


The Atlanta University Publications, No. 9

NOTES ON
NEGRO CRIME
PARTICULARLY
IN GEORGIA



A Social Study made under the direction of
Atlanta University by the Ninth
Atlanta Conference

Price, 25 Cents

The Atlanta University Press
ATLANTA, GA.
1904



FOR thus saith the high and lofty One
that inhabiteth eternity, whose name
is Holy: I dwell in the high and holy place,
with him also that is of a contrite and hum-
ble spirit, to revive the spirit of the humble,
and to revive the heart of the contrite ones.

Isaiah lvii, 15.

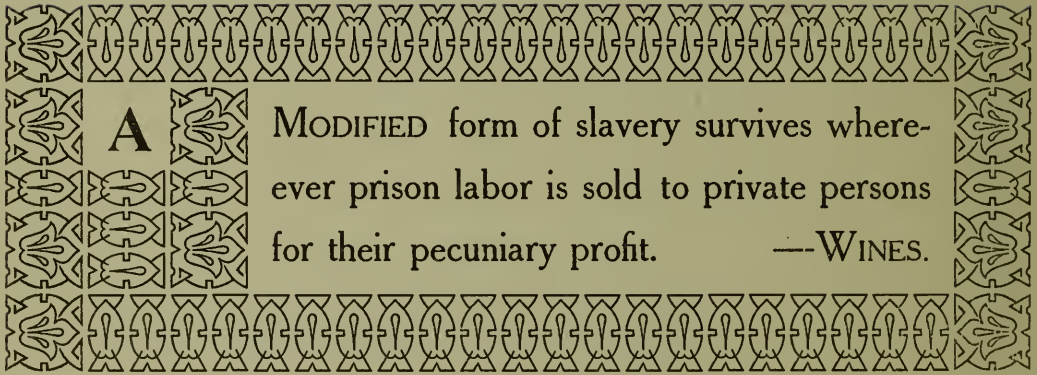


SOME NOTES
ON
NEGRO CRIME
PARTICULARLY
IN GEORGIA

Report of a Social Study made under the direction
of Atlanta University; together with the Pro-
ceedings of the Ninth Conference for the
Study of the Negro Problems, held at
Atlanta University, May 24, 1904

EDITED BY
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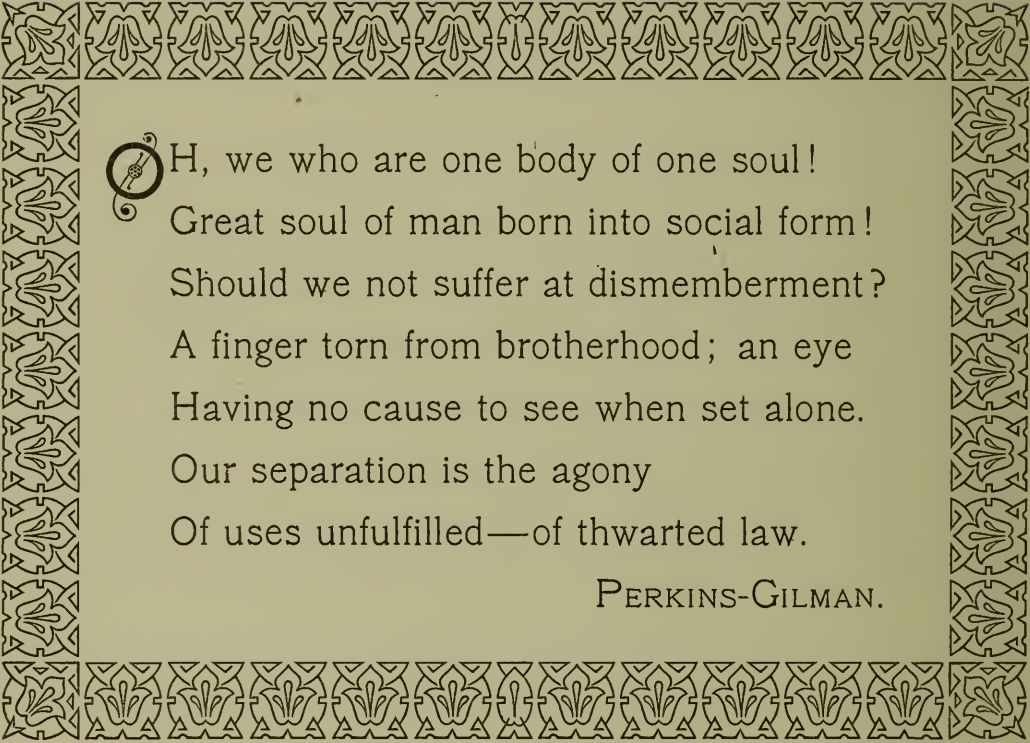
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A MODIFIED form of slavery survives where-
ever prison labor is sold to private persons
for their pecuniary profit. —WINES.

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O H, we who are one body of one soul!
Great soul of man born into social form!
Should we not suffer at dismemberment?
A finger torn from brotherhood; an eye
Having no cause to see when set alone.
Our separation is the agony
Of uses unfulfilled—of thwarted law.

PERKINS-GILMAN.

PREFACE

A study of human life to-day involves a consideration of conditions of physical life, a study of various social organizations, beginning with the home, and investigations into occupations, education, religion and morality, crime and political activity. The Atlanta Cycle of studies into the Negro problem aims at exhaustive and periodic studies of all these subjects so far as they relate to the American Negro. Thus far, in nine years of the ten-year cycle, we have studied physical conditions of life (Reports No. 1 and No. 2.); social organization (Reports No. 2 and No. 3); economic activity (Reports No. 4 and No. 7.); education (Reports No. 5 and No. 6.); and religion (Report No. 8.) This year we touch upon some aspects of the important matter of Negro crime, confining our study for the most part to one state. The whole discussion of crime in the United States has usually been based on the census returns, and these are very inadequate. In this study the following sources of information were relied upon:

Special studies of court returns and other data in Atlanta and Savannah.
Reports from Mayors, Chiefs of Police and other officers in 37 counties of Georgia.

Reports from colored and white citizens in 37 counties in Georgia.

A study of arrests and commitments in 20 cities of the United States.

Seven reports of the Georgia Prison Commission.

Answers of 2,000 school children and students.

These data are less complete than in the case of most of our previous studies and few conclusions can be drawn until further facts and figures are available. The forthcoming government report on crime will undoubtedly be of great aid in further study.

In the preparation of this study, the editor is especially indebted to the county officials of Georgia and to a hundred or more private correspondents. He is under particular obligations to Professor M. N. Work of the Georgia State College, the Rev. Mr. H. H. Proctor of Atlanta, and Frank Sanborn, Esq., of Concord, Mass. The proof reading was largely done by Mr. A. G. Dill, who also drew the diagrams and arranged the index.

Atlanta University has been conducting studies similar to this for the past nine years. The results, distributed at a nominal sum, have been widely used. Notwithstanding this success, the further prosecution of these important studies is greatly hampered by the lack of funds. With meagre appropriations for expenses, lack of clerical

help and necessary apparatus, the Conference cannot cope properly with the vast field of work before it.

Especially is it questionable at present as to how large and important a work we shall be able to prosecute during the next ten-year cycle. It may be necessary to reduce the number of conferences to one every other year. We trust this will not be necessary, and we earnestly appeal to those who think it worth while to study this, the greatest group of social problems that has ever faced the nation, for substantial aid and encouragement in the further prosecution of the work of the Atlanta Conference.

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NEGRO CRIME

1. The Problem* (by FRANK B. SANBORN).

Crime is in general that portion of human depravity and passion which is regarded and punished by human laws. As distinguished from vice, it is more overt, more dreaded by the community, and held in greater abhorrence; while vice is more insidious, more general, and more ruinous to the individual, though often held in little reprehension by the community. For example, the vice of drunkenness was little censured among English-speaking persons a century ago and is still rather held in honor in some parts of the world; while the crime of parricide, though infinitely less pernicious (because it could never become common) has ever been execrated by all. But since vice is defined by conscience and opinion, and crime by law (which is the tardy result of conscience and opinion), nearly every vice comes, in some time or place, to be stigmatized as a crime, while crimes are often remanded to the catalogue of vices, and sometimes of virtues. For a two-fold reason, then, the moralist cannot regard crime precisely as it is esteemed in the popular judgment. It was once a crime where I stand to teach a slave to read, but not a crime to buy or sell that slave. We should call the first a virtue now; while the second might be held either a vice or a crime, or even a virtue, according to circumstances.

Although there are many exceptions, the mass of what we term crime is the direct or indirect result of poverty and its attendant evils. Crime from other causes, however, is also painfully common. With vice the case is different. That also is fostered by poverty and misery, but it is no less stimulated by the ease and opportunity of affluence. Between vice and crime, the distance is usually short; but pauperism is not seldom an intermediate stage. From the class of comfortable and respectable persons, men are continually lapsing, through vice, into pauperism, either in themselves or their children, and from pauperism into crime. Even when this is not its genealogy, crime may ordinarily be traced to one of the five general causes of pauperism, which in 1867 were thus assigned by me in a report to the Governor of Massachusetts, of which state I was then an official, charged with the investigation of such subjects:—

*Remarks to the Conference, Tuesday evening, May 24, 1904.

“The causes of pauperism are (1) Physical inferiority and degradation; (2) Moral perversity; (3) Mental incapacity; (4) Accidents and infirmities; (5) (and often the most powerful of all), Unjust and unwise laws and the customs of society. Such are the general causes, but under the five heads come innumerable minor and proximate causes,—intemperance, profligacy, insanity, indolence, false education, ignorance, superstition, monopolies, privilege, indeed, all the enemies of human advancement. For pauperism is one of the sloughs in which the progress of mankind is arrested.”

From this unhappy slough, most of the crime of the community emerges, and among the emissaries of crime are the tramps that patrol the land, especially in wealthy manufacturing communities like New England. They find in great cities the haunts of vice, and keep up a sort of circulation, like the veins and arteries of the human body, from one part of the land to another. A stationary class of vicious and criminal persons in the cities are the confederates and refuge of these wandering criminals, and vice versa,—a city criminal taking refuge in the moving army of tramps, and thus oftentimes escaping arrest.

It will readily be seen that Negro slavery, while preserving the community from an excess of technical pauperism, naturally furnished the same atmosphere of vice and crime, when the strong hand of slave law was removed by general emancipation. A similar result followed the emancipation of the serfs in the Middle Ages, and explains the outbreaks of crime and disease which marked the 14th and 15th centuries in Europe.

2. Crime and Slavery.* Mr. Wines, the American criminologist, has said: “A modified form of slavery survives wherever prison labor is sold to private persons for their pecuniary profit.” The history of crime in the Southern states of America illustrates this. Two systems of controlling human labor which still flourish in the South are the direct children of slavery. These are the crop-lien system and the convict-lease system. The crop-lien system is an arrangement of chattel mortgages, so fixed that the housing, labor, kind of agriculture and, to some extent, the personal liberty of the free black laborer is put into the hands of the landowner and merchant. It is absentee landlordism and the “company-store” systems united. The convict-lease system is the slavery in private hands of persons convicted of crimes and misdemeanors in the courts. The object of this section is to sketch the rise and development of the convict-lease system, and the efforts to modify and abolish it.

Before the Civil War the system of punishment for criminals in the South was practically the same as in the North. Except in a few cities, however, crime was less prevalent than in the North, and the system of slavery naturally modified the situation. The slaves could become criminals in the eyes of the law only in exceptional

*First printed in slightly altered form in the *Missionary Review of the World*, Oct., 1901.

cases. The punishment and trial of nearly all ordinary misdemeanors and crimes lay in the hands of the masters. Consequently, so far as the state was concerned, there was no crime of any consequence among Negroes. The system of criminal jurisprudence had to do, therefore, with whites almost exclusively, and as is usual in a land of scattered population and aristocratic tendencies, the law was lenient in theory and lax in execution.

On the other hand, the private well-ordering and control of slaves called for careful co-operation among masters. The fear of insurrection was ever before the South, and the ominous uprisings of Cato, Gabriel, Vesey, Turner, and Toussaint made this fear an ever-present nightmare. The result was a system of rural police, mounted and on duty chiefly at night, whose work it was to stop the nocturnal wandering and meeting of slaves. It was usually an effective organization, which terrorized the slaves, and to which all white men belonged, and were liable to active detailed duty at regular intervals.

Upon this system war and emancipation struck like a thunderbolt. Law and order among the whites, already loosely enforced, became still weaker through the inevitable influence of conflict and social revolution. The freedman was especially in an anomalous situation. The power of the slave police supplemented and depended upon that of the private masters. When the masters' power was broken the patrol was easily transmuted into a lawless and illegal mob known to history as the Ku Klux Klan. Then came the first, and probably the most disastrous, of that succession of political expedients by which the South sought to deal with the consequences of emancipation. It will always be a nice question of ethics as to how far a conquered people can be expected to submit to the dictates of a victorious foe. Certainly the world must to a degree sympathize with resistance under such circumstances. The mistake of the South, however, was to adopt a kind of resistance which in the long run weakened her moral fiber, destroyed respect for law and order, and enabled gradually her worst elements to secure an unfortunate ascendancy. The South believed in slave labor, and was thoroughly convinced that free Negroes would not work steadily or effectively. Elaborate and ingenious apprentice and vagrancy laws were therefore passed, designed to make the freedmen and their children work for their former masters at practically no wages. Justification for these laws was found in the inevitable tendency of many of the ex-slaves to loaf when the fear of the lash was taken away. The new laws, however, went far beyond such justification, totally ignoring that large class of freedmen eager to work and earn property of their own, stopping all competition between employers, and confiscating the labor and liberty of children. In fact, the new laws of this period recognized the Emancipation Proclamation and the Thirteenth Amendment simply as abolishing the slave-trade.

The interference of Congress in the plans for reconstruction stopped the full carrying out of these schemes, and the Freedmen's Bureau consolidated and sought to develop the various plans for employing

and guiding the freedmen already adopted in different places under the protection of the Union Army. This government guardianship established a free wage system of labor by the help of the army, the striving of the best of the blacks, and the co-operation of some of the whites. In the matter of adjusting legal relationships, however, the Bureau failed. It had, to be sure, Bureau courts, with one representative of the ex-master, one of the freedmen, and one of the Bureau itself, but they never gained the confidence of the community. As the regular state courts gradually regained power, it was necessary for them to fix by their decisions the new status of the freedmen. It was perhaps as natural as it was unfortunate that amid this chaos the courts sought to do by judicial decisions what the legislatures had formerly sought to do by specific law—namely, reduce the freedmen to serfdom. As a result, the small peccadilloes of a careless, untrained class were made the excuse for severe sentences. The courts and jails became filled with the careless and ignorant, with those who sought to emphasize their new found freedom, and too often with innocent victims of oppression. The testimony of a Negro counted for little or nothing in court, while the accusation of white witnesses was usually decisive. The result of this was a sudden large increase in the apparent criminal population of the Southern states—an increase so large that there was no way for the state to house it or watch it even had the state wished to. And the state did not wish to. Throughout the South laws were immediately passed authorizing public officials to lease the labor of convicts to the highest bidder. The lessee then took charge of the convicts—worked them as he wished under the nominal control of the state. Thus a new slavery and slave-trade was established.

The abuses of this system have often been dwelt upon. It had the worst aspects of slavery without any of its redeeming features. The innocent, the guilty, and the depraved were herded together, children and adults, men and women, given into complete control of practically irresponsible men, whose sole object was to make the most money possible. The innocent were made bad, the bad worse; women were outraged and children tainted; whipping and torture were in vogue, and the death-rate from cruelty, exposure, and overwork rose to large percentages. The actual bosses over such leased prisoners were usually selected from the lowest classes of whites, and the camps were often far from settlements or public roads. The prisoners often had scarcely any clothing, they were fed on a scanty diet of corn bread and fat meat, and worked twelve or more hours a day. After work each must do his own cooking. There was insufficient shelter; in one Georgia camp, as late as 1895, sixty-one men slept in one room, seventeen by nineteen feet, and seven feet high. Sanitary conditions were wretched, there was little or no medical attendance, and almost no care of the sick. Women were mingled indiscriminately with the men, both in working and in sleeping, and dressed often in men's clothes. A young girl at camp

Hardmont, Georgia, in 1895, was repeatedly outraged by several of her guards, and finally died in childbirth while in camp.

Such facts illustrate the system at its worst—as it used to exist in nearly every Southern state, and as it still exists in parts of Georgia, Mississippi, Louisiana, and other states. It is difficult to say whether the effect of such a system is worse on the whites or on the Negroes. So far as the whites are concerned, the convict-lease system lowered the respect for courts, increased lawlessness, and put the states into the clutches of penitentiary “rings.” The courts were brought into politics, judgeships became elective for shorter and shorter terms, and there grew up a public sentiment which would not consent to considering the desert of a criminal apart from his color. If the criminal were white, public opinion refused to permit him to enter the chaingang save in the most extreme cases. The result is that even to-day it is difficult to enforce the criminal laws in the South against whites. On the other hand, so customary had it become to convict any Negro upon a mere accusation, that public opinion was loathe to allow a fair trial to black suspects, and was too often tempted to take the law into its own hands. Finally the state became a dealer in crime, profited by it so as to derive a net annual income from her prisoners. The lessees of the convicts made large profits also. Under such circumstances, it was almost impossible to remove the clutches of this vicious system from the state. Even as late as 1890, the Southern states were the only section of the Union where the income from prisons and reformatories exceeded the expense.* Moreover, these figures do not include the county gangs where the lease system is to-day most prevalent and the net income largest.

INCOME AND EXPENSE OF STATE PRISONS AND REFORMATORIES, 1890.

| | Earnings. | Expense. | Profit. |
|-----------------------|-----------|-------------|----------|
| New England..... | \$299,735 | \$1,204,029 | ..... |
| Middle States..... | 71,252 | 1,850,452 | ..... |
| Border States..... | 597,898 | 962,411 | ..... |
| Southern States†..... | 938,406 | 890,432 | \$47,974 |
| Central States..... | 624,161 | 1,971,795 | ..... |
| Western States..... | 378,036 | 1,572,316 | ..... |

The effect of the convict-lease system on the Negroes was deplorable. First, it linked crime and slavery indissolubly in their minds as simply forms of the white man’s oppression. Punishment, consequently, lost the most effective of its deterrent effects, and the criminal gained pity instead of disdain. The Negroes lost faith in the integrity of courts and the fairness of juries. Worse than all, the chaingangs became schools of crime which hastened the appearance of the confirmed Negro criminal upon the scene. That some crime and vagrancy should follow emancipation was inevitable. A nation cannot systematically degrade labor without in some degree debauching the laborer. But there can

*Bulletin No. 8, Library of State of New York. All figures in this section are from this source.

†South Carolina, Georgia, Alabama, Mississippi, Louisiana, Texas, and Arkansas.

be no doubt but that the indiscriminate method by which Southern courts dealt with the freedmen after the war increased crime and vagabondage to an enormous extent. There are no reliable statistics to which one can safely appeal to measure exactly the growth of crime among the emancipated slaves. About seventy per cent. of all prisoners in the South are black; this, however, is in part explained by the fact that accused Negroes are still easily convicted and get long sentences, while whites still continue to escape the penalty of many crimes even among themselves. And yet, allowing for all this, there can be no reasonable doubt but that there has arisen in the South since the war a class of black criminals, loafers and ne'er-do-wells who are a menace to their fellows, both black and white.

The appearance of the real Negro criminal stirred the South deeply. The whites, despite their long use of the criminal court for putting Negroes to work, were used to little more than petty thieving and loafing on their part, and not to crimes of boldness, violence, or cunning. When, after periods of stress or financial depression, as in 1892, such crimes increased in frequency, the wrath of a people unschooled in the modern methods of dealing with crime broke all bounds and reached strange depths of barbaric vengeance and torture.' Such acts, instead of drawing the best opinion of these states and of the nation toward a consideration of Negro crime and criminals, discouraged and alienated the best classes of Negroes, horrified the civilized world, and made the best white Southerners ashamed.

Nevertheless, in the midst of all this, a leaven of better things had been working, and the bad effects of the epidemic of lynching quickened it. The great difficulty to be overcome in the South was the false theory of work and of punishment of wrong-doers inherited from slavery. The inevitable result of a slave system is for a master class to consider that the slave exists for his benefit alone—that the slave has no rights which the master is bound to respect. Inevitably this idea persisted after emancipation. The black workman existed for the comfort and profit of white people, and the interests of white people were the only ones to be seriously considered. Consequently, for a lessee to work convicts for his profit was a most natural thing. Then, too, these convicts were to be punished, and the slave theory of punishment was pain and intimidation. Given these ideas, and the convict-lease system was inevitable. But other ideas were also prevalent in the South; there were in slave times plantations where the well-being of the slaves was considered, and where punishment meant the correction of the fault rather than brute discomfort. After the chaos of war and reconstruction passed, there came from the better conscience of the South a growing demand for reform in the treatment of crime. The worst horrors of the convict-lease system were attacked persistently in nearly every Southern state. Back in the eighties, George W. Cable, a Southern man, published a strong attack on the system. The following decade Governor Atkinson, of Georgia, instituted a searching investigation, which startled the state by its revelation of existing

conditions. Still more recently Florida, Arkansas and other states have had reports and agitation for reform. The result has been marked improvement in conditions during the last decade. This is shown in part by the statistics of 1895; in that year the prisons and reformatories of the far South cost the states \$204,483 more than they earned, while before this they had nearly always yielded an income. This is still the smallest expenditure of any section, and looks strangely small beside New England's \$1,190,564. At the same time, a movement in the right direction is clear. The laws are being framed more and more so as to prevent the placing of convicts altogether in private control. They are not, to be sure, always enforced, Georgia having still several hundreds of convicts so controlled. In nearly all the Gulf states the convict-lease system still has a strong hold, still debauches public sentiment and breeds criminals.

The next step after the lease system was to put the prisoners under regular state inspection, but to lease their labor to contractors, or to employ it in some remunerative labor for the state. It is this stage that the South is slowly reaching to-day, so far as the criminals are concerned who are dealt with directly by the states. Those whom the state still unfortunately leaves in the hands of county officials are usually leased to irresponsible parties. Without doubt, work, and work worth the doing—*i. e.*, profitable work—is best for the prisoners. Yet there lurks in this system a dangerous temptation. The correct theory is that the work is for the benefit of the criminal—for his correction, if possible. At the same time, his work should not be allowed to come into unfair competition with that of honest laborers, and it should never be an object of traffic for pure financial gain. Whenever the profit derived from the work becomes the object of employing prisoners, then evil must result. In the South to-day it is natural that in the slow turning from the totally indefensible private lease system, some of its wrong ideas should persist. Prominent among these persisting ideas is this: that the most successful dealing with criminals is that which costs the state least in actual outlay. This idea still dominates most of the Southern states. Georgia spent \$2.38 per capita on her 2,938 prisoners in 1890, while Massachusetts spent \$62.96 per capita on her 5,227 prisoners. Moreover, by selling the labor of her prisoners to the highest bidders, Georgia not only got all her money back, but made a total clear profit of \$6.12 on each prisoner. Massachusetts spent about \$100,000 more than was returned to her by prisoners' labor. Now it is extremely difficult, under such circumstances, to prove to a state that Georgia is making a worse business investment than Massachusetts. It will take another generation to prove to the South that an apparently profitable traffic in crime is very dangerous business for a state; that prevention of crime and the reformation of criminals is the one legitimate object of all dealing with depraved natures, and that apparent profit arising from other methods is in the end worse than dead loss. Bad public schools and profit from crime explain much of the Southern social problem.

