

# Convict lease

Young [prisoners leased](#) to cut [timber](#) in Florida, around 1900

**Convict leasing** was a form of [forced labor](#) used by prisons in the [Southern United States](#). ("Convict" is a rude word for "prisoner"; [leasing](#) is like [renting](#) something.) Under the system, prisons [leased](#) prisoners out as free workers to [corporations](#), business owners, and [plantation](#) owners. Basically, the prisons were selling prisoners like [slaves](#), except that they were not sold forever.

This system made a lot of money for prisons and the contractors. The contractors got workers who they did not have to pay, and who they could treat however they wanted. The prisons got payments from the contractors. Also, they no longer had to pay for food, [clothing](#), or housing for the prisoners who they leased out; the contractors did.

In 1898, for example, about 73% of Alabama's entire yearly state [revenue](#) came from convict leasing.<sup>[1]</sup> For this reason, convict leasing lasted almost 100 years in the South.

## Beginnings

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The state of [Louisiana](#) leased out convicts as early as 1844.<sup>[2]</sup> However, convict leasing began to spread throughout the South during the [Reconstruction Era](#) (1865–1877). This was just after the end of the [American Civil War](#), which ended [slavery](#). With no more slaves to work for them, Southern [farmers](#) and businessmen needed to find new workers. Southern [legislatures](#) passed laws called [Black Codes](#) to keep blacks from moving freely and to force them to work for whites. As [historian](#) Douglas Blackmon explains:

After the Civil War, all of the Southern states passed ... laws, which were designed [mostly] to criminalize black life. For example, vagrancy [statutes](#) made it a crime for any person to be unable to prove at any given moment that he was employed.

“ Also, in every Southern state it was against the law for African-Americans to sell their [crops](#) after dark. ... [The [punishment](#) would be [sentencing](#) them] to hard labor or to [fine](#) them outrageously, and [then] they were leased out to commercial interests such as [farms](#), [coal mines](#), [turpentine production plants](#), [lumber](#) and [railroad](#) camps.<sup>[3]</sup> ”

At this time, the Southern states did not have much money, and they found that convict labor gave them a big source of [revenue](#). Contractors also made money off the system because they did not have to pay the prisoners the

wages they would have to pay to white workers.<sup>[4]</sup> The [Thirteenth Amendment to the United States Constitution](#) had made slavery illegal - except as punishment for a crime.<sup>[5]</sup> So the states passed laws that would make it easy to convict innocent black people of [crimes](#). Once they were prisoners, they could be treated like slaves. The states basically used this process as a way to continue slavery in the South.<sup>[3]</sup>

## Conditions

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Northern states sometimes [contracted](#) for prison labor. However, in the South, the state gave complete control of prisoners to contractors.<sup>[6]</sup>

Also, according to historian Matthew Mancini, the Southern convict labor system was "one of the [harshest](#) and most [exploitative](#) labor systems known in American history."<sup>[7]</sup> 'If one [prisoner] dies, get another' was the attitude of many contractors, Mancini writes. He says this was caused by [corruption](#), [racism](#), racial violence, and the fact that contractors could do whatever they wanted without getting into trouble.<sup>[7]</sup>

**“The convict lease system was not [just] a [replacement](#) for slavery, but an [extension](#) of it.”**

- Randall Shelden<sup>[8]</sup>

Prisoners were often treated very badly. Unlike during slavery, the contractors had not paid very much for the prisoners, and they would not have them forever. For these reasons, contractors had very little <sup>[9]</sup> Prisoners could be beaten or [whipped](#) if their [bosses](#) did not think they were working hard enough.<sup>[10][11]</sup> They were [abused](#) by guards.<sup>[10]</sup> One source says: "Mines and plantations that used convict laborers commonly had secret [graveyards](#) containing the bodies of prisoners who had been beaten and/or [tortured](#) to death. Convicts would be made to fight each other, sometimes to the death, for the amusement of the guards and wardens."<sup>[12]</sup>

Almost all of the prisoners who were leased out were African Americans, mostly adult males. This was because laws were [enforced](#) much more against black people, and blacks usually got much more severe [sentences](#) for "crimes" because of [racism](#).<sup>[13]</sup>

[U.S. Steel](#) is one of the American companies which have admitted using African-American leased convict labor.<sup>[3]</sup>

Convict leasing was most common around 1880. It was formally outlawed by the last state ([Alabama](#)) in 1928. However, it continued in different forms until [President Franklin D. Roosevelt](#) made it illegal on December 12, 1941.<sup>[12]</sup>

## The system in different states

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Here are some examples of different states' convict leasing systems.

