"Dug Way to Liberty": Newspapers, Prison, and Jim Crow in Georgia in The Early 1900s

Avery Elise Gross

Follow this and additional works at: https://egrove.olemiss.edu/etd

Recommended Citation

This Thesis is brought to you for free and open access by the Graduate School at eGrove. It has been accepted for inclusion in Electronic Theses and Dissertations by an authorized administrator of eGrove. For more information, please contact egrove@olemiss.edu.
"DUG WAY TO LIBERTY"

NEWSPAPERS, PRISON, AND JIM CROW IN GEORGIA IN THE EARLY 1900s

A Thesis
presented in partial fulfillment of requirements
for the degree of Master of Arts
in the Department of History
The University of Mississippi

by

Avery Elise Gross

May 2023
ABSTRACT

On April 15, 1907, twelve Black and white convicts escaped from the Durham Mines prison camp located on Lookout Mountain, Georgia. Over the next month, newspapers throughout Georgia and in neighboring states reported the escape and discussed the recapture events. Within five days of the prison break, the local white community recaptured all nine Black convicts. None of the white convicts were caught. As this thesis investigates the lives, crimes, and recapture of all twelve prisoners, it connects the convict lease prison system with the newspaper media to understand the impact of white supremacy ideology and the repressive systems that constrained the lives of Black Americans at the height of Jim Crow segregation in the South.
ACKNOWLEDGEMENTS

I express my deepest appreciation to my advisor, Dr. Ted Ownby, and my committee members, Drs. April Holm, and Paul Polgar. I would also like to thank the Georgia Archives’ archivists and the many county archivists and county clerks throughout Georgia who helped me gather primary sources. They are the heroes behind the research, and I am so thankful for their dedication, resources, and communication. Thank you to the Neff Memorial Fund committee for financing my research trips as well.

I would like to specifically thank Keith from CourtHouseHistory.com for allowing me to use their image of a postcard showcasing the Warrenton courthouse established in 1854. I would also like to thank Howell Newton for both being willing to take an impromptu phone interview and for sending me pictures highlighting the various aspects of the Trio Manufacturing Company.

In addition, I am so thankful for the support I received throughout the thesis writing process from my husband, Spencer Gross. He applauded my work every step of the way and never made me feel like my work was a burden despite the many evenings I had to disappear into my computer. I thank my undergraduate thesis advisor Dr. Alicia Jackson, my parents, Tom and Sherrie Drury, and my sister Madison, who encouraged me to pursue a graduate degree in history and continue to support me in my academic endeavors.

Lastly, I acknowledge the collegial support from my graduate cohort. Graduate school is not easy, but you made it fun.
# TABLE OF CONTENTS

ABSTRACT .................................................................................................................................. ii

ACKNOWLEDGEMENTS........................................................................................................... iii

INTRODUCTION.......................................................................................................................... 1

BACKGROUND.......................................................................................................................... 7

I: “TWELVE OF GEORGIA'S BAD MEN ESCAPE FROM DURHAM”................................. 16

II: “HOWARD BRYAN CAPTURES 3 ESCAPED CONVICTS”.............................................. 25

CHARLES JONES.................................................................................................................. 29

SAM LOFTON...................................................................................................................... 32

WILL GREEN......................................................................................................................... 35

MAT DUBOSE....................................................................................................................... 39

III: “POSSE SHOOT INTO CONVICTS”............................................................................ 47

VIRGIL GATES...................................................................................................................... 51

TOM FULLER....................................................................................................................... 59

MAJOR SCOTT..................................................................................................................... 65

IV: “CAPTURE OF NEGRO PREACHER CONVICT”.................................................... 72

SAM JOHNSON.................................................................................................................... 75

V: “THIS ACCOUNTS FOR ALL OF THE NINE NEGROES WHO ESCAPED”............. 89

ROBERT TURNAGE............................................................................................................. 90

JAMES KING....................................................................................................................... 95
CHARLES CLARK.................................................................................................................. 99
CONCLUSION.......................................................................................................................... 107
BIBLIOGRAPHY....................................................................................................................... 113
  PRIMARY SOURCES........................................................................................................... 114
  NEWSPAPER SOURCES...................................................................................................... 120
  SECONDARY SOURCE......................................................................................................... 132
VITA........................................................................................................................................... 139
INTRODUCTION

On the evening of Monday, April 15, 1907, Sam Johnson waded through the cold water that had accumulated in the mines. The foothills of the Appalachian mountains consisted of soft crumbly coal and porous limestone. Sections of the mines often flooded, sometimes up to the convicts' ankles, other times to their waists. But the flooding did not stop Johnson. The convicts at the Durham Coal and Coke Company mines had to keep working for ten to fourteen hours every day regardless of the water level. Johnson reached into his pocket just to make sure he still had the key to an abandoned section of the mines. Was it luck that Johnson was able to acquire the key, or due to his strategic planning? Regardless, the former preacher did not want to waste the opportunity.

Johnson was not alone. He and eleven other convicts made their way to the abandoned tunnels. It was not too difficult to find the old section as the Durham Mines had electrical lighting throughout. The guards tended to stay near the opening of the mines and rarely, if ever, ventured into the active sections of caves. Johnson and his companions had prepared for this escape. The men brought their shovels and pickaxes. The key fit and the gate opened, revealing a pitch-black empty tunnel. The twelve men shuffled in, identified a weak spot in the rocks, and quickly started to dig their way out. They broke through and saw the evening sky. It might have been the first time in months that the men had seen the setting sun. If they worked the day shift, the men were escorted into the mines before dawn and in the winter months, left the mines after dusk. Pulling himself through the opening in the ceiling, Johnson took a deep breath and inhaled
the clean air. For the first time in two years, Johnson was a free man. Since this portion of the mines was abandoned, there were no guards around. The men broke up into groups and ran down the south side of Lookout Mountain into Georgia. Despite the challenges of coordinating and executing an escape, the difficult part had just begun.¹

Over the next five days, the local community hunted and returned nine of the twelve escapees to the state. The remaining three evaded recapture. The main difference between the two groups was not their ability to outmaneuver the police but rather the color of their skin. All of the Black convicts were quickly returned to the mines. Considering that the 1907 escape attempt occurred during legalized segregation, the multi-racial cooperation between the convicts seemed to break social norms, but the recapture of the convicts fell within the patterns of the Jim Crow society.


Twelve men in total escaped that Monday afternoon. Three of the men were white—Robert E. Turnage, James King, and Charles H. Clark—and nine of the men were Black—Tom Ritchie, Charles Jones, Will Green, Mat DuBose, Virgil Gates, Tom Fuller, Major Scott, and Sam Johnson. The next morning, on Tuesday, April 16th, the *Augusta Herald*, the *Atlanta Georgian and News*, and the *Chattanooga Star* published the first articles announcing the escape to the public and the Prison Commission issued a $50 reward for the recapture of each escaped convict. For the next month, from April 16th to May 16th, newspapers throughout Georgia and in neighboring states covered the escape.²

I first conceived the idea for this project during the junior year of my undergraduate education. As I conducted research for a small primary source analysis paper, I ran into two or three articles discussing the 1907 Durham escape attempt. But the articles I uncovered were riddled with inconsistencies and did not offer a clear timeline of events. I was further intrigued by the escape attempt when I learned that the Durham Mines were located about five miles south of my undergraduate college at the modern-day Lula Lake Land Trust. Although I wanted to unpack the 1907 escape, I first had to understand the convict lease system, so I opted to write my senior thesis on the Durham Mines convict camp, hoping that one day I would have the opportunity to research the escape.

This thesis investigates the events of the 1907 Durham escape attempt and the personal lives of all twelve men involved, focusing on how the newspapers portrayed the recapture events. By tracing the chronology of the white communities recapture of the Black convicts found in

---
both the newspaper archives and the Durham camp records, this thesis demonstrates the impact of white supremacy ideology in the newspapers and local community in the Jim Crow South.

Many scholars inside and outside the historical field have discussed the role and impact of the press during the Jim Crow era. Historian Gregory Mixon, for example, highlighted the influence of white newspapers in his 2005 book discussing the 1906 Atlanta race riots. In addition, many scholars have reviewed the legacy of the Black press as well, especially as it pertains to civil rights issues and Black respectability.3

In recent years, prison history has also started coming into vogue. While scholars have discussed the role of the convict lease system in developing the New South and reinforcing a racial hierarchy, the discussion tends to remain broad, covering a state or group of states. My thesis offers a microhistory that connects the discourses surrounding the convict lease prison

---

system and the Jim Crow press. By focusing on one specific escape attempt and the individuals involved, the thesis places the prison system in the context of the wider Jim Crow South.

For one week in 1907, the local community rallied together to subdue all the Black convicts. They ended their efforts with all nine Black convicts accounted for, leaving the three white convicts to roam free. The dynamic between the Black convicts, the public, and the white convicts provides insight into the relationship between justice and white supremacy during Jim Crow. The newspapers’ vast coverage of the 1907 escape reveals both the need for white supremacy to suppress Black people and the ability of white supremacy to unite local communities to contain Black bodies. The escaped Black convicts posed a threat to white supremacy. A threat that the local white community quickly addressed.

The newspaper archives reveal a lot about the impact of white supremacy ideology. But a fuller picture of the limitations of the deeply unjust Jim Crow society is only exposed as one reviews the individual lives of the convicted men. The biographies aim to create a more robust understanding of the racial dynamics and influence of white supremacy, as they also reinforce the humanity of the convicted men.

To understand the background of the twelve escaped men and the 1907 recapture events, I gathered 161 newspaper articles, sorted through 93 archival documents, including census, court, and prison camp records, and consulted 81 secondary sources. I was in contact with and visited ten county courthouses in Georgia in addition to the Georgia Archives in Atlanta. Lastly, I interlibrary loaned newspaper microfilms from the University of Georgia library and utilized the online archives Georgia Historical Newspapers through the Digital Library of Georgia, Ancestry.com, Newspapers.com, Chronicling America through the Library of Congress, and FamilySearch.org.
Editors and state officials preserved traces of the twelve men in the newspaper and prison archives. But if it were not for the escape attempt, many of these men would be obscured in the historical records. While some men appeared in the census records, few traces remained in the archives outside of their time in prison, and their voices are often lost. In his 2021 book, *The Ballad of Robert Charles*, historian K. Stephen Prince examined how a Black man named Robert Charles brought about the 1900 New Orleans race riots after he shot a white police officer. Through the themes of violence, space, and silence, Prince argued that the riots revealed the social climate of segregation in New Orleans and the limitations of the historical record. Prince concluded that “traditional archives do not preserve all voices equally… He [Robert Charles] was, by virtue of his class and race, unlikely to leave a mark on the historical record. This sort of inequality—the difficulties that black southerners faced in telling their stories—should be understood as its own form of violence.”¹ The Jim Crow archives did not prioritize middle and lower-class Black southerners, often obscuring their existence while dismissing their voice. This study also confronts the difficulty of using sources compiled by white people to understand the lives of Black Americans.

In order to tell the stories of the prison escape and the twelve men involved, it is necessary to use newspapers produced by white editors in the cities and towns of Georgia and, occasionally, neighboring states. And using those newspapers means studying the perspectives white editors had about issues of race and crime. So, this thesis does two things. It studies twelve men before, during, and after they escaped from convict labor in the Durham Mines. At the same time, it studies how newspapers framed their stories and what they chose to discuss and to avoid. The newspapers revealed how white supremacy functioned in the Jim Crow South. They showed

how white locals sought glory through their bravery in the Black convict encounters, money through their persistence in gaining recognition for recapturing the men, and control as commentators encouraged safety measures in response to the Black threat.

BACKGROUND

The 1907 escape attempt falls between two key landmark events in America’s racial history, the Supreme Court's 1896 ruling on *Plessy v. Ferguson*, which legalized segregation, and America's involvement in the Great War, which provided an opportunity for Black Americans to use their military status to lobby for civil rights. *Plessy* validated pre-existing segregation practices and approved further segregation policies. It was not until 1954, with the Supreme Court's ruling on *Brown v. Board of Education*, that segregation was successfully challenged, ending the legal justification for segregation in public schools. From 1896 until 1954, the Supreme Court maintained constitutional justification for the practice of segregating races.

Just as the court decision in the *Plessy* case did not introduce segregation, World War I was not the first time African Americans participated in the United States military. Between *Plessy* in 1896 and the Great War, Black Americans served in the US military in the Filipino-American War. Historian Timothy Russell discussed the relationship between the Filipino War and white supremacy in his article, “‘I Feel Sorry for These People’.” According to Russell, “Given the realities of the conditions at home, where African Americans faced racial violence, increasing segregation, and widespread discrimination," when Black troops arrived in the Philippines in 1899, "African American soldiers often became frustrated over the way white American soldiers treated the Filipinos.” Instead of symbolizing liberation, the Filipino War exemplified “[America’s] ‘civilizing mission,’ as described in Rudyard Kipling’s famous poem ‘White Man’s Burden,’ which sought to justify white racism, cultural chauvinism, and U.S.
imperialism.” The Filipino-American war was built on the ideals of white supremacy and thus undermined the back veterans' protest of their second-class citizenship back home.⁵

In World War I, as in the Filipino-American War, Black soldiers faced racial discrimination despite representing America overseas. Unlike the Filipino War, which promoted imperialism, President Woodrow Willson transformed the purpose of the Great War when he gave his 1918 “Fourteen Points” speech emphasizing peace, the ability for countries to self-govern, and free trade.⁶ Rather than fighting for white supremacy through imperialism, Black soldiers fought for liberation in the First World War. African Americans used the ideals promoted in the Great War to lobby for civil rights. The twenty years between 1896 and 1917 was a period of legalized segregation without the opportunity for Black Americans to use their veteran status to lobby for civil rights. White Americans maintained a monopoly on defining political and social norms, relegating the Black population to the margins of society. In this context of racial degradation, the twelve convicts escaped from the Durham Mines.

The Durham Coal and Coke Company were privately owned coal mines that participated in the convict lease system by renting prisoners from the state to work in the mines. The convict lease system allowed private companies to contract with the state to lease out convicts as laborers under the condition that the lessees would provide for the convicts. By implementing this system in 1868, the state of Georgia avoided raising taxes to care for inmates and added money to its treasury. In the first year of its operation, the convicts labored in dangerous working conditions resulting in the death of sixteen men.


⁶ Woodrow Willson, “Fourteen Points” (Transcript of speech delivered at a joint meeting of Congress in Washington D.C., January 08, 1918), Docsteach.org.
In 1908, the Georgia House and Senate investigated the lease system interviewing 138 witnesses, including inmates, guards, state officials, camp physicians, wardens, and others. The hearings revealed that the previous state inspections did not adequately examine the convict camps. The Joint Committee reported that “one of the two [state] inspectors now employed is more than seventy-three years of age, and he and his colleague do not inspect the mines.” The younger inspector admitted that “he started into the Durham Mines once and went about a hundred yards, when the water and mud were so bad it would ruin the only suit of clothes he had with him, and he abandoned the inspection.” At some camps, the inspectors' examination lasted less than an hour. Without regulations falling rocks, long work hours, and brutal punishments frequently injured the convicts.7

Years before the 1908 investigation, Georgia had passed hygiene, nutrition, and labor regulations to ensure the companies did not mistreat the convicts. But rather than providing a safe working environment, the companies paid off the state employees to prevent them from reporting violations. After discovering that companies added the state-employed wardens and guards to their payroll, the Joint Committee of the Georgia House and Senate recommended abandoning the lease system. The committee concluded that “the State Warden placed himself in a position where he was no longer qualified to disinterestedly advise his superiors.” Because of the bribes, state employees did not report violations allowing companies to exploit labor from their convicts without repercussions.8

---


After the 1908 investigation, the state did not renew any contracts with the companies, and on April 1, 1909, the last contract expired, ending the lease system. Georgia opted to replace the lease system with the state-run chain gangs. Rather than working for private companies, convicts labored for county governments. The state charged each county with the care of the inmates while the convicts worked on roads and other public works projects. The name "chain gangs" was acquired through their use of shackles to bind the convicts together in one long chain. While the convicts were under state-run management in the chain gangs, it was not clear that their treatment was less cruel than it had been under the lease system. Disbanding the lease system did not put the convicts in safe and more humane conditions. Instead, it changed who profited from the labor.

In 1942, historian A. Elizabeth Taylor published her article series on the creation and abolition of the lease system in Georgia, criticizing the lease system for its treatment of prisoners. Taylor argued that the state’s postbellum prison system was not humane nor as financially successful as the state wanted it to be. In 1978, historian Matthew Mancini built off Taylor’s work, suggesting that the poor treatment of convicts reflected white supremacy and the control of Black bodies. Mancini argued that the creators of the lease system hoped both to make a profit for the state and to re-establish a racial hierarchy. While the antebellum prison system was relatively small with a white male population, with the establishment of the lease system, the prison system in Georgia grew exponentially as the justice system disproportionately imprisoned

---

Black men. Police targeted Black Americans and imprisoned them in forced labor camps to maintain the racial hierarchy.10

Differing from Mancini’s emphasis on the role of the lease system in supporting white supremacy, historian Alex Lichtenstein suggested in 1996 that the lease system was a product of the New South industry. Lichtenstein recognized that maintaining a racial caste system was inherent to the development of the lease system but argued that economic factors rather than biases of race were more influential on the system as a whole. The lease system ended when the prison system was no longer profitable to private companies.11

While Lichtenstein suggested that the lease system was a product of the New South, journalist Douglas Blackmon argued that the convict lease system was an extension of industrial slavery in his 2009 book Slavery by Another Name. As he investigated personal stories of convicts in the Georgia and Alabama prison camps, Blackmon revealed how the lease system adopted methods of control and punishment from the antebellum slave system. The lease system benefited from the physical taxation of the inmates. Companies did not lose their investment if a convict died because the state would simply send them another convict. According to Blackmon, “There was no compelling reason not to tax these convicts to their absolute physiological limits.” Without the fear of killing off their workforce, convict camps overworked prisoners and coerced labor through torture to turn a profit.12


In 2015, historian Talitha LeFlouria reviewed the experiences of Black women and other marginalized people in the Georgia lease system. Prison camps expected Black women to labor under the same harsh conditions as men while they subjected them to sexual harassment and assault. Despite the trauma women experienced in both the lease system and the following chain gang system, LeFlouria revealed how Black women acted as agents for carceral reform and were essential in developing New South industry.13

Historians of the convict lease system often reference carryovers and similarities between the forced labor prison camps and the American slave system. In his 1956 publication titled *The Peculiar Institution*, historian Kenneth Stampp detailed abuses within the antebellum slave system. He argued that enslavers renting slaves to third parties led to unchecked abuse. Stampp explained, “Masters who hired their slaves to others also helped to create conditions favoring ruthless exploitation. The overworking of hired slaves by employers with only a temporary interest in their welfare was as notorious as the harsh practices of overseers.” Without concern for the slave's long-term health, the renter benefited financially from overworking the rented laborers, even if it led to death.14

More recent historians have refuted claims that rented slaves led to a unique level of exploitation within the antebellum slave system. Historian Charles Dew explained how in Virginia, enslavers would not rent their enslaved people to companies that garnered the reputation of being abusive. To ensure their future business, the renters had to treat the rented slaves with care. In the convict lease system, however, the state rented prisoners to companies

---


regardless of their reputation. Without the fear of being labeled as abusive, the lease system exemplified the exploitation described by Stampp.\textsuperscript{15}

While the type of labor varied from camp to camp, the Durham Mines were no exception to the dangerous working conditions common in the lease system. Located on Lookout Mountain, Georgia, the convicts at Durham mined for coal in water-logged, poorly ventilated tunnels for long hours each day. In 1907, from March 9th to March 30th, Durham reported ten hospitalizations for accident-related injuries in their hospital records. Of those ten hospitalizations, the injuries included: “Mashed fingers by slate,” “Mashed back by slate,” “Hip dislocated by slate,” “Ankle hurt by slate,” “Ankle sprained,” and “Fractured Collarbone.” While the camp hospital treated people for other illnesses related to the conditions at the camp during those twenty-one days, like lung diseases, viruses, and bacterial infections, the significant number of injury-related hospitalizations speaks to the dangerous working conditions.\textsuperscript{16}

As part of the 1908 investigation, the Joint Committee of the Georgia House and Senate interviewed two white former Durham inmates: R.A. Keith and J.S. Cochran. During the hearings, the men explained to the committee why the conditions in the mines were unsafe. Keith testified that the convicts were constantly getting injured, bruising their bodies, and breaking bones from loose slates in the mines. The slate would fall and crush the men because there was often a shortage of timber to brace the tunnel walls. Even if lumber was available, Keith


explained that many men did not take the time to reinforce the walls because they risked punishment for not completing their tasks.\textsuperscript{17}

To prevent camps from exploiting the prisoners, Georgia passed regulations limiting the workday to a set number of hours. The Durham Mines disregarded the law and required convicts to work until they completed their tasks. The camp ensured the convicts met their daily quotas by whipping those who did not mine enough coal. Convicts would forgo time-consuming safety measures to avoid punishment. But even if the men had access to timber and took time to brace the walls, J.S. Cochran mentioned to the committee that “sometimes it will fall in spite of what you will do to keep it from [falling]. The slate gets cracked, and it may work loose and when the air strikes it[, the slate] will fall.”\textsuperscript{18}

With men regularly getting injured while working in the mines, it was not uncommon for inmates to fall victim to fatal outcomes. On April 19, 1907, the \textit{Walker County Messenger} published an article titled “Killed: Falling Slate Takes Life of Harrison Stoner at Durham Mines.” About a week later, another convict died at the camp. On the morning of Tuesday, April 30th, a “negro” convict was killed “by a lump of falling slate weighing several thousand pounds.” Outraged by the frequency of these accidental deaths, the \textit{Messenger} wrote, “Even a convict’s life deserves better protection.” Although the outcry was well-placed, it did not result in new safety regulations for the miners. The \textit{Messenger} published these two articles at the same

\textsuperscript{17} R. A. Keith, July 23, 1908, Minutes of the Joint Committee of the Senate and House to Investigate the Convict Lease System of Georgia, July-August 1908, House of Representatives Committees and Commissions Special Committees, Georgia Department of Archives and History, RG 37-1-8-3, Microfilm, 180-182.