Moreover, in the desire to make the labor of criminals pay, little heed is taken of the competition of convict and free laborers, unless the free laborers are white and have a vote. Black laborers are continually displaced in such industries as brick-making, mining, road-building, grading, quarrying, and the like, by convicts hired at \$3, or thereabouts, a month.

The second mischievous idea that survives from slavery and the convict-lease system is the lack of all intelligent discrimination in dealing with prisoners. The most conspicuous and fatal example of this is the indiscriminate herding of juvenile and adult criminals. It need hardly be said that such methods manufacture criminals more quickly than all other methods can reform them. In 1890, of all the Southern states, only Texas, Tennessee, Kentucky, Maryland, and West Virginia made any state appropriations for juvenile reformatories. In 1895 Delaware was added to these, but Kentucky was missing. We have, therefore, expended for juvenile reformatories:

| | 1890. | 1895. |
|----------------------|-----------|-----------|
| New England..... | \$632,634 | \$854,581 |
| Border States..... | 231,020 | 174,781 |
| Southern States..... | 10,498 | 33,910 |

And this in face of the fact that the South had in 1890 over four thousand prisoners under twenty years of age. In some of the Southern states—notably, Virginia—there are private associations for juvenile reform, acting in co-operation with the state. These have, in some cases, recently received state aid. In other states, like Georgia, there is permissive legislation for the establishment of local reformatories. Little has resulted as yet from this legislation, but it is promising.

This section has sought to trace roughly the attitude of the South toward crime. There is in that attitude much to condemn, but also something to praise. The tendencies are to-day certainly in the right direction, but there is a long battle to be fought with prejudice and inertia before the South will realize that a black criminal is a human being, to be punished firmly but humanely, with the sole object of making him a safe member of society, and that a white criminal at large is a menace and a danger. The greatest difficulty to-day in the way of reform is this race question. The movement for juvenile reformatories in Georgia would have succeeded some years ago, in all probability, had not the argument been used: it is chiefly for the benefit of Negroes. Until the public opinion of the ruling masses of the South can see that the prevention of crime among Negroes is just as necessary, just as profitable, for the whites themselves, as prevention among whites, all true betterment in courts and prisons will be hindered. Above all, we must remember that crime is not normal; that the appearance of crime among Southern Negroes is a symptom of wrong social conditions—of a stress of life greater than a large part of the community can bear. The Negro is not naturally criminal; he is usually patient and law-abiding. If slavery, the convict-lease system, the traffic in criminal labor, the lack of juvenile reformatories, to-

gether with the unfortunate discrimination and prejudice in other walks of life, have led to that sort of social protest and revolt which we call crime, then we must look for remedy in the sane reform of these wrong social conditions, and not in intimidation, savagery, or the legalized slavery of men.

3. Crime and the Census. Before a remedy of any kind can be applied to crime, we must know something of the extent of the evil. How far is crime prevalent among Negroes, and what sorts of crime are most common? The extreme Southern view of the situation is illustrated by the statement of Governor James K. Vardaman of Mississippi:*

1. The Negro element is the most criminal in our population.
2. The Negro is much more criminal as a free man than he was as a slave.
3. The Negro is increasing in criminality with fearful rapidity, being one third more criminal in 1890 than 1880.
4. The Negroes who can read and write are more criminal than the illiterate, which is true of no other element of our population.
5. The Negro is nearly three times as criminal in the Northeast, where he has not been a slave for a hundred years, and three and a half times as criminal in the Northwest, where he has never been a slave, as in the South, where he was a slave until 1865.
6. The Negro is three times as criminal as a native white, and once and a half as criminal as the foreign white, consisting in many cases of the scum of Europe.
7. More than seven-tenths of the Negro criminals are under thirty years of age.

The conservative Northern view may be represented by the words of Professor Walter F. Willcox in answer to the above assertions:†

“1. *The Negro element is the most criminal in our population.*” The main evidence, almost the only evidence, regarding the criminality of different classes is derived from census statistics. The most recent figures on the subject are those of 1890, an inquiry into the subject by the Census Office for the year 1904 being now in progress. The following figures show the number of prisoners in the United States in 1890 of the specified race to each 10,000 total population of that race:

| <i>Race</i> | |
|----------------|----|
| White..... | 10 |
| Negro..... | 33 |
| Mongolian..... | 38 |
| Indian..... | 55 |

The preceding figures indicate that the criminality of the Negro race is much higher than that of the whites, but lower than that of the Indians and Mongolians. The Chinese and Japanese in the United States are nearly all men, from which class prisoners mainly come. For this reason such a comparison between Negroes and Mongolians is misleading, and probably more accurate comparisons would show the criminality of the Negroes to be higher than that of the Mongolians. But I see no reason for doubting the obvious inference from the figures that it is lower than that of the Indians, and therefore I do not believe the first conclusion.

“2. *The Negro is much more criminal as a free man than he was as a slave.*” Crimes committed by the Negro under the slavery system were usually punished

*Leslie's Weekly, Feb. 4, 1904. †Ibid, Feb. 11, 1904.

by the master without recourse to the courts. Now there is no master, and the courts must punish the Negro criminal, if he is not in most cases to go free. Court records, if tabulated in statistical form, as they are not, would doubtless show a greater amount of recorded crime. But I do not think such statistics would prove the conclusion that he is by nature or by habit more criminal than as a slave, nor do I see how it can be established by other evidence than that derived from personal opinion. My experience does not warrant me in drawing any conclusion on this point.

"3. *The Negro is increasing in criminality with fearful rapidity, being one-third more criminal in 1890 than in 1880.*" The evidence on this point also comes from the census. In 1880 there were twenty-five Negro, Indian and Mongolian prisoners to every 10,000 persons of those races. In 1890 there were thirty-three. The Negroes are many times as numerous as the other races combined, and therefore the foregoing figures are substantially true for the Negroes alone. How far this increase is due to a change in the characteristics of the race, and how far to an increase in the number of crimes punished by the law, or to the efficacy of the judicial system in ferreting out and punishing crime, it seems impossible to say. I believe there has been an increase in Negro criminality, but that the foregoing figures do not afford an accurate measure of its amount.

"4. *The Negroes who can read and write are more criminal than the illiterate, which is true of no other element of our population.*" In 1890, among every 10,000 Negroes at least ten years of age who could read and write, there were forty-one prisoners, while among every 10,000 illiterate Negroes of the same ages there were forty-nine prisoners. The conclusion is thus shown to be incorrect. For reasons which I have not space here to state, I believe that the true difference in favor of the educated Negroes is greater than the foregoing figures indicate.

"5. *The Negro is nearly three times as criminal in the Northeast, where he has not been a slave for a hundred years, and three and a half times as criminal in the Northwest, where he has never been a slave, as in the South, where he was a slave until 1865.*" The evidence for this statement is also derived from the census. In the Southern States in 1890 there were twenty-nine Negro prisoners to every 10,000 Negroes, in the Northeast there were seventy-five, and in the far Western States ninety-five. Governor Vardaman explains this difference as a lingering effect of slavery. It certainly was not due to that. The proof is found in the fact that similar differences exist among whites. In his State of Mississippi, for example, there were fourteen Negro prisoners to 10,000 Negroes, and in my State of New York there were 100, but in Mississippi there were two white prisoners to every 10,000 whites, and in New York there were eighteen. Are we to explain the low percentage of criminals among Southern whites as also a lingering effect of Negro slavery? No; the fact is that crime and criminals are more prevalent in closely settled communities, where any sort of disorder is more likely to lead directly to the prison. Negro criminals are more numerous at the North and the West, partly because there are fewer Negro children and more adult men in those sections, but mainly because Negroes at the North live especially in the cities, while at the South they live mainly in the country.

"6. *The Negro is three times as criminal as a native white, and once and a half as criminal as the foreign white, consisting in many cases of the scum of Europe.*" Negro criminality is undoubtedly far greater than white, and I have little doubt that the foregoing statement is substantially, though not numerically, correct. Perhaps a fairer comparison than that between all Negroes and all foreign-born whites would be between the Negroes and the foreign-born living in the North. In the North Atlantic division, where recent immigrants are most numerous, the Negro prisoners relative to population are three times as numerous as foreign-born

white prisoners, and in the North Central division they are more than six times as numerous.

“7. *More than seven-tenths of the Negro criminals are under thirty years of age.*” This statement is substantially correct. But it should be noticed that more than half of the white prisoners are also under thirty years of age, and that the average length of life of the Negroes is several years less than that of the whites, and therefore the proportion of them in the higher ages is small. The figures, however, do indicate a disproportionate and probably an increasing amount of juvenile crime among the Negroes.

The evidence relied upon in judging crime among Negroes is chiefly the United States Census Reports of 1870, 1880 and 1890. These reports are briefly summarized in the following pages:

White

| | 1870 | 1880 | 1890 |
|-------------------------|--------|--------|--------|
| Prisoners | 24,845 | 41,861 | 57,310 |
| Ratio per million | 740 | 964 | 1,042 |

Colored (Negro, Indian, etc.)

| | | | |
|-------------------------|-------|--------|--------|
| Prisoners | 8,056 | 16,748 | 25,019 |
| Ratio per million | 1,621 | 2,480 | 3,275 |
| Ratio per million { | | | |
| Negroes | | | 3,250 |
| Chinese | | | 3,835 |
| Indian | | | 5,476 |

How shall these figures be interpreted? First, it is certain that they cannot be given their full value because of the method of collection. The census of 1890 says: *

The increase in the number of prisoners during the last 40 years has been more apparent than real, owing to the very imperfect enumeration of the prison population prior to 1880. Whatever it has been, it is not what it might be supposed to be, if we had no other means of judging of it than by the figures contained in the census volumes.

The census method of measuring crime by counting the prison population on a certain day every ten years has been shown by Dr. Roland P. Falkner to lead to unwarranted conclusions. He says: †

If the amount of crime means the ratio between the offenses committed in a given year and the population at that time, the census volume fails to give us a correct idea of crime in the United States:

1. Because it furnishes no basis for a calculation of the increase of crime.
2. Because in depicting the geographical distribution of crime, it favors one locality at the expense of another.
3. Because it exaggerates the number of the male sex in the aggregate of crime.
4. Because it assigns to the Negroes a larger, and to the foreign-born white a smaller, share in the total of crime than belongs to each.
5. Because it distorts the picture of the relative frequency of different classes of crimes.

Mr. Falkner says further: ‡

*11th Census, Crime, etc., Pt. I, p. 126.

†Crime and the Census, p. 66.

‡Ibid, p. 62.

The census can here do justice to the different elements only on the supposition of a uniform distribution of sentences. If one class receive longer sentences than another, or commit classes of crimes for which longer sentences are given, it will appear unduly magnified in the census report. The following table summarizes the facts of the census report, regarding sentences where a definite term has been imposed by the courts:

Sentences of the Prison Population in 1890, by Elements of the Population

| GROUPS | Average sentence, years | Prisoners with def. sentences | Sentences of under one year | Per cent of sentences under 1 year |
|--------------------------|-------------------------|-------------------------------|-----------------------------|------------------------------------|
| Total | 3.88 | 65,653 | 18,538 | 29.13 |
| Total white | 3.46 | 44,856 | 14,688 | 32.74 |
| Total native white | 3.67 | 32,076 | 9,141 | 28.50 |
| Foreign-born white | 2.97 | 12,434 | 5,425 | 43.63 |
| Negroes | 4.84 | 18,322 | 3,737 | 20.39 |

The variation in average sentences is quite considerable. The short term offenders really constitute the bulk of the total commitments of a year, but as we have seen do not exercise the greatest influence upon the census totals. If the short term sentences fall below the average, as in the case of the Negroes, that element receives undue prominence in the census. If they rise above the average, as in the case of the foreign-born, that element has not its appropriate quota in the census figures.

From the sentences and prisoners as reported in the census of 1890, Mr. Falkner then proceeds to calculate the probable number of commitments and makes the following table: *

Prison Population in 1890 and Estimate of Commitments, by Elements of the Population

| GROUPS | Prisoners Sentenced or Committed. | | | Percentages | | |
|-----------------------|-----------------------------------|--------------|---------|-----------------|--------------|-------|
| | 1 year and over | Under 1 year | Total | 1 year and over | Under 1 year | Total |
| SENTENCED | | | | | | |
| Native white | 22,935 | 9,141 | 32,076 | 50.84 | 49.31 | 50.41 |
| Foreign-born white .. | 7,009 | 5,425 | 12,434 | 15.51 | 29.26 | 19.53 |
| Negroes | 14,585 | 3,737 | 18,322 | 32.55 | 20.16 | 28.78 |
| COMMITTED | | | | | | |
| Native white .. | 9,283 | 96,470 | 105,753 | 52.32 | 49.76 | 49.96 |
| Foreign-born white .. | 2,890 | 59,374 | 62,264 | 16.29 | 30.61 | 29.42 |
| Negroes | 5,445 | 35,036 | 40,481 | 30.69 | 18.06 | 19.12 |

If we compare the percentages for the prison population, we see that the long sentences have the greatest weight in determining the average for all. In the probable commitments the contrary is the case. Our calculations do not affect the proportion of native white, but they reverse the positions of the Negro and the foreign-born white.

Thus this estimate reduces the responsibility of the Negro for crime in this land from 30% to 19%.

*Crime and the Census, p. 63.

4. **Extent of Negro Crime.** It seems fair to conclude that the Negroes of the United States, forming about one-eighth of the population, were responsible in 1890 for nearly one-fifth of the crime.

Detailed figures from the censuses are as follows:

Colored * Prisoners, 1870

| | |
|----------------------------|-------|
| United States..... | 8,056 |
| North Atlantic States..... | 1,160 |
| South " "..... | 3,391 |
| North Central..... | 833 |
| South " "..... | 2,640 |
| Western..... | 32 |

Colored * Prisoners, 1880

| | Colored | Colored, male | Colored, female |
|------------------------------|---------|---------------|-----------------|
| UNITED STATES | 16,748 | 15,500 | 1,248 |
| North Atlantic Division..... | 1,403 | 1,265 | 138 |
| South Atlantic Division..... | 5,579 | 5,057 | 522 |
| North Central Division..... | 1,708 | 1,580 | 128 |
| South Central Division..... | 7,394 | 6,938 | 456 |
| Western Division..... | 664 | 660 | 4 |

Offenses Charged

| | Colored | Colored, male | Colored, female |
|----------------------------------|---------|---------------|-----------------|
| ALL OFFENSES..... | 16,562 | 15,381 | 1,181 |
| Offenses against government..... | 117 | 116 | 1 |
| Offenses against society..... | 1,072 | 809 | 263 |
| Offenses against person..... | 3,918 | 3,691 | 227 |
| Offenses against property..... | 9,510 | 9,027 | 483 |
| Offenses on high seas..... | 2 | | |
| Miscellaneous..... | 315 | 259 | 56 |
| Not stated..... | 1,610 | 1,476 | 140 |

Prisoners by Sex and Geographical Divisions

| 1890 | Males | Females | Total |
|---------------------|--------|---------|--------|
| UNITED STATES | 22,305 | 1,972 | 24,277 |
| North Atlantic..... | 1,793 | 244 | 2,037 |
| South Atlantic..... | 8,113 | 750 | 8,863 |
| North Central..... | 2,528 | 210 | 2,738 |
| South Central..... | 9,625 | 756 | 10,381 |
| Western..... | 246 | 12 | 258 |

By Prisons

| Prisons | Number | Percentages |
|--|--------|-------------|
| In state prisons and penitentiaries..... | 14,267 | 58.77 |
| In county jails..... | 5,497 | 22.64 |
| In city prisons..... | 1,068 | 4.40 |
| In workhouses and houses of correction..... | 1,327 | 5.46 |
| Leased out (by counties)..... | 1,995 | 8.22 |
| In military and naval prisons..... | 46 | 0.19 |
| In hospitals and asylums for the insane..... | 77 | 0.32 |
| Total..... | 24,277 | 100.00 % |

* Includes Indians and Chinese.

NINTH ATLANTA CONFERENCE

Ratios of Prisoners to 1,000,000 of Negro Population

| | |
|---------------------------|--------------|
| No. Atlantic Div..... | 7,547 |
| So. " "..... | 2,716 |
| No. Central "..... | 6,351 |
| So. " "..... | 2,984 |
| Western "..... | 9,527 |
| <i>United States.....</i> | <i>3,250</i> |

Out of every 10,000 Negro prisoners:

| | | | | |
|-------|-----|-------|----|--------------|
| 5 | are | under | 10 | years of age |
| 1,822 | " | 10-19 | " | " |
| 5,078 | " | 20-29 | " | " |
| 1,875 | " | 30-39 | " | " |
| 741 | " | 40-49 | " | " |
| 327 | " | 50-59 | " | " |
| 117 | " | 60-69 | " | " |
| 28 | " | 70-79 | " | " |
| 5 | " | 80-89 | " | " |
| 2 | " | 90-99 | " | " |

Out of every 10,000 Negroes:

| | | |
|-------------------------|----|--|
| 15-19 years of age..... | 44 | are prisoners, and 11 in reformatories |
| 20-24 " "..... | 98 | " " |
| 25-29 " "..... | 88 | " " |
| 30-34 " "..... | 63 | " " |
| 35-44 " "..... | 41 | " " |
| 45-54 " "..... | 25 | " " |
| 55-64 " "..... | 17 | " " |
| 65 and over " "..... | 9 | " " |

The average age of Negro prisoners is:

| | | |
|-------------|-------|-------|
| Male..... | 27.73 | years |
| Female..... | 26.08 | " |
| Total..... | 27.60 | " |

Negroes were incarcerated for the following offenses:

Kind of Offenses

| | Both sexes | Males | Females |
|---|------------|----------|----------|
| TOTAL..... | 100.00 % | 100.00 % | 100.00 % |
| 1. Against the government..... | 0.70 % | 0.77 % | 0.08 % |
| 2. Against society, (i. e., perjury, adultery, gambling, drunkenness, disorder, concealed weapons, vagrancy, etc.)..... | 16.54 % | 14.13 % | 40.64 % |
| 3. Against the person, (murder, rape, assaults, etc.)..... | 25.95 % | 26.72 % | 18.22 % |
| 4. Against property..... | 46.65 % | 48.28 % | 30.33 % |
| 5. Miscellaneous, (double crimes, infractions of municipal ordinances, witnesses, unknown).... | 10.16 % | 10.10 % | 10.73 % |

The actual number of offenses for whites and Negroes is :

| OFFENSES | Whites | Negroes | Indians |
|---------------------------------|-----------|-----------|-----------|
| ALL OFFENSES | 1,000,000 | 1,000,000 | 1,000,000 |
| 1. Against the government | 28,721 | 7,332 | 40,373 |
| 2. Against society..... | 269,796 | 134,283 | 279,503 |
| Perjury and false swearing..... | 2,949 | 6,961 | 9,317 |
| Incest | 3,210 | 1,565 | ..... |
| Adultery..... | 4,886 | 4,407 | 9,317 |
| Fornication, etc..... | 14,849 | 6,591 | 3,105 |
| Gambling..... | 1,152 | 10,545 | ..... |
| Public intoxication | 99,529 | 16,353 | 52,795 |
| Disorderly conduct..... | 56,273 | 23,767 | 9,317 |
| Carrying concealed weapons..... | 2,879 | 14,293 | ..... |
| Vagrancy | 43,273 | 14,747 | 15,528 |
| 3. Against the person..... | 179,148 | 277,629 | 388,199 |
| Homicide..... | 77,212 | 112,823 | 285,714 |
| Rape..... | 14,203 | 23,438 | 24,845 |
| 4. Against property..... | 451,858 | 476,954 | 273,292 |
| Burglary | 120,015 | 114,307 | 40,373 |
| Larceny..... | 241,877 | 288,668 | 214,286 |
| 5. Miscellaneous | 70,407 | 103,802 | 18,633 |

Average Ages of Prisoners by Groups of Crimes

| | Aggregate number | Negroes |
|----------------------------------|------------------|---------|
| All offenses..... | 30.65 | 27.60 |
| Offenses against government..... | 31.44 | 30.76 |
| Offenses against society..... | 33.87 | 27.99 |
| Offenses against person..... | 32.38 | 29.01 |
| Offenses against property..... | 28.35 | 26.60 |
| Offenses on high seas..... | 38.00 | ..... |
| Miscellaneous..... | 30.02 | 7.84 |

Crime and Illiteracy

| NEGROES | Percentage of total population | | | Percentage of prison population. | | |
|-----------------------------|--------------------------------|-------|---------|----------------------------------|-------|---------|
| | Total | Males | Females | Total | Males | Females |
| Read and write..... | 42.91 | 45.63 | 40.23 | 38.88 | 39.11 | 36.26 |
| Illiterate*..... | 57.09 | 54.37 | 59.77 | 61.12 | 60.89 | 63.74 |
| Read only | 6.81 | 6.73 | 6.87 | 6.99 | 6.58 | 11.71 |
| Neither read nor write..... | 50.28 | 47.64 | 52.90 | 54.13 | 54.31 | 52.03 |

From the figures of 1890 it seems fair to conclude :

1. That eight-tenths of the Negro prisoners are in the South where nine-tenths of the Negroes dwell. This is further emphasized by the fact that Negroes in the North furnish 60 to 75 prisoners for every 10,000 of population, while those in the South furnish about 30. This discrepancy is largely explained by the difference in urban and rural populations, and the migration northward.

* According to the usage of the census of 1890 the term "illiterate" includes both those who can read and not write and those who neither read nor write. Cf.

2. While 60% of the prisoners are in State Prisons and Penitentiaries, this excess of dangerous criminals is apparent and not real and is due to the census method of computing crime.

3. Half of the Negro prisoners are between the ages of 20 and 30 years, a fifth, 10-19 years, and another fifth, 30-40 years. This shows a lower criminal age than among whites.

4. Nearly half of the Negro prisoners are confined for crimes against property. If commitments were tabulated, undoubtedly pilfering would be found to be pre-eminently the Negro crime. This is due to imperfect ideas of property ownership inseparable from a system of slavery.

5. One-fourth of the Negro prisoners are confined for crimes against the person. This consists of fighting and quarreling, ending at times in homicide, and also the crime of rape. Fighting is to be expected of ignorant people and people living under unsettled conditions. Of 1,392 persons confined for rape in 1890, 578 were Negroes. These figures exaggerate the apparent guilt of Negroes because the Negroes received an average sentence of 14.04 years for rape while whites received an average sentence of 12.72 years, and probably a still larger disproportion in life sentences existed. Negroes too are more easily convicted of this crime to-day, because of public opinion. Notwithstanding all these considerations there is no doubt of a large prevalence of sexual crime among Negroes. This is due to the sexual immorality of slavery, the present defenselessness of a proscribed caste, and the excesses of the undeveloped classes among Negroes.

6. One-sixth of the criminals in jail were charged with crimes against society—gambling, drunkenness, adultery, etc.

7. The age statistics show that among both whites and blacks the younger criminals steal; among Negroes, crimes against society and the person claim the next older set, while crimes against the government and the person come next among whites.

