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“The Penitentiary Itself is a Lie”: Texas & Alabama Prison Chaplaincy, 1880–1950

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An abstract of
A thesis submitted to the Faculty of the
Candler School of Theology
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Abstract

"The Penitentiary Itself is a Lie": Texas & Alabama Prison Chaplaincy, 1880–1950
By Megan Fletcher

This thesis examines the history of prison chaplaincy in Texas and Alabama roughly from Reconstruction to the end of World War II. It draws on the historiography of American prisons, the death penalty, religion, and chaplaincy, as well as archival newspapers and prison documents, to argue that prison chaplains both inside and outside of death row settings continued to be in a precarious position. Because there were so few chaplains in either state at any given time, this thesis focuses on the approaches of individual chaplains. Situated between the demands of the state, prisoners, and religion, individual chaplains had to make decisions about how to approach their jobs. It ultimately argues that chaplains' distinct approaches — some in the form of buying into the logic of the prison, others in attempting to advocate for better conditions for prisoners — were products of their positions within southern prison systems. It concludes that prison chaplaincy is a historical phenomenon that requires additional attention and study from historians and scholars of religion alike.

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Introduction

> In representing prison life and convict conditions in Texas, I may be said to be representing hell.[1]
>
> *Former Texas prison chaplain Rev. Jake Hodges, in the* Waco Times-Herald, *June 18, 1909*

> Unless the present system is changed, the Judge of all the earth will see that retributive justice is meted in due season to the State of Alabama… The whole of the present regime is a palpable falsehood, and the State penitentiary itself is a lie.[2]
>
> *Alabama prison chaplain Rev. J.B. Anderson, quoted in the* Selma Times*, 1883*

Oscar Peterson had heard a lot about the farms. Talk got around Texas prisons. You could be sent to pick cotton in the east, harvest sugarcane in the south. He had heard there were a lot of farms, and as long as the color of your skin matched the men who were already there, you could be sent to any one of them. Peterson had heard a lot about the farms, but what he heard the most was how *bad* they were. How tough, how cruel. How dehumanizing. We do not know from the archive what, exactly, he learned from fellow prisoners. We do not know which condition or punishment scared him the most, or what ultimately pushed him over the final edge. What we do know is what he did with the information at some point between 1906 and 1907.

Oscar Peterson had heard a lot about the farms, and once he did, there was only one thing to do. He stuck his fingers in a machine. When he pulled his hand out, two of them were gone, replaced with mangled ends of bone and nerves and the gushing flow of blood down his arm. It may have been his index and middle or his ring and pinky or some combination of the two. But regardless of which fingers the machine took, Peterson succeeded in his goal. The crude

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[1] "Christian Endeavorers," *Waco Times-Herald*, June 18, 1909.
[2] "Horrors of a Southern Prison," *The Selma Times*, February 7, 1883.

amputation alone was enough to disable him, making him ineligible to be transferred to one of the farms, at least for a time.[3]

Today, finger amputations take about six weeks of recovery time. After Peterson's hand healed over the places where his fingers used to be, prison officials whipped him so severely, he had to be sent to the prison's hospital. The only other record we have of Oscar is of his death shortly after the whippings.[4] We only know of Oscar's story at all because prison chaplain Rev. Jake Hodges shared it with a major Texas newspaper, a fact which will become important later.

The farms whose conditions drove Peterson to mutilate himself were part of the larger punishment system in Texas. The state forced prisoners — disproportionately Black — to perform agricultural labor on former plantations owned by the state. Historian Theresa Jach argues this system was a concerted effort in dehumanization to keep African Americans in extractive agriculture.[5] Texas was far from the only state to create this system — since the Thirteenth Amendment allowed for slavery as punishment for a crime, many other southern states designed agricultural labor punishment systems in an attempt to replace antebellum-era profit, when captive laborers need not have been paid.[6]

Contrast these with what prison were *supposed to be*, in theory. From the modern American prison's inception in New York and Pennsylvania, they were designed to be centers of

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[3] This section is based on a brief account in a *Houston Post* article. See: "Ex-Chaplain Told of Whippings in Prison," *Houston Post*, July 20, 1909. The account itself says that Peterson cut off two of his fingers "to avoid being sent to work on the farm" and that after he had healed, he was whipped "so severely" he "be sent to the hospital." The narrative details, such as Peterson's inner thoughts and the blood during the incident, are my own and are based on inferences based on the sources we have.

[4] "Ex-Chaplain Told of Whippings in Prison," *Houston Post*, July 20, 1909.

[5] Theresa R. Jach, "Reform vs. Reality in the Progressive Era Texas Prison," *The Journal of the Gilded Age and Progressive Era* 4, no. 1 (January 2005): 53–67.

[6] Matthew J. Mancini, *One Dies, Get Another: Convict Leasing in the American South, 1866-1928* (Columbia, S.C: University of South Carolina Press, 1996); Donald R. Walker, *Penology for Profit: A History of the Texas Prison System*, Texas A&M Southwestern Studies 7 (College Station, Tex.: Texas A&M University Press, 1988); Robert David Ward and William Warren Rogers, *Alabama's Response to the Penitentiary Movement, 1829–1865* (Gainsville, FL: University of Florida Press, 2003).

interior reformation with an explicitly religious bent.[7] Chaplains routinely interacted with prisoners, praying with them and counseling them, in the hope that the individual prisoner realized the error of their ways and sought to improve upon release. The postbellum southern prison, by contrast, prioritized profit, mainly through extractive agriculture, over the rehabilitation of its prisoners. If the system was supposed to be rehabilitative, it clearly failed Oscar Peterson and others like him.

Prisoners' conditions in both Texas and Alabama spurred public debate that can be seen in local newspapers. In late nineteenth and early twentieth century Alabama, reformers and conservatives were at odds over what, exactly, needed to be reformed. Did the system need to be changed? Or did prisoners need to change to appreciate their circumstances? In the 1880s, Alabama prison officials spoke up about the hellish conditions they were charged with maintaining, the story making national news in a matter of weeks. One prison warden spelled it out: "The first lesson taught is that the State cares nothing for the criminal nor his well being, that the only interest felt in him is as to how much money the State and contractor can jointly realize from his labor."[8]

The prison chaplain at the time, Rev. J.B. Anderson of the Methodist Episcopal Church South (the southern Methodists), stood alongside the unnamed warden and railed against the system. He asserted that the drive for profit and labor fundamentally undermined the prison's ideal mission of rehabilitation. Any prison hell-bent on profit margins, he argued, could not claim to run a rehabilitative enterprise. To him, his role as chaplain was useless until that changed. Even so, Anderson, a white minister in a denomination created in a church schism over slavery,

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[7] Jennifer Graber, *The Furnace of Affliction: Prisons and Religion in Antebellum America* (Chapel Hill: University of North Carolina Press, 2011).
[8] "Horrors of a Southern Prison," *The Selma Times*, February 7, 1883, 2., quoting the prison warden.

saw the system's ideological foundation for what it was. Alabama's prison system, he said, relied on the assumption that Black people could not be reformed. "That is the whole trouble," Anderson told local newspapers. "The South has not yet learned that the negro is a human being."[9]

About twenty-five years later, Alabama had replaced Anderson with someone who seemed more sympathetic to its cause. Local newspapers hailed the new hire, Rev. S.R. Emerson, also of the Methodist Episcopal Church South, for his success "reforming" prisoners to be satisfied with their conditions. One paper asked: "Can one imagine a man… wearing stripes and given a daily task in digging coal who is under a sentence of one hundred and forty-four years, and is still happy?"[10] For Emerson, the answer seemed to be yes.

By the 1920s, the chaplains' impossible positions in both Texas and Alabama became even more complicated when both states installed electric chairs in their prisons. At first glance, prison chaplaincy on newly-created death rows seemed like an entirely different task: preparing someone for death inside the prison instead of life outside it. But the task ahead — at least, if you were Texas or Alabama — had not changed much. Instead, they tasked chaplains throughout the prison system to try to get prisoners to accept their current conditions. To cope. Their task was to "internalize the panopticon"[11] and share the prisons' interests in "seduc[ing] [the prisoner's] emotions."[12]

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[9] "Horrors of a Southern Prison," *The Selma Times*, February 7, 1883, 2.
[10] "System of Reformation in Prisons is Succeeding," *The Birmingham News*, June 20, 1908.
[11] Winnifred Fallers Sullivan, *A Ministry of Presence: Chaplaincy, Spiritual Care, and the Law* (Chicago: University of Chicago Press, 2014), 81.
[12] Carroll Pickett and Carlton Stowers, *Within These Walls: Memoirs of a Death House Chaplain (*New York: St. Martin's Press, 2002), 59. Here I cite the phrase used by the Warden Jack Pursley of the Huntsville Unit in Texas in a conversation with the prison chaplain at the time, Rev. Carroll Pickett. Texas ended its execution-free period and began lethal injections in the unit during Pickett's tenure as chaplain, and Pursley told Pickett his job as chaplain was to "seduce his emotions so that he won't fight," referring to the condemned prisoner.

The systems that used pastoral care as their own "opium of the people" — the death penalty and the labor system — were one and the same.[13] While the electric chair came about in both states (and the rest of the South) as a Progressive Era reform designed to centralize the executions that had previously taken place in separate counties, in practice it became yet another way that the prison system could maintain control over life and death within its walls. Both the electric chair and the prison farm relied upon the continued racist subjugation of Black people and a disbelief in their ability to change and reform. One the one hand, if someone cannot change, they can be used for profit — on the other, they can just die.

Chaplains were at the center of these systems. Their positions as religious officials gave them moral authority that the states tried to use to convince prisoners of their own well-being and the need for personal (but never system) reform. But because Texas and Alabama hired so few prison chaplains at any given time, individual chaplains found themselves with outsize influence. Some took the reformatory nature of their position seriously — like Anderson in Alabama and Hodges in Texas — and attempted to change the systems that employed them. Others, like Emerson, appeared to successfully "internalize the panopticon" and work on behalf of the system, not the prisoners.

Methods and Structure

This thesis will compare and contrast the experiences of individual chaplains in Texas and Alabama and their roles in their respective systems. I chose Texas and Alabama for two reasons. First, while both are former Confederate states and profited from human enslavement, they are

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[13] Here I reference Karl Marx's notion of religion as the "sigh of the oppressed" and the "opium of the people." See: Karl Marx, "Introduction," in *A Contribution to the Critique of Hegel's Philosophy of Right*, translated by A. Jolin and J. O'Malley, edited by J. O'Malley, (Cambridge: Cambridge University Press).

different. They have distinct racial, ethnic, linguistic, and religious demographics. They are different sizes and have different geographic challenges. Second, Texas and Alabama have strikingly similar patterns in death-penalty policy in the contemporary era. Both have had a barrage of court battles over religious advisement and chaplaincy in execution settings, as well as supply issues in lethal injection drugs.[14] Alabama has even begun a new method of execution in which prisoners suffocate via a mask pumping nitrogen gas and no oxygen.[15] I wanted to see if a genealogy of this present would show a reason for the similarity.

The thesis will be divided into three chapters. The first will show in more detail how the carceral and execution systems were both built on the shoulders of human enslavement and anti-Black racism and provide a historiography of Southern prison chaplaincy. The second and third will focus on Alabama and Texas, respectively. They will narrate the careers of various prison chaplains and the relationships that they had with the carceral system, and later, the death penalty.

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[14] Megan Fletcher, ""Seduce His Emotions": Chaplains, Religious Advisors, and Aesthetics in Texas Executions" (Undergraduate thesis, Austin, University of Texas at Austin, 2023).
[15] Kim Chandler, "What happened at the nation's first nitrogen gas execution: An AP eyewitness account," *Associated Press*, January 27, 2024; Elizabeth Bruenig, "Alabama Gets Ready for Its Gas-Execution Experiment," *The Atlantic*, January 22, 2024.

Chapter 1
Historical Setting & Historiography

This chapter exists to introduce the history and historiography that foregrounds this thesis. I will draw a short history of convict labor and the switch from hanging to electrocution in Texas and Alabama. The chapter will then move to briefly reviewing the literature and historiography of chaplaincy, as well as the death penalty, convict labor, and incarceration more generally in each state.

Historical Setting

On Convict Labor in Texas & Alabama

Convict labor underlies almost all of prison life and culture in the South; prisoners spent their days performing hard labor. Texas and Alabama were no different in this respect from the rest of the region. To understand prison chaplaincy (or any other aspects of life in prison) in these states, one needs to first understand the kinds of work prisoners did and the systems that made them do it.

This history begins shortly after the Civil War, with the backdrop of the end of American chattel slavery. By the end of 1865, the Thirteenth Amendment was ratified. It ended slavery — *except* as punishment for a crime. Many southern states, including Texas and Alabama, used this clause to attempt to salvage slavery's economic benefits. Soon, both states would incarcerate Black men at astronomically high rates, using them to pick cotton, mine coal, harvest sugarcane, and perform other hard labor, often on former plantations. The exact kinds of labor varied based on geographic need — Texas, for example, had more former sugarcane plantations than Alabama; Alabama had more coal mines than Texas.

In this period the convict-lease began. Alabama and Texas (along with their other southern counterparts) rented out prisoners to companies. There was a popular belief at the time that prisons should be financially self-sustaining. Companies needed the labor; states needed the money. And the states often leased prisoners at a cheaper rate than the companies would have paid free laborers. In Alabama's coal mines, the convict-lease was a popular solution to coal-miner strikes. But life for leased prisoners was brutal. Alabama prisoners leased to coal mines shoveled thousands of pounds of coal each day under the threat of whipping and other corporal punishments.[16] One prisoner in Texas, terrified of what awaited him as a leased prisoner, cut off a few of his fingers in a work machine to avoid it.[17]

But the convict-lease did not last for relatively long in either state — 45 years in Texas; 47 in Alabama.[18] Afterward, Alabama and Texas moved to state-owned farms and camps as a means of creating financially self-sufficient prisons. It was in this period that we begin to see prison chaplains in prison-labor settings.

Consolidating Punishment: Enter, the Electric Chair

This thesis analyzes Texas and Alabama prison chaplaincy at the turn of the twentieth century, ending just after World War II. One of the most major events in southern prisons in this period was the end of legal hangings and the beginning of execution by electric chair. The "end of public execution," as historian Michael Trotti calls this development, is important here because electric chairs made their homes in state prisons. Trotti and other historians cite various reasons

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[16] Mary Ellen Curtin, *Black Prisoners and Their World: Alabama, 1865-1900*, Carter G. Woodson Institute Series in Black Studies (Charlottesville: University of Virginia Press, 2000).
[17] "Ex-Chaplain Told of Whippings in Prison," *Houston Post*, July 20, 1909.
[18] The Texas convict-lease lasted from 1867 to 1912; the Alabama system from 1875 to 1928. See: Donald R. Walker, "Convict-Lease System," *Handbook of Texas Online*, December 1, 1994, accessed April 20, 2025, https://www.tshaonline.org/handbook/entries/convict-lease-system; Mary Ellen Curtin, "Convict-Lease System," *Encyclopedia of Alabama*, updated March 27, 2025, accessed April 20, 2025, https://encyclopediaofalabama.org/article/convict-lease-system/

for this change, and a full history of the switch from hanging to electrocution in the South is outside the scope of this thesis. Historically traditional arguments point to northern states' earlier switches to the electric chair, such as New York's in 1890, arguing that the electric chair came about out of a desire for more humane executions, as hangings were often botched; southern states shared this desire. Others point to the prevalence of extralegal, anti-Black lynchings in the South and a desire to quell the chaos they caused. In contrast, Trotti argues that southern states switched to electrocution in an attempt to dampen African American communal religious expression that was common at public hangings in the South, an argument discussed in more detail later in this chapter.

