

**VERDICT AND TESTIMONY IN THE CASE OF THE STATE OF GEORGIA
VERSUS JESSE N. BROWN FOR THE DEATH OF ROBERT LIGON**
Copied by James L Reid on June 21, 2011 from the original document at the Lumpkin
County Court House in Dahlonega, Georgia

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Typed by Betty Jean Dill
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See August 2011 issue of Upper South Carolina Genealogy & History for
the obituary (p. 92) and the family (p. 98) of Robert Ligon.

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Lumpkin Superior Court,
Lumpkin County, Georgia
February Term 1834

Sentence of the Court

The State }
vs }
Jesse N. Brown } Indictment for murder in
Lumpkin Superior Court,
February term 1834

Verdict: Guilty of Voluntary Manslaughter

Whereupon it is considered and ordered ~~by the court~~ and adjudged by the Court
that you the said Jesse N. Brown be taken from the bar of this Court by the Sheriff of this County with
a sufficient guard to the common Jail of Hall County and delivered to the Keeper thereof in the said
Jail, where you will remain until you shall be demanded under an order from the Principal Keeper of
the Penitentiary of said State, where you will be taken by said guard as may be sent for that purpose and
by such guard safely conveyed to the said Penitentiary there to remain at labour within the walls of the
said penitentiary for & during the term of Five years from the time of your arrival at & entrance into
the said Penitentiary, and you, the said Jesse N. Brown be in mercy &c

s/ John W. Hooper, J. S. C. CC

The State }
vs }
Jesse N. Brown } Indictment for murder
of Robert Ligon

❖ Evidence of Solomon Townsend,

Witness & Robert Ligon, in the early part of June 1833 were sitting in the piazza of Towns & Riley in
Auraria Lumpkin County, when Brown the prisoner came up & began a conversation with L. and
impeached him with some impropriety about the P. O. about his not getting his letters & papers & that
he believed he did not have justice done to him by L. as post Master, & commenced a quarrel with him
about it. L. told Brown that he was acting under the solemnity of oath & asked prisoner if he intended
to charge him with swearing to a lie & called him B. a d__d impertinent rascal, at the same time rising
up out of his seat. Brown told Ligon not to call him so again which being done, he immediately struck
him on the side of the head with his rifle gun which he had in his hands. L. fell & the blood gushed out
of his ears and nose. L. did not strike or attempt to strike B. - he was standing on the floor with his arms
hanging down - there was a great disparity in the age and size of L. & B. Ligon being rather a small man
advanced in life & Brown a stout athletic young man.

⇒ [Townsend] Cross examined: Brown came up and commenced the conversation as witness thinks roughly both the deceased and prisoner used sorry language to each other - deceased asked prisoner in course of the quarrel, if he carried his gun to defend himself from - prisoner said he did not. At the time the blow was stricken, L. was standing facing the prisoner & witness thought he heard the scull crack. the stroke was made with gun held in both hands there was but one blow & witness thinks that was plenty.

◆ Robert B. McClure Evidence,

Witness came up when Ligon & Brown were in a conversation and quarreling_ Heard Ligon say to Brown that he had not paid him the postage for his lottery sheets - B. said he was not bound to pay as he did not get them. L replied it was no fault of his B. said it was - L. asked prisoner if he did not know that he was Sworn to keep the P. O. properly. B. said that it made no difference whether he was sworn or not - L. then called B. a d_d impertinent rascal & rose from his seat Brown told him not to repeat the Expression which being done B. struck him with his gun - [When?] L rose from his seat he put his hands in his vest pocket- as was his habit.

⇒ Ex Witness was one who pursued Brown about a quarter of a mile & assisted in arresting him - B presented his gun cocked but did not shoot afterwards a pistol and a dirk were taken from him - when witness first saw the parties he B was standing with his foot upon the Bench on which Ligon was seated.

◆ John Woody's Evidence - He was at Bowans Store in Auraria which is on the Street below Towns & Rileys & saw Brown walking off verry fast with his gun upon his shoulder being acquainted with him, the witness asked Brown if he had started for a free State. Brown said Yes & that he had left one d_d old rascal lying bleeding on the ground.

◆ Doct Ira R. Foster - Saw Ligon in 2 or 3 minutes after he received the blow, found him prostrate & entirely senseless lying upon his back. had him removed to his shop & upon an Examination of the wound found his scull Badly fractured he attended upon him as a physician until his death he lived six days & was out of his senses the whole time - believe the blow the cause of his death - witness never thought he could recover from the time he first examined him. One reason for which was his age. L was removed at the instance of his family who desired he should die at home.