8. The illiterate Negroes furnish more of the criminals than those who read and write. The difference in education between the great number who can just barely read and write and the wholly illiterate is not great, so that this does not really illustrate the full degree in which ignorance causes Negro crime. There has been so much dispute and misapprehension on this point that additional testimony is valuable. Mr. Clarence Poe says: *

But do the general, nation-wide results indicate that education is helpful? It has often been claimed that they do not. And in proof we have the oft repeated charge that the percentage of literacy among Negro criminals in 1890 was higher than that for the total Negro population—in other words, that the literate Negroes furnish a larger proportion of prisoners than the illiterate. This statement was made in an address before the National Prison Association in 1897. It was printed in one of our foremost magazines, the *North American Review*, in June, 1900. It was repeated by a governor of Georgia in a public message. A Mississippi

*Clarence H. Poe, a Southern white man, editor of the *Raleigh Progressive Farmer*, in the *Atlantic Monthly*, February, 1904, p. 162.

preacher has sent it broadcast over the South, and it was doubtless used in the recent campaign in that state. Scores of papers have copied it. Even now a Southern daily which I have just received has a two-column argument against Negro education, based on the alleged census figures. "To school the Negro," says the writer, "is to increase his criminality. Official statistics do not lie, and they tell us that the Negroes who can read and write are more criminal than the illiterate. In New England, where they are best educated, they are four and a half times as criminal as in the Black Belt, where they are most ignorant. The more money for Negro education, the more Negro crime. This is the unmistakable showing of the United States Census."

That such statements as these have thus far gone unchallenged should indeed excite our special wonder. It was only the desire to get the exact figures that led me to discover their falsity. The truth is, that of the Negro prisoners in 1890 only 38.88 per cent. were able to read and write, while of the total Negro population 42.90 per cent. were able to read and write. And in every division of the country save one (and that with only a handful of Negro criminals) the prisons testified that the literate Negroes were less lawless than the illiterate. To make the matter plain, the following figures have been prepared by the United States Bureau of Education. They show the number of criminals furnished by each 100,000 colored literates, and the number furnished by each 100,000 colored illiterates, according to the Census of 1890:

Criminals in each 100,000 Negroes

| <i>Section</i> | <i>Literates</i> | <i>Illiterates</i> |
|------------------------------|------------------|--------------------|
| North Atlantic Division..... | 828..... | 1174 |
| South Atlantic Division..... | 320..... | 426 |
| South Central Division..... | 317..... | 498 |
| North Central Division..... | 807..... | 820 |
| Western Division..... | 542..... | 518 |

When we consider that there were only 258 Negro prisoners in all the Western division (out of 24,277 in the Union), the mere accident that, of these few, seven more than the exact proportion came from the literate element loses all significance; the test is on a scale too small for general conclusions. Summing up, it appears that of our total colored population in 1890 each 100,000 illiterates furnished 489 criminals, and each 100,000 literates only 413 criminals. Even more striking testimony comes from the North Carolina State's Prison situated in the writer's own city. In the two years during which it has kept a record, the proportion of Negro criminals from the illiterate class has been 40 per cent. larger than from the class which has had school training.

Later the same writer adds to this the following data.*

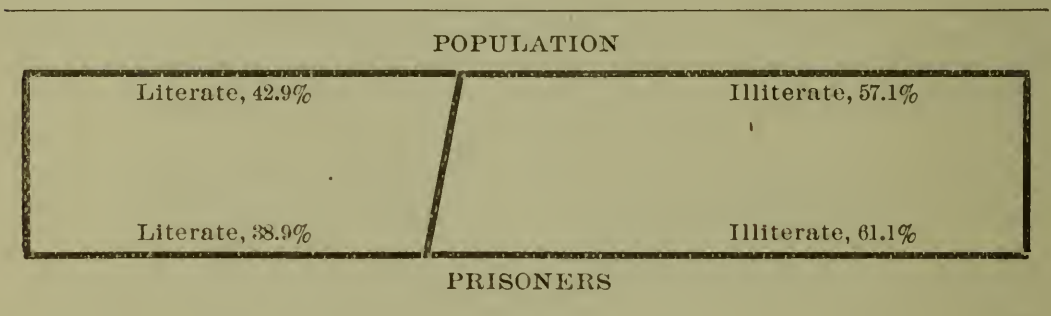
From Governor Vardaman's own State of Mississippi, where, in 1890, 60.9 per cent. and in 1900 less than 50 per cent. of the colored population were illiterate, the official who sends the report writes as follows: "There are about 450 Negro convicts in the Mississippi penitentiary; about half are wholly illiterate. Of the other half less than ten per cent. have anything like a fair education." In other words, in this very state, where Negro education is pronounced a failure, the literate Negroes furnish a smaller proportion of criminals than the illiterate, and not even those literate Negro criminals are really fairly educated. Similar testimony comes from other states. In North Carolina the illiterate Negroes of the state furnished 40 per cent. more criminals, according to number, than the Negroes who could both read and write. In South Carolina, where the census of 1890 gives the Negro literates as constituting 47.2 per cent. of the entire race in the state, the

*Editorial in the Outlook, Jan. 30, 1904, pp. 246-7.

penitentiary superintendent estimates that only 25 per cent. can both read and write. In Georgia more than 60 per cent. of the Negro convicts are illiterate, while of the total Negro population only 47.6 per cent. are illiterate. In Alabama the illiterates among the Negro criminals are reported as about 70 per cent. while the illiteracy of the total colored population is only 57.4 per cent. This means that in that state the Negroes who cannot read and write furnish about 30 per cent. more criminals, in round numbers, than the Negroes who have had school advantages. It is to be remembered that the figures for illiteracy now are not quite so bad as they were ten years ago; and therefore the figures quoted do not make the facts in confutation of Governor Vardaman's theories appear as strong as they really are.

There is no doubt that the common schools for Negroes sorely need improvement; but even as they are, it is clear that these schools are factors for law, order and morality.

The following diagram illustrates the facts as to illiteracy and crime for Negroes in the United States, 1890:



So much has been said and written on the subject of lynching that it is necessary here simply to add the usually received statistics on the subject, collected by the *Chicago Tribune* [see page 19].

5. Crime in Cities (by MONROE N. WORK, A. M.). Let us now turn from the bare and partially misleading census figures to a consideration of other sources of information. The best sources available are the reports of crime in various cities together with a few states. In these places the longest periods of time for which data were available have been taken. Whenever possible, the number of prisoners received in jails, workhouses, and penitentiaries during specified periods of time have been taken. The distinction between arrests and convictions has been maintained. An analysis of crimes and offenses has also been attempted to see if particular crimes or offenses are increasing or decreasing. It is recognized that the liability to make errors has not been eliminated, but it is hoped that the method of presenting the data and of interpretation has been such as to reduce the amount of error to a minimum.

Negro crime is considered in three periods: prior to 1866-1867; from 1867 to 1880; and from 1880 to 1903. Although the data for the first two periods are somewhat meager, it enables us, however, to gain some idea of the rate of these two periods.

Lynchings by Race by Years

| | 1885 | 1886 | 1887 | 1888 | 1889 | 1890 | 1891 | 1892 | 1893 | 1894 | 1895 | 1896 | 1897 | 1898 | 1899 | 1900 | 1901 | 1902 | 1903 | 1904 | Total |
|---------------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|-------|
| Negroes | 78 | 71 | 80 | *95 | 95 | 90 | 121 | 155 | 154 | 134 | 112 | 80 | 122 | 102 | 84 | 107 | 107 | 86 | 86 | 83 | 2,042 |
| Others | 103 | 62 | 43 | *47 | 80 | 38 | 74 | 81 | 46 | 56 | 59 | 51 | 44 | 25 | 23 | 8 | 28 | 10 | 18 | 4 | 900 |
| Totals | 181 | 133 | 123 | 142 | 175 | 128 | 195 | 236 | 200 | 190 | 171 | 131 | 166 | 127 | 107 | 115 | 135 | 96 | 104 | 87 | 2,942 |

*Estimates. The *Tribune* was unable to furnish the figures for 1888, except the totals.

Lynchings by Crimes by Years

| | 1885 | 1886 | 1887 | 1888 | 1889 | 1890 | 1891 | 1892 | 1893 | 1894 | 1895 | 1896 | 1897 | 1898 | 1899 | 1900 | 1901 | 1902 | 1903 | Total | % |
|--------------------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|-------|-------|
| Rape | 31 | 30 | 40 | *46 | 41 | 42 | 46 | 58 | 57 | 47 | 40 | 40 | 32 | 24 | 18 | 31 | 29 | 30 | 21 | 706 | 24.7 |
| Murder | 88 | 66 | 54 | *61 | 64 | 43 | 79 | 101 | 79 | 74 | 68 | 49 | 69 | 74 | 56 | 43 | 42 | 41 | 55 | 1,206 | 42.2 |
| Other crimes | 62 | 37 | 29 | *35 | 67 | 43 | 70 | 77 | 64 | 69 | 63 | 42 | 65 | 29 | 33 | 41 | 64 | 25 | 28 | 943 | 33.1 |
| Totals | 181 | 133 | 123 | 142 | 175 | 128 | 195 | 236 | 200 | 190 | 171 | 131 | 166 | 127 | 107 | 115 | 135 | 96 | 104 | 2,855 | 100.0 |

*Estimates.

Total Lynchings by States, 1885-1903*

| | | | |
|-------------------|-----|--------------------|----|
| Mississippi | 287 | Arizona | 12 |
| Texas | 255 | Iowa | 12 |
| Louisiana | 253 | Oregon | 10 |
| Georgia | 240 | Michigan | 5 |
| Alabama | 221 | Minnesota | 4 |
| Tennessee | 184 | Alaska | 4 |
| Arkansas | 177 | Nevada | 4 |
| Kentucky | 141 | Wisconsin | 3 |
| Florida | 126 | New York | 2 |
| S. Carolina | 103 | Pennsylvania | 2 |
| Virginia | 80 | Connecticut | 1 |
| Missouri | 79 | Delaware | 1 |
| Indian Terr. | 48 | N. Jersey | 1 |
| N. Carolina | 48 | | |
| W. Virginia | 43 | | |

* Figures for 1888 not included.

No special comparison of the crime rates of whites and Negroes is made. It is recognized that the crime rate of the Negroes is greater than that of the whites. In 1900 the rate of Negro arrests and commitments was from one and a half to ten times greater than that of the whites. The correct method for a comparison of crime among the whites and Negroes would be to compare the crime rate of the Negroes with the crime rate of the corresponding class or stratum of the whites. This comparison would no doubt show much less difference in the respective crime rates than is shown when the crime rate of the Negroes as a whole is compared with that of the whites as a whole. Since it is not possible to make this comparison it is probably better, as has been done in this study, to consider Negro crime in its relation to the Negro population, recognizing that the peculiar conditions of the Negro, past and present, tend to keep his crime rate high. Police arrests, jail, workhouse, and penitentiary commitments are respectively considered.

Police Arrests. Data were available for twenty representative Northern and Southern cities. Nine of these follow in detail:

Arrests per Thousand of Negro Population

| CITIES | Negro population 1900 | 1858 | 1867 | 1872 | 1875 | 1880 | 1885 | 1890 |
|-------------------|-----------------------|-------|-------|-------|-------|-------|-------|------|
| | | A | B | C | D | E | F | |
| New York..... | 60,666 | 83 | 106 | ..... | ..... | ..... | ..... | 82 |
| Philadelphia..... | 62,613 | 150 | ..... | 94 | 47 | 69 | 65 | 80 |
| Washington..... | 86,702 | ..... | ..... | ..... | ..... | 111 | 161 | 166 |
| Charleston..... | 31,522 | ..... | ..... | ..... | ..... | 90 | 50 | 70 |
| Savannah..... | 28,090 | ..... | ..... | ..... | 79 | 82 | 65 | 75 |
| Louisville..... | 39,139 | ..... | ..... | ..... | ..... | ..... | 129 | 99 |
| Cincinnati..... | 14,482 | ..... | ..... | 163 | 132 | 106 | 108 | 225 |
| Chicago..... | 30,150 | ..... | ..... | 153 | 226 | 211 | 274 | 387 |
| St. Louis..... | 35,516 | ..... | 64 | 80 | 97 | 134 | 108 | 120 |

A—Philadelphia, 1864.

B—St. Louis, 1869.

C—Philadelphia, 1870.

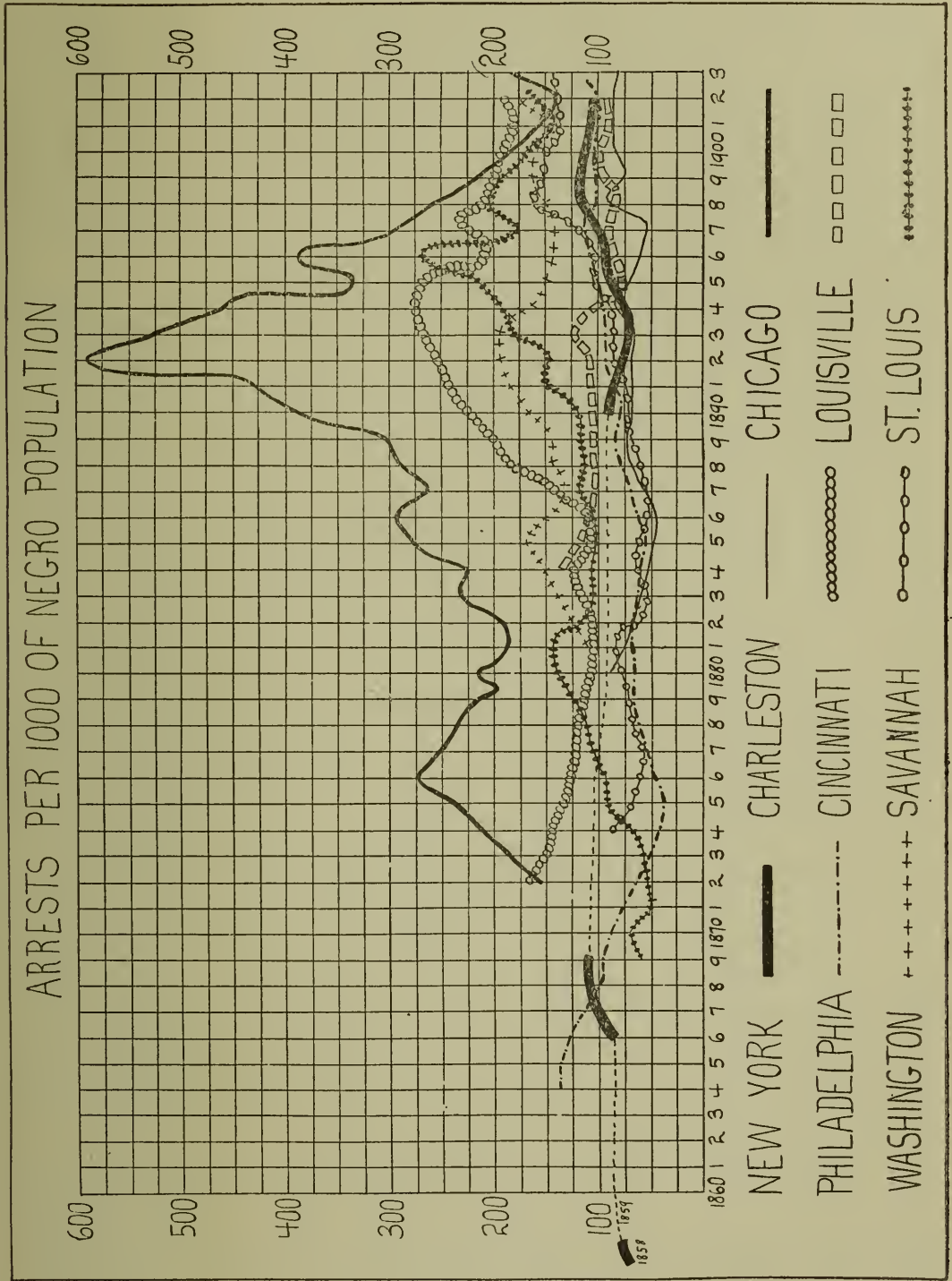
D—Savannah, 1874.

E—Washington, Savannah and St. Louis, 1881; Cincinnati, 1882.

F—Louisville, 1884.

In the chart which follows a more comprehensive view of Negro arrests in the above nine cities is given. The variation in the rate of each city and the difference in the various rates of the several cities, together with what appears to be the present tendency of Negro arrests, are shown.

It appears from the following chart that, for New York and Philadelphia, the only cities for which data prior to 1866 were available, as has been shown, the rate of Negro arrests per thousand of the Negro population was about as great, or greater, prior to 1866 than in 1902. The maximum of the rate for New York, 111, was reached in 1899; the rate for Philadelphia has at no time since been as great as it was in 1864, 150. Statistics were available for Washington from 1881 to 1902. The rate of Negro arrests in 1881 was 111; in 1902, 169, and the maximum of the rate, 184, was reached in 1893. For Charleston we have data from 1880 to 1903. The rate of arrests in 1880 was 90, in 1903, 86, and



the maximum of the rate, 92, was reached in 1902. Statistics were available for Cincinnati from 1872 to 1902. The rate of Negro arrests in 1872 was 163, in 1902, 186, and the maximum of the rate, 276, was reached in 1894. For Savannah we have data from 1874 to 1903. The rate of arrests in 1874 was 79, 1903, 143. The maximum of the rate of Negro arrests for Savannah, 165, was reached in 1898. Statistics were available for Chicago from 1872 to 1903. The rate of Negro arrests in 1872 was 153, in 1903, 185. The maximum, 586, was reached in 1892.* Data were available for Louisville from 1884 to 1902. The rate of arrests in 1884 was 129, in 1902, 93. The maximum was reached in 1884. Statistics were available for St. Louis from 1869 to 1902. The rate of arrests in 1869 was 64, in 1902, 166; the maximum, 269, was reached in 1896.

The arrest rate for each particular city shows more or less variation from year to year, the greatest variation being in the case of Chicago, which also for most of the time has had the highest arrest rate. The difference in the arrest rates of the various cities has also more or less of variation. In 1879-1882, with the exception of Chicago, a minimum of difference in the arrest rates of the various cities was reached. The maximum of difference, 511, in the arrest rates, was in 1892. Taking the period from 1866 to 1882 it appears that at sometime during this period the arrest rate, with the possible exception of St. Louis, for each of the cities decreased. From 1882 to 1892-1896 there was, with some exceptions, a marked increase in the arrest rates of the several cities. This was especially true of Chicago, Cincinnati, Washington, and St. Louis. From 1892-1896 to 1902-1903 there appears to have been a general tendency for the Negro arrest rates of these cities to decrease. It appears that on the whole, we are warranted in concluding that for the nine cities considered the rate of Negro arrests per thousand of the Negro population is decreasing.

Twenty cities are next considered. They are classified according to locality into Northern and Southern cities. By such a classification we have eight Northern and, including Washington, Baltimore and St. Louis, twelve Southern cities. The period of time is from 1890 to 1903. A comparison is made to see how the arrest rates of the cities of the two sections correspond in respect to variations in the individual rates of each city, the difference in the rates of the several cities of the two sections, and the tendency of the arrest rates to increase or decrease; finally the cities of which section have the highest arrest rates.

Two charts showing the comparison of police arrests in Northern and Southern cities follow [see pages 24 and 25].

An inspection of the following charts shows that variation in the individual rates of the Northern cities is greater than that of the Southern cities, with the exception of St. Louis. In 1890 the difference in the arrest rates of the Northern cities, 327, between Indianapolis and Chicago, is greater than that of the Southern cities; but in 1901 the differ-

*This being the year of the World's Fair, data cover the arrests of non-residents and are not therefore a measure of Chicago crime.

ence in the arrest rates of the Southern cities, 187, between Memphis and Atlanta is much greater than that of the Northern cities. In 1890 the arrest rates for four of the Northern cities were greater than those of the Southern cities, while three of the Northern cities had lower rates than any of the Southern cities except Savannah. In 1902 four of the Northern and seven of the Southern cities had rates above 107. This would seem to indicate that at present the rates of arrests for Southern cities is probably greater than those for the Northern cities. Observing the rates of arrests for both sections, it is seen that in the Northern section there appears to be a notable tendency for the rates to decrease. In the Southern section the tendency, while not so marked, is also apparently toward a decrease. This would be more apparent if the rates of arrests for the Southern cities were shown for a longer period of time, as was the case for Washington, Charleston, Louisville, and St. Louis.

Jail Commitments.—Data relating to jail commitments were available for three cities, Baltimore, Charleston, and St. Louis, and two states, Ohio and Michigan. Statistics for these cities and states follow:

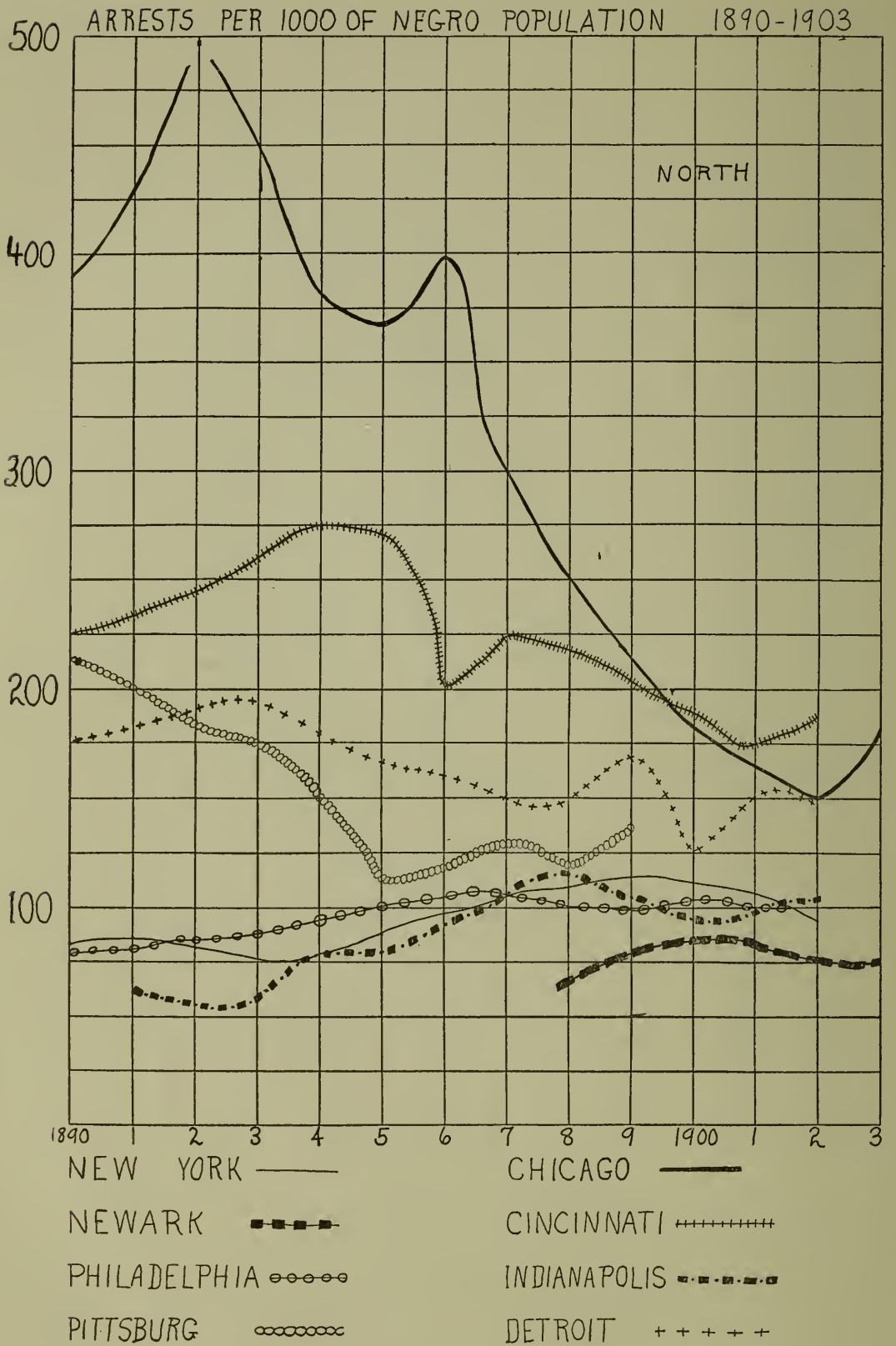
Jail Commitments per Thousand of the Negro Population for Certain Cities and States

| Year | Baltimore | Charleston* | St. Louis | Ohio | Michigan |
|------|-----------|-------------|-----------|------|----------|
| 1873 | | | | 5.3 | |
| 1874 | | | | | |
| 1875 | | | | | |
| 1876 | | | | 10 | |
| 1877 | | | | 9 | 10 |
| 1878 | | | | | 14 |
| 1879 | | | | 9 | 14 |
| 1880 | | 42 | | 9 | 16 |
| 1881 | | 33 | 15 | | 12 |
| 1882 | | 32 | 21 | 9 | |
| 1883 | | 25 | 14 | 9 | |
| 1884 | | 24 | 16 | | |
| 1885 | | 22 | 14 | | 13 |
| 1886 | | 21 | 19 | 11 | 13 |
| 1887 | | 20 | 18 | 11 | 14 |
| 1888 | 57 | 31 | 20 | | 21 |
| 1889 | 69 | 30 | 19 | | 29 |
| 1890 | 58 | 31 | 18 | | 36 |
| 1891 | 57 | 30 | 24 | | 19 |
| 1892 | 56 | 29 | 23 | | 27 |
| 1893 | 59 | 21 | 27 | | 28 |
| 1894 | 59 | 35 | 29 | | 31 |
| 1895 | 56 | 24 | 28 | | 25 |
| 1896 | 52 | 26 | 29 | 15 | 36 |
| 1897 | 60 | | 28 | 12 | 50 |
| 1898 | | 28 | | 14 | 53 |
| 1899 | 55 | 37 | | | 33 |
| 1900 | 59 | 40 | | | 32 |
| 1901 | 65 | 38 | 24 | | 23 |
| 1902 | | 38 | | 14 | |
| 1903 | | 34 | | | |

* Jail commitments for Charleston include those sentenced to the chain-gang and those sentenced to pay a fine or serve a short term in jail.

