

The Murder of James I. Wainwright: Victim of Love

By Steven J. Baeli



G.A.R. Certificate

Photo Credit: ????

Private James I. Wainwright served his time in the Civil War in Company A of the 38th Infantry, surviving the horrors of that war only to be brutally murdered twenty years later. James had returned to his native Ocean County, which was still largely rural, having built a small house near the old Luker place in Toms River, where he lived with his wife, Julia Jane Estlow. Together they had six children: Adelaide and Mary Emma, born before the war, Catherine in 1861, and George, Charles, and Hooper, arriving after his return. Living off the land and working the occasional odd job made life hard for the Wainwrights, but they seemed to make do with hunting, fishing, and farming. For Julia Jane, however, the life of a homesteader was not something that she had envisioned for herself, and it wasn't long before she began to look for a higher place on the social ladder.

James had made a name for himself in the village, being thought of by most as an honest, hard-working man, if not a bit of a curmudgeon. He became a member of the Grand Army of the Republic (GAR), A.E. Burnside Post No. 59, a Civil War veterans' organization that was conveniently located above Naylor's Saloon. It was there that James found camaraderie with those who understood what he had been through, but it was also where he began to drink his troubles away, sometimes spending days at a time away from his homestead.

The crux of his problems centered on his wife, who had begun an affair with Constable Elson Rockwell, a man the Wainwrights had known for many years. The infidelity started about 1875 when Rockwell's wife, Emily, became ill with dysentery, and Julia came to help her through the sickness, but she died shortly after. About that time the two became intimate, carrying on an affair that was soon the talk of the town, but James was no fool, and it wasn't long before the marriage began to suffer. As time went on things became physical,

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and life at the Wainwright home turned intolerable. Catherine had died of typhoid, and Adalaide had married some years before, so neither saw the breakdown of the family, but the others did, and with the exception of Hooper, they began to feel disdain for James, openly speaking ill of him whenever they could.

In 1881 Rockwell won the Republican nomination for Ocean County sheriff, but Wainwright, distraught over his wife's infidelity, began a crusade to topple the candidate, stirring up so much fire against him that he lost the election. It was a hard sting for Rockwell on both a personal and public note. His nemesis had won, and to make matters worse, a local newspaper had hinted at the affair as the reason for his defeat. He was beaten, but Rockwell determined to come back for another try and win no matter what it took, even if it meant killing the man that had become his sworn enemy.

In the months leading up to the election of 1884, James again began to discredit Rockwell, his affair with Julia still in full force. By that time Emma, George, and Charles were solidly in their mother's corner, even going so far as to hide the fact that Rockwell stayed at the house while their father was away. By September, things had come to a head, and Julia had moved into the Magnolia Hotel, and Rockwell, not about to allow James to once again destroy his chances, began to plot his death.

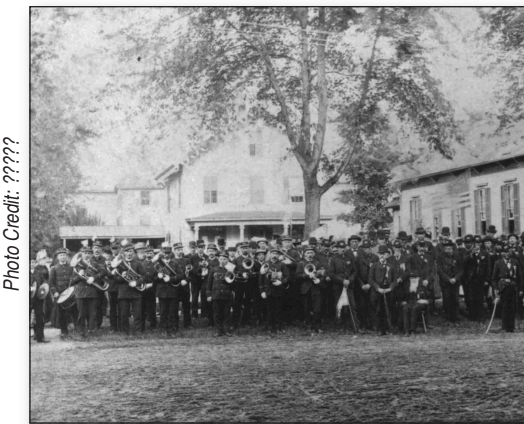


Photo Credit: ????

Photograph of the G.A.R. in front of the All Saints Episcopal Church in Lakewood, NJ, 1910

On the night of September 14th, James had been drinking at the Ocean House, and while there spoke to Benjamin Aumack, a local businessman who hired him to cut his lawn. The conversation that was overheard by Rockwell, and armed with the knowledge of where James would be the next morning, went off to meet with Julia and George Wainwright to put their evil plan into motion.

