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The Life and Death of Thomas Jefferson Linder, Esq.

By Tim Linder



“Dreadful and Fatal Occurrence!,” “Horrid Murder!” For several days in November of 1842, those headlines from the fledgling city of Spartanburg(h), South Carolina were repeated up and down the east coast from New Hampshire to Georgia and as far west as Louisiana. An elderly man in a drunken outburst had stabbed six men, two of which later died of their wounds. One of those killed, Thomas Jefferson Linder, Esq., or “Jefferson” as he was called, was a young businessman, lawyer and magistrate with a promising future that was snuffed out in an instant.

JEFFERSON’S YOUTH

Thomas Jefferson Linder was the son of Lee Linder, Esq. and Mary Templeman and a second Great Grandson of Simon Linder the Immigrant. Jefferson was born on February 20th

in the Winter of 1817, somewhere between Thickety Mountain and the Pacolet River in the Spartanburgh District of South Carolina where his family lived. This area straddle’s present day Spartanburg and Cherokee Counties where a number of Linder families live today.

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On the U.S. Federal Census of 1820, little Jefferson, just 3 years old, was listed as one of two “Free White Males under Ten” years of age. A decade later when Jefferson was a teenager of 13 years old, the census of 1830 listed him as a male “of ten and under fifteen” years of age.

Being a prosperous Planter, Justice of the Peace and Tavern owner, Lee Linder would likely have seen to it that Jefferson and his siblings were all well educated. In its March 25, 1891 issue, The Carolina Spartan newspaper published an interview with Henry Abbott, an elderly citizen of Spartanburg County, who shared his memories from the early 1800’s. When recalling early teachers in the county he recalled “another teacher of a later date was Aaron Templeman. The Linders and the Turners all went to school to him.” Aaron Templeman was Lee Linder’s father-in-law, being the father of Mary Templeman Linder. Aaron could have taught Lee’s younger brothers and sisters (children of John (Simon) Linder) as well as the younger children of Lee before his death in 1822. Several of Aaron Templeman’s daughters married sons of John Linder.

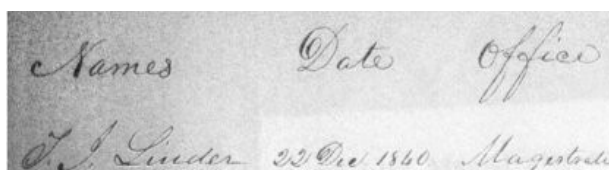
According to a Spartanburg(h) deed dated February 1835, Lee Linder gave his three month-old daughter “Polly” “Three negroes” “all about her own age” and “the mill on Island Creek and 200 acres of land.” Eighteen year-old Jefferson and his older brother John, were appointed as trustees for their little sister.

In 1840, at the age of 23, Jefferson was listed as a male of “20 and under 30.” The young bachelor was still living in the household of his parents.

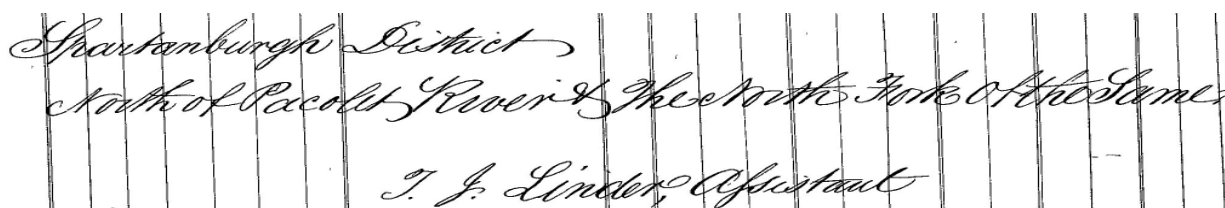
A YOUNG MAN WITH A BRIGHT FUTURE

As Jefferson grew into a young man, it appears that he was becoming quite a prosperous businessman, public servant and upcoming lawyer. He served as an Enumerator for the 1840 Federal Census, enumerating 4,343 persons “North of Pacolet River and The North Fork of the Same.” This is the area in which the Linder clan lived at that time. He was also a partner with James A. Webster in a firm known as “Linder & Webster” which we can presume was a law firm. Jefferson was described in a newspaper article as a “young man of great promise—he was an acting magistrate of the District, and was preparing himself for the profession of the Law. Mild, temperate and moral—of bland and pleasing manners and deportment—he was highly esteemed by all who knew him.”

