

UNITED STATES DEPARTMENT OF LABOR
FRANCES PERKINS, *Secretary*
BUREAU OF LABOR STATISTICS
ISADOR LUBIN, *Commissioner*

LAWS RELATING TO PRISON LABOR
IN THE UNITED STATES ENACTED
IN 1933 AND 1934

SUPPLEMENT TO BUREAU OF LABOR
STATISTICS BULLETIN No. 596

FROM THE MONTHLY LABOR REVIEW (NOVEMBER 1934)
OF THE BUREAU OF LABOR STATISTICS
UNITED STATES DEPARTMENT
OF LABOR



Prepared by Labor Law Information Service
CHARLES F. SHARKEY, Chief

UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1934

Laws Relating to Prison Labor in the United States Enacted in 1933 and 1934

SINCE the publication, in the fall of 1933, of the Bureau of Labor Statistics Bulletin No. 596, relating to prison labor in the United States, several changes have been made in the laws. The purpose of the present article is to bring the material in Bulletin No. 596 up to November 1, 1934.^a

California

ACTS OF 1933—CHAPTER 102

[Section 4 amends section 1586 of the penal code so that it reads as follows:]¹

SECTION 1586. All convicts may be employed by authority of the board of directors, under charge of the wardens respectively and such skilled foremen as they may deem necessary in the performance of work for the State, or in the manufacture of any article or articles for the State, or the manufacture of which is sanctioned by law. Such needlework as the female prisoners may make from time to time may be sold. The money received from the sale of said needlework shall be paid to the warden and placed to the credit of the female who made the same. Upon the release of such female the money shall be paid to her. The convicts at the female department of the State prison at San Quentin at the California Institution for Women may perform such work as authorized by section 13 of the act establishing the said California Institution for Women and for that purpose the State board of prison directors are authorized to cause such work to be done within a radius of 3 miles from such female department at the California Institution for Women of the State prison at San Quentin.

At Folsom after the completion of the dam and canal, the board may commence the erection of structures for jute manufacturing purposes. The board of directors are hereby authorized to purchase from time to time such tools, machinery, and materials, and to direct the employment of such skilled foremen as may be necessary to carry out the provisions of this section, and to dispose of the articles manufactured, and not needed by the State, for cash, at private sale, in such manner as provided by law.

Florida

[On page 25, Bulletin No. 596, chapter no. 16182 (Acts of 1933) should be inserted.]

Georgia

ACTS OF 1933—ACT NO. 135 (p. 122)²

[This act prohibits the use on public works of convicts sentenced for either felonies or misdemeanors in certain counties of the State whenever recommended by two successive grand juries. It provides for the resumption of use of convicts whenever recommended by two successive grand juries.]

^a West Virginia, ch. 22, Special Session 1933-34, received subsequently, amends ch. 4, Acts of 1933 (Bul. No. 596, p. 124) and authorizes the State road commissioner instead of the commission to manufacture road signs, etc., at penitentiary.

¹ See Bureau of Labor Statistics Bulletin No. 596, p. 14.

² To be considered in relation to Georgia act, pp. 26-29, Bureau of Labor Statistics Bulletin No. 596.

Kentucky³

SPECIAL SESSION, 1934—CHAPTER 5

[The department of public welfare is charged with the duty of providing employment for all State prisoners. A prison revolving fund is established, and the department is required to sell all products of prison labor to State departments, and such departments are required to obtain their supplies through the department of public welfare.]

Minnesota

ACTS OF 1933—CHAPTER 342

[This act provides that, during the years 1933 and 1934, the maximum price charged for agricultural machinery manufactured in the State prison shall not exceed 80 percent of the price charged for similar items in the year 1932. During the same years the prices of similarly manufactured binder twine shall not exceed 1 cent per pound less than the price charged for such twine in the year 1932.]⁴

Mississippi

ACTS OF 1934—CHAPTER 147

[This chapter repeals chapter 145 (secs. 5717-5806) Code, 1930, and chapters 242, 321, and 327, Acts of 1932, and enacts a new chapter. Sections 5717-5804 (see Bureau of Labor Statistics Bulletin No. 596, pp. 60-62) are therefore superseded by new sections which are given below.]