Texas began electrocutions in 1924; Alabama in 1927. To do this, both states had to build and install electric chairs in their prisons. Alabama's Kilby Prison, named for the governor at the time, anticipated the change to the chair and preemptively built an electrocution chamber before legislation even passed the legislature. Texas, in contrast, had to set aside a room in its main prison in Huntsville for electrocutions.

Prison staff, too, had to adapt to the new function of state prisons. Prison engineers had to wire the electric chair into the prison's grid, making sure thousands of volts would consistently and predictably move into a prisoner's body when the switch turned on. Prison administrators had to come up with a plan for moving a prisoner from their cell to the electrocution chamber, for shaving their head and legs to make contact with the electrodes, for changing their clothes, and for making sure only certain people could gain access to the adjacent viewing room. Finally, and most crucially for this thesis, prison chaplains had to find a way to counsel a prisoner into calm before they entered the electrocution chamber.

Historiography & Literature Review

Chaplaincy & Pastoral Care

Understanding the history of prison chaplaincy local to Texas and Alabama requires an understanding of scholarly discussion about prison chaplaincy, other forms of chaplaincy, and pastoral care more generally.[19] Non-Christian chaplaincy in both military and prison settings is relatively new because of "the often unlabeled Protestantism that anchors American law and society"; all of the chaplains discussed in this thesis are Christian.[20] My definitions of terms like "pastoral care" will center Christian definitions as they are most relevant to the chaplains in question.

By "pastoral care," then, I mean acts by "representative Christian[s]" to aid "troubled persons."[21] Pastoral care scholar Seward Hiltner underscores this point by pointing out that "pastoral" in general has historically meant all forms and parts of ministry *except* preaching.[22] "Representative Christian[s]," at least to religious studies scholars William Clebsch and Charles Jaekle, need not be ordained ministers to perform pastoral care, but nevertheless are typically ministers (or elders, bishops, rectors, deacons, etc) themselves. Finally, "troubled persons" in their framework refers to a person who "recognizes or feels that [their] trouble is insolvable int

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[19] By a chaplain, I mean a clergy person who is employed by an organization to spiritually counsel people involved with that organization (e.g. a hospital) — crucially, *not* any clergy person who just happens to minister within the organization (e.g. a parish minister visiting a sick congregant vs. a Christian chaplain *employed and paid* by the hospital making rounds to all Christian patients). While clergy in this position may refer to themselves as chaplains, in this thesis "chaplain" refers to someone employed by their organization, not an outside volunteer (who I will call a "religious advisor").

[20] Ronit Y. Stahl, *Enlisting Faith: How the Military Chaplaincy Shaped Religion and State in Modern America* (Cambridge: Harvard University Press, 2017), x.

[21] For more substantial versions of this definition, see: William A. Clebsch and Charles R. Jaekle, *Pastoral Care in Historical Perspective* (New York: Roman & Littlefield, 1983), 4–8; Seward Hiltner, *Preface to Pastoral Theology* (Nashville: Abingdon Press, 1958).

[22] Hiltner, *Preface to Pastoral Theology*, 45.

he context of [their] private resources" and then resolves to seek the aid of "a person who represents … the sources and wisdom and authority of religion."[23]

What little literature on the history of prison chaplaincy that exists typically focuses on one of two origin points for the profession. The first is St. Martin of Tours, a fourth-century bishop and saint who was said to have torn his cloak in two to give one half to a beggar, and afterward experienced a vision of Christ in the same cloak. Martin's half of the cloak became a relic after his death. Scholars who focus on this origin point usually point out that the word "chaplain" itself is derived from the Latin word for a "short cloak," referring to clergy charged with protecting the relic half-cloak.[24]

The second origin point for prison chaplaincy, for American scholars, sits in New York and Pennsylvania.[25] For these historians and scholars of chaplaincy, the most useful starting point for American prison chaplaincy is the beginning of Quaker-initiated prison projects. The early, but still important book *American Prisons: A History of Good Intentions*, for example, highlights the role of Protestant reformers in the creation of the nation's first prisons; chaplains were necessarily part of this religious mission.[26] More recently, religion historian Jennifer Graber's *The Furnace of Affliction* also argues that Protestants were instrumental in early American prisons, and the increasing disestablishment of religion in the northeast required these same Protestant reformers to make concessions they were not happy about.[27] Andrew Skotnicki's *Religion and the Development of the American Penal System*, on the other hand, argues against

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[23] Clebsch and Jaekle, *Pastoral Care in Historical Perspective*, 5.
[24] W. Thomas Beckner, *Correctional Chaplains: Keepers of the Cloak* (Orlando: Cappella Press, 2012), 1–2.
[25] To be sure, scholars who focus on St. Martin of Tours also touch on this, but here I refer to scholars who begin their chronology after the seventeenth century.
[26] Blake McKelvey, *American Prisons: A History of Good Intentions* (Montclair, NJ: Patterson Smith, 1977).
[27] Jennifer Graber, *The Furnace of Affliction: Prisons and Religion in Antebellum America* (Chapel Hill: University of North Carolina Press, 2011).

the disestablishment of religion in penal settings. Instead, he argues that prisons were consistently theological institutions, and that prison chaplains were on the forefront of the Progressive Era.[28] Skotnicki, however, made national arguments with evidence limited to prisons in New York and Pennsylvania; prisons in the South, midwest, and west were not discussed at all.

I find the second origin point for American prison chaplaincy more relevant to this thesis. While the history of chaplaincy more generally certainly goes back centuries in the West, the tradition discussed here is more specific to clergy working in non-church institutions, unlike those clergy "keeping the cloak" in the fourth century and forward.[29]

Despite the different emphases on origins, though, there is some consensus in the historiography. Scholars largely agree, for example, that eighteenth and nineteenth-century ministers often did not want to engage in pastoral care work or become chaplains. Prison, military, and hospital chaplaincy together would not be professionalized until the early twentieth century, when World War I and the Progressive Era came together to create standardized education requirements for chaplains, such as clinical pastoral education for those in healthcare chaplaincy.[30] Before this professionalization process, ministers had little incentive to become chaplains or even perform pastoral care, as pulpit preaching was what got them their laurels and furthered their careers.[31]

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[28] Andrew Skotnicki, *Religion and the Development of the American Penal System* (New York: University Press of America, 2000), 10.
[29] Referencing the title: Beckner, *Correctional Chaplains: Keepers of the Cloak*.
[30] For military chaplaincy, see: Stahl, *Enlisting Faith*; for hospital and other forms of chaplaincy, see: Mark A. Jumper, Steven E. Keith, and Michael W. Langston, eds., *Chaplaincy: A Comprehensive Introduction* (Grand Rapids, MI: Baker Academic, 2024).
[31] Charles Edward Jefferson, *The Ministering Shepherd* (Paris: American Y.M.C.A., 1912).

Notably, however, this historiography is limited to white clergy and white churches. The only specific literature on pastoral care in Black church settings emphasizes the differences between white and Black pastoral care at this time due to 1) disparities in seminary education in the nineteenth and early twentieth centuries and 2) the different needs from pastoral care because of distinct "historical-cultural circumstances": racism, violence, economic disparities, and more.[32]

Other prison chaplaincy literature exists outside of the historical discipline. Most literature on prison chaplaincy and chaplaincy more generally is normative; it exists as a guide for religious officials in their work in prison ministry or other chaplaincy settings. I will focus, however, on descriptive literature about chaplaincy for an external audience to the profession. Most of this literature sits squarely in the religious studies field and use various methods. Joshua Dubler's *Down in the Chapel*, for example, is an ethnographic study of Pennsylvania's Graterford prison. Taking place over the course of a week, the book focuses less on chaplaincy itself and more on prison religion among prisoners themselves, highlighting religious diversity and everyday prison life.[33] Winnifred Fallers Sullivan's *A Ministry of Presence*, on the other hand, is a work of law and social science that explicitly focuses on chaplaincy, a "medieval office with a postmodern mission."[34] It focuses on the relationship between church and state as embodied through chaplains' work in government institutions such as the military and prisons. Finally, Adam Lyons's work on Japanese prison chaplaincy is at once ethnographic and historical, using interviews from current chaplains and archival evidence alike. The result,

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[32] Edward P. Wimberly, *Pastoral Care in the Black Church* (Nashville: Abingdon Press, 1979).
[33] Joshua Dubler, *Down in the Chapel: Religious Life in an American Prison*, First edition (New York: Farrar, Straus and Giroux, 2013).
[34] Winnifred Fallers Sullivan, *A Ministry of Presence: Chaplaincy, Spiritual Care, and the Law* (Chicago: University of Chicago Press, 2014).

Karma and Punishment, argues that many Japanese prison chaplaincy is rooted not in Western religion, but in Buddhism.[35] In short, religious studies has produced much relevant literature on prison chaplaincy outside of a historical perspective.

What separates this thesis from previous literature is 1) the explicit focus on prison chaplaincy history and 2) its southern regionalization. Historians in the past have focused on Protestantism's role in the birth of American prisons and prison chaplains' traditional roles. This thesis will engage with these themes, but differs from existing literature in that it focuses more intensely on prison chaplains' relationships with the labor systems of southern prisons.

Local Prison Histories of Texas and Alabama

Other areas of literature that I engage with include state prison histories of both Texas and Alabama. Despite Alabama being an older member of the United States, Texas enjoys a broad criminal justice historiography, while Alabama (relatively speaking) does not.

The Texas prison historiography, while broad, was created by a handful of men in the mid-twentieth century. James Marquart, Soren Ekland-Olson, and Steve J. Martin collaborated over the years to write histories of the death penalty, prison reform, and prison desegregation.[36] Their work spans over much of Texas prison history, highlighting change in policy, its causes, and its effects. Their arguments also put Texas on the forefront of these issues: their work highlights how Texas was the first state to begin lethal injections and how Texas has some of the

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[35] Adam J. Lyons, *Karma and Punishment: Prison Chaplaincy in Japan* (Cambridge: Harvard University Press, 2021).

[36] James Marquart, Sheldon Ekland-Olson, and Jonathan Sorenson, *The Rope, the Chair, and the Needle: Capital Punishment in Texas, 1923–1990* (Austin: University of Texas Press, 1994); Steve J. Martin and Sheldon Ekland-Olson, "Evolving Standards of Decency and State Initiated Reform — 1849–1967," in *Texas Prisons: The Walls Come Tumbling Down* (Austin: Texas Monthly Press, 1987); Chad Trulson and James Marquart, *First Available Cell: Desegregation of the Texas Prison System* (Austin: University of Texas Press, 2009). For a history of the death penalty in Texas for a general audience, see: Maurice Chammah, Let the Lord Sort Them: The Rise and Fall of the Death Penalty (New York: Crown, 2021).

least segregated prisons in the nation. While their arguments are based in fact and not necessarily exceptionalist, their presence does help paint a picture of Texas's uniqueness in the nation.

Of course, these are not the only important works of Texas prison history. Donald R. Walker's *Penology for Profit*, published in 1988 and shortly after Martin and Ekland-Olson's first collaboration, is an enduringly good book on the development and decline of the convict-lease in Texas. It continues to be a main reference for historians of both Texas and criminal justice more widely. Walker argues that the history of Texas's prison labor system was not unilateral, but "haphazard" and "plodding" without any kind of a "well-conceived master plan."[37]

Alabama, in contrast, has few works of prison history specific to the state. Robert David Ward and William Warren Rogers's *Alabama's Response to the Penitentiary Movement* argued against southern history's marginalization among American historians, and that Alabama's (and that of the other southern states) early prison resembles that of the rest of the country.[38] Published a few years earlier, Mary Ellen Curtin's *Black Prisoners and Their World* explores the responses of Black prisoners to their conditions in Alabama prison camps and, more broadly, the evolution of the Alabama convict-lease. Curtin's work highlights prisoners as historical actors in their own right, not merely props to be acted upon by state governments and prison officials.[39] While both books contribute much to the Alabama prison historiography, there remain large gaps in knowledge and time.

Each state's prison history is also briefly explored in Blake McKelvey's previously discussed *American Prisons: A History of Good Intentions*. Interestingly, McKelvey often groups

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[37] Donald R. Walker, *Penology for Profit: A History of the Texas Prison System 1867–1912*, Texas A&M Southwestern Studies 7 (College Station, Tex.: Texas A&M University Press, 1988), 4.
[38] Robert David Ward and William Warren Rogers, *Alabama's Response to the Penitentiary Movement, 1829–1865* (Gainsville, FL: University of Florida Press, 2003).
[39] Mary Ellen Curtin, *Black Prisoners and Their World: Alabama, 1865-1900*, Carter G. Woodson Institute Series in Black Studies (Charlottesville: University of Virginia Press, 2000).

them together in his chapter on southern prisons, as both states suffered little damage from the Civil War relative to other southern states, like Georgia or Louisiana, and had less incentive to quickly mobilize prisoners to fix that damage. Most “national" prison histories, as Ward and Rogers critiqued, focus on early prisons in New York and Pennsylvania, leaving little coverage for prisons in the South, west, or midwest.

The Southern Death Penalty and Religion

Historians over time have had wildly different interpretations of and reactions to legal hangings. They describe different relationships with extralegal lynching, religion, and race. Historians have treated religion at American executions — and executions in general — differently over time. Religion was almost always included as a part of analysis at public executions, but rarely at private ones. The earliest studies were national histories of the death penalty that were not *quite* national in that they covered New England and the Midwest extensively at the expense of the South and the West.[40] They argued that the death penalty in America began in the form of hangings and moved gradually toward more humane execution methods such as electrocution, and, eventually, lethal injection, mirroring the traditional arguments about the switch from hanging to electrocution discussed earlier. The South and the West, then, were often reduced to a few paragraphs, if not simply a few footnotes.[41]

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[40] John Laurence, *A History of Capital Punishment* (New York: Citadel Press, 1960); William J. Bowers, Executions in America (Lexington: Lexington Books, 1974); William J. Bowers, *Legal Homicide: Death as Punishment in America, 1864–1982* (Boston: Northeastern University Press, 1984); Louis P. Masur, *Rites of Execution: Capital Punishment and the Transformation of American Culture* (New York: Oxford University Press, 1989).

[41] For more on the exclusion of the South and the West from American history, see: Robert David Ward and William Warren Rogers, *Alabama’s Response to the Penitentiary Movement, 1829–1865* (Gainsville, FL: University of Florida Press, 2003); James A. Hijiya, “Why the West Is Lost,” *William and Mary Quarterly* 51 (April 1994): 276–92.