Indeed, just before Christmas in 1840, Jefferson became a Magistrate as documented by the “Constables, Magistrates, and Trial Justice Roll Book” of Spartanburg County, SC. “T.J. Linder” is referred to in various deed transactions of the early 1840’s as “Magistrate.” In at least one instance he is also given the designation of “Q.U.” which is Latin for “Quorum Unum” meaning “one of the Quorum” of Justices.



Source: Constables, Magistrates, and Trial Justice Roll Book



Source: 1840 U.S. Federal Census

On May 27, 1842 Jefferson's father, Lee Sr., passed away. In his last Will and Testament, Lee stated that "I give and bequeath unto my son Jefferson Linder, one thousand dollars to be valued of by my Executors to him in lands and negros." Jefferson was also appointed one of the Executors of his father's Will.

HORRID MURDERS!!!

The evening of November 1, 1842 probably started out like any other chilly Autumn evening in Spartanburg(h) County during that period in history. The women-folk had probably already tucked the little ones into bed and were perhaps reading by the light of a cozy fire before turning in themselves. The moon was nearly new that night so some of the men had probably finished up the chores of the day before dark and had joined their wives by the fire. Others gathered with friends at the local taverns to have a drink and discuss news and events of the day. Unknown to Jefferson Linder and friend James B. Brawley, this would be their last night on this Earth.

Although it is nowhere specifically stated, the descriptions of the events of that fateful Tuesday night seem to indicate that the men had gathered at one of the local taverns. This might possibly even have been Linder's Tavern which was located not far from the banks of the Pacolet River near present day community of Cannon's Campground just to the east of the "village" of Spartanburg(h)

Jefferson Linder had come in with friend William Wilkins, a 60-year old farmer who lived in the same neighborhood. About 11:30 p.m., Linder, Wilkins, James B. Brawley and a Mr. Rockwell were standing by the fireplace. John Davis, an old man who's head was "silvered by the frost of seventy-six winters" was asleep on a nearby bed, having earlier had several



Morgan Square at the center of downtown Spartanburg about 1884. Spartanburg's third courthouse is the columned building on the right. It is likely that the second courthouse where the Linder murder trial was held in 1843 stood on or very near the same spot. Source: Photograph courtesy of the Herald-Journal Willis Collection Spartanburg County (SC) Public Libraries. s-hjw-0064

drinks. Several boys (young men?) were also in the room playing. At some point, one of them threw some water, some of which landed on Davis. Having been abruptly awakened from his drunken sleep and believing he had been intentionally molested, Davis became very noisy. Brawley tried to calm him and persuaded him to lie back down but shortly he arose from his bed and, armed with a large pocket knife, commenced an indiscriminate slaughter, determined to deal death on all around. "Damn you I will kill the whole of you" he exclaimed! Slashing at everyone within reach, Brawley was stabbed in the abdomen. "I am a ruined man for I am stabbed" he yelled. Davis then made a cut at Linder, stabbing him "in the region of the heart." Three or four others in the room also received minor injuries from Davis' outburst. Everyone then immediately left the room leaving Davis alone after which he lay back down on the bed. Someone was then able to take the knife from him. So far as could be ascertained, the sufferers had not interfered with Davis in any manner.

According to various newspaper accounts the scene was described as a "most horrid and appalling scene" a "most terrible scene growing out of intemperance" and "another dreadful comment upon the evils of intemperance." Davis was taken into custody and, the Circuit Court being in session, was immediately indicted for murder.

HURRIED INTO ETERNITY

The hours that followed were hopeless for two of the victims. Linder died within two hours from his wound to the heart. One report read, "We are well acquainted with Mr. Linder, and know him to have been a gentleman of great respectability. Deeply will his awful fate be regretted by all who knew him." Brawley died the following day at 2 p.m. from his wound to the abdomen. Brawley was described as "a very respectable citizen and resident of "Pacolett" (Pacolet) River. He left a wife and three children." According to the Greenville Mountaineer newspaper, two "worthy citizens have, in a moment, been snatched from time, and hurried into a boundless eternity!"

A Coroner's Inquest was held the following day, presided over by Coroner J.W. Martin. Statements were taken from two witnesses, and a jury of fourteen men concluded that Linder and Brawley had come to their deaths by the hand of John Davis.

