

PRISON MUSEUM POST

*The Official Newsletter of the Historic Burlington County Prison Museum Association
Incorporated in 1966*

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APRIL 11, 2023

MUSEUM TO CLOSE FOR REPAIRS

The Museum will be closed from May 1 through October 30 for repairs, including a new roof. The PMA will continue to issue *The Prison Museum Post* and to work on various projects during this period.



***BOARD MEETING -
Thursday, May 11 at 7 p.m.***



The next meeting of the Board will be held at 7 p.m. on Thursday, May 11 in the PMA office. All PMA members are invited to attend.

COMMITMENT BOOKS TO BE ARCHIVED ON THE PMA WEBSITE

When the Jail was built in 1811, Burlington County had a population of only about 20,000 people. Because most citizens were quite law-abiding, the building's 24 cells were more than enough to provide separate quarters for the few who were arrested and jailed. A newspaper in 1848 reported that there were no inmates at all on the day that particular issue went to press.

By 1860, the County population had risen to about 50,000. On the day the U.S. Census was taken in that year, the Jail had only 17 occupants, four of whom were the prison keeper and his family. Two others were a 50-year-old shoemaker charged with murder and his son. The boy, 11-year-old Winfield Palmer, was being held as a witness.

Destroy not the ancient landmarks which the fathers have set. Proverbs 22:28

The Jail's population surged with vagrants after the Civil War. Because travel by rail (freight hopping) had arrived, many were alien to the county. The substantial vagrancy rate was due in part to the horrible by-products of the war -- alcohol and opiate addiction, economic disruption and a condition which remained undiagnosed for nearly a century - post traumatic stress syndrome, known at the time as "soldier's heart".

By 1940, the numbers had gone back to pre-Civil War levels. The Census for that year showed a total county population of 97,000. Only 15 were housed in the Jail on the day the 1940 Census was taken. *

The County's population exploded in the 1950 and 1960s. (The official numbers were 137,000 in 1950 and 225,000 in 1960. The current population is about 460,000.) By 1965, the Jail was not only ridiculously outdated, but also, finally, too small to accommodate all the prisoners brought in.

While there may have been a relatively small number of inmates housed in the Jail on any given day, the average stay was only somewhere between 10 and 45 days, and there was a constant stream of people being committed and released. This translates into tens of thousands of commitments over the 154 years the building was in use as a jail.

We don't have commitment logs for the years before 1871. We do, however, have most of them for the years between 1871 and 1965, when the Jail closed. These logs are preserved in the County Records Retention Facility. Some of the missing books are the ones we are most interested in seeing, such as the one(s) for the period between April of 1898 and February of 1903. If any of our readers ever find these missing books on Ebay or at an auction, please let us know.

During her years as Prison Museum Attendant, Burlington County Parks Department Museum Curator Marisa Bozarth transcribed commitment books covering approximately 50 years between 1871 and 1952. Her painstaking efforts produced a database with a staggering 52,000 entries. We estimate that there are approximately 12 years' worth of logs that remain to be transcribed.

**You can see the 1850, 1860 and 1940 Census records in the May 5, 2012 issue of the Prison Museum Post, archived on our website (www.prisonmuseum.net).*

The logs dating before 1936 record for each inmate his or her name, sentence, date received, date discharged, name of officer who brought them in and number of days incarcerated. Here is a copy of two pages from 1875:

| BURLINGTON COUNTY PRISON REGISTER, | | | | Mount Holly, New Jersey, Aug A. D. 1875 | | |
|------------------------------------|-----------------------------|-------------------|----------------------|---|----------------------------|-------------|
| NAME OF PRISONER | CHARGE | SENTENCE | When Received | When Discharged | NAME OF COMMITTING OFFICER | No. of Days |
| Harry Pelchard | Taping Till | | Aug 11 th | Sept 1 st | Robt Clarkson | 22 |
| James Gibbs | Burglary | | " 11 " | Aug 25 Escaped | John W Brown | 15 |
| James Brown Sam Stone | do | | " 15 " | 25 Escaped | Joseph L. Morton | 15 |
| James McDonald | do | | " 15 " | Sept 24 no bill | do | 14 |
| Adams Warner | do | 14 P.M. Oct 4. 75 | " 15 " | Oct 4. 75 | do | 51 |
| Gen. Atkinson | G.L. | 14 P.M. Oct 4. 75 | " 15 " | Oct 4. 75 | do | 45 |
| Samuel Cook | P.L. | | " 17 " | " 18 on hearing the alarm | do | 2 |
| John King | Disorderly | 10 | " 18 " | 28 th | J. F. Lawmaster | 10 |
| John Kelly | at a P. | | " 19 " | 21 on Bail Lewis out. | do | 3 |
| Elyia Kelly | at a P. | | " 19 " | 25 on Bail Lewis out. | do | 7 |
| Frank Lee | Drunkennes | 14 Days | " 21 " | " 25 " | J. F. Lawmaster | 4 |
| Maughan Sharkey | Wrs Cold | 4. | " 26 " | " 30 " | do | 4 |
| Joseph Stanton | Drunkennes | 11 " | " 30 " | Sept 3 rd | do | 4 |
| Benjamin L. Estlin | do | 30 " | " 30 " | " 28 " | H. McSowell Mayor | 30 |
| Thomas Morgan | Bastardy | | " 30 " | Sept 24 th no bill | Daniel P. Taylor J.P. | 26 |
| Reuf. Peace | Drunkennes | 30 | Sept 2 nd | Sept 15 th by discharge | W. McDonald Mayor | 13 |
| Joseph Whitecraft | Measur | | " 3 " | the 7 to county house | E. Holman | 5 |
| Johny Lemmon | Larceny 60 days, C.G. Oct 4 | | " 5 " | | John Elliott | 66 |
| Mr. Anderson | G.L. | | " 6 " | 7 th on bail | do | 2 |
| | | | " 1 " | | E. Holman | 4 |