State	Started	Ended	Notes	Source
<a href="#">Alabama</a>	1846	1928	Death rates of leased prisoners in Alabama were 10 times higher than death rates of prisoners in states that did not lease their prisoners	<a href="#">[12]</a>
<a href="#">Georgia</a>	1868	1908	Prisoners worked mostly on railroads <sup>[a]</sup> Prisoners usually worked in turpentine factories and lumber camps. System ended in 1923 after the <a href="#">Martin Tabert</a> case. He was sentenced to one year of hard labor for riding a <a href="#">train</a> without a ticket. He got sick working in the <a href="#">swamps</a> , was <a href="#">whipped</a> 50 times for not doing his work, and died that day. <sup>[11]</sup>	<a href="#">[14]</a>
<a href="#">Florida</a>	1877	1923	In the <a href="#">Coal Creek War</a> of 1891, free <a href="#">mine</a> workers burned down prison <a href="#">stockades</a> , freeing hundreds of black convict laborers	<a href="#">[16]</a>
<a href="#">Tennessee</a>	1866	1894	The state reacted by creating a mine at one of its prisons and ran it using prisoner labor until 1966	<a href="#">[10]</a>
<a href="#">Texas</a>	1883	1910	Texas leased an entire prison to three businessmen. after, it leased out prisoners mostly to large <a href="#">plantations</a> . It ended the convict lease system when it realized buying its own farmland and making the inmates work that would bring in more money. <sup>[17]</sup>	<a href="#">[18]</a>

Once they stopped using the convict labor system, many states switched to the [trusty system](#). This was also a way to save money, but it caused abuses just like the convict labor system did.<sup>[19]</sup> Finally, in a [landmark case](#) called [Gates v. Collier, 501 F.2d 1291](#) (5th Cir. 1974), a federal court forced the states using the trusty system to stop.<sup>[20]</sup>

## Effects on the prison population

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[Scholar](#) Randall Sheldon argues that the convict lease system created an [incentive](#) to convict black people. Because the convict lease system brought in so much money, the states and counties had a reason to want to [convict](#)

African-Americans.<sup>[8]</sup> This is why the people in Southern prisons became mostly African-American after the Civil War, Sheldon writes. For example, in Louisiana's main prison in [Nashville](#):

- On October 1, 1865, African-Americans made up 33% of the prison's [population](#) (at this time, the Civil War had just ended five months before<sup>[21]</sup>)
- On November 29, 1867, African-Americans had increased to 58.3% of the prison's population
- By 1869 they made up 64%
- Between 1877 and 1879, they made up 67%

During the times when Southern states used the convict leasing system, their prison populations grew across the South. For example:<sup>[8]</sup>

In This State:	In This Year:	Prisoner Population Was:	'By This Year:	Prison Population Was:	Percent Increase
Alabama	1869	374	1903	1,878	504%
Alabama	1903	1,878	1919	2,453	130.6%
Florida	1881	125	1904	1,071	860%
North Carolina	1870	121	1890	1302	1076%
Georgia	1868	*	1908	*	1000%
Mississippi	1871	*	1879	*	400%

*\* Numbers not available*

## Photo gallery

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- [Child "convicts" at work in the fields \(1903\)](#)  
Child "convicts" at work in the [fields](#) (1903)
- [A photo postcard of prisoners sweeping the streets \(1909\)](#)  
A [photo postcard](#) of prisoners [sweeping](#) the [streets](#) (1909)
- [Prisoners working at the Mississippi State Penitentiary at Parchman in 1911.\[b\]](#)  
Prisoners working at the [Mississippi State](#)

- [Penitentiary](#) at Parchman in 1911. <sup>[b]</sup>
  - [Prisoners cut wood in South Carolina](#)  
 Prisoners cut wood in South Carolina

## Notes

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- <sup>↑</sup> Georgia is a good example of how much money the convict lease system made for states and corporations. In one [contract](#), the state promises a railroad company 100 workers for \$2500<sup>[14]</sup> (\$25 per person; about \$424 per person in 2016 U.S. dollars<sup>[15]</sup>). In a later contract, the state promises 100 workers at \$10 per person<sup>[14]</sup> (\$10 per person; about \$169.50 per person today<sup>[15]</sup>). For \$1000–\$2500, the contractor got 100 slaves for as long as the contract lasted. The state got \$1000–\$2500, and no longer had to pay any costs, like food or clothing, for those 100 inmates.
- <sup>↑</sup> When Mississippi ended convict leasing in 1906, all prisoners were sent to Parchman

## Related pages

[[change](#) | [change source](#)]

- [Slavery](#)
- [Reconstruction Era](#)
- [Trusty system](#)

## References

[[change](#) | [change source](#)]

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- <sup>↑</sup> [3.0 3.1 3.2](#) Douglas A. Blackmon (July 13, 2008). "[Book: American Slavery Continued Until 1941](#)" (Interview). Interviewed by Imani Cheers. Retrieved April 3, 2016. {{cite interview}}: Unknown parameter |program= ignored ([help](#))

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