

Jackson County Historical Society News

VOLUME TWENTY ONE, NUMBER TWO

FEBRUARY 2014



Grand Jury inspection of the Jackson County Jail, 1950

The Jackson County Historical Society will meet at the new Jackson County Jail on Sunday, February 16 at 2:30 p.m. A program on the history of Jackson County Jails will be presented by Jerry Legg. All are welcome to attend.

location: The new jail is behind the Jackson County Courthouse, 555 General Jackson Dr. Jefferson, GA 30549. Turn on Jackson Parkway from GA-82 and turn left beside parking lot of the courthouse then go to General Jackson Dr and turn right on General Jackson Dr. to the jail.

Jackson County Historical Society

P.O. Box 1234, Commerce, Georgia 30529

(706) 207-6889

Newsletter

Jackson County Historical Society dues run from September to September and can be mailed to:

Jackson County Historical Society
P. O. Box 1234, Commerce, GA 30529:

Individual –\$15, Family –\$25, LIFE members –\$100

The Historical Society's collection of books, files and research materials are housed in the Heritage Room of the Commerce Public Library.

An index of the collection and newsletters from 1997-2013 can be viewed on the library website:

<http://prlib.org/our-libraries/commerce-public-library/>

The Commerce Public Library is seeking funds to purchase a ScanPro 3000, a microfilm scanner with optical resolution over 500 dpi. This will make the census', newspapers, Confederate pension records and church records much easier to view and print high quality copies. Donations can be made to Scanner Fund, Commerce Public Library, 1344 South Broad St, Commerce GA 30529.

JCHS Officers 2013-2014

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Past Presidents:	the late, Joyce Ethridge the late, Ann A. Jarrett the late, Richard Chambers the late, Jean H. Booth Betty Ann Mathis James Mathis Ralph Freeman Carol Tanner Marie Parks Tina Harris Charlotte Meador Caine Campbell Mary Lynn Bell

November 24th 1806

Jefferson was made permanent seat of the public buildings. The courthouse and jail were built below the now public square

February 7th 1820

A two story court house was built on the public square. The log jail was built on Sycamore Street next to Jack Bell Hotel. It was located where Mikes Grill is now.

excerpt from the North-East Georgian July 7, 1875

The usual quiet of the village of Jefferson was recently disturbed by the breaking out of jail of the three inmates confined therein. Of course, an occurrence so unusual and so wholly unanticipated -- as our well-known jail is considered proof against such accidents--created great excitement, particularly among the villagers. It appears that by means of a crowbar or something of the kind, the prisoners wrenched the grate from its iron fastening, breaking the spike and also a large bar of iron. This done, there was no difficulty in making their escape. Your correspondent, for the information of your numerous readers in Jackson, takes pleasure in stating that an examination of the heavy logs into which the spikes were driven, shows the woodwork of the jail to be sound and in a perfect state of preservation. This will be good news to the tax-payers of the County in this day of burdensome taxation, as by a small outlay, our "true grit" old jail that has stood so many storms, can be repaired. The heavy woodwork of the building is as good, as sound and as reliable as when placed there by the original workmen, and with the addition of proper ironing, it is not possible for any "jail bird" however expert, to escape justice. Let those in authority attend without delay to the needed repairs.

August 12, 1876 excerpt from the Forest News

Proposals for Building a New Jail

Will be let, on Tuesday, the 22d day of August next, the building of a new Jail for Jackson County, to the lowest bidder, according to the following specifications, to-wit:

Size, 22x40 feet outside; the foundation, a rock wall three feet thick, two feet high on the highest ground, the balance of the wall built level with that, the rock are and laid in lime mortar, the work good masonry; the inside of the walls filled with rock up to the floor; the sills 12x12 inches, 10 feet long; the sleepers, 1x10 inches; laid four inches apart, filled with rock between them. The walls built double timbers 10x10