SEC. 2. *Penitentiary*.—The plantation known as Parchman owned by the State, in Sunflower County, and such other places as are now or may be hereafter owned or operated by the State in the enforcement of penal servitude, shall constitute the penitentiary for the custody, punishment, confinement at hard labor, and reformation of all persons convicted of felony in the courts of the State and sentenced thereto.

SECS. 3-20. [These sections provide for the appointment of a board of prison commissioners by the Governor and specify their duties, compensation, qualifications, and terms of office. The Governor is also authorized to appoint a superintendent of the penitentiary who may appoint certain employees of the penitentiary.]

SEC. 21. *Shops established*.—The superintendent, in his discretion, for the use of the penitentiary, may establish and maintain a blacksmith shop for doing iron work, and also a wood shop for the manufacture of wagons, carts, plows, harrows, singletrees, hames, and other wooden implements and structures; a shoe and harness shop for making and mending shoes and harness; a laundry for washing and ironing the clothes of the convicts; a sawmill and grist mill for sawing lumber and grinding meal and hominy and chops; a tailoring shop for cutting, making, and mending clothes; a brick and tile factory; all of which shall be operated by convicts, in case competent foremen can be found among the convicts.

SEC. 23. *Female convicts*.—The superintendent shall have on the Sunflower farm a suitable building in which to house the female convicts, in which building the said convicts shall live and shall manufacture from stripes and other cloth the necessary clothing for the convicts, and shall perform such other duties as may be required by the superintendent.

³ See Bureau of Labor Statistics Bulletin No. 596, pp. 43-45.

⁴ *Idem*, pp. 57, 58.

SEC. 25. *Place of employment.*—It shall be unlawful for any State convict to be leased or hired out or worked on any land not owned by the State of Mississippi in fee simple and operated by it as a State farm, except they may be worked on public roads, public levees, or other public works as provided in section 224 of the constitution: *Provided, however,* They may be worked, but not by contract, on lands other than State land for the purpose of procuring firewood and other timber for the exclusive use of the State farm, and for no other purpose.

Any employee who shall work or allow to be worked any convict contrary to the above prohibition shall be guilty of a felony and shall be punished by imprisonment in the State penitentiary for a term of not less than 1 year nor more than 5 years.

SEC. 26. *Road work.*—Those having charge of convicts on farms owned and operated by the State are authorized and required to keep the road through such farms leading to the railroad depots from which supplies for such farms are obtained in good condition; and also to work on the roads, if any, leading from such farms to such depots, though through land not owned by the State, where such roads are used in hauling merchandise or agricultural products to or from such depots.

SEC. 27. *Same.*—It shall be lawful for the respective boards of supervisors of Hinds, Holmes, Sunflower, and Quitman Counties, and of any other counties where State convict farms may be located, at their discretion, to require annually all of the able-bodied male convicts over the age of 21 years and under the age of 50 years on each of said farms to work for a period of 6 days on the public roads in the counties in which the said farms are situated. The convicts in each county shall work only upon the roads of the county where they are held as prisoners. Said work shall be laid out and designated in each of said counties respectively by the board of supervisors therein, and the said work shall be performed under the supervision and direction of the superintendent of the penitentiary and his assistants, and is made their duty so to do, as other work is done by them on the said farms.

SEC. 42. *State-use system.*—The convicts shall be worked in the penitentiary and under the sole control of the officers and employees thereof. The word "penitentiary", wherever used in this chapter, shall be understood to embrace the State farm in Sunflower County and other penitentiary farms owned by the State, and it is hereby declared to be the policy of the State that it shall be self-supporting, and to that end the superintendent is required in the administration of its affairs to produce on the State farm all foodstuffs, both for man and beast, that the soil will produce, in sufficient quantities to supply the needs of the convicts, including beef, pork, bacon, milk, and butter, and to breed and raise all work animals as far as practicable, such as horses, mules, and oxen needed in carrying on the State farm; and all land not required for the production of foodstuffs as herein provided shall be devoted to the production of cotton and such other salable products as may seem practical. The superintendent shall also, as far as practicable, have manufactured all farm implements, tools, clothing, and shoes by the convicts.

SEC. 75. *Seed offered to cotton planters of the State.*—The seed from the cotton produced as provided in last section shall be offered to such of the cotton planters of the State of Mississippi as may want them, but no sale of such seed shall be made to any person who is not an actual planter of cotton, until after May 1, in any year.

