

Convict-lease System

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A violent aspect of Louisiana life was the convict lease system. After the Civil War, Louisiana and some other southern states devised a scheme for cheap labor. To earn money, a state leased (rented) convicts from the state penitentiary for work outside the prison.

In Louisiana, one man signed a contract saying he would pay the state a certain amount of money to lease the prisoners. He then leased the men to other people for a profit. The convicts were soon doing all of the dirtiest, most dangerous work in the state—building levees, roads, and railroads.

Their working and living conditions were brutal. A man who was sentenced to life in prison was usually dead within seven years. A Clinton newspaper commented, "The men on the [public] works are brutally treated and everybody knows it." The writer said their suffering was a thousand times worse than the law intended as punishment for their crimes.

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Convict-Lease System

Convict leasing refers to a method of controlling and distributing convict labor that was characteristic of southern states, including Louisiana, for the half-century after the Civil War. Though the system varied from place to place, states essentially turned over the responsibility for managing prisons to labor-hungry businesses, planters, and corporations, usually for a payment that was established by statute. Some lessees used the convict labor directly in their operations; others were little more than labor brokers who sublet the prisoners. With few exceptions, southern states lacked prison structures in this period, and, in the aftermath of the war, landowners and businesses feared an impending labor shortage.

Convict Leasing in the Postbellum Era

As it was in other spheres, the Civil War marked a turning point in penal history. Forty-five convicts were sent to the Baton Rouge, Grosse Tete and Opelousas Railroad, which was partly state-owned, to repair the tracks at fifty cents per convict per day. This was only a makeshift arrangement, however. The convicts returned to Baton Rouge and its dilapidated prison in January 1867. Though records are scarce, the existing documentation suggests that the prison included 222 prisoners, 214 of whom were African American, by the end of that year. An astonishing forty-five—one-fifth of the population—escaped, while sixteen died.

Though some workers were leased to employers in and around Baton Rouge, the penitentiary was adrift until the state legislature turned the mess over to new partners: John Hugher and Charles Jones. Hugher and Jones successfully sued the prison's board of control in an effort to gain complete authority over the convicts. The legislature quickly passed a law giving Hugher and Jones the control they requested. Flush with their victory, Hugher and Jones immediately sold out to Samuel Lawrence "S.L." James, for whom they had probably been working all along. James, a former Confederate major, thus began a quarter-century of dominance as a Louisiana labor-lord.

relating to the punishment of offenders under the legal system

Though lacking a formal contract, James oversaw the prisoners. In 1870, the legislature replaced the names of Hugher and Jones with those of James and his two partners, Thomas Bynum and C. B. Buckner, on the old contract. The governor also added an astounding provision unique in the annals of convict leasing: He gave the partners control over the prisoners for the next twenty-one years. Although James was obligated to pay the state an annually-escalating amount for the use of the convicts—\$5,000 in the first year, \$6,000 in the second, up to \$25,000 in the twentieth—he paid only a fraction of the total, often refusing to make his payments and defying a powerless or uncaring state government.

The 1870 lease revealed a shift from using convicts primarily in textile factories to working them fields. "To run the machinery [in the prison]," the governor had noted, "it will require some 550 men, which leaves a deficit of some two hundred men. I cannot, therefore, say that for the present the penitentiary can yield the State a large, if any, revenue." Though convicts sometimes worked on levees, especially after 1882 Mississippi flood, and on railroad construction, most of their labor went toward the cultivation of cotton. By 1901, most of the 1,142 prisoners lived and worked at the Louisiana State Penitentiary, commonly referred to as Angola, a former plantation transformed into a prison farm. The vast majority of these convicts were black, and 240 were serving life sentences.

The Demise of Convict Leasing

When James's twenty-one year lease finally expired in 1891, he found himself in an unwelcome bidding war. By paying more than \$50,000 (plus thousands more in bribes), James retained control of the convicts' labor, but the leasing system itself ran into serious troubles, especially after the start of the 1893 depression. Convict leasing had always generated moral and political opposition. As early as 1883, the state's Democratic Party convention called for its abolition, albeit in a slow process. In 1892, however, Governor Murphy J. Foster threw his support behind the enemies of the lease system. Foster also championed the disfranchisement of African American voters and the destruction of the Louisiana lottery, a notorious source of corruption. The Louisiana Constitution of 1898, passed on his watch, accomplished all these goals, specifically prohibiting the leasing of convicts and turning the prison over to state control. When the last lease contract expired in 1901, the state of Louisiana took over Angola. Prisoners, however, probably did not notice much of a change. The previous warden was kept in place, the plantation manager was S.L. James's son, and the chairman of the penitentiary board was the executor of James's estate.

Use the sources to answer the following questions

1. What was the convict-lease system?

2. Why would people prefer to use this system instead of hiring laborers?

7. How did the convict lease system end and why?

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8. How do you think the convict lease system impacted the state of Louisiana?

9. Using the sources and your knowledge of social studies, how did the convict-lease system impact social equality after the Civil War?

3. Describe the working conditions of the prisoners. (You may need to make an inference.)

4. Who was in charge of the convict-lease system and how did he attain power over it?

5. Why was the convict-lease system created?

6. List four jobs that convicts were leased out for.