\textsuperscript{18} J.S. Cochran, July 23, 1908, Minutes of the Joint Committee of the Senate and House to Investigate the Convict Lease System of Georgia, July-August 1908, House of Representatives Committees and Commissions Special Committees, Georgia Department of Archives and History, RG 37-1-8-3, Microfilm, 157.
time that newspapers were covering the mass escape attempt from Durham. It was in these conditions that all twelve convicts labored at the Durham Mines.19

On Monday, April 15, 1907, a few hours after the twelve men dug their way out of the mines, one of the convicts returned to the camp. Black convict Tom Ritchie was serving a ten-year sentence after being convicted of manslaughter in February 1907. Floyd County did not maintain his trial records, but according to the camp records, the Durham Mines initially received Ritchie on February 10, 1907. He was only two months into his ten-year sentence when he, along with the eleven other men, escaped from Durham.20

While information about his criminal past did not survive in the archives, the newspaper record provides some insight into what happened to Ritchie after he escaped. After fleeing the mines with the rest of the group, Ritchie twisted his ankle and declined to continue the escape. He surrendered by choosing to wait until the guards discovered him. Although Ritchie initially decided to take his chances by escaping with the group, once he was injured, the risk associated with running away outweighed the forced labor back at the prison camp. Alone and injured, Ritchie waited in the forest for a long time before being discovered because the guards did not notice the breach for several hours. Once the guards notified Warden C. L. Tatum about the escape, Tatum formed a search group that discovered Ritchie close to the camp. Although located on the 15th, officials did not process Ritchie back at camp until the following day.21

20 “Convicts Roster - Pittsburg Camp, Revised Register 1905” Tom Ritchie; Convicts At Individual Camps Registers, 1884-1907, Georgia Department of Archives and History, Vol 2-7026, 57.

On Tuesday, April 16th, one day after the escape, the *Chattanooga Star*; the *Atlanta Georgian* and *News*, and the *Augusta Herald* broke the story of the Durham escape. While the *Star* was based in Chattanooga, Tennessee, located down the mountain and a few miles north, the *Atlanta Georgian* and *News* and the *Augusta Herald* were not local papers to the Lookout Mountain region. The local and non-local newspapers differed in how they conveyed the story.22

Both the *Augusta Herald* and the *Atlanta Georgian* and *News* printed the same article. In the late 1800s and early 1900s, publications often shared articles, resulting in one article being copied and pasted by several different newspapers. Both papers cited that their information came from Chattanooga, Tennessee, and conveyed the news in a straightforward, neutral tone.

The *Atlanta Georgian* and *News* took a unique interest in the escape and

![Image](https://gahistoricnewspapers.galileo.usg.edu)

Pictured above is the *Augusta Herald*'s April 16, 1907, print of the short two paragraph article announcing the escape.23

---


recapture events, discussing their investigation into the men who escaped and providing insights on how the officials were addressing the issue. It was consistently one of the first papers to publish updates. In total, the Georgian and News published four articles between April 16th and April 25th. The only other newspaper to publish more than two articles detailing the escape was the Walker County Messenger printing five articles and based near the Lookout Mountain community. The Georgian and News’s interest in the story could be due to its popularity and connections.

Founded on April 25, 1906, the Atlanta Georgian quickly became one of Atlanta’s top-selling daily newspapers boasting 17,000 subscriptions at launch. In February of 1907, the successful Atlanta Georgian merged with the bankrupt Atlanta News renaming the paper to the Atlanta Georgian and News. Six months before the papers merged, in August of 1906, James W. English Jr. announced his new role as the president of the Atlanta News. English was not only a part of a politically powerful family in Atlanta, but he also owned the Durham Mines. With its connections and success, the Georgian’s readership likely extended beyond Atlanta, incentivizing the publication to invest in stories like the Durham Mines escape.24

If the reporting of the Atlanta Georgian and News and the Augusta Herald can be considered clean and concise, the opposite was true for the Chattanooga Star. Chattanooga was the closest major city to the Durham Mines, lending the Star the ability to obtain first-hand information and a local audience likely to be interested in and affected by the escape. While the Star article provided the basic details of the escape—Twelve Black and white men escaped the Durham Mines Monday afternoon after digging out of the mines, the guards captured one

---

Monday evening and were searching for the eleven others—it added considerable drama to the information. When discussing how the men escaped, the *Star* used active language to describe the getaway saying, “They dug through this thin crust, and crawled one by one in the mountain above.” The reader could visualize the twelve men pushing their bodies through the hole as they attempted to escape the prison camp. In other examples of active language, the article stated that the convicts escaped by “eluding the vigilance of the guards,” the guard “immediately notified” the warden, and “Warden Tatum is scouting the mountains for them.” The *Star* paired these descriptors of the events with small details that did not add to the basic story but helped sensationalize the event. For example, the *Star* claimed, “This escape was to all appearances, the culmination of a well-formed plot” and “they struck a ‘light’ spot; that is, where the crust of ground above them was comparatively thin.” The *Star*’s use of active language, paired with other small details, portrayed the escape like a high-stakes action movie with the "good guys" hot on the trail of the criminals.25

One aspect of the *Star* article that did not appear in any other paper was their description of how the first convict was caught. The article did not clarify if the warden captured Tom Ritchie or if the search party ran across Ritchie as he returned to camp. The *Star* simply stated, “[Ritchie] had sprained an ankle and could not proceed with his companions.” The sprained ankle story did not appear in any other source, but an injury was an obvious motivation for Ritchie to surrender himself.26

These first three newspaper reports on the escape set the tone for how the public viewed the escaped convicts and the authority of the Prison Commission and the Durham Mines.

---


these first articles revealed what happened to Tom Ritchie, they also worked to maintain the public’s confidence in the convict lease system. A few phrases in the articles seemed like overt efforts to protect the reputation of the prison.

The first two paragraphs in the *Atlanta Georgian and New* and the *Augusta Herald* article revealed how the Prison Commission attempted to save face. When discussing Ritchie’s recapture, the articles said, “So far only one of them has been recaptured.” Although later articles clarify that Ritchie surrendered himself, the early article did not divulge many details concerning the surrender. The reader could assume that the warden or camp guards caught Ritchie. The article followed with a statement indicating that the warden was actively searching for the men. “The warden and a large posse are now scouring the north Georgia mountains for the others.” While the article did not claim that the warden captured Richie, this follow-up sentence implied that the warden took immediate action and was competent. Despite the report that the warden “and a large posse” were looking for the men, the camp warden did not capture any of the other convicts.²⁷

Another key aspect of the *Atlanta Georgian and New* and the *Augusta Herald* article that helped protect the reputation of the warden and the Durham Mines was the description of how the men escaped. Instead of stating that the men dug out of the mines, the article clarified that “there was no guard close to them at the time as it was thought there was no chance for them to get away.” The guards were not incompetent; rather, the convicts exploited an unavoidable weakness in the camp. Before the readers could speculate on the vigilance of camp security, the

article answered the question: *Where were the guards?* The article worded the statement in a way that implied that the escape was not an oversight but an impossibility.28

While the newspapers reinforced the legitimacy of the convict lease system to contain the prison population, once back at camp, Tom Ritchie faced the oppressive working conditions at the Durham Mines. Despite his escape, the Prison Commission did not extend Ritchie’s sentence. Ritchie likely faced internal punishment for escaping.

Whippings were standard punishment at Durham. During the 1908 investigation hearings, Former Durham inmate J.S. Cochran explained to the Joint Committee of the Georgia Senate and House that some straps used to whip the convicts had four-pound steel handles. The leather strap was around the width of three fingers, about two and a half feet long, and would weigh about three and a half pounds. Former Durham convict R.A. Keith explained in his interview that if a guard wanted to “bring the blood,” then “they would wet the leather by spitting on it and rubbing it on the sand… It would hurt a great deal worse to flog them with it than with the dry strap.” This type of whip was called a sanded strap. Not only did the coarse leather hurt more than a regular strap, but it also shredded the skin off people's bodies.29

It was not uncommon for the warden to strip convicts naked before flogging them. J.S. Cochran described the whipping of Black convict Frank Worthey. The white guard ordered other Black inmates to pin down Worthey’s head and feet across a barrel. Once immobilized on the curved surface, Cochran explained, the whipping boss “whipped him until he couldn’t hollow.”


29 J. S. Cochran, July 23, 1908, Minutes of the Joint Committee of the Senate and House to Investigate the Convict Lease System of Georgia, 146; R. A. Keith, July 23, 1908, Minutes of the Joint Committee of the Senate and House to Investigate the Convict Lease System of Georgia, 185-187.
Historian Talitha LeFlouria discussed this method of flogging called “bucking,” suggesting that it was a technique refined and carried over from the antebellum era.\textsuperscript{30}

In one instance of abuse, the whipping boss gave a Black convict named Jim one hundred and three licks during a flogging session. J.S. Cochran claimed that people could hear his cries a mile away. By the time the warden finished whipping the convict, the man was in critical condition lying in his urine and possibly his vomit and defecation. Jim died two weeks later in the camp hospital. Cochran witnessed the warden flog a white convict named Henry every morning for two weeks because he could not meet the daily quota of coal. The Joint Committee inquired about the main offense the warden punished the convicts for at Durham, and according to Cochran, it was shortages. If a convict did not meet their quota of “four and a half to five tons” of coal every day, they faced relentless beatings and potential hospitalization from cruel punishments.\textsuperscript{31}

When confronted with information about abuse, the Joint Committee asked R.A. Keith why he did not report the excessive whippings. According to Keith, the convicts had no one to whom they could report the abuse. The warden and state officers at the camp “were paid by the company as well as by the state.” The convicts could not trust the state officials to correct the abuse since they worked for the Durham company. Unable to advocate for themselves, the prisoners suffered from violent whippings.\textsuperscript{32}


\textsuperscript{31} J.S. Cochran, July 23, 1908, Minutes of the Joint Committee of the Senate and House to Investigate the Convict Lease System of Georgia, 144, 147.

\textsuperscript{32} R. A. Keith, July 23, 1908, Minutes of the Joint Committee of the Senate and House to Investigate the Convict Lease System of Georgia, 183.
The Prison Commission required convict camps to submit monthly records of punished convicts. These whipping reports listed the date, name, number of licks, and offense. R.A. Keith testified that the camps did not report all the beatings to the Prison Commission. In his estimation, Durham reported less than ten percent of the whippings. When the camp did record whippings, the number of licks documented was about half of the actual licks the convicts received. The camps underreported the licks because the law dictated the maximum number of lashes a person could receive for each offense.\(^\text{33}\)

Despite the inaccuracies of the whipping reports, the records revealed information about the kinds of offenses that resulted in punishment at Durham. From August 1908 to April 1909, Durham recorded whipping 164 people. The majority of recorded whippings were of repeat offenders, with thirty-six men accounting for ninety-eight of the beatings. The camp hospital weekly register noted that in 1907, Durham maintained about 250 prisoners. Assuming the prisoner population did not change much between 1907 and 1909, the whipping report indicated that 40% of the Durham inmates were whipped, with 100 different people receiving lashes.

During the eight months recorded in the report, the highest amount of licks the convicts received was twenty for escaping and fighting. The average amount of reported licks was ten. Most convicts were whipped for idleness and disobedience, gambling, fighting, trying to escape, and in two unexplained entries, “for doctor.”\(^\text{34}\) Half of the 164 reported whippings were for idleness and disobedience. Considering the emphasis on completing tasks described in the

\(^{33}\) R. A. Keith, July 23, 1908, Minutes of the Joint Committee of the Senate and House to Investigate the Convict Lease System of Georgia, 178.

\(^{34}\) It is possible that the men were whipped for feigning illness to get out of work.
testimonies of R.A. Keith and J.S. Cochran, "idleness and disobedience" may have been code for "shortages".35

Tom Ritchie continued to work at Durham until April 1, 1909, when the convict lease system expired. The Prison Commission sent him to the chain gangs in Pike County, Georgia, where he completed the remaining four months of his ten-year sentence. On August 10, 1909, the Prison Commission released Richie.36

When the twelve convicts escaped from the Durham Mines in 1907, Tom Ritchie’s recapture shortly after the escape accounted for one of the nine Black convicts. Eight of the nine Black convicts were still on the run, as were the three white convicts.


II: “HOWARD BRYAN CAPTURES 3 ESCAPED CONVICTS”

Tuesday and Wednesday, April 16-17, 1907

On Tuesday, April 16th, three newspapers announced the escape to the public. It was not unusual for newspapers to report convict escapes from Durham. But newspapers tended to report the escape attempts only after the escapee or part of the escapee group was recaptured. By reporting the escape after the convicts were contained, the newspapers reinforced the authority of the prison system. On the other hand, the newspapers announced the April 15th escape before Durham recaptured the majority of the escapees, likely putting residents on high alert. With knowledge of the mass escape announced to the Lookout Mountain community, three more convicts were spotted.

In the afternoon of April 16th, about twenty-four hours after the men escaped Durham, Lookout Mountain resident Cicero Massey found three convicts. Massey easily identified the men since they were dressed in their prison stripes. The convicts were hungry, having had no food for twenty-four hours. They kept close to houses, likely hoping to swipe some food, cash, and clothes. Rather than attempting to corral the men, Massey grabbed his gun and began shooting at them from his doorstep. After fleeing Massey’s house, Mattie Stephens spotted them next crawling along her garden fence. Stephens “gave the alarm,” and the men fled into the woods.

The *Walker County Messenger* noted that a posse of locals formed to hunt the men. Despite using bloodhounds to follow the scent of the convicts, the group paused their search at
nightfall when it started to rain heavily. It is important to note that the community first heard of the escape that morning. With only a few hours to spread the news, members of the Lookout Mountain community rallied together to hunt the convicts.

The next morning, on Wednesday, April 17th, the search party resumed and was once again abandoned after an unsuccessful search. While the Messenger did not indicate why the group disbanded, it did note that farmer Howard Bryan continued the hunt. Bryan ran into William D. Pope and Fred McKaig, who were investigating a noise they heard on their way to cut some wood. Together, the three men searched an abandoned house and found the three convicts huddled in the stables. Bryan pointed his gun at them and demanded their surrender. Bryan, Pope, and McKaig took the men to both Bryan’s and Pope’s homes to feed the starving convicts. After the meal, Bryan, Pope, and McKaig took the three Black convicts to the Durham warden. The Principal Keeper of the Penitentiary offered fifty dollars for each convict returned to Durham. With three men recaptured, Howard Bryan received $150.37

The Wednesday morning recapture of the three convicts appeared in two articles published by the Walker County Messenger. The first article, “Howard Bryan Captures 3 Escaped Convicts,” published on April 26th, told the capture from Bryan’s perspective while outlining the basic timeline of events and introducing the main civilian actors. Published on May 16th, the second article, titled “As to Those Escaped Convicts,” was William Pope's letter to the editor, written in response to Bryan’s version of the events. Rather than informing the public of

how the three men were recaptured, the primary goal of Pope's letter was to dispute Bryan’s claim to the reward money.\(^{38}\)

The first article began by announcing that the three convicts were “captured singlehanded by Howard Bryan of Dillon.” In that first article, Howard Bryan claimed he found and captured the convicts, and “a few seconds later Messrs Pope and McKaig came up.” Bryan allowed William Pope and Fred McKaig to join him as he went to surrender the men at Durham, not because they deserved the reward but because he felt bad for them. In the article, Bryan agreed to let Pope and McKaig tag along to Durham, saying, “All right boys, if you have nothing better to do.” Once at Durham, the warden personally thanked Bryan for his work and gave him the $150 check. Bryan then claimed he generously split the money with Pope and McKaig giving them thirty dollars each while also promising small sums to Cicero Massey and Thomas Stephens.\(^ {39}\)

While the first article depicted Howard Bryan as the leader of the trio and the sole capturer of the men, William Pope’s letter to the editor revealed the nuances of how all three men worked together. According to Pope, while Bryan was the person who told the men to surrender, both Bryan and Pope found the men at the same time. Pope protested in the letter, writing, “Was there any use of me and McKaig saying ‘hold up your hands’ when they already had them up.” Pope appealed to the court of public opinion to resolve the financial issue. Speaking directly to


the readers, Pope said, “Mr. Bryan says now that he did it all by himself. Those convicts were just as much mine as they were Mr. Bryan’s. Don’t you think?”

William Pope not only critiqued Howard Bryan for his portrayal of the recapture, but he also critiqued Bryan’s use of the reward money. The men agreed to split the bounty five ways, with Cicero Massey and Thomas Stephen receiving twenty dollars each, Pope and McKaig receiving thirty dollars each, and Bryan keeping the remaining fifty dollars. When Pope followed up with Massey and Stephens, he learned that Bryan only gave Massey ten dollars and Stephens never got paid. While McKaig and Pope received their thirty dollars, Bryan walked away with eighty dollars rather than fifty. Pope ended the letter by asking the readers, “Don’t you think it is just as much ours as it is Mr. Bryan’s?“

Angry at how Howard Bryan tricked William Pope and Fred McKaig out of the reward money, Pope wrote a letter to the editor publicly shaming Bryan. In both articles, the Walker County Messenger focused on the heroism of the locals and the question of who had a claim to the money. The Messenger provided a forum for the white community to air their grievances and decide who deserved public favor, while the story of the lost escapees seemed inconsequential. The well-being of the convicts was irrelevant since they were Black and guilty. While the Messenger noted the names of all the locals involved in catching three of the men, none of the convicts were named.

The Walker County Messenger’s discussion of the disputed reward money for Howard Bryan, William Pope, and Fred McKaig’s capture of three convicts was in stark contrast to the other recapture event that occurred on Wednesday, April 17th. Hidden in a short article announcing the escape, the Dade County Sentinel briefly mentioned the recapture of a convict by

---

a local man named Will Pittman. The *Sentinel* noted that, “one [convict] was captured at Mud Cut, 2 miles south of Rising Fawn. Wednesday morning by Will Pittman.” The *Sentinel*’s brief mention of Pittman was the only time newspapers mentioned this event. Possibly because Pittman was the only person involved in the recapture, no one disputed his claim to the bounty. And because Pittman had a full claim to the fifty dollars, there was no need to use the public newspaper forum to validate their reward.

While none of the articles mentioned who the locals recaptured, the Durham Mines camp register noted that the camp received four men on Wednesday, April 17th: Black convicts Charles Jones, Sam Lofton, Will Green, and Mat DuBose.

CHARLES JONES

In January of 1902, twenty-year-old Charles Jones went to trial in Atlanta, Georgia. The Fulton County Superior Court charged him with both an attempt to murder and larceny. After being found guilty of both crimes, he was sentenced to ten years for each charge, for a total of twenty years in the prison system.

Although the local newspapers did not cover the crime or trial of Charles Jones, on January 27, 1902, around the time of Jones’s trial, the *Atlanta Semi-Weekly Journal* published the article “Novel Suit Filed Against Coal Company.” The article discussed a lawsuit against the Chickamauga Coal and Coke Company which partnered with Durham. The white plaintiff, former convict Lewis Johnson, claimed he had to amputate his foot after an accident on April 12, 

---


1899. Johnson was in the mines when an unbracketed pile of slate fell on him, crushing his foot. While the article debated whether responsibility rested with the state or the company who rented the convicts, Johnson planned to sue the company for the lack of safety measures resulting in his disability.\(^43\)

On January 29th, two days after the *Atlanta Semi-Weekly Journal* published the article highlighting the lack of regulations in the mines, Charles Jones arrived at Durham.\(^44\) Jones served five years of his twenty-year sentence before escaping in April 1907. When he was recaptured on April 17th, he spent two more years at Durham before the lease system expired on April 1, 1909, and the Prison Commission transferred him to the chain gangs in Heard County. He remained in Heard for four months before escaping a second time on August 13, 1909. The Heard County paper, *News and Banner*, was not well preserved, and issues from 1909 have disappeared. Despite the newspaper archive’s silence concerning the details of Jones’s second escape attempt, according to the state prison records, he was never recaptured.\(^45\) In total, Jones labored in the prison system for seven years.