CHAPTER 296⁵

[This act was approved on March 15, 1934, and amends section 5735, Code of 1930. While it would appear that this act was repealed by a law (ch. 147) approved at a later date, nevertheless it also appears that the legislature intended to authorize the State to take advantage of the Federal convict-labor law (Hawes-Cooper Act). It is for this reason that the text is included in this supplement.]

SECTION 1. *Establishment of shops, etc.*—The superintendent, with the approval of the trustees, for use of the penitentiary, may establish and maintain a blacksmith shop for doing ironwork, and also a wood shop for the manufacture of wagons, carts, wheelbarrows, plows, harrows, singletrees, hames, and other wooden implements and structures; a shoe and harness shop for making and mending shoes and harness; a laundry for washing and ironing the clothes of the convicts; a sawmill and gristmill for sawing lumber and grinding meal and hominy and chops; a tailoring shop for cutting, making and mending clothes; a brick and tile factory; all of which shall be operated by convicts, in case competent foremen can be found among the convicts. The sale of all goods manufactured in any penal and/or reformatory institutions to other than agencies purchasing in whole or in part with tax money is hereby prohibited, but agricultural products are exempt from this restriction.

SEC. 2. *Goods divested of interstate character.*—All goods, wares, and merchandise manufactured, produced, or mined, wholly or in part, by convicts or prisoners, except convicts or prisoners on parole or probation, or in any penal and/or reformatory institution transported into the State of Mississippi, and remaining therein for use, consumption, sale or storage, shall, upon arrival and delivery in the State of Mississippi, be subject to the operation and effect of the laws of the State of Mississippi, to the same extent, and in the same manner as though such goods, wares, and merchandise had been manufactured, produced, or mined in the State of Mississippi and shall not be exempt therefrom by reason of being introduced in the original package, or otherwise.

Montana

SPECIAL SESSION 1933—CHAPTER 9

[Amends sec. 1, ch. 172, Acts of 1933, by providing that "where farm machinery now owned in this State requires repairs, and repairs for such machinery is manufactured in whole or in part without the State of Montana, the sale and transportation into the State of such repairs shall not be prohibited by this act."]⁶

New Jersey⁶

ACTS OF 1934—CHAPTER 118

SECTION 1. *Sale of prison-made products of other States restricted.*—All goods, wares, and merchandise manufactured and produced, wholly or in part, outside of this State by convicts or prisoners, except convicts or prisoners on parole or probation, or in any penal or reformatory institution, transported into this State, and remaining herein for use, consumption, sale or storage, shall upon arrival or delivery in this State be subject to the operation and effect of the laws of this State to the same extent and in the same manner as though such goods, wares, and merchandise had been manufactured or produced in the penal institutions of this State, and shall not be exempt therefrom by reason of being introduced in the original package or otherwise.

⁵ Should be added to list of States with such laws at end of p. 139, Bureau of Labor Statistics Bulletin No. 596.

⁶ See Bureau of Labor Statistics Bulletin No. 596, p. 140.

⁶ *Idem*, p. 142.

SEC. 2. *Penalty*.—Any person, firm, or corporation violating the provisions of this act shall be deemed and adjudged to be a disorderly person, and upon conviction thereof shall be punishable by a fine of not less than \$50 nor more than \$500 or by imprisonment of not less than 30 days nor more than 90 days or both.

SEC. 3. *Form of procedure*.—All proceedings for violations hereof shall conform to the procedure and practice obtained in an act entitled "An act concerning disorderly persons" (Revision of 1898), and the acts amendatory thereof and supplemental thereof.

[This act supplements chapter 235, Acts of 1931. See Bureau of Labor Statistics Bulletin No. 596, page 142.]

New York

ACTS OF 1934—CHAPTER 326

[This act amends section 69, chapter 136, Acts of 1930, as amended by chapter 26, Acts of 1933 so as to read as follows:] ⁷

SECTION 69. *Sale of convict-made goods forbidden*.—No goods, wares, or merchandise, manufactured, produced, or mined wholly or in part by convicts, or prisoners, except convicts or prisoners on parole or probation, shall be sold in this State to any person, firm, association, or corporation except that nothing in this section shall be construed to forbid the sale of such goods produced in the prison institutions of this State to the State, or any political division thereof, or to any public institution owned or managed and controlled by the State, or any political division thereof as provided in section 184 of the correction law.