By consulting the above table of statistics it is seen that in Baltimore during the year 1888 the rate of jail commitments was 57; in 1901 the rate was 65; the highest rate of commitments, 69, was in 1899. The rate of commitments for Charleston in 1880 was 42; in 1903 the rate was 34; the highest rate of jail commitments was in 1880. In St. Louis the rate

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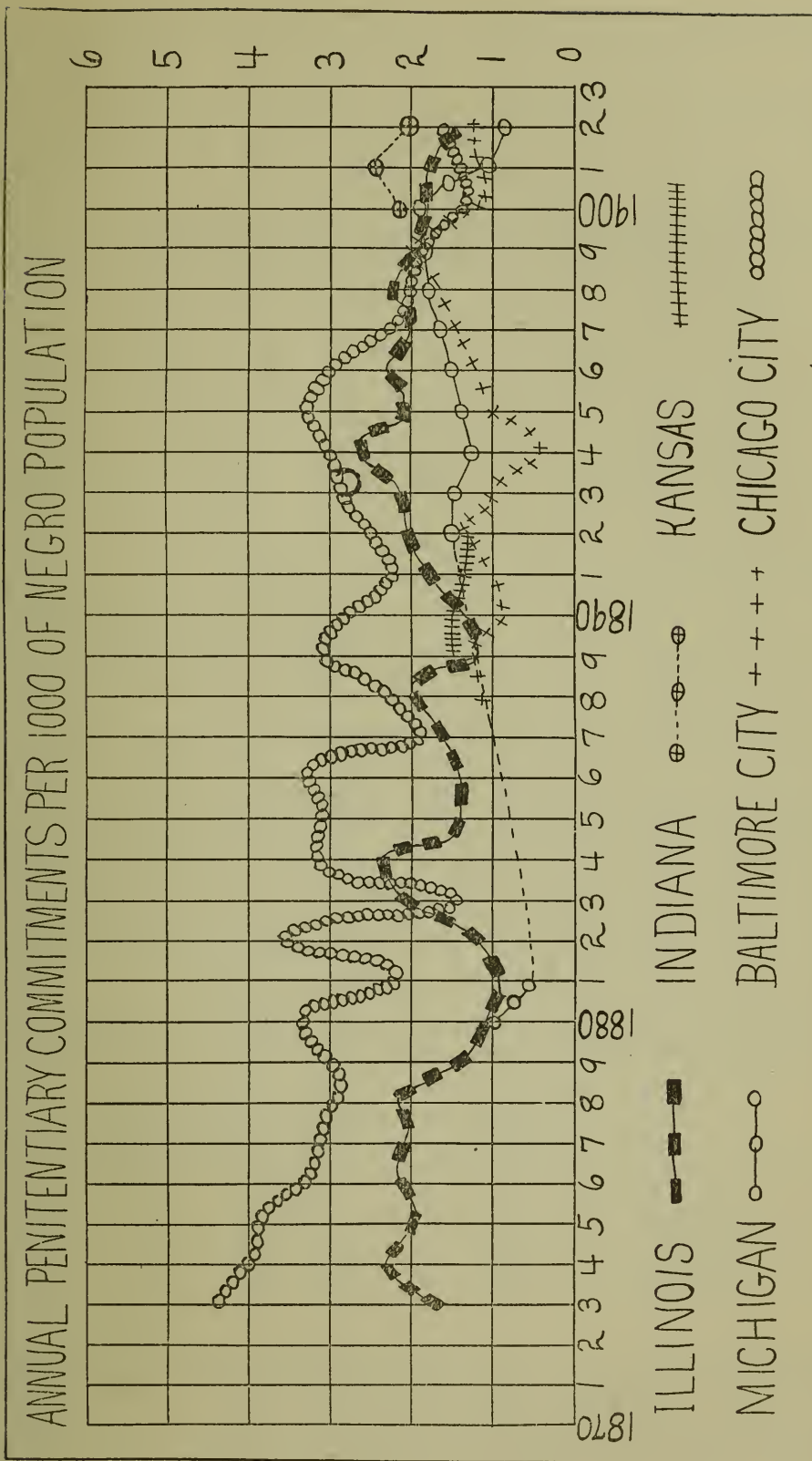
of commitments for 1881 was 15; in 1901 the rate was 24; the highest rate of commitments, 29, was in 1894 and 1896. The rate of jail commitments for the state of Ohio was 5.3 in 1873; in 1902 the rate was 14; the highest rate of jail commitments, 15, was in 1896. In the state of Michigan the rate of jail commitments for 1877 was 10; in 1901 the rate of commitments was 23; the highest rate, 53, was in 1898.

The rate of commitments for the cities of Baltimore and Charleston during the periods for which data were available do not appear to have varied very much. The rates of jail commitments for the city of St. Louis and the states of Ohio and Michigan appear to have varied considerably and are higher at the end than at the beginning of the periods considered. Their rates of commitments are not as high at the end of the periods as during some of the previous years of the periods. It appears that at present the rates of jail commitments for the cities and states considered have increased slowly since the seventies until the nineties and now apparently are beginning to decrease slightly. The workhouse commitments show a similar tendency:

Negro Workhouse Commitments per Thousand of the Negro Population for Certain Cities

| <i>Year.</i> | <i>Philadelphia</i> | <i>Washington</i> | <i>Cincinnati</i> | <i>Louisville</i> | <i>Chicago</i> | <i>St. Louis</i> |
|--------------|---------------------|-------------------|-------------------|-------------------|----------------|------------------|
| 1870..... | | | | | | 16 |
| 1871..... | | | | | | 18 |
| 1872..... | | | | | | 20 |
| 1873..... | | | | | 48 | 18 |
| 1874..... | | | | | 58 | 29 |
| 1875..... | | | 75 | | | |
| 1876..... | 54 | | | | 62 | |
| 1877..... | 50 | | | | 67 | 25 |
| 1878..... | 45 | | | | 63 | |
| 1879..... | 37 | | 39 | | 36 | |
| 1880..... | 32 | | | | 33 | |
| 1881..... | 36 | 21 | | | 37 | 21 |
| 1882..... | 38 | 23 | | | 43 | 26 |
| 1883..... | 34 | | | | 42 | 24 |
| 1884..... | 34 | 22 | 37 | 34 | 48 | 26 |
| 1885..... | 40 | 23 | 33 | | 52 | 28 |
| 1886..... | 47 | 24 | 33 | | 41 | 31 |
| 1887..... | 46 | 19 | | 31 | 42 | 33 |
| 1888..... | 36 | 26 | 31 | 28 | 46 | 28 |
| 1889..... | 34 | 32 | 41 | 28 | 45 | 36 |
| 1890..... | 40 | 38 | 47 | | 46 | 26 |
| 1891..... | 41 | 41 | | 30 | 38 | 25 |
| 1892..... | 43 | 44 | 58 | 31 | 49 | 23 |
| 1893..... | 48 | 44 | | 29 | 54 | 32 |
| 1894..... | 50 | 42 | 70 | 46 | 64 | 42 |
| 1895..... | 45 | 35 | 63 | 42 | 42 | 38 |
| 1896..... | | | 58 | 31 | 44 | 40 |
| 1897..... | | | 68 | 30 | 31 | 36 |
| 1898..... | | | 71 | | 25 | |
| 1899..... | | 35 | 65 | 33 | 27 | |
| 1900..... | | 31 | 57 | 31 | 31 | |
| 1901..... | | 29 | 47 | 23 | 30 | 23 |
| 1902..... | | 30 | 50 | | 24 | 22 |
| 1903..... | | | | 30 | | |

Penitentiary commitments should be one of the best indexes of the tendencies of crime because here we have convictions for serious offenses. Some data were available for the States of Ohio, Michigan, Indiana, Illinois and Kansas, and the cities of Baltimore and Chicago. A chart showing the rates of Negroes committed annually to penitentiaries follows:



Observing the preceding chart it is seen that the period of time considered is from 1873 to 1902. The rate of annual commitments per thousand of the Negro population for the state of Illinois in 1873 was 1.7; the rate of annual commitments for Illinois in 1902 was 1.4; the highest rate of annual commitments for Illinois, 2.6, was in 1894. The rate of annual commitments to the state penitentiary of Illinois from the city of Chicago in 1873 was 4.4; in 1902 the rate was 1.6; the highest rate of annual Negro commitments to the penitentiary from Chicago was in 1873. The rate of annual Negro penitentiary commitments for the state of Michigan in 1880 was 1.0; in 1902 the rate was 0.8; the highest rate of annual Negro commitments to the penitentiary from the state of Michigan, 1.9, was in 1900. The rate of annual commitments to the penitentiary from the city of Baltimore in 1888 was 1.1; in 1902 the rate of annual penitentiary commitments from this city was 1.3; the highest rate of annual penitentiary commitments from Baltimore, 2.0, was in 1899. The rate per thousand of the Negro population for the number of prisoners received in the Kansas penitentiary was available for four years as follows: in 1889 and 1890 the rate of annual Negro commitments to the Kansas penitentiary was 1.5; in 1891 and 1892 the rate was 1.3. The rate per thousand of the Negro population for the number of prisoners received annually in the Indiana penitentiary was available for three years as follows: in 1900 the rate was 2.1; in 1901 the rate was 2.5; and in 1902 the rate was 2.0. The rates of annual commitments for Kansas and Indiana are given merely to show that these rates are about the same as those of the other states for the corresponding periods of time, and show the same tendencies of rate variation. With the exception of the Negro penitentiary commitments from Chicago there are no great individual variations in the rates from year to year of the Negro annual penitentiary commitments. This will be better seen in the following table in which the difference between the lowest and the highest annual rate of penitentiary commitments is given for each of the above states and cities:

The Difference between the Lowest and the Highest Annual Rate of Penitentiary Commitments in Michigan, Indiana, Illinois, Kansas, Baltimore and Chicago

| STATES AND CITIES | Highest rate annual commitments | Lowest rate annual commitments | Greatest dif- ference in the rate of annual commitments |
|-------------------------|---------------------------------------|--------------------------------------|--|
| Michigan | 1.9 | 0.8 | 1.1 |
| Indiana | 2.5 | 2.0 | 0.5 |
| Illinois | 2.6 | 0.9 | 1.7 |
| Kansas | 1.5 | 1.3 | 0.2 |
| Baltimore | 2.0 | 0.4 | 1.6 |
| Chicago | 4.4 | 1.2 | 3.2 |

As has been shown, the rate of annual Negro penitentiary commitments for no one of the states or cities was as great in 1902 as at some previous date. Since 1894-1895 there appears to have been a continuous decrease in the rate of annual commitments for the state of Illinois and the city of Chicago; and since 1898-1899 there has been a decrease

in the rates of annual commitments for the states of Michigan and Illinois, and the cities of Baltimore and Chicago. This would seem to indicate that for the states and cities under consideration the rates of annual Negro commitments per thousand of the Negro population to the penitentiaries are not increasing, but on the other hand are probably decreasing.

Offenses, as is usually done, are classified as being against the person, property, society, etc. Offenses for which police arrests were made are first considered. Some data of this sort were available for the cities of Charleston and Savannah. For Charleston, offenses against the person only are given as follows:

Number of Arrests for Offenses against the Person per Thousand of the Negro Population for Charleston, S. C.

Number of Offenses per Thousand of the Negro Population by Years.

| | | | | | | | |
|-----------|------|-----------|-------|-----------|------|-----------|------|
| 1888..... | 11.0 | 1897..... | ..... | 1899..... | 8.0 | 1901..... | 10.7 |
| 1896..... | 10.0 | 1898..... | 9.0 | 1900..... | 10.0 | 1902..... | 10.9 |

The above seems to indicate that in Charleston since 1888 the rate of yearly arrests per thousand of the Negro population for offenses against the person has not increased.

Classification of offenses against the person, property, and society for Negro police arrests of Savannah are next given.

Number of Police Arrests for Offenses against the Person, Property, and Society, per Thousand of the Negro Population in Savannah

| <i>Year</i> | 1874 | 1877 | 1881 | 1886 | 1895 | 1896 | 1897 | 1900 | 1901 | 1902 | 1903 |
|-------------------------------|-------|-------|-------|-------|-------|-------|-------|--------|--------|--------|--------|
| Offenses against the person.. | .07 | 3.9 | 6.4 | 5.6 | 10.00 | 13.00 | 11.00 | 16.00 | 10.00 | 9.00 | 7.00 |
| Offenses against property.... | 10.00 | 7.6 | 7.00 | 5.00 | 24.00 | 19.00 | 22.00 | 25.00 | 23.00 | 23.00 | 21.00 |
| Offenses against society..... | 68.00 | 45.00 | 67.00 | 43.00 | 79.00 | 66.00 | 84.00 | 110.00 | 103.00 | 111.00 | 115.00 |

From the above figures it is seen that the annual rates of arrests for offenses against the person increased from 1874 to 1900. Since 1900 there has been a decrease in the rates of arrests for offenses both against the person and property. The rate of arrests for offenses against society has increased, but not constantly, from 1874 to 1903.

It appears, from a consideration of the offenses for which arrests were made in Charleston and Savannah, that at present there does not seem to be any increase in the rate of arrests for offenses against the person. In Savannah since 1900 there has been a decrease in the rate of arrests for offenses against both the person and property. The rate of arrests for offenses against society has increased. This is due in part to more stringent legislation.

The number of commitments per thousand of the Negro population to the penitentiary from Chicago for offenses against the person and property, and for the particular offense of homicide is shown in the table which follows:

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The Number of Penitentiary Commitments per Thousand of the Negro Population for Offenses against the Person, Property, and Homicide

| YEAR | Total commitments | Offenses against the person | Offenses against property | Homicide | |
|-----------|-------------------|-----------------------------|---------------------------|----------------------------------|--------|
| | | | | Manslaughter mayhem murder | Murder |
| 1873..... | 4.4 | .44 | 3.9 | .22 | .22 |
| 1874..... | 3.7 | .00 | 3.7 | .00 | .00 |
| 1875..... | 3.9 | .19 | 3.7 | .00 | .00 |
| 1876..... | 3.3 | .00 | 3.3 | .00 | .00 |
| 1877..... | 3.2 | .35 | 2.8 | .17 | .17 |
| 1878..... | 2.7 | .17 | 2.5 | .16 | .16 |
| 1879..... | 2.9 | .16 | 2.7 | .00 | .00 |
| 1880..... | 3.4 | .30 | 3.0 | .15 | .15 |
| 1881..... | 2.2 | .41 | 1.8 | .27 | .14 |
| 1882..... | 3.8 | .37 | 3.4 | .37 | .24 |
| 1883..... | 1.5 | .22 | 1.3 | .11 | .00 |
| 1884..... | 3.3 | .41 | 2.8 | .20 | .21 |
| 1885..... | 3.2 | .09 | 3.2 | .09 | .00 |
| 1886..... | 3.6 | .26 | 3.4 | .18 | .09 |
| 1887..... | 1.9 | .33 | 1.5 | .08 | .00 |
| 1888..... | 2.6 | .63 | 1.9 | .39 | .00 |
| 1889..... | 3.2 | .66 | 2.6 | .22 | .14 |
| 1890..... | 2.5 | .63 | 1.8 | .14 | .07 |
| 1891..... | 2.2 | .31 | 1.9 | .12 | .00 |
| 1892..... | 2.4 | .51 | 1.8 | .28 | .11 |
| 1893..... | 2.8 | .73 | 2.0 | .36 | .15 |
| 1894..... | 3.1 | .53 | 2.5 | .24 | .09 |
| 1895..... | 3.3 | .50 | 2.8 | .31 | .27 |
| 1896..... | 2.7 | .50 | 2.2 | .21 | .21 |
| 1897..... | 1.8 | .31 | 1.5 | .19 | .15 |
| 1898..... | 1.7 | .44 | 1.2 | .18 | .04 |
| 1899..... | 1.9 | .21 | 1.6 | .03 | .03 |
| 1900..... | 1.2 | .23 | 0.9 | .16 | .09 |
| 1901..... | 1.6 | .44 | 1.2 | .31 | .19 |

Observing the rate of penitentiary commitments for the different years for offenses against the person it is seen that the rate, .44, was the same in 1901 as in 1873. The highest rate of commitments for offenses against the person, .73, was in 1894. The rate of penitentiary commitments for offenses against property in 1873 was 3.9. In 1901 the rate of penitentiary commitments for offenses against property was 1.2; the highest rate of penitentiary commitments for offenses against property was in 1873. The rate of Negro penitentiary commitments for all kinds of homicide in 1873 was .22; in 1901 the rate of commitments for homicide was .31; the highest rate of commitments for homicide, .39, was in 1888. The rate of penitentiary commitments for murder in 1873 was .22; in 1901 the rate for murder was .19; the highest rate of commitments for murder, .27, was in 1895.

It appears from a consideration of the offenses for which Negroes from Chicago were committed to the state penitentiary that: the rate of total commitments, as has already been pointed out, is decreasing; the rate of commitments for offenses against both the person and property and for homicide was less in 1901 than at times previous to this date; the rate of commitments for murder appears to show a slight decrease.

In order to secure further information respecting murder among Negroes, data from police reports of Charleston and Savannah are given.

The following figures are presented concerning arrests for murder in Charleston:

Murder in Charleston
Arrests for Murder by Years

| | | | | | |
|-----------|---|-----------|----|-----------|----|
| 1888..... | 3 | 1898..... | 12 | 1900..... | 13 |
| 1896..... | 4 | 1899..... | 11 | 1901..... | 6 |
| | | 1902..... | 12 | | |

From the above it appears that the arrests for murder were much greater from 1898 to 1902 than they were in 1888 or in 1896. From 1898 to 1902 there does not appear to have been very much variation in the number of annual arrests for murder in Charleston. We are not warranted in concluding, however, that the crime of murder has increased among Negroes in Charleston unless it can be shown that the number of murders committed have increased annually. Police reports tell us how many persons were arrested annually for murder, but usually, as in the case of the Charleston reports, do not inform us concerning how many murders were committed annually, nor how many persons were indicted for this offense. Some of the Savannah police reports are an exception in this respect, and give information respecting the number of murders committed annually. Data relating to murder by Savannah Negroes follow:

Murder in Savannah

| YEAR | Arrested for murder | Held for murder | Murders committed |
|-----------|---------------------|-----------------|-------------------|
| 1874..... | ..... | 8 | ..... |
| 1895..... | ..... | 8 | 8 |
| 1896..... | 18 | 6 | 6 |
| 1897..... | 11 | 5 | 5 |
| 1900..... | 16 | ..... | ..... |
| 1901..... | 17 | ..... | ..... |
| 1902..... | 6 | ..... | ..... |
| 1903..... | 9 | ..... | ..... |

Observing the above figures it is seen that the arrests for murder were greater in 1896 than in any of the subsequent years for which data were available. The arrests for murder during the years 1902 and 1903 show a marked decrease under those for the previous years. The number held for murder in 1874 and in 1902 was the same and was greater than the number so held in 1896 and 1897. Since the number of murders committed by Negroes and the number of Negroes held for this offense appear to be the same for those years for which simultaneous data were available, it is probable that the number of murders committed by the Negroes of Savannah in 1874 was 8. The number of murders committed annually during those years for which data were available does not appear to vary much and what variation there is appears to be toward an absolute decrease. Since there is also somewhat of an absolute decrease in the arrests for murder, it appears that we are warranted in concluding that the crime of murder is decreasing among the Negroes of Savannah. While there appears to have been this absolute decrease in the number of murders committed annually by Ne-

groes in Savannah during this time, i. e., from 1874 to 1903, the Negro population of the city increased 114 per cent.

Summarizing our results it is seen that police arrests, jail, workhouse and penitentiary commitments appear to have increased during the period from 1890 to 1892-1896. The highest rates of arrests and commitments were about 1893. Since 1894-1896 the tendency of both arrests and commitments to decrease has been notable. The crime rate for murder is also probably decreasing. It appears, therefore, that the conclusion that crime is probably decreasing among the Negroes of the United States is warranted. The crime rate of Negroes, North and South, appears at present to be about the same, although the rate of police arrests for some Southern cities is higher than that for the Northern cities. The claim that there is greater criminality among the Negroes of the North than those of the South is probably not true. The fallacy on which this claim was based was in comparing the criminal rate of the Negroes of the North who live almost entirely in cities with the criminal rate of the Negroes of the entire South, the great majority of whom live in rural communities.