Considering his status as a fugitive, the census records do not provide information on Charles Jones after his escape. To avoid being sent back to the prison system, Jones likely lived below the radar. Around the time of his escape and four months into the operation of the chain gangs, newspapers evaluated the merits of the new prison system. While some articles praised the new roads developed by the convicts, other articles discussed the many prison escape


attempts. On August 19, 1909, six days after Jones escaped from Heard, the *Montgomery Monitor* published the article “Horse Thief Again Escaps from Gang.” The *Monitor* explained that white convict M.L. Moose escaped for a second time from the chain gangs in Decatur County after feigning illness with an accomplice. During his first escape attempt, Moose fled from the chain gangs in Laurens County, stole a horse and buggy, and broke into a store before being recaptured. The article ended by mentioning that two Black convicts recently escaped from chain gangs in Decatur and that the state offered a twenty-five dollar reward for each man’s arrest. Less than six days after Jones escaped, four other convicts from a different county managed to flee.⁴⁶

Jones utilized the transition from the lease system to the chain gangs to escape. While convicts in the lease system lived and worked in one location, convicts in the chain gangs were mobile traversing throughout the county as they worked on various projects. The convict lease system was not efficient at containing the prisoners, and communities learned about four months into the transition that chain gangs were not effective at preventing escapes either.

Without documentation, it is hard to discuss the influence of Jim Crow racism on the trial and the portrayal of Charles Jones in the newspapers. When the judge sentenced Jones to twenty years of hard labor at the Durham Mines, the dangerous working conditions in the mines were public knowledge. In 1907 and 1909, Jones chose to risk being hunted down by the white community rather than remain in the prison labor camps.

Escapes were not uncommon. As far back as the 1880s, people criticized the convict lease system for its inability to prevent convict escapes. In his 1885 essay titled “The Convict Lease System in the Southern States,” writer George Washington Cable presented eight faults of

the prison system, with the eighth being the inability of the prison system to retain its convicts and prevent them from escaping. For the state of Georgia, Cable noted that in 1880, the Principle Keeper reported that thirty-five escaped convicts were never recaptured.

Not only did the lease system fail to retain their charges, but Cable also suggested that the camps intentionally misreported the race of the escapees to put the system in a better light. Cable noted that in Tennessee, camps skewed records to report convicts as white when they escaped and Black upon recapture. The camps knew that the civilian population would be less concerned if a white convict escaped as opposed to a Black convict. The camps’ misrepresentation of the recaptured convicts promoted the stereotype of the unintelligent Black criminal. While in 1907, Charles Jones was recaptured by either Will Pittman or Howard Bryan, William Pope, and Fred McKaig, in 1909, he managed to evade recapture.47

SAM LOFTON

Jones was not the only convict recaptured on Wednesday, April 17, 1907. In December of 1904, when Sam Lofton was nineteen years old, he was convicted of robbery and sentenced to six years in the Georgia state penitentiary.48 Like Charles Jones, the archives retained few records of Lofton. The Floyd County Superior Court did not preserve his trial records and the archives did not maintain the local Floyd County paper, the Rome Tribune. Although the court and newspaper archives did not retain information concerning Sam Lofton, the prison records documented some information about him.


When he arrived at Durham on December 9, 1904, the camp officials recorded Sam Lofton as five feet and ten inches tall, weighing 150 pounds, and having a copper complexion with black eyes and black hair. Three years into his prison sentence, Lofton escaped with eleven other men. After his recapture on Wednesday, April 17, 1907, the Prison Commission added an extra year to his sentence due to his escape.

On March 16, 1909, two weeks before the lease system expired, Sam Lofton appeared in the Durham whipping records. Lofton received eight lashes as punishment for swearing and whipping a mule.\(^49\) He would be well aware of the extreme floggings described by former Durham inmates R.A. Keith and J.S. Cochran in the 1908 investigation hearings. Considering the physical toll of the beatings, not all convicts recovered from their wounds. In 1906, the Durham Warden John. D. Goodie punished sixteen-year-old white convict Abe Winn after he threw hot coffee on one of the personal hogs of the warden that roamed the Durham campgrounds. Enraged by the incident, the Goodie publicly stripped the boy naked and had two other convicts hold him flat to the ground while he whipped Winn to the point where he could not walk. Winn struggled in the camp hospital for two weeks before passing away. Although the Joint Committee investigated the situation in 1908 and officially condemned the warden’s actions, the reality was that the warden not only had the power to beat the young kid, but he also avoided backlash for two years. Sam Lofton would have been aware of this extreme act of violence and watched as Warden Goodie evaded reprimand.\(^50\)


Both Abe Winn and Sam Lofton were convicted of burglary and sent to Durham as teenagers. The warden whipped Winn in 1906 for throwing coffee on a hog and the warden whipped Lofton in 1908 for beating a mule. Lofton’s physical well-being was at the mercy of the warden’s temper. Luckily for Lofton, he did not succumb to the torture as his white peer did two years prior. In the era of Jim Crow, if the warden was willing to whip a white child to death, as a Black teenager and young adult, Lofton had no security.

Once the lease system ended on April 1, 1909, the Prison Commission transferred Sam Lofton from Durham to Muscogee County where he worked in the chain gangs for two years before the commission released him on March 3, 1911. The archives are unclear about what happened to Lofton after his release from prison. Census documents included information on a Black man named Sam Lofton, quite possibly the same man who escaped from Durham. He lived in Atlanta from the late 1910s until his death in 1954. Over the years he worked as a driver, a laborer in a dry cleaning company, and a porter. He and his first wife Fannie and second wife Lula rented houses in Atlanta neighborhoods. Because the newspaper records overlooked Sam

---


52 The Atlanta Lofton in his WWI draft card was described as a ‘negro’ having black hair, medium height, and a stout build. His eye color, on the other hand, was recorded as brown and not black like the prison records. While color descriptors can be a helpful tool in identifying people, they are ultimately subjective. The discrepancy in eye color may mean that the Lofton who escaped from Durham in 1907 was different from the Lofton who lived in Atlanta. It could also mean that the person who recorded his eye color in 1904 thought his eye color was closer to black than brown but the person who looked at the same person ten years later thought the same eyes were more of a brown color. Fulton County, Georgia, World War I Draft Registration Cards, 1917-1918 no. 3604 (1918), Sam Lofton; National Archives and Records Administration, Washington D.C, Ancestry.com, http://ancestry.com.

Lofton, his life outside of the prison system was obscured in the archives. If the Atlanta Lofton was the Durham Lofton, it was unusual that he did not return to Floyd County after his sentence expired.

In the 1800s and early 1900s, it was not uncommon for families to forgo strict records of children’s birth dates. The United States did not have a standard birth certificate application form until 1907 and it was not until 1933 that the Federal Government began mandating that states collect and report on birth data. For people, like Sam Lofton, born before the government mandated birth certificates, the birth years were self-reported and often fluctuated between census records as people guessed their own age. Lofton’s birth year was no exception. The prison records consistently reported that he was convicted at nineteen, putting his birth year in 1885. The census records for the Atlanta Lofton record his birth year to be around 1888, making him sixteen years old when convicted in 1904. Considering the timing of his sudden appearance in the 1920 census record, the similar names, consistent race, and close birth years, both Loftons may be the same person.

WILL GREEN

On August 18, 1904, twenty-four-year-old Will Green sexually assaulted a six-year-old Black girl named Emma Winder. Like Charles Jones and Sam Lofton, Green’s assault and trial were not discussed in newspapers. Unlike Jones and Lofton, the local Morgan County Superior


Court preserved the trial records. According to the court records, Emma’s father, Peter Winder, led the prosecution against Green when the case went to trial in September 1904. Both Peter, his wife Ollie Winder, and six-year-old Emma testified as witnesses against Green. The jury found Green guilty and sentenced him to ten years in the prison system.56

Although ten years was not a small sentence, it was remarkable that his punishment was not more severe. In the late 1800s and early 1900s, newspapers and political figures often portrayed Black men as sexual predators. These harmful stereotypes were most evident in the lynching records. In 1895, Black activist Ida B. Wells investigated lynchings in her book *The Red Record*. For the year 1893, she provided evidence for the lynching of 159 Black people. Fifty-two of them were publically murdered for alleged crimes connected to rape.57 Even though only a minority of lynching victoms faced accusations of rape, lynchings spread distrust of Black men and terrorized the Black community into submission. In her book *Southern Horrors*, historian Crystal Feimster discussed how the stereotype of Black men as a sexual deviant formed during Reconstruction, arguing that, “Southern whites converted black men’s desires for economic and political equality into a desire for ‘social equality,’ which they then translated into a threat against white womanhood.”58 White southerners used the idea of a Black rapist to justify the lynching of Black men. Feimster discussed how the emphasis on Black male predators hurt Black women saying, “the focus and attention placed on the alleged black rapist masked the rape of black women [by white men] and justified white southerners’ violent efforts to deprive

56 “The State vs Will Green,” Morgan County, Georgia, Spring Term, 1904; Superior Court Case Files: Civil and/or Criminal Year 1904, Folder Criminal - Sept - 1904, Morgan County Archives.


African Americans of social, political, and economic rights in the New South.” The media minimized the threat of white men assaulting Black women as they focused on the threat to white women’s chastity. Lynchings like segregation was publicly ordained. Historian Grace Hale explained that during the Jim Crow era, segregation policies addressed issues of citizenship, race, and sexuality by physically removing the Black race from white spaces. Through the act of lynching, the white community formed an “all-powerful whiteness” that by comparison made the unjust segregation system seem mild, “civilized, and sane.” Even though the newspapers could use Will Green’s actions to support the stereotype of Black men as sexual deviants, because his victim was Black, the newspapers did not report on Green’s rape nor was he given a heavier sentence. If Green had abused a white girl, he would have been lucky to only receive a ten year sentence.

Will Green arrived at Durham on September 24, 1904, and labored in the mines until he escaped in 1907. The prison records noted that Green was five feet and ten inches tall, weighing 150 pounds, and had Black hair and eyes. Upon his recapture, the court added a year to his sentence as punishment for the attempted escape. Like Sam Lofton, Will Green appeared in the Durham whipping report receiving eight lashes for disobedience on September 18, 1908.

When the lease system ended on April 1, 1909, the Prison Commission transferred Will Green to a chain gang in Pike County. He labored there for seven months before moving to the


61 “Convicts Roster - Pittsburg Camp, Revised Register 1905,” Convicts At Individual Camps Registers, 1884-1907, Will Green; Georgia, Georgia Department of Archives and History, Vol 2-7026, 40.

prison farm located in Milledgeville in November of 1909. The Prison Commission transferred him once again to a chain gang in Marion County where he served the remainder of his sentence before being released on December 26, 1913.\textsuperscript{63}

Similar to Charles Jones and Sam Lofton, Will Green’s whereabouts after he was released from prison was difficult to discern. The census and death records reveal a few different Black men named Will Green who were born around the same. All of the Will Greens appeared seemingly out of nowhere in the census records without clear ties to other censuses. Like Sam Lofton, Green was born before the government mandated birth certificates. Without consistent birth years, it is hard to know if any of the Will Greens in the records were the same Will Green who escaped from Durham in 1907.\textsuperscript{64}

\textsuperscript{63} Georgia, Central Register of Convicts, Fulton County, Georgia, p. 61, (1904), Will Green; Ancestry.com, http://ancestry.com.

\textsuperscript{64} The 1920 census recorded a Will Green who lived as a boarder in Annie Brown’s home in Turin, Georgia. Brown had two children living with her at the time, fifteen-year-old Mattie Brown and seven-year-old Walter Brown. Green was recorded as being a widow and working as a farmer. Despite the census recording that Green had a wife who passed away prior to the 1920 census, there was no available documentation of that marriage. Other than his name, race description, and sudden appearance in the census records of similar birth years, there was no information in the census record that definitively linked the Will Green who lived with Annie Brown to the Green who escaped from Durham. 1920 U.S. census, Coweta County, Georgia, population schedule, Turin, p. 3A, dwelling 59, family 60, Will Green; digital image, Ancestry.com, http://ancestry.com.

Despite the weak connection between the 1920 census and the prison records, Will Green became even harder to track after 1920. On February 7, 1922, a thirty-seven-year-old Will Green died in Valdosta, Georgia, located near the Florida-Georgia border. On the death certificate, all of the personal information, like his birthplace and father’s and mother’s name, was marked with “Don’t know.” The certificate did state that he worked as a cook before his passing and that he was buried at the Irvin Hill Cemetery in Valdosta, Georgia. Another Will Green appeared in the 1930 census living in Perry, Florida. This forty-five-year-old Green lived with his eighteen-year-old daughter Sarah Woods and his two-year-old granddaughter Jamie Mae Woods. The census did note that his parents were born in Georgia, so it is possible that Green moved to Florida after he was released from prison. In the 1940 census, the census enumerator recorded that a fifty-five-year-old Will Green was an inmate at the Milledgeville State Hospital located in Midway, Georgia. The last time that Will Green appeared in the records was when he passed away in May 1946. At the time of his death, he was about sixty-two years old and living in Stewart County, Georgia. Lowndes County, Georgia, Death Record no. 4430 (1922), Will Green; Ancestry.com, http://ancestry.com; 1930 U.S. census, Taylor County, Florida, population schedule, Perry, p. 19B, dwelling 440, family 450, Will Green; digital image, Ancestry.com, http://ancestry.com; 1940 U.S. census, Baldwin County, Georgia, population schedule, Midway, p. 86A, Milledgeville State Hospital, Will Green; digital image, Ancestry.com, http://ancestry.com; United States, SSN 253429657 (1946), Will Green; Social Security Administration, Washington D.C., Ancestry.com, http://ancestry.com.
While the Will Green who escaped from Durham is difficult to trace in the archives, Green was a convicted pedophile who lived in the segregated South. If the average working-class Black citizen did not make an impression on the archival records as K. Stephen Prince suggested, it was no surprise that the archives obscured criminal Will Green.

MAT DUBOSE

The fourth person captured on Wednesday, April 17, 1907, was thirty-four-year-old Mat DuBose. Unlike the other three men recaptured, DuBose was serving a life sentence for murder.

Uriah Overton Tate was a prominent slaveholder in Elbert County. In 1860, he, his wife Rebecca Clark, and four children enslaved 143 people from the age of ninety-five to three months old. The 143 enslaved people lived in Tate’s thirty slave cabins.\(^{65}\) Two of Tate’s child slaves, Weston DuBose and Celia would become the parents of Mat Dubose after emancipation. In 1868, when Celia was thirteen years old, she had her first child with twenty-year-old Weston. One year later, they had their second child. Born around 1873, DuBose was the third child in the growing family. By 1880, seven-year-old DuBose had four siblings and an adopted brother named Elbert Tate.\(^{66}\) On November 22, 1889, sixteen-year-old Mat DuBose married twenty-year-old Nellie Flemming.\(^{67}\)

Like his parents, Mat worked on Tate’s plantation for Uriah’s son Zimri Asbury Tate. In September 1904, Mat had an affair with Mattie Brawner, the wife of Charles Brawner. After Brawner told DuBose that she was moving back in with her husband, Mat confided in his friend


King Wall that he was going to kill her. On Thursday morning, September 8th, he shot at her twice, with one of the bullets hitting her shoulder and piercing her lung. Mattie lingered for five days before passing away from the gunshot wound on Tuesday, September 13th.

One week after the shooting and two days after her death, on September 15, 1904, the Ebert County Grand Jury issued Mat DuBose a True Bill for murder and the local Elberton Star announced the death of Mattie Brawner in the article “Negro Man Kills a Negro Woman.” In two short paragraphs, the Star revealed basic information about the shooting. The Star emphasized the core issue behind the shooting stating, “The woman had recently separated from her husband and when she decided to go back to him it infuriated DuBose.”

When Mat DuBose was arrested for murder, the Elbert Superior Court set him up for failure. Mat DuBose and his white attorney J. N. Worbuy had about a week to prepare their defense before the case went to trial. On Friday, September 23rd, DuBose was tried in Ebert’s Superior Court by a twelve-person jury. Eight people, including DuBose, testified at trial. While none of the witnesses saw DuBose shoot Brawner, they either ran to the scene right after the shooting to see DuBose running away with a gun or ran into DuBose right after the shooting and heard him claiming he shot her. DuBose defended himself by claiming that Brawner knocked his gun, causing it to fire after she attempted to stab him. No one at trial was able to corroborate DuBose’s claim that Brawner had a knife at the time of the shooting. Regardless of if DuBose

68 King Wall, “The State v Mat DuBose,” Elbert Superior Court, September term 1904, Applications for Clemency, Convict and Fugitive Records, Georgia Department of Archives and History, Folder 1-4-48 DuBose, Mat Elbert County, box RCB-9807, 6.

69 William Mattox, “The State v Mat DuBose,” Elbert Superior Court, September term 1904, Applications for Clemency, Convict and Fugitive Records, Georgia Department of Archives and History, Folder 1-4-48 DuBose, Mat Elbert County, box RCB-9807, 1-2; "Negro Man Kills a Negro Woman," Elberton Star (Elberton, GA), September 15, 1904, Vol 16, no. 34, p. 2, Microfilm, University of Georgia Libraries.

70 "Negro Man Kills a Negro Woman," Elberton Star (Elberton, GA), September 15, 1904, Vol 16, no. 34, p. 2, Microfilm, University of Georgia Libraries.
intentionally pulled the trigger, the court system failed to provide DuBose and his attorney adequate time to plan their defense.\textsuperscript{71}

Once the grand jury issued a True Bill for DuBose, the \textit{Elberton Star} prioritized coverage of the case in their paper. The \textit{Star}'s presentation of the jury’s verdict was the main article published in the center of the front page. In their front page headline article “Matt DuBose Gets a Life Sentence,” the \textit{Star} noted that “the jury was out only a short while. Some of the jurymen were in favor of convicting him of murder in the first degree.”\textsuperscript{72} The jury found him guilty but recommended DuBose to the mercy of the court, preventing him from receiving the death penalty.\textsuperscript{73} Despite pleading not guilty, Mat DuBose’s attorney J.N. Worbuy was satisfied with the verdict, “well pleased that he saved his neck.”\textsuperscript{74}

As the \textit{Star} maintained his guilt, implying the jury should have convicted him of first-degree murder, the paper published DuBose’s version of the shooting. After the trial, reporters interviewed Mat DuBose. He maintained his innocence, noting that “there were no eyewitnesses to the shooting” and “some of the people who swore in the trial knew nothing whatever about the killing.” Claiming that he was "badly persecuted," the \textit{Star} noted that DuBose was “rather down hearted over the trial outcome, but says he is going to make the best of his future life, insomuch that he intends to obey all the commands of his companies.” While

\begin{itemize}
\item \textsuperscript{71} Defendant’s Statement, “The State v Mat DuBose,” Elbert Superior Court, September term 1904, Applications for Clemency, Convict and Fugitive Records, Georgia Department of Archives and History, Folder 1-4-48 DuBose, Mat Elbert County, box RCB-9807, 7-8.
\item \textsuperscript{72} “Matt DuBose Gets a Life Sentence: Negro Who Murdered Mattie Brawner to Spend Rest of Days in Coal Mine--Other Court News,” \textit{Elberton Star} (Elberton, GA), September 22, 1904, Vol 16, no. 36, p. 1, Microfilm, University of Georgia Libraries.
\item \textsuperscript{73} “The State vs Matt DuBose” Elbert County, Georgia, September term, 1904; \textit{Court Minute Book 1903-TO}, Elbert County Superior Court, 58, 63.
\item \textsuperscript{74} “Matt DuBose Gets a Life Sentence: Negro Who Murdered Mattie Brawner to Spend Rest of Days in Coal Mine--Other Court News," \textit{Elberton Star} (Elberton, GA), September 22, 1904, Vol 16, no. 36, p. 1, Microfilm, University of Georgia Libraries.
\end{itemize}
the Star presented DuBose’s version of the shooting, the paper reaffirmed his guilt. The opening line of the article described him as “Matt DuBose, the negro who shot and killed Mattie Brawner.” As they discussed the jury’s verdict, the Star made a point to note that some of the jurors wanted to pursue first-degree murder while claiming “All the evidence pointed to a cold blooded murder.”

On September 24, 1904, when DuBose was in his early thirties, he arrived at the Durham Mines. After serving three years of his life sentence on April 15, 1907, Mat DuBose attempted to escape Durham with eleven other convicts. After being recaptured on Wednesday, April 17th, DuBose returned to the Durham Mines.

Three years after DuBose was convicted, the Elberton Star continued to update their readers concerning DuBose’s actions. On April 25th, the Star reported the mass escape from Durham. The Star centered the article around DuBose, noting that he and “a number of long-term convicts” escaped. Although published a week after DuBose and the other Black convicts were recaptured, the Star reported, “None of them have yet been recaptured” and “the state pays a handsome reward for the capture of convicts.” While the content of the article did not provide new information about the escape events, the article revealed the interest the Star and the local Elberton community had in Mat DuBose.