A violation of the provisions of this section shall constitute a misdemeanor.

Rhode Island ⁸

ACTS OF 1934—CHAPTER 2106

SECTION 1. *Title*.—This act shall be known as "an act to promote the State-use system of industries in the public welfare institutions" and shall be so interpreted as to encourage the production of goods and merchandise in the public welfare institutions of this State.

SEC. 2. *Definition*.—The words "public welfare institutions" as used in this act shall mean the Rhode Island State Prison, Providence County jail, and the State reformatory for men and State reformatory for women.

SEC. 3. *Sale on open market prohibited*.—The sale on the open market in this State of all goods, wares, or merchandise manufactured or mined, wholly or in part, by convicts or prisoners (except prisoners on parole or probation) or in any penal and/or reformatory institution is hereby prohibited. The provisions of this act, and all other regulations and laws in this State in effect at that time and not inconsistent with this act, shall apply to all goods, wares, and merchandise manufactured or mined, wholly or in part, by convicts or prisoners (except prisoners on parole or probation) or in any penal and/or reformatory institution and transported into the State for use or distribution, to the same extent and in the same manner as if such goods and merchandise were so manufactured, produced, or mined within the State.

SEC. 4. *Contracts forbidden*.—It is hereby declared unlawful for the State or any of its officers or agencies or any of the towns or cities thereof, to enter into

⁷ See Bureau of Labor Statistics Bulletin No. 596, p. 142.

⁸ *Idem*, pp. 103 and 104.

any contract or other arrangement for the labor of any of the several penal and/or reformatory institutions of this State, except as herein provided.

SEC. 5. *Goods produced in public welfare institutions.*—For the purposes of this act the provisions of section 3 relating to sales on the open market shall not include the sale and/or the exchange of convict-made goods produced in the public welfare institutions of this State to or with other reformatory and/or custodial institutions for their own consumption or use nor the sale of goods, wares, and merchandise to any department, institution, or agency of any State or its political subdivisions.

SEC. 6. *Kinds of articles produced.*—The State public welfare commission shall cause such articles and materials as are used in the offices, departments, or institutions of the State and of the several cities and towns to be produced by the labor of inmates in the public welfare institutions and from time to time shall notify the State purchasing agent, managing officer of any State office, department, or institution having the duty of purchasing articles and materials for any city or town, what articles and materials are being produced in the public welfare institutions. This notification shall describe in detail such articles and materials, giving the style, size, design, or quality and any other information necessary to properly describe such articles and materials.

SEC. 7. *Requisitions.*—When the State purchasing agent or managing officer of any State office, department, or institution, shall have had occasion to purchase any article or materials similar to those produced in the public welfare institutions and notification of such production had been given him, he shall make requisition therefor to the State public welfare commission, the provisions of any statute, resolution, rule, or regulation to the contrary notwithstanding. The requisition shall conform to specifications and description previously submitted by the commission unless it appears that special style, design, or quality is needed, and shall be on forms provided by the commission. If said articles or materials are needed immediately and are not on hand the commission shall forthwith notify the requisitioner and he may purchase elsewhere.

SEC. 8. *Bill to be accompanied by certificate.*—No bill for any such articles or materials purchased for the use of State offices, departments, or institutions, otherwise than from a public welfare institution, shall be allowed or paid unless it is accompanied by a certificate from the commission showing that a requisition therefor has been made and that such goods cannot be supplied by it, the provisions of any statute, resolution, rule, or regulation to the contrary notwithstanding.

SEC. 9. *Price of articles supplied by public welfare institutions.*—The price of all articles and materials supplied by the public welfare institutions shall conform as nearly as practicable to the wholesale market rates for similar goods manufactured elsewhere. Any difference of opinion in regard to price shall be submitted for arbitration to a representative of the commission, a representative of the requisitioner, and the State commissioner of finance, and the decision of a majority of them shall be final.

