

Inmate Escapes, Taunts Officials Suspect In 1859 Saddle Theft Calls Yorkville One-Horse Town

In June 1859, Sheriff Stillwell of York County placed an ad in the Yorkville Enquirer seeking "John Jones alias John Able. He is about twenty-two years of age — red-faced — and about 6 feet in height."



Nearby History

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John Able had spent several weeks in the Yorkville jail on the charge of stealing a saddle from John D. McConnell. One Saturday night he managed to escape by cutting through the ceiling with a knife and breaking off the plastering to gain access to an outside passageway. With the use of several blankets, he got to the ground outside and made his escape, it was believed, with the help of friends.

The only other prisoner at the time was a slave belonging to J.H. Faulkner lodged in a cell beside Able. It was also believed that Able intended to take the slave with him, but fearing a lack of time to release him, Able went alone. However, he left the slave with "some half dozen papers."

Presumably, the papers were forged passes for the slave to show that his being on the highways was for some legitimate business.

Able left a note, described as "a rich document" by the newspaper: "gentle men when you put up to fatten always abot tom (?) in your pen for fear yore hog might root out never build your pen of corn stalks or else your hog will know them in two and when you put a man in Jail never build your Jail out of clab boards and bird trap

sticks if you want to no where I am Just come down to york shire there you will find me picken chinkapins to pay tax and a lawyer to plead for all the cracks and when the lawyers find a flaw then the Judge like a Jack daw will lay down what is law."

After poking fun at Yorkville's jail construction and the judge who sentenced him, Able couldn't resist letting those who incarcerated him know what he thinks of Yorkville in general: "this place york is might fine place for they will skin a flee for the hide an tallow. I want you to answer my letter if you pleas direct your letter to lincorn tink tank where the Frogs jump from bank to bank i doant speak of any place But this one horse town."

Able then jibed: "you cant get this fox any more you cant drive him under your trap then push it down on him you must Bait with gold next time rab bit you Bet thick as ten bumble bee in a pumpkin bloom."

We have no idea whether John Able was ever captured or not, but it is noteworthy that there were only two prisoners in a country of more than 18,000 people in the next census. Sometimes there were no prisoners at all.

John Able's crime was a crime against property, and such instances, along with larceny, fraud and embezzlement, were relatively rare. In fact, few rural homes were locked — night or day. Most crimes in the pre-Civil War period were cases of assault and battery or "TAB" — trespass, assault and battery.

A typical case resulted in fines rather than in incarceration. A more typical court case was an 1832 case, "State of South Carolina vs. James Biggart," in which

James Biggart and Elijah Clark came to blows.

According to the testimony of Daniel Simmons, he went to Alexander Biggart's house, where he saw Elijah Clark and James Biggart sitting at the fire "apparently in friendship." A short time after, he noted that Clark had gotten angry and in irritation told Biggart that it was a lie and that Biggart had told a lie, "upon which Biggart assaulted and gave said Clark a Blow." The court fined Biggart \$1; the solicitor's fee was \$15, the clerk was paid \$4 and the constable and witnesses received the rest of \$23.72, which represented the total court costs.

Such cases as Biggart's were heard in the "General Session of the Peace, Oyer and Terminer, Assize and General Gaol Delivery," held quarterly by the Justices of the Quorum at the York County Courthouse.

Many instances of assault and battery never went to court. More frequently, members of the lower class settled their differences in rough and tumble wrestling matches and eye gougings. The upper class created the duel, an elaborate — and extralegal — code of honor to settle differences. Unless the combatants were prominent, the duels rarely received publicity.

It is probably true to say the courts were more often avoided than used during the pre-Civil War period.

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