

**Murder at Boggy Swamp Plantation:  
The Killing of Alexander Atkinson by Five of His Slaves**

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By the time the United States was established, the thirteen original states had a long history with the “peculiar” institution known as slavery. In an unmarked grave in a rural area of Camden County, Georgia lie the remains of five slaves. One hundred and sixty-six years ago, at the spot now known as The Gallows, these men were hanged for the murder of their master, Alexander Atkinson. Just fifty-three years after the United States Constitution proclaimed its intention to establish “...Justice for all...” these men would be convicted not by their peers, but by the peers and family of their victim.

From its earliest days Georgia struggled with the issue of slavery. The founder of the colony of Georgia, James Oglethorpe, demanded that the importation of slaves be banned. This ban was widely ignored, and slavery would be made legal in Georgia in 1750.<sup>1</sup> Though Georgia quickly accepted slavery, some efforts were made to limit the practice. The Georgia State Constitution of 1798, which was in effect until 1861, set limits on the importation of slaves “...from Africa or any foreign place...” What may come as a surprise to some is that Georgia established laws for the protection of slaves. This Constitution stated that

...any person who shall maliciously dismember or deprive a slave of life shall suffer such punishment as would be inflicted in case the like offence had been committed on a free white person...unless such death should happen by accident in giving such slave moderate correction.

In addition, Legislative Acts were passed in an effort to protect slaves from excessive force. An 1817 Act, still in effect at the time of the murder, states that

Any owner or owners of a slave or slaves, who shall cruelly beat such slave or slaves, by unnecessary and excessive whipping, by withholding proper food and sustenance, by requiring greater labor from such slave or slaves than he or she or they are able to perform, by not affording proper clothing, whereby the health

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<sup>1</sup> Kenneth Coleman, Ed. *A History of Georgia*; (Athens, Georgia: The University of Georgia Press, 1991), 25

of such slave or slaves may be injured and impaired, every such owner or owners, shall, upon sufficient information being laid before the Grand Jury, be, by said Grand Jury, presented, whereupon it shall be the duty of the Attorney or Solicitor General to prosecute said owner or owners, who on conviction, shall be sentenced to pay a fine or be imprisoned, or both, at the discretion of the court.

(GL 1817 Vol. 1 -- Page: 92 Sequential #: 078) <sup>2</sup>

The majority of these slave-protection laws were not completely altruistic. Slaves were commonly used, like other forms of property, as collateral for loans. A gentleman would loan money to a slave owner with the stipulation that if the borrower defaulted on the loan the lender would take possession of the slaves as named in the loan deed. The well-being of these slaves was of paramount importance *to the lender*. An abused slave depreciated in value. (Ironically, these deeds have been a boon for modern genealogists and historians alike: they are rare documents in that they contain the names and descriptions of slaves.)

Even though slaves were not citizens, or even considered fully human, they were expected to abide by the laws of their masters. Crimes committed by slaves were covered under Georgia's "slave laws." Nearly every type of offense was covered in these Legislative Acts including, but not limited to, rape, theft, assault, arson, rebellion and murder.<sup>3</sup> Due to the abolition movement that had gained a foothold in the North, by 1829 Georgia had passed laws banning the teaching of reading and writing to slaves, primarily to prevent slaves reading or writing abolitionist material. In addition, free black sailors were not allowed to communicate with slaves while in ports-of-call for fear that they may spread the word of anti-slavery

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<sup>2</sup> Tara D. Fields. "A Brief Timeline of Georgia Laws Relating to Slaves, Nominal Slaves and Free Persons of Color"; available from <http://www.camdencounty.org/download/Timeline.doc>; Internet; accessed 02 February 2006.

<sup>3</sup> "Georgia Slave Laws"; available from [http://members.cox.net/quarter\\_3/Slave\\_Laws.html](http://members.cox.net/quarter_3/Slave_Laws.html); Internet; accessed 30 January 2006.

movements or slave rebellions that were happening elsewhere.<sup>4</sup> All of these Acts would ultimately prove to be futile.