On April 1, 1909, when the lease system expired, the Prison Commission transferred DuBose to the chain gangs in Cherokee County. In 1914, after ten years of hard labor, DuBose


76 “Convicts Roster - Pittsburg Camp, Revised Register 1905,” Convicts At Individual Camps Registers, 1884-1907, Mat DuBose; Georgia, Georgia Department of Archives and History, Vol 2-7026, 34.

77 “Convict for Life Escapes from Pen,” Elberton Star (Elberton, GA), April 25, 1907, Vol 19, no. 17, p. 1, Microfilm, University of Georgia Libraries.
filed for parole under the representation of Ben J. Conyers a white attorney. Conyers was the son-in-law of DuBose’s former enslaver, marrying into the Tate family shortly after DuBose’s conviction. DuBose filed for parole three times, once in 1914 under Governor John Marshall Staton, a second time in 1916 under Governor Nathaniel Edwin Harris, and a third time under Governor Hugh Mason Dorsey in 1918.78

In the applications, Ben Conyers explained the circumstances surrounding Mat DuBose’s participation in the 1907 escape. According to Conyers’s letter, on April 15th, DuBose finished his work shift and was one of the last men to leave the mines. As DuBose walked towards the mine entrance, a group of convicts, including some white convicts, “compelled petitioner under threats to his life to accompany them in their escape.” Once out of the mines, “Petitioner made no effort to get away but was discovered and recaptured without resistance the next day upon the mountain just a short distance from the mines.” DuBose maintained this story of the escape events throughout the three parole applications. Despite having a life sentence, the 1907 escape was the only escape DuBose attempted during his fourteen years in prison.79

In a 1916 letter, Ben Conyers explained to Governor Harris that “I promised Mat when I first knew him nearly 12 years ago, that I would help him to his freedom, if the occasion should ever arise when I could be of any assistance.” He further clarified his paternal relationship to DuBose noting, “He was not only the former slave of my father in law, but he had lived all his life on the same body of land up to the time he was sentenced to the penitentiary.”80

78 Mills to Governor Hugh Mason Dorsey, March 6, 1918, Applications for Clemency, Convict and Fugitive Records, Georgia Department of Archives and History, folder 1-4-48 DuBose, Mat Elbert County, box RCB-9807.


80 Conyers to Governor Nathaniel Edwin Harris, January 5, 1916, Applications for Clemency, Convict and Fugitive Records, Georgia Department of Archives and History, folder 1-4-48 DuBose, Mat Elbert County, box RCB-9807, 1.
Throughout the 1916 letter, Conyers utilized Black stereotypes to support DuBose’s application. Conyers described DuBose as “a most likeable darkey.” He suggested that DuBose served enough time in the prison system, saying, “Eleven and one-half years out of the prime of a man’s life, Governor, is a long time, even though the color of the man’s skin be black.” Conyers further alienated DuBose, suggesting that because his skin was Black, DuBose was a different species, writing, “In very truth, the fact that his skin is black ought to make the years of punishment approach nearer to legal satisfaction than if he belonged to a different race.” The degrading language Conyers utilized revealed his view of DuBose as a second-class citizen.

In both the 1914 and 1916 parole applications, Conyers successfully persuaded the Prison Commission to recommend DuBose for parole to the Governor, but the Governors declined to act on the commission's recommendations.

After fourteen years in forced labor camps, in February 1918, Mat DuBose applied for parole for a third time. On March 6th, another white attorney named William Mills wrote to Governor Hugh Dorsey on behalf of DuBose. In the letter, Mills appealed to both the logic and emotions of the governor, saying, “The Prison Com. has twice recommended a pardon, but was turned down by your predecessor, Gov. Harris… This negro is very old and decrepit.”

On March 16, 1918, Ben Conyers sent Governor Dorsey additional documents to consider for Mat DuBose’s parole. At the end of the opening letter, Conyers says, “He is a good farmer, as well as a good negro, and he is very much needed this year.”

---

81 Conyers to Governor Nathaniel Edwin Harris, January 5, 1916, Applications for Clemency, Convict and Fugitive Records, Georgia Department of Archives and History, folder 1-4-48 DuBose, Mat Elbert County, box RCB-9807, 1-2.

82 Mills to Governor Hugh Mason Dorsey, March 6, 1918, Applications for Clemency, Convict and Fugitive Records, Georgia Department of Archives and History, folder 1-4-48 DuBose, Mat Elbert County, box RCB-9807.

good faith, Conyers used language that reduced DuBose to an economic asset. In a letter sent on July 24th, Conyers pleads for the Governor to consider DuBose for parole, saying, “Governor, give the nigger a chance.” In parole applications, attorneys acknowledged the race of their clients by referring to their Black customer as a negro and colored person. It was not common for attorneys to utilize racial slurs or argue for parole because the client was Black. Conyers’s statements not only revealed the mindset of the enslavers who owned DuBose’s parents, but his casual use of derogatory phrases in legal documents demonstrated how pervasive the caste system was in the Jim Crow South.

Even as attorney Ben Conyers faithfully advocated for Mat DuBose for four years, the belittling racialized language Conyers utilized revealed the limits of his relationship with DuBose. Conyers did not help DuBose as an equal, family friend, or neighbor. Conyers presented DuBose, first and foremost, as a Black man and a farm laborer. Throughout the parole application, Conyers portrayed DuBose as a second-class citizen because of his race.

In addition to the letters from attorneys Conyers and Mill, the warden of the chain gang in Cherokee County also wrote to the governor in 1918. In the letter, the warden explained that Mat DuBose worked as the camp cook, he was trusted at camp without guards, he did not assist other convicts in escaping, and he saved up money. He faced a lifetime in the forced labor camps, but DuBose did not attempt an escape after 1907. DuBose remained in the labor camps knowing he might never earn parole. The warden used sentimental language when describing DuBose, saying, “Really it would be hard for us to get along without him, however we feel like that this old negro has served long enough & that he will make a good citizen.” Although known

84 Conyers to Hon H.M. Dorsey, “Conyers letter to Dorsey” July 24, 1918, Applications for Clemency, Convict and Fugitive Records, Georgia Department of Archives and History, folder 1-4-48 DuBose, Mat Elbert County, box RCB-9807.
for facing abuse and mistreatment, Mat DuBose earned the favor of the wardens during his time in the Cherokee County chain gangs. The warden explained that former Warden Fred Killian, before passing away, made the current warden promise “that if anything happened to him he wanted me to help Matt any way I could to get out.” It was not often that a warden advocated for a convict in their care. Despite being viewed as a second-class citizen in the eyes of Ben Conyer, Mat DuBose earned the respect of the white wardens during his time in the chain gangs.85

On October 19, 1918, Governor Hugh Dorsey approved Mat DuBose for parole.86 Two days later, on October 21st, the Cherokee County warden received a letter from the Prison Commission releasing DuBose.87 Once he was released, DuBose traveled back to Petersburg in Elbert County and by 1920, was living with his cousins.88

On September 22, 1921, Governor Thomas William Hardwick pardoned Mat DuBose of murder “per terms of parole law.” DuBose remained in Petersburg, and by 1930, he lived with his wife, Willie DuBose, whom he married during his parole. In 1940, when DuBose was about sixty-seven years old, he and his wife lived in a home with eight children and grandchildren. Four years later, on July 25, 1944, around the age of seventy-one, Mat DuBose passed away.89


86 “Parole Order,” October 19, 1918, Applications for Clemency, Convict and Fugitive Records, Georgia Department of Archives and History, folder 1-4-48 DuBose, Mat Elbert County, box RCB-9807.

87 Clerk to Capt. Fred Killian, “Parole Notice” October 21, 1918, Applications for Clemency, Convict and Fugitive Records, Georgia Department of Archives and History, folder 1-4-48 DuBose, Mat Elbert County, box RCB-9807.


III: “POSSE SHOOT INTO CONVICTS”

Thursday, April 18, 1907

On Thursday, April 18th, around eight in the morning, Black convicts Virgil Gates, Tom Fuller, Major Scott, and Sam Johnson broke into the home of Joseph and Mary Henson. Over the past three days, the men traveled about thirty-five miles south from the Durham Mines to Teloga. Joseph Henson had already left his home for the day, but the house was not empty. The men held Mary Henson hostage, robbed the family of about $50, ate breakfast, and stole civilian clothes so they could change out of their prison stripes. After the men left, Mary immediately informed the police of the robbery.

Throughout the morning and into the afternoon, word of the robbery spread. A group of local farmers gathered to hunt the convicts. Around three in the afternoon, about twenty-five men cornered the four convicts in a thicket and began shooting. Fleeing for his life, Major Scott was severely injured. Newspapers initially reported him dead. The mob also wounded Virgil Gates and Tom Fuller as the convicts attempted to avoid the shower of bullets. While the newspapers did not declare Gates and Fuller dead on the spot, they indicated that the men would likely die from their injuries. The Summerville News mentioned that the convicts had pistols, but this does not seem very likely since the men would have had to obtain guns before they obtained civilian clothing. But even if the men were armed, the convicts were at a significant disadvantage. When

---

they faced a mob of twenty-five armed farmers, it seemed likely that the convicts were unarmed and posed no threat to the white mob. The community-sanctioned violence against these men severely wounded three of the four convicts.90

Shortly after the shooting, the sheriff and his deputies arrived at the scene. Having been notified earlier in the day of the robbery at the Henson house, the sheriff likely knew that a mob of men would form to hunt the convicts. If the sheriff knew about the mob, he intentionally allowed the Black convicts to be attacked. While his knowledge of the mob is speculation, none of the newspapers mentioned any charges against the men for shooting at the four convicts. The three injured convicts went into the custody of white Bailiff Bob Pursley, who took Virgil Gates, Tom Fuller, and Major Scott to the nearby jailhouse in Summerville about nine miles away. The fourth convict in the group, fifty-year-old Sam Johnson, managed to flee from the mob unharmed.

The events of Thursday, April 18th, received the most publicity compared to the other recaptures. At least sixteen articles throughout Georgia and in neighboring states detailed the shootout. The main difference between the local and non-local newspapers’ coverage of the recapture was in the title of the articles. The non-local paper emphasized the dramatic shooting with headlines like “Posse Shoot into Convicts” and “Convicts Rounded Up.”91 They also


legitimized the actions of the farmers by elevating their status and referring to them as a posse rather than a mob. The local newspapers, however, emphasized the people affected by the robbery with the headlines, “Escaped Convicts Rob Family of Joe Henson” and “Four Convicts Captured: Entered home of J. T. Henson and Robbed Woman at Point of Pistol.” While a seemingly insignificant detail, the local newspapers’ emphasis on the Henson robbery dehumanized the convicts, justified the shooting as an act of justice, and sparked fear and distrust. *If convicts robbed the Henson family, they could rob me!* This change in tone was significant since the population reading the local articles was the population affected by the escape.

On April 26th, the *Walker County Messenger* discussed the Thursday robbery, shooting, and convict recapture as part of a three-article series discussing the escape. The *Messenger* formatted the Thursday recapture events article next to the article detailing the Wednesday recapture of three convicts by Howard Bryan.

The third article in the series was an editorial discussing the ramifications of the convict break-ins. Titled “Women and Revolvers,” the *Messenger* quoted an anonymous advocate for women’s defense. The editorial implored husbands to teach their wives how to shoot a pistol. A significant portion of the article focused on defending the intelligence of women and their ability to learn how to use a gun effectively. The speaker argued that men should teach women to shoot

---


because of “frequent convict escapes at Durham, and the state of the country generally in regard to the negro question.” The speaker implied that the threat to women was not convicts in general but Black convicts specifically and Black people more broadly. The Messenger ended with broad conclusions about threats from Black men: “Until we can colonize the negroes as Abraham Lincoln wished to do, let us take all the precautions we can, and let every man remember to provide firearms for his women-kind lest he have reason to regret his negligence bitterly.” The author plainly stated that until white people contained the Black American population, women were at risk of rape and murder. It is important to keep in mind that while the four Black men who robbed the Henson home did wait for the white men to leave, there was no report in any of the newspapers that the convicts abused, assaulted, or attempted to murder or rape Mary Henson. In the worst-case scenario where a group of convicted Black men broke into a white women’s home, the women were untouched.94

The Messenger's emphasis on the threat Black people imposed on the white community revealed the true motivation behind the local efforts to round up the Black convicts. The three white convicts were not more elusive than the Black convicts. Rather, the Black convicts threatened the social order of white supremacy, and thus the community needed to contain them.

Two weeks after the mob rounded up the three convicts, on May 3rd, the Walker County Messenger discussed the aftermath of the Thursday shootout. The Messenger noted that Bailiff Bob Pursley convinced the crowd to let him claim the reward money, promising to donate the bounty to the church. The penitentiary offered $50 for each convict captured, making the total reward for the three men a small fortune of $150.

After gaining custody of the three injured men, Pursley wanted to ensure he received the money. In an almost mocking tone, the *Messenger* noted that Pursley wired the Prison Commission in Atlanta, which informed him that he just needed to bring the men to the local sheriff “and the reward would be paid him.” After Bob Pursley placed the bleeding convicts in a wagon headed to the Summerville jail, the mob got so “excited” that they wanted to lynch them. The *Messenger* stated, “The excitement was such that when Pursley had put the darkies in a wagon to bring them to Summerville, some of the posse wanted to lynch them.” Potentially motivated by the reward money, Pursley quickly rejected that idea and knocked unconscious the first person who made a move to lynch the men. To reinforce Pursley’s greed, the *Messenger* revealed that Pursley took off with the money saying, “Although it did not leak out when the convicts were first taken, it appears that Pursley amply won the money.” To Pursley, the convicts were nothing more than a bounty. While the locals responsible for incapacitating the Black convicts were interested in asserting white supremacy by publicly lynching the men, Pursley opted to spare their lives to obtain the cash.  

VIRGIL GATES

Although injured in the shootout, Virgil Gates’s injury was not as severe as the wounds of Tom Fuller and Major Scott. Returning to Durham on April 23rd, Gates was the first of the three convicts to regain their health.

Five years before the 1907 escape, while living outside of LaGrange in Troup County, Virgil Gates was arrested for murder after fatally shooting a Black man on May 6, 1902. Three days later, on May 9th, the *LaGrange Reporter* announced Gates’s vicious murder of a Black

man named Jerry Morgan on the front page. With the headline “Negro Shot and Killed: Virgil Gates Shot Jerry Morgan Tuesday Morning, Killing Him Instantly,” the paper detailed how Gates shot and killed Morgan to cover up his affair with Morgan's wife. The Reporter explained the situation saying, “The trouble comes about by the alleged intimacy between Gates and Morgan’s wife.” After Morgan found out about Gates’s adultery, he confronted Gates and “emptied a pistol at Gates, but failed to hit him.” Two days later, after finding Morgan out in the field, “Gates took him unawares, and emptied the contents of a shot gun into his body.”

In a second article, the Reporter provided updates from the Troup Superior Court. The paper endorsed the court, writing, “the grand jury is actively engaged in some efficient work, and has found true bills against two negroes, Virgil Gates and Will Patt for murder.” Less than three days after Morgan passed away, the grand jurors had not only reviewed the evidence but had issued a True Bill for Virgil Gates.

Four months later, the court heard Virgil Gates’s case during the 1902 November term. On November 14, 1902, the LaGrange Reporter provided an update on Gates’s trial. After a few one-liners about different people convicted for animal theft and assault, the article stated that Gates was prosecuted and convicted of murder.


98 Evidence of a crime is presented to Grand Juries, who either issue a True Bill if they believe there is enough evidence against a plaintiff to justify prosecution and hold a trial by jury, or they issue a No Bill which dismisses the allegations.


The *Reporter* provided a clear-cut story of Virgil Gates’s infidelity and murder of Jerry Morgan. The paper reinforced the story by discussing the grand jury’s True Bill against Gates and his murder conviction. The *Reporter*’s portrayal of the events surrounding Morgan’s death was likely the dominant story presented at Gates’s trial with one key exception; the judge refused to admit any evidence alluding to Morgan’s attempt on Gates’s life two days before the murder. Two of Morgan’s sons were witnesses to their father’s death and testified in court along with Morgan’s wife. On the other hand, the court barred Gates’s wife from testifying. Without being able to cite the Sunday shooting incident, Gates’s testimony was his only defense. In the trial, it was Gates’s word against the grieving family members who saw their father and husband die. Despite his efforts to defend himself in his “Not Guilty” plea, the jury found Gates guilty with the court ruling that he, with premeditation, used a loaded gun to shoot Jerry Morgan with the intent to kill. On November 14, 1902, the judge informed twenty-three-year-old Virgil Gates that he would spend the rest of his life in the forced labor prison camps.101

Gates arrived at Durham on November 25, 1902, where he labored in the mines for seven years. After escaping on April 15, 1907, a group of farmers shot Gates along with Tom Fuller and Major Scott. After recovering from his wounds in the Summerville Jail, about a week later, on April 23rd, Gates returned to Durham. When the lease system ended on April 1, 1909, the Prison Commission transferred Gates out of Durham and sent him to work in the chain gangs in Troup County.102 It was not until 1912 that Gates presented the full story of the shooting to the state and the extent of the injustice revealed.

101 “The State vs Vergil Gates: True Bill,” Troup County, Georgia, May term 1902; *Troup County Superior Court Records, Criminal Cases 1901-1903*, Troup County Archives; “The State vs Vergil Gates: Felony Sentence,” November 14, 1902, Criminal Cases 1901-1903, Troup County Superior Court Records, Troup County Archives.

After serving in the prison system for ten years, Gates enlisted white attorney William T. Tuggle to help him apply for parole. Tuggle lived in LaGrange, the county seat for Troup, and at the age of thirty-seven, was well into his law practice.103 On November 18, 1912, Tuggle publicly posted in Troup County that he would be filing an application on behalf of Gates for parole or pardon.104

Within the application, Virgil Gates revealed his side of the events surrounding the death of Jerry Morgan in 1902. Born around 1878 to Welsey Gates and Minnie Harris, Virgil Gates grew up on a farm outside LaGrange, Georgia. With seven other siblings, he did not have the opportunity to receive an education.105 In 1900, when Gates was about twenty-two, he moved out of his family home.106 In 1902, Gates “had been married about two years and had lived happily with his wife in their little home.” He worked as a farm laborer for a Black landowner named Judge Carter. Gates knew Jerry Morgan “practically all his life.” Morgan, in his forties, lived about a mile away from Gates.107

In mid-April, about two weeks prior to the shooting, after traveling to the city for business, Virgil Gates returned home “one Saturday evening… and found his wife crying.” She revealed that Jerry Morgan had stopped by the house and raped her. Gates confronted Morgan a

---


104 Tuggle to Troup County, “In Re: Virgil Gates, Application for Parole,” November 18, 1912, Applications for Clemency, Convict and Fugitive Records, Georgia Department of Archives and History, Folder 1-4-42 Gates, Virgil Troup County, box RCB-9973.


few days later and told him that he “could not come to the petitioner's house any more.” Enraged, Morgan threatened Gates, asking if he “wanted to make a personal matter of it.”

The following Sunday, in a public attack with many witnesses, Jerry Morgan shot Virgil Gates while Gates got water from a well. Morgan’s wife yelled, “Watch out Virgil, Jerry is going to shoot you.” Gates dropped to the ground as the shot rang above his head.

Two days later, on Tuesday, May 6th, Virgil Gates took a shortcut on his way to town when he passed Jerry Morgan and his two sons working in a field. Morgan heckled Gates as he walked by. As Morgan yelled at him, Gates noticed Morgan reach for his pocket. Fearing that Morgan was about to pull out a pistol, Gates shot Morgan in the leg with a birdshot. In the letter to the Prison Commission, William Tuggle clarified why Gates shot, saying, “Petitioner fired to save his own life, believing that Morgan fully intended to kill him.”

Virgil Gates did not think birdshot could severely injure Jerry Morgan. Seeing that Morgan's family was around to help with the small wound, Gates continued on his way. Unfortunately for Gates, the birdshot hit a major vein in the inside of Morgan’s leg, causing him to bleed out in front of his children. When Gates learned that Morgan died from the wound, he did not flee or resist arrest.

---


111 Tuggle to the Governor and the Prison Commission, “The Petition of Virgil Gates for a Parole,” December 4, 1912, Applications for Clemency, Convict and Fugitive Records, Georgia Department of Archives and History, Folder 1-4-42 Gates, Virgil Troup County, box RCB-9973, 3.
While the application for parole was written by Virgil Gates’s attorney for the sole purpose of gaining parole, the application provides insight into Gates’s perspective, which otherwise would be completely lost. Growing up in a poor household, Gates did not have the opportunity to learn to read or write. While the newspapers presented Gates as an adulterous murderer, through the court system, the archives retained the perspective of a poor uneducated Black man.