After 1936, more information was recorded in the logs: name of prisoner, charge, sentence (bail or imprisonment), date received, date released, arresting officer, committing officer, age, sex, marital status, place of birth, occupation, name of employer, residence, complainant, date of sentencing, whether sentence was reconsidered, bail and name of bondsman. There is also a separate column for "race". Prior to 1936, there wasn't a separate column for race, but "(colored)" appeared after the names of non-white inmates.

We are happy to report that we are preparing to archive the logs on our website. Our archivist/website manager, Lisa Kruczek, is working with a web development firm we hired to create a searchable database. We hope to have the archive up and running within the next two months. Of course, we will add to it as more logs are transcribed.

We believe that our commitment log archive will be an invaluable resource for genealogists, historians and students of many other cultural disciplines, including criminology, penology and sociology. We can't wait to see the various analyses of this material.

And what will the PMA do with this treasure trove of data? We'll leave serious analysis of the logs to the experts and instead use them to do what

we do best - generate interest in our local history with humorous, poignant and intriguing stories about inmates and others associated with the Historic Burlington County Prison.

Here are some examples of entries we found that piqued our interest:

CRUEL AND UNUSUAL PUNISHMENT

If you run your eye down the "sentence" column of any page of any log book, you will see pretty much the same thing that you see on the log book copied on the preceding page - "no bill" (meaning that the person was not indicted and therefore set free), "on bail" (meaning the person was freed on bail), or a certain number of days. Thus, the sentence for

Theodore Trumbower of Mount Holly, jailed on June 28, 1897, sticks out like a sore thumb: "Marriage". He was arrested on a charge of "bastardy" leveled against him by the father of the woman who bore his child out of

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In Memoriam
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**Prison Museum Post Editor, Researcher, Writer,
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Janet L. Sozio, Esq.

Please help us preserve and promote the museum by joining the PMA. Annual dues are \$15(individual)/\$25 (family). Membership benefits include a quarterly newsletter, event updates and free admission to the museum. See website for application.

wedlock. DNA not being a thing at the time, Judge Slack rendered the guilty verdict immediately upon the prisoner's arrest. Failing to furnish \$300 bail, the defendant was committed to jail. He apparently had a change of heart overnight, and agreed to marry. And we get to joke that it is our one example of cruel and unusual punishment!

TOO MANY WIVES

Another entry that jumps off the page is a charge of "Too Many Wives" for Harry Vannell of Wrightstown. Apparently, the officer recording the commitment was unfamiliar with the term "bigamy". Vannell had been arrested on August 17, 1930 on the complaint of his wife, alleging that he had, two months earlier, married another woman without first obtaining a divorce from her, his wife of 26 years. A newspaper reported that

Wife No. 1, charges that her husband has been dividing his time between her and Wife No. 2, since his second marriage in June. *Courier Post, August 18, 1930.*

The grand jury was not interested in indicting him, and Harry was freed after 40 days, when a "no bill" was returned.

Less lucky was William Boothman of Riverside, who in 1919 was sentenced to between two and seven years for bigamy. He was released after ten months when it was found that he suffered from "shell shock", which is what PTSD was called at the time. He had served in combat in World War I in the 79th Division in Europe in 1918.

ANOTHER ESCAPE

The log shows Orwin Pippitt jailed on May 25, 1915 on a disorderly charge. His discharge date is noted as June 23, 1915, but he apparently escaped before then. He was captured in September and charged with jail breaking. He pleaded guilty at his arraignment. A newspaper reported that he was sentenced from one to three years in state prison:

When Pippitt was arraigned to plead he said: "I don't know that I broke anything, but I went over the wall." Laughter followed, but it didn't help Pippitt's case. *Mt. Holly News, November 2, 1915.*

SOME SILLY ONES

Philip Weigle was brought in by Detective Ellis Parker on July 16, 1913 on a charge of "board jumping". He paid costs of \$24.48 and was discharged the next day. We wonder what "board jumping" was. Could it have been jumping on the running board of a car while it was moving?