inches; the side logs the whole length or ship-laped and well holted. The outside walls dowelled with iron pins one inch, six inches long, four to the ends and eight to the sides; the timbers sawed or well hewed, and notched down close. The inside wall same as the outside except dowelling. The space between the walls ten inches filled with skinned pine poles set up end-ways. Two partition walls, to be built single, with six feet space between them, timbers the same size as the other wall timber; inside walls ten feet high, outside walls twelve feet high. The joist 4x8 inches, laid on the inside wall four inches apart. The plates 6x4 inches; three girders, 4x6 inches; plates well pinned down. The boxing sixteen inches, sides and ends. Rafters 2x5 inches; space two feet. The roof built according to mechanical rules, with the usual amount of sheeting well put-on. The shingles all heart-pine, usual length and width, and put on in workman-like style. The flooring and ceiling 1 inches thick, nailed on with 12 penny nails, four nails to the foot on every sleeper and joist. The ceiling on the walls nailed as thick as the floor. The weatherboarding, corner boards, and all outside lumber, to be of good heart-pine; the corner boards 11x10 inches, well put-on; the grates, three on each side, doubled. two in the hall, two to each room, made of 11 inch iron, space one inch put in three inch bar iron, 1 inch thick four feet long, one foot deep. Those in the hall six feet long, all well fastened in the outside walls; those in the inside walls inch and a quarter iron, put in the walls and not into the bar of iron or (as the Commissioners may direct) one iron cell eight feet square, seven feet high, made of 1 1/2 inch bar iron and half inch thick, 1 1/2 inch space between bars, lattice work. The door made on the same style as the doors to the cells of the Clarke county jail. The grates put as near the overhead ceiling as possible. One outside door, cut four feet and three inches wide, five feet high, facing made of white oak, sawed 6x15 inches, pinned on with iron wedge bolts one inch square, one to each log, fifteen inches long, (for model, apply to the Commissioners) casing to be 11x10 inches, nailed with 12 penny nails, one nail to the square inch. One inside door to each room, cut 4x4 feet, faced and bolted, cased and nailed same as the outside door. The outside door double wood, the inside iron and the partition doors to be iron all made and hung on the same style with the same kind of hinges, hasp and locks that are on the Jail in Clarke county. The partition walls not ceiled, the plank all well dried; the outside dressed and well painted white with three coats of paint.

W. M. SEYMOUR, W. J. HAYNIE, SR, W. G. STEED

Commisssoners July 22, 1876

excerpt from Forest News, September 16, 1876

County proposes to raise money to build a new jail and to purchase site for jail. Cost \$2,687.60

excerpt from Forest News, September 30, 1876

Contractor, John Kittle, is about to commence work on the Jail. He has located a steam saw mill near town where lies some excellent timber. He has an experienced rock-mason, Mr. John Richards of Clarke county. The rock was quarried near Academy Church.

excerpt from Forest News, December 23, 1876

The new jail was completed on Thursday

excerpt from the Forest News, May 7, 1880

During the last year of the reign of our county commissioners they built our new jail. The two points most desired by them in its construction were economy and safety, to attain these ends members of the commission visited various county jails and then matured a plan embodying the good points of each particular edifice, with their own ideas upon the subject thrown in. The result was the present structure. The two points so much desired were supposed to have been reached its cost was reasonable and it was suppose to be secure enough to hold the most desperate of jail birds.

This dream about the security of our much locked jail was almost universal, now and then somebody would express his doubts but no attention was paid to the creaker. The whole matter was settled last Tuesday by the departure of Jim Williams and Jim Johnson, from its wall without leaving or notice. Both had been placed in jail since court and were allowed to use the corridor during the day but were locked up in separate cells at night.

While allowed to remain in the corridor in the day time they discovered that its ceiling of sawed logs were loose and that they could be raised, they went to work and soon had one of these so that they could get in between the upper and lower ceiling, this making it an easy matter to get to the grates of the outside wall, they tried these and selected the one most easily removed to remove this was an easy matter, as it was not fastened, and only let into the wall in such a manner as to prevent its removed from the outside, one end of this was pushed until it struck the inner wall and their road to liberty was free from obstructions.

Knowing that when Sheriff McElhannon, who is also

the jailer, came at dark to give them their supper and lock them up, they would have no further chance, they must have escaped about dusk, and had not been gone long when he went to feed them at dark.

Their escape has revealed the fact that the jail is not much more secure than the old one. Situated as it is alone in an unfrequented portion of the town, it is an easy matter for friends or outside parties to convey tools to those inside, and with nothing but a crow bar a person could make his exit in a few hours.