In addition to Virgil Gates’s testimony surrounding Jerry Morgan’s death, William Tuggle also provided signed statements from white and Black employers, physicians, and character witnesses who supported Gates’s parole application. Despite Tuggle’s efforts, on April 11, 1913, the Prison Commission denied clemency to Virgil Gates. Gates did not receive a reduced sentence or parole.112

A few years later, after serving in the prison system for nearly twenty years, on August 17, 1918, Gates’s attorney William Tuggle wrote a letter to the Troup County court asking to reopen Gates’s application.113 Two months later, Gates received a letter from the Prison Commission of Georgia informing him that Governor H.M. Darden approved him for parole.114 The Prison Commission granted Gates parole on seven conditions to ensure that he could be a productive, law-abiding citizen. Gates must be employed by Tuggle during his parole and a letter must be submitted to the Prison Commission each month confirming that Gates was still

112 Davison to the Governor “In Re: Virgil Gates,” April 11, 1913, Applications for Clemency, Convict and Fugitive Records, Georgia Department of Archives and History, Folder 1-4-42 Gates, Virgil Troup County, box RCB-9973.

113 Tuggle to Troup County “In Re: Virgil Gates,” August 17, 1918, Applications for Clemency, Convict and Fugitive Records, Georgia Department of Archives and History, Folder 1-4-42 Gates, Virgil Troup County, box RCB-9973.

114 Parole Order, “In Re: Virgil Gates, colored,” October 30, 1918, Applications for Clemency, Convict and Fugitive Records, Georgia Department of Archives and History, Folder 1-4-42 Gates, Virgil Troup County, box RCB-9973.
employed. If Gates followed all of the conditions of his parole, at the end of twelve months, he could apply for final discharge or pardon. Secretary of the Prison Commission G.H. Yancey reaffirmed the Prison Commission’s belief that Gates would excel during his parole. At the end of the letter, Yancey wrote, “The Prison Commission has a deep and friendly interest in you. They are anxious to help you when possible. Do not hesitate to apply to them when in trouble, and every assistance in their power will be rendered you.” Shortly after receiving his parole notice, Gates was transferred out of the Troup chain gangs and sent to work for Tuggle in LaGrange.

For the next twelve months, Virgil Gates faithfully worked for William Tuggle. But the experienced attorney and employer did not send the monthly reports to keep Gates in compliance with the terms of his parole. Upon learning that Gates would not be allowed to apply for final discharge, on October 31, 1919, Tuggle wrote a letter to the Prison Commission apologizing for his oversight. Tuggle admitted in the letter that Gates regularly inquired about the monthly reports but he did not submit them because “I possibly did not realize the importance of these reports. I thought if you regarded them as very important you would write to me or the prisoner about them.” Even if Gates was suspicious, he was unable to read or write and in no position to send a monthly letter to the Prison Commission. Tuggle then called Gates an “ignorant negro” for trusting that he would write the letters. After navigating the legal system for seven years to

115 Yancey to Virgil Gates, Parole Conditions, November 1, 1918, Applications for Clemency, Convict and Fugitive Records, Georgia Department of Archives and History, Folder 1-4-42 Gates, Virgil Troup County, box RCB-9973, 1.

116 Yancey to Virgil Gates, Parole Conditions, November 1, 1918, Applications for Clemency, Convict and Fugitive Records, Georgia Department of Archives and History, Folder 1-4-42 Gates, Virgil Troup County, box RCB-9973, 2.

117 Tuggle to Prison Commission, October 31, 1919, Applications for Clemency, Convict and Fugitive Records, Georgia Department of Archives and History, Folder 1-4-42 Gates, Virgil Troup County, box RCB-9973.
assist Gates in obtaining parole, Tuggle should have understood the importance of the letters. Despite knowing the details surrounding Gates’s one-sided trial and the many years of forced labor Gates endured, Tuggle did not think Gates’s freedom was something to protect. Nonetheless, the Prison Commission accepted Tuggle’s letter. On September 22, 1921, Governor Thomas William Hardwick pardoned Gates of murder “per terms of parole law.”

After receiving the Governor’s pardon, Virgil Gates remained in LaGrange. About five months into his freedom, Gates laid his father, Wesley Gates, to rest on March 7, 1922. In 1930, Gates worked as a city laborer in LaGrange. The census recorded that he was married to Jamie Gates and lived with her five children, who all shared the last name of Gipson. Four years later, around the age of fifty-six, Gates succumbed to pulmonary tuberculosis, likely exacerbated by his time working in the Durham coal mines. On March 26, 1934, while living in LaGrange, Virgil Gates passed away.

Back in 1902, when the LaGrange Reporter first disclosed news of Jerry Morgan’s death, it published the story alongside an article announcing a True Bill for Virgil Gates. By pairing the two articles together on the front page, the Reporter assured the public of Gates’s guilt while also reinforcing the efficiency of the courts. During his trial, Virgil Gates’s wife was barred from testifying about her rape in court, and the judge dismissed the evidence of Jerry Morgan’s public attempt on Gates’s life. It was no surprise that Gates was sentenced to life in prison after being

---

118 Pardon Order “In Re: Virgil Gates” September 22, 1921, Pardons, Convict and Fugitive Records, Georgia Department of Archives and History, Vol 1-1229, 335.
convicted of premeditated murder since the only evidence the judge admitted in court was skewed in Morgan’s favor.

As Virgil Gates presented his perspective of Jerry Morgan’s death in the parole application, his decision not to involve the police when his wife was assaulted, and Morgan tried to kill him is especially striking. Historian K. Stephen Prince discussed the role of the state in maintaining white supremacy throughout the South, saying, “From the police to the courts to the prisons, the southern justice system was, by design and by implementation, a blunt instrument of white supremacy and a tool of state-sanctioned racial violence… In New Orleans and elsewhere, the police department served as an essential cog in the machinery of white supremacy.”122 The assumption that Gates should employ the police undermines the state’s role in perpetuating violence against the Black community in the Jim Crow era. Rather than involve a white police force, Gates repeatedly sought to address conflicts within the Black community. Considering how the police, court system, white attorney, and white press handled Gates’s case, it was no surprise that Gates hesitated to elicit the help of the white police force when faced with conflict, regardless of its severity. By the time the Governor pardoned Gates, he had spent half of his life in forced labor camps.

TOM FULLER

While Virgil Gates recovered in five days from the assault on April 18, 1907, Tom Fuller lingered in the Summerville jail for about a month before returning to Durham. Originally from Talbot County, Fuller was raised in a family of farm laborers. In 1880, Base and Allie Fuller found out they were pregnant with their second child a few months after their firstborn, Doc, was

born. Between 1880 and 1881, their second son, Tom Fuller, was born.\textsuperscript{123} On December 29, 1898, when Doc was about eighteen or nineteen, he married Alfa Steed in Meriwether County, Georgia.\textsuperscript{124} Steed soon after passed away, and in 1900, Tom moved in with Doc. Living in Meriwether County, both Tom and Doc worked as farm laborers.\textsuperscript{125}

In June of 1900, Tom Fuller spent an evening gambling with Black farmer Henry Bryant. Fuller ended up betting all his money, two dollars and a quarter, in a few games of cards. Whether he lost the money in the game or Henry refused to give Fuller his winnings back, by the end of the night, Fuller left with nothing. On July 1st, Tom told his brother Doc that he lost the $2.25 in a game of cards but slowly won the money back. When Tom attempted to collect his winnings, Bryant pulled out a gun and refused to give Fuller the two dollars and a quarter. Upon hearing Tom’s story, Doc was outraged. Doc went to the house of Black neighbor Larry Sinquefield, asking to borrow a pistol.\textsuperscript{126}

According to Sinquefield, Doc Fuller attempted to persuade him to help get the money back, saying, “I think you will let me have your gun after I tell you my troubles… a fellow highway robbed my brother and took two dollars from him.”\textsuperscript{127} For comparison, when Tom Fuller escaped from Durham in 1907, the state issued a $50 reward for his arrest. The state

\begin{itemize}
  \item \textsuperscript{123} 1880 U.S. census, Talbot County, Georgia, population schedule, Flint, p. 12, dwelling 115, family 115, Dock Fuller; digital image, Ancestry.com, http://ancestry.com.
  \item \textsuperscript{124} Meriwether County, Georgia, Marriage Records From Select Counties, 1828-1978 (1898), Dock Fuller, Alfa Steed; Ancestry.com, http://ancestry.com, 334.
  \item \textsuperscript{125} 1900 U.S. census, Meriwether County, Georgia, population schedule, Middle, p. 9B, dwelling 156, family 156, Tom Fuller; digital image, Ancestry.com, http://ancestry.com.
  \item \textsuperscript{126} Tom Fuller, Brief of Evidence, August term 1900, Georgia Supreme Court of Appeals, Court Cases 1846-1917, Georgia Department of Archives and History, folder A-24319 Tom Fuller Et.Al v The State, box RCB-54193.
  \item \textsuperscript{127} Larry Sinquefield, Brief of Evidence, August term 1900, Georgia Supreme Court of Appeals, Court Cases 1846-1917, Georgia Department of Archives and History, folder A-24319 Tom Fuller Et.Al v The State, box RCB-54193.
\end{itemize}
valued Fuller’s recapture at $50, but in 1900, Tom and Doc were willing to murder for $2. While a fairly small sum by 1900s standards, for poor sharecroppers Tom and Doc, $2 was worth risking someone's life to get back.

As Doc sat with Larry Sinquefield, Tom spotted Bryant coming down the road in a buggy and went to confront him. After Bryant repeatedly dismissed Tom’s requests to talk, Tom fired a few rounds. One round hit a Black man named Jim Howe, the other person in the cart, in the shoulder, and another round hit Bryant in the cheek. Bryant labored for a few weeks before passing away from the injury.128

On July 20, 1900, the Meriwether Vindicator announced the murder charges against the Fuller brothers. It explained that while the brothers awaited their trial for attempted murder, Henry Bryant passed away from his wounds. Rather than being tried for attempted murder, the Fuller brothers were now going to be tried for murder.129

It was not often that two men were tried in court together. The trial against Tom and Doc Fuller was heard in the 1900 August term of the Meriwether Superior Court. At the trial, eleven people testified, including Tom and Doc. While some information varied from person to person, all of the people who witnessed the shooting noted that Doc was not with Tom when Tom fired the gun. On August 28th, the jury delivered a guilty verdict to both Tom and Doc Fuller for the murder of Henry Bryant. Despite the evidence implicating Tom in Henry Bryant’s death and not Doc, both brothers received a verdict of guilty. The jury convicted Doc Fuller of murder and gave him a life sentence of hard labor in the prison system despite all of the testimonies placing

128 Jim Bryant, Brief of Evidence, August term 1900, Georgia Supreme Court of Appeals, Court Cases 1846-1917, Georgia Department of Archives and History, folder A-24319 Tom Fuller Et.Al v The State, box RCB-54193.

129 “Will Be Tried For Murder Instead of Assault With Intent to Murder,” Meriwether Vindicator (Greenville, GA), July 20, 1900, Vol 28, no. 33, p. 3, Microfilm, University of Georgia Libraries.
him on a log with Larry Sinquefield when Bryant was shot. In the eyes of the jury, Doc’s life was not a thing of value to protect.130

Doc was able to apply for re-trial, but if the verdict stood, he would be sent away for life for a murder he did not commit. On August 31st, the Vindicator provided brief updates on the cases reviewed during the second week of the Meriwether Superior Court. It mentioned that Tom and Doc Fuller were Black, found guilty, sentenced to life in prison, and a “motion for new trial was made.”131

There was no real evidence linking Doc Fuller to the murder. All of the eyewitnesses said that Doc was sitting on a log with Larry Sinquefield when Henry Bryant was shot. The brothers applied for a retrial on the grounds of lack of evidence. Their case went to the Georgia Supreme Court, and after six months, the Court of Appeals ruled in favor of the Meriwether Superior Court’s verdict for Tom Fuller, but the court dismissed the charges against Doc Fuller. On February 25, 1901, Doc was acquitted of a murder he did not commit.132 Three days later, Tom had his sentencing hearing. On February 28th, twenty-one-year-old Tom Fuller was sentenced to life in prison.133 One week later, on March 7th, he arrived at the Durham Mines.

A day later, the Vindicator discussed the verdict from the retrial. But it only discussed Tom Fuller’s ruling, completely omitting Doc from the article. The article reaffirmed Tom’s guilty verdict, writing, “Tom Fuller, whose case came back from Supreme Court, was

130 Larry Sinquefield, Brief of Evidence, August term 1900, Georgia Supreme Court of Appeals, Court Cases 1846-1917, Georgia Department of Archives and History, folder A-24319 Tom Fuller Et.Al v The State, box RCB-54193.

131 “Superior Court,” Meriwether Vindicator (Greenville, GA), August 31, 1900, Vol 28, no. 39, p. 2, Microfilm, University of Georgia Libraries.

132 “The State vs Doc Fuller,” Meriwether County, Georgia, February term, 1901; Meriwether County Minute Book, 1899 - 1905, Meriwether County Superior Court, 201.

133 “The State vs Tom Fuller and Doc Fuller,” Meriwether County, Georgia, February term, 1901; Meriwether County Minute Book, 1899 - 1905, Meriwether County Superior Court, 222.
re-sentenced to the penitentiary for life.” When reporting retrial, rather than clarify the miscarriage of justice at the original trial, the newspaper opted to exclude Doc from the narrative completely. The Vindicator dismissed the innocence of Doc Fuller and manipulated its coverage of the trial to reinforce the stereotype of the Black criminal. By removing Doc from the update, the article portrayed Tom as foolish for seeking a retrial. The article mentioned that Tom was found guilty of another Black person’s death. While neither the article nor the court documents revealed who this other person was, Jim Howe might have succumbed to his shoulder wound.134

After spending four years laboring in the mines at Durham, on August 2, 1905, Tom Fuller escaped from Durham but was recaptured later that night.135 The Dade County Sentinel newspaper reported the escape two days later. According to the Sentinel, around three in the afternoon, “two long term state prisoners,” Fuller and a white convict, climbed the fence that surrounded the Durham Mines. “Immediately on information of the escape,” two mine personnel with locals Henry Massey and James Moore pursued the escaped convicts. Later that night, the guards and locals managed to recapture Fuller and the white convict only a few miles from the mines. Before the two men were returned to Durham, the Sentinel explained, “the white prisoner attempted escape after his capture and was shot in the heel by Massey.” The Sentinel discussed the threat of the escaped convicts in a way that highlighted the quick response of the mines and the heroism of the locals.136 Records at the Durham camp clearly marked the August 2nd escape

134 “Superior Court Aftermath,” Meriwether Vindicator (Greenville, GA), March 8, 1901, Vol 29, no. 14, p. 2, Microfilm, University of Georgia Libraries.


for Tom Fuller, but they did not mention any other convict who also escaped that day. If Fuller was accompanied by a white convict, then Durham failed to record his escape.137

Two years later, on April 15, 1907, Fuller attempted his second escape with eleven other convicts.138 After being shot on April 18th, Fuller recovered in the Summerville jail for about a month before returning to Durham on May 12th.139 On April 1, 1909, when the convict lease system expired, the Prison Commission sent Fuller to work in the chain gangs in Muscogee County. Despite two failed escape attempts and almost losing his life after being shot at by a group of white men, Fuller attempted a third escape on January 18, 1910. Like his first escape attempt, Fuller was recaptured the same day.140 Three years later, on May 18, 1913, Fuller was transferred from Muscogee County to the Harris County chain gangs. A year into his time in Harris, he attempted his fourth and final escape attempt on May 6, 1914. Fuller managed to evade recapture and avoided spending the final years of his life incarcerated.141

137 “Convicts Roster - Pittsburg Camp, Revised Register 1905,” Convicts At Individual Camps Registers, 1884-1907, Tom Fuller; Georgia, Georgia Department of Archives and History, Vol 2-7026, 38.


139 “Convicts Roster - Pittsburg Camp, Revised Register 1905,” Convicts At Individual Camps Registers, 1884-1907, Tom Fuller; Georgia, Georgia Department of Archives and History, Vol 2-7026, 38.


141 In the Central Register of Convicts, there are four escape dates and three recapture dates listed for Tom Fuller. The second recapture year listed is not clear from the records. This date was either associated with the 1907 escape or the 1914 escape since neither of them have a clear recapture date in the records. The year appears to be 05 with 17 written on top of it in a thicker script indicating that it is meant to be linked to the 1914 escape. It is possible that it was 14 and not 17 but regardless of whether Fuller escaped a few days or a few years, he ultimately was recaptured and continued serving his life sentence. After reviewing the other thirty-eight life sentenced convicts on the F page, it would be remarkable for Fuller to be recaptured after the 1914 escape and not have a pardon or death date recorded like all of the other inmates. The escape dates are also listed in the order of 1910, 1907, 1905, and 1914. If the in date question was 1907, then the recapture dates would be in the same order as the escape dates. The 1907 escape does not seem to have a recapture date associated with the escape, but we know from camp records and the subsequent escapes that he was recaptured. The recapture date in question could be for the 1907 escape since the camp records note he was returned on May 12, 1907, and the date in question was May 13, ???. If the unclear year was 1907 then Fuller’s 1914 escape was successful. While the script appears to be a 17, after reviewing the evidence I believe the date was meant to be 07 meaning he successfully escaped in 1914. Central Register of Convicts 1869-1923, Georgia Department of Archives and History, Vol 2-12962, Ancestry.com, http://ancestry.com, 40.
The newspapers did not consistently report on Tom Fuller's multiple escapes. His first and second escape attempts were discussed in the newspapers, but the newspapers did not report his third and final escape. When the papers did announce his prison breaks, they did not mention him by name and the newspapers centered the discussion around the locals who were either affected by the escape or helped with the recapture. Despite being a dangerous “life-time negro,” the newspapers did not discuss Fuller’s final and successful escape. According to historian Matthew Mancini, one of the primary functions of the lease system was to maintain the South’s social and racial hierarchy. Mancini argued that the convict lease system was a story of racial subjugation, citing the disproportionately high population of incarcerated Black men. In light of the prison’s role in maintaining a racial hierarchy, the newspapers may have ignored Tom Fuller’s final escape because the report could have undermined the authority of the prison system.

MAJOR SCOTT

The last convict wounded on Thursday, April 18, 1907, was Major Scott. Born around 1870 to Sam and Anna Scott, Major Scott grew up in Troup County. In 1880, Major lived with his parents and six other siblings in Pools Mill. His father worked as a farmer, and his mother stayed home managing the house and their seven children. No one in the Scott household learned to read or write, and by the age of ten, Major had entered the workforce as a day laborer.

---


When Major Scott was about twenty-five, he had his first major run-in with the law. On July 23, 1897, the LaGrange Reporter mentioned Scott’s arrest in a local events column called the “Hogansville Happenings.” On Monday, July 19th, the police arrested Major Scott for stealing from Ike Robinson’s store. The editors discussed Scott’s arrest in jest, saying, “Occasionally Justice Utting gets some grinding to do in his court.” After four months, the Troup Superior Court held Scott’s trial during the November term. On November 23, 1897, the jury convicted Scott of burglary. After serving three years at Durham, Scott was released on June 23, 1900.145

Three years after his release from prison, Scott again found himself on trial for burglary in Troup County. On November 25, 1903, Scott was tried without a jury for stealing one set of animal harnesses, which he allegedly sold for $2.50. At the trial, only three people testified, and out of the three, only one testimony implicated Scott in the theft. Based on the testimony of a Black named Jim Smedley, the judge found Scott guilty. Like Scott, Jim Smedley grew up in a poor family, unable to receive an education, and as an adult, Smedley was convicted several times for burglary.146

After Scott was convicted of stealing a harness valued at $2.50, the judge gave him the option of serving twelve months in a chain gang or paying a $100 fine.147 Unable to pay the fine,


147 Turner to the Governor “In Re: Major Scott,” May 18, 1904, Applications for Clemency, Convict and Fugitive Records, Georgia Department of Archives and History, folder 1-4-42 Scott, Major Troup County, box RCB-24954.
Scott lingered in jail for three months waiting to be sent to a prison camp. On February 15, 1904, represented by white attorney Edward T. Moon, Scott filed for clemency. Moon provided documents to the Prison Commission revealing that Smedley lied in court. In the letter to the Prison Commission, Moon stated, “Jim Smedley has since made an affidavit that everything he swore was a lie and that petitioner is not guilty.” In addition to the affidavit from Smedley, Moon also presented a letter from the judge who convicted Scott. In the letter, the judge asked the Prison Commission to “recommend to the Governor that he pardon said Major Scott.”

Shortly after Edward Moon posted that he was helping Major Scott apply for a pardon, Governor J.M. Terrell received letters from the Troup officials. After seeing the notice posted, Sheriff H.N. Brady wrote the Governor, saying, “I write the above to urge you as Gov- not to pardon this man. He is a notorious thief and vagabond.” Brady mentioned that Scott had been arrested four other times. Brady did not support his request to deny Scott’s pardon with evidence that Scott committed the crime. Rather, Brady suggested that Scott was a sketchy person, and when Jim Smedley was arrested for a separate crime, the two men conspired together in jail to get Scott his freedom.