After that, histories of American execution increasingly drew a connection between legal hangings and lynchings. Both of the practices, they argued, were highly ritualized violent events largely targeting Black men. Many of them also drew a connection between the decline of lynchings and the beginning of private or isolated executions.[42] The decade saw a few of the lynching histories that would become consequential in the field, including Michael J. Pfeifer's *Rough Justice*, which also draws a direct connection between lynching and executions.[43] Another is Margaret Vandiver's *Lethal Punishment*, which at once is a major work in lynching history and connects the practice to legal execution with its subtitle: *Lynchings and Public Executions in the South*.[44] The 2000s wave further expanded the field and established a connection between lynching and legal execution, especially in the South, that would go unchallenged for quite some time.

Historians published much on the relationship between legal public hangings, lynchings, and religion. The direct relationship between lynching and legal execution went unchallenged, and there was still little about capital punishment in the South and its possible distinctiveness from the rest of the country. That changed with Trotti's *The End of Public Execution*, which intervened in two major ways. First, he narrated the transitional period between public and

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[42] Stuart Banner, *The Death Penalty: An American History* (Cambridge: Harvard University Press, 2002); Annulla Linders, "The Execution Spectacle and State Legitimacy: The Changing Nature of the American Execution Audience, 1883–1987," *Law and Society Review* 35 (2002): 607–56; Jürgen Martschukat, "'The Art of Killing by Electricity': The Sublime and the Electric Chair," *Journal of American History* 89 (2002): 900–921; Eliza Steelwater, *The Hangman's Knot: Lynching, Legal Execution, and America's Struggle with the Death Penalty* (Westview Press, 2003); Howard W. Allen and Jerome M. Clubb, *Race, Class, and the Death Penalty: Capital Punishment in American History* (Albany: State University of New York Press, 2008); Annulla Linders and Alana Van Gundy-Yoder, "Gall, Gallantry, and the Gallows: Capital Punishment in the Social Construction of Gender, 1840-1920," *Gender and Society* 22 (2008): 324–48; Donald G. Mathews, *At the Altar of Lynching* (Cambridge: Cambridge University Press, 2018).

[43] Michael J. Pfeifer, *Rough Justice: Lynching and American Society, 1874–1947* (Urbana, IL: University of Illinois Press, 2004).

[44] Margaret Vandiver, *Lethal Punishment: Lynchings and Public Executions in the South* (New Brunswick, NJ: Rutgers University Press, 2006).

isolated execution in the South, which had long been neglected in the historiography. Second, Trotti questioned the established link between lynching and legal execution, citing major differences in their audiences and rituals. Legal executions, he argued, were heavily attended by Black crowds and often featured religious services led by Black ministers. It was this religious expression and white officials' desire to end it that spurred the end of public execution in the South. In this way, according to Trotti, lynchings were clearly distinct from legal executions.

Conclusion

This chapter reinforced the centrality of convict labor and Christianity in southern prisons, while pointing out the lacking historiography of both prison chaplaincy and state prisons in Alabama. It detailed the broader historical literature of Texas state prisons and, more broadly, the southern death penalty. These distinct bodies of literature come together in the subsequent chapters of this thesis, where I will narrate the approaches of individual prison chaplains in Texas and Alabama, focusing on their relationships with prisoners, the convict labor system, and the death penalty.

Chapter 2
Alabama

> I'm gonna get me a religion / I'm gonna join the Baptist church[45]
>
> *Son House, "Preachin' the Blues"*

> The chaplain, whose indignant protests we have given, says the excuse [for prison conditions] made is that "nearly all convicts are negroes and that a negro cannot be reformed." This is the root of the whole trouble. The South has not yet learned the negro is a human being.[46]
>
> *"Horrors of a Southern Prison*," The Selma Times*, 1883*

An 1883 newspaper article (quoted above) on Alabama prison describes the dilemma of prison ministry well. Circulated in both Alabama and national newspapers, the article was based on an official report on prison conditions by state inspectors. From the outset, the article is a polemic. It calls the content of the report "blood-boil[ing]" and the conditions that it reports uncivilized. The dilemma of the prison is made bare in the article's quotation of an unnamed Alabama warden and chaplain J.B. Anderson, a Baptist minister. The warden, who went anonymous in the newspaper, put his opinion in no uncertain terms:

> I am firmly of the opinion that our system makes men and women worse. They are more demoralized, and less fit to return to, or enter upon, their social duties than when convicted. Society is less secure after their return than before their conviction. How is it possible to reform a man or woman without first inspiring self-respect? And how is it possible for him or her to have self-respect when rolling in filth and preyed upon at night by vermin to such an extent as to drive him or her mad? … The first lesson [in the prison] is that the State cares nothing for the criminal nor his well being, that the only interest felt in him is as to how much money the State and contractor can jointly realize from his labor.[47]

The chaplain, too, points out the impossibility of the prison's mission if it is to both make people better after their conviction and enslave them for a profit. He calls the notion of the Alabama

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[45] Son House, "Preachin' the Blues Part I," Paramount Records, originally recorded 1930. Track 3 on *Son House And The Great Delta Blues Singers: Complete Recorded Works: 1928–1930*, Document Records, 2008, disc.
[46] "Horrors of a Southern Prison," *The Selma Times*, February 7, 1883, 2.
[47] "Horrors of a Southern Prison," *The Selma Times*, February 7, 1883, 2., quoting the prison warden.

penitentiary being a “reformatory institution” a “farce” and “one of the most sublime humbugs that human intelligence could possibly imagine.”

Here, the chaplain and the warden make explicit what was usually implicit in southern prison ministry. They point out in no uncertain terms how difficult it was to care for prisoners and for their reform and yet do nothing about the conditions which made it impossible to do so. This dilemma will be at the center of southern prison chaplaincy for decades after the article’s printing.

This chapter argues that Alabama’s prison chaplains were pitted between the interests of the state, its prisoners, and their religion. It will first give an overview of Alabama’s prison history before moving into individual chaplains’ approaches in the convict-lease period, after the convict-lease, and after the beginning of electrocutions. It will show that prison chaplains continued to be in difficult positions despite radical changes in the prison system and how it worked. Finally, the chapter will conclude with a case study of the first two electrocutions in Alabama of a Black man and white man, highlighting the differences in the ways their deaths were treated by the prison chaplains at the time. Rather than those legislative changes changing the chaplaincy completely, they instead highlighted how the fundamentals of the state prison system — not its changing particulars — were what put Alabama chaplains into such impossible positions and created the conditions for their distinct approaches.

Overview

Alabama’s chaplains had roughly the same distribution both before and after the state ended county-level hangings in favor for state-level electrocutions. The state divided itself and its prison system into northern and southern halves, allocating a chaplain for each. Sometimes, though, Alabama prison chaplains were hired more generally for the system at large. Both hiring

patterns raised challenges. In both, chaplains had to travel between prisons, rendering them unable to spend extensive time at any one prison or prison camp. Even if a particular chaplain took up the mantle of building relationships and trust with prisoners, this system made it difficult to do that.

The kinds of work that prisoners performed, too, made chaplaincy work difficult. Alabama prisoners, especially during the convict-lease period, often worked in grueling conditions in coal mines. By 1912, after reformers raised concerns about prisoners' conditions and their competition with free labor, only free workers were in the mines.[48] After that, prisoners mostly worked in agriculture and "within the walls" of prisons.

This section will contrast two chaplains' distinct approaches to their positions in the years before the electric chair's installation at Kilby Prison: S.R. Emerson and J.A. Jenkins, Methodist Episcopal South and Baptist ministers, respectively. Table 1 shows the more complete succession of Alabama prison chaplains and their respective denominations, based on newspaper clippings and church records.

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[48] For more on the Alabama convict-lease system, see: Mary Ellen Curtin, "Convict-Lease System," *Encyclopedia of Alabama*, updated March 27, 2025. https://encyclopediaofalabama.org/article/convict-lease-system/

TABLE 1. Alabama prison chaplains: years of service and denomination[49]

Years in Service	Name	Denomination
1904–1907	J.J.D. Hall	Episcopalian
1901–1907	George W. Brewer	Baptist
1907–1911	S.R. Emerson	Methodist
1911–1915	J.A. Jenkins	Baptist
1915–1918	W.D. Hubbard	Baptist
1915–1920	W.H. Kamplain	Baptist
1918–1925	T.O. Jones*	Methodist
1920–1923	J.C. Harrison	Methodist
1922–1924	W.F. Stough	Methodist
1923–1931	J.W. Reinhardt	Methodist
1927–1931	M.S. Brassell	Baptist
	Emmett P. Smith	Baptist
1943–1951	W.H. Swearingen	Baptist

Diverging Approaches in Alabama Prison Chaplaincy

S.R. Emerson was a minister in the Methodist Episcopal Church South, a pro-slavery denomination created in an antebellum schism over human enslavement that in 1939 joined its northern counterpart to create today's United Methodist Church.[50] Alabama chaplains like

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[49] This table is of my own generation, based on newspaper articles announcing hirings, firings, resignations, retirements, and deaths of various chaplains over the years. For chaplains in the Methodist Episcopal Church South (later the Methodist Church), I relied on church history records of assigned appointments. See: "Judson President Here," *Birmingham News*, April 15, 1922; "W.H. Swearingen Becomes Official in Prison System," *The Advertiser-Journal*, October 7, 1943; "Chaplain Accepts Baptist Pastorates," *The Wetumpka Herald*, November 8, 1951; "Rev. Mr. Hall Accepts," *Montgomery Advertiser*, February 18, 1904; "Miller Axe Gets 105 More Employees," *The Evergreen Courant*, February 5, 1931; Marion Elias Lazenby, *History of Methodism in Alabama and West Florida* (North Alabama Conference and Alabama-West Florida Conference of the Methodist Church, 1960).
*Sometimes referenced in local newspapers as Rev. T.H. Jones.

[50] Joe Iovino, "Roots of the UM Family Tree: Digging Deeper," The United Methodist Church, accessed March 20, 2025, https://www.umc.org/en/content/the-roots-of-the-united-methodist-family-tree-digging-deeper.

Emerson and his assistant, Methodist Rev. F.J. Brandon, focused on making sure prisoners were, first and foremost, Christian.[51] Success of the prison system on individual prisoners was not measured by employment after incarceration or a lower overall crime rate in Alabama; it was determined by prisoners converting to Christianity and "getting religion."[52]

The language of "getting religion" as a metaphor for conversion to Christianity was common at the time in evangelical circles like the ones Emerson was in. The phrase evokes one-time conversion — get religion once, you're covered for life. The phrase was so common in the period that ministers who disagreed with the idea preached entire sermons against it, and the idea that "getting religion" appears nowhere in the Bible made frequent appearance in newspapers nationwide for both people who used the phrase and those who disagreed with it.[53] That Emerson used the phrase to discuss prison religion is not unexpected. Indeed, it was probably less the idea of "getting religion" that appealed to Emerson and more the underlying notion that conversion to Christianity would make prisoners more satisfied with their labor and labor conditions. Emerson even used the conversion of a handful well-known prisoners to illustrate their good behavior and status as "model convicts."[54] In this way, conversion was a necessary part of change for a convict and the chief indicator of reformation.

He did most of his chaplaincy work in Alabama's Pratt and Flat Top mines, where prisoners routinely found themselves up to their necks in water, inhaling coal dust, shoveling hundreds of pounds of coal a day, or a combination of the three. When the *Birmingham News* asked its readers if they could "imagine a man who… has to work for the state in the mines for

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[51] "System of Reformation in Prisons is Succeeding," *The Birmingham News*, June 20, 1908; "Mr. Brandon Appointed," *The Troy Messenger*, June 24, 1908; "Convicts at Slope No. 10 Enjoy the Fourth of July," *The Birmingham News*, July 6, 1908.
[52] "High Praise for Convicts," *The Birmingham News*, January 18, 1910.
[53] "Mr. Hyde's Three Questions," *The Southern Democrat*, October 20, 1921; "Sam Jones," *St. Louis Globe-Democrat*," December 15, 1885.
[54] "High Praise for Convicts," *The Birmingham News*, January 18, 1910.

seventeen years and yet is of light heart?" these are the conditions it refers to and expects its readers to answer "yes."[55] The paper even attributed prisoners' docility to Emerson's work at their conversions to Christianity: "convicts who have been desperate are now submissive."[56] What set Emerson apart from other chaplains, however, was his *sole* focus on prisoners' conversions. Where he channeled most his energy to making sure prisoners at Alabama's coal mines "got religion," other chaplains put their energy and public personas to other areas of work.

Rev. J.A. Jenkins, for example, used the platform of the chaplaincy to alert the government and the public to the prison's brutal conditions that Emerson attempted to get prisoners to adapt to. As a Southern Baptist, Jenkins also preached in a denomination created in an antebellum schism over human enslavement. Unlike Emerson, however, the records his career left behind show a chaplaincy centered not on prisoners' "getting religion," but on attempting to reform the prison system around him in the midst of deep political corruption. While Jenkins almost certainly performed much of the same evangelistic work that Emerson did, the more political aspects of his career are what come out in the archive. The prison chaplaincy came with a moral platform, as prison chaplains were to be moral exemplars for prisoners. Emerson used that platform to praise prisoners' conversions and their docility; Jenkins used it to attempt to improve their conditions.

Jenkins was a prison chaplain exclusively during Emmet O'Neal's term as governor from 1911–15. The governor typically appointed chaplains directly, and as a result, many chaplains' years of work correspond directly with different governors' years in office. O'Neal's administration was marked by accusations of corruption during what came to be known in local

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[55] "System of Reformation in Prisons is Succeeding," *The Birmingham News*, June 20, 1908. Many of the pro-prison mine articles come from Birmingham-area papers because the mines were mostly in north Alabama, near Birmingham.
[56] "System of Reformation in Prisons is Succeeding."

papers as the "Lacy trouble," a scandal that had the prison system front and center.[57] The chief clerk for the Convict Board, Theophilus Lacy, had apparently embezzled hundreds of thousands of dollars from the money made from convict leasing. A generous portion of this was also paid to James C. Oakley, president of the Convict Board. Both men were tried for embezzlement, but were acquitted. Understandably, O'Neal's administration took heat for the financial scandal and, in an effort to clear his own name, the governor spent much of the remainder of his term investigating the incident. A legislative committee eventually found evidence for widespread embezzlement and corruption in the government, including in the attorney general's office. Jenkins himself twice took out a small loan from this pot of money, a fact that came out later in legislative committee hearings, but it's unclear if he was aware of the money's dubious sources[58]

The political corruption of the period overshadowed and, worse, directly affected Jenkins's time as prison chaplain, even beyond his personal loans and service as a witness before Alabama legislature committees. After the "Lacy trouble," Jenkins told a committee that prisoners at a certain work camp had apparently been paying for religious services with what little wages they made in the mines, since the Convict Board had such a large financial deficit after the embezzlement scandal. Even worse, he reported the whipping of other prisoners for their not attending religious services that they were made to pay for. Jenkins urged the committee to consider more generous appropriations in the budget for religious instruction so that the phenomenon stopped.[59] Jenkins also used his time in front of the legislative committee to allege

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[57] R.B. Rosenburg, "Emmet O'Neal (1911–15)," *Encyclopedia of Alabama,* updated March 14, 2024, https://encyclopediaofalabama.org/article/emmet-oneal-1911-15/; "That Convict Investigation," *The Tuscaloosa News*, March 21, 1913.
[58] "Prest. James Oakley Arrested on Charge of Embezzlement, Million Dollars Estimated as Loss on One Contract," *Birmingham News*, March 18, 1913.
[59] "Probe Committee Questions Farley," *Birmingham News*, March 9, 1915.

that whipping — the preferred form of punishment for unruly prisoners at the time — sometimes led to death.[60]

Here, Jenkins alerted the committee and the public to abuses in the prison system. True, there could have been a number of selfish reasons for this: to move attention off of his loans from Lacy, to bolster his own moral reputation in the hearings, or simply to air out grievances against certain politicians, as he blamed "politics" for the brutal conditions at the camps.[61] Regardless of his reasoning or motivation, however, Jenkins's testimony nevertheless brought prison conditions into the political conversation in Alabama at the time.

