



ESCAMBIA ECHOES

February 22, 1978

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The Escambia County Historical
Society
P.O.Box 276
Brewton, Alabama 36426

Editor - Secretary,
Carolyn Pugh McLendon

ANNUAL DUES - \$6.00 NOW DUE

NOTICE OF MEETING:

Tuesday, February 28, 1978, 7:00 p.m.
Brewton Public Library

Program - Color Slide Presentations entitled
"ALABAMA COURTHOUSES" and
"150 YEARS OF ARCHITECTURE IN
ALABAMA"

These slides are on loan to the Society from the Alabama Historical Commission and were published by the Alabama Council of The American Institute of Architects, Montgomery, Alabama, and partially funded by a grant from the Alabama State Council on the Arts & Humanities and the National Endowment for the Arts, Washington, D.C. Harvie P. Jones, AIA Chairman, Historic Preservation states, "What do buildings of the past mean to us today? By better understanding the past, we can better understand ourselves and the present. What could be more relevant than understanding ourselves better? Buildings of the past visually enrich our lives with forms which will never occur again. They speak to us of their own time, society, technology, and outlook on life. Buildings are a direct reflection of the people that created them. They teach us that people of any and all periods have both virtues and shortcomings, just as we have today. Therefore, when we learn more about the buildings of earlier days, we not only become more proud of the accomplishments of our own times, but also more understanding of the mistakes of our own times."

This color slide presentation shows lovely homes of unusual and beautiful architecture across the state, and many of the early day courthouses.

Gift for Museum: Charles C. Sherrill, Attorney at Law, Pensacola, has presented the Society with a copy of "The Emergence of A City In The Modern South: PENSACOLA 1900-1945" by James R. McGovern, published in 1976.

New Members: Mrs. Ella D. Allen, 4360 Royal Palm Avenue, Miami Beach, Fla.
Mrs. R.D. Pope, Sr., 2407 Cypress Garden Road, Winter Haven, Fla. 33880
Mrs. John R. Campbell, 750 New York, Melbourne, Fla. 32904

New Members: (continued)

Dr.Kenneth Hannon,1600 Centre St.,Mobile, Al.36604
 Dr.W.J.Donald,Rt.3,Box 572E, Wetumpka,Al.36092
 Mr.Wm.R. Armistead,611 Wesley Lane E.,Mobile,Al.36609
 Mrs.Elaine Thompson,Rt.1,Box 298,Fairhope,Al.36532
 Mr.James J.Jolley, P.O.Box 274,Daleville,Al.36322

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MUSEUM FUND: Present Balance in Account - ---- \$ 93,017.59
 Additional Committments ----- 21,100.00
 Paid out to college to date for
 construction costs since 1/1/78- 72,333.00
 \$186,440.59

BALANCE TO BE RAISED FOR MUSEUM -- 13,559.41

MEMORIAL DONATIONS:

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Mississippi

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I am sure many of you have noticed that some are making memorial donations month after month and we hope that each of our members will express appreciation individually to these people, and most especially to the McMillan family members who have contributed the bulk of our museum funds. Bert Campbell, our Treasurer, with Betty's help is sending written expressions of gratitude from the Society for each contribution, but verbal expressions are always more meaningful.

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CAPITAL PUNISHMENT, ESCAMBIA COUNTY, ALABAMA

Information supplied by Watt Espy, Box 6205, University,
Alabama 35486, who is doing research for a
book on Capital Punishment in the United States.

Note: Mr. Espy states that according to records, no person sentenced from Escambia County has been legally executed since our State began electrocuting all of its condemned felons at the State Prison in 1924. Prior to that year persons sentenced to die in Alabama were hanged locally by the Sheriffs in the Counties of their convictions and no State Departments or Agencies maintain a listing of those earlier, local executions. Any information that would help Mr. Espy in his research would be appreciated by him.

The NATIONAL POLICE GAZETTE for Nov. 16, 1878, states that a black man named Henry Golden was hanged at Pollard for a rape committed on the person of an 18-year old white girl. He made a brief address to the spectators, numbering about 500 persons both black and white, in which he made no allusion to the crime but stated that he was prepared to die. Two colored ministers attended him to the scaffold and gave out a hymn which was sung by the colored spectators. A short prayer was then offered and the black cap was pulled over his head. The cord holding the trap was cut at 1 o'clock. As Golden's neck was not broken by the fall, he died of strangulation. Probable date of this execution was November 1, 1878.

The Birmingham News: "Brewton, Alabama, July 8, 1893 - Amos Hodge, colored, was hung here on July 7, 1893, for the murder of Rose Stainback, colored. The deed was committed January 21, 1891. He coolly walked to the woman's house and put a load of buckshot in her. He was tried, found guilty of murder and got a new trial. The second trial went the same way and he was hung accordingly." According to Alabama Reports 97, page 37, what evidently happened is that Mrs. Stainback was slated to testify against Hodges in another Court action. He had made a number of threats against her life and in February, 1902 (the News gives the date as January 21, 1891), he went to her house and shot her with one barrel from a double-barreled shotgun. Naturally, in view of the difficulty between them and the fact that he had uttered threats against her life, he was arrested on suspicion. His shoes matched tracks

found at the scene and by them were some calico scraps and tissue paper that had been used as wadding in the gun. When Hodges' house was searched, a double-barreled shotgun was found concealed. One barrel had been fired and in the other was found wadding that matched that found at the Stainback house as well as buckshot similar to some found in a plank on the house behind Mrs. Stainback's body. At his trial, Hodges refused to affirm or to deny that he had killed her in response to a direct question, and, in his summation to the jury, the Solicitor said that this was tantamount to an admission of guilt. In spite of the objections of the defense attorney, the statement was allowed to stand and the defense took an exception. On appeal, the Court's ruling on this particular exception was sustained by the Alabama Supreme Court but it overturned the conviction and ordered a new trial because the trial judge had refused to give the following defense requested charge to the jury: "That a reasonable doubt is defined to be a doubt for which a reason could be given." Hodges was subsequently tried again, and, presumably the desired charge given to the jury. Once again he was convicted, the sentence of death assessed, and he was accordingly hanged on July 8, 1893.

--Watt Espy
Law Library
Box 6205, University, Al.35486

HANGING AT BREWTON
May 13, 1904

On October 22, 1903, a black man, Charles Manfus Kelly, who lived at the turpentine quarters at Wallace, Escambia County, Alabama, while in a drunken stupor first shot their cat, then shot his wife three times. He was tried and found guilty. He said that he did not remember having shot his wife. Before he was hanged he was asked if he was ready, and he replied, "I've been ready since October 22nd, you have got hold of the rope." The hanging took place on May 13, 1904, behind the first courthouse at Brewton, now known as The Leigh Place. Mr. Crook, the father of Mrs. M.G. (Annie Creeo) Waters, attended the hanging and the incident was so repugnant to him that thereafter he refused to serve on a jury during a murder trial because he could no longer believe in capital punishment.

Charles Manfus Kelly was reputed to have killed a man and a woman in Georgia before coming to Escambia County.

Recorded from information supplied by Mrs. Annie C. Waters on January 4, 1976.

-- Carolyn Pugh McLendon

You got it from your father, it was all he had to give,
So it's yours to use and cherish for as long as you may live.
If you lose the watch he gave you, it can always be replaced,
But a black mark on your name, son, Can never be erased.
It was clean the day you took it, and a worthy name to bear,
When he got it from his father, there was no dishonor there.
So make sure you guard it wisely, after all is said and done,
You'll be glad the name is spotless, when you give it to your son.

..Anonymous..