148 Moon to Honor Goodloe Yancey, February 16, 1904, Applications for Clemency, Convict and Fugitive Records, Georgia Department of Archives and History, folder 1-4-42 Scott, Major Troup County, box RCB-24954.

149 Turner to the Governor “In Re: Major Scott,” May 18, 1904, Applications for Clemency, Convict and Fugitive Records, Georgia Department of Archives and History, folder 1-4-42 Scott, Major Troup County, box RCB-24954.

150 Moon to the Prison Commission, February 12, 1904, Applications for Clemency, Convict and Fugitive Records, Georgia Department of Archives and History, folder 1-4-42 Scott, Major Troup County, box RCB-24954.

151 Longley to Prison Commission, February 12, 1904, Applications for Clemency, Convict and Fugitive Records, Georgia Department of Archives and History, folder 1-4-42 Scott, Major Troup County, box RCB-24954.

152 Brady to Gov J. M. Terrell, February 18, 1904, Applications for Clemency, Convict and Fugitive Records, Georgia Department of Archives and History, folder 1-4-42 Scott, Major Troup County, box RCB-24954.
In addition to Sheriff Brady, Henry Reeves, solicitor of the LaGrange city court, also wrote a letter to Governor Terrell. Solicitor Reeves stated that he still thought Major Scott was guilty despite Jim Smedley’s affidavit. Like Sheriff Bradly, Reeves speculated that Smedley and Scott conspired together in jail to get Scott his freedom. He conjectured that both Scott and Smedley were involved in the theft of the harnesses. Reeves ended the letter, writing, “Of course if Scott is not guilty I don’t want him punished but if he is I certainly want [him] sent off.”

In addition to the letters, the parole board received a notarized statement concerning Major Scott’s reputation and character signed by five white men. On February 13th, two civilians, two merchants, and Chief of Police W.H. Harris, all signed a statement saying they had known Scott for five years and he “is bad, that he is a vagabond, a notorious thief, that he has been convicted of burglary as shown by records of Troup County, that on various time he has been caught stealing, that he is a menace to society, [and] a dangerous citizen in the community.” Without citing evidence of Scott’s participation in the robbery, the five men indicated that the problem was that Major Scott himself. The men wanted Scott in the prison system because they saw him as an irredeemable criminal.

Even if Major Scott was guilty of stealing the harnesses, the burden of proof was on the state to prove Scott’s crime. On May 18, 1904, the Governor and the Prison Commission upheld Scott’s sentence based on recanted testimony and “Decline[d] to recommend clemency.”

---

153 Reeves to Pardon Board, February 16, 1904, Applications for Clemency, Convict and Fugitive Records, Georgia Department of Archives and History, folder 1-4-42 Scott, Major Troup County, box RCB-24954.

154 L.W. Cleaveland, “Authorized Oath,” February 13, 1904, Applications for Clemency, Convict and Fugitive Records, Georgia Department of Archives and History, folder 1-4-42 Scott, Major Troup County, box RCB-24954.

155 Jos. S. Turner, Tom Eason, Clement A Evans, and Goodloe Yancey, “In Re: Major Scott,” May 18, 1904, Applications for Clemency, Convict and Fugitive Records, Georgia Department of Archives and History, folder 1-4-42 Scott, Major Troup County, box RCB-24954.
It was remarkable that none of the letters mentioned the optional fine. The $100 fine was so expensive and unattainable for Major Scott that the petitioners did not even consider it when asking the governor to dismiss his pardon. In fact, it could be argued that the letter writers would be disappointed if Scott paid the fine because he would be back in society. Solicitor Reeves was the only person to mention that he did not want Scott punished if he was innocent of this crime. Considering the emphasis on Scott’s character and not on the convincing evidence, the letter writer's main goal was not to convict a guilty man but to control and contain Scott. Regardless of Scott’s actual involvement in stealing the harness, Scott was a Black petty thief in the eyes of the white community. It did not matter if Scott was guilty of this specific act of larceny because if given the chance, the white merchants and police believed Scott would threaten their authority by continuing to steal.

After he was released from the prison system in late 1904 or early 1905, Major Scott left Troup County. While in Fulton County, Scott went by the alias Will Woodall, possibly to distance himself from his criminal past.\footnote{\textit{The State vs Major Scott},” Fulton County, Georgia, Spring Term 1905; \textit{Fulton County Superior Court Records, Criminal Minutes, 1905-1909}, Fulton County Superior Court, 26-27.} The police arrested Scott for burglary in Atlanta. On June 20, 1905, around the age of thirty-five, Scott was convicted of burglary in the Fulton County Superior Court and sentenced to six years of hard labor in the prison system.\footnote{\textit{The State vs Major Scott alias Will Woodall},” Fulton County, Georgia, Spring Term 1905; \textit{Fulton County Superior Court Records, Criminal Minutes, 1905-1909}, Fulton County Superior Court, 26.} Seven days later, on June 27th, Scott arrived at the Durham Mines once again.\footnote{Major Scott, \textit{Central Register of Convicts 1886-1908}, Georgia Department of Archives and History, Vol 2-12958, Ancestry.com, http://ancestry.com, 153; Major Scott, \textit{Central Register of Convicts 1886-1914}, Georgia Department of Archives and History, Vol 2-12957, Ancestry.com, http://ancestry.com, 150.}

Two years into his sentence, Scott, along with eleven other convicts, escaped from Durham on April 15, 1907. After being severely wounded by gunshots, and reported dead by
many newspapers, Scott slowly recovered in the Summerville jail. After four months of recovery, on August 5th, Scott was the last of the shot men to return to the Durham Mines. On April 1, 1909, when the convict lease system expired, the Prison Commission transferred Scott to the chain gangs back home in Troup County. He labored in Troup until his release on November 17, 1911.\textsuperscript{159}

In August 1913, at the age of forty-one, Major Scott was again convicted of burglary in Troup County. The court sentenced him to six years of hard labor, and on August 22nd, Scott arrived at the Troup chain gangs. While serving his six-year sentence, Scott escaped from the various prison camps three times. In total, Scott spent four years and four months as a fugitive. Scott eventually completed his six-year term, and on June 21, 1923, at the age of fifty-three, Scott was released from prison.\textsuperscript{160}

Between 1897 and 1923, Major Scott was convicted of larceny four times, receiving a combined sentence of sixteen years. Throughout his life, Major Scott was in and out of the prison system. Despite his many convictions and escapes, the newspapers only discussed Scott when it related to the white community. The \textit{LaGrange Reporter} only mentioned Scott’s initial arrest in 1897 because of its effect on white Judge Utting and the newspaper’s coverage of his participation in the 1907 escape was limited to the actions of the white community.

In 1907, when Major Scott was serving his third criminal sentence, the mass escape from Durham was the first time he attempted to flee. But that escape did not end well for Scott. He did not last a week out of the mines and ended up so severely wounded that he was presumed dead.


While the 1907 escape seemed opportunistic, the three escape attempts between 1913 and 1923 appeared to have been intentional.

Growing up in the Jim Crow South, Major Scott saw how the economic systems of debt and sharecropping, paired with the social restraints of white supremacy, kept his family in economic hardship. By joining the workforce as a child, Scott experienced the barriers Black Americans faced when attempting to garner wealth and escape poverty. As he grew older, he likely turned to burglary to survive. The only thing worse than a Black person in the eyes of the Jim Crow South was a Black vagrant and criminal. In 1905, even after traveling to a new city with a new name, Scott returned to theft. When the court convicted Scott in 1913, he had spent the majority of his adult life in the prison system. Despite nearly dying in 1907, Scott opted to risk his life three separate times and escape rather than remain in the forced labor camps.
IV: “CAPTURE OF NEGRO PREACHER CONVCIT”

Friday, April 19, 1907

After fleeing the mob of armed men on Thursday, Sam Johnson headed further south. The *Atlanta Georgian and New* identified Sam Johnson as the organizer of the escape from the Durham Mines, saying, “The escape was effected by one of the negroes, a preacher named Sam Johnson, gaining possession of a key that unlocked a gate to an abandoned wing of the mines.” In total, nineteen articles repeated the claim, solidifying Johnson's reputation as the leader of the group. Not only was Johnson the “ringleader” of the escape, but he was the last Black convict recaptured. Throughout Georgia, newspapers published the recapture of Sam Johnson.161

On Friday, April 19th, Sam Johnson was spotted and returned to the Durham convict camp. Paraphrasing statements from Durham Warden Bynum, the *Chattanooga Daily Times* was the first newspaper to report Johnson's recapture noting that nine convicts were in the custody of the law. Without mentioning them by name, the April 27th article noted that Tom Fuller and Major Scott were still at the Summerville jail recovering from their gunshot wounds. Throughout the article, the *Daily Times* reinforced the competency of the Durham warden. The article opened by reporting that Bynum caught three Black convicts unrelated to the April 15th escape the day

prior, credits the recapture of the nine convicts who escaped from Durham to Bynum, and ended by projecting that the three white convicts were to “be recaptured in the near future.”

On May 3rd, the Cherokee Advance, the Henry County Weekly, and the Jacksonian reprinted the same one-paragraph article titled “Ringleader of Escapes Caught,” announcing the Johnson capture. Like the Daily Times article, this article did not provide information on when or how Sam Johnson was recaptured. Unlike the Daily Times, the article mentioned Johnson by name, noting that he organized the escape and was a former preacher.

The following day on May 4th, this same article was published alongside a hodgepodge of other short articles in a curated collection titled “Georgia Cullings” in the Black-owned paper, the Savannah Tribune. Founded in 1875, the Savannah Tribune was one of the South’s longest-running African American newspapers. Throughout its publication, the editors encouraged Black voting, education, and civil rights. Beginning in 1892, The Tribune took a stand against Jim Crow segregation by publicly criticizing segregated streetcars. The Tribune actively sought civil rights and racial uplift for the Black community.

While not the focus of the paper, the Savannah Tribune was the only African American paper to discuss any aspect of the escape. Unlike the white newspapers that detailed the escapades of the Black convicts throughout Georgia, only one short article was published in a Black-owned paper.

---


On May 3rd, the *Walker County Messenger* outlined the events surrounding Sam Johnson’s recapture. In the article “Capture of Negro Preacher Convict,” the *Messenger* reported that Mrs. McWhorther, a resident of Teloga, recognized Johnson from her window as he walked down the road. She called a friend in the next town over and informed him of Johnson's movements. Right after the man hung up the phone, he looked out the window and saw Johnson heading down the street.

According to the *Messenger*, Johnson was wearing a pair of overalls with the name Will Alexander stitched into them. Remarkably, Alexander lived around Harrisburg in Augusta, Georgia, near the South Carolina border. It seemed incredibly unlikely that Johnson managed to travel about 250 miles from Lookout Mountain to Augusta to steal some clothes and then traveled another 250 miles back to northwest Georgia in one week. Johnson either grabbed the overalls at the robbed Henson home or had a network of people who provided him with the stolen overalls and supported him after his escape. Will Alexander, unsurprisingly, had “no idea of how the overalls were obtained.”

After the friend living in Meleno captured Johnson, his overalls were recovered, revealing his prison stripes underneath. The *Messenger* jokingly commented, “The funniest part of his wardrobe was the striped suit of underwear, for the darkey had retained his convict garb for warmth.” In reality, Johnson’s captor stripped down the fifty-year-old man and mocked him for his inability to afford new undergarments. After being apprehended near Meleno, Johnson returned to Durham.

Rather than making the article about Johnson, the *Messenger* focused on the local participants, juxtaposing their heroism with Johnson’s depiction as an idiot. Because of his race, the *Messenger* portrayed Johnson as a nuisance to be controlled. The *Messenger* promptly
followed the article about Johnson’s recapture with a lighthearted poem about apples and the many delicious ways to eat them. The humorous retelling of Johnson’s recapture and the following apple poem suggested that the *Messenger* did not view Johnson as a legitimate threat or his recapture as a serious issue.165

SAM JOHNSON

Well before the 1907 escape, Sam Johnson partnered with white men to execute a crime. Before dawn on Sunday, December 29, 1901, Sam Johnson and his partners approached the house of the elderly Battle sisters. The home in the small town of Barnett Station, about halfway between Athens and Augusta, sat right off the Washington branch of the Georgia Railroad. The sisters inherited considerable wealth from their family, and "it has been generally known for many years that they kept a large sum of money in their house."166 Robbers had attempted to steal the money three other times, but the sisters refused to deposit their fortune in a bank after a family member lost a significant sum in poor investments many years prior. Lucky for Johnson, the sisters were older and lived alone, making them easy targets. The eldest sister, Mary Battle, was around seventy-three years old, and the younger sister, Amelia Battle, was about sixty-one. Mary and Amelia had lived alone together in Warren County as far back as the 1880s. Unlike the three prior break-ins, on December 29th, Johnson and his partners successfully stole the sisters’ fortunes.167

---


The shocking story of the robbery of two wealthy spinsters spread throughout Georgia. Newspapers published nearly twenty articles discussing the event. Some newspapers reported that the men entered through the front door, threatened the women into silence with their guns, pushed one of the women onto the floor, and choked the other.\(^{168}\) Other papers detailed the break-in, writing that when the women heard the intruders, they got out of bed and lit a lamp to investigate. One of the men dumped a bucket of water on the lamp, drenching the women. The

sisters raised the alarm, but the men fled with the fortune before the authorities arrived. The robbers stole between $6,000 and $10,000 in gold coins, stocks, and land deeds.

Sympathy was a central aspect of how the newspapers discussed the robbery. The newspapers used the terms “Misses Battles,” “Old Ladies,” “Aged Maden Ladies,” “elderly,” and “Maden sisters” to describe the victims. These terms invoke the image of the sisters as defenseless elderly grandmas. They were descriptors to invoke pity from the reader and outrage that someone would take advantage of their age.

Although the 1900 census records noted that a Black servant in her early thirties named Henrietta Builie lived with the Battle sisters, none of the newspapers mentioned her. It is possible she no longer lived with the women in 1901, but it seems likely that because she was Black and a domestic servant, the public would have less sympathy for her than the two elderly white ladies. Thus, the newspapers left her out of the story.

In the first two days after the crime, the newspapers had mixed reports on the number and race of men who robbed the women. Some claimed that one white and one Black man were involved, while others said the robbers were two white men. After December 31st, the newspapers gained consistency on the race and number of assailants, landing on the two Black men and one white man.


On January 3, 1902, the Jackson Argus, like many other newspapers, published an article detailing the events of the robbery. This rendering of the story ended with a moral or caution for its readers.

The above should be a warning to anybody who has money on their persons or in their homes… Why persist in doing this way when we have in Jackson two banks who are as sound as the Bank of England… and in whose hands your money would be very much safer than in your homes. Take warning and deposit your money with the Jackson banks.172

The Argus used the tragic robbery of the elderly sisters to encourage residents to deposit their savings in a local bank. The moral attached to the article indicated that Argus’s readership had at least some disposable income and, at most, an accumulation of wealth. The appeal to their audience implied that the Battle sisters were not alone in their distrust of banks.

On January 10, 1902, the Griffin Daily News and Sun printed the last update on the burglary investigation. The Daily News and Sun reported that Atlanta detective Bill Jones was in town and speculated that Jones was investigating the robbery. The Daily News and Sun also wrote that the Battle sisters knew who committed the crime, but were waiting for more evidence before publicly naming the men.173

Nearly two years later, in October 1903, Sam Johnson was arrested for his alleged participation in the robbery. Despite the consistent reporting in 1901 and 1902 that there were two or three assailants, Johnson was the only person arrested for the burglary.

Sam Johnson was often referred to as a preacher, even obtaining the prefix of Reverend at times. According to the 1900 census, Johnson was born in 1855, ten years before emancipation. While Johnson’s age was not consistent throughout the records, most likely, he was born into


slavery and lived through the Civil War. In 1900, one year before the Battle robbery, Johnson lived with his wife Lottie, four daughters, and two sons in Barnesville, Pike County. The 1900 census noted that Johnson and his wife were married for twenty-one years and had seven children together. By working as a drayman, Johnson sent his three youngest children to school and provided for his family.174

On October 6, 1903, the Griffin Daily News and Sun and Americus Times-Recorder broke the story of Johnson’s arrest and preliminary hearing. Both newspapers published the same article and reported that Johnson’s criminal trial would be held later in the week at the Warren Superior Court. The newspapers also summarized Johnson's statements. He claimed he was the lookout while his two partners executed the robbery. It was not surprising that Johnson would claim to be the lookout and not an active participant in the robbery. Johnson understood that the court system would be more lenient to a non-violent participant and probably hoped to use the lack of information on the case to his advantage.

According to Johnson, he did not have all of the stolen goods. Since two other men were involved, he only received one-third of the money. While maintaining that he was not alone in executing the robbery, he did not disclose the names or race of the two accomplices. The newspapers speculated, saying, “He refuses to say what color the other parties were, which leads many to suspect that they were white men and that Johnson is afraid to divulge their names.” Because he was Black, Johnson understood that the public would not accept accusations against white men. But if Johnson worked with two white men, his claim that the men divided the money evenly demonstrated a level of trust unique in the segregated Jim Crow South.175


175 “Sensation May Be Sprung: Trial of Sam Johnson at Crawfordville, Georgia,” Griffin Daily News and Sun (Griffin, GA), October 6, 1903, p. 1, https://gahistoricnewspapers.galileo.usg.edu; "Sensation May Be Sprung:
Four days later, on October 10th, the *True Citizen* published its interpretation of Johnson's statements. The paper dismissed the need to investigate other accomplices saying, “There are nearly as many theories advanced as to his accessories as there are people who talk of the affair, but the fact remains that one robber is in the hands of the law, and that all reason would prompt him to tell on the others to save himself in a measure.” Rather than pursuing every available lead in the case, the *True Citizen* discredited his appeals and seemed satisfied with Johnson taking the full brunt of the law.¹⁷⁶

Not every newspaper published long articles detailing the statements of Sam Johnson. Five papers throughout Georgia and Florida announced the upcoming trial for Johnson in a current events column. In the one-sentence summary, all five papers predicted that “sensational developments are expected.” This line tagged at the end of his trial announcement revealed the relationship the media had to Johnson’s welfare. He was a commodity, a form of entertainment and speculation, rather than an individual and citizen deserving of respect.¹⁷⁷

---


On October 8th, the Warren County Superior Court held Johnson’s trial. The Warren County courthouse was a two-floor brick building constructed in 1853 and located next to the public square in Warrenton. Generally, the first floor of a courthouse was divided into offices, with the second floor dedicated to the courtroom. The presiding judge reviewed several criminal cases that Tuesday. Johnson’s case was number sixteen on the docket, with multiple cases to follow. Warren County lost the trial transcript when the courthouse burned down in 1909. But according to the limited court records and the newspaper reports, the judge quickly addressed Johnson’s trial.179


During the trial, Johnson revealed his two accomplices in the robbery of Mary and Amelia Battle: white men Rubin Dozier and Starling Chapman. The court did not pursue either man or issue a warrant against them despite evidence from the newspapers that multiple people, white and Black, were involved. According to the court records, Jury Foreman J.W.C. Lowe recorded “no bill as to Dozer & Chapman.” The Atlanta Constitution later agreed with the court, writing, “No one believes they assisted Johnson.” The court dismissed Johnson’s voice and refused to consider that he worked with two white men. The judge sentenced Johnson to fifteen years “to be completed from the date of his delivery to said principal Keeper.”

Immediately after receiving his sentence, Johnson attempted to flee. He ran to the second-floor window and jumped. The Atlanta Constitution remarked that Johnson “hit the ground running.” A chase ensued, and the town marshal managed to apprehend Johnson, placing him in jail. Johnson was not held in contempt or given a longer sentence.

---


Sam Johnson’s crime and trial revealed the limits to cross-racial cooperation in the segregated South. Johnson, Rubin Dozier, and Starling Chapman partnered to burglarize the Battle sisters. The crime required a measure of preparation, communication, and trust. After successfully coordinating the heist, the men split the money evenly. Dozier and Chapman did not cheat Johnson out of his share despite his race.

But even if the Jim Crow South allowed for interracial cooperation for the robbery, when accountability and punishment were in play, the legal system opted to believe that Sam Johnson acted alone. The court system blamed a Black man since it fit the stereotypes of the Jim Crow South. Historian Grace Hale discussed how Black stereotypes supported white supremacy. She suggested that with emancipation, the role of ‘slave’ was no longer prescribed to African Americans, and “whites had filled this ‘necessary space’ with images of their own devising.” The caricatures of Black men were extensions of antebellum ideas of slaves: “simplemindedness and sycophancy, loyalty and laziness.” 182 The negative portrayal of Black Americans solidified the superiority of whites. It was easier for the judge to think that Johnson was a foolish, lazy Black man who did not want to work, so he took advantage of two elderly ladies than to recognize his ability to cooperate with two white men.