The investigation into the Convict Board during the O'Neal administration wouldn't be the only aspect of the prison system the Alabama legislature would be involved in at this time. When Thomas Kilby's term as governor began in 1919, the legislature would consider electrocution as a replacement for legal hangings in the state, a measure that most of the country — including some southern states — had already taken.

Have a Seat, Please: Chaplaincy in the Electrocution Period[62]

In the prison set to house the electrocution chamber in Alabama, prominent employees resigned in protest of being involved in executions. For example, Kilby prison engineer H.C. Norman tendered his resignation shortly after Horace Devaughn's 1927 execution — the first one Alabama conducted. While he did not attend Devaughn's electrocution, Norman resigned because he did not want to be present for any future executions. Norman's resignation letter, addressed to Hamp Draper, associate member of the state board of administration and in it, he

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[60] "Convicts Die From Flogging at the Camps," *Huntsville Times*, March 9, 1915.
[61] "Convicts Die From Flogging at the Camps," *Huntsville Times*, March 9, 1915.
[62] Don Reid, *Have a Seat, Please* (Huntsville, TX: Texas Review Press, 2010).

begged Draper and other high-level officials to continue working at the prison without witnessing executions. Norman "beg[ged] to remain" at the prison, but his request was likely ignored; he resigned.[63]

The creation of Alabama's death row was tied both temporally and thematically to the construction of the original prison that eventually housed death row. Kilby Prison and its death row were created relatively quickly over a span of just a few years. In 1921, Gov. Kilby announced intentions for a new prison at Camp Sheridan, an old World War I training camp site just north of Montgomery's downtown. The new prison was a necessary, progressive effort, Kilby argued, to relieve overcrowding at Speigner and Wetumpka prisons. Construction began in the summer of 1921, entirely staffed by prison labor in "temporary housing." The security may have been lax: in October 1921, a prisoner escaped the camp — and was found until a full 121 days later in February. Other prisoners attempted to escape, usually on foot, although one pair stole the warden's car. Despite these flight risks, the camp still hosted hundreds of visitors and took them on tours around the construction site.[64]

By January 1922, the Kilby construction site hosted over 300 prisoners — about a tenth of the total prisoner population — most of them Black men. In March, Gov. Kilby would order prison staff to set aside a room at the prison for electrocutions, even though the legislature had not yet passed any laws making the switch to electrocution official. While they weren't to actually install an electric chair, Kilby was confident enough in his legislative initiative to abolish

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[63] "Quits Rather Than Attend Killing of Condemned Persons," *The Montgomery Advertiser*, April 7, 1927.
[64] "New Prison To Be Erected On Old Sheridan Hospital Site," *Montgomery Times*, February 1, 1921; "Directors Pass Resolution on the New Prison," *Montgomery Times,* February 2, 1921; "State Closes Deal With City for Prison Site," *Montgomery Times*, February 5, 1921; "To Inspect Prisons," *Birmingham News*, February 13, 1921; "Engineering Contract Let for New Prison," *Montgomery Times*, April 14, 1921; "New State Prison Will Be Named for Gov. Kilby," *Montgomery Times*, July 1, 1921; "Three Convicts Steal Flivver And Escape from Camp Kilby," *Montgomery Times*, October 7, 1921; "Visitors Tell Interesting Stories of Camp Kilby," *Montgomery Times*, December 15, 1921; "2,926 Convicts Confined State Pens," *Montgomery Times*, January 4, 1921; "Wood Escapes from the Jail," *Montgomery Times*, February 6, 1922. For more on Camp Sheridan, see: Martin T. Olliff, "Camp Sheridan," *Encyclopedia of Alabama*, updated January 5, 2024.

hangings in favor of electrocutions that he was willing to set aside the space before he even signed the bill. The prison wouldn't be completely finished for little over a year after construction began. Alabama's newest prison wouldn't have a designated chaplain for another year after that, in 1923.[65] Kilby's anticipated electric chair wouldn't be installed until 1927, when a "stoi[c]… English" prisoner carved the chair himself.[66]

Rev. J.W. Reinhardt, a Montgomery minister of the Methodist Episcopal Church South, was Kilby's first designated chaplain, appointed by the governor to serve the Alabama's four state-owned prisons: Speigner, Wetumpka, Camp No. 4, and Kilby. Reinhardt became a chaplain later in his ministry career, spending the first decades of his professional life in the Methodist Episcopal Church South's appointment system all over its Alabama conference.[67] Once he graduated from being a pastor to the "conference evangelist," Reinhardt began to amass a reputation as a "loud" and "forceful" preacher capable of converting dozens to Christianity with one visit to a church to lead a revival.[68] Success of preachers and their revivals, at least to local papers, seemed to center on likability of the preacher and the number of church members added with any given revival. Reinhardt, then, was the exemplar.

This pattern of success in conversion continued into his appointment as prison chaplain. After he began working at the state's four prisons in January 1925, newspapers around the state

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[65] Alabama's state prison systems had two chaplains at any given time, one for north Alabama and one for south Alabama. Kilby Prison was designated in south Alabama, so its chaplain was responsible for spiritual care not just there, but also at Speigner and Wetumpka prisons, as well as Camp No. 4. See: "Rev J.W. Reinhardt, of Montgomery…" *The Advertiser*, January 14, 1923.
[66] "Electrocution Room Set Aside at Camp Kilby," *Montgomery Times,* March 1, 1922; "Two Convicts Escape in Warden Auto," *Montgomery Times*, March 4, 1922; "Kilby Prison to be Finished by End of Week," *Montgomery Times*, October 9, 1922; "Rev J.W. Reinhardt, of Montgomery…" *The Advertiser*, January 14, 1923; "Prisoner Carvers [*sic*] Chair to Replace Gallows in State's Legal Executions Hereafter," *The Times*, February 21, 1927.
[67] The Methodist Episcopal Church South used a geography-based system for dividing up its church administration. One of the main units of its body was the "conference," which was presided over by a bishop and contained districts. Appointments — where the church sent its ministers — were assigned at the conference level. Reinhardt (or Emerson) could have been assigned anywhere within the bounds of the Alabama-West Florida Conference.
[68] "A Great Meeting at Daleville," *Southern Star*, August 22, 1923; *Clarke County Democrat*, June 20, 1912.

heralded some fifty prisoners' conversions to Methodism under Reinhardt's guidance.[69] He even began administering communion in the prisons. Communion, also called the Lord's Supper or the eucharist, is a central Christian rite based in the gospel passage where Jesus breaks bread and distributes wine with the disciples at Passover, telling them: "take, eat, this is my body… drink from [the cup], all of you, for this is the blood of the covenant, poured out for the forgiveness of sins."[70] In observance of this event, Christians, including Reinhardt, distribute bread (or a wafer) and wine (or grape juice) to the congregation to reenact this last supper. While his and the Methodists' characteristic use of grape justice instead of wine in the eucharist may have played a small role in his being the first to administer communion in the prison, the meaning of the sacrament in the prison is more important. Indeed, many Protestant denominations — including Methodists — see the eucharist as a site of Christ's real presence. Administering communion in prison settings, then, may have even been seen as a direct correlation to the number of conversions that Reinhardt facilitated.

Alabama tasked Reinhardt and the chaplains before him with convincing prisoners of the goodness of their conditions and making sure that they "got" religion. This task did not change when it asked Reinhardt to begin ministering to prisoners on death row. While at first glance the task may seem fundamentally different — as he was now ministering to people facing death rather than hard labor — Reinhardt was still responsible, in Alabama's eyes, for making sure prisoners completed the task ahead of them. Before the electric chair's installation, this task was making a profit for the state. Afterwards, it was dying quietly.

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[69] "J.W. Reinhardt…" *Montgomery Advertiser*, January 15, 1925; "Communion in Prison," *Geneva County Reaper*, May 27, 1925.
[70] Matthew 26:26–29, NRSVUE.

Since Reinhardt — like many of Alabama's prison chaplains — came to the chaplaincy relatively late in his career, he already had experience in caring for the dying. As a pastor, care for dying parishioners and their family members was almost certainly part of his job description. In his decades of parish ministry in the Methodist Episcopal Church - South, Reinhardt had likely accumulated a wealth of experience in pastoral care.

But there was still a problem. He, like other Protestants in the early twentieth century, had little to no guidance from his denomination on caring for the dying.[71] Pocket guidebooks for pastors and academic texts alike published shortly after Reinhardt's tenure assert that "Protestant denominations have paid little attention to the dying," that little institutional guidance existed for that kind of care.[72] Rules and prescribed liturgy for dying patients were "haphazard" and, according to one guidebook, "[Protestants] did not know what to do, so they did nothing."[73] Whatever experience Reinhardt accumulated during his time in parish ministry, it likely looked very different from other pastors, even within his own denomination, since the church had so little training or guidance for pastors like him to care for the dying.

Even when one could find guidance or inspiration for their care for the dying, much of that guidance falls out the window when applied to the death penalty. Many pocketbooks for pastors divided their death-care sections into different situations, many of them moot in an execution setting. For example, one guidebook featured a long section educating pastors on the merit of telling patients they are dying, as opposed to keeping that information from them.[74] In a

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[71] This section focuses on Protestant guidance for death-care because the vast majority of people in Alabama at this time were Protestant. Roman Catholic priests had ample guidance for ministry to the dying; I will explore it in the next chapter, since Roman Catholicism was significantly more present in Texas than in Alabama.
[72] Carl J. Scherzer, *Ministry to the Dying* (Englewood-Cliffs, N.J.: Prentice Hall, 1963); Edmond H. Babbitt, *The Pastor's Pocket Manual for the Hospital and Sickroom* (Nashville: Abingdon, 1949), 27.
[73] Edmond H. Babbitt, *The Pastor's Pocket Manual for the Hospital and Sickroom* (Nashville: Abingdon, 1949), 27.
[74] Carl J. Scherzer, *Ministry to the Dying* (Englewood-Cliffs, N.J.: Prentice Hall, 1963.

death row setting, that is clearly not a question. What little guidance pastors like Reinhardt had at their disposal fall away when applied to his new duties.

Still, Protestant churches affirmed the core importance of this kind of care. One Methodist manual for hospital visits asserted that pastoral death-care was "one of the most sacred privileges of the pastor."[75] Another guidebook nodded at the difficulty, acknowledging that pastoral death-care was "the most challenging of all pastoral functions." They guide the pastor to be "spiritually and emotionally sensitive" to the dying person's needs.[76] Death is, the guidebooks said, at best a "lonely business," and it was the pastor's duty to "stand by."[77]

Even where there was guidance, there seemed to be two approaches to pastoral death-care among Protestants. The liberal approaches emphasized sympathy and a friendly, informal approach to pastoral care — death-care that may have emphasized comfort and empathy for the dying.[78] More conservative approaches, on the other hand, may have emphasized "conversion, rationality, and the power of a transcendent spirit," with an ultimate goal to "bring men and women to Christ."[79] Reinhardt, like many other pastors in Alabama, leaned more toward the latter. Indeed, as explored above, Reinhardt's reputation as a pastor hinged on his ability to make quick conversions of people at revivals. The greater the number of new church members, the higher his status soared. This was also true in prison, when dozens of people converted to Christianity in the wake of Reinhardt's beginning communion.

But this also stayed true when Reinhardt's job changed to include the electric chair. When prisoners went to the electric chair, a big part of his role was to attempt to convert the prisoner to

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[75] Perry H. Biddle, *Abingdon Hospital Visitation Manual* (Nashville: Abingdon, 1988), 107.
[76] Carl J. Scherzer, *Ministry to the Dying* (Englewood-Cliffs, N.J.: Prentice Hall, 1963), 45.
[77] Edmond H. Babbitt, *The Pastor's Pocket Manual for the Hospital and Sickroom* (Nashville: Abingdon, 1949), 29.
[78] E. Brooks Holifield, *A History of Pastoral Care in America: From Salvation to Self-Realization* (Nashville: Abingdon Press, 1983), 108, 179.
[79] E. Brooks Holifield, *A History of Pastoral Care in America: From Salvation to Self-Realization* (Nashville: Abingdon Press, 1983), 163.

Christianity — to adequately "spiritually prepare them for death."[80] Many execution accounts from both hanging and electrocution periods describe the condemned as "having" religion; Christianity was not something that people practiced, but something they *possessed*. In this sense, Reinhardt's pastoral care did not differ much from what occurred in county jails before hangings — a religious official making sure the condemned had been prepared for death so that they would "go" to the correct afterlife. Where a more liberal approach to pastoral death-care may have motivated Reinhardt to go to condemned prisoners without a goal of conversion necessarily in mind, his background as a conference evangelist and revivalist preacher nevertheless put him firmly in the more conservative pastoral care approach.

Whether it be approaches to communion or death-care, theology matters. Reinhardt's evangelistic career in the Methodist Episcopal Church South influenced how he viewed humanity's relationship to the divine, and these beliefs manifested in his (and his denomination's) stances on everything from ordination to the Eucharist to pastoral care. In turn, Reinhardt's theology directly affected prisoners' lives: on the one hand, it may have allowed them more unfettered access to communion; on the other, it may have emphasized "having" religion at death over comfort in the moment of gravest despair. Exploring the pastoral theology that various chaplains may have brought into prison walls helps us illuminate the lives of prisoners inaccessible in the archive.

The following section will explore this idea in the period following the installation of the electric chair into the time after Reinhardt's tenure as chaplain. It will examine the social and political conditions of Alabama at this time, including the Ku Klux Klan and Jim Crow, and their roles in developing pastoral theology in the shadow of the electric chair.

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[80] Carl J. Scherzer, *Ministry to the Dying* (Englewood-Cliffs, N.J.: Prentice Hall, 1963), 26.