To the majority of slave-owning members of the Georgia State Legislature (of which Alexander Atkinson had been a member in 1820) the most heinous and terrifying crime a slave could commit was the murder of a slave owner. On Saturday June 20, 1840 at Boggy Swamp Plantation in Camden County, this is exactly what happened. As of 1840, Alexander, son of the prominent Atkinson family of Virginia, had owned Boggy Swamp Plantation for just three years. Purchased for \$10,000 from David Brown, the two thousand-acre plantation was being worked hard by slaves. During that muggy afternoon in June, Alexander was traveling between his plantations Black Hammock near Dover Bluff and Boggy Swamp near Waverly. As he passed through a field of corn five to six feet in height, so the popular story goes, a group of his slaves descended upon him and hacked him to death with their field hoes. What we know is that men yelled and women screamed, but it was all to no avail. The blow from their hoes caused "...sundry mortal bruises, cuts, lacerations and wounds of the breadth of six inches and depth of six inches..."<sup>5</sup> A 1912 newspaper account noted that immediately after the murder the slaves fled to Black Hammock Plantation; there they found a boat and hurriedly set sail for Savannah. Camden County Courthouse deeds show that there is a strong basis for believing the fugitives would be headed to Savannah: they were purchased from Savannah dealers and so may have been familiar with the area.<sup>6</sup> With the word of the crime spreading like wildfire,

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<sup>4</sup> William A. Hotchkiss, Ed. "Codification of the Statute Law of Georgia, Including the English Statutes of Force in Four Parts" 2<sup>nd</sup> ed.; available from <http://academic.udayton.edu/race/02rights/slavelaw.htm>; Internet; accessed 30 January 2006.

<sup>5</sup> Camden County Superior Court. "Documents pertaining to the murder of Alexander Atkinson and the conviction and hanging of five of his slaves." Loose papers at Bryan-Lang Historical Library, Woodbine, Georgia.

<sup>6</sup> Camden County Courthouse. Land and property deed book "M" p 411, 412.

and a thousand-dollar bounty *each* on their heads, they were quickly spotted and captured as they neared (Fort) Frederica on St. Simons Island.<sup>7</sup>

Word of the murder spread and the small population of Camden County was horrified. While murder by slaves was greatly feared, it was actually extremely rare. An inquiry was started *the same day as the murder*. In a clear conflict-of-interest, most of the men convened for the inquiry were close family members of the deceased.<sup>8</sup> Edmund Atkinson, brother of the deceased, was sent to inspect the body and *help determine the cause of death*. Other members of the inquiry included David Brown, brother-in-law of the deceased and the previous owner of Black Hammock Plantation; William Berrie (Berry), the foreman, who already had a son named after Alexander Atkinson; the R. S. Nobles and William Berrie families had intermarried and were very close to the Atkinson family; Burwell Brown was a first cousin of the deceased; another Alexander Atkinson was also a first cousin of the deceased. The final words of the Inquiry stated: "We the jury give in our verdict that we unanimously believe without a doubt that the said deceased was killed by his negroes with their hoes." The document, which reads more like a conviction than the summary of an inquiry, was signed by the foreman, William Berrie.

Four days after the attack statements were provided by several female slaves who had witnessed the attack: Minta, Rachel, Amy and Lydia.<sup>9</sup> Based on their word arrest warrants were issued for the eight male slaves who had fled the area after the attack: March, Amos, Prince, Ned, Big Joe, Little Joe, Louis (Louie) and William. All eight accused slaves were arrested and jailed at the now-extinct county seat of Camden, Jefferson(ton). Another court

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<sup>7</sup> James T. Vocelle. *History of Camden County, Georgia*; (Camden Printing Company, St. Marys, Georgia: 1914), 83-84.