The court system dismissed Sam Johnson’s voice and avoided evidence that suggested a more complex story. Because he was Black, Johnson became the scapegoat for this burglary.


Rather than pursue true justice by investigating the other white men, the court was satisfied with giving Johnson full responsibility for the crime. Just as it was convenient for newspapers to sympathize with two elderly white ladies and not mention a young Black domestic servant, the trial revealed the extent to which racial stereotypes influenced the justice system.

The Prison Commission initially sent Sam Johnson to the mines at the Durham Coal and Coke Company convict camp. On May 28, 1904, Johnson escaped the prison system, and for six days, he evaded recapture. Although his crime and trial received newspaper coverage, the newspapers were silent concerning his first escape. The media may have ignored the escape in an attempt to deemphasize the faults of the prison system and conceal Johnson’s intelligence as he undermined a system of racial control.183

Upon his recapture on June 3, 1904, the Prison Commission sent Sam Johnson to the Albany convict camp. He labored there for nine months before the Prison Commission returned him to Durham on March 6, 1905. Camp records note that he was about fifty years old while at Durham. Even at his older age, Johnson experienced harsh working conditions notorious in the convict camps under the lease system. Sam Johnson labored at Durham for a year before he attempted his second escape with eleven other convicts on April 15, 1907. This second escape, like his first, was not successful. He was captured and returned to Durham only four days later.184

When Durham closed as a convict camp on April 1, 1909, the Prison Commission transferred Johnson to the chain gangs in Heard County. While in Heard, the 1910 census enumerator recorded Johnson and twenty-four other convicts working as roadwork laborers in a chain gang on Franklin Road. Thirteen of the twenty-five convicts were between the young ages


of eighteen and twenty-five, and all of them were Black. The census noted that Johnson was married, illiterate, and the oldest in the group, at fifty-three years old.\footnote{1910 U.S. census, Heard County, Georgia, population schedule, Cooksville District, p. 2A, Camp Convicts Lines 1-25, Sam Johnson; digital image, Ancestry.com, http://ancestry.com.}

In April 1913, the Prison Commission transferred Johnson a fifth time to Muscogee County.\footnote{Sam Johnson, \textit{Central Register of Convicts 1886-1914}, Georgia Department of Archives and History, Vol 2-12957, Ancestry.com, http://ancestry.com, 87.} About a month into his time in Muscogee, Johnson applied for Executive Clemency. Johnson and his attorney had been collecting documents since 1911, and on May 29, 1913, they applied for parole. Parole would not clear his criminal record nor remove him from the jurisdiction of the Prison Commission, but parole would have taken Johnson out of the work camps. In the application, Johnson’s attorney provided thirteen items supporting his case for parole. One of the items listed was a letter signed by the living relatives of the late Battle sisters. Rather than arguing for parole, the Battle relatives asked that the Governor pardon Johnson of his crimes. Another item in the application was a letter from white physician J.W. David. Signed on June 2, 1913, the letter informed the state that he would provide Johnson employment as a servant if paroled.\footnote{Battle, et al. to the Governor of Georgia, February 23, 1911, Applications for Clemency, Convict and Fugitive Records, Georgia Department of Archives and History, Johnson, Sam - Warren County, box RCB-10008; David to the Governor, June 2, 1913, Applications for Clemency, Convict and Fugitive Records, Georgia Department of Archives and History, Johnson, Sam - Warren County, box RCB-10008.}

The attorney also appealed to the well-being of Johnson in the prison system. Line item ten discussed Johnson’s age and health at the camp, saying, “Your petitioner shows that he is a negro man, now fifty-five years of age, and while at the present time he is not broken in health, at the same time if he remains in the penitentiary until the term of his sentence expires he cannot
hope, at the most, to live but a few years thereafter." By 1913, Johnson had served ten years of his sentence as an older man. Between 1910 and 1915, the average lifespan for American men was between fifty-one and fifty-four years. Regardless of how that number would change if the statistics accounted for race, in 1913, at fifty-five, Johnson exceeded the average lifespan for his gender.

The petition for parole did not mention Sam Johnson's involvement in the 1904 or 1907 escape attempts. The state granted clemency based on the behavior of a prisoner after conviction. To put Johnson in the most favorable light, Johnson and his attorney intentionally did not discuss the escapes. On July 10, 1913, the Prison Commission declined to recommend him for clemency. In January of 1915, Johnson was transferred one last time to Troup County, where he served the remainder of his sentence before being released on October 30, 1916.

No records detailed what happened to Sam Johnson upon his release. If he worked as a servant for physician J.W. Davis, he did so briefly. On January 13, 1920, the census enumerator noted that Johnson and his wife, Lottie, lived in Warren County, Georgia. Johnson lived next door to twenty-two-year-old Clifford Johnson, his wife Solimmies, and their two children. The census record did not define the relationship between Johnson and his neighbors, but it is possible that Johnson moved next to family. Nevertheless, both Johnson families rented their homes and worked as general farm laborers. Johnson's other neighbor was Black landowner Claud J. English. The large English household included Claud's wife and children, extended

---

188 Halbrook & Corbett to Governor and Prison Commission, 1913, Applications for Clemency, Convict and Fugitive Records, Georgia Department of Archives and History, Johnson, Sam - Warren County, box RCB-10008, 1.


190 Sam Johnson, Central Register of Convicts 1886-1914, 87.
family members, and a servant. Claud English worked as a farm industry employer rather than a farm laborer. It is possible that Sam and Clifford worked as farm hands for Claud English.  

By 1930, Sam, now about sixty-five years old, and his wife Lottie lived in Atlanta. Living in a Black neighborhood, they owned a home valued at $1,600. He no longer participated in the workforce, but his wife Lottie worked as a private chef for a family. Sam Johnson lived with his wife for seven more years in Atlanta before passing away in 1937. On March 7, 1937, the *Atlanta Constitution* published a funeral announcement for “Rev. Samuel Johnson, husband of Mrs. Lottie Johnson.” Johnson was well into his seventies when he died.

In the years of legal segregation at the turn of the twentieth century, Sam Johnson's criminal history challenged the cultural assumptions and rules concerning race. In both his crime and second escape attempt, he cooperated with white men to evade the law. The limits of biracial cooperation were evident in how the public perceived Johnson. Newspapers sensationalized his trial for the public as an entertaining event. Rather than looking into Johnson's testimony that he did not work alone, the court and newspapers discredited his claims. They bought into the racial hierarchy of Jim Crow culture, which emphasized negative stereotypes of Black men to promote segregation. During his first escape, the newspaper archive was silent. In recounting Johnson's 1907 recapture, the newspapers dehumanized and mocked him.

It is no surprise that the Jim Crow justice system worked against African Americans. Rather, what is remarkable was Johnson’s cunning and desire for self-preservation which allowed him to challenge the racial hierarchy. Knowing that the public would not believe he

---


worked with white men to burglarize the Battle sisters, Johnson attempted to sway the public in his favor by initially not revealing who his accomplices were. At his trial, rather than simply submitting to his fifteen-year sentence in an exploitative prison system, Johnson attempted to regain control of his situation by fleeing the courthouse. In both escape attempts, Johnson manipulated the lease system in his favor allowing him to escape the prison system.

Neither of the white men who robbed the Battle sisters were caught or convicted. Sam Johnson was the scapegoat for the white criminals with whom he partnered. Even though the Jim Crow system worked against Johnson, he still had agency. While Johnson worked with white men to commit crimes, once he was out of the prison system, the records consistently indicate that he immersed himself in the Black community. Johnson’s crime, trial, escape attempts, and recapture revealed the potential for interracial cooperation and the efficacy of Black stereotypes in the early 1900s.
V: “THIS ACCOUNTS FOR ALL OF THE NINE NEGROES WHO ESCAPED”;
“NONE OF THE THREE WHITE ESCAPES HAVE BEEN HEARD OF SINCE THE TWELVE
GOT AWAY”

With the capture of Sam Johnson, the local white community successfully contained all
nine of the Black convicts. Johnson’s capture felt like a natural conclusion to the events of the
escape because the white locals at the time thought it was. All of the Black convicts were
accounted for. As newspapers throughout Georgia discussed the sensationalized recapture events
of the nine Black convicts, most articles only mentioned the white convicts in passing. The
Bamberg Herald, the Clayton Tribune, and the Kemper Herald, for example, all printed the same
line, saying, “This accounts for all the nine negroes who escaped from the Durham mine… None
of the three white escapees have been heard of since the twelve got away.”

While most newspapers overlooked the details surrounding the white convicts, on April
20th, the Atlanta Georgian and News published an article providing information on all of the
escaped convicts paying special attention to the three white convicts still at large, Robert
Turnage, James King, and Charles Clark. The Georgian and News outlined the stakes of the
breakout to the local Atlanta community by emphasizing the escape of Atlanta criminal Robert

194 “Convicts Rounded Up: One Was Killed and Two Probably Fatally Wounded,” Bamberg Herald
(Bamberg, SC), April 25, 1907, p. 7, https://chroniclingamerica.loc.gov; “Nine Escapes Accounted For: One
Convict Killed and Two are Fatally Wounded in Round-Up,” Clayton Tribune (Clayton, GA), April 25, 1907, Vol
Negro Prisoners Dug Through Top of Coal Mine,” Clayton Tribune (Clayton, GA), April 25, 1907, Vol 10, no. 17, p. 1,
https://gahistoricnewspapers.galileo.usg.edu; ”Convicts Rounded Up: One Was Killed and Two Probably Fatally
Turnage. While Atlanta’s Fulton County Superior Court tried four convicts who escaped from Durham, Turnage was the only convict from the city still at large.\textsuperscript{195}

Despite the \textit{Atlanta Georgian and News}’s efforts to raise awareness concerning the escaped white convicts, the local Lookout Mountain community failed to recapture them. The lack of community action to recapture the white convicts had to be influenced by white supremacy since all three white men were high-profile criminals with widely covered arrests and trials.

ROBERT TURNAGE

Not even six months before the mass escape from Durham, twenty-four-year-old Robert Turnage shook the Atlanta community when he assaulted forty-three-year-old Carrie Comstock. On December 18, 1906, the Fulton County Superior Court convicted Turnage of assault to rape and sentenced him to fifteen years in prison. For two weeks, his crime and trial were front-page news in Atlanta as articles discussed various aspects of his life and crime. Of the twenty-three newspaper articles covering Turnage’s assault and trial, \textit{Atlanta Georgian} published eleven. Towns throughout Georgia and in Gainesville, Florida, published the other twelve articles.

Robert Turnage was one of six children born to Confederate veteran Joseph W. Turnage and his wife, Sarah Kirksey. Joseph was a machinist for the waterworks department and coincidentally was a former co-worker of Carrie Comstock’s husband, C.D. Comstock. On March 12, 1889, when Turnage was about seven years old, his mother passed away, leaving Robert and his five other siblings to be raised by their widowed father.\textsuperscript{196}


Over the summer of 1906, Robert Turnage moved to Thomasville, Georgia, located near the Georgia-Florida border, where he worked as a plumber. On Sunday, December 2, 1906, Turnage headed home to Atlanta via train through Montgomery, Alabama, not long after being arrested for disorderly conduct in Thomasville. Either Thursday night, December 6th, or Friday, December 7th, Turnage arrived in Atlanta and headed to his family home at 128 Jones Ave.197

That Friday afternoon, Carrie Comstock traveled door to door selling cooking preparation goods. Comstock knocked at Robert Turnage’s door and asked to talk to the lady of the house. Turnage greeted her, let Comstock in, and directed her to a back room. He asked her to wait while he fetched his mother. Since Turnage was home alone and his mother was no longer alive, his search was merely a pretext. He politely informed Comstock of his surprise in not finding her, and Comstock decided to give Turnage the sales pitch. When she finished, Comstock began to pack up her things to head out.

As Carrie Comstock walked down the hall to the front door, Robert Turage grabbed her and began to strangle her. In the onslaught of verbal threats to her life, Comstock pretended to pass out so he would stop strangling her. Believing that he strangled her unconscious, Turnage gently stroked the cheek of the slumped-over Comstock. As his hand brushed over her mouth, Comstock bit down on his finger and did not let go. Turnage punched Comstock in the nose, releasing his finger from her bite. Outraged, Turnage dragged Comstock down the hall. As Comstock pleaded for her life, Turnage grabbed a pitcher and knocked her over the head, causing

significant bleeding. Presuming she was dead, Turnage fled the house out the back door and headed downtown to the bars for a drink.

Bleeding and bruised, Carrie Comstock crawled to the front door yelling for help. Dragging herself outside, Robert Turnage’s neighbors heard her cries and came to her aid. A taxi rushed Comstock to the Baptist Tabernacle Infirmary, where she received medical treatment.

Upon learning about the assault, the police jumped into action and began hunting for Robert’s older brother Will Turnage. After spending a significant amount of time on Friday trying to locate Will, the police received new information leading them to suspect Robert Turnage, and they quickly located him at a bar that evening.198

The next day, Robert Turnage made front page headlines in the day and night editions of the Atlanta Georgian.199 Introducing the story to their readers, the Georgian prefaced the article with statements from Carrie Comstock’s husband. While acknowledging the authority of the justice system, C. D. Comstock publicly declared as he stood outside the police station that if Robert Turnage was not in jail, he would rally other locals to lynch Turnage by burning him alive. The article also noted that he once worked as a jailer in Atlanta. Comstock’s statements preceded the article setting the tone for the Georgian’s retelling of Turnage’s crime and arrest.

C. D. Comstock showcased the tension between the checks and balances of a trial by jury and vigilante justice in his statements. Comstock did not hesitate to support extrajudicial vengeance against Robert Turnage. Not only did he claim that he would burn Turnage, but he


199 While the Atlanta Georgian and the Atlanta Georgian Night Edition are two separate papers, they are printed from the same publishing house with the same authors and editors. I will be referring to the Atlanta Georgian as one singular paper.
also suggested that other locals would join him in this venture. At the same time, Comstock validated the court system saying, “He is in the hands of the law now, however, and I will let the law take its course.” While we do not know Comstock’s opinion of the efficacy of the justice system outside of his statements regarding Turnage, it is not improbable to think that he probably did believe in the justice system, considering he worked as a jailer. These opposing systems of justice seemed to coexist in Comstock’s mind.

Even the location of these statements revealed how C. D. Comstock held these oppositional systems in contention. Ideally, the jailhouse not only removed the accused from society but also protected the accused from society. In this way, the jailhouse supported the court system by ensuring the accused received a trial by jury. C. D. Comstock expressed his support for lynching (community-sanctioned murder) Turnage in front of the jailhouse.

Above is the Atlanta Georgian’s December 8, 1906, front page article showcasing Comstocks statements and a photograph of Turnage. The article continued on page three.


To sensationalize the story, the *Atlanta Georgian* formatted the article so readers first encountered C. D. Comstock’s statements. By opening the article with an emotional speech, the *Georgian* dehumanized the attacker Robert Turnage creating a fiction of good versus evil. Newspapers were a site of community dialogue where publishers cater their stories to their audience. While Turage’s assault on Carrie Comstock was already shocking, the paper further sensationalized the events through its preface.202

The newspapers discussed every aspect of the case leading up to the trial. Newspapers wrote articles about C.D. Comstock’s visit with Robert Turnage in jail, witnesses identifying Turnage in the jail, Turnage’s visit to the hospital where Carrie Comstock identified him, Turnage’s preliminary trial, and the relationship between Turnage and his lawyer. Before his trial, newspapers published fourteen articles covering the assault, with non-local papers publishing five of the fourteen articles.

Considering the amount of coverage Robert Turnage received before his trial, it was no surprise that newspapers provided considerable coverage of his trial. The *Atlanta Georgian* published three articles, and non-local newspapers across Georgia and in Gainesville, Florida, published five other articles discussing the trial. After all of the attention the case received in December 1906 from the newspapers, the *Georgian* quickly reported the 1907 escape four months later. While the Comstock family and Atlanta residents had a vested interest in Robert Turnage, there were limits to the newspapers’ discussion of his escape. While the *Georgian* published twelve articles detailing the crime and trial of Robert Turnage across their day and night editions, the newspaper only published two articles explicitly following his escape in 1907.

---

JAMES KING

While the Atlanta Georgian closely followed the crime and trial of Robert Turnage, the arrest of James King was widely published throughout the regional South. King belonged to a group of pick-pockets who followed the Ringling Brothers’ big top circus across the southeast. The men took advantage of the large crowds at train stations and in the streets as the circus attracted large crowds on their tour. Mississippi’s Jackson Daily News reported that at the November 23rd show, the circus had about 25,000 people in attendance.

On November 16, 1905, the Ringling Brothers’ Circus visited Valdosta to perform their World’s Greatest Show. For weeks before the circus’s visit in Valdosta, newspapers throughout the South reported pick-pockets and issued warnings for the crowds. Taking advantage of crowded trains, James King partnered with six other pick-pockets to steal some cash. In groups of two, the men would single out a person to rob as visitors arrived and departed on the trains. One person would pin the victim against a wall while the other person snatched their wallet. After grabbing their pocketbooks, the men would disappear into the crowds. On November 16th, the Valdosta police crafted a plan to arrest the men after they robbed several people. Assuming the men would be traveling to the next town on the Ringling tour, on the morning of November 17th, the police watched as seven men jumped onto the train as it left the station and promptly arrested them.

The following day, on November 18th, five newspapers from Georgia, Tennessee, Alabama, North Carolina, and Virginia announced the arrest of the circus pick-pockets. The

203 The Ringling Circus was a big top circus that traveled throughout America. In 1906 Ringling purchased Barnum and Bailey Circus. In 1919 Ringling Circus merged with Barnum and Bailey Circus. In addition to the circus’s performance, they held large parades in each of the cities they visited.

Valdosta Times focused on the efforts of the police and the victims of the robberies in their paper. In the out-of-state articles, the newspapers emphasized the robbers naming all seven men:

“James King, of Birmingham; John Burton, Montgomery; Ed. Cole Memphis; Frank Morgan, of Louisville; J.A. Morris and Sam Ackerman, of Memphis and James Hickey, of Marion.” By November 24th, nine papers throughout the southeast reported the story and identified the seven men arrested.205

During the 1905 November term of the Lowndes County Superior Court, the grand jury charged James King with mugging two different people W.W. Ashburn, and sixty-seven-year-old John King. In the first case, King partnered with Ed Cole to rob Ashburn and steal his pocketbook. In the second case, King partnered with Frank Moran to rob John King.

After being found guilty in both trials, on December 1st, the court held King’s sentencing hearings. In the case of the robbery of W. W. Ashburn, James King and Ed Cole both received a sentence of ten years of hard labor. In the case of the robbery of John King, James King and Frank Moran received five years of hard labor. In total, the judge sentenced King to fifteen years in the prison system. The following day, the Valdosta Times announced James King’s guilty verdict to the public.206


On December 1st, James King submitted a motion for a retrial for both cases. The judge approved the motion and scheduled the retrials for January 5, 1906. On January 5th, the presiding judge overruled and rejected the retrial for both cases. King then applied for another retrial, and both cases went to the Georgia Supreme Court.207

On March 17, 1906, the Valdosta Times provided trial updates explaining that the Supreme Court was extremely busy delaying the verdicts. The article was short and did not contain much information. The fact that Times published the update revealed the importance of the pick-pocket cases to the local Valdosta community.208

Two weeks later, on March 31st, the Times published an article discussing the decisions of the Supreme Court on the various retrials for the robbers. The Times did not discuss James King's case directly, but mentioned that “the other cases were affirmed several days ago,” and “all of the other pickpockets have been convicted and sentenced for terms of ten and fifteen years.” When he was around the age of forty, the court resented King to fifteen years in the prison system.209

207 Judge Robb G. Mitchell, “Motion for New Trial,” January 5, 1906, Georgia Supreme Court of Appeals, Court Cases 1846-1917, Georgia Department of Archives and History, folder A-29178 James King v The State, box RCB-9148; Judge Robb G. Mitchell, “Motion for New Trial,” January 5, 1906, Georgia Supreme Court of Appeals, Court Cases 1846-1917, Georgia Department of Archives and History, folder A-29181 James King v The State, box RCB-9148; Mitchell to the Supreme Court of Georgia, “Writ of Error for the Superior Court of Lowndes County,” January 23, 1906, Georgia Supreme Court of Appeals, Court Cases 1846-1917, Georgia Department of Archives and History, folder A-29178 James King v The State, box RCB-9148; Mitchell to the Supreme Court of Georgia, “Writ of Error for the Superior Court of Lowndes County,” January 23, 1906, Georgia Supreme Court of Appeals, Court Cases 1846-1917, Georgia Department of Archives and History, folder A-29181 James King v The State, box RCB-9148.


