

Justice - Twenty Years Later

By Sharon G. Avery

Two local histories contain references to a murder which took place in the western part of the county in the early 1800s, in which Captain Andrew Feaster was gunned down by a neighbor, Shadrack Jacobs. According to William Ederington, in his *History of Fairfield County*, Capt. Feaster was killed while riding with his brother-in-law, Constable Ezekiel Wooley, whose job it was to arrest Jacobs. Feaster and Constable Wooley had switched horses shortly before the shooting. It was near dusk, and Jacobs killed Feaster by mistake, having intended the bullet for Constable Wooley.

The story of the murder is further elaborated by James P. Coleman, in his family history. Coleman states that Constable Wooley and Feaster were riding together after dark in a posse to apprehend Jacobs, and Feaster was riding Wooley's white horse. Earlier, Jacobs had reportedly sworn to kill Wooley, and according to Coleman, Jacobs deeply regretted having shot Feaster, having meant to kill the constable. Both Ederington's and Coleman's accounts say Jacobs escaped to the west and was captured years later.

What really happened on the evening of March 5, 1808, when Captain Feaster was murdered will never be fully known, but what can be unraveled from existing local government records and from Columbia newspapers is a story fraught with human tragedy.

It appears that Jacobs was the same Shadrack Jacobs, from the area of the Broad River, who fought with patriots during the American Revolution. He received state land grants after the war, owning property both near Monticello on Terrible Creek and in the area of Feasterville. He is listed in the 1792 Fairfield District Tax Returns and in the minutes of the County and Intermediate Court as a petit juror in the 1790's. Land transactions indicate Jacobs was married to a Keziah Jacobs by 1794. Enumerated in the 1800 Federal Census as between the ages of 26 and 45, he must have been at least 35 in 1800 to have served as a Revolutionary War soldier. Young children between the ages 10 and 16 are also listed in the Jacobs household. Not a rich man in 1808, Jacobs nevertheless had too much to lose. He owned property and was a family man.

In February 1808, Jacobs was, however, also a wanted man. The previous fall he had been tried for trespass and assault in Newberry District, when he failed to appear in

court a bench warrant was issued by the Newberry District Court of General Sessions to Sheriff James Muse of Fairfield District to take Jacobs into custody.

Constable Wooley was acting on Sheriff Muse's warrant to arrest Jacobs. A violent confrontation must have been anticipated by the authorities as a group of officers were organized to apprehend Jacobs.

Testimony taken in 1809 indicates that Jacobs was very much aware of his impending arrest and was armed with two guns on the day of the shooting. Land records reveal that for a number of years Wooley and Jacobs owned adjoining property and were well acquainted. They definitely were not strangers; perhaps the bad blood between the two began as neighbors.

Several persons testified they were at the Jacobs home on the day of the murder, including Ephraim and Patty Morgan, Randol Woodward, James Fear, and James and Thomas Nelson. About dusk, Randol Woodward, who had come to borrow an awl, returned home followed shortly thereafter by Jacobs and later Mrs. Keziah Jacobs. When the law officers reached the Jacobs home they were met according to Fear, by Mrs. Patty Morgan, who told them Jacobs had "gone over the river". Fear testified that of the group he recognized only Colonel Arromanos Liles. Three men entered the house to search for Jacobs and then the company rode off in the direction of Randol Woodward's house.

It was now late in the evening, and Shadrack and Keziah Jacobs were walking home from the Woodwards', through the woods, when they met the posse, Mrs. Jacobs later testified that her husband exclaimed "they are now coming" and immediately discharged a gun which killed Capt. Feaster. James Fear also testified that he encountered Jacobs running from the scene of the crime and heard Jacobs saying "he had killed somebody - one of the company..." Whether Jacobs had taken advantage of the opportunity to fire his rifle at the horsebacked rider he thought to be his adversary, Ezekiel Wooley, and killed Feaster by mistake is unclear, but Jacobs was clearly resisting arrest.

Andrew Feaster, Jr., was a highly respected citizen and a captain in the South Carolina Militia. A planter and cabinet maker by trade, young Feaster's survivors included his aging parents, Andrew, Sr., and Margaret Feaster, several brothers and sisters, and many nieces and nephews.

Although Jacobs escaped capture on the night of the murder, he was taken in

to custody. He appears to have been confined to the jail in Winnsboro in January 1809, when he sold 68 acres of land to Thomas Means. Sheriff Muse and Attorney Caleb Clarke witnessed the sale.