<sup>8</sup> Genealogy determined by research of the Camden County burial records, online at: <http://www.camdencounty.org/>

<sup>9</sup> Thomas R. R. Cobb. *An Inquiry Into the Law of Negro Slavery In the United States of America*. (Athens, Georgia: The University of Georgia Press, 1858, 1999), 232-3: Cobb clarifies that while slaves/negroes should not be allowed to testify against a *freeman*, they can be used as witnesses when testifying about actions of another slave (especially when a white witness is not available).

document states that the slaves were to be brought before the Grand Jury for examination. The interviews with the accused and the slave witnesses "...induced a strong inclination of their guilt..."<sup>10</sup> A written record of the interviews of the accused has not been located.

On June 29th, 1840, five of the eight accused men were convicted of murder: March, Lewis, Little Joe, Ned, and Prince. A bit surprisingly, three were found not-guilty: Big Joe, Amos, and William. The verdict stated that

...March, Louis, Little Joe, Prince, Ned not having the fear of God before their eyes but being moved and seduced by the instigation of the Devil...with force and arms in and upon Alexander Atkinson their master and legal owner in the sight of God...feloniously willfully and of their malice aforethought did make an assault and...clasped the said Alexander Atkinson by the throat and round the waist and with certain weeding hoes made of...steel having a wooden handle...in and upon front and back parts of the head of him...did strike and beat and knock...the said Alexander Atkinson...with the weeding hoes...[causing] sundry mortal bruises, cuts, lacerations and wounds of the breadth of six inches and depth of six inches...contrary to the laws of said State the good order peace and dignity there of...<sup>11</sup>

The sentence of death was issued the next day on June 30, 1840. A request made by Alexander's brother, Edmund, asked that "...considering the circumstances attending the late outrageous murder of Mr. A. Atkinson...it [is] of the very greatest importance that the execution of those convicted...take place in the spot where the [murder] was perpetrated..."<sup>12</sup> (Possibly to ensure that the hanging would be witnessed by the rest of the Atkinson's slaves.) The death

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<sup>10</sup> Camden County Superior Court. "Documents pertaining to the murder of Alexander Atkinson and the conviction and hanging of five of his slaves." Loose papers at Bryan-Lang Historical Library, Woodbine, Georgia.

<sup>11</sup> Camden County Superior Court. "Documents pertaining to the murder of Alexander Atkinson and the conviction and hanging of five of his slaves." Loose papers at Bryan-Lang Historical Library, Woodbine, Georgia.

<sup>12</sup> "

sentence was then passed, and the official document was signed by, among others, Edmund Atkinson:

The Court then proceeded to pafs (sic) the sentence of Death...(On) Monday the sixth day of July next ensueing (sic)...that on that day be taken...to the plantation generally known as the "Boggy Swamp"...between hours of ten oclock in the morning and four oclock in the afternoon of that day shall be publickly (sic) hung (sic) by the neck, as near the place as you committed the murder...until you are dead, dead, and may all mighty God have mercy on your souls.<sup>13</sup>

The slaves were hanged at Boggy Swamp Plantation two-hundred yards from the spot where the murder took place. They were buried where they fell, hard by the road that today is called "Incachee."<sup>14</sup> The entire event, from the day of the murder to the day of the execution, lasted *sixteen days*.

Who were these slaves? Little can be gleaned from public records. However, we do know that on March 22, 1827 Alexander Atkinson purchased from Charles Dunham fourteen slaves for \$4,300. Among the slaves listed are William and Minty. This may be Minta, one of the female slave witnesses. William may be one of the accused. On December 18, 1830 Alexander Atkinson purchased from John Randolph Bryan twenty-eight more slaves for over \$10,000. Among the slaves listed are several familiar names: Ned, March, Amy, Lyndy (Lydia?), Joe, Aminda (Minta?) and Amy. Of course, there is no way to know for sure if these are the same slaves, but as they were all reported to be from Savannah, it is quite likely.<sup>15</sup>

Buy *why* would the slaves have turned on their master with such malice and viciousness? The official transcript of the inquest includes only the testimony of the female

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<sup>13</sup> Camden County Superior Court. "Documents pertaining to the murder of Alexander Atkinson and the conviction and hanging of five of his slaves." Loose papers at Bryan-Lang Historical Library, Woodbine, Georgia.