The whole upshot of the matter will be that we will have to build a new jail in a few years, until then it will have to be watched whenever it is desirable to keep a person until court.

excerpt from the Jackson Herald May 9, 1884

Wednesday morning Tom McElhannon opened the jail as usual to feed his prisoner, George Griffeth, col'd, who was in the cage, when the latter rushed past him and made for the open air with Tom in his wake yelling like a Comanche Indian. Tom threw a lock at him and knocked him down, but he regained his feet and redoubled his speed before Tom could get to him. George was making for the timber behind the Methodist church when he was spied by George Mabry, who taking in the situation at a glance, and remembering his war training, picked up a stick and bringing it to an "Aim Fire," ordered Griffeth to Halt, which he did, when Tom came up and marched him back to jail. This is the first escape that has been made from the cage and only proves what we have all along said, that the old hulk was not worth shucks. Griffeth had succeeded in getting out by breaking the locks off, and then putting them back on just as if they had not been tampered with while he stood behind the door until Sheriff McElhannon entered the room that the cage is in to feed him. If we want to keep our prisoners, it will be absolutely necessary to build a new jail in the near future.

excerpt from the Banner-Watchman, December 21, 1886

New jail and jailor's house was contracted by McDonald Brothers, Louisville, KY for \$9000. Jackson county granite will be quarried near Jefferson.

excerpt from the Jackson Herald, April 1, 1887

Mr. McGinty will construct the new jail under McDonald Brothers

excerpt from Jackson Herald, June 24, 1887

New Jail completed

excerpt from Jackson Herald, August 22, 1902

Grand Jury recommended building a new jail on old site

excerpt from Jackson Herald, January 30, 1903

The new Jail is completed

excerpt from the Jackson Herald, February 15th 1906

The old county jail which has been used as a calaboose for several years, together with two negro tenant houses, was burned to the ground last Sunday morning.

The fire was discovered about 2 a.m. by Ance Moon, colored. The fire alarm was given, and soon a large part of the population of Jefferson was out, and a bucket brigade was soon organized by Sheriff Stevens and Mr. R. R. Barber. Parties went to the top of several buildings that were in danger, and water was handed to them in buckets, and the tops were kept wet, and thereby a great fire was prevented. It did seem at one time that the Randolph residence would catch in spite of the heroic efforts of the fire fighters, but the roof was kept thoroughly saturated with water. A strong northeast wind blew constantly, which literally covered the roof of the building at times with sparks.

The tenant house of Mr. J. P. Kelly was saved by the bucket brigade keeping the wall and roof wet all the while. The old calaboose was built of pine logs, and it burned from 2 a.m. until about 11 a.m.

There was \$500. insurance on the calaboose, but no insurance on the two tenant houses.

There is little doubt that the "boose" was set on fire. Two negroes were put in there Saturday afternoon and during their incarceration one of them touched a match to some bedding at three different times and the other negro extinguished the fire. When Anderson Miller was released Saturday night he declared he would fix it so that he would never be put back in the "lock up". The grand jury has indicted him for arson and he is in jail and will be tried this week.

The calaboose was erected in 1876 by this county and was used as the county jail for a number of years. The calaboose was strongly and substantially built of solid logs and weather boarded on the outside and celled on the inside, and was over two hours in being consumed by the roaring flames. Two nearby tenant houses, for-

merly owned by the estate of James E. Randolph, Sr. and occupied at the time by negro tenants, caught fire from the burning calaboose and were totally destroyed.

excerpt Jackson Herald February 14, 1907

SUPERIOR COURT

**Four Murder Cases Tried; Four More on Docket
Court is Disposing of Business with Dispatch. Judge
Brand Giving Good Satisfaction as a Judge**

Court convened Monday morning exactly at 10 a.m.

Fifty jurors were sworn. They were divided into five panels, with 12 in each panel, except the fifth, which had only two men in it.