6. Crime in Georgia. *The Prison Commission.* The second annual report of the Georgia Prison Commission says:

Previous to the year 1812, all criminals were punished by hanging, branding, public whipping, or imprisonment in the common jails. In that year the General Assembly remodeled the penal code, making most felonies punishable by confinement and hard labor, and to carry these new laws into effect appropriated money to build a penitentiary, or State prison. In 1817 this institution was completed, its location being at Milledgeville, then the capital of the State, and the new system was inaugurated and continued in effect until 1868. During this period, except the three years immediately following the Civil War, the prison population never exceeded two hundred in number, all white, the Negroes who were slaves not being amenable to the law, except for murder and other heinous offenses. These convicts were engaged in manufacturing for State account.*

A curious light is thrown on the attitude of the State toward crime when it is said, in regard to the Milledgeville State Prison, that the institution "was a financial failure. For support and maintenance \$520,000 was appropriated at different times above the income from its manufacturing enterprises, or more than \$10,000 per annum net loss to the State."

After the war the number of convicts rapidly increased; the prison population has been:

*From 2nd annual Report of the Prison Commission of Ga., 1899, p. 3.

Prison Population, by Years

| DATE | WHITE | | NEGRO | | Total |
|----------------------|-------|--------|-------|--------|-------|
| | Male | Female | Male | Female | |
| April 1, 1879..... | 120 | 1 | 1,078 | 31 | 1,230 |
| October 1, 1880..... | 114 | 1 | 1,041 | 30 | 1,186 |
| October 1, 1882..... | 112 | 1 | 1,100 | 30 | 1,243 |
| October 1, 1884..... | 125 | 1 | 1,218 | 33 | 1,377 |
| October 1, 1886..... | 148 | 1 | 1,337 | 41 | 1,526 |
| October 1, 1888..... | 149 | 0 | 1,336 | 52 | 1,537 |
| October 1, 1890..... | 168 | 0 | 1,478 | 42 | 1,694 |
| October 1, 1892..... | 194 | 2 | 1,690 | 54 | 1,940 |
| October 1, 1893..... | 185 | 2 | 1,917 | 64 | 2,186 |
| October 1, 1894..... | 189 | 2 | 2,069 | 68 | 2,328 |
| October 1, 1895..... | 213 | 1 | 2,144 | 66 | 2,424 |
| October 1, 1896..... | 192 | 1 | 2,098 | 66 | 2,357 |
| October 1, 1897..... | 196 | 1 | 1,981 | 57 | 2,235 |
| October 1, 1898..... | 239 | 2 | 1,941 | 55 | 2,228 |
| October 1, 1899..... | 245 | 3 | 1,885 | 68 | 2,201 |
| October 1, 1900..... | 255 | 3 | 1,825 | 75 | 2,258 |
| October 1, 1901..... | 252 | 6 | 1,908 | 79 | 2,245 |
| October 1, 1902..... | 252 | 5 | 1,978 | 80 | 2,315 |
| June 1, 1904..... | 249 | 7 | 1,973 | 86 | 2,315 |

| YEAR | Total Negro convicts | No. per 1,000 of Negro population |
|-----------|----------------------|-----------------------------------|
| 1879..... | 1,109 | 1.54 |
| 1880..... | 1,071 | 1.47 |
| 1882..... | 1,130 | 1.50 |
| 1884..... | 1,251 | 1.60 |
| 1886..... | 1,378 | 1.71 |
| 1888..... | 1,388 | 1.66 |
| 1890..... | 1,520 | 1.76 |
| 1892..... | 1,744 | 1.95 |
| 1893..... | 1,981 | 2.17 |
| 1894..... | 2,137 | 2.29 |
| 1895..... | 2,210 | 2.33 |
| 1896..... | 2,164 | 2.24 |
| 1897..... | 2,038 | 2.07 |
| 1898..... | 1,996 | 1.99 |
| 1899..... | 1,953 | 1.92 |
| 1900..... | 1,900 | 1.83 |
| 1901..... | 1,987 | 1.88 |
| 1902..... | 2,058 | 1.92 |
| 1904..... | 2,059 | 1.78 |

It will be seen that serious crime is thus shown to have increased in Georgia up until 1895 and in the last ten years has been continually decreasing. The curve formed by these figures is characteristic of Negro crime throughout the nation, viz: an increase until about 1893-95 and a subsequent decrease.

The Prison Commission, however, taking no account of the large increase in Negro population, says:*

It was natural to expect that immediately after his emancipation, and his elevation to citizenship, with its consequent burdens for which he was wholly unfitted, that the Negro would furnish a much larger proportion of criminals than his white neighbors, who for centuries had enjoyed the blessings of freedom and education. But it was to be expected that, after forty years of freedom and education, when his illiteracy has been reduced from 100 per cent. to 50 per cent., that his criminal record would begin to decrease. Such expectations, however, have

*7th Report.

not been realized, to the distinct disappointment of his friends, who to-day find him more criminal than when he possessed no education whatever, and who naturally wonder if his education has not been a mistake.

The premise is of course an error—Negro crime has decreased, and is decreasing. The absolute number of criminals on the other hand has increased, and as there was soon no room at Milledgeville for the large number of convicts the convict lease system was begun, convicts being leased at \$10–\$25 per capita from 1866–1874. In 1876 the lease was made for 20 years:

This lease was made by Governor Smith to three companies, who, under the law authorizing the lease, became corporations, known respectively as Penitentiary Companies Nos. 1, 2, and 3. No. 1 was composed of the following persons: Jos. E. Brown, Julius L. Brown, John T. and Wm. D. Grant, and Jacob W. Seaver; No. 2, B. G. Lockett, John B. Gordon, L. A. Jordan, and W. B. Lowe; and No. 3, Wm. D. Grant, John W. Murphy, W. W. Simpson, Thos. Alexander, and John W. Renfroe. The price to be paid was \$25,000 per annum, irrespective of the number of convicts. There were, on April 1, 1879, when this contract went into effect, 1,230 convicts of all classes. This contract continued in force until April 1, 1896.

The act of 1897 arranged a new system. This, is the same convict lease system as before, with the following changes:

1. Increasing amount paid for convict labor from \$25,000 a year to \$225,000, the price being settled by bidding of contractors.
2. The placing of State deputy wardens and physicians in charge of the various camps and stockades.
3. The adoption of a uniform set of rules as to diet, clothing and housing of laborers and their hours of labor.
4. The providing of a State farm for some of the women, boys and old men.

The objections to this system are manifest:

1. It still makes the income from crime rather than the reformation of the criminal of paramount importance. Special stress is laid in each report of the Prison Commission on this income; the system "is self-sustaining and nets the State large sums of money annually."* In 1899 the State received \$25,000. In 1900, \$61,826.32. From 1901 to 1903 the net income was about \$81,000 a year. In 1904 new contracts were made:

The contracts so made will bring into the State Treasury annually, for a period of five years, beginning April 1st, 1904, the gross sum of \$340,000.00 and after deducting the necessary expenses of this department estimated at \$115,000.00 will leave a net amount of \$225,000.00 per annum, which, under the law, will be divided among those counties not using convict labor upon their public roads, according to population, to be used for school or road purposes as may be determined by their respective grand juries. . . .

The magnificent increase in the result of these contracts, over those of 1898, which have just expired, is not due alone to the natural increase in the value of this labor, but to several other causes, deserving mention.†

*5th annual Report, Prison Commission.

†7th Report, do.

2. The effectiveness of the State control of convicts is lessened because:

There are 25 separate institutions at which convicts, not on the public roads, are confined and employed. Twenty-nine road camps, in different counties, besides 40 misdemeanor chaingangs, making a total of 94 separate institutions, containing over 4,000 convicts, which should be rigidly inspected every month.*

Besides the inspectors there are the regular deputy wardens and guards who must be furnished. The Prison Commission itself says:

The most serious objection to the present system is the division of responsibility for the care and protection of the convicts, there being at present nineteen deputy wardens in charge of as many prisons, thereby increasing the chances for acts of neglect or ill treatment, which will sometimes occur in even the best of penal systems.†

The Negro convicts were engaged in work in 1904 as follows:

| | | |
|-------------------------|-------|----------|
| Sawmilling..... | 487 | convicts |
| Turpentine farming..... | 367 | " |
| Brickmaking..... | 307 | " |
| Farming..... | 291 | " |
| Mining..... | 290 | " |
| | 1,742 | |

Of all the 2,315 convicts in the penitentiary in 1904:

| | |
|---|--------|
| 594 had life sentences..... | 25.65% |
| 234 " sentences of 20 years and over..... | 10.10% |
| 164 " " " 15-20 years..... | 7.08% |
| 336 " " " 10-15 years..... | 14.51% |
| 987 " " " 1-9 years..... | 42.63% |

Besides the penitentiary convicts there were in Georgia in 1902:

Two thousand two hundred and twenty-one misdemeanor convicts undergoing punishment in county chaingangs, of which 103 are white males, 5 white females, 2,010 colored males and 103 colored females.

Thirty-two of these chaingangs, with an aggregate of 965 convicts, are worked for private individuals, in most cases contrary to the provisions of law. Thirty-three chaingangs, with an aggregate of 1,256 convicts, are worked on public roads or other public works.

The Commission has endeavored during the past year to give all of these gangs more frequent and rigid inspections, . . . and this work has been productive of much improvement in their general condition, but many abuses continue to exist, especially in those gangs worked for private individuals, and always will exist, more or less, as long as the care and maintenance of the convicts are farmed out illegally to private individuals.‡

In 1904 there were 1,964 of these misdemeanor convicts.

Georgia has no State reformatory; two counties (those in which Atlanta and Augusta are situated) have local reformatories for white children, but none for Negroes.

7. Crime in Georgia. *Special Reports.* About 100 reports on the general criminal outlook among Negroes in Georgia were received by the conference. Reports were requested from every chief of police in the State and from various county officials, and a number responded. The following reports are from white officials and white citizens:

*7th annual Report, Prison Commission.

†5th Report, do.

‡Ibid.

REPORTS FROM WHITES

| TOWN | COUNTY | OFFICIAL | AMOUNT | INCREASE OR DECREASE | REMARKS |
|--|------------|----------------------------|--------------|----------------------|---|
| Lyerly..... | Chattooga | Mayor | Few crimes | Decrease | Decreasing all the time |
| Cairo..... | Thomas | Citizen | Few crimes | Decrease | Apparently on decrease in this town and county |
| Austell..... | Cobb | Mayor | Few crimes | Same | Negroes, as a rule, law-abiding |
| Toccoa..... | Habersham | Mayor | ..... | Decrease | |
| Watkinsville..... | Oconee | Citizen | ..... | Decrease | Decreased 10 per cent. in last 8 years |
| Thomaston..... | Upson | Mayor | Few crimes | Decrease | Crime considerably reduced on account of prohibition |
| Gordon..... | Wilkinson | Marshal | Few crimes | Increase | |
| Fort Gaines..... | Clay | Citizen | Few crimes | Decrease | Crime for several years on the decrease on account of education |
| Eastman..... | Dodge | Sheriff | Few crimes | Decrease | Crime decreased 50 per cent. in the last 12 years; Negroes commit mostly petty crimes |
| White Hall..... | Clarke | Mayor | Little crime | Decrease | Very little crime committed |
| Putnam..... | Schley | County School Commissioner | Few crimes | Same | No perceptible increase |
| Hephzibah..... | Richmond | Justice of Peace | ..... | Decrease | Crimes of a serious nature are on the decrease |
| Yatesville..... | Upson | Citizen | ..... | Same | Cases largely of moral law among themselves |
| Ocilla..... | Irwin | Citizen | ..... | Decrease | Crimes less by a large per cent. |
| La Grange..... | Troup | Citizen | ..... | Increase | Petty crime increased |
| Crawford..... | Oglethorpe | Mayor | ..... | Increase | Petty crime increased some |
| Turin..... | Coweta | Postmaster | Few crimes | Same | Intemperance and immorality |
| La Grange..... | Troup | Citizen | Many crimes | Increase | Larceny is the principal crime |
| Sandersville... } Tennile..... } } | Washington | Ordinary Mayor | Very little | Increase | Increase since emancipation Negroes remarkably well behaved |

NEGRO CRIME

REPORTS FROM WHITES—Continued

| TOWN | COUNTY | OFFICIAL | AMOUNT | INCREASE OR DECREASE | REMARKS |
|-------------------|------------|-----------|--------|----------------------|--|
| Rome..... | Floyd | ..... | ..... | Decrease | Prohibition town |
| Lyons | Tattal | Clerk | ..... | ..... | (See figures) |
| Macon | Bibb | Chief | ..... | ..... | (See figures) |
| Grantville | Coweta | Mayor | ..... | ..... | Crime among Negroes at this place is alarming; great majority of Negro population respectable and orderly. |
| Summerville | Chattooga | Intendant | ..... | ..... |  |
| Brunswick | Glynn | Mayor | ..... | Same | Number of criminals same; class of crime of a minor nature |
| Sterling Station. | Glynn | Constable | ..... | Increasing | |
| Dawson | Terrell | Mayor | ..... | Decreasing | |
| Metter | Telfair | Citizen | ..... | ..... | Crimes enormous |
| Greenville | Meriwether | Attorney | ..... | Increasing | Petty crimes increasing |
| Thomson | McDuffie | Citizen | ..... | ..... | (See figures) |
| Greensboro | Greene | Chief | ..... | ..... | (See figures) |
| Elberton | Elbert | Chief | ..... | ..... | (See figures) |
| ..... | Macon | Clerk | ..... | ..... | (See figures) |
| Thomasville..... | Thomas | Mayor | ..... | Same | Normal and usual |
| Leary | Calhoun | Clerk | ..... | ..... | (See figures) |
| Jenkinsburg..... | Butts | Chief | ..... | ..... | (See figures) |
| Athens | Clarke | Chief | ..... | ..... | (See figures) |

Some comments are :

BRUNSWICK—Mayor. I think the number of criminals for the present year is about the same as in former years, but the class of crime committed in our vicinity is of a minor nature. We have very few cases of a serious character during the year.

SANDERSVILLE—Ordinary. I regret to say that crime among the Negroes of the county has greatly increased since emancipation of 1865.

DAWSON—Mayor. Crime among the Negroes of my town and county is decreasing proportionally, that is while there may be as many cases or possibly more the increase in population makes the proportion less. This is due to a better understanding in our community between the races, caused by education. In our county we have many Negroes who own their farms and are out of debt, and besides have good balances to their credit in the banks. This seems to be an inspiration to the better class of Negroes to buy and save something. Whenever you hear of trouble between the races, as I see it once in a while, if you will investigate it is started by the low and uneducated Negro or white man or both.

SUMMERVILLE (Augusta)—Intendant. We have a village of only 5,000 people and comparatively few criminal cases. Most of these are for infractions of minor laws, usually disorderly conduct of some kind, although since we have declined to allow the storekeepers to sell liquor, even these offenses occur seldom. The majority of these cases, however, come from the Negro population and mostly the idle and vicious class of this race. I am glad to say, however, that the great majority of our Negro population are very respectable and orderly, and give us little if any trouble.

GRANTVILLE—Mayor. The amount of crime at this place among the Negroes is, I am sorry to say, alarming. Yet it is not of a heinous or such character that will excite the public to open indignation or unlawful violence. It is mostly of small petty crimes. I have it from reliable authority from their own statement that there have been more children born to the women out of wedlock than there have been by those who are married in this immediate section. The cause, I think, is that they employ teachers whose character is in keeping with the above statement.

THOMASVILLE—Mayor. There is about the normal and usual amount of crime committed in our town and county among the Negroes. In the last few years there has been no perceptible increase or decrease. The Negroes in the country who are engaged in farming and agricultural pursuits are generally peaceable, orderly and law abiding. Those engaged in mill work and naval stores operation are principally composed of transient labor, and their chief criminal vice seems to be gambling among themselves and skipping their employers after obtaining advances upon promises of labor. Homicides are occasionally committed by them, growing generally out of a gambling game or jealousy over and about some woman. In the towns there is a small per cent. of the Negroes who are enterprising and valuable citizens; the number is so small in proportion to the other class that they do not always in the matter of public regard receive the credit they are entitled to.

STERLING—Constable. We had two boys arrested, both colored, for brick-batting a colored woman in her house. They were sent to the chaingang for 12 months each. Two white men were sent to the chaingang for 12 months each, one for violating the game law, the other for selling whisky without a license. One colored man came here from South Carolina to hire hands; he was arrested and fined \$50 and cost. He paid out. One colored man was arrested for stealing a dog; he was fined \$50 and costs, and went to the chaingang for 12 months.

TENNILLE—Mayor. We have very little crime in Washington county among the Negroes, and as you know this is a large Negro county, yet they are remarkably

well behaved. I have very few cases in my police court. No Negro has ever been killed in this county by a white man within my recollection. No lynchings have ever occurred here.

METTER.—In reply to your request, will say the crimes are enormous in every respect. The most crimes committed here are by our supposed-to-be-educated Negroes. In court they are treated better than they deserve.

CRAWFORD.—My observation is that the Negro is having his head educated and that his heart is sadly neglected in the home circle; the old Negro tells you plainly that his training was much better (not his education) than that of the rising generation of Negroes; he knows his place, keeps it, and is a good citizen.

EASTMAN.—In reply will say that in all the criminal courts of this county we have about fifty convictions annually, mostly minor offenses, simple larceny, etc. They all have a fair trial by white jury; in felony cases they have an impartial trial; even in cases of rape we give them a speedy justice, hanging them to the first tree if they committed the act. The Negroes of this county are peaceable and are doing well.

GREENVILLE.—It seems to me that crime among the Negroes, particularly petty crime, is on the increase among them. Many of them are tried in the courts for this class of crime, and as a rule, I think, have fair and impartial trials. It is also common for homicides to occur among them, especially on occasions when they have public gatherings. These usually result after indulgences in liquor and gambling, which the vicious element are inclined to pursue at any function, religious or social.

TURIN.—Intemperance (the love of whiskey) and immorality are the most prevalent crimes among the Negroes in this community.

PUTNAM.—There is no perceptible increase of crime among colored people in Schley county. It has been many years since a trial for murder. Crimes are generally misdemeanors, gambling, selling liquor, fights at Saturday night entertainments, an occasional case for bastardy, seduction, and for stealing little things. I am inclined to the belief that there is a tendency to a decrease of crime.

HEPHZIBAH.—I think crimes of serious nature are on the decrease, some petty crimes are brought into court in the rural districts. Those mostly occurring in this section are fighting among themselves.

YATESVILLE.—The crimes committed are almost all petty larceny. I know of no case in the county where he has not had a fair trial.

WHITEHALL.—There is very little crime committed in this portion of the county; the crimes, when any, are for simple larceny as a rule. They get fair treatment in this town and county.

THOMASTON.—As far as I can see and learn crime among the Negroes in this city is considerably reduced on account of not being able to get the use of whiskey as easily as they once did. This is a prohibition town, and therefore we are not troubled with a great deal of crime either among the whites or blacks.

AUSTELL.—The Negroes of this town are as a rule law-abiding. Their weakness is the love of liquor and some petty stealing, which is their nature.

LAGRANGE.—Fully 95 per cent. of criminals in our county are Negroes. Crime seems to be on the increase with them. Larceny is the principal crime. I think they are fairly treated in our courts.

FT. GAINES.—Crime among the Negroes of our community has been for several years on the decrease. An examination of our court records reveals this fact to the credit of the race. The violations of law are for the most part of a petty char-

acter, such as gambling, assault and battery, and carrying concealed weapons. The latter is the crying evil of the day, and the white people are equally guilty with the Negroes. The things which in my mind tend most to debauch the Negro are his propensity for strong drink, and the disposition to disregard marital vows. As a rule Negroes in our county seem to appreciate the educational advantages offered them, and in a large degree avail themselves of these opportunities. I've noticed a lack of efficiency of the teachers, and in many cases lack of character as well. This is deplorable and hurtful, and should in some way be remedied, and I suppose will in course of time.

Nearly all the white officials thought that Negroes were justly treated in the courts. This is often stated in the South, but once in a while Southern white testimony is frankly on the other side; for instance at the last meeting of the Southern Educational Convention, "two statements, perhaps, created the deepest impression. The first was made by Dr. Sherer of South Carolina, who acknowledged that the criminal courts meted out even justice in but one instance—in the case of Negro vs. Negro."

To these reports may be added the reports of Negroes. In each case these Negroes are men above the average of intelligence and reliability in their communities. They report crime as follows:

REPORTS FROM NEGROES

| TOWN | COUNTY | AMOUNT | INCREASE OR DECREASE | REMARKS |
|---------------|------------|--------------|----------------------------|---|
| Pendergrass | Jackson | Great deal | Increase | More than ever |
| Stirling | Glynn | ..... | Same | |
| Grantville | Coweta | ..... | Increase | |
| Dawson | Terrell | ..... | Decrease | |
| Lyerly | Chattooga | ..... | Decrease | |
| Sandersville | Washington | Little crime | Decrease | |
| Leesburg | Lee | ..... | Decrease | |
| Greenville | Meriwether | ..... | Increase | |
| Calhoun | Gordon | ..... | Decrease | |
| Leesburg | Lee | Little crime | Decrease |  | Stealing most prevalent Petty crimes increasing Gambling and carrying weapons Decreased in last 10 years No convictions in 2 years Decreased 15 per cent. Three crimes in 4 years Increasing in all crimes |
| Dahlonega | Lumpkin | Little crime | Decrease | |
| Gordon | Wilkinson | Little crime | Decrease | |
| Pearson | Coffee | ..... | Decrease | |
| Waynesboro | Burke | ..... | Increase | |
| Elberton | Elbert | Little crime | Same | |
| Dalton | Whitfield | ..... | Decrease | |
| Adrian | Johnson | ..... | Same | |
| Hoschton | Jackson | Little crime | Decrease | |
| Statham | Jackson | ..... | Same | |
| Tallapoosa | Haralson | Little crime | Decrease | Only 2 in 5 months Larceny and selling whiskey 50 per cent less in 1 year Petty crimes Decreased 40 per cent. in 3 years Crime exceedingly below other counties Crime very small Rapidly increasing Rapidly decreasing |
| Jefferson | Jackson | Little crime | Same | |
| Toccoa | Habersham | Little crime | Decrease | |
| Morgan | Calhoun | Very small | Decrease | |
| Shady Dale | Jasper | Great deal | Increase | |
| Cordele | Dooly | Very little | Decrease | |
| Harmony Grove | Jackson | ..... | Decrease | |
| Flintstone | Walker | ..... | Decrease | |
| McIntosh | Butts | ..... | Increase | |
| Turin | Coweta | ..... | Same | |
| Newnan | Coweta | Very little | Decrease | More disorder Caused by "Blind Tigers" Becoming less and less every year |

NEGRO CRIME

REPORTS FROM NEGROES—Continued

| TOWN | COUNTY | AMOUNT | INCREASE OR DECREASE | REMARKS |
|----------------|------------|------------------------------------|----------------------|---|
| Thomaston | Upson | ..... | Same | Corrupt courts |
| Jewells | Hancock | ..... | Increasing | Forgery, larceny, etc. |
| Adel | Berrien | ..... | Increasing | Influx of Negroes from country |
| Brunswick | Glynn | ..... | Increasing | Gambling and petty larceny |
| Columbus | Muscogee | Not extensive | Decreasing | Petty crimes |
| Acworth | Cobb | ..... | Decreasing | Process slow, but steady |
| Newborn | Newton | Few | Decreasing | Petty crimes |
| Fort Valley | Houston | ..... | Decreasing | Selling whiskey and concealed weapons |
| Baxley | Appling | ..... | Decreasing | |
| Waco | Haralson | Less than average | ..... |  |
| Crawford | Oglethorpe | ..... | Decreasing | Less than formerly |
| Lithia Springs | Douglas | Very little | Decreasing | Crimes very trivial |
| Thomasville | Thomas | ..... | Decreasing | Less crime committed |
| Belton | Hall | Few | ..... |  |
| Hephzibah | Richmond | ..... | Not increasing | |
| Abbeville | Wilcox | Not so much | Decreasing | Gambling and concealed weapons |
| Claxton | Tattnal | ..... | Decreasing | Gambling |
| Wadley | Jefferson | Good town | Decreasing | As many whites as blacks |
| Marietta | Cobb | Few | Decreasing | |
| Kingston | Bartow | Few | Decreasing | |
| Butler | Taylor | Few | Decreasing | |
| Brunswick | Glynn | ..... | Decreasing | Notable decrease in last 8 or 10 years |
| Douglasville | Douglas | ..... | Decreasing | |
| Baxley | Appling | 25 per cent. less | Decreasing | Petty offenses |
| Tifton | Berrien | ..... | Decreasing | |
| Montezuma | Macon | ..... | Decreasing | Criminals: about 98 per cent. are illiterate |
| Pendergrass | Jackson | ..... | Increasing | Of almost every character |
| Vienna | Dooly | ..... | Same | |
| Knoxville | Crawford | ..... | Decreasing | Due to dispensary law |
| Rome | Floyd | ..... | Increasing | Whites and blacks both increasing in crime |
| Oconee | Washington | ..... | Decreasing | Good condition |
| Marshallville | Macon | Good, quiet | Decreasing | |
| Sandersville | Washington | Friendly feeling between two races | Decreasing | Criminals only 4 per cent. of voting population |
| Adairsville | Bartow | ..... | Decreasing | |
| Jasper | Pickens | Few | Decreasing | |

Some comments follow:

SANDERSVILLE.—The criminality of the race in this county is the least discouraging thing, conviction being about 4 per cent. of the voting population. The majority of crimes for which they are convicted are small, a large percentage being convicted for gambling, stealing, and disorderly conduct and very frequently for dealing in blind-tiger liquor.