The Klan, The Governor, and the Chaplains

Rev. Mack Brassell was a prominent Baptist preacher in the Montgomery area before he began working at Kilby Prison. He hailed from a powerful Montgomery family, one of many siblings. Initially, he worked as a deputy sheriff before being drafted into World War I in 1917. Upon his return two years later, he joined the American Legion and organized a veterans' group in Montgomery, where he met current Ku Klux Klan member and soon-to-be governor Bibb Graves, and it's likely the two men's friendship developed there. Three years after that in 1922, Brassell spoke at his friend's campaign events when he ran for governor, as they had met in Alabama's American Legion. In 1925, he began attending the New Orleans Baptist Theological Seminary, his visits home to Montgomery announced in the local paper. Fresh out of seminary, he attended his first electrocution as Alabama's newest state prison chaplain, a position named by the governor who he campaigned for years earlier: Bibb Graves.[81]

Brassell and Graves' friendship turned hiring scheme is not a coincidence. Graves would later infamously announce he was a member of the Ku Klux Klan until 1928 — the year after he became governor and the year *after* he made Brassell the state prison chaplain.[82] Brassell himself kept deep connections and sympathies, if not outright membership, in the Klan. In 1925, a group of Montgomery Klan members attended service at Brassell's church — Harmony Baptist — outfitted in robes and hoods. Brassell led the congregation in "Onward Christian Soldiers" and

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[81] "Bibb Graves Talks to Voters Here Thursday," *The Valley-Daily Times News*, May 3, 1922. It's unclear in the archive how and why the two men became friends, though both knew many people through World War I veterans' networks and it's likely they met in those circles.

[82] Glenn Feldman, *Politics, Society, and the Klan in Alabama, 1915–1949*, (1999, Tuscaloosa, Ala.: University of Alabama Press), 232. Unfortunately, Brassell's educational records from the New Orleans Baptist Theological Seminary are unavailable due to damage in Hurricane Katrina.

read a letter from the chapter detailing their commitment to white supremacy, antisemitism, anti-Catholicism, and nationalism. The letter, printed in full in nearby Troy's local newspaper the next day, was addressed to Brassell as the "faithful and esteemed minister" at Harmony Baptist to whom the Klan expressed its "hearty co-operation."[83] Visits like this were common across Alabama and the rest of the South — Klan members would visit a Baptist or Methodist church and give the pastor (usually a Klan sympathizer himself) a donation and/or a letter of support. When the Montgomery Klavern No. 3 was under Graves' and eventual attorney general Charlie McCall's control in 1922 and 1923, it made these kinds of visits often.[84]

That Graves, at one point a grand cyclops of the Klan, granted Brassell a high place in Alabama's prison system just two years later was likely no coincidence. It comes as little surprise, then, that later execution accounts portray Brassell as remarkably uncommitted to the condemned's spiritual welfare. Most accounts only mention his presence, instead choosing to focus on the more obvious presence and participation of local Black clergy members in the electrocutions, as Alabama law permitted both the state's prison chaplain and the condemned's spiritual advisors.

Horace DeVaughn & Virgil Murphy: A Case Study in Racialized Empathy

Horace DeVaughn, a Black man from Jefferson County, was the first to be executed in Alabama via electric chair, three years after Texas's first electrocution. Prison officials and reporters covering the execution fell back onto racist stereotypes about Black people's pain tolerance and bodies, asserting that because DeVaughn had a "powerful build and physique," additional runs of electric current through his body were necessary to render him "absolutely lifeless," since his

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[83] "Klansmen Make Visit to Church Last Night," *The Troy Messenger*, September 1, 1925.
[84] Feldman, *Politics, Society, and the Klan in Alabama*, 38.

resistance to the current was "far greater than the average person." Multiple religious officials attended to DeVaughn, including three Black ministers: Dr. G.W. Williams and Dr. F.W. Jacobs from Montgomery and Rev. Jim Pearson of Birmingham.[85] Brassell, in his role as prison chaplain, was also in the room, but only garnered brief mentions in press coverage. What gathered more attention was the yellow flame that erupted out of DeVaughn's leg, burning at over 2,000 degrees Fahrenheit. Once the current was off and the flames died down, officials — in a move directly reminiscent of lynchings — cut pieces of DeVaughn's belt off as souvenirs for execution attendees.[86]

Contrasting DeVaughn's death was the execution of Virgil Murphy that occurred less than two weeks later. Murphy, a white man from Houston County, entered the death chamber with director of prison welfare E.P. Smith (who was sometimes referred to as as a chaplain) and Rev. Bob Jones, the fundamentalist evangelist, as they sung hymns before kneeling and prayer, as the Black ministers with DeVaughn did days earlier. Chaplains J.W. Reinhardt and Brassell were present as well, participating in execution liturgy where they did not at DeVaughn's execution. Murphy's electrocution account also received more generous, detailed coverage in papers, reporters going so far as to publish Murphy's reactions to Alabama's tests of the electric chair days after DeVaughn's execution, even though DeVaughn — not Murphy — was the first to sit in it. The papers followed a predictable Jim Crow pattern, using Murphy's name in headlines and referring to him as a "man," while DeVaughn was typically only ever referred to as a "negro."

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[85] "Our First Electrocution / Negro Shocked to Death," *Geneva County Reaper*, April 15, 1927.
[86] "Slayer of Two is Prosecuted at Kilby Prison," *The Birmingham Post*, April 7, 1927. For more on the material history of lynchings, see: Elijah Gaddis, *Gruesome Looking Objects: A New History of Lynching and Everyday Things*, Cambridge Studies on the American South (Cambridge: Cambridge University Press, 2022).

After the execution, Jones and Brassell led a funeral service for Murphy at Kilby attended by over five thousand. (No major Alabama paper mentioned funeral services for DeVaughn).[87]

The Alabama chaplains' Klan ties and sympathies deeply affected how they treated prisoners going to their deaths. The KKK had multiple tenets in their quest for American Protestant white supremacy, but the Alabama Klan seemed to focus on anti-Blackness. That at least two chaplains — men with largely unfettered access to death row prisoners, who were mostly Black — were Klan members or at least had Klan sympathies, is alarming. As chaplains, these men were responsible for the spiritual and emotional welfare of death row prisoners — as Finnegan put it, to prepare men for death. But the likelihood that a Klan sympathizer would put a good-faith effort into giving pastoral care to an incarcerated Black man on death row was, unfortunately, low. Graves' appointing of Klan-sympathizing chaplains to Kilby's death row likely directly harmed death row prisoners.

After Devaughn and Murphy's executions, detailed news coverage of Alabama electrocutions drop off. Where early electrocutions received multiple pages and detailed narratives of the condemned's last words and religious convictions, later accounts limit themselves to the condemned's name, race, and crime. Brassell and other prison chaplains — including E.P. Smith, a Baptist in charge of prison education — appear in the accounts occasionally, but usually as passing mentions, especially in accounts of Black men's electrocutions. White men, on the other hand, were more likely to have generous real estate in local papers.[88]

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[87] "Condemned Man Smokes as Chair is Tested," *The Selma Times-Journal*, April 21, 1927; "Murphy Pays Life Penalty in Chair for Wife Murder," *The Luverne Journal*, April 27, 1927; "Thousands Attend Murphy Rites Sunday," *Our Mountain Home*, April 26, 1927.

[88] Daniel LaChance, "The Death Penalty in Black and White: Execution Coverage in Two Southern Newspapers, 1877–1936," *Law & Social Inquiry* 48, no. 3 (November 9, 2022): 999–1022.

Conclusion

During the forty-year period examined here, Alabama assigned its chaplains an impossible task. They were to ensure prisoners' wellbeing as well as their compliance with the prison system, to look after their spiritual health even as the state wanted nothing more than a profit margin from them. Different chaplains responded to this dilemma in different ways. The task remained the same, if not more complicated, when Kilby installed its electric chair and death by the state became a real alternative to being enslaved by it. All of this went on in the shadow of Jim Crow, the mechanism that justified prisoners' dehumanization under the assumption that they (the majority of them Black) were incapable of inward and outward change.

Chapter 3
Texas

> PRIEST: I have saved his soul. It is not possible to save his life or body because the Governor has refused to extend any clemency. I am coming back tonight to deliver Holy Communion to Six. I will stay with him during his last hour. It will calm his nerves and a man needs someone. I always walk to the chair with the man that I prepare for death and deliver the last rites to. That keeps him steady and the guards don't get to touch him.[89]
>
> — *Texas death row prisoner Robert Blake's play* The Law Takes Its Toll

A prisoner's escape attempt somewhere in the 1930s gives us a glimpse into Texas prison chaplaincy's daily work and relationships with both prisoners and others staff members. Work for prisoners involved more than just coughing coal dust, picking cotton, and slashing sugarcane. White prisoners deemed fit and intelligent enough worked "within the Walls" as well. Texas's Huntsville prison even had a car-repair shop, presumably for government vehicles. The conditions in the prison were far better than those on the farms, but prison is prison, and car-repair shop foreman Matt Akers still wanted out. He may have thought of his escape plans ahead of time, or he may have thought up a route of action in the heat of the moment. But the real opportunity came when the prison chaplain came to get his car worked on.

Fr. Hugh Finnegan, a short, blond, Roman Catholic chaplain, was well-known throughout the prison system — if not all of Texas — for his empathy toward prisoners, especially those on death row, who he routinely walked to the electric chair. And even if his reputation was built on his close relationships with prisoners, the wardens and administrators still appreciated him for his ability to make sure the prisoners stayed calm while performing labor and preparing for their electrocutions. Akers may have known this from his time working around Finnegan in the prison;

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[89] Robert Blake, "The Law Takes Its Toll," *American Mercury*, July 1929, Stuart A. Rose Manuscript, Archives, & Rare Book Library, Emory University, Atlanta, Georgia. Death row prisoner Robert Blake wrote a play, eventually published in the *American Mercury* magazine, that portrayed the day of an electrocution. The priest depicted in the play was almost certainly based on Fr. Hugh Finnegan, whose time as prison chaplain overlapped with Blake's incarceration. The Protestant chaplain mentioned in the play (but not quoted here) was probably based on Rev. C.E. Garrett, covered later in this chapter.

this probably was not the first time the priest took his car to the prison mechanic. So when Finnegan came to retrieve his two-door Ford, Akers saw his chance and clambered into the trunk.

What Akers didn't know, though, was that Finnegan had no plans to head straight home to Houston. Instead, he made stops at a prison farm to visit with the captain, then back to Huntsville to meet with the prison's master mechanic. Akers saw his chance to get out, probably not knowing the car was parked just across the street from the prison he tried so hard to escape. Only seconds later did an off-duty prison guard catch him running from Finnegan's car.[90]

Prison officials did not blame Finnegan for Akers's escape attempt, but they must have remembered it. About five to ten years later — as it's unclear exactly when Akers attempted to escape —Finnegan and his assistant would deliver a suitcase to two prisoners incarcerated on a farm that apparently contained prison guard uniforms or, at least, clothes that looked like them. It's unclear how unusual this was. Bringing various items to prisoners in cells was part of the prison chaplain's job description, albeit a tiny one, but suitcases probably weren't common items. The prisoners, of course, used these disguises to escape, and Finnegan and his assistant were fired and indicted for aiding it, even though they had no real relationship to the suitcase outside of delivering it. Both were able to post bonds, and the administration dropped charges eventually.[91]

Taken together, the escape attempts, their planning, and their aftermaths display the precarious position Finnegan (and other Texas prison chaplains) often found themselves in. His job as chaplain required him to build relationships and trust with prisoners as well as the administration. Both trusted him — the former to listen to their concerns and the latter to make

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[90] Lee Simmons, *Assignment Huntsville: Memoirs of a Texas Prison Official* (Austin: University of Texas Press, 1957), 196–7. Simmons doesn't give years or timeframes in his account of the incident, but Simmons and Finnegan overlapped in the prison system from 1930–5.
[91] "Priests Charged in Prison Break," *Lubbock Morning Avalanche,* April 26, 1945.

sure the prisoners had the extent of spiritual wellbeing to do what they were told. Between the two escape attempts, the prison administration's view of Finnegan had changed. In the first, he was a trustworthy employee who helped curb discontent among the prison population. In the second, however, he had (in the administration's eyes) perhaps grown too close to the prisoners, to the extent that they believed he and his assistant were directly involved in a major escape attempt. The vacillation shows the impossible position the chaplaincy put Finnegan in: was his job to take care of prisoners' emotional and spiritual wellbeing? Or to make sure they were complaint to state-sponsored slavery and death?

This chapter argues that the Texas prison system put its chaplains into impossible positions that forced them to choose how they navigated the conflicting demands of their jobs with the state, their religions, and their relationships with prisoners. It will first show the geographic, racial, and religious differences between Texas and Alabama that affected their respective prison chaplaincies and their chaplains' approaches. It will then chronologically move through the history of Texas prison chaplaincy, focusing on individual chaplains' approaches to their jobs both before and after the introduction of the electric chair.

The Texas Prison System and the Place of Chaplains

This chapter will narrate Texas's chain of prison chaplains, focusing on how each of them related to the state's broader system of punishment and their own role in it. As in Alabama, chaplains' day-to-day roles and attitudes were shaped by the state's culture and the prison system's organization. Viewed alongside Alabama, Texas presents an interesting case, since it is also a former slave state whose people suffered under Jim Crow in the period in question here.

But Texas is different than Alabama in other ways, especially in its racial and religious demographics. Texas has (and continues to have) a much larger Latine population than Alabama, made up of mostly Mexican-Americans.[92] That fact comes with a large Spanish-speaking population, as well as a large Roman Catholic laity that Alabama lacks. In fact, Roman Catholicism was the dominant Christian denomination in Texas in the 1920s, followed by the Southern Baptist Convention and the Methodist Episcopal Church South, respectively.[93] In this way, Texas was culturally distinct from Alabama racially, linguistically, and religiously — differences that would go on to shape the prison chaplaincy.

Another way Texas is different from Alabama is sheer geographic size. Five times the size of Alabama and the nation's largest state until 1959, Texas's vast and diverse landscapes presented a challenge to officials.[94] Then and now, its western desert portions are sparse in population, most people living east of the 98th parallel, the line running roughly from Dallas in the north to the Rio Grande Valley in the south.[95] And while Alabama can be split into two or three culturally distinct parts — north, south, and the "Black Belt," — Texas can be divided into four.[96]

Historian Walter Buenger argues that at this point in the early twentieth century, Texas was best read in four parts — north, east, southwest, and central. Each of these regions — except

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[92] Today, we regard Latine identity as an ethnicity, not a race. I use Latine here to mean a person with ethnic origins in Latin America in today's sense, but the early twentieth century racialized national origin and therefore saw "Mexicans" as a separate race from Black and white people. For more on ethnic Mexican, Tejano, and Latine racializing, see: Monica Muñoz Martinez, *The Injustice Never Leaves You: Anti-Mexican Violence in Texas* (Cambridge, Massachusetts: Harvard University Press, 2018).
[93] 1926 Census of Religious Bodies, ranked denominations in each state by number of members, US Census Bureau.
[94] Size ratio calculated from: "State Area Measurements and Internal Point Coordinates," U.S. Census Bureau, 2010, accessed February 23, 2025. https://www.census.gov/geographies/reference-files/2010/geo/state-area.html
[95] Chad Trulson and James Marquart, *First Available Cell: Desegregation of the Texas Prison System* (Austin: University of Texas Press, 2009), 18–19.
[96] Terance L. Winemiller, "Black Belt," *Encyclopedia of Alabama,* updated July 2, 2024, https://encyclopediaofalabama.org/article/black-belt-region-in-alabama/ ; Winemiller, "Cultural Geography of Alabama," *Encyclopedia of Alabama*, updated January 11, 2024, https://encyclopediaofalabama.org/article/cultural-geography-of-alabama/

for the central part — resemble an adjacent state or country.[97] The southwestern region, for example, runs close to the Rio Grande border and closely resembles northern Mexico in culture, language, and landscape. Most of Texas's prisons were in the east, which resembled the rest of the South and held most of Texas's population at the time. Of the other two regions, the northern panhandle most closely resembles the midwest. The central region, where the legislature meets, stands apart as an amalgamation of the other three and can perhaps be best described as resembling *Texas* itself.