Judge Brand had the prisoners all brought out of jail. In each case where party was charged with murder, the list of witnesses for the state and defense was called. Where some of the witnesses were absent, he had a rule issued against them, and sent a bailiff after them. In cases where certain witnesses had been subpoenaed and were absent without leave, Judge Brand said that they would be fined \$250. each, or be confined to jail for six months. "These cases are going to be tried"

The first case called for trial, was the case of The State vs. Coke Hunter, charged with the murder of John Haynie. Solicitor Tribble was assisted in prosecution by Col. T. J. Shackelford, while the defense was represented by Cols. Geo. C. Thomas and J. A. B. Mahaffey.

The jury was obtained in less than an hour, and consisted of the following persons: M. W. Caruth, Wm. S. Smith, W. M. Thurmond, H. G. Cosby, R. E. Lord, J. F. Hale, L. F. Whitmire, H. T. Gee, J. W. Richmond, F. M. Vandiver, H. S. McDonald, V. L. House.

There was an immense crowd in the court room when the trial began.

Solicitor Tribble stated just what the state proposed to show, and witnesses were called. The state showed that on Dec. 9, 1905, about 10 p.m. at a dance at Jack Daniel's a pistol shot was heard in the yard, and a man said, "Oh, he has killed me." Parties rushed to the man who was shot. It was John Haynie. He was fast sinking to the ground. He was asked who shot him, and he said, "Coke Hunter." The state showed that at the dance, Will Edgar and Coke Hunter began fighting just outside the house. Hunter reached in his pocket, and Edgar rushed on him and threw him down. He was on top of Hunter. About this time, Edgar said, "Boys, he has got my finger." Edgar began to hit him over the head with a rock, and he turned

Edgar's finger loose. Directly Edgar cried out "He has cut my throat." Haynie and Guy Thurmond were present. Thurmond said, "Boys, fight fairly." They wrenched a rock out of Edgar's hand and a knife out of Hunter's. Columbus Hunter, brother of the defendant came out of the house. The men who were fighting were separated. Columbus Hunter drew a piece of scantling raised as if to strike. He had it raised over Haynie, who said, "Do not hit me; I have nothing to do with it." When Haynie made this plea he was holding up his hands. He continued running backwards and said, "Don't hit me." A pistol flashed. It was Coke Hunter who fired. The ball penetrated the bowel of Haynie, who cried out, "Oh he has killed me." He put his hand to the wound, and began to fall. He was caught by Bud Wages, who asked, "Who shot you?" He said "Coke Hunter," and expired. It was also shown that after he died a quilt was brought to put under him. No pistol was found on him.

The defense showed that Will Edgar went in the house and asked Hunter out. When they went out of doors, they came on John Haynie and Guy Thurmond. The latter offered Hunter a drink. Edgar said, "It is not a drink, but this, that he wants," at the same time hitting him over the head with a rock and knocking him down. Hunter got up and got his knife from his pocket, but was thrown down again. One witness swore that Edgar was on Hunter, while Haynie was holding his hand and kicking him in the side. Another swore that Edgar and Thurmond were both on Hunter. Herman Hammonds went in the house and told Columbus Hunter that "Three or four are on Coke." Columbus ran out of the house and pushed Edgar from Coke, as he did so he picked up a piece of scantling. Haynie then drew a pistol on Columbus, and said, "You move and I will kill you." Just then a pistol fired. Haynie was shot and soon died. The dead man had cartridges, a razor and an open knife in his pocket and a pistol was some few feet away from him after he was killed. It was shown that Haynie and Edgar had been drinking. The defense contended that there was a conspiracy between Edgar, Haynie and Thurmond against Hunter. The state very emphatically denied this, but contended that Haynie only tried to separate Edgar and Hunter, and that he had nothing to do with the difficulty.

The defendant here made his statement, as follows: I have not got much to say. I'll try and tell you the best I can. On Dec. 9, 1905, I was at Statham, and Haynie asked me if I was going to the dance. I told him I did not know

where it was. He said it was at Jack Daniel's. I then told him I thought I would go. Will Edgar also told me about the dance. Father and I rode up the road together, and I took supper. I went to the party. Soon after I got there, Will Edgar touched me on the shoulder, and said he wanted to see me. I went out, and Guy Thurmond and John Haynie were out there. Guy offered me a drink. I refused. Will Edgar then drew back and said, "This is what you want, and hit me over the head with a rock. I then tried to get in the house. They pulled me back. We had a tussle, and Guy and John threw me on the ground, and Will Edgar got on me before I fell to the ground and held my head and kicked me in the side. Directly I got up. A pistol pointed at me. I did not know who pointed it and I fired. I thought it Edgar. That is all I have to say."