William Wells and Samuel Shaw served 10 days in October of 1914 for illegal fishing.

Adolph Delfice was brought in on a charge of tax evasion on November 10, 1914. He was released the same day when he apparently paid up. The amount? A whopping \$1.74.

Elizabeth Eslursky was sentenced in October of 1918 to six months. The charge for this hefty sentence? Use of indecent language. If only we knew what she said. (By the way, the sentence was later reduced, but only after she had spent 45 days in the hoosegow.)

Anthony Maiuro and Michael Spiccirro spent one day in jail in 1930 for "taking a bath without a bathtub".

We discussed the Mount Holly Armory and volunteer reserve military service in the September 7, 2022 issue. Service was a serious matter, as Ed Nixon and John Macellari discovered when they were arrested on May 28, 1930 for failure to appear at a drill of the 114th infantry. They were not jailed, and released upon payment of \$10 and \$25-fines respectively. We wonder why they received different fines. Perhaps the fines were based on rank?

Edward Whitcraft received a sentence of ten days in 1910 for "Sunday football".



A young man who was brought in for "larceny of rabbits" in December 1930 was released to the custody of his mother.

Marion Powell was arrested in 1947 for "possession of a raccoon".

ARSON IN COLUMBUS

The commitment books show that three men were brought in on November 8, 1897 for arson : William Cain, John Murphy and Charles Sharp. Only Sharp was sentenced, though, so we thought we would investigate further. It turns out that the story is the stuff of a *Law and Order* episode, the moral being that it pays to have a good lawyer.

At about 3 a.m. on October 23, 1896, a fire burned the barn of Columbus resident Walter Bullock to the ground, destroying all the contents and a horse. A few buildings next to the barn, including one owned by Sharp, were damaged in the fire. The morning after the fire, several locals came to see the ruins. Among them were Sharp, Murphy and Cain, although those three stood apart from the rest.



It was clearly arson. Several people, including detective Ellis Parker, noticed what appeared to be burned burlap bags, along with grease spots, at the site. All also detected the smell of kerosene. Bullock said he kept burlap bags in the barn, but not in the area that the burned bags were found. Furthermore, he said, he never kept oil in the barn.

A few weeks after the fire, Cain told Tom Swaim, the town butcher, that Murphy had set the fire. Bill Comp, the town constable, saw Murphy the morning after the fire at Sharp's house. Both were intoxicated. Parker went to Sharp's house and found kerosene next to the "pumpbox" in the kitchen. Parker had all three men arrested on November 8. All pleaded not guilty.

The trial was held on February 4, 1897. Prosecutor Budd moved the case. George Hillman, Esquire represented both Murphy and Cain. (Of course, today, no lawyer would represent two defendants in the same criminal case because of clear conflict of interest.) Charles Chambers, Esquire, represented Sharp. After the jury was empaneled, Sharp, on the advice of his attorney, changed his plea from "not guilty" to "no contest". He would testify for the prosecution. This would prove to be a huge mistake.

Sharp testified that the evening before the fire, Cain came to his house and said that he wanted to burn Bullock's barn down because he had grudge against him. He demanded that Sharp to give him a rug that was on the floor and some kerosene. He pulled out some burlap bags that he had brought with him, and then doused the rug and bags with the kerosene.

Sharp claimed that Cain threatened to kill him if he told anybody about the plan. He went on to testify, however, that as Cain was leaving, he said, "I guess I won't do it". It's unclear whether Sharp testified that Cain took the oiled rug and bags with him. Finally, Sharp testified that Murphy came in later and went to bed. (Apparently Murphy lived with Sharp.) Sharp said that the light from the fire awakened him early in the morning. He got up, woke Murphy up, and they both went to the scene of the fire.

At the conclusion of the State's case, Prosecutor Budd dismissed the case against Murphy, saying there was no evidence to connect him with the crime. Cain then testified, saying that he was at a political meeting from 7 p.m. until 11 p.m. Others corroborated this. His wife testified that he was home from 11 p.m. until he ran out early in the morning upon seeing the light from Bullock's blazing barn. The jury came back with a verdict of not guilty.

And Sharp? He was sent to the big house for **five years** for his complicity in the crime. He wasn't actually accused of setting the fire, and no one thought he did. Yet he was the only one to be punished.

A newspaper editor bemoaned the irony of this and noted that everyone thought that Cain was as complicit as Sharp was, and that Murphy actually set the fire. The editorial noted that

Incendiarism has been too frequent in this country and is of too serious a nature to allow guilty men to escape when there is as just a chance to convict as in the case of Cain. The people who have suffered by the application of the torch will have the satisfaction of knowing that at least one of the gang was brought to justice, while he, during the next five years, will have a chance to reflect upon the action of a jury that releases one man upon the same evidence that sends another to state prison.
Mount Holly News, February 9, 1897

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