Knowing this is important, since Texas prison officials chose to build its first prison (also called "the Walls") in Huntsville, a small city in southeastern Texas, north of Houston. After Juneteenth and emancipation in 1865, Texas prison officials began to turn plantations in East Texas into prison farms, turning newly freed Black people into "slaves of the state" through over-incarceration and policing.[98] Even today, the vast majority of Texas's prisons call the eastern part of the state — where the soil is fertile and could support large cotton plantations — home.

And as Jim Crow laws began to roll out from the legislature in Austin, the prisons established in the late nineteenth century were, of course, segregated.[99] Black, white, and Mexican people were typically incarcerated on separate farms. Where that didn't happen, the farms had racially segregated work fields. Prisoners' work duties were often also determined by race; Black prisoners were often sent to more remote camps to harvest sugarcane on former plantations, a considerably harder task than the other crops.

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[97] Walter L. Buenger, "Texas in Four Parts: The Bordered World of 1919," in *Reverberations of Racial Violence: Critical Reflections on the History of the Border* (Austin: University of Texas Press, 2021).
[98] Brad Stoddard, "'Slaves of the State': Christianity and Convict Labor in the Postbellum South," *Religions* 11, no. 12 (2020): 651.
[99] Chad Trulson and James Marquart, *First Available Cell: Desegregation of the Texas Prison System* (Austin: University of Texas Press, 2009), 28–29.

Texas had anywhere from one to three prison chaplains at any given point between 1880 and 1950. When there were multiple chaplains, they were usually of different denominations to serve a larger population. Chaplains typically traveled between prison units — like the Rusk Penitentiary or the Walls at Huntsville, where prisoners were kept in cells — and prison farms, where they stayed in open-air (segregated) dormitories. Table 2 shows prison chaplains in the late nineteenth and early twentieth centuries, their years of service, and their respective denominations.

TABLE 2. Texas prison chaplains: years of service and denomination[100]

Years in Service	Name	Denomination
Unkown-1893	W.E. Kennedy	Presbyterian
1893–1895	J.D. Ray	Baptist
1899–1903	S.H. Morgan	Methodist
1907–1908	Jake Hodges	Presbyterian
1903–1919	W.T. McDonald	Methodist
1921–1924	I.L. Dickey	Baptist
1924–1929	W.E. Miller	Church of Christ
1925–1927	A.R. Watson	Baptist
1925–1937	H.R. Spraker	Baptist
1926–1945	Hugh Finnegan	Roman Catholic
1931–1944	C.E. Garrett	Methodist

[100] The table is of my own generation, based on newspaper articles announcing hirings, resignations, and firings of various chaplains over the years, since employment records were difficult to access. Table based on: "The escape of the Huntsville convict," *Waco Times-Herald*, May 15, 1921; "New Prison Parson," *Victoria Advocate*, March 18, 1944; "Ex-Prison System Chaplain in Hospital," *Houston Chronicle*, November 3, 1967; "Penitentiary Board," *Waco Times-Herald*, February 3, 1903; "The board reappointed Dr. W.E. Fowler…" *Austin American-Statesman*, February 3, 1903; "Chaplain Garrett Replaced by Miller," *El Paso Herald*, July 16, 1927; "Lovelady Minister to Become Prison Chaplain of Tex. First of May," *Waxahachie Daily Light*, April 26, 1927; "A Change of Ministers," *The Galveston Daily News*, April 24, 1893; "Hearne Items," *Houston Daily Post*, February 18, 1899; "Prison System's Baptist Chaplain Resigns Position," *Houston Post*, December 12, 1937, 13; "The Presbyterian Synod," *Houston Daily Post*, October 30, 1895; "3000 Pardoned, 45 Sent Back, Says Heckman," *Houston Chronicle*, March 8, 1925; "Huntsville Prison Gets New Chaplain," *Houston Post*, March 28, 1924.
* Not to be confused with the more famous Francis Duffy, the Roman Catholic military chaplain known for his service in the Spanish-American War and World War I's western front. That Fr. Duffy died in 1932. See: Stephen Harris, *Duffy's War: Fr. Francis Duffy, Wild Bill Donovan, and the Fighting Irish 69th in World War I*, (Washington, D.C.: Potomac Books, 2006).

1944–1950	C.B. Anderson	Methodist
1947–1957	Francis Duffy*	Roman Catholic

Before the Chair: Texas Prison Chaplaincy, 1903–1923

The Activist Approach

Perhaps the best-known prison chaplain before the electrocution period was Rev. Jake Hodges, even though he only held the position for less than two years. A minister from West Texas, Hodges came to East Texas for the prison chaplaincy in 1907, only to be summarily kicked out in December 1908 for an apparently overzealous approach to prison reform and a disregard for rules and regulation. After his firing, Hodges continued to speak out against the system and quickly became somewhat of a public figure throughout Texas until his death in the 1920s.

Hodges spent the early decades of his career in traditional ministry in the Cumberland Presbyterian Church, a splinter denomination from the Presbyterian Church, U.S.A. over educational requirements for ministry and the extent of the Calvinist principles of election and reprobation.[101] In the early nineteenth century, Presbyterian churches in Kentucky went through a major revival period — ministers would lead congregations in emotional, over-the-top displays of faith and evangelism, sometimes converting people to Christianity in the hundreds. The revival period led to a conflict between the Presbyterian Church's Kentucky Synod (ecclesiastical region) and some local churches wanted to fight educational requirements for ministry — that ministers must gain a graduate degree in divinity for ordination. After some infighting, those churches split off to later become the Cumberland Presbyterian Church.[102]

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[101] "From Rockdale," *The Waco Daily Examiner*, March 15, 1882; "Rev. Jake Hodges, missionary…" *Fort Worth Daily Examiner*, November 28, 1885; "Cumberland Presbyterian Church…" *The Waco-Times Herald*, June 15, 1902.

[102] R. Douglas Brackenridge, *Voice in the Wilderness: A History of the Cumberland Presbyterian Church in Texas* (San Antonio: Trinity University Press, 1968).

The Cumberland church also made it a point to engage in evangelistic missions, particularly in the West, which it viewed as a wild frontier, ripe for the taking.[103] Hodges does not appear in any digitized church archival records, but he is repeatedly named as a Cumberland Presbyterian minister in newspapers throughout Texas. From them, we know that Hodges was a minister and a "missionary" in West Texas — near San Angelo and Abilene — in the 1880s and '90s. From there, he gradually journeyed east, first ministering in Waco (north of Austin) for a few years, then moving further east to Huntsville or Rusk to work as a prison chaplain in 1907.[104] The Cumberland denomination went through major changes in 1906, when a two-thirds of the denomination wished to reunite with the larger Presbyterian Church, U.S.A.[105] The debate on "union," as it was called in church documents on both sides, was high-stakes and had steep theological and financial consequences for the Cumberland denomination. Ultimately, a sizable portion decided to leave Cumberland and rejoin the main denomination.[106] It's unclear if Hodges was among them, but it is telling that he became a prison chaplain right as the union debate began. After his tenure as prison chaplain, he continued to preach at various Presbyterian churches, but newspapers reported his denominational affiliation as merely "Christian."[107]

Before Hodges, Texas prison chaplains had typically been well-connected ministers near Huntsville or Houston, since the bulk of the prison system called East Texas home. Hodges, a minister from a small denomination in West Texas, then, was a bit of an outlier. Hodges wasn't unconnected: he had a cousin — ironically, also named Jake Hodges — who lived in Paris, Texas

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[103] *A New Presbytery Is Born: A Brief History of Cumberland Presbyterian Churches in Murfreesboro Presbytery*, Compiled by Charles and Eleanor Murray, (Winchester, Tenn.: Franklin County Publishing Co., 1962). Accessed via Cumberland Presbyterian Church digital archives, February 25, 2025. https://www.calameo.com/cppubarc/read/0077296679dde5368534d

[104] "Cumberland Presbyterian Church…" *The Waco-Times Herald*, June 15, 1902.

[105] "Family Tree of Presbyterian Denominations," Presbyterian Historical Society, Presbyterian Church, USA, accessed May 1, 2025, https://pcusa.org/historical-society/history-online/history/family-tree-denominations

[106] R. Douglas Brackenridge, *Voice in the Wilderness: A History of the Cumberland Presbyterian Church in Texas* (San Antonio: Trinity University Press, 1968).

[107] "Banquet Held," *Houston Post*, October 20, 1911, 9.

(north of Huntsville), was a criminal lawyer, and was well-known in East Texas political circles. However, that Jake Hodges died in February 1905.[108] Whether our Hodges entered the prison chaplaincy on the coattails of his cousin, through some other connection, or merely to escape the turmoil in his own denomination is unclear.

What we do know is that he began work as a prison chaplain in 1907. The early months of his tenure were quiet and newspapers did not report much of him, but based on what we know about chaplains before and after him, Hodges likely traveled between "walled" prisons such as the Huntsville Unit — more traditional prisons where prisoners were kept in cells — and prison farms. Like other former Confederate states, Texas segregated its prison farms so that some were for white people andsome were for Black people. Texas added a third category here for its large Latine population and set aside prisons for "Mexicans."[109] Blue Ridge was segregated for ethnic Mexicans; the only exclusively-Black prison farm was Ramsey, a former sugarcane plantation. We do not have any record of Hodges visiting Blue Ridge, but evidence suggests he spent time at Ramsey. Some of the newspaper columns he wrote after his firing mention specific conditions there. Hodges's opponents, including a night editor at the *Houston Post*, also cited his visits to the former plantation, accusing him taking prisoners' stories too seriously.[110] It's unclear if his visits to nonwhite-designated farms were expected of him as a chaplain or if Hodges was unique for doing them, but he nevertheless did complete work there.

We simply do not know much about Hodges' daily duties as a prison chaplain, even though he is one of the better-known prison chaplains in Texas history. State records on the subject are sparse and difficult to access. He did not keep a journal or diary, and journalists did

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[108] "Jake Hodges Dying," *Bryan-CollegeStation Eagle*, February 10, 1905; "Rev. Jake Hodges, brother of our…" *San Angelo Press*, May 21, 1902.
[109] Chad Trulson and James Marquart, *First Available Cell: Desegregation of the Texas Prison System* (Austin: University of Texas Press, 2009), 80–81.
[110] John Hays Quarles, "Mr. Quarles and the Texas Prison System," *Waco Semi-Weekly Tribune*, January 6, 1909.

not pay much attention to him until after he began to cause a ruckus. Instead, we know well his frustrations about the prison system at large, including what he perceived as an inability to minister in prisoners' labor conditions. Hodges aired his frustrations to the Texas public via news media in two ways: encouraging a San Antonio *Express* journalist to write an exposé and writing his own columns in Houston-area newspapers, especially the *Chronicle*. The combined circulation and influence of these two major Texas newspapers propelled him to relative celebrity quickly.

San Antonio *Express* journalist George Waverly Briggs was in close correspondence with Hodges for weeks, if not months, before his first articles were printed on the prison system. The five articles were published weekly in December 1908 and January 1909, shortly before Hodges's firing. They covered a range of topics in prison reform, but mostly centered on the hot-button issue of prison labor. Most were printed with the boldface headline: "Penal System in Texas is a Failure."[111] The ultimate argument over the course of that month was that to Briggs, Texas prioritized capitalism and profit over what he (and Hodges) believed to be the true purpose of prisons: rehabilitation. Briggs, and, later, Hodges, would make proposals to remedy the situation, but neither proved popular.[112]

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[111] George Waverly Briggs, "Penal System in Texas is a Failure," *Daily Express*, December 6, 1908; Briggs, "Treatment of These Women is Inhuman," *Daily Express*, December 13, 1908; Briggs, "Roads are Best Places for Prisoners," *Daily Express*, December 20, 1908; Briggs, "Profit Making Precludes Proper Care," *Daily Express*, December 27, 1908; "The Texas Convict System Problem," *Waco Semi-Weekly Tribune*, December 30, 1908; Briggs, "Texas Leaves Reform Work to Charity," *San Antonio Express*, January 1, 1909. For more on the prison labor system in Texas, see: Donald R. Walker, *Penology for Profit: A History of the Texas Prison System*, Texas A&M Southwestern Studies 7 (College Station, Tex.: Texas A&M University Press, 1988).

[112] Briggs favored having prisoners work on roads instead of farms; in his view, Texas's roads were already bad and needed work, and this work wouldn't risk competing with "free" farm labor outside of prisons. Hodges, on the other hand, proposed a soft return to a lease system, since he believed the state was incapable of maintaining adequate conditions for prisoners. See: Briggs, "Roads are Best Places for Prisoners," *Daily Express*, December 20, 1908; "Jake Hodges Writes Again," *Houston Chronicle*, December 13, 1908.

The articles, though, were not the first time Hodges made himself a "thorn in the side of prison administrators."[113] In his short tenure as prison chaplain, Hodges made himself known for being listening and acting upon the "sorrowful stories" he heard from prisoners and "interfered repeatedly" in matters of corporal punishment.[114] When the Briggs stories came out, then, the administration finally had a concrete reason to get rid of him and asked for his resignation, which Hodges initially refused.It was only when the board sent his replacement, Rev. W.T. McDonald,[115] that Hodges agreed to leave. On his way out from Huntsville, Hodges promised locals he would share information that would "make people sit up and take notice." Within a few months, Hodges and Briggs had taken the stand at the penitentiary investigation committee.