On rebuttal of the state, it was shown that Haynie was constable of Sante Fe and Marshal of Statham. That he sold his pistol about two weeks prior to the killing, and borrowed a .41 Colts from R. H. Wall. It was shown that this pistol was in his room under a pillow the morning after the killing. It was shown that the pistol on the ground near the dead man was an Ivey Johnson, and that it was not on him nor in his pocket when he was killed. It was a very interesting trial, and quite a solemn one. Only twice during the progress of the entire trial was there much laughter. Will Edgar had testified that after he and Coke had fought that he started to the wood-pile to get something to defend himself with. The solicitor asked, "Now, Will, did you not get behind that wood-pile?" Mr. Edgar crossed his legs quickly, looked at the judge, rubbed his face and said, "Yes, I did." (laughter)

Another time Edgar testified that it was his whiskey Thurmond offered to give Hunter a drink of. Judge Thomas asked, "Where did you get that whiskey?" He then quickly changed the question, and asked, "When did you get the liquor?" Edgar replied, "Before I went to the dance." Judge Thomas: "Was it good whiskey, or bad?" Edgar: "It was pretty tough." Judge Brand then interrupted: "you say you will not insist on his telling you where he got it?" Judge Thomas said, "No sir, Your Honor we'll let that go." Judge Brand turned to Mr. Edgar, and asked, "That liquor didn't come from the dispensary, did it?" The witness answered, "Yes, Your Honor, that is just where it came from." (laughter)

Solicitor Tribble and Col. T. J. Shackelford made very able arguments for the state, while Mahaffey and Thomas made powerful pleas for the life of the defendant.

After Judge Brand delivered his charge of murder to the jury, they returned to their room, and the case of The State vs. W. E. Bolton was called.

Both the state and defense announced ready. Solicitor Tribble is assisted by Col. J. A. B. Mahaffey, while the defendant was represented by Cols. H. S. West, G. C. Thomas and J. F. Holmes.

Bolton is a young man about 30 years old and small of stature. He has a family, consisting of wife and four little children. The dead man was also the father of a family of 5 little girls.

The testimony of the state showed that on Friday night, Feb 1, W. E. Bolton went to Statham on the train. He walked about town some. One witness testified that Marshal Hammonds said to Bolton at the depot, "Billy, unless you get out of town, I will have to put you up; it is my duty as an officer to do so." About night Bolton was in a store, and seemed to be drinking. Some young men sang several songs, and he said that such cutting up in Statham gave that town such a bad name, and that the marshal was no good. At train time that night he was at the depot, and made inquiry where his kin folks lived. He was told where Jack Harper, his brother-in-law lives. He was seen to go up the railroad with John Harper. A few minutes after he went up the railroad, Marshal Hammonds was seen to start up the railroad also. In just a little while, pistol shots were heard. W. P. Dooley went to the place where shots were heard, and found Hammonds lying by the railroad track dead. The marshal had on no uniform, but an overcoat. His Billy was on his left arm, and pistol in his right hand overcoat pocket. That night about 12 o'clock Bolton went to a man's house about five miles in the country, where Ed Sykes once lived and made inquiry for Mr. Sykes. On being told he did not live there, he told the man who lived there to tell Sykes that he had shot a man in Statham, and that he was told that it was the marshal. This man went to Statham next day and told what Bolton had said to him. N.W. Parker went to search for Bolton and found him in a seed house at his father in-laws. Bolton had lap robe thrown over legs and a pistol in his hand. Parker told him that Hammonds was shot but that it was only a flesh wound. Until Parker told him that, the man defied arrest. He then threw cartridges out of pistol, when Parker arrested him and carried him to Statham and put him in calaboose. Here he talked to several and told the following story: "That night he walked from the depot with John Harper. Harper went

after a coca cloa. While he waited someone grabbed him on the shoulder and said "Go with me" Bolton said he did not know who it was and pulled away. It was then that Bolton shot man twice and as he fell said "you have hurt me and hurt me bad." He was brought to Jefferson Saturday afternoon by Sheriff Collier and lodged in jail to await the action of court.