The case of the State vs. Shadrack Jacobs for murder was docketed for trial in the Spring Term of 1809. He was indicted for murder by the Grand Jury on April 18, 1809. The members of the grand jury were John Boyd, foreman; Hugh Perry, Henry Lietz, Samuel Young, James Gamble, Edward Meadows, Bennett Ashford, Moses Hollis, Robert Boyd, James Cammack, John Robertson, William Watt, Josiah Knighton, Henry Funderburg, Edward McGraw, Jacob Dansby, and James McGill.

Jacobs was brought before the bar and arraigned. He pleaded not guilty. Three days later jury selection began for the trial, but here the wheels of justice ground to a halt. After accepting nine jurors - Samuel Proctor, William Kirkland, Minor Scogler, James Hodge, Jacob Free, William McCrorey, Robert Bradford and Dixey Ward - the accused challenged all of the remaining jurors. On motion of the solicitor, the sworn jurors were discharged and the prisoner removed to the jail, there to remain until the next term of court.

Before the fall term of 1809, Jacobs escaped, either from the jail or he was released on bond and fled the state. Mrs. Keziah Jacobs was summoned to appear in the fall to answer to an indictment to be entered against her, but the solicitor failed to press charges.

Jacobs spent the next twenty years running as a fugitive from justice, separated from his native state and most probably from his family. Ederington claims Jacobs was captured in the wilds of Georgia and Coleman maintains he was recognized and arrested in Texas. he was back in captivity in February of 1829...20 years later.

Capt. Feaster's parents had died in the early 1820s without seeing their son's murderer brought to trial.

By 1829, Jacobs must have been an old man. Some of the witnesses called in 1809 were no longer living, others may have moved west. Among the remaining witnesses called in 1829 were Arromanos Lyles, Jr., Henry J. Macon, Thomas Nelson, Abner Fant, Thomas Parrott, and Randol and Livina Woodward. The trial was held in April 1829, Jacobs was found guilty, but the jury unanimously recommended mercy for the "unfortunate criminal".

The verdict was immediately appealed to the Court of Appeals, asking for a new trial. Unlike today, the appeals process was very short and quick. In May of 1809, Judge Colcock of the Court of Appeals in Columbia heard the motion for a new trial and refused it.

The Columbia Telescope of May 15, 1829, reported: "Accordingly, the prisoner was arraigned before the court, the indictment and verdict of the jury read and being asked if he had anything to say, why sentence should not be pronounced...(Jacobs said) Nothing but regret, that such a duty befalls the court".

His Honor Judge Colcock next addressed the defendant recalling that twenty years had elapsed since the fatal deed and "from my knowledge of the human character, I cannot doubt, that you have suffered more in that period than yet remains to be endured while you are here...The stings of a guilty and reproving conscience, added to the const-

ant apprehension of detection and punishment must have rendered your existence miserable indeed. "But the end is now come."

"When I behold you bending under the weight of years and guilt, I cannot discharge the duties of a judge without mingling the sympathies of the man, and without recommending to you to apply to that all sufficient fountain of mercy, for the assistance which you no longer expect from things of time...I earnestly recommend to you to employ your few remaining days in supplicating the mercy of your offended God."

Judge Colcock noted that Jacobs' offense was the "highest in catalog of crimes, and one, which, by the common consent of mankind, is punished by death". He then pronounced the sentence which called for Jacobs to be returned to the jail in Winnsboro and on the 19th of June, 1829, "between the hours of ten o'clock in the morning and five o'clock in the afternoon, be hanged until his body be dead".

The Columbia newspaper story ended with a sympathetic statement of the fortitude the prisoner manifested on the solemn occasion.

Although the jury had recommended mercy, it is obvious the trial opened old wounds. There were those who felt that it was long past time for Jacobs to pay for his crime. What difference did it make if Jacobs had intended the rifle ball for another? A petition signed by Fairfield residents opposing mercy was forwarded to the governor. The sentence was not commuted.

William Ederington ends his account of the affair with an English translation of an old German poem:

Though the mills of God grind slowly,
Yet they grind exceedingly small;
And patiently he stands waiting,
Till with exactness grinds he all.

The long saga finally came to an end when the sentence was carried out in Winnsboro by Sheriff William Moore at 3:30 p.m., June 19, 1829.