Hodges's firing was widely reported by newspapers, especially in areas where he used to preach regularly, like Waco. Some took issue with the firing itself, while others viewed Hodges's dismissal as merely a symptom of the "defects and evils of the Texas prison system."[116] Many seemed sympathetic to Hodges, calling him "fearless and honest" and the "salt of the earth" even years after the firing. They viewed him as a whistleblower making a righteous crusade against a prison system that even eventual governor Dan Moody would call "not fit for a dog."[117]

Of course, Hodges and Briggs's mission was not entirely without enemies, even outside of the prison administration. While the majority of surviving newspaper coverage is mostly positive, they still had their detractors. One vocal dissident was John Hays Quarles, *Houston*

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[113] Donald R. Walker, *Penology for Profit: A History of the Texas Prison System 1867–1912*, Texas A&M Southwestern Studies 7 (College Station, Tex.: Texas A&M University Press, 1988), 183.
[114] Donald R. Walker, *Penology for Profit: A History of the Texas Prison System 1867–1912*, Texas A&M Southwestern Studies 7 (College Station, Tex.: Texas A&M University Press, 1988), 183.
[115] W.T. McDonald started as a prison chaplain before Hodges did, but it's possible the journalistic accounts reported him as the replacement because he arrived to take over Hodges's specific duties.
[116] "Gill Off to Austin," *The Houston Post*, December 26, 1908; "Rev. Jake Hodges, the deposed chaplain…" *Palestine Herald-Press*, December 28, 1908; "The Texas Convict System Problem," *Waco Semi-Weekly Tribune*, December 30, 1908; "Mr. Quarles and the Texas Prison System," *Waco Semi-Weekly Tribune*, January 6, 1909.
[117] Steve J. Martin and Sheldon Ekland-Olson, *Texas Prisons: The Walls Come Tumbling Down* (Austin: Texas Monthly Press, 1987), 12.

Post night editor, who published a scathing letter to the editor in a Waco newspaper not long after the *Express* articles hit the stands in December 1908. As a Houston-based journalist, Quarles lived close to multiple prison farms, especially the Ramsey sugarcane plantation in Sugarland, south of Houston. He had visited the farm for reporting purposes shortly before Briggs' exposés went to press, reporting that prisoners there were quite happy with their conditions and would rather be on the farm than in the prison.[118] Where other Texas newspapers believed Hodges was fired for his activism and "muckraking," Quarles reported that the prison administration considered firing him well before Briggs published a single exposé. Hodges had, in the administration's eyes, routinely committed the radical and problematic act of listening to prisoners and *believing* them. He accused Hodges of "incit[ing] mutiny" on the farms and radicalizing prisoners — particularly the Black men working on sugarcane plantations — by drawing attention to their "human slavery."[119] For Quarles, Hodges could not be wholly trusted precisely because he trusted prisoners to tell him of their conditions and mistreatment. Quarles and the prison administration wanted Hodges to visit the prisons, not with the intention of listening to prisoners, but with that of simply holding religious exercises. The conflict between Quarles's crushed expectations for Hodges and the implied expectations Hodges had for the role are made bare here.

Hodges's hiring, firing, and firebrand reputation stem from a threefold organization of expectation and reality for the prison system. On the first level, the public believed the prison to be a site of rehabilitation and change for the incarcerated. In line with earlier prison models in New York and Pennsylvania, Texas's prisons were supposed to be places that prevented

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[118] John Hays Quarles, "Farms Owned by the State and Worked with Convicts," *Houston Daily Post*, December 6, 1908.
[119] John Hays Quarles, "Mr. Quarles and the Texas Prison System," *Waco Semi-Weekly Tribune*, January 6, 1909.

recidivism, or future offenses. On this level, prisoners were supposed to spend most of their time in reflection, counseling, job training, education, and religious instruction. In this model, chaplains are there to help prisoners in their rehabilitative journey, providing religious instruction, services, counseling, and occasionally, education. This is the model most think of when "prison chaplaincy" comes to mind — a well-intentioned, benevolent religious official whose interests in the state's goals and the prisoners' well being do not conflict.[120]

But this level falls apart when compared to reality, where Texas's prisoners worked in brutal conditions on former plantations seven days per week. This, then, is the second level, where the interests of the state and the prisoner are at odds. The state would have the prisoners work for long hours in front of guards on horses for little to no wages. Jim Crow's ever-looming presence manifested in harder labor for Black prisoners in the form of sugarcane harvesting and processing, compared to the other prisoners' work in cotton fields. After all, the Thirteenth Amendment made a provision for slavery after emancipation in the form of punishment for a crime. Even in this setting, the state still hired chaplains. At first glance it may seem counterintuitive, but the chaplains' counseling and religious instruction may well have made the prisoners more docile and willing to work without complaint or rebellion, as we saw in Alabama with S.R. Emerson's time as prison chaplain in Birmingham's coal mining camps. It's what Texas may have believed would happen when it hired Hodges in the first place. The chaplain, then, would be forced between conflicting interests in the state's profits and prisoners' physical, emotional, and spiritual wellbeing.

This conflict brings us to the third level, where the state's expectations for the prison chaplaincy fall away. Here, the prison chaplain responds to their impossible position by refusing

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[120] Blake McKelvey, *American Prisons: A History of Good Intentions* (Montclair, NJ: Patterson Smith, 1977).

it. They instead use the moral authority built into the prison chaplaincy and its traditional duties by advocating for reform within the system or outright acting as a whistleblower. Hodges was at this level; the role the state carved out for him conflicted with popular public imagination of the prison and its chaplains, a role that he may have found impossible to play. The labor system prevented him from doing the traditional job of a prison chaplain — how is someone who works in grueling conditions seven days a week supposed to receive education and religious instruction? Hodges saw the prison labor system as antithetical to not only his mission as a prison chaplain, but to the prison's ideal mission at large.

For Hodges, one of the main pillars holding up this system was the prisoners' work schedule. Because they worked seven days per week (including Sundays, a Sabbath day typically kept free in most of Protestant America for church services), Hodges may have found himself unable to fit himself into the prisoners' schedules and energy fluctuations. To him, the prisoners' work on Sundays was antithetical to the religious work of rehabilitation. Hear from Hodges himself in a *Houston Chronicle* column, published shortly before his dismissal:

> A sin against the man, against society and against God; and yet this is in keeping with the spirit of not doing anything religious in the entire penitentiary system in itself, and especially so as to farm operations. The position of chaplain within the walls even is accidental to the system, and when all the men are placed on the farms there will be no place possible for religious and literary instruction without a complete revision of the entire farming system as it now is.[121]

Protestants typically set aside Sunday as a day of worship, but Christianity's Ten Commandments also mandate a Sabbath — a day of rest — each week. Here, the contradictions inherent in Texas prison chaplaincy are made bare; the prison's schedule and way of life was at fundamental odds with the religion the prison chaplain attempted to share. For Hodges, the

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[121] "Jake Hodges Writes Again," *Houston Chronicle*, December 13, 1908.

prison chaplaincy's mere existence was in conflict with what the state wanted prisons to be; there was no reason for education or religious instruction if the prison did not seek to help and reform its prisoners. To him, doing his job adequately would require a complete reconstruction of the system.

Despite his uniqueness, Hodges was part of a short tradition of dissatisfied prison chaplains.[122] Of the three prison chaplains who served between 1890 and 1906 (when Hodges began), two engaged in public advocacy on behalf of Texas's prisoners. To be sure, neither of these chaplains were as outspoken, brash, or radical as Hodges was, but they nonetheless wrote made their thoughts known to the broader Texas public.[123] Hodges took this pattern further and made "a large percentage of Texans… aware of the ghastly conditions" in its prisons.[124] Though prison reformers certainly existed before Hodges's whistleblowing, his advocacy "brought all reformers together" and "unified their campaign for changes in prison management."[125] His repeated interference made Texas prison officials abundantly aware of the potential for an antagonistic relationship between its administration and its chaplain. The impacts of his advocacy were still visible even years after his departure, though the prison administration became increasingly cautious of its chaplains and their relationships with prisoners.

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[122] Donald R. Walker, *Penology for Profit: A History of the Texas Prison System 1867–1912*, Texas A&M Southwestern Studies 7 (College Station, Tex.: Texas A&M University Press, 1988), 184.
[123] Rev. S.H. Morgan, "Heartily Favors School," *The Fort Worth Record and Register*, November 28, 1900; "Recommends a Grading System," *The Austin Statesman*, May 13, 1910.
[124] Donald R. Walker, *Penology for Profit: A History of the Texas Prison System 1867–1912*, Texas A&M Southwestern Studies 7 (College Station, Tex.: Texas A&M University Press, 1988), 183.
[125] Donald R. Walker, *Penology for Profit: A History of the Texas Prison System 1867–1912*, Texas A&M Southwestern Studies 7 (College Station, Tex.: Texas A&M University Press, 1988), 183.

Establishing Electrocution in Huntsville

April 21, 1922 — Bryan, Texas businessman and Methodist Sunday school teacher C.R. Gardner rose early to gather his students and leave at 5:30 a.m. for the Huntsville Unit. He, another parent called James Ramsey, and 15 students used a "large truck" and a second car to load themselves and 1,200 books and half a ton of magazines to the prison. The unit's chaplain, Rev. I.L. Dickey, had put out a call about a month earlier in newspapers across the state asking for donations of money, books, magazines, and other reading material — the unit's library had burned. Dickey had to replace the prisoners' books, and their musical instruments. Gardner and his students took two days to get to the prison, camping overnight. The group traveled the last 20 miles of the trip in the morning, arriving at the prison on a Saturday.[126]

Upon arrival, Dickey gave the group a tour of the prison, including the cell blocks, where they greeted prisoners. Dickey and Captain R.F. Coleman, the warden, hosted the group for dinner. They heard talks from Dickey and the superintendent of the prison's schools, who was incarcerated himself, at the prison. Gardner wrote up his account of the trip for Bryan's newspaper, where he wrote at length about Dickey, calling him "the very best man in Texas for the job," who has the "love and respect of the men" and "mixes and mingles with [the prisoners] all day long." Gardner's personal account, combined with Bryan's local coverage and Dickey's repeated pleas for donations, read like a feel-good picture of what prison chaplaincy and life looked like in the years leading up to the electric chair's installation.[127]

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[126] "Library Destroyed By Fire, Convicts Appeal for Books," *Austin-American Statesman*, March 26, 1922; "Books for Penitentiary," *Bryan-College Station Eagle*, April 13, 1922; "Secretary Gardner is Duly Appreciative," *Bryan-College-Station Eagle*, April 14, 1922; "Mr. Gardner Tells of Huntsville Trip," *Bryan-College Station Eagle*, April 22, 1922; "Bryan People Send 1200 Books and 1000 Pounds of Magazines to State Penitentiary," *Bryan-College Station Eagle*, April 21, 1922.

[127] "Mr. Gardner Tells of Huntsville Trip," *Bryan-College Station Eagle*, April 22, 1922; "Bryan People Send 1200 Books and 1000 Pounds of Magazines to State Penitentiary," *Bryan-College Station Eagle*, April 21, 1922; "Bryan Books Received," *The Bryan Weekly Eagle*, April 27, 1922.

But the picture was, in reality, more complicated. One key donation came from General Forest Lodge Ku Klux Klan No. 17 — a $50 check, or about $950 in today's dollars. Taken as a whole, the fire and subsequent donations help reveal how prison chaplaincy operated in Texas before the electric chair's installation under two years later.

Dickey would continue to be prison chaplain during the transition to electrocutions, but the first signs of the impact that switch would have on the prison's staff and how they saw their jobs were reflected in the warden. Captain R.F. Coleman, who worked closely with Dickey, resigned as prison warden of the Huntsville Unit in January 1924. SB 63, the bill mandating electrocutions instead of hangings, specified that the Huntsville's warden was the one to pull the switches and trigger the electric chair. Coleman stayed while prisoners built the chair and other equipment necessary, but resigned shortly before the first scheduled electrocutions, forcing officials to push them back to February. He believed performing the electrocutions as mandated would subject him to "mental anguish" and that to "serve his conscience," he must resign. "It would be impossible for [him] to retain the respect of the men under [his] care," he wrote in his resignation, "if [he] should carry out the electrocutions." In other words, Coleman believed the now-mandatory dual functions of the Huntsville Unit — prisoner reform and executions — to be fundamentally incompatible with each other. To do his job as prison warden as he had done for over 40 years, Coleman believed he could not participate in an electrocution.[128]

It gets even more complicated when we consider that the author of the Texas electrocution law, Rep. T.K. Irwin, was a death penalty abolitionist. During his tenure in the Texas House of Representatives, Irwin frequented prisons and prison farms, focusing parts of his

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[128] "Warden Resigns; Will Not Execute," *The Galveston Daily News*, January 5, 1924.

legislative agenda on prison reform.[129] When Irwin attended the first electrocutions, the *Houston Post* journalist present reported that he began the night at the front of the room gradually migrating backward as the warden moved through the five men scheduled to meet their deaths. Irwin told that reporter and others that he intended the electrocution law he wrote to be a stepping stone to total abolition of capital punishment in Texas. To Irwin, narrowing down the death penalty from 254 separate gallows to just one statewide electric chair made his task easier. In fact, he said, he intended to file a bill abolishing the death penalty entirely.[130] While other lawmakers and the governor may have had other goals and intentions for the electrocution law, it is important that the author himself was a capital punishment abolitionist.

In Texas, building the Huntsville Unit and building death row happened at different times, separated by just under a century. Texas established its Huntsville prison shortly after admittance to the United States in 1845, using it to harvest cotton and support war efforts during the Civil War. After that, the prison system attempted to replace chattel slavery with the only remaining legal form of slavery: prison labor. Death row, however, was only installed in the prison in late 1923, nearly a century later. It was relatively simple, then, for prison officials before 1923 to conceptualize their work in the Huntsville Unit entirely separate from county hangings.

. The same chaplain who at the same time sought education for prisoners, reform for the system, and accepted donations from the Ku Klux Klan, his predicament remained complicated after the Huntsville Unit welcomed the electric chair. He was remarkably quiet at the first

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[129] Intended to be funny, newspapers once reported that when visiting a prison farm in 1923, Irwin received a shave from a Black prisoner skilled with a razor. Irwin learned the man was in prison for murder, and when he asked the prisoner the circumstances of the crime, the prisoner said he had killed a man… with a razor. See: "Representatives Has 'Close Shave' While Visiting Prison Farm," *The Waco-News Tribune*, January 28, 1923.

[130] Of course, the bill did not get very far. Texas still infamously executes a large number of prisoners each year today.

electrocutions of Charles Reynolds, Ewell Morris, George Washington, Mack Matthews, and Melvin Johnson — five Black men from counties around the state. Dickey's only press mentions after the first electrocution involved his presence in an investigation of prison brutality, specifically a set of whippings that left prisoners Evans Dunlap, Henry Parker, and Charles Wilson bedridden for days from their wounds. Dickey was among a group of other high-level prison officials who performed an inquiry into the whippings, but ultimately found no wrongdoing of the prison. Here again, we see the clear moral authority that chaplains held and the power that authority gave them over the lives and welfare of individual prisoners, even though his authority was probably mediated by the presence of other officials, such as the prison manager, assistant manager, and physician. Nevertheless, Dickey resigned by October 1924, about eight months after the first electrocutions. It's unclear how much the executions affected his decision to resign, but unlike other prison chaplains before him, Dickey did not retire and continued work as a Baptist pastor in Huntsville.[131]

The Death Penalty and Roman Catholic Pastoral Care

Executions moved into the Huntsville "Walls" in early 1924 after Texas established electrocutions as its method of choice a year prior. One chaplain would help establish execution patterns for decades to come. Fr. Hugh Finnegan's Roman Catholic theology and personal commitments would help to create a new kind of prison chaplaincy, one for those condemned to the electric chair.