The defense offered nothing except the statement of Bolton, as follows: "In the first place, on Friday evening I left home to go to Mr. Michael's, my father-in-law. My wife had been sick several weeks. I had a job in machine shops and tried to fill my time there. I started to my father-in-law's to see if he would not give me some help. I got off the train at Statham. Some boys were on the streets singing. I heard some one speaking about it and said it looks like they ought to have a marshal to stop the fuss. I met John Harper an started up the railroad. He went to get a coca cola. Someone caught me and struck me over the shoulder with a stick. I pulled loose and he caught me again and tried to hit me and I shot him."

The jury rendered the the sentence of involuntary manslaughter with out leaving the box.

The Judge said that Bolton might have known that the person who overtook him was an officer but the evidence didn't show it. The decision of the supreme court is when a officer attempts to make an arrest and gets killed that the person who does the killing is quilty of involuntary manslaughter and not murder.

The Judge said that an officer has no right to arrest a person without a warrant and Hammond had none against Bolton.

The judge gave the defendant a lecture and and told him he escaped hanging on a technicality and that he had dyed his hands in the blood of his fellow man without cause and without justification.

The next murder case called was The State vs Charlie Westbrook, colored, charged with killing Jim Tuck, another negro. The negro had no counsel, and the judge appointed Cols. G. A. Johns, P. Cooley and J. F. Holmes. Col. Cooley being too ill to engage in the case, the judge asked Col. Mahaffey to aid the attorneys for the defense. The Solicitor had no one to assist him in the prosecution. The evidence showed that on Nov. 10, Charlie Westbrook and Jim Tuck had a difficulty at the dinner table, in which Tuck grabbed Westbrook in the throat, and picked on his head with a fork. They were separated. A half hour later they met and clinched, in which condition Charlie West-

brook shot Jim Turk twice. He died in a few minutes.

The case of the State vs R. L. Queen was called Wednesday. Solicitor Tribble was sided by Col. J. F. Holmes while Col. L. C. Russell represented the defendant.

The evidence of the state by some colored witnesses was that on Nov. 20, 1905 at a corn shucking at F. L. Sims, that R. L. Queen, a young white boy just 17 years old, hit Albert Camp, colored, over the head with a rock and killed him.

The defense showed that on the night the negro was killed the question was asked if any one saw it. No one claimed to have seen it and coroner was sent for. He came next day, and asked if any one saw the killing. All said that no one saw it; and it was not until later in the day that Malcom Johnson; col., said his brother claimed that they saw the killing and no inquire was held. One witness said that he was right by Queen's side at the corn shucking when the killing concurred and that Queen had nothing to do with it.

Queen made a statement as follows: I am accused of throwing a rock at this negro, but I did not throw a rock at him. I was 10 or 12 feet from Camp when he was hit. He was not unfriendly to me, and I was not unfriendly to him. I do not know what this negro Malcolm Johnson has got against me, unless it is because my folks ran out of this county Malcolm Johnson's brother for trying to break in a window of an unmarried young white lady in Winder. I am not quilty of the charges.

The jury in the case of The State vs Coke Hunter rendered a verdict of involuntary manslaughter. Hunter will be sentenced today to the penitentiary not less than one year nor more than three.

W. E. Bolton will be sentenced Friday. He can not be sentenced for less than one year nor more than twenty.

Charlie Westbrook, colored, was found quilty of voluntary manslaughter, and given a sentence of 20 years.

The solicitor and Col. Russell agreed on the Queen verdict: Involuntary manslaughter in the commission of an act with out due caution and circumspection." The jury then unanimously agreed to the verdict. Some of the jurors said "Make it as light as possible." The Judge said that the law must protect negroes, as well as white people, but that he had serious doubts about Queen doing the killing . He sentenced the young man to 12 months in the chain gang or pay a fee of \$100, including cost.

Jackson County Historical Society

P.O. Box 1234 Commerce, Georgia 30529



What remains today of the Jefferson Calaboose on College Ave after the fire of 1906