⇒ Xex^d [cross examined] - L died on his way home when they were carrying him on a litter - he was not sane from the time he received the blow - Witness has seen to all External appearances as bad fractures from which death did not ensue, as fractures of the scull do not usually produce death but the consequences from such fractures -

◆ Doct John H. Thomas was called to see dec^d the day after he received the blow - considered his case hopeless & that he could not possibly survived as he saw no abatement o the symtons from the time he saw him till he died thinks he was clearly dying when they started to carry him home - they undertook to carry him at the Instance of his family who wished him to die at home - thinks he was out of his senses until he died. Every attention medically and otherwise was paid him that his situation required.

⇒ Xex^d he was removed upon a litter & does not think his removal contributed to hasten his death.

◆ Doct_ Richard Banks - He was called upon from Gainsvill [Gainesville in neighboring Hall County] arrived at Auraria at 2 Oclock in the moring - performed the operation of trepaning as the only probable means to save him which was done - after which he gave some signs of sensibility, for on

being asked if Brown struck [him] he intimated that it was by a move of his head – the wound was on the left side of his head Just above the left ear & was some 2 or 3 inches long doubts not that the wound was the cause of his death – The cause of his removal was the anxiety of the family to have him to die at home. does not think it could have been attended with any deleterious effect
 ⇒ Xex^d says the skull Just above the Ear is thinner & more easily fractured than any other part of the head & would not [have] required so heavy a blow to do it.

◆ John Wallace swears –

Brown came to witness house about a week before the occurrence & said he had sent Tatum's son to the P Office for his papers &c, & that L had sent him word that he must pay what he Owed the office [before] he could get any more he B said if Ligon did not Let him alone he would beat him - L - to death that some other conversation took place about a woman the purport of which witness did not remember but M^{rs} (?) Ligon's name was mentioned – Brown also Included the name of a man by the name of Whistenhunt in his threats --

◆ Wm Keenum States on the Monday night before the 1st Tuesday in June, Brown was at his (witness) house & then stated that he was about to leave the Country & that he intended to kill two persons before he went away, that Whisenhunt was one of them, and the other one he would name, but they would know after he had killed him, that if he could kill them two person, he would glory in dieing.
 ⇒ Xex^d Did not hear Brown speak any thing about Ligon, he spoke of Smith & others taking public and private advantages of him. he Brown mentioned as a cause of his hostility to Whisenhunt that he had caught him in the dark & choked & abused him.

Examined & approved

21 Feb 1834

s/ John W. Hooper, J. S. C. C C

NOTE: Below are related expenditures found in the final settlement Robert Ligon's Estate.

8. Robert Ligon		
1833	To Richard Banks	
	To Trepanning* Skull(*bore or cut out a disk; tool: trephine)	100.00
	Two visits to Auraria (one at night) and four days attendance	50.00
		150.00

Georgia }
 Hall County } Came in person before me Richard Banks who being duly Sworn saith upon oath that the above stated account as it stands is Justly due to deponent this 24th February 1834

Sworn to & subscribed before Richard Banks
 me John Bates, J.P }

Received of Robert Mitchell one of the administrators of Robert Ligon Deceased, one hundred and fifty Dollars in full of the above stated account this 24th February 1834.

It is believed that the services rendered in the case of Mr. Ligon by Dr. Banks according to the usual charges are worth **\$200.00** J.H. Thomas

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11. **Gainsville** 30th May 1834

Received of Robert Mitchell one of the administrators of Robert Ligon Deceased, Forty Dollars in full payment for building & erecting a Tomb over the grave of the said

Robert Ligon Deceased

Jasper K. Irby
William (Crown?)

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Mrs. Paschal & Sons bill in Auraria for June 5, 7, 11, 1833.

16. Auraria June 4th 1834 Robert Ligon Deceased,

Mrs. Paschal & Sons

	To	4 suppers @ 37 1/4	1.50
5	“	3 breakfasts” “	1.50
	“	Board of 1 horse (pr day	.75
	“	1 Supper	.37 1/4
7	“	1 Breakfast (pr Robert	.37 1/4
	“	Board of 3 horses 2 days	4.50
11		3 horses 6 days @ .75	3.50
June 5		John Hill's horse pr night	.75
			<u>amt \$ 22.37 1/2</u>

Georgia } [Jesse N. Brown's court case???)
 Lumpkin County } Personally came before me George W. Paschal one of the firm of Mrs. Paschal &
 Sons who being duly sworn depose & saith that the above account as it stands stated is Just & True
 Sworn to & Subscribed } George W. Paschal
 before me this Jany 1834 }
 James Prater, J.P. }

Received of Robert Mitchell one of the administrators on the Estate of Robert Ligon Deceased, Twenty
 Two dollars thirty Seven and one half cents in full of the within account
 Novr 20th 1834 Mrs. Paschal & Sons