BRUNSWICK.—The chief causes of crime among the Negroes here are drunkenness, gambling, and sexual immorality. It is heart-breaking to see Negro women arraigned at every court for fighting about some other woman's husband; and I should not forget to mention that vagrancy among the Negro boys leads to stealing. There are now five boys in jail, all under fifteen, awaiting trial for burglary.

ADAIRSVILLE.—The general character of the Negro's crime is of a petty nature— theft, "blind tigers," fighting, saucing "Mars John," etc. He is decreasing in his amount of criminality, and whenever opportunity presents itself learns a trade or buys him a home and settles down to work out his destiny. I have noticed this in many instances. All he needs is a fair showing in life; don't despair of him.

MARSHALLVILLE.—Our best men, white and colored, think with me that we have a very quiet community. There are very few arrests. One white man said to me a few days ago: "Why, we have no need of a guard house." This is true. There has certainly not been a man in prison since Christmas. Causes: No whiskey; good schools. Of course, it is not a model community, there are evils of which we are ashamed. I think there is some gambling, but I am told by men who know that this crime is practiced by a vagrant class of men and boys who do not belong in the community. The whites tell me that these men cannot read and write and that they play cards for amusement. When they think the officers are after them they run to another settlement. This crime is most prevalent in peach season.

But the crime which is really hurting the community more than any other is sexual immorality between the races. It is of such a nature that the local courts cannot well handle it, and Negroes have not the courage to condemn it.

I am sure, however, this crime is not increasing. Within the past twenty years there have been changes for good along this line; still the subtle influence of this immorality is felt in many ways.

Causes: Poor wages and love of dress, influence of Negro preachers, lack of home training. In some portions of the county, whiskey is sold and the natural results follow—murder, stealing, drunkenness and gambling, and the county jail is, of course, well filled.

—————. I venture to give the information, but urgently insist that my name not be given publicity, because I am working in a bloody and oppressive county, and do not desire to leave by undue force because of family and business relations. Crime is rapidly increasing; blind-tigers, petty theft, concealed weapons, church disturbances. In some parts of this county absolute slavery reigns; men and women are whipped and driven cruelly from before the dawn until dark. There are men whose fines are paid and are worked at the rate of \$4.50 per month. Negroes must invariably settle by books kept by men who furnish* them. Some of them with four in family make from 12 to 16 bales and fall in debt at end of year. An attempt to leave means to have corn and a clean sweep made and spurious warrants and sometimes an unmerciful beating. There are many Negroes who have lived on the same place 10 to 12 years and never been given their rent note nor a final settlement, and they are afraid to ask for either or to leave. Of those

*"Furnish," i. e., supply goods to them on credit.

who furnish Negroes, six out of nine confine them to bacon, meal, some flour, and strenuously object to buying sugar or too much dress. One white man in this county who had the oversight of sixty plows would go to the store, buy things for his own house and have them charged to one or the other hand's account. Social equality is forced in many places, but due to white men.

MCINTOSH.—It seems to me that there is more disorder hereabouts than formerly. Certainly in this immediate vicinity for the past five years there has been less safety than previously, as far as my knowledge extends. But affairs have improved somewhat of late.

NEWNAN.—Crimes of all kinds among Negroes are becoming less every year. The number of criminals in our courts this year is not half as large as that of last year. Our police court has had little to do this year, and were it not for the idlers and those inclined to gamble and run "blind tigers," it might be only a court in name. Our people are not inclined to theft as in past years. Most of the crimes are misdemeanors and arise from assaults of various kinds.

PENDERGRASS.—The amount of crime among the Negroes of my town is more than ever was known before—such as gambling and killing, and a good number of the law-breakers are bonded out of jail, and the court allows a lot of them to be paid out and they are made slaves of by the big men of our county. So far as justice being given the Negroes in court, why they never get that.

KNOXVILLE.—The criminal Negro in this county is the gang-laborer Negro, who gets employment on large plantation farms, sawmills and turpentine distilleries, where they are led and controlled by influences which are oftentimes far from being good. But Negroes may be found in most every rural district or community on their own farms, or on farms absolutely under their control, prospering. Such Negroes are as law-abiding citizens as can be found in the world.

ATHENS.—The primary cause of so much crime is drunkenness and ignorance. The state of affairs among our young men is alarming. The boys leave school between the ages of twelve and fifteen years, and they drift out into the world and learn to gamble, drink whiskey, and all other low vices. I have a boy about thirteen. At one time there were twenty boys in his class, and now there are only two. Many boys seem to be retrograding morally. They feel that it is just as high an honor to marry a deluded woman as a virtuous one. Seven marriages of that kind have occurred since Christmas in our town.

MONTEZUMA.—The clerk of the superior court informed me that 98 per cent. of the criminals were totally illiterate. It is seldom that an educated Negro gets into trouble.

These men were asked especially as to justice in the courts.

FORT VALLEY.—The persons whom I asked, seemed to think that the Negro of this county received the regulation "Georgia justice" in the courts; that is, once accused, the Negro is guilty, especially so if the controversy is with a white person, and must prove himself innocent.

AUGUSTA.—It seems to me that so many Negroes are arraigned in the courts who are innocent apparently, that it is hard too, to answer the question as to the cause of crime.

MARSHALLVILLE.—I know of no special instance where Negroes have been treated unfairly in the courts, but I think the general understanding is that the white man's word goes before everything else.

BAXLEY.—So far as a Negro is concerned, it matters not how good a law-abiding citizen he may be, or how intelligent he is, nor the amount of property he may

own and pay taxes on. He has no voice in the court house except as a witness or to be tried.

NEWBORN.—Sorry to say that in our courts, a Negro's color is a brand of guilt. This refers to our county and circuit courts. Justice courts in rural districts are a mere farce. Justice to a Negro against a white man is less than a game of chance.

DAWSON.—During the August or adjourned term of the Superior Court of Terrell County 1902 one ——— was charged with vagrancy. He was a barber by trade and ran a colored barbershop. One of the police on that beat fell out with him and swore out the above warrant. The said ——— produced 85 men who swore that he shaved them from once to twice a week and cut their hair from once to twice a month, and that he sometimes did other work, such as putting down carpets, when called upon. The trial judge declared that he had never heard of Negroes shaving twice a week and did not believe any such thing: that that was as many times a week as the average white man shaved, and that the Negro's beard does not grow as fast nor come out as fast as white men's and therefore he doubted the veracity of the witnesses. The case was compromised by the said ——— paying the sum of \$65.

At the November term of the Superior court held in Dawson, 1903, a boy 14 years of age was charged of helping a man or tenant steal cotton seed from his landlord. The man had pleaded guilty at the August term of the City Court and had been fined \$100 or one year on the gang. The fine was paid by the landlord and the man was kept on the place. The boy refused to plead guilty and appealed his case to the Superior Court. The grand jury found a true bill and he was tried at the November term of court. At the trial the man who pleaded guilty swore that he was a cropper and worked on halves and that the boy and his father lived about three miles from him and that he learned that the boy was to be sent to town early the next morning and that he had gone to the old man who was a cripple and asked him to let the boy come by his home and carry a package to town for him and the boy's father consented as it was not much out of the way. He swore that he had the cotton seed sacked and out by the roadside when the boy came along and that he (the man) put them on the wagon and told the boy to sell them and bring him the money. He did as he was told. He also swore that the boy did not know whether he had stolen the seed or not nor where he had gotten them. The boy's parents swore to the same facts. The boy was found guilty and sentenced to twelve months in the "gang."

At the August term of the city court in Dawson, 1903, there were twenty-five young men convicted of gambling on the evidence of one who was excused because he turned state's evidence. He is known as a spotter. When he admitted his guilt the solicitor got up and recommended him to the judge as a hard working Negro, whom he knew, and who had worked for him on his place. He was excused with only a nominal fine. The other twenty-five received sentences ranging from \$30 to \$75 and from six to twelve months on the gang.

In the Americus city court, April term, 1904, one X—— borrowed \$2 and agreed to pay \$3 for the same by working it out when called upon to do so. Before Y——, from whom he borrowed the money, was ready for him or called for him, he was working out another debt which he had contracted with another party. He could not go to Y—— just at the time wanted. Y—— swore out a warrant for cheating and swindling and sent X—— up for eight months on the "gang."

SYLVANIA.—They have no voice in court. They are not treated fair in the courts at all.

THOMASTON.—The criminals do not, in my judgment, at all times have fair and impartial trials. Yet they are treated as fair as the average Negro in the South.

JEWELL.—The subject is a young man of the little town in which I teach. Christmas this young man shot a boy, for which crime he has not been punished. Of course every body in the town knows that he is a desperate character, and that he can give no cause for the crime of which he is surely guilty. And yet when tried in court he was released.

The criminal is a servant for one of the wealthiest families in the county, and of course they did their best to prevent his being brought to justice in the county court. The Negro was arrested and taken to court for trial, and as plain as the case was all the so-called best white people of the little town of Jewell met at Sparta on court day and through their influence the jurymen were bribed, and the result was that a verdict of not guilty was brought out by the jurymen, even when they knew that he was a murderer. Now, I think the court did the very worst thing that could have been done for the young man. By all means justice should have been meted out to him, not so much for his own salvation as for that of many others who will certainly be influenced by his example.

I know of three other cases where the criminals failed to receive justice in the courts, simply because they rendered good service to white people as servants.

My opinion is that the white man who makes himself a protection for the Negro's crime in one instance is simply encouraging crime in all directions.

My experience is that much of the crime among Negroes arises from the corrupt way in which the courts some times deal with criminals. Either one Negro of a certain town has been punished innocently and the others revolt, or one has not been punished for the crime he did commit, and so many others are encouraged to commit worse crimes.

ATHENS.—The races in this section work very harmoniously together, and I know of no instance where the courts have not dealt justly with the Negro. As a whole, one of the worst faults the Negro has is the concealment of crime, no matter how low the crimes are. An intelligent, law-abiding citizen in this section gets the full benefit of the law.

MONTZUMA.—In some cases even-handed justice is meted out to both races alike. But in many cases the white man uses his power to dethrone justice.

SASSER.—As to their treatment in the courts of my county, I can without hesitation say there is some partiality shown. Do not let it be publicly known that I said we are illegally treated, that is, that we do not have a fair trial in every instance in the courts of my county. It would cause me to have enemies among the whites, and they perhaps might set snares for me.

CLAXTON.—I haven't found out definitely how they are treated in the courts. I can safely say they are tried by white juries, white lawyers and white judges, so you can judge.

WADLEY.—I don't visit the county courts, but as far as I can learn and read in the papers, Negroes don't stand any chance in them, and in our town before the mayor it is the same.

CARNESVILLE.—The Negro has very little rights here; all the white man is after is the almighty dollar. Outside of that the Negro is no more thought of.

MARIETTA.—All the officials and jurors are white, but considering the fact that our judge X—— has presided over the court for a number of years in a very impartial manner, I feel that our criminal class here is very fairly dealt with.

CALHOUN.—To my knowledge Negroes are justly treated in the courts in this county.

KINGSTON.—Now as far as courts are concerned, we do not believe that justice is altogether handed down to us. We believe that when a crime or crimes are com-

mitted that each court should do justice irrespective to creed, nationality, or color. We believe that the law should not only be enforced after election, but before as well.

WAYNESBORO.—They are treated as a rule as all Southern courts treat the Negro.

SHADY DALE.—Last year a crowd of twenty went to arrest a Negro for a debt of \$22. They found six Negroes gathered there for a hunt. The man they sought got away. The six Negroes arrested were fined from \$60 to \$120. The white men were upheld by the law; yet they had no warrant and met no resistance.

VIENNA.—Of course, no one would expect the Negro to be dealt with justly in the courts. The judge, jury and lawyers are all whites, hence no sane man would believe that the Negro receives justice before such a prejudiced body. But so far as white men are concerned, I think the Negro is treated fairly well in the courts; that is, as well as could be expected from white men. It would not be natural for such a race as the whites, that has the superior advantage, to give the Negro justice.

ROME.—Our people as a rule get the worst of it in courts, according to my observation.

ABBEVILLE.—I do not know how the Negro stands here in the courts, but I think he has a very poor chance since the jury down here is ignorant and full of prejudice.

FOLKSTON.—We are doing very well here with the whites, only we are denied the right of jurymen on account of color.

GENEVA.—The case of a Negro always is committed, and if he hasn't got some white man on his side, he is gone to the "gang."

THOMASVILLE.—The courts, on the whole, here are inclined to give the Negro prisoners justice. In our last court 40 per cent. of the accused were acquitted. Some of the charges were very serious, but absence of sufficient evidence seemed to have been recognized by the jurors, who seemed impartial.

JASPER.—In the fall of 1903 white folks treated the colored folks very badly by white capping. They dynamited and rocked several of the Negroes' houses in this county. You know, the colored people don't get justice in the courts.

MIDVILLE.—Justice is only measured out to him according to the views of that white man who is in favor of him. The Negro's word in the courts has but little weight. A Negro's word or justice to the Negro in the courts of my county depends largely upon his standing among his white friends. If a Negro has a case against a white man, it is generally held on docket until it becomes cold and thrown out. On the other hand, if a white man has a case against a Negro he is fined or imprisoned.

BLAIRSVILLE.—They are treated fairly well. They neither lynch nor take the lives of the Negro as they do further South, but we are slaves for them in a sense.

WACO.—Of course they are not treated altogether fairly in the courts, for they have no colored jurors here.

CRAWFORD.—For the most part there is a decrease in the commission of crime. We think the manner in which the law is administered has much to do with the commission of crime on the part of the Negroes. A white man here can do almost anything wrong in violation of law; if a Negro is defendant in the case justice steers clear of the Negro's side. The crime for which Negroes are most strictly held to account is that of breaking contracts. They are invariably hunted for, and when found are hand-cuffed or tied with ropes, brought back, severely whipped; now and then one is killed (self-defense or accidentally) and the murderer goes free. Negroes can run blind tigers, live in adultery and gamble on the plantation or

here in the town unmolested, but he must not miss a day from work. It did actually occur in this county that a white man killed a Negro at a Negro dance without provocation. He was never bothered about it. Some time afterwards the same white man took a mule from a white farmer. He was caught, tried, and convicted of horse stealing and sentenced to the chaingang.

JEFFERSON.—There are from forty to fifty misdemeanor convictions a year in our courts. The major part of them get white men to pay their fines, for which they work double the time. These white men run kind of force labor farms. The Negroes' treatment in court is usually fair, as there is no indignant public sentiment against these petty crimes. The offender, after his arrest, is generally taken by the arresting officer to some white man, who is the Negro's choice; there a bond is made and the fellow put to work. When court convenes, the Negro and his employer appear, and after some legal formality the offender is fined. The fine is paid and the criminal goes back to work. These Negroes are nuisances to the respectable Negroes of the communities. They often give much trouble at the churches and other public gatherings, with the boast "that captain so and so will stand to me in anything." I am not a pessimist, but owing to the demand of labor in this county and the means employed by the large land owners to secure it, I truly believe misdemeanor crimes are on the increase.

PENDERGRASS.—The Negroes in general are in a bad shape here. There are about eighty criminals here out on bond, some for murder, some for selling whiskey, some for gambling, some for carrying concealed weapons, some for shooting, and most of them are guilty, too; but their captain (i. e., employer,) takes their part in court. They generally pay about \$25 and work the Negro from one and a half to two years, and the Negro never knows what it cost. Some that are guilty come clear, some not guilty are found guilty just the same, for they can only swear and make a statement. The whites trade in them like slavery times or like horses. Some get their rights and some don't. There is no justice in court for the Negro, except he has money, and they will make him lose it.

STEAM MILL.—The crime of the Negro is increasing. It is two-thirds greater than ever before. The cause of this is that they are given the full extent of the law on the weakest evidence. There is such a demand down in South Georgia for turpentine hands and sawmill hands that every man who has got a sawmill or a turpentine farm in the county is bribing the courts and the lawyers to convict the Negro regardless of the evidence of the crime, because he wants to buy him for his labor, for he can shoot and force him to labor. Therefore, 98 per cent. of the convicts of the county prison are made up of the Negro race. We have got more overseers and white bosses than we had forty years ago.

WAYNESBORO.—They always get justice I believe when it is a Negro vs. a Negro, but when it is a white man vs. a Negro there seem at times to be some variations. This is putting it very mildly, too.

ADAIRSVILLE.—In reply to it, I will say that there is very little mercy shown the Negro in our circuit courts. There seems to be a premium placed on his conviction, however simple and light the charges may be. This I am at a loss to answer for, but as a general rule the pressure is upon him, and he generally gets defeated in the courts all the way from the district to circuit courts. Of course this depends on whom the Negro is in law with. If it is with another of his color, probably he may get justice; but if there is any chance for his color to figure in the matter, he is more than apt to meet squarely and promptly with sudden defeat. I have been a resident of this county since —, and all of this time been in direct contact with the masses. We have good men on both sides—some white and some colored who strive with each other for good—and if it were not for these two classes of men

this county would present a sad picture; both races would indulge more in cruel hatred for each other. I don't want to say too much right along here, but the Negro is not accorded his rights as a man, either in court, or in his domestic and commercial relations, not to say a word about his political privileges.

LAVONIA.—Of course you are acquainted with procedure of the courts with the Negroes in the South. "To be black" goes a long way in reaching a verdict and determining the fine or punishment. But it is not so bad here as in some other counties, and under these adverse circumstances the Negroes are forbearing, plodding their way onward, some with wisdom, and others with indiscretion.

OCONEE.—Crime is increasing among the whites. The whites indulge Negroes in it a great deal. A Negro kills another and he escapes punishment by getting away or some white man pays a small fine for him and he takes him and works him. The white man is already anxious for him to get into something in order that he can tie him. This is what some of them call controlling labor. There are hundreds of Negroes working on farms and public works with some white man on his bond or working out fines. A Negro seldom comes clear, no matter how weak is the evidence produced against him. It does not pay to go to court.

BRUNSWICK.—It is very difficult, if not impossible, to convict white men in the courts of crimes committed against Negroes, nor are Negroes given a fair trial when charged with offenses against the whites. Where Negroes only are involved, money or a pull will generally secure the acquittal of the Negro who has it.

ADRIEN.—Our county is very rough in many ways to work in, to the disadvantage of Negroes. We can't get a fair trial in a court of justice, and crimes can't be estimated fairly on account of injustice; especially if it is a case between the Negro and a white man, there is no hope for the Negro.

DOUGLASVILLE.—As to the treatment of the Negro in the courts, I should judge from my own observation of the proceedings of the courts for the past three years, that they are generally impartially dealt with according to the evidence. For the three years that I have been here, I don't remember any Negro complaining as to unjust treatment of his race in court. This town and county, from my observation and judgment, is an exception to most of the towns and counties that I have lived in.

BAXLEY.—Most of the crimes committed by white men are nolprossed or light fines laid when proven guilty, but there is no hope for the acquittal of a Negro; and if he is proven guilty (which is no trouble to do), he is given a long sentence or a very heavy fine. In this county we have no colored jurors, and possibly this accounts for the Negroes suffering so very much in the criminal courts.

TIFTON.—In the courts, he is usually a criminal and stands friendless before the law.

Summing up these reports we can make this rough estimate of the tendency of crime: Reports from 10 counties (11 towns) with 118,244 Negroes indicate that crime is increasing; reports from 56 counties (67 towns) with 448,117 Negroes indicate that crime is decreasing.

In 15 small towns there were, in 1903, 5,376 arrests of white and colored offenders, mostly for disorder and drunkenness. Of these, 3,113 were Negroes, 50 white, and the rest undesignated.

It seems to be fairly well proven that there is comparatively little crime in the Black Belt and in the White Belt. It is in the counties where the races meet on something like numerical equality and in economic competition that the maximum of crime is charged against Negroes.

8. Atlanta and Savannah (by H. H. PROCTOR and M. N. WORK).

According to the census of 1900 the total population of Atlanta was 89,872; of these 54,145 were white and 35,727 were Negroes. Approximately 60 per cent. of the population is white and 40 per cent. black. There were 14,088 arrests made in Atlanta last year; of these 5,925 were white and 8,163 black, i. e. 42 per cent. were white and 58 per cent. black. Concerning this heavy percentage of arrests three things should be said: First, that 732 of the total arrests were made on suspicion, and as all presumptions are against the Negro it may be confidently assumed that he shared largely in this class of arrests; second, that 446 of these cases were dismissed, indicating clearly that to be arrested is no sure indication of crime; and, third, that a large number of these were of that class known as "rounders," and were arrested more than once. The largest number of arrests were between the criminal period of 20 and 30. One-third of the total colored arrests consisted of women.

The principal causes of these arrests were disorderly conduct, drunkenness, idling and loitering, and suspicion. Of these arrests at least two things are noteworthy. The first is that leaving aside the blanket charge of disorderly conduct, the leading cause for arrest was drunkenness. The second is that just one man in Atlanta was arrested for rape last year and that man was white! I have been informed by the chief of police of this city that during the present year there has been but one arrest for this unspeakable crime, and that is for a white man against a colored woman.

