

## FOUR INDICTMENTS DISMISSED

Chas. O. Co.  
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# Oldest S. C. Convict Near Freedom?

FLORENCE, S. C. — (UPI) — The path to freedom brightened Monday for Edmund D. Bigham, oldest inmate of South Carolina's penitentiary when a circuit judge ruled four murder indictments against him had been dismissed 33 years ago.

However, state Probation Parole and Pardon Board Supervisor Curtis Moore said it would be some time after formal application is made before the board could consider a parole for the aged convict who claims to be 90 although prison records list him as 75.

"We will have to investigate the case thoroughly before it comes up," Moore said. He added it would be impossible to bring the case before the board at Thursday's regular meeting.

The board had refused to consider parole for Bigham until the four indictments were disposed of. His attorneys moved for Monday's hearing before Circuit Judge Thomas P. Bussey for the purpose of having the four indictments dismissed, but learned while researching the case that all four had been n o l - p r o s s e d in Horry County

General Sessions Court at Conway April 1927.

Bussey ruled there were no charges pending against Bigham who was ordered returned to the State Penitentiary at Columbia while his lawyers prepare a formal parole application.

Bigham has been behind bars since shortly after five members of his family were found slaughtered at the Bigham family home near Pamplico in January 1921.

The family was one of Florence county's most prominent names at the time.

Bigham's mother, brother, sister and her two stepsons were shot to death with a .38 caliber pistol owned by Bigham. He was convicted three times and sentenced to the electric chair — spending 4 - months in the death house before finally pleading guilty to the slaying of his brother, Smiley, and receiving a life sentence in 1927.

Despite the guilty plea, the one - armed Bigham has since maintained his innocence and claimed Smiley murdered the four other victims and then committed suicide. B i g h a m

said he pleaded guilty in South Carolina's first "consent" verdict on record because he was promised a parole after five years.

State law requires service of at least 10 years of life sentences before parole can be considered. Bigham has served 33 years since being sentenced, but has been in custody 39 years.

His lawyers — State Sen. Ralph Gasque and William Seals, both of Marion — said they had a job waiting for Bigham if he is paroled.

# Slaughter Of Five In Family Horrified South Carolina

Edmund Bigham returned to his native Florence County this week to hear a judge rule that four of five murder indictments against him had been dismissed 33 years ago.

Attorneys for Bigham, oldest inmate of the S. C. Penitentiary at Columbia, said the court ruling was the first step in their efforts to win the prisoner a formal parole.

Bigham has been in custody since a few days after five members of his family were found slaughtered at the Bigham family homeplace near Pamplico in January of 1921.

Following is an account of the discovery of the five bodies, Bigham's arrest and the legal skirmishes that followed.

By DON GRAY  
Observer Staff Writer

PAMPLICO, S. C. — When an aging rural mail carrier stopped at Mrs. Dora Bigham's home near here Saturday, Jan. 15, 1921, little did he know he had come upon the scene of one of the worst crimes S. C. has ever known.

Mrs. Bigham lay crumpled behind an old well. A stream of blood led to the back steps of the house.

Edmund Bigham, one of the dead woman's sons, ran to the mail man and said "She has just died . . . she told me Smiley done it, he has killed us all."

Mrs. Marjorie Black, Edmund's sister, was found in her room dead. She had been shot in the temple, her underwear had been ripped open and

some land deeds she had been carrying on her person were missing.

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### Lifeless Body

The lifeless body of one of Mrs. Black's two adopted sons, 3-year-old George McCracken, was found under a long bench on the back porch. The youngster had been shot in the temple.

Six - year - old John McCracken Jr. was found lying on a potato bank near a pecan tree in the back yard. He too had been shot in the temple but was still living. There was also a wound in one of the boy's hands, indicating he had raised his arm to ward off the assassin's bullet.

John McCracken died during the night without saying a word.

Mrs. Edmund Bigham and her two daughters were found alive on the front porch of the big house. All three were scared almost beyond speech.

Edmund said he had seen his brother Smiley disappear into the woods near the home and that he had a pistol in his hand.