<sup>14</sup> Burwell A. Atkinson. *Atkinson Family History*, (Waverly, Georgia: 1968), 01-02. Available from the Bryan-Lang Historical Library, Woodbine, Georgia. 09 February 2006.

<sup>15</sup> Camden County Courthouse. Land and property deed book "M" pp 176-177, 238.

slave witnesses.<sup>16</sup> In most cases, this testimony starts at the moment of the murder itself. However, the telling testimony of Minta reveals a vital clue:

...March was working slow Master said it would not do he told Joe to give March a dozen lashes he told him to whip Ned too he whipped Ned and said March did not put his shirt on quick enough ...as he turned from him March clinched him by the waist...<sup>17</sup>

To support a claim that Alexander Atkinson may have treated his slaves cruelly, there is one small document dated March 11, 1830 – a full ten years before his murder. This writ of subpoena, to be delivered to Michael Hickey, John Gorea, Joseph Hardee and Philip Goodbread, lists as the subject the very same Alexander Atkinson:

You are hereby commanded that...you be in your proper place before the Judge of the Superior Court...to testify and speak the truth in a cause there pending and to be tried between the State of Georgia plaintiff and Alexander Atkinson defendant in an action for **unlawfully beating negroes**... (emphasis mine)<sup>18</sup>

Southern planters, at all costs, avoided having anything in writing that would lend credence to the claims of abolitionists that slavery was cruel. While a subpoena is not conclusive proof of cruelty on the part of Alexander Atkinson, its very existence is extraordinary. During a time of slave unrest and rebellions, abolitionist movements and general knee jerk legal reactions to these events, the very fact that Atkinson's alleged cruelty was considered to be so heinous that his slave-owning peers were willing to put such a document into the legal record is telling.

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<sup>16</sup> Thomas R. R. Cobb. *An Inquiry Into the Law of Negro Slavery In the United States of America*. (Athens, Georgia: The University of Georgia Press, 1858, 1999), 232-3: Cobb explains that neither slaves nor free negroes are to be permitted to testify about cruel treatment perpetrated by a Master upon a slave.

<sup>17</sup> Camden County Superior Court. "Documents pertaining to the murder of Alexander Atkinson and the conviction and hanging of five of his slaves." Loose papers at Bryan-Lang Historical Library, Woodbine, Georgia.

<sup>18</sup> Camden County Superior Court. "Documents pertaining to the murder of Alexander Atkinson and the conviction and hanging of five of his slaves." Loose papers at Bryan-Lang Historical Library, Woodbine, Georgia.

A last look at the deed books shows what awaited the surviving slaves that once belonged to Alexander Atkinson. In April of 1841 Alexander's siblings, Edmund Atkinson and Nancy Lang, divided his estate between them. Nancy gained \$25,000. Edmund took possession of Alexander's property – 8,500 acres that included Black Hammock and Boggy Swamp plantations - as well as forty-six slaves including those whose names appear in the trial records: Amos, William, Amy, Lydia, Mynta, Rachael and Joe. As Little Joe was hanged, Big Joe is now just "Joe."<sup>19</sup>

Alexander Atkinson would not leave any direct descendents – at least not white descendents. He never married; however, there is an African-American family of the same surname, still living at Dover Bluff, who claims descendancy from this Alexander and at least one of his female slaves. After one hundred and sixty-six years the names of these unfortunate slaves are finally listed in the official burial records of Camden County: March, Louis, Little Joe, Prince and Ned. While their story is not complete, maybe their crime will not be forever listed simply as "...an outrageous murder..."

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<sup>19</sup> Camden County Courthouse. Land and property deed book "N" pp 256-260.

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