One of the causes of Negro crime is ignorance. Thirty-five per cent. of the Negroes of Atlanta are illiterate. It should be said that this is due in part to the influx from the country districts; but the fact remains, nevertheless, that every third Negro one meets in this city is illiterate. Now, this has a close connection with crime; for ignorance and vice are twin sisters. A study of the accompanying table will show a striking thing in this connection. We have seen that the Negroes of Atlanta are about one-third ahead of the whites in crime; this table shows that they are just about one-third behind in school facilities:

Atlanta Public Schools 1902-1903

| | School populat'n | Schools | Teachers | Seats | Without seats |
|---------------|---------------------|---------|----------|--------|------------------|
| Colored | 8,118 | 5 | 49 | 2,145 | 5,673 |
| White | 14,465 | 20 | 200 | 10,052 | 4,413 |

But the fountain head of crime among the Negroes of Atlanta is the open saloon. There is no doubt but that the removal of strong drink from the city would decrease crime by half. In my native Southern town the abolition of the saloon has almost put the courts out of business with Negroes. In one of our Decatur street saloons 100 colored men were seen to enter within 13 minutes one rainy evening. Of the 150 colored men and boys now in the city stockade the keeper tells me that the most of them are there for drunkenness.

A strenuous effort should be made to make the home life more attractive. Too many black boys and even girls are permitted to roam the streets alone at night. A curfew law properly administered would be a splendid thing for a certain class of our young people. Another year would see fewer than 3,077 arrests between the ages of 12 and 20.

We need more philanthropic agencies for the amelioration of crime among Negroes in this city. At present there are only two; they provide for less than 100 children. Day nurseries are needed for the care of the children of hard working mothers who must go out to earn the living for their children and be away from them all the day. A reformatory is needed for refractory boys, and a house of refuge for wayward girls. A fully equipped Young Men's Christian Association would be a power for good in preventing crime among young men. But the supreme need of Atlanta is a great union college social settlement established in one of the Negro centers of crime.

The figures for arrests in Atlanta since 1898 follow:

Arrests in Atlanta

| | 1898 | 1899 | 1900 | 1901 | 1902 | 1903 |
|-------------------|-------|-------|-------|--------|--------|--------|
| WHITES— | | | | | | |
| Males..... | 4,508 | 4,523 | 4,957 | 5,384 | 5,289 | 5,413 |
| Females..... | 418 | 389 | 474 | 403 | 449 | 512 |
| Total whites..... | 4,926 | 4,912 | 5,431 | 5,787 | 5,738 | 5,925 |
| NEGROES— | | | | | | |
| Males..... | 6,911 | 7,600 | 7,415 | 8,539 | 7,808 | 7,544 |
| Females..... | 2,470 | 1,654 | 2,086 | 2,960 | 2,388 | 2,619 |
| Total Negroes.... | 9,381 | 9,254 | 9,501 | 11,499 | 10,696 | 10,163 |

1903

| AGE | WHITES | | NEGROES | | Total |
|------------------------|--------|--------|---------|--------|--------|
| | Male | Female | Male | Female | |
| Under 12..... | 8 | 0 | 33 | 1 | 42 |
| Between 12 and 15..... | 263 | 15 | 901 | 73 | 1,252 |
| Between 15 and 20..... | 446 | 89 | 1,321 | 782 | 2,640 |
| Between 20 and 30..... | 1,844 | 209 | 3,142 | 1,242 | 6,437 |
| Between 30 and 40..... | 1,479 | 130 | 1,362 | 369 | 3,340 |
| Between 40 and 50..... | 799 | 52 | 470 | 107 | 1,428 |
| Over 50..... | 574 | 17 | 313 | 45 | 949 |
| Totals..... | 5,413 | 512 | 7,544 | 2,619 | 16,088 |

Negro Arrests per Thousand of Negro Population

| | | | | | |
|-----------|-----|-----------|-----|-----------|-----|
| 1898..... | 274 | 1900..... | 266 | 1902..... | 293 |
| 1899..... | 265 | 1901..... | 322 | 1903..... | 273 |

Savannah has 54,244 inhabitants, of whom 28,090 are Negroes (1900). The most demoralizing agencies in Savannah are some twelve or fourteen low dance houses, known as "Free and Easies," run in connection with saloons. These are a great source of crime and immorality. A large percentage of the murders and other offenses against the person are committed in them. In one month of this year two homicides

occurred in them, besides numerous cutting affrays. It is probably safe to say that these low dance halls are the greatest sources of crime in the city. Another source of vice and crime is a park for Negroes on the outskirts of the city. Here a low form of vaudeville is carried on. There is a saloon inside of the park and on the outside are low drinking places and other disreputable resorts. This park, if it furnished recreation and amusements of the proper kind, could be made a great agency for good to the city's large Negro population.

Some statistics for Savannah follow:

Police Arrests in Savannah

Arrests per Thousand of Negro Population by Years.

| | | | | | |
|------------|-----------|------------|------------|-----------|-----------|
| 1874... 79 | 1883.. 60 | 1887... 65 | 1891... 83 | 1895..106 | 1899..153 |
| 1877... 56 | 1884.. 66 | 1888... 65 | 1892... 75 | 1896..100 | 1900..152 |
| 1881... 82 | 1885.. 65 | 1889... 79 | 1893... 85 | 1897..122 | 1901..138 |
| 1882... 68 | 1886.. 55 | 1890... 75 | 1894... 85 | 1898..165 | 1902..144 |
| | | 1903..... | 143 | | |

| Number of Arrests for each Class of Offenses | | | | Arrests per Thousand of the Negro Population for each Class of Offenses | | |
|--|--------|----------|---------|---|----------|---------|
| Year | Person | Property | Society | Person | Property | Society |
| 1874..... | 11 | 145 | 963 | 0.07 | 10.0 | 68.0 |
| 1877..... | 59 | 114 | 668 | 3.9 | 7.6 | 45.0 |
| 1881..... | 105 | 116 | 1,128 | 6.4 | 7.0 | 67.0 |
| 1886..... | 118 | 112 | 872 | 5.8 | 5.0 | 43.0 |
| 1895..... | 257 | 630 | 1,781 | 10.0 | 24.0 | 79.0 |
| 1896..... | 352 | 512 | 1,732 | 13.0 | 19.0 | 66.0 |
| 1897..... | 294 | 587 | 2,344 | 11.0 | 22.0 | 84.0 |
| 1900..... | 462 | 711 | 3,091 | 16.0 | 25.0 | 110.0 |
| 1901..... | 303 | 661 | 2,966 | 10.0 | 23.0 | 103.0 |
| 1902..... | 272 | 687 | 3,243 | 9.0 | 23.0 | 111.0 |
| 1903..... | 210 | 618 | 3,404 | 7.0 | 21.0 | 115.0 |

PERCENTAGE OF AGES

| Ages | Males | Females | Total |
|------------------|-------|---------|-------|
| 0-14..... | 27.0 | 25.0 | 26.0 |
| 15-24..... | 21.0 | 27.0 | 24.0 |
| 25-34..... | 23.0 | 21.0 | 22.4 |
| 35-44..... | 16.0 | 13.0 | 14.5 |
| 45-54..... | 7.0 | 6.0 | 6.8 |
| 55-64..... | 2.7 | 3.0 | 2.9 |
| 65 and over..... | 1.3 | 1.8 | 1.5 |
| Age unknown..... | 0.7 | 0.7 | 0.7 |

The sentences imposed in the city court are generally severer than those imposed in the superior court, e. g. for larceny. It is also true that the sentences imposed in the recorder's court are usually severer than those imposed in the superior court. This is a further substantiation of the fact that there is increased stringency in punishing Negroes for minor offenses. It further appears from the record of cases that the tendency is to impose severer sentence for offenses against property than for offenses against the person.

The amount of crime among the Negroes of Savannah could no doubt be reduced if all or some of the following things could be accomplished: The suppression of the Free and Easies; improved park facilities for

the colored people so that recreation and amusement which would be uplifting and helpful could be furnished; the enforcement of the law respecting minors entering saloons and other questionable places; the establishment of a juvenile court and reformatory; better house facilities; education of the mass of the Negroes respecting proper sanitary observances; an increase of the school facilities for colored children. The school census of the city for 1903 gives the number of colored children between the ages of six and eighteen as being 8,023. The total number of colored pupils enrolled during the school year of 1903 was 2,312, only 28.8 per cent. of the entire number of colored children of school age. There are four colored public school buildings in the city. They are crowded to their utmost capacity. Admission for enrollment can be obtained only by ticket. In due time some or all of the above things will be done, and then a greater lowering of the crime rate of the Negroes will take place.

Comparing Savannah and Atlanta a strange discrepancy in arrests is noticeable—143 per thousand in Savannah, and 273, nearly twice as many, in Atlanta. The cause of this is probably that the relation between whites and Negroes in Atlanta is much less pleasant than in Savannah. In Atlanta strangers have met: the mountain whites and Negroes; and the white policemen arrest Negroes on the slightest provocation, so much so that the new mayor has protested:

The idea that 17,000 cases should be tried in recorder's court in one year is appalling, Mayor Woodward said. It places Atlanta at or near the top of the list of cities of this country in criminal statistics, he says. The police department should not be run for revenue, but for justice.

He then compares Atlanta's record with that of St. Louis, Atlanta being a "sealed" city, while St. Louis is known as a wide-open town. Atlanta has a population of 100,000; St. Louis had with strangers during October and November about 700,000. Yet in Atlanta during October and November, 1904, there were 3,163 cases tried in recorder's court, while in St. Louis the number was only 5,034, the St. Louis police making only 1,871 more arrests with 600,000 more population. Atlanta, he declares, needs no such money.

Mayor Woodward said he had been informed that many policemen keep a record of the arrests which they make, the fines and sentences imposed, with the belief that the more the arrests the better their chance for promotion. He promises to make an effort to have dismissed from the force every policeman who does this.—*Atlanta Constitution, Jan. 3, 1905.*

In Savannah, on the contrary, a leaven of the old house-servant class is still living beside the sons of their former masters and the mutual understanding is far better, and perhaps runs even to laxness in cases where punishment of Negroes would be salutary.

9. Crime in Augusta (by A. G. COOMBS and L. D. DAVIS). Augusta is a city of 39,441 inhabitants, of whom 18,487 are Negroes (1900). It has much wealth, culture and learning, and the Negroes can with just pride lay claim to some part of these. Until two or three years ago crime among the Negroes in Augusta had reached a very serious and alarming extent. The recorder's court, with its daily sessions,

lasted for three or four hours disposing of drunken brawls, gambling, and similar offenses. This state of affairs, however, was due to the fact that there was no fear of the law, and not because the Negro was so bad. The punishments were slight for political reasons. The ballot of the Negro was sought for, and the city officials made themselves popular with the black population for their own political interests and welfare.

Such a condition of things demanded a reform, which was made possible by the election of a new municipality. All the courts, city, county, and superior, began to enforce the laws rigidly and punishments were meted out swift and severe, both for minor and grave offenses. The result has been quite telling, for the recorder's court seldom lasts longer than an hour, and the number of Negroes arraigned has greatly decreased. And may we hope that the decrease is due to the respect for the majesty of the law rather than for fear of punishment.

In the last half-yearly report the chief of police says that crime in the city has lessened about 30 per cent., and especially that of moral turpitude among the Negroes. And this in spite of the city's growing population.

The following table gives some statistics of criminality in Augusta for 1902 and 1903:

| | 1902 | 1903 |
|---|----------|----------|
| No. of arrests | 2,236 | 2,100 |
| No. of reports | 1,052 | 768 |
| No. brought before recorder | 2,506 | 2,366 |
| No. fined by recorder | 1,852 | 1,530 |
| No. dismissed by recorder | 239 | 227 |
| No. turned over to city court | 247 | 220 |
| No. turned over to superior court | 60 | 48 |
| No. sent to jail without fine | 16 | 110 |
| No. sent to reformatory | 16 | 25 |
| Amount of fines imposed .. | \$30,079 | \$21,093 |
| Amount of fines collected | 17,331 | 4,311 |

These figures are given for the total population of Augusta, as no separate records are kept by the officials. The Negroes, however, form three-fourths of those convicted. The average age of the Augusta criminals is about 25 years. Of the 2,868 arrested and reported for the year 1903, there were 1,490 distributed between the jail and the county farm. Those who were convicted of gambling, vagrancy, suspicious character, wife-beating, drunkenness and nuisance in general were sent to jail. Most of these were worked on the chaingang. The county farm received a less number of prisoners, these being convicted for larceny, carrying concealed weapons, assault, swindling and such grave offenses.

The jail in Augusta is a place of discipline and cleanliness. Work is required, but it is so enforced that discharged prisoners report very humane treatment. The prisoners on the county farm have more laborious work to do, and often complain of harsh and unjust treatment.

A crying need of Augusta, and one which may in a manner throw some light on the cause of Negro criminality in this city, is for increased and improved public school accommodations for the Negroes. The city has four public schools for Negroes, having twenty-seven

teachers, with an enrollment of about 2,000 pupils. This leaves at least 2,000 other children unprovided for.

As to the criminals it may be said that not many girls, but a goodly number of women, are sent to jail. There are some among these who are continually brought before the recorder, and they receive their sentence with stoical indifference. Sad it is to say that among the so-called criminals are many young boys who are not criminals in the true sense of the word. There is the offending boy caught for throwing rocks, or spinning his top, or pitching his ball in the street. While some of these young boys are pardoned, a large number are fined; and as these fines cannot always be paid, they are therefore "sent up" and thereby classed as criminals.

According to various city officials consulted by investigators, crime among Negroes in Augusta is constantly decreasing. One official said that it was his opinion that Negroes of the ignorant type and whites of the ignorant type were those guilty of crime. Ignorant whites commit the same kind of crime that ignorant Negroes commit, and 15 per cent. of the ignorant whites were associates and co-workers in crime with the same class of Negroes.

10. What Negroes think of Crime. As a rough answer to this question, the results of written answers of Negro school children and students have been collected. A series of simple questions were first put to 1,500 Negro school children in the Atlanta public schools. The most of them were between the ages of 9 and 15 years and were city bred. Of these 583 said that laws were made "for protection;" 315, "to keep peace" or "order;" and 135, to "govern" or "rule" persons.

The answers classed under "For protection" include many forms of protection; e. g., protection of one's rights, of property, of person, protection of city, of state, of country. Under the hundred or more unclassified answers are many which speak of laws as a means of preventing fighting, stealing, etc.

Their ideas of courts were correct: "To determine guilt or innocence" (398); "to see that the laws are obeyed" (222); "to settle matters" (222); a few say for "bad people" (69). Policemen are for the purpose of "arresting people" (522), or "protecting" them (346). Policemen are usually kind to 618 of the little ones, but were considered unkind by 459 and variable by 204. Most of them say that persons are sent to the "chaingang" for breaking the law and wrong-doing, but some others say that people are sent to the chaingang because "they haven't the money to pay their fines." One boy says: "Some good people are sent to the chaingang and some bad ones. They are sent because they are convicted."

The students, 534 in number, were older (13 to 21 years of age) and come from all parts of the state. Policemen have never helped or protected most of them (408); and 21 declared they have been specifically wronged by policemen. Of those who have seen courts in session (134), 71 think the judge and jurors acted fairly, and 41 that they did not;

their opinions of persons sent to the "chaingang" vary: 164 think them "bad or unfortunate;" 54 think they deserve punishment "if guilty," and 46 doubt the guilt of many of them; 25 are "sorry for them," and 22 think their punishment "makes them worse," but 28 consider them "a disgrace to their race." In general, many students consider that persons who are sent to the chaingang are very unfortunate. Many say that, while they are in favor of punishment for law-breakers, they consider the "chaingang" the worst and poorest means of punishment. These also speak of and deplore the treatment of the criminals on the "gang."

Many speak of the very disastrous results upon young criminals and express the wish that reformation be provided for the youthful offenders of the law. One says along this line: "The chaingang system is discreditable. It seems to defeat the purpose of punishment. I grow indignant over the presence of young boys in the chaingang." Another says: "The intermingling of young criminals with old ones in the chaingang is one of the worst evils of the system." A third says: "I think it [the chaingang] is one of the last resorts to which the state should give itself. The treatment of the men in most cases is very severe and especially unbearable in the fierce winter months."

When asked why so many young Negroes get into the clutches of the law, 152 ascribe it to "indolence" and "laziness;" 62 say for "not attending to their own business;" 57, "disobedience;" 40, "bad company;" 39, "ignorance;" 67, "lack of home-training;" and 19, "race prejudice." Most of them have several causes why so many young colored boys get into trouble. As an example of this one student says: "Ignorance, prejudice, poverty, wrong-doing." Another says: "Idleness is almost sole cause. Race prejudice also aids, as more Negroes are handled by the courts for the same offenses than whites." A third says: "The important causes are, I think, the lack of moral training, the lack of educational privileges, and beyond all the lack of good home-training. Another cause is the difficulty Negro boys have in getting employment."

As a remedy for criminality among Negroes, 118 say "better employment;" 112, "education;" 77, "teaching them the right;" 35, "home-training;" 24, "establishing reformatories;" 22, "Christian work;" 12, "by raising their standards and ideals;" and 10, "by closing places of evil and vice." Many suggest fair trial and unprejudiced decision in courts. Many also speak of good association, while some add that "our best people should dwell on the disgrace of being confined to the chaingang."

11. Causes of Negro Crime. This study is too incomplete to lead us to many definite conclusions. Yet certain causes of crime among Negroes today seem clear. They may be briefly classified as follows:

A.—Faults of the Negroes.

1. Abuse of their new freedom and tendency toward idleness and vagrancy.
2. Loose ideas of property, petty pilfering.
3. Unreliability, lying and deception.

4. Exaggerated ideas of personal rights, irritability and suspicion.
5. Sexual looseness, weak family life and poor training of children; lack of respect for parents.
6. Lack of proper self-respect; low or extravagant ideals.
7. Poverty, low wages and lack of accumulated property.
8. Lack of thrift and prevalence of the gambling spirit.
9. Waywardness of the "second generation."
10. The use of liquor and drugs.

All these faults are real and important causes of Negro crime. They are not racial traits but due to perfectly evident historic causes: slavery could not survive as an institution and teach thrift; and its great evil in the United States was its low sexual morals; emancipation meant for the Negroes poverty and a great stress of life due to sudden change. These and other considerations explain Negro crime. They do not excuse it however and a great burden of pressing reform from within lies upon the Negro's shoulders. Especially is this true with regard to the atrocious crime of rape. This is not to be sure a crime peculiar to the Negro race. An Englishman tells us that in Jamaica justice has been dealt out impartially; and this has not resulted in "impudence" on the part of the blacks towards the whites. Indeed, when reasonably treated they are remarkably courteous,—more so than the average Teuton. Attacks by black men on white women are absolutely unknown; a young white woman is safe anywhere, the only terror being from white sailors. There are offenses against black women and children, but not whites. He infers from this that the danger of such attacks on white women, if it exists in the United States, is not really due to race. For his own part he is sure that the evil, where it exists, is augmented by the state of frenzy with which it is met.*

But granting this and making allowance for all exaggeration in attributing this crime to Negroes, there still remain enough well authenticated cases of brutal assault on women by black men in America to make every Negro bow his head in shame. Negroes must recognize their responsibility for their own worst classes and never let resentment against slander allow them even to seem to palliate an awful deed. This crime must at all hazards stop. Lynching is awful, and injustice and caste are hard to bear; but if they are to be successfully attacked they must cease to have even this terrible justification.

B.—Faults of the whites.

1. The attempt to enforce a double standard of justice in the courts, one for Negroes and one for whites.
2. The election of judges for short terms, making them subservient to waves of public opinion in a white electorate.
3. The shirking of jury duty by the best class of whites, leaving the dealing out of justice to the most ignorant and prejudiced.
4. Laws so drawn as to entangle the ignorant, as in the case of laws for labor contracts, and to leave wide discretion as to punishment in the hands of juries and petty officials.

*Sidney Olivier, in the *British Friend*, Dec., 1904.

5. Peonage and debt-slavery as methods of securing cheap and steady labor.
6. The tendency to encourage ignorance and subserviency among Negroes instead of intelligence, ambition and independence.
7. The taking of all rights of political self-defense from the Negro either by direct law, or custom, or by the "white primary" system.
8. The punishment of crime as a means of public and private revenue rather than as a means of preventing the making of criminals.
9. The rendering of the chastity of Negro women difficult of defense in law or custom against the aggressions of white men.
10. Enforcing a caste system in such a way as to humiliate Negroes and kill their self-respect.

A Southern man, Professor Andrew Sledd, has perhaps best elucidated the meaning of this latter point: "If we care to investigate, evidences of our brutal estimate of the black man are not far to seek. The hardest to define is perhaps the most impressive,—the general tacit attitude and feeling of the average Southern community toward the Negro. He is either nothing more than the beast that perishes, unnoticed and uncared for so long as he goes quietly about his menial toil (as a young man recently said to the writer, 'The farmer regards his nigger in the same light as his mule,' but this puts the matter far too favorably for the Negro); or, if he happen to offend, he is punished as a beast with a curse or a kick, and with tortures that even the beast is spared; or if he is thought of at all in a general way, it is with the most absolute loathing and contempt. He is either unnoticed or despised. As for his feelings, he hasn't any. How few—alas how few—words of gentleness and courtesy ever come to the black man's ear! But harsh and imperious words, coarseness and cursing, how they come upon him, whether with excuse or in the frenzy of unjust and unreasoning passion! And his rights of person, property, and sanctity of home,—who ever heard of the 'rights' of a 'nigger'? This is the general sentiment, in the air, intangible, but strongly felt; and it is, in a large measure, this sentiment that creates and perpetuates the Negro problem.

