

## A TRAGIC AND TRUE STORY

In 1908, a twenty-two year old, unemployed black man by the name of Green Cottenham was arrested in Shelby County, Alabama, on a charge of “vagrancy.” (Alabama passed a law in 1903 that defined vagrancy in very specific terms. In general, however, it meant the condition of being unemployed and without visible means of support.) The county judge found him guilty and sentenced him to thirty days of hard labor. At that time in Alabama, when someone was found guilty of a crime, he was charged with paying all the expenses related to his trial, which could include fees for the sheriff, the deputy, and the court clerk. Because Cottenham had no job and no money, and thus couldn’t pay his court costs, his sentence was extended to nearly a year of hard labor.

Instead of going to prison, however, Cottenham was “leased” to U.S. Steel Corporation. U.S. Steel quickly turned him over to a secondary company they owned, the Tennessee Coal, Iron and Railroad Company. In turn, this mining company promised to give Shelby County \$12 a month to pay off Cottenham’s fines and fees.

As a result of all these transactions, Cottenham wound up being sent to work in a coal mine on the edge of Birmingham. He worked long, grueling days in a darkened mine shaft, and at night, he and the other workers were chained inside a wooden barrack. If he was disobedient or failed to dig his daily quota of coal, he faced a possible whipping or other form of torture. In addition, the danger of illness was ever present. Contagious diseases like pneumonia or tuberculosis spread rapidly among the miners. And, of course, there was always the possibility he could be killed in a mine disaster since the company took few safety precautions.

Not surprisingly, John Cottenham didn’t survive his year of hard labor. Four months after his arrest, he died of tuberculosis in a work-camp hospital run by Tennessee Coal and Iron.

1. Review this story and working with your partner, put a star at every point in the narrative where you think there was a miscarriage of justice.
2. If this case were to go to court today and you were the judge, who (or what) would you hold responsible for Cottenham’s death? (You can name more than one participant.) List your choices below.
3. What crimes would you accuse each of these participants with? Be as specific as possible (don’t just say “a miscarriage of justice”). Place each charge next to the participant you would hold responsible.