SEC. 10. *Committee to be appointed.*—The governor shall appoint in pursuance to this act, a committee on prison industries, consisting of 2 representatives of industry, 2 of labor, and 2 of the public to serve without pay and at the pleasure of the governor of the State, the chairman of the State public welfare commission, or agent delegated by him, shall be a member *ex-officio*, their duties and responsibilities to be as the governor shall from time to time designate, but shall always be for this general purpose:

To find ways and means of employing prisoners without increasing the tax burden and without unfair competition with free labor and free industry; and

To provide through such employment, practical training in the industrial, farm, and maintenance activities, with proper emphasis upon the necessity for coordination with the general program of the prison for rehabilitation of the inmates.

SEC. 11. *Purchase of commodities by subdivisions of the State.*—The committee on prison industries shall call from time to time meetings of the purchasing agents of subdivisions of this State with the State purchasing agent and the State public welfare commission to develop standards for commodities manufactured and produced by penal industries and to prepare and secure compacts or agreements as to the purchase of commodities by them from the penal institutions so as to aid the service afforded them in the conduct of the institutions under the State public welfare commission.

SEC. 12. *Standards of production.*—The State public welfare commission and the committee on prison industries shall cooperate in establishing certain standards of production and shall by consultation and meeting with the managing officers and purchasing agents of State and municipal offices, departments, and institutions, determine the style, design, and quality of articles and materials to be made.

SEC. 13. *Special orders.*—If articles or materials of a different design, style, or quality than those produced are needed, by any State department or institution, the State public welfare commission may, if a sufficient quantity is needed, arrange for the manufacture thereof on special order.

SEC. 14. *Penalty.*—Any officer who willfully neglects or refuses to comply with the provisions of this act relative to the purchase of articles and materials from the public welfare institutions shall be punished by a fine of not more than \$100 for each violation.

SEC. 15. *Effective date.*—[July 1, 1934.]

South Carolina

[The act number assigned to session laws of South Carolina 1933, as shown on page 105, Bureau of Labor Statistics Bulletin No. 596, should read no. 380 instead of 582, the latter number being merely for use of the clerk of the State senate.]

Virginia

SPECIAL SESSION, 1933—CHAPTER 32 *

SECTION 1. *Purchase of machinery.*—The State prison board be, and it is hereby, authorized and empowered subject to the approval of the governor to expend not in excess of \$75,000 of the funds heretofore appropriated for per diem allowance to prisoners and not yet expended therefor, for the purpose of purchasing equipment and machinery for the manufacture and production of articles, pursuant to the provisions of section 2073 of the Code of Virginia, but no money shall be used in the purchase of machinery or equipment for the manufacture of brooms or mattresses. For the purpose of repaying any money expended under the provisions of this act the State prison board may, subject to the approval of the governor being first obtained, and for such length of time as may be necessary for said purpose, include as a part of the charge allowed to be made for articles manufactured and produced under the provisions of the aforesaid section of the Code of Virginia, an amount sufficient to defray the cost of such machinery and equipment, purchased pursuant to the provisions of this act and used in manufacturing and producing such articles. That part of all charges allowed and collected pursuant to this act shall, until all sums used by the State prison board under this act have been repaid to the fund from which expended, be used for the payment of the per diem allowed prisoners, for which purpose it is hereby appropriated.

* See Bureau of Labor Statistics Bulletin No. 596, note, pp. 115 and 144.

[The blank chapter number used for Virginia, Acts of 1933, as shown on pages 144, 145, 146, Bureau of Labor Statistics Bulletin No. 596, should read "62".]

ACTS OF 1934—CHAPTER 319

SECTION 1. *Sale of convict-made goods prohibited.*—It shall be unlawful for any person within this State to buy or acquire by exchange on the open market, either for his own use or for the purpose of resale, or for any person to sell or exchange on the open market, within this State, any goods, wares, or merchandise prepared in whole or in part, or manufactured, by convicts or prisoners, other than convicts or prisoners on parole or probation, of any other State.

SEC. 2. *Penalty for violation.*—Any person, or any agent or manager for any person, who shall violate any provision of this act shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine of not more than \$500 or imprisonment for not more than one year, or both in the discretion of the court or jury trying the case.