"If the Negro could be made to feel that his fundamental rights and privileges are recognized and respected equally with those of the white man, that he is not discriminated against both publicly and privately simply and solely because of his color, that he is regarded and dealt with as a responsible, if humble, member of society, the most perplexing features of his problem would be at once simplified, and would shortly, in normal course, disappear."*

A scientific study of Southern criminal conditions says:

There is frequently collusion between lawyers and justices. A Negro asks a lawyer how much it will cost her to whip Laura Brown. The lawyer sees a justice and arranges that the fine shall be \$10. She is cautioned to do no "cutting," only whipping. If her wrath is equal to \$10, Laura Brown gets a whipping. The Negro is fined according to contract, but also gets classed among criminals. The justice of peace office is one which few respectable men in the South will accept. The salary is small, and the general rule is no conviction, no fee, for either jury or justice. This is a direct bribe for conviction. There is often small chance

*Atlantic Monthly, Vol. 90, p. 67.

for appeal, for a \$100 bond is required, and few Negroes are able to secure it. Justices and constables are often in collusion. The constable gives a Negro, called a "striker," money to go out and play craps. He informs the constable when and where he will gather men to play. Then the constable swoops down and arrests them. The striker gets a dividend and the constable and justice also profit by the transaction.*

. . . . (1) Penalties in the South are extreme and Negroes are serving life sentences for crimes which receive penalties of from one to five years in the North. (2) There are no agencies for preventing crime in the South. There are no parental or vacation schools; no juvenile courts; no societies to aid discharged convicts; no employment bureaus; no co-operative societies, and no municipal lodging houses. There are three reformatories; no manual training schools; few kindergartens; no compulsory education laws, and few Y. M. C. associations. All of these are recognized as great forces in the prevention of crime. There are no movements or institutions for saving the Negro women, and they largely increase the statistics for female criminals in the United States.†

Negro women are thus peculiarly unprotected:

They constitute the domestic class, although they work in all the trades open to them. Necessity compels them to work, and the Negro men do not discourage it. The attitude of white women is not a protection, for many of them are indifferent to their husbands' or brothers' relations with Negroes. This is changing as they get farther away from the precedents of slavery. White men have little respect for the sanctity of family life of Negroes, when they would hesitate to enter the Anglo-Saxon's home. Negro women are expected to be immoral, and have few inducements to be otherwise. Religion is more often a cause than prevention, for the services are frequently scenes of crime. Physical senses so largely predominate over the intellectual and spiritual perceptions, and but few attempts have been made to develop the latter. The laws against immorality are laxly enforced. Whites within their own circles would not countenance acts to which they are indifferent in Negroes. There are small opportunities for Negro women to support themselves through occupations other than menial, which are filled with grave temptations.‡

And again, once in jail and no attempts at reform are made throughout the Southern States:

With one exception, there are no educational influences. No trades are taught, no schools are conducted and no reading supplied, except at mining camps in Alabama. In factories, sawmills, etc., convicts are given enough instruction to make them productive workers, and that is equivalent to a trade. But the *idea* is not equipment of individuals so they can support themselves when released.§

The surroundings of prisoners suggest slavery and degradation:

"About daylight convicts start off to the fields dividing into two gangs, when they are busy. The assistant manager takes one gang, and a deputy takes charge of the other. One gang goes to plowing and the other to hoeing. When they get out into the field a cordon is formed by the guards, who are armed with winchesters. The manager stands in the midst of the gang, or rides horseback, as the case may be, and directs the operations. He, of course, is armed with a revolver, and carries the strap for the punishment of the refractory men. This strap is a queer looking affair. It is a piece of leather about 6 inches wide and 2 feet long, attached to a wooden handle. It is customary to give a refractory 'nigger' from one to twenty-five lashes with this strap on his bare back, according to the extent

* Kellor: *Experimental Sociology*, p. 250. † *Ibid*, p. 34. ‡ *Ibid*, p. 171. § *Ibid*, p. 200.

of his offense. The occasions for punishment are comparatively rare, however. It is more often the new men who get a taste of the lash. The lash was adopted by the board some time ago, and it is regarded as the most humane yet put in use. It is impossible to cut the flesh with it, and a liberal use of it does not incapacitate a man for work. The board is also particular about too liberal use of the lash, and sergeants are compelled, among other things, to report at the end of every month the names of convicts lashed, the reason and the number of lashes.”*

And finally, instead of efforts to improve workmen and to make them more efficient, one is struck by such demands as this:

Under the present status, the employing farmer has little or no redress against a breach of agreement on the part of the hands he has engaged to assist in the working and harvesting of his crop. He is at the mercy of the mercenary immigration agent or the machinations of unscrupulous planters in an adjoining county or state. . . .

The Constitution is of the opinion, however, that outside of the aid of immigration, this bewildering problem can be largely solved in Georgia and other Southern states by the enactment of statutes making a contract between farmer and laborer even more legally binding than under existing laws. . . .

Making a discretionary term of imprisonment the penalty for such breaches and the consistent enforcement of such a provision for two or three seasons would soon teach this floating, shiftless element to regard their obligations with greater respect and remove one of the very present menaces to the business-like management of our agricultural interests.—*Atlanta Constitution; Editorial, March 30, 1905.*

There is much difference of opinion on many of the points enumerated above, but it certainly seems clear that absolutely impartial courts; the presence of intelligent Negroes on juries when Negroes are tried; the careful defense of ignorance in law and custom; the absolute doing away with every vestige of involuntary servitude except in prisons under absolute state control, and for the reformation of the prisoner; the encouraging of intelligent, ambitious, and independent black men; the granting of the right to cast an untrammelled vote to intelligent and decent Negroes; the unwavering defense of all women who want to be decent against indecent approach, and an effort to increase rather than to kill the self respect of Negroes, it seems certain that such a policy would make quickly and decidedly for the decrease of Negro criminality in the South and in the land.

The arguments against this are often strongly urged; it is said that whites and Negroes differ so in standards of culture that courts must discriminate; that partially forced labor is necessary in the South; that intelligent Negroes become impudent fault-finders and disturb a delicate situation; that the South cannot in self-defense permit Negro suffrage; that Negro women are unchaste; and that the Negro must be “kept down” at all hazards. To all this it can only be said: These arguments have been used against every submerged class since the world began, and history has repeatedly proven them false.

*Quoted in Kellor: *Experimental Sociology*, p. 195.

12. Some Conclusions. A fragmentary study like this can, of course, come to no general conclusions. Yet confining ourselves principally to the state of Georgia and to statistics, we may distinguish certain evident forces at work: the downward tendencies are the amount of crime, the number of lynchings, and the State income from crime. The upward tendencies are the increase in population, the increase in percentage of those able to read and write, and the increase in property.

Taking these, one by one, we have:

DOWNWARD TENDENCIES

(a) *Amount of Crime.* The diagram on page 61 shows the Negro prison population of Georgia per 100,000 of total Negro population. The exact figures are given on page 33. These figures show that serious Negro crime is decreasing. Moreover, the full measure of that decrease is here but partially shown as the argument on page 11 has proven. The large proportion of life and long term sentences for Negroes makes the Negro population apparently responsible for considerably more crime than it really is. If the figures for commitments, year by year, were available the decrease in Negro crime in the last ten years would be even more striking.

(b) *Lynchings.* The absolute numbers of lynchings in Georgia, as reported by the *Chicago Tribune*, are:

| Year | Lynchings | Average |
|-----------|-----------|---------|
| 1885..... | 8 | } 8 |
| 1886..... | 6 | |
| 1887..... | 6 | |
| 1889..... | 11 | |
| 1890..... | 18 | } 16 |
| 1891..... | 12 | |
| 1892..... | 16 | |
| 1893..... | 16 | |
| 1894..... | 20 | |
| 1895..... | 14 | } 15 |
| 1896..... | 9 | |
| 1897..... | 14 | |
| 1898..... | 12 | |
| 1899..... | 28 | |
| 1900..... | 16 | } 12 |
| 1901..... | 14 | |
| 1902..... | 8 | |
| 1903..... | 12 | |

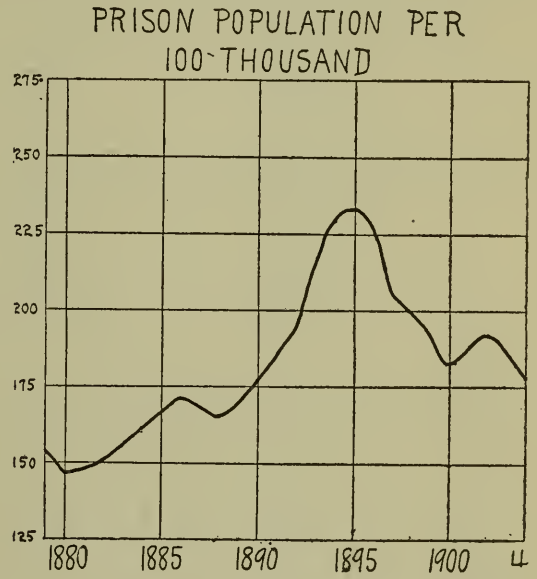
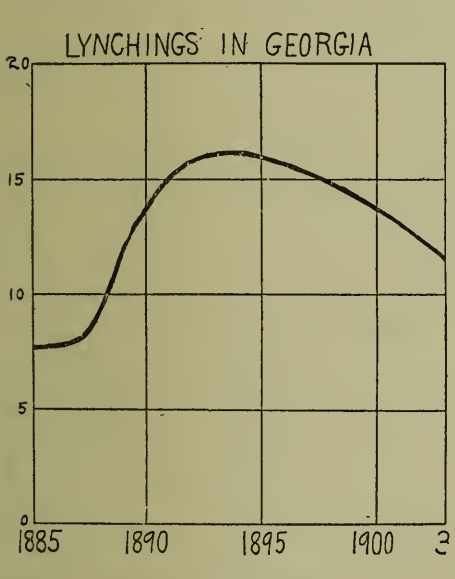
Averaging these for five year periods and plotting the average number of lynchings for the half decades, we have the diagram on page 61. It is interesting to note, first, that the crest of the wave of lynching lawlessness has evidently passed, and secondly, that the crest of the wave apparently preceded the crest of the wave of crime. It would be too much perhaps to say that it caused an increase of crime, but certainly it did not lessen crime.

(c) *State Income from Crime.* From 1876-1904 the State of Georgia has received from traffic in criminals a net income over expenses of nearly nine hundred thousand dollars from the sale of criminals to private contractors. This sum has been as follows:

Net Income of State from Crime in Georgia

| Year | Income per annum | Total |
|--------------------|------------------|---------------------|
| 1876-99..... | \$ 15,000.00* | \$345,000.00 |
| 1900..... | 61,826.32 | 61,862.32 |
| 1901-3..... | 81,000.00 | 243,000.00 |
| 1904..... | 225,000.00 | 225,000.00 |
| Total | | \$874,862.32 |

The sinister increase of this blood money is the greatest single cause of persistent crime in Georgia, since it makes the object of the whole prison system money and not reform of criminals or prevention of crime. Of these three backward tendencies the two first show hopeful decrease, the last dangerous increase.



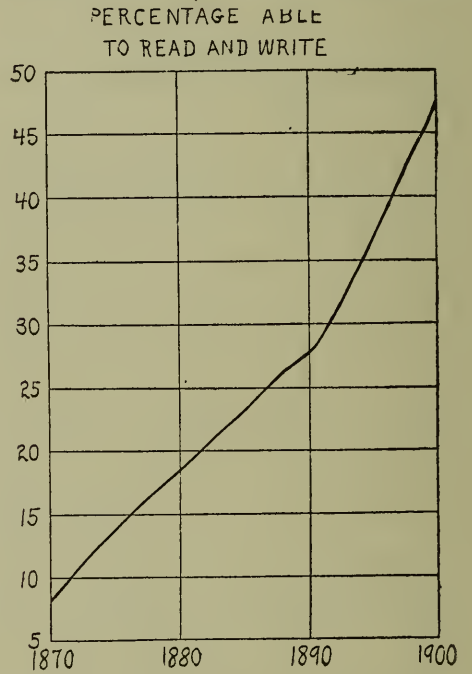
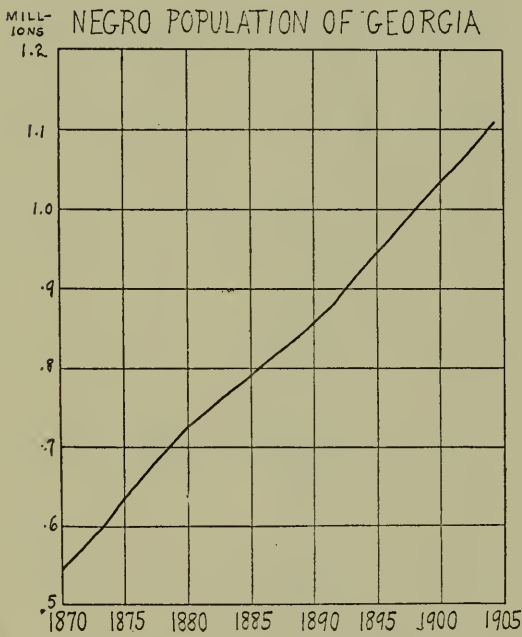
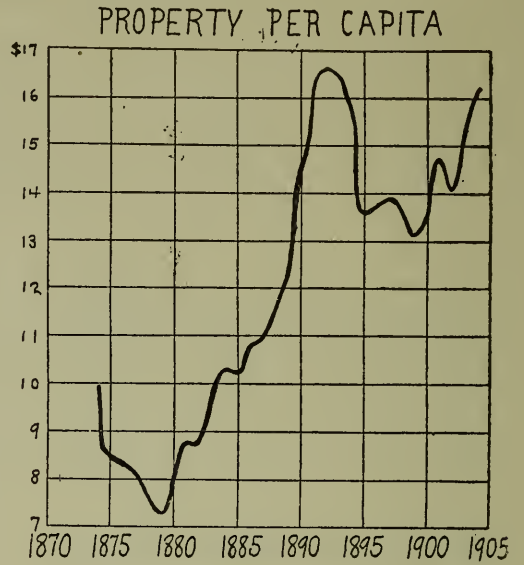
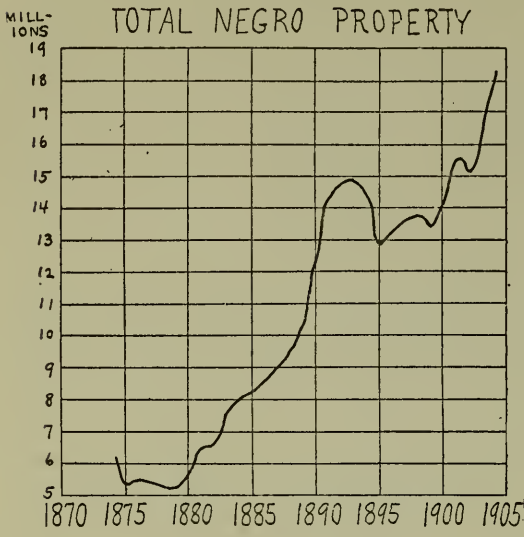
UPWARD TENDENCIES

(a) *Increase in Population:* The diagram on page 62 shows how the Negro population has grown since the war. The exact figures are:

| Year | Population | Per Cent. of Increase | |
|------------|------------|-----------------------|--------|
| | | Negroes | Whites |
| 1870 | 545,142 | | |
| 1880..... | 725,133 | 33.0 % | 27.9 % |
| 1890..... | 858,815 | 18.4 % | 19.8 % |
| 1900..... | 1,034,813 | 20.5 % | 20.7 % |

This would seem to indicate a healthy, virile growth of population, equaling that of the whites with their larger prosperity and opportunity.

* \$25,000 was received each year, but some \$10,000 of this was expended for State inspection.



(b) *Increase in Literacy.* The diagram of those 10 years of age and over able to read and write is given above, and is based on these figures:

| Year | Percentage able to read and write |
|-----------|-----------------------------------|
| 1870..... | 7.9 % |
| 1880..... | 18.4 % |
| 1890..... | 32.7 % |
| 1900..... | 47.6 % |

This population is an ignorant population with shamefully inadequate school facilities in the country districts, and only fair facilities in the town schools. Nevertheless, the rapid growth in intelligence has been marvelous.

(c) *Property Holding.* It is continually reiterated that the Negro is lazy and shiftless. That there is a large idle class and many spend-thrifts is true, but that there is a growing class of thrifty, saving Negroes is the central fact of post-bellum history, and this class cannot be ignored. The curve showing the total assessed value of Georgia property is given on page 62. The figures on which this diagram is based are:

Total Assessed Wealth of Georgia Negroes

| Year | Total property | Year | Total property |
|-----------|----------------|-----------|----------------|
| 1874..... | \$ 6,157,798 | 1890..... | \$12,322,003 |
| 1875..... | 5,393,885 | 1891..... | 14,196,735 |
| 1876..... | 5,488,867 | 1892..... | 14,869,575 |
| 1877..... | 5,430,844 | 1893..... | 14,960,675 |
| 1878..... | 5,124,875 | 1894..... | 14,387,730 |
| 1879..... | 5,182,398 | 1895..... | 12,941,230 |
| 1880..... | 5,764,293 | 1896..... | 13,292,816 |
| 1881..... | 6,478,951 | 1897..... | 13,619,690 |
| 1882..... | 6,589,876 | 1898..... | 13,719,200 |
| 1883..... | 7,582,395 | 1899..... | 13,447,423 |
| 1884..... | 8,021,525 | 1900..... | 14,118,720 |
| 1885..... | 8,153,390 | 1901..... | 15,629,811 |
| 1886..... | 8,655,298 | 1902..... | 15,188,069 |
| 1887..... | 8,936,479 | 1903..... | 16,714,334 |
| 1888..... | 9,631,271 | 1904..... | 18,002,500 |
| 1889..... | 10,415,330 | | |

To this must be added considerable property in churches and schools. Probably the market value of Negro property in Georgia to-day is close to \$35,000,000. The per capita amount of property is given in the diagram on page 62. It shows a decrease from 1874 to 1879; then a rapid increase up to 1892. The financial panic and the falling price of cotton brought it down until 1899, when it began to recover, and has nearly regained its maximum. The exact figures, based on the estimated Negro population for the years between each census, are:

Property per Capita for Georgia Negroes

| Year | Property per capita | Year | Property per capita |
|-----------|---------------------|-----------|---------------------|
| 1874..... | \$ 9.98 | 1890..... | \$14.35 |
| 1875..... | 8.49 | 1891..... | 16.20 |
| 1876..... | 8.44 | 1892..... | 16.63 |
| 1877..... | 8.09 | 1893..... | 16.41 |
| 1878..... | 7.44 | 1894..... | 15.48 |
| 1879..... | 7.33 | 1895..... | 13.67 |
| 1880..... | 7.95 | 1896..... | 13.78 |
| 1881..... | 8.77 | 1897..... | 13.87 |
| 1882..... | 8.77 | 1898..... | 13.72 |
| 1883..... | 9.91 | 1899..... | 13.22 |
| 1884..... | 10.30 | 1900..... | 13.64 |
| 1885..... | 10.21 | 1901..... | 14.85 |
| 1886..... | 10.75 | 1902..... | 14.19 |
| 1887..... | 10.92 | 1903..... | 15.37 |
| 1888..... | 11.57 | 1904..... | 16.29 |
| 1889..... | 12.32 | | |

On the whole, then, we may say that in Georgia the tendencies are overwhelmingly in the right direction; crime is decreasing, property and education increasing. The danger lies in the environing white population with their tendency toward the unfair treatment of blacks. So far as this treatment is manifested in lynching, there is an evident decrease, but the traffic in criminal labor continues.

How far the facts true in Georgia are true for the rest of the nation, is not certain, but probably they are fairly typical.

13. The Ninth Atlanta Conference. The Ninth Atlanta Conference to study the Negro problems convened in Ware Memorial Chapel, Tuesday, May 24, 1904. President Horace Bumstead was made chairman and the Rev. Mr. H. H. Proctor was made secretary. The following program was carried out:

First Session, 10 A. M.

President Horace Bumstead, presiding.

Subject: "Causes of Crime."

Remarks—The Rev. Mr. James Bond, Nashville, Tenn.

Remarks—The Rev. Mr. A. Eustace Day, Atlanta, Ga.

"Crime in Atlanta"—The Rev. Mr. H. H. Proctor, Atlanta, Ga.

Discussion by Dr. W. F. Penn, the Rev. Mr. C. B. Wilmer, Dean L. L. Knight, and the Rev. Mr. J. E. Moorland.

Second Session, 3 P. M.

Annual Mothers' Meeting.

Mrs. Mary Tate Cater, presiding.

Subject: "Crime among Women and Children."

Music.

"Wayward Children and the School"—Miss J. F. Cutler, Atlanta, Ga.

"The School and Crime"—Miss Ruth Harris, Atlanta, Ga.

Music.

Address—Miss N. H. Burroughs, Louisville, Ky.

Music.

Reports on Social Reform:

Juvenile Reformatory—Mrs. G. S. King.

Women's Clubs—Miss Hattie Escribde.

Music.

(The music was furnished by children from the Leonard Street Colored Orphanage, under the direction of Miss Amy Chadwick.)

Third Session, 8 P. M.

President Horace Bumstead, presiding.

Subject: "Extent and Cure of Crime."

"Crime in Savannah as compared with Chicago, Ill."—Mr. M. N. Work, Savannah, Ga.

"Crime in Augusta"—The Rev. Mr. A. G. Coombs, Augusta, Ga.

"Co-operation among Whites and Negroes for the Cure of Crime"—The Rev. Mr. H. S. Bradley, Atlanta, Ga.

"The Problem of Crime"—Mr. Frank B. Sanborn, Concord, Mass.

14. Resolutions. The following resolutions were adopted before the conference adjourned:

The Ninth Atlanta Conference, after a study of crime among Negroes in Georgia, has come to these conclusions:

AMOUNT OF CRIME

1. The amount of crime among Negroes in this state is very great. This is a dangerous and threatening phenomenon. It means that large numbers of the freedmen's sons have not yet learned to be law-abiding citizens and steady workers, and until they do so the progress of the race, of the South, and of the nation will be retarded.

CAUSES OF CRIME

2. The causes of this state of affairs seem clear:

First. The mass of the Negroes are in a transient stage between slavery and freedom. Such a period of change involves physical strain, mental bewilderment and moral weakness. Such periods of stress have among all people given rise to crime and a criminal class. *Secondly.* Race prejudice in so far as it narrows the opportunities open to Negroes and teaches them to lose self-respect and ambition by arbitrary caste proscriptions is a potent cause of carelessness, disorder and crime. *Thirdly.* Negroes have less legal protection than others against unfair aggression upon their rights, liberty and prosperity. This is particularly true of Negro women, whose honor and chastity have in this state very little protection against the force and influence of white men, particularly in the country districts and small towns. *Fourthly.* Laws as to vagrancy, disorder, contracts for work, chattel mortgages and crop-liens are so drawn as to involve in the coils of the law the ignorant, unfortunate and careless Negroes, and lead to their degradation and undue punishment, when their real need is inspiration, knowledge and opportunity. *Fifthly.* Courts usually administer two distinct sorts of justice: one for whites and one for Negroes; and this custom, together with the fact that judge and court officials are invariably white and elected to office by the influence of white votes alone, makes it very difficult for a Negro to secure justice in court when his opponent is white. *Sixthly.* The methods of punishment of Negro criminals is calculated to breed crime rather than stop it. Lynching spreads among black folk the firmly fixed idea that few accused Negroes are really guilty; the leasing of convicts, even the present system of state control, makes the state traffic in crime for the sake of revenue instead of seeking to reform criminals for the sake of moral regeneration; and finally the punishment of Negro criminals is usually unintelligent: they are punished according to the crime rather than according to their criminal record; little discrimination is made between old and young, male and female, hardened thug and careless mischief-maker; and the result is that a single sentence to the chaingang for a trivial misdemeanor usually makes the victim a confirmed criminal for life.

EXTENT AND CURE OF CRIME

3. There is no evidence to show that crime is increasing among Negroes in this state. Save in a few of the larger towns there seems to be a marked decrease since 1896.

4. The cure for Negro crime lies in moral uplift and inspiration among Negroes. The masses of the race must be made vividly to realize that no man ever has an excuse for laziness, carelessness, and wrong-doing. That these are not a cure for oppression, but rather invite and encourage further oppression. Negroes then must

be taught to stop fighting, gambling, and stealing, which seem to be the usual misdemeanors of the careless; and particularly the law-abiding must separate themselves from that dangerous criminal element among us who are responsible for murder, rape and burglary, and vigorously condemn the crime and the criminal. Four agencies among Negroes may work toward this end: the church, the school, institutions for rescue work, and the juvenile reformatory. The first step in Georgia would seem to be one toward a reformatory for Negro youth.

APPEAL TO WHITES

5. Finally, this conference appeals to the white people of Georgia for six things: Fairer criminal laws; justice in the courts; the abolition of state traffic in crime for public revenue and private gain; more intelligent methods of punishment; the refusal to allow free labor to be displaced by convict labor; and finally a wider recognition of the fact that honest, intelligent, law-abiding black men are safer neighbors than ignorant, underpaid serfs, because it is the latter class that breeds dangerous crime.

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HERBERT SPENCER.