EYEWITNESS ACCOUNTS

**(transcribed verbatim from
Coroner's Inquest)**

William Wilkins:

"Mr. Linder and myself came in and found him very noisy. Brawley told him if he would lie down and be still, he would give him a ?????. He lay down but shortly got up. Brawly told him to recollect his promise—He then arose and commenced cutting with his knife among the company. Brawly said 'I am ruined for I am stabled.' Some boys were playing in the room with

one another. Some water was thrown in the room not intend(ed) to go on him. Thought they was all friendly—He was not ?? at Pools. He drank spirits twice in the room."

S. Rockwell:

"Came in at half past eleven, stood up before the fire with Mr. Linder. Heard Brawly say 'I am a ruined man for I am stabled.' Brawly went out. Davis then made a cut at Linder. Linder said 'I am stabled.' Davis said 'dam you I will kill the whole of you.' Every one left the room but Davis. He lay down on the bed. The knife was then taken from him."



Headstone of Thomas Jefferson Linder.
Photo by Tim Linder

It is unknown where James B. Brawley was buried, however Thomas Jefferson Linder was laid to rest near his Father in Waters Cemetery just outside of Cowpens, SC. His headstone reads "In memory of T.J. Linder who was born on the 20th Feb'y 1817 and died on the 1st Nov'r 1842. Weep not for me my kindred dear, I am not dead but sleeping here. When Christ appears I then shall rise and see you with immortal eyes." Despite a bright and promising future, his life was ended far too soon at the young age of just 25 years and 8 months. Linder did not leave a Will, however his Estate Record includes a rather extensive list of possessions and outstanding notes still due him at the time of his death.

CHARGED WITH MURDER

Although Davis was indicted for murder at the 1842 Fall Term of the Circuit Court which happened to be in session at the Spartanburgh Court House at the time, the Defendant was not ready for trial. Therefore on motion of his attorney's, it was ordered that his case be continued to the Spring 1843 Term of Court.

Davis' Trial was held on Tuesday night, April 18th 1843 after a full investigation of the affair. He was represented by Col. E.C. Leitner and Major B.F. Perry. Solicitor, Gen. J.N. Whitner assisted by Col. H.H. Thompson appeared on behalf of the State. At his arraignment, Davis plead "Not Guilty" and for trial "put himself on God and his country." The jury brought in a verdict of "guilty of murder" but recommended the prisoner to the mercy of the Executive (Governor) Four days later on Saturday morning April 22 Judge John Belton O'Neill sentenced Davis to "pay the last penalty of the law." Judge J.B. O'Neill:

"The sentence of the Court is that you be taken to the place from whence you came and there safely kept until Friday, the 16th of June next, that you then be taken to the place of public execution by the Sheriff of Spartanburgh District and there between the hours of 10 o'clock a.m. and 3 o'clock p.m. you are to be hanged by the neck till your body be dead and may God have mercy on your soul."

Davis was returned to jail to await his execution. In the meantime a petition was circulated and submitted to then Governor of South Carolina, James Henry Hammond. On May 12, 1843 the Governor commuted Davis' sentence to imprisonment to the first day of November 1843. As reported by the Charleston Courier May 27, 1843 edition: "John Davis, convicted at the last term, of the murder of T. J. Linder, Esq. has been pardoned by His Excellency the Governor. Davis is to stay in Jail until the 1st of November next, which will pay the penalty in full for the murder of Linder and Brawley both. We have no comment to make on the executive action. The signatures to Davis' Petition were numerous and respectable, and we presume



Hon. John Belton O'Neill

Address of the Hon. John Belton O'Neill to John Davis, Convicted of Murdering Thomas Jefferson Linder

The termination of this life is at all times and under all circumstances an event, which few, very few can meet without fear and trembling; but a death of ignominy and shame for crimes, foul crimes, can hardly be expected to be encountered, otherwise than with heart-rending emotions of grief, shame and terror, chastened it is true, sometimes, with a better hope, beyond the grave. It is my duty now as well as I can, to prepare you to die, and to meet your Saviour and your Judge! Before I go further, let me say to you, do not trust too much to the recommendation to mercy; no doubt the Governor will pay that respect to it which ought to be paid to the wishes of virtuous and intelligent men—but he may find that, in your case, when he comes to examine it, which may close the door to mercy!

