

PETTUS
CHAINGANGS IN YORK, CHESTER AND LANCASTER COUNTIES
Part One

In 1975 Fred Mullis of Lancaster auctioned off some county property that included a wagon-sized steel cage on wheels resembling a circus wagon. It was a grim reminder of the days in which convicts in stripes and leg irons were hauled over the county to work on the roads.

Keeping roads passable is one of our oldest problems. State statutes reveal that as early as 1704 the South Carolina governor was appointing commissioners to see to "the mending of the highways."

In 1741 the commissioners were given power to order male slaves between 16 and 50 to work on roads. This, whether or not the slave owner consented. This law stayed on the books until 1825 when it was altered to call for all able-bodied males (white and black) between the ages of 16 and 50 to work on public roads that lay within 10 miles of their place of residence. The only exemptions were for ministers of the gospel, millers and ferrymen.

There were plenty of gripes about the 1825 law so in 1870 it was changed to require that able-bodied males between 18 and 45 could either work, using their own tools, or pay \$1 a day. Still, the township commissioner could order any person who had them to furnish teams of horses, mules and oxen with a man, wagon and 2 horses equalling 3 days labor.

Until 1878 none of the state laws had contemplated using convict labor to work the roads but in that year the Chester Town Council amended its 1869 town charter to say that the town of Chester had the power to arrest and try for disorderly conduct and if found guilty one could either pay a fine or labor on the streets with the town having the power to place people on a "chaingang." It is believed that this is the first time the term chaingang was officially used (the state legislature had to approve all town charters).

By 1893 the practice of using convicts from the state penitentiary to construct state buildings was widespread. The usual pattern was to have a superintendent who had complete authority over the convicts when they were on work detail. The superintendent usually had one of two guards working under him.

The main administrative buildings of both Clemson and Winthrop were built with convict labor. One of the Winthrop trustees, Dr. T. A. Crawford, looked after the health of the group at Winthrop. It was written about Dr. Crawford that he "has a kind heart and a peculiar fondness for studying human nature in those rough, black fellows in chains, and gives them all needed medical attention."

South Carolina replaced its 1868 constitution in 1895. One of the provisions of the new constitution mandated road work for able-bodied criminals. Even before the state required it, York County had 28 prisoners on a road gang in 1893. The first stretch of road worked on was west of Yorkville near Kings Mountain.

In October 1893 six convicts in the camp at Kings Mountain managed to escape when a powerful thunderstorm was noisy enough to cover the noise from the men using an augur to saw through the floor. While the guard slept, the men, one of them a murderer, escaped over a plank fence. One of the other prisoners, apparently hoping for a reduced sentence, raised the alarm that kept others from joining the six escapees.

The guard was fired.

By 1895 Lancaster County had a chaingang. That year the County Board of Commissioners ordered that each member of the chaingang be given a weekly ration of one peck of meal, three pounds of bacon, two pounds of flour, one pint of molasses and necessary salt.

The state not only authorized counties to contract the building of roads but also charged them with keeping up bridges and ferries (all ferries were franchised by the state but the state required the counties to keep up the roads leading to them).

Counties were allowed to establish the sums of money required to keep up their own roads. People called it the "road tax," but courthouse records refer to it as "commutation tax." The Chester County tax was \$2 but Lancaster and York only required \$1 per year per male between the ages of 18 and 45.

If a person failed to pay the tax, he was liable to perform road duty not to exceed 4 days. If he did not appear to do the road duty then he could be fined, imprisoned or sentenced to the chaingang.

Many people were not comfortable with the law. There were a number of reasons a "poor man" might, through no fault of his own, end up along side criminals crushing rock with a sledge hammer. Besides, there were not enough criminals and non-tax payers to crush all the rock needed.

In 1896 York County bought its first mechanical rock crusher and a "road machine" to pack the rock. A newspaper proclaimed that it was a New Age for Old York!

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Part Two**

When the state of South Carolina provided for chaingangs in the new Constitution of 1895, it left each county free to implement the law however it saw fit except for stating that the final authority was in the hands of the county commissioners. (The county commissioners were appointed by the governor from each township in the county.)

In 1897 the county commissioner from Fort Mill township was Thomas G. Culp. Culp was chosen by the County Board of Commissioners to be the first superintendent of the chaingang with the specific assignment of building a stockade to house the prisoners.

The commissioners also announced that the first community in the county to furnish the lumber to build the stockade would be the first to get the labor of the convicts. The first stockade was built on the Kings Mountain Road within 3 or 4 miles of Yorkville. The stockade had a canvas top (we suppose that Yorkville came up short on the lumber but still promised more than any other community).

Inside the stockade, a chain ran down the center aisle. Cots were arranged so that the prisoners could be chained to the center aisle chain at night. Sgt. J. Bratton Mendenhall, an experienced penitentiary guard, was hired for \$30 a month.

In 1900, T. G. Culp reported that the average number of chaingang members in York County for the year was 28. The maximum number used was 38 and the minimum was 16. The total cost of operating the chaingang for the year was \$3,546.54. Culp also announced that he was trying to get a contest among the townships to see which township could haul enough rock to next attract the chaingang labor.

In 1901 the chaingang was moved to one of the county's worse roads (described as "wretched") near Edgemoor about 5 miles south of Rock Hill. Over 5,000 wagon loads of rock were hauled and dumped over a two-mile stretch from Waters' hill to Taylor's Creek. The next wretched hill to be worked on was Robinson hill about 3 miles east of Yorkville.

Meantime, Dr. T. A. Crawford, who had served as physician to the convicts who build the main building (now Tillman Hall) on the Winthrop campus, was campaigning for the city of Rock Hill to buy a rock crusher of its own. The town council was not inclined to put out that much money but promised to pay one-third of the cost if Dr. Crawford would raise two-thirds. Dr. Crawford raised the money and a rock crusher, much superior to the one owned by the county, was purchased.

The rock crusher worked so well that soon the town had more crushed rock than it had convicts to spread it. Rock Hill passed a vagrancy law which stated that any able-bodied man who was not working could be sentenced to the chaingang for road work.

One would think that Rock Hill's law would have been challenged as unconstitutional but there is no record of such. In fact, the same year the General Assembly passed a law allowing any city, town or village to operate chaingangs for the purpose of working the streets and public roads. If a county did not have a chaingang (some didn't), the sentenced able-bodied men could be placed on a chaingang of a nearby county.

The living conditions of the chaingang members fostered disease. The worst was smallpox. York County required that every chaingang have a "pest tent" reserved for those who might get smallpox. When the prisoner died, the tent was to be burned. With no explanation for a change of policy, a year later the commission decided that instead of tents they would build a stout log house for smallpox cases.

All of the counties with chaingangs also had farms on which the prisoners raised corn and vegetables and hogs. In York County the chaingang also worked the county home's farm. York's county home mostly cared for elderly needy people who had no relatives. In 1902 the county home was actually 8 ancient cabins. Providing firewood for eight separate buildings was more expensive than heating one communal building. The chaingang was given the task of erecting one building large enough to accommodate 20 people.

The sight of shackled men in striped suits working along country roads was common until the 1960s. As late as 1939 in Lancaster County the WPA built concrete barracks for the chaingang.

The Lancaster News said the new barracks was a great improvement over the old system of hauling prisoners about from place to place in steel cages pulled by mules. The prisoners had slept in the cages at night and often spent weeks, even months, living on the side of the roads. On Sundays local church choirs would often visit the camps and sing their songs to the chaingang.

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