The next morning James left out as planned, but not before ordering George to stay home from work to tend to the cow, which had become sick after Emma had fed it too many apples. Charles and Hooper had already left for work and school, leaving only George and Emma at home after James left, his scythe in one hand and lunch bucket in the other, smoking his pipe as he walked down the path towards the village. Shortly after, two shots rang out, being heard for miles around and setting off some dogs to barking.

On the scene, James had been ambushed, being shot first in the back, and then squarely in the face at close range as he lay on the ground. His killer dragged the dying man sixty feet off the trail to

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keep it out of sight. A day or so later, Rockwell came along and put the body into his wagon, covered it with pine needles, and brazenly drove through town to his house in the village. Two days later he removed the body to his house in Bamber, tossed it into the creek, and weighted it down with a log.

It wasn't long before the townspeople began to suspect foul play in Wainwright's sudden disappearance, especially his friends from the GAR post, who began making inquiries. When questioned, the children claimed to know nothing, but made a series of odd statements, strangest of all coming from George, who told someone that there was no use looking for the body, because "if it was ever found it would be five or six miles away." He also said that if his father's body was found, "it would show that he was shot in the head and back," something only the killer or a conspirator would know.



Photo Courtesy of Steven J. Baeli

The creek in Bamber

Using crude forensic methods and their tracking skills, search teams inevitably found Wainwright's body. A detailed coroner's inquest followed, and Rockwell, Julia, Emma, George, and Charles were arrested and lodged in the county jail until their trial, which became the longest, and perhaps the most sensational event in the state's history up to that time. A funeral was arranged by members of the GAR, who led the procession down Main Street to Riverside Cemetery, the street lined with townspeople still too shocked to fully comprehend what had happened.

The trial began in January of 1885, becoming a bit of a circus as witness after witness took the stand both for and against the defendants. Ironically, the prosecution wasn't able to make a case concerning the affair even though one witness claimed to have written a letter for Wainwright to Rockwell that said, "You have destroyed all the happiness I ever had, and I will not be satisfied until I see your liver smoking." Other witnesses were clearly lying on the stand, and one man hung himself to avoid having to testify. The courtroom was packed to the rafters every day causing the judge to ban the chewing and smoking of tobacco because the smell was making people pass out. The case also became well-known in the press, where both the local and national newspapers reported verbatim testimony each week. Remarkably, when the trial finally ended a month later, the judge ordered that the jurors find the Wainwrights innocent because there was not enough evidence against them. After a moral struggle, they did find Rockwell guilty of

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second-degree murder, going against the judge's instructions to find him either innocent or guilty of first-degree murder, but doing so to avoid having to send their friend to the gallows.

Elson Rockwell returned to Ocean County after serving six years of a twenty year sentence at Trenton State Prison. He died in 1901 and was buried only twenty-five feet from the man he was accused of murdering. The Wainwrights became social pariahs and moved away never to return. Julia Jane, George, and Hooper are all buried in Monmouth County. What became of Charles and Emma is unknown.

The story of James I. Wainwright continues to intrigue us. It has been the subject of ballads and songs, numerous news stories, and reports of his haunting the old courtroom. His life was a tragedy, he having survived one of the most vicious wars in American history only to die at the hands of his own family, but we will continue to remember him for his life, his honor, and his service to our country.

Steve Baeli is an instructor of history at Ocean County and Burlington County Colleges. He is a Life Member of the Ocean County Historical Society, and he is the founder of the Ocean County Preservation Society. His work in local history includes the Ocean & Monmouth County Cemetery Projects. He is currently working on a book of murders in the county, and also has a website of Ocean County history www.ochistory.org. A short film reenactment of the murder can be viewed at www.youtube.com/watch?v=X4ATycfapuQ, and you can contact him on Facebook. Mr. Baeli volunteers at the Ocean County Cultural & Heritage Commission and has scanned over 40,000 C&H photos and documents (total of more than 60,000 pages).

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