You stand before me, with the gray hairs of age and experience: more than seventy years have come and gone, since your mother in the fullness of her heart, felt like the mother of the human family, when she exultingly exclaimed, "I have gotten a man from the Lord!" If your mother could be recalled to life, and could stand alongside of you today how different would be her feelings? Shame and sorrow, without hope would be the portion, which your shameful and awful fate would give to her!

When I looked first upon your gray hairs, it re-called to my mind the beautiful language of Elihu to Job, "Days should speak and multitude of years should teach wisdom." But instead of occupying this honored post which age should every where worthily command, you stood before me a criminal, whose drunken hands were red with the blood not of one but of two human beings, cut down in the prime of manhood, and without a moment's warning, in the very midst of revelry, thrust into the everlasting judgment! How can you contemplate that bloody night? How can you bear the thought, that such a poor perishing worm as you are, with one foot in the grave, should have braved the wrath of God, in slaying man made in his own image, to gratify your drunken vengeance? Lay not to your soul the flattering unction that the rude and mischievous boys, who so disgracefully figured on that melancholy occasion, provoked you much. It has failed very properly, no doubt, after a most calm, merciful and dispassionate consideration of your case to reduce your offence to manslaughter. In the judgment of God, it never can excuse you! Your passion, mad, guilty passion, struck down Linder and Brawley, without any intention on their part to harm you. Like many other men in the community, they no doubt thought there was no harm to laugh at the folly of a drunken man. Awfully have they suffered for it! And for their suffering the fearful judgment of death, death of the body awaits you.

Your sad case, will, I hope, be a warning to the people of this and every other community against the use of intoxicating drink. Your drunkenness was to you the cause of your crime. The use of strong drink among those, who stood around you to provoke you was the direct means which brought the slain within the reach of your drunken vengeance. Had it not been

for the bottle of brandy unthoughtedly and innocently carried into the room, when you were asleep—Brawley and Linder would not have fallen by your hand, and I should not be called to pass upon you the judgment of death. Let me therefore, through you, aged, guilty man, warn all men everywhere to fly from the use of that which covers the hand with blood, poverty, shame and misery.

I hope that the dreary winter which you have passed in prison, and in sobriety, has been profitably passed. I rejoice to hear that the Bible has been the companion of your solitary watchings. It is, it will be, the means of bringing peace and life to all who read it in faith. It points to the highway, the way of holiness, "where the wayfaring man, though a fool, shall not err therein. "It points all to Christ the Redeemer, lifted up on the cross, dying for men, and says "look and live." I hope you have looked and will continue to look, until you can see his dying smile overcome the agony of death, as the merciful supplication ascends "father forgive" him, for he knew not what he did. I trust no false hopes will delude you, that you will be instant in season and out of season in making preparation for that awful judgment day, which to you must be soon present, in which you are to be washed and made white from all your sins by the blood of the Lamb, or to go out from the presence of God a condemned and guilty spirit, the smoke of whose torment is to ascend up forever and ever! Oh, let me entreat you, escape this awful fate! Fly to Christ and live, yea live forever.

The sentence of the law is that you be taken hence to the place from whence you last came, and there be closely and securely confined until Friday, the 16th day of June next, on which day between the hours of ten in the forenoon and two in the afternoon, you will be taken by the Sheriff of Spartanburgh District to the place of public execution for the said District, and there be hanged by the neck until your body be dead—and may God have mercy on your soul.

public opinion is satisfied. The victims sleep in their graves and we trust the memory of their sudden and fearful end will long continue as a solemn warning to the living."

At the Fall 1843 term of court Solicitor J.N. Whitner on behalf of the State, ordered that the remaining charge of murder for the killing of James Brawley be dropped. The charges having been dropped, it was ordered on motion of Messrs Perry & Leitner, council for the prisoner that he be discharged from imprisonment and go hence without delay.

The murders of Thomas Jefferson Linder, Esq. and James B. Brawley were committed under the influence of drunkenness, and the details of the trial, coupled with the effects of the Judge J.B. O'Neill's address to the convicted, had such an effect upon several "hard cases," that they have "gave in their adhesion to the Washington Pledge by enlisting under the Cold Water Banner" (two temperance movements of the time).