Wisconsin

[In lieu of Acts of 1933 (Wisconsin) as shown on pages 126, 127, Bureau of Labor Statistics Bulletin No. 596, the following should be substituted and considered as the present law in this State]

STATUTES, 1931

SECTION 132.13. *Labels on prison-made goods.*—All goods, wares, and merchandise made by convict labor in any penitentiary, prison, reformatory, or other establishment in which convict labor is employed in any State except this State, and imported, brought, or introduced into this State shall, before being exposed for sale, be branded, labeled, or marked as herein provided, and shall not be exposed for sale in this State without such brand, label, or mark. Such brand, label, or mark shall contain at the head or top thereof the words "convict-made", followed by the year and name of the penitentiary, prison, reformatory, or other establishment in which it was made, in plain English lettering, of the style and size known as great primer roman condensed capitals. The brand or mark shall in all cases, where the nature of the article will permit, be placed upon the same, and only where such branding or marking is impossible shall a label be used, and where a label is used it shall be in the form of a paper tag, which shall be attached by wire to each article, where the nature of the article will permit, and placed securely upon the box, crate, or other covering in which such goods, wares, or merchandise may be packed, shipped, or exposed for sale. Said brand, mark, or label shall be placed upon the outside of and upon the most conspicuous part of the finished article and its box, crate, or covering.

SEC. 132.14. *Enforcement of law.*—It shall be the duty of the commissioner of labor statistics and the district attorneys of the several counties to enforce the foregoing section, and when upon complaint or otherwise, such commissioner has reason to believe that the same has been violated he shall advise the district attorney of the county wherein such alleged violation has occurred, of the fact, giving the information in support of his conclusions, and such district attorney shall at once institute the proper legal proceedings to compel compliance therewith.

United States ¹⁰

Compact of Fair Competition for the Prison Industries

PRESIDENT ROOSEVELT on April 19, 1934, by Executive order, approved the compact of fair competition for the prison industries of the United States.

¹⁰ See also Bureau of Labor Statistics Bulletin No. 596, pp. 131-134.

The compact has been signed by the governors or prison executives of 30 States and by the proper authorities of the District of Columbia and the Department of Justice of the United States. It covers products mined, manufactured, produced, or distributed by prison labor in the signatory States, limiting the hours of labor in prison industries to not more than those prescribed in the code adopted for each industry, and providing that in no case shall prison labor be permitted to work more than 40 hours per week.¹¹ It forbids the employment of persons under 16 years of age in prison industries, and of persons under 18 years of age in hazardous occupations or those dangerous to life. It also provides that prison products shall be sold at prices not lower than the fair current prices prevailing in the market in which the product is customarily sold.

On November 1, 1934, the following States had become signatory to the compact: Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New York, North Dakota, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, West Virginia, Wisconsin, and Wyoming, as well as the District of Columbia and the United States Department of Justice.

Federal Prison Industries

The Seventy-third Congress passed a law (Pub. No. 461) which became effective on June 23, 1934, authorizing the creation of the "Federal Prison Industries."¹² The act supplements an act of Congress approved on May 27, 1930 (46 Stat. L. 391), providing for the diversification of employment of Federal prisoners and for their training and schooling in trades and occupations. The Federal Prison Industries Corporation shall have the duty of determining in what manner and to what extent industrial operations shall be carried on in Federal penal and correctional institutions, diversifying as far as practicable prison industrial operations so that no single private industry shall be forced to bear an undue burden of competition from the products of prison workshops.

The Corporation is authorized to use the "Prison Industries Fund" for the purposes enumerated in the act of May 27, 1930, and also for the payment of compensation to inmates of penal institutions or their dependents for injuries suffered in any industry. Compensation paid shall not be greater than that provided in the Federal Employees' Compensation Act of September 7, 1916.

¹¹ Not applicable to State use, etc. (compact article 6). Does not revoke Federal or State acts restricting sales (article 9).

¹² Board to be composed of representatives of industry, labor, agriculture, retailers-consumers, and Attorney General.

Other Prison Labor Provisions

By an act of June 30, 1932 (47 Stat. L. 382) the legislative appropriations act for the fiscal year ending June 30, 1933, provides that no Government department, etc., shall place any orders for material, supplies, equipment, work, or services where such is furnished or performed by convict labor.

All contracts under the Federal Emergency Relief and Construction Act of 1932 (47 Stat. L. 709) also stipulate that no convict shall be directly employed on any such project.

A similar provision is also carried in the National Industrial Recovery Act of June 16, 1933 (48 Stat. L. 195) as follows:

All contracts let for construction projects pursuant to this title shall contain such provisions as are necessary to insure (1) that no convict labor shall be employed on any such project: * * *