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[131] "Here's More About Death Chair," *The Houston Post*, February 8, 1924; "Prison Officials Deny Brutality Charges, Admit Few Whippings," *The Houston Post*, June 27, 1924; "Annual Meeting of Baptists is Held," *The Houston Post*, October 27, 1924.

Finnegan was born and raised in rural IrelandHe was educated in both national and religious schools and by his late teens, an American priest would come to his school to recruit for training in the priesthood thousands of miles south, in San Antonio, Texas. At eighteen in 1909, Finnegan boarded a ship bound for New York, making his way to the Oblate School of Theology, a seminary that set out to train bilingual priests.[132] Roman Catholic training for new priests typically takes six to eight years, but Finnegan took fourteen. He had to sail back to Ireland because of a severe inner ear infection, working as a farmhand until he could attend a year of school at a Dublin seminary before heading back to Texas in 1918.[133]

The seminary fulfilled its goal of bilingualism for Finnegan. Over the years, he learned Spanish, and the Church sent Finnegan to a charge in Eagle Pass, Texas, a border town near San Antonio, and then east to Houston. There, the Church charged him with Our Lady of Guadalupe Church, the first Hispanic-majority Catholic church in the area. It's unclear exactly how, but from there, Finnegan began unpaid work in 1926 as a prison chaplain ninety miles north, in Huntsville.

Like Hodges, Finnegan traveled between prison units and farms. Unlike Hodges, however, we know more about exactly *what* he did during those visits: conducted masses, blessed communion, and heard confessions. One other major difference from Hodges was that Finnegan left behind some of his own words — outside of newspaper columns, that is. We have access to what purports to be Finnegan's diary, but is probably actually a cobbling together of

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[132] Robert E. Wright, "Oblate School of Theology," *Handbook of Texas Online*, updated December 2, 2001. Accessed March 29, 2025. https://www.tshaonline.org/handbook/entries/oblate-school-of-theology

[133] "The Diary of Hugh Finnegan: The Controversial Texas Death House Priest," n.d., Don Reid Capital Punishment Collection, box 1, file 20, Sam Houston State University Special Collections, Huntsville, Tex. https://digital.library.shsu.edu/digital/collection/p243coll3/id/7607/rec/20'; Biography of Father Hugh Finnegan, n.d., Don Reid Capital Punishment Collection, box 1, file 20, Sam Houston State University Special Collections, Huntsville, Tex. https://archivesspace.shsu.edu/repositories/2/resources/199

diary entries, transcribed oral history, and an introduction written by a third party.[134] Finnegan's "diary" put equal emphasis on his work on Texas' prison farms and death row, but he nevertheless became known as the "death house priest."

Finnegan's Roman Catholicism likely played no small role in his time meeting with Texas's death row prisoners and walking them to their deaths. Catholicism, for example, emphasizes confession as an important part of the path to absolution of sins, and where Protestants give the okay for Christians to confess their sins directly to God, Catholicism does not. To Roman Catholics, there are mortal sins and there are venial sins, and people are only required to confess mortal ones — serious sins, those that would corrupt the soul.[135] The technical aspects are not as important here as the sacrament of confession itself. Finnegan made himself available to prisoners for confession frequently and therefore was able to build relationships with them. This is not to say that confession is *necessary* for a chaplain to build these relationships, but that kind of confidential ear probably played no small part in the number of prisoners who refused Protestant chaplains, demanding to speak to only Finnegan.[136]

For his relationships with the condemned, Finnegan grew quite famous in Texas. Local newspapers' accounts of executions during his tenure in Huntsville often featured more than a mere mention of him. The newspapers described prisoners kissing his crucifix after being strapped into the electric chair, praying with him, or thanking him with their final words.[137] When Floyd N. Byrnes faced the chair in 1929, for example, Finnegan had already returned to Houston

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[134] "The Diary of Hugh Finnegan: The Controversial Texas Death House Priest," n.d., Don Reid Capital Punishment Collection, box 1, file 20, Sam Houston State University Special Collections, Huntsville, Tex. https://digital.library.shsu.edu/digital/collection/p243coll3/id/7607/rec/20'

[135] Flood, *The Priest in Practice.*

[137] Associated Press, "Slayer of Woman Goes Calmly into Electric Chair," *Corsicana Daily Sun*, November 4, 1927; "Slayer of Mothers Dies with Name of Mother on His Lips," *Victoria Advocate*, January 13, 1929; "Indian Dies in Chair for Slaying Child," *The Marshall News Messenger*, November 29, 1931; Associated Press, "Desperadoes Finger Crucifix During Last Hours of Life," *The Brownsville Herald*, May 8, 1935.

for the night. When prison officials realized this and Byrnes — who had converted to Roman Catholicism while on death row — refused to talk to other chaplains, they contacted Finnegan and he "made a hurried trip to Huntsville."[138] Upon arrival, he immediately went to Byrnes's cell, administering the Eucharist before it was time to walk with him to the death chamber.[139]

While Finnegan appeared to be the prisoners' favorite in press coverage, he was not the only chaplain of death row. Texas also provided prisoners with a Protestant chaplain: Methodist Rev. C.E. Garrett.[140] Garrett, originally from Oklahoma, was ordained in the Methodist Episcopal Church South in Texas, working various clergy jobs in Central and East Texas until he became the Huntsville Unit's Protestant chaplain.

Like Finnegan, newspapers attributed many prison baptisms to Garrett. But Garrett was in a more complicated position. Finnegan represented all types of Roman Catholicism; Garrett, though broadly the Protestant chaplain, represented only the Methodist Episcopal Church South. The denominational specificity put prisoners like Carl Dobbins, who reportedly preferred to be baptized into the Baptist church, in a sticky position. When the prison could not find an outside religious advisor of a particular denomination — as was the case with Dobbins — the prisoner had to make do with who was available. In Dobbins' case, this meant getting baptized not into the Baptist church by a Baptist minister, but into the Methodist Episcopal Church South by Garrett.[141]

Both Garrett and Finnegan served death row for over a decade — Garrett for 17 years and Finnegan for 19; Finnegan had reportedly walked with 175 men to the electric chair over his

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[138] "Floyd N. Byrnes Pays for Triple Slaying in Chair," *The Waco-News Tribune*, January 10, 1929.
[139]"Slayer of Mothers Dies with Name of Mother on His Lips," *Victoria Advocate*, January 13, 1929.
[140] "Slayer of Three Resigned to Death in Electric Chair," *Victoria Advocate*, July 29, 1931; "Little Time to Collect Self Asked," *Pampa Daily News*, July 8, 1936.
[141] "Carl Dobbins Dies in Chair," *Marshall News Messenger*, February 1, 1935.

career as chaplain.[142] They were both fired from the prison within two years of each other. The prison board's reasons for its 1944 dismissal of Garrett are unclear; Finnegan's 1945 dismissal was the result of accusations that he aided in an attempted prisoner escape.[143] The reasons behind Garrett's firing may be unclear in the archive, but we can make educated hypotheses based on both Garrett's and Texas's records on prisoner advocacy. Garrett, like Finnegan, had a long record of clemency advocacy for prisoners at the Walls, as well as for insanity rulings for those he thought to be mentally unfit for their sentences.[144]

This sort of legal advocacy was as a routine part of their jobs as chaplains as leading men to their executions. In some cases, the chaplains' activism on behalf of prisoners was directly related to their religious convictions and practices. Early in Finnegan's career, for example, he testified in court on behalf of Avery Millikin, a man on death row he believed to be mentally unfit for execution, telling the courtroom he believed Millikin did not have "full control over his faculties." Finnegan said he was "bound before God" to refuse last rites to him, as it was against his "conscience… to administer the last rites to a man [he] believed to be insane," since Millikin had converted to Catholicism.[145] A Spanish-language newspaper in Houston even reported Finnegan viewed giving the sacrament to a mentally unstable person would be akin to "darlo un animal" — to give it to an animal.[146] The court ultimately denied Finnegan's defense of Millikin,

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[142] "Former Prison Chaplain Walked 175 'Last Miles'," *The Waco News-Tribune*, February 5, 1948.
[143] "Chaplain Ouster Upheld By Prison Directors," *The Waco News-Tribune*, March 8, 1944; "Texas Prison System 'Cruel,' Prober Says," *The Monitor*, March 10, 1944; "Priests Charged in Prison Break," *Lubbock Morning Avalanche*, April 26, 1945. In today's dollars, Finnegan's bond was about $9,000.
[144] "Young Priest Testifies He Believes Condemned Man is of Unsound Mind," *The Galveston Daily News*, October 24, 1927; "Two Priests Plea for Life of Negro," *The Waco Times-Herald*, September 18, 1928; "Plea of Wife for Barrow's Release," *Coriscana Daily Sun*, July 25, 1933; "Commutation of Life Sentence is Granted Silver," *Corsicana Semi-Weekly Light*, June 8, 1934; "Glen Warren is Granted Stay by Governor Allred," *Longview News-Journal*, July 9, 1936; "Man Convicted in Connection with Killing of Cattle Inspectors Granted Full Pardon," *Corsicana Daily Sun*, November 26, 1934.
[145] "Young Priest Testifies He Believes Condemned Man is of Unsound Mind," *The Galveston Daily News*, October 24, 1927; "Slayer of Woman Goes Calmly to Electric Chair," *Corsicana Daily Sun*, November 4, 1927.
[146] "Millikin Esta Loco, Dice Un Sacerdote," *La Prensa*, October 25, 1927.

but the testimony shows how Finnegan's role as a chaplain is inherently religious as it is legal; he is as much a priest as he is a state employee. In putting a man Finnegan believed to be insane to death, Texas forced him to reconcile his duty as state employee to prepare a man for death and his duty as priest to not administer last rites to the insane.[147]

What's interesting about this account is that even Roman Catholic guidance for priests made shortly after these events specify that mentally unstable people can still receive sacraments. It's unclear if Finnegan simply held an unorthodox view, or if the particular seminary he trained with held such a view. Regardless, it's important to note that the Church disagreed with Finnegan on this point, even if it did not announce it at the time.[148]

Like other chaplains before him, Finnegan had the twofold task of ensuring prisoners' wellbeing while making sure they would go quietly to the tasks the state set out for them. For Finnegan, this meant leading men as quiet and calm as possible to their deaths as lambs to the slaughter. Doing this task well required him to build relationships and trust with death row prisoners, but his success in that area was rewarded with his arrest and accusation of aiding two prisoners' escape attempt.

Conclusion

Again and again, Texas prison chaplains saw a gulf between what they perceived their role to be and what the state wanted them to do. Each chaplain responded to this gap in different ways,

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[147] "Insane" is a dated, inaccurate term for a wide array of mental illnesses that was common at the time. Today, the Roman Catholic Church emphasizes inclusivity in sacraments regardless of disability. See: "Guidelines for the Celebration of Sacraments with Persons with Disabilities," United States Conference of Catholic Bishops, Accessed September 24, 2024, https://www.usccb.org/committees/divine-worship/policies/guidelines-sacraments-persons-with-disabilities. For more on mental illness and disability in the criminal legal system, see: Chloé Deambrogio, *Judging Insanity, Punishing Difference: A History of Mental Illness in the Criminal Court*, The Cultural Lives of Law (Stanford, Calif.: Stanford University Press, 2024).

[148] *Pastoral Manual for New Priests,* 1962.

from Hodges's muckraking activism to Finnegan's insistence on empathy for prisoners to Dickey's ignoring the gap entirely. Each chaplain and their actions changed the degree of tension between the prison chaplaincy and the prison administration. No matter the state's reprimand, chaplains continued the work and continued to respond to the obvious gap between religious duty and state assignment.

Conclusion

> PRIEST: I'll surely do it.[149]
>
> — Robert Blake, *The Law Takes Its Toll*

> The Klansmen came from Montgomery, arriving at the church around eight o'clock. Rev. Brassell was requested to lead his congregation in singing "Onward Christian Soldiers."[150]
>
> — *The Troy Messenger,* September 1, 1925

What does it mean to reform? The question at the center of early twentieth-century southern prison chaplaincy has no easy answer. Are prison chaplains tasked with reforming the prisoners in their charge? Or the prison itself? Texas and Alabama prison chaplains examined in this thesis came to wildly different conclusions to those questions. Some, like Texas's Jake Hodges, preferred to turn their efforts to the carceral system as a whole. Others, like Alabama's S.R. Emerson, sought to change prisoners' minds about their conditions instead. Still, those like Texas's Hugh Finnegan and Alabama's J.B. Anderson chose a third way, one that at once emphasized prisoners' interior lives and their physical well-being in the larger context of the prison system.

Once we finish the question of *what* is being reformed, there is still the question of *who*. "Who" undergoes reform — or more to the point, who *can* undergo reform — is an easier question to answer than the previous one, assuming you view humans as equal in value. But to some of these chaplains, Black prisoners were not capable of inward reform and therefore were better off in the mines (as in Alabama) or in extractive agriculture (as in Texas) or just dead by electric chair. Those more on the system-reform end of things, like Hodges, were more likely to see Black prisoners as people and believed in their ability to change — that is, given the right and humane physical conditions.

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[149] Robert Blake, "The Law Takes Its Toll," *American Mercury*, July 1929.
[150] "Klansmen Make Visit To Church Last Night," *The Troy Messenger*, September 1, 1925.

These questions are what sit at the center of this thesis. Texas and Alabama put these men in impossible positions. They asked them turn a blind eye to appalling labor conditions, and later, to the electric chair — and at the same time, asking these men to convince prisoners of the goodness of their conditions, of the abundant opportunities of their current station. To do all of this and keep their integrity as religious leaders was an impossible ask, especially in the relative isolation of the prison chaplaincy, a profession which at the time only a few people occupied at any given time. In many cases, when these men tried to make their jobs more doable by improving conditions, they were fired for their trouble. And when these men failed to juggle the impossible tasks assigned to them, people incarcerated in work camps and death rows faced the consequences.

Even given all of this, the small group of men examined in this thesis represent only a small fraction of prison chaplaincy history. Prisons are still deadly; one need not have a life or death sentence to die there. The current moment requires more histories of prison, particularly in places struggling in the contemporary moment. This thesis could not cover all of the South, nor of all kinds of prisoners. More work needs to be done on prison chaplaincy in juvenile detention and women's prisons in particular.

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Austin American-Statesman
The Brownsville Herald
Bryan-College Station Eagle
The Cameron Herald
Corsicana Daily Sun
Eagle Lake Headlight
El Paso Daily Times
The Galveston Daily News
The Guthrie Daily Leader
Houston Post
Houston Chronicle
Longview News-Journal
Lubbock Avalanche-Journal
The Marshall News Messenger
The Mexia Weekly-Herald
The Monitor
Palestine Herald
Pampa Daily News
The Paris News
San Antonio Express
Texas Mesquiter
The Vernon Daily Record
Victoria Advocate
The Waco Times-Herald
The Waco News-Tribune
The Waxahachie Daily Light

Alabama

The Anniston Star
The Birmingham Post
The Clarke County Democrat
The Clayton Record
The Cleburn News
The Crenshaw County News
The Dothan Eagle
The Gadsden Times
Geneva County Reaper
The Greenville Advocate
The Lafayette Sun
The Luverne Journal
Montgomery Advertiser
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