EPILOGUE

It appears that John Davis likely lived out his remaining years in Spartanburg County, SC. The 1850 U.S. Federal Census for Spartanburg lists an 85-year old miller by the name of John Davis. No further record could be found for the family of James B. Brawley in Spartanburg County. Perhaps they left the area to try to put the horrible events of that November night behind them. As for Thomas Jefferson Linder, Esq., there is no record of his ever having been married. He therefore left no direct descendents to remember him. One hundred and seventy-one years after his death, we honor and remember him with this short biography.

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- *Will of Lee Linder*, Spartanburg County, SC Will Book D, Page 42, Estate File #2305, June 10, 1842, Microfilm, Spartanburg County Public Library
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Rest in Peace:

Lee Linder Family Burials

(son of John (Simon) Linder)

Lee Linder

Burial: Waters Cemetery, Cowpens, SC

Headstone Inscription:

“Sacred to the memory of LEE LINDER (deceased) who was born 5th July 1784, and departed this life 27th May 1842, aged 57 years 10 months and 22 days. The faithful friend, poor man's resort, kind parent, loving husband and devoted Christian's gone. He died in the full assurance of a joyful Resurrection beyond the grave. May I die the death of the righteous, and my last end be like his. Though greedy worms devour my skin, And gnaw my wasting flesh, When God shall build my bones again, He'll clothe them all a fresh.”

Mary Templeman Linder

Burial: Waters Cemetery, Cowpens, SC

Headstone Inscription:

“Sacred to the memory of MARY LINDER, Consort of Lee Linder Esq'r dec'd who departed this life 23rd May 1854 Aged 63 years, In sure and certain hope of blessed immortality beyond the grave. I reckon that the sufferings of this present life are not worthy to be compared with the Glory that shall be revealed to us.”

CHILDREN OF LEE AND MARY TEMPLEMAN LINDER:

Nancy Linder Bowden

Burial: Gowansville Baptist Church Cemetery
Gowansville, SC

Headstone Inscription:

“In Memory of NANCY BOWDEN, Wife of REUBEN BOWDEN, DIED Dec. 21, 1886

Aged 77 years. The way was wearisome and long, But safe and blessed. She reached the common goal and found the promised rest.”

John Linder

Burial: Reed Creek Cemetery, Hart County, GA

Marker Inscription:

1st Lieut. Co. H 15 GA Regt.
Confederate States Army
Apr 2, 1811—Dec 4, 1888

Cynthia Linder Turner

Burial: Unknown

Charity Linder Smith

Burial: Unknown

Thomas Jefferson Linder

Burial: Waters Cemetery, Cowpens, SC

Headstone Inscription:

“In memory of T.J. LINDER who was born on the 20th Feb'y 1817 and died on the 1st Nov'r 1842. Weep not for me my kindred dear I am not dead but sleeping here. When Christ appears I then shall rise, And see you with immortal eyes.”

Mahala Linder Goforth

Burial: Waters Cemetery, Cowpens, SC

Headstone Inscription:

“In memory of MAHALA GOFORTH who died Oct. 28th 1843 Aged 25 years 2 months & 4 days. Remember me as you pass by, as you are now so once was I, as I am now so you must be, prepare for Death & follow me.”

Lee Linder, Jr.

Burial: Linder Cemetery, Gaffney, SC

Headstone Inscription:

Maj. Lee Linder

5-22-1822

10-14-1891

Simpson Linder

Burial: Unknown (killed July 22, 1864,
Battle of Atlanta)

Philip Pleasant Linder

Burial: Union United Methodist Cemetery,
Calhoun County, AL

Headstone Inscription:

Dr. P.P. Linder

Born: January 11, 1827

Died: October 31, 1898

“The beloved Physician”

Lanier Linder

Burial: Sumner Family Cemetery, Pauline, SC

Headstone Inscription:

L. LINDER

Born: Feb.27, 1829

Died: March 10, 1889

Eliphus Lawrence Linder

Burial: Sumner Family Cemetery, Pauline, SC

Headstone buried under
heavy brush, appears to read:

Eliphus L. Linder

Born: July 6, 1831

Died: Feb. 17, 1894

Mason.

Mary Ann Linder McLaughlin

Burial: Bogansville United Methodist
Cemetery, Jonesville, SC

Headstone Inscription:

“Mary, Wife of Daniel McLaughlin”

Born: Nov. 19, 1834

Died: Apr. 4, 1901