The day after the shootings Edmund directed a search that led to the discovery of Smiley's body.

He too had died of a bullet wound in the temple and was holding Edmund's pistol.

Edmund suggested suicide to the coroner but Smiley's wallet

was missing.

Edmund arranged a quick and simple mass funeral for all five of the dead. The two boys were buried in white coffins.

News of the slaying spread over the state in no time.

Some residents of the Pamplico community, 18 miles southeast of Florence, agreed with Edmund that it was Smiley who killed his mother, sister and the two boys and then took his own life.

Rumors were thick that Smiley, who had worked at a postal job, was worried over a shortage of funds discovered by a postal examiner.

They whispered Smiley was also disturbed over impending prosecution for destroying records at the Florence County Courthouse.

Another rumor was that he had been denied a loan by a bank a week before the shootings.

However, the Wednesday after the fateful Saturday Edmund, who denied any connection with the crime, was arrested on a warrant signed by John McCracken Sr., father of the two young boys killed.

At the March, 1921, term of criminal court in Florence County, Edmund was found guilty of murdering Smiley and was sentenced to die in the electric chair.

Solicitor Lonnie Gasque argue that Smiley Bigham's post office shortage amounted to only 40 cents and that he could have borrowed \$10,000 from Joe McCown's bank if he had needed it very badly.

Gasque also argued that Smiley's wallet was found

on Edmund when he was ordered searched by the coroner for a pistol he reportedly had been seen carrying.

The able solicitor told the jury how Edmund and Smiley were last seen together in the woods near where Smiley's body was found.

Witnesses testified that Smiley tried to leave the woods but that Edmund called for him to wait so they could walk home together. Both Smiley and Edmund were in the woods paying Negro woodcutters their wages. The Bighams were left in the woods alone.

Gasque explained to the jury how Mrs. Edmund Bigham went to the court clerk's office in Florence while Edmund was in jail awaiting trial and tried to record a deed Gasque said was taken from Marjorie Black when her undervest was ripped open.

Gasque emphasized that Edmund's lust for land led him to the shooting spree.

Clerk E. M. Singletary testified the deed, signed by Dora Bigham, Mrs. Black and Smiley Bigham, was forged.

Edmund testified the other Bighams owed him \$42,000 and had given him a deed to all their property as payment.

Edmund admitted the pistol found in Smiley's hand was his (Edmund's) but said Smiley had gotten it by forcing open a locked drawer.

One defendant was convicted on circumstantial evidence. There were no eyewitnesses to the shootings. At least, none who would testify.

"Aunty Silvia," a withered Negress born as a slave on the Bigham place, is said to have been cooking hog meat at one Bigham home when the slaughter began.

She allegedly ran across a field and remained silent about what she had seen.

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### New Trial Denied

Bigham's attorneys appealed for a new trial but received a denial June 10, 1922. The prisoner was sentenced to die July 22 of that year.

But the defense lawyers wouldn't give up. They won other trials for Bigham and in April of 1927 at Conway succeeded in gaining a compromise with Solicitor Gasque that the jury be permitted to enter a guilty verdict and recommended mercy.

This was done and Bigham was sent to the S. C. Penitentiary for life. He has been there for the past 33 years but still maintains his innocence.

When Gasque agreed to the compromise at the 1927 trial he reportedly included in the settlement that if a governor should pardon Edmund for the murder of Smiley he would be promptly re-arrested and tried again for the murder of one of the other four victims.

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### Bigham Returns

When Bigham was brought to Florence this week in connection with his bid to win parole, officers drove him to Pamplico to the old Bigham homeplace.

The old house burned

years ago and was replaced with what is now the quiet country home of Mr. and Mrs. Thomas Poston.

Mrs. Poston said she saw the car Bigham was in stop in front of her house Monday. She said he seemed to drop his head after taking a quick look at the old well in the back yard and the outbuildings on the place.

Bigham recently stated he is 90 years old but prison records list him as being 75. Former Pamplico acquaintances say he is 77.