On April 19, 1906, James King arrived at the Durham Mines near the Tennessee border after being convicted in Lowndes County near the Florida border. King labored at Durham for one year before escaping with eleven other prisoners on April 15, 1907.210

James King’s accomplices—Ed Cole and Frank Moran—also managed to escape the prison system. Convicted at the age of twenty-five, Ed Cole faced ten years in the prison system. The Prison Commission initially sent Cole to the Fargo prison camp, but after unsuccessfully escaping on June 4, 1906, they transferred him to the Durham Mines. On October 9, 1907, Cole escaped from Durham, four months after James King escaped. Like King, Cole was never recaptured.211

Frank Moran was convicted at the age of thirty-nine and faced a combined fifteen years in the prison system. Like Ed Cole, Moran escaped at least twice from the prison camps. Unlike Cole, the Prison Commission failed to record the date of his escape in the books. On one file, the Prison Commission simply wrote: “Escaped.”212

On August 29, 1909, the Augusta Daily Herald discussed Moran’s escape in an article titled “Working Convicts on the Public Roads.” The Herald outlined two problems with the chain gang prison system: the high frequency of escapes and the high operating expense for the chain gangs. To illustrate the high rates of convict escapes from chain gangs, the paper discussed


three recent escapes. The first story reviewed the escape of Frank Moran. After identifying him as the leader of the pick-pockets, the Herald wrote, “the other members of the gang, also convicted and sent up, had previously escaped from other camps.” Rather than calling their readers to action, the Herald mentioned the escape of Moran to illustrate the faults of the chain gangs. Despite the highly publicized arrests and trials of James King and his partners, all three managed to evade recapture.  

CHARLES CLARK

Like James King, Charles Clark was part of a criminal gang. In 1906, rather than following a circus to rob the crowds, forty-eight-year-old Clark worked with a group of men to blow up safes and rob stores.

Early in the morning on Tuesday, January 30, 1906, night marshal James McMichael patrolled the small town of Forsyth. Around 1:30 a.m., three masked men attacked the fifty-year-old McMichael, tied him up, and threw him into a nearby store. After attacking the only guard in sight, the men broke into the Trio Manufacturing Company headquarters. Founded in 1899 by R.D. Brooks, J.W. Newton, and C.A. Ensign, Trio was a successful textile manufacturing company that partnered with local cotton planters to spin cotton into high-quality yarn.  After entering the building, the robbers used nitroglycerine to blow up the vault. Once inside, the men secured around forty to fifty dollars by blowing up a safe. In their attempts to unlock another safe, the men used up the remaining dynamite. After depleting their entire stock of explosives on the second safe, the men, desperate to make the heist worthwhile, returned to the bound McMichael to ask where they could obtain more dynamite. Despite the men beating


214 Howell Newton, Interview by Author, Personal Phone Interview, Oxford, MS, October 10, 2022.

99
McMichael unconscious and stealing his pistol, he did not aid the burglars. Cutting their losses, the group fled before dawn. McMichael was discovered in the morning, tied up and unconscious.

Pictured are images from inside Trio Manufacturing Company headquarters in Forsyth, GA. The left image depicts the current vault door inside the office. On the right is an old safe the company has inside the vault. The safe is not confirmed to be the surviving safe from the 1906 robbery. Images courtesy of former President of Trio Manufacturing Company Howell Newton.215

News of the robbery quickly spread. Only a few hours after the burglary, the Governor issued a proclamation offering a $150 bounty for the recapture of the men. In addition to the $150 from the state, the city of Forsyth also promised a reward of $200, and Trio contributed

$150 as a reward for the robbers' recapture. In total, if convicted, the persons responsible for recapturing the robbers who stole about fifty dollars would receive $500.²¹⁶

On Thursday, February 1st, the Americus Times-Recorder and the Griffin Daily News and Sun announced the robbery and the bounty. The articles described the events of the robbery, from the burglars attacking James McMichael to the burglars threatening McMichael for information on where to acquire more explosives. The sensationalized retelling of the robbery concluded with the bounty for the robber’s capture. The following day, the Henry County Weekly and the local Monroe Advisor also published articles discussing the robbery.²¹⁷

On March 2, 1906, the police arrested Charles Clark, seventeen-year-old Thomas Newman, and seven other men in Atlanta at the hotel Cannon House for vagrancy. Just as newspapers reported the robbery of Trio Manufacturing Company, papers throughout Georgia discussed the arrest, activities, and trials of Charles Clark and Thomas Newman. According to the Griffin Daily News and Sun, all the men except Clark were sentenced to thirty days in the stockades. Before the court held Clark's vagrancy trial, a police sergeant and two patrolmen discovered a suitcase full of “dynamite cartridges, dynamite fuses, nitroglycerine, and four big bulldog pistols” in the hotel room where the group was arrested. The officers quickly connected


the men to the Trio robbery. All nine men were transferred to the Tower\textsuperscript{218} to be under watch, and each man received a $5,000 bond.\textsuperscript{219}

The \textit{Albany Daily Herald} and the \textit{Union Recorder} published the articles noting that prominent Washington Pinkerton Detective W. G. Hilliard\textsuperscript{220} was called to the Fulton County jail Friday afternoon to help identify those involved with the Trio robbery.\textsuperscript{221} Upon viewing “the bunch of alleged crooks,” Hillard singled out Charles Clark as a repeat criminal and the police speculated that Clark was the safe cracker responsible for handling dynamite.\textsuperscript{222}

A month later, on April 5th, an Atlanta detective and two other officers from Forsyth went to identify Clark and Newman at the Bibb County jail. The \textit{Union Recorder} reported that Charles Clark and Thomas Newman refused to show the officers their faces. As the police grabbed Clark and Newman to reveal their faces, Clark and Newman attempted to seize the officer’s pistols. The police immediately overpowered the prisoners and took them back to their cells.\textsuperscript{223}

On May 4th, the judge scheduled Charles Clark and Thomas Newman for a preliminary hearing, but according to the \textit{Americus Times-Recorder}, no one showed up. In light of their absence, the judge raised their bond from $5,000 to $50,000 each. The judge charged them with

\begin{itemize}
\item \textsuperscript{218} The Tower was Atlanta’s high security jailhouse.
\item \textsuperscript{220} Pinkerton detectives were an elite group of private security contractors that work for private companies and the government.
\end{itemize}
two counts of highway robbery for stealing the marshal’s pistol and safe-blowing for blowing up the safes at Trio.224

On May 25, 1906, Judge Reagan sentenced Charles H. Clark and Thomas Newman to twenty years for burglarizing the Trio Manufacturing Company. Both men pleaded not guilty, and when they were convicted, the Griffin Daily News and Sun reported, “Newman remarked that the jury before which they were tried ‘were simpletons’ and that they ‘would not know justice if it was printed before them in large letters on the wall.”225

In total, sixteen Georgia newspapers published thirty articles discussing the robbery, arrest, and trial of Charles Clark and Thomas Newman.226 The newspapers picked apart small,


inconsequential details, like who the detectives were that investigated the crime, and interactions between Clark, Newman, and the police. Throughout Georgia, the newspapers plastered Charles Clark's name on the pages of their papers.

On June 1, 1906, both Charles Clark and Thomas Newman arrived at the Durham Mines. Newman faced a sentence of twenty years in the prison system, but he only served three months before successfully escaping the Durham Mines on November 27, 1906. Newman was never recaptured.

Six months after the escape of Thomas Newman, Charles Clark escaped with a group of eleven other convicts on April 15, 1907. For eight years, Clark evaded the prison system before quietly returning to the Prison Commission. Despite Clark's status as a high-profile safe blower


who garnered a $500 bounty after robbing Trio, the newspapers were silent concerning his eight-year escape and recapture. On February 20, 1915, Clark was sent to labor in the chain gangs in Bartow County. Two years later, on September 10, 1917, he escaped for a second time and was never recaptured.230

Less than a year after Charles Clark and Thomas Newman were publicly tried and sentenced to twenty years, both men escaped and were not recaptured. Despite the high-profile coverage of their trials, the local white community on Lookout Mountain did not rally together to capture Clark or Newman. The initial arrest of Clark was widely published, but in 1915, when he was recaptured the newspapers remained silent. The newspapers were silent again when Clark made his final escape in 1917.

Considering the newspapers’ vast coverage of Robert Turnage, James King, and Charles Clark's criminal cases, the lack of community action in the wake of their escape on April 15, 1907, is surprising. Not only did the trials of the white convicts receive a great deal of coverage in the newspapers, but they had received their sentences in 1905 and 1906, not long before the escape. Since news of their convictions had only recently appeared in Georgian newspapers, their high-profile cases might have sparked community action but they did not. White communities in Georgia did not rally together to hunt Turnage, King, and Clark. But within five days of their escape, the white community had recaptured all of the Black convicts.

On May 16, 1907, the Walker County Messenger published the last article discussing the escape titled “As to Those Escaped Convicts.” Rather than drawing attention to the still missing white convicts, the Messenger focused on the money disputes between the white men who

---

captured a few of the Black convicts. With the state once again controlling all the Black convicts, newspapers shifted their attention elsewhere.
CONCLUSION

All nine Black escapees came from lower-class backgrounds, often working as farm laborers and sharecroppers. In the Jim Crow South, Black men had limited options for self-improvement. The men participated in a system that encouraged debt and limited educational opportunities. Because the men were uneducated, the trial transcripts were the only documents that retained their voices. Of the nine Black convicts, the archives preserve only three trial transcripts. Of the three transcripts, the court recorded the personal testimonies of Tom Fuller and Mat DuBose. Out of nine convicted Black men, the archives retained the thoughts and opinions of only two men.

Although not in their own words, the archives preserved a version of the convicts' voices in their clemency applications. Through the letters of their white attorneys, Mat DuBose, Virgil Gates, Major Scott, and Sam Johnson conveyed their perspectives. Although the application letters were better than nothing, the white attorneys brought their own bias into the writing, skewing the voices and opinions of the four men.

The attorneys wrote the letters in the language of white supremacy. Mat DuBose’s attorney Ben Conyers married into the family that enslaved his parents. Benefitting from the wealth and status acquired from owning slaves, Conyers sought to help DuBose win his freedom by utilizing derogatory language to present DuBose as a docile Black laborer to the Prison Commission. For seven years, Virgil Gates's white attorney William Tuggle advocated for his freedom. But once Gates earned parole, Tuggle risked his freedom by not submitting the
mandatory monthly reports to the Prison Commission. Benefiting from white supremacy, the attorneys reflected their racist ideology in their representation of the Black convicts.

Like the attorneys, the newspapers also revealed Jim Crow ideology as they published stories from locals to locals. The articles embellished the escape events with descriptive language and emphasized the stories of local heroism and outrage to encourage public action. But the newspapers did not publish the events as they unfolded, opting to produce articles as the public crafted their ideal narrative of events.

The information people had access to influenced their actions. On April 19th, when the last Black convict, Sam Johnson, was recaptured, the newspapers were slow to inform the locals who actively hunted the convicts that any of the men had been recaptured. Considering that Dade and Walker County in North Georgia, where the Durham Mines were located, consisted of small towns, it was possible that through word of mouth, locals knew that the Black convicts were captured. The primary function of the newspapers was not to provide real-time updates on the escape. Instead, the local papers buttressed white supremacy by depicting the locals as heroes and villainizing the Black convicts.

In addition to demonstrating the racial hierarchy of the local community, the newspapers acted as a forum for Lookout Mountain residents to dispute the reward money. When Howard Bryan, William Pope, and Fred McKraig recaptured three convicts on Wednesday, April 17th, the men publicly debated in the *Walker County Messenger* about who had a right to the bounty. Likewise, the following day, on Thursday, April 18th, when Bailiff Bob Pursley delivered the three injured convicts to the Summerville jail after the shootout, the *Messenger* questioned his motivations portraying him as greedy. In both cases, the local community utilized the *Messenger*
to justify or cast doubt on money claims, solidifying the importance of the reward money when pursuing the convicts.

If money motivated men to recapture the convicts, then the question arises: were economic factors the primary motivator for the local community and not white supremacy? Since nine out of the twelve convicts were Black, it could be reasoned that the local community did not seek out the Black convicts, but rather in their attempts to obtain the reward money, the local community ran into the Black convicts more often because more of them escaped. If the local community was only motivated by money, then they would have recaptured all the convicts. Money as the sole motivator does not explain why the local community rallied to capture all of the Black convicts and none of the white convicts. The local community was aware of the escaped white convicts because they had recent high-profile cases. Robert Turnage even had his picture printed in the Atlanta Georgian and News. People knew about him, and they could identify him. If economics were the sole motivator, then the community would have recaptured the white convicts as well. The money argument does not explain why the white community wanted to lynch the three wounded convicts on Thursday, April 18th. If the men just wanted the bounty, then they had nothing to gain by lynching the prisoners, in fact, they risked losing the reward by murdering them.

The monetary disputes impacted how the newspapers told the recapture events, but money alone does not explain why only nine of the twelve convicts were recaptured. The commodification of Black bodies was an accepted practice throughout America. Since the colonial era, America was built through the commodification of Black bodies. In his book The Half Has Never Been Told, historian Edward Baptist revealed how the North and the South were interconnected through the economic network of slavery. He argued that slavery was incredibly
profitable and that the enslavement of Black people built the country's wealth and power. With the evolution of banking systems, “more and more of the Western world was able to invest directly in slavery’s expansion. Such creativity multiplied the incredible productivity and profitability of enslaved people’s labor and allowed enslavers to turn bodies into commodities with which they changed the financial history of the Western world.”

Not only did America’s economy thrive under slavery, but the value of enslaved people fluctuated throughout their lives. In her book The Price for Their Pound of Flesh, historian Daina Berry evaluated different ways the American slavery system assigned value to enslaved people. Even after death, Black bodies had a price tag. Berry revealed that America had a thriving Black market for dead bodies. Medical schools throughout America bought the dead bodies of enslaved people for science and education. Berry concluded by writing, “The intimate relationship between enslavers, physicians, and human property shows just how commodification—the act of being treated as a commodity—touched every facet of enslaved people’s births, lives, and afterlives.”

The commodification of Black bodies did not end with the abolition of slavery. The postbellum prison system implemented the ideas and practices refined in the slave system. Historian Alex Lichtenstein argued that the convict lease system systematically commodified Black bodies. The Jim Crow justice system disproportionately sentenced Black Americans to the forced labor prison system. In 1909 when Georgia abolished the lease system, 90% of the convict population was Black. Lichtenstein suggested that in the lease system, misdemeanors and

---


felonies were essentially erased, “reducing all prisoners vicious, petty, and innocent alike, to a commodity.”

For centuries, through the slave system and the convict lease system, America benefited from the commodification of Black bodies. With the economic utility of Black bodies well established, the local white community on Lookout Mountain, Georgia, perceived the recapture of Black convicts as an opportunity to grow personal wealth, as they reaffirmed white supremacy.

In light of the new Ted Bundy and Jeffrey Dahmer true-crime shows, people have debated the role of the media in glorifying crime and dehumanizing victims. As I approached the stories of the twelve men, I wrestled with the idea of immortalizing their crimes in my thesis. Historian Danielle L. McGuire investigated ideas of respectability and oppression in her book *At the Dark End of the Street*. Through her analysis of racialized sexual abuse from the 1940s to the 1970s, McGuire revealed how over time, Black women achieved justice despite having morally questionable pasts. While in the 1940s, the white media dismissed stories of abuse if the victim was not considered a respectable citizen, by the 1970s, people achieved justice regardless of their reputation. Just as real people were affected by the actions of all twelve men, the Black men lived in a deeply unjust system.

The purpose of the thesis is not to exonerate the men nor confirm their guilt. Any attempt to do so is nearly impossible, considering the bias of the archives. Instead, the convict biographies and the 1907 recapture events reveal the pervasiveness of the racist attitudes towards


Black Americans and the relationship between the justice system, Black convicts, and the white community. While some men, like Virgil Gates, seemed to be wrongfully sentenced, the majority of the men discussed did unlawful things while also being victims of white supremacy.

The simple act of escaping prison threatened the social order. Georgia, like other states, designed the prison system to control, contain, and extract the maximum amount of labor from its prisoners. Georgia utilized the system of control by disproportionately arresting and sentencing Black men. By choosing to escape, the Black convicts undermined a system designed to control the Black population. If white supremacy could not control the outcast Black criminals, then how could society prevent Black men from demanding equality? By reporting the escape and recapture of the Black convicts, the newspapers revealed both the need for white supremacy to suppress Black people and the ability of white supremacy to unite local communities to contain Black bodies. The newspapers utilized the 1907 escape from Durham to reinforce white supremacy in the Jim Crow South.
BIBLIOGRAPHY
PRIMARY SOURCES


Georgia. Elbert County. Court Minute Book. Elbert County Superior Court Archives. Elbert County Superior Court. 1903.


Georgia. Monroe County. *Monroe Superior Court Minutes, 1902*. Monroe County Superior Court. 1902.


Georgia. Morgan County. Criminal Minutes. Morgan County Archives, Box Superior Court Case Files: Civil and/or Criminal, Year 1904, Folder Criminal - Sept - 1904.


Georgia. Troup County. Troup County Superior Court Records, Criminal Cases. Troup County Archives. 1901-1903.
Georgia. Troup County. *Troup County Superior Court Records, Criminal Docket*. Troup County Superior Court Records, Troup County Archives.


Georgia Supreme Court of Appeals. *Court Cases*. Georgia Department of Archives and History, 092-01-001, Box RCB-54193. 1846-1917.

Georgia Supreme Court of Appeals. *Court Cases*. Georgia Department of Archives and History, 092-01-001, Box RCB-9148. 1846-1917.


Minutes of the Joint Committee of the Senate and House to Investigate the Convict Lease System of Georgia. House of Representatives Committees and Commissions Special Committees. Georgia Department of Archives and History. RG 37-1-8-3, Microfilm. July - August 1908.


**NEWSPAPER SOURCES**


"Convicts Escaped." *Knoxville Sentinel.* (Knoxville, TN). April 17, 1907. Vol 21, no. 82. Newspapers.com


"Convicts Rounded Up: One was Killed and Two Probably Fatally Wounded." *Canebrake Herald.* (Uniontown, AL). May 2, 1907. Vol 17, no. 47. Newspapers.com


"Nine Escapes Accounted For: One Convict Killed and Two are Fatally Wounded in Round-Up."

"Nine Escapes Accounted For: One Convict Killed and Two are Fatally Wounded in Round-up."

"Nine Escapes Accounted For: One Convict Killed and Two are Fatally Wounded in Round-Up."

"Nine Men are Under Arrest: Complete Cracksman Outfit Found in Room at Cannon House."

"Novel Suit Filed Against Coal Company."

"Officers Chase Outlaws: Safe at Forsyth Burglarized- Night Watchmen Overpowered."


"Twenty Years for Yeggmen: Clark and Newman Convicted Forsyth Court of Burglary."

"Twenty Years for Yeggmen: Clark and Newman Convicted Forsyth Court of Burglary." Dade County Sentinel. (Trenton, GA). June 1, 1906. Vol 15, no. 3.

"Twenty Years for Yeggmen: Clark and Newman Convicted Forsyth Court of Burglary."


"$50,000 Bonds are Required by Yeggmen: Two Men are Supposed to be Safe Blowers." *Griffin Daily News and Sun.* (Griffin, GA). May 5, 1906. https://gahistoricnewspapers.galileo.usg.edu.


SECONDARY SOURCES


—. "The Origin and Development of the Convict Lease System in Georgia." Georgia Historical Quarterly 26, no. 2 (June 1942): 113–28. JSTOR.


VITA

Avery Elise Gross
Contact Information: avery.drury12@gmail.com

Education
2016-09 - 2020-05 | Covenant College, BA History (Hons)
- Graduated Cum Laude and consistently recognized on the Dean's list
- Received a minor in Community Development
- Contributed to the District Hill Project

Professional Experience
2021-09 - 2023-05 | Teaching Assistant
University of Mississippi, Oxford, MS
- Graded assignments and exams for 90+ students while maintaining standards of confidentiality
- Led discussion groups and facilitated class discussions
- Tutored students in historical writing and the course content
- Maintained clear communication with the class professor

2020-09 - 2021-09 | Historical Interpreter
Battle of Franklin Trust, Franklin, TN
- Guided groups through a historical house while discussing race, slavery, and the Civil War in the context of the Battle of Franklin
- Discussed differing perspectives concerning the causes of the war with decorum and respect without compromising the facts
- Utilized cultural artifacts to discuss the families experience during the Battle

2019-09 - 2020-05 | History Tutor
Covenant College, Lookout Mtn, GA
- Graded assignments and exams for 60+ students while maintaining standards of confidentiality
● Contributed to monthly department newsletter
● Tutored students in historical writing and the course content
● Maintained clear communication with the class professor

2019-05 - 2019-07 | Research Intern
District Hill Project, Chickamauga, GA
● Wrote biographies about the people buried in the local African American District Hill Cemetery
● Identified and confirmed a list of people who were rumored to be buried at the cemetery
● Completed 125.5 hours of research

Professional Memberships
● Golden Key Scholar, 2022 - Present
● Phi Kappa Phi Scholar, 2022-09 - 2023-05
● Phi Alpha Theta Member, 2019-04 - Present
● Maclellan Scholar, 2016-09 - 2020-05

Publications, Papers, and Presentations

