of 1881 and 1885; information regarding each convict's sentence; and the individual or company to whom the convict had been leased. The volume is organized alphabetically by county. Within each county prisoners are organized by date of conviction. Listed with each convict's name in the record is the category of the crime they committed; the date of the prisoner's conviction; the length of the prisoner's sentence; the cost for the prisoner's release; the end date of the prisoner's sentence; the prisoner's date of discharge; the name or title of the contractor the prisoner was leased to; and the date of the prisoner's death, if applicable. While the volume is 640 pages long, the primary record only takes up 227 pages.

While the record is organized alphabetically by county, several counties have additional sections following the final section for Winston County. The first county to have an additional section is Jefferson County, which starts on page 400 and continues through page 407. The second is Lowndes County, which starts on page 450 and continues through page 451. The last is Montgomery County, which starts on page 474 and continues through page 475. Notes made within the first sections for these counties in the record indicate these decisions were made due to either a lack of room on the previously assigned pages or to correct errors in earlier entries.

Instead of listing the exact crime committed by each inmate, the record only lists whether the crime was a felony or misdemeanor. Researchers should note that some sections are sometimes not filled out, most commonly the date of conviction or the name or title of the contractor leasing the prisoner. There is also an additional section for remarks beside each entry into the record in which a variety of information on the inmates is noted. While this section is left blank for a majority of the entries, it is frequently noted in this section if a prisoner escaped, the date they were recaptured after escaping, or how many cases for which a prisoner was tried.

**ALABAMA DEPARTMENT OF CORRECTIONS RECORD OF COUNTY CONVICTS
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CONTAINER LISTING**

<u>Box</u>	<u>Description</u>
SG024878	Record of County Convicts Leased to Contractors, 1881-1885