



**State of Tennessee  
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**Miles Neely Haithcock, Jr.  
vs.  
State of Tennessee  
1942**

**Court of Appeals  
Middle Division of State of Tennessee  
Nashville, Tennessee**

**Court of Appeals Box: Docket #34752**

**Microfilm Accession Number: 1721**  
(Original documents found in Court of Appeals Box: Docket #34752)

## INTRODUCTION

This court case, originating in the Bedford County Criminal Court, deals with the double murder of O.T. French and his wife Daisy on the night of September 6, 1940. Convicted was Miles Neely Haithcock, Jr., the brother of Daisy French. The murder cases were tried separately in the Bedford County Criminal Court (the Daisy French murder, first, as case #1592 & the O.T. French murder, second, as case #1593). This appeal deals specifically with the murder of O.T. French.

Miles Neely Haithcock, Jr. was convicted of both murders in the second degree. For the slaying of Daisy French, he was sentenced to not more than 10 years. The killing of O.T. French brought a judgment of not less than ten years and not more than eighteen years in the Penitentiary. The sentences were to run consecutively. This prosperous Bedford County resident averted the death penalty with his team of lawyers, Jas. D. Richardson, Leighton Ewell, and Ben Kingree, Jr.

The jury verdict the Bedford County Criminal Court reached in December of 1940 on the murder of O.T. French was followed by a motion for a new trial and a motion in arrest of judgment. These motions being overruled, sentencing was pronounced in June of 1942. An appeal resulted which reached the Tennessee Court of Appeals in the December Term of 1942. The bulk of this appeals case file derives from the four volumes (1,848 pages) of testimony from the Bedford County proceedings. Also included are the briefs submitted for the December Term of 1942 by the Defense and the State. What surfaces when the details of the case are examined is a fractured family torn apart largely by land issues.

Upon the death of Miles Neely Haithcock, Sr., Daisy Haithcock was given the family estate, approximately 100 acres on the Fairfield and Shelbyville Road. Miles Neely Haithcock, Jr. received a farm to the north on Bell Buckle and Fairfield Road. Before her marriage to O.T. French and 8 ½ years prior to the murders, Daisy Haithcock conveyed the 100 acre family plot to Miles Neely Haithcock, though reserving a life estate for herself. Her reconsideration of this deed of conveyance may have been the trigger for the slayings. Friction had existed previously between O.T. French and his brother-in-law, and numerous witnesses testified that Haithcock had threatened French. The possibility that French encouraged his wife to file a motion in August of 1937 in Bedford County Chancery Court to cancel the deed looms large and may have been the impetus for the violence. Daisy French charged fraud and duress, but the deed was upheld

in court. Daisy French was appealing the decision at the time of the slayings.

At approximately 8 p.m., O.T. French stepped onto the west porch of his house to feed his cats and was shot dead. Daisy and her sister Mrs. Willie Shelton (estranged sister of Miles Neely Haithcock, Jr.) rushed outside, and on their flight back in, Daisy French was also struck. Mrs. Willie Shelton made a positive identification of Miles Neely Haithcock as the killer. Bloodhounds traced the killer to the home of Haithcock, and a trail from the murder site through a cornfield also ended there. Shells matching Haithcock's gun were used in the slayings, and a tie tack belonging to Haithcock was later recovered at the scene.

On his behalf, Miles Neely Haithcock, who was slated to be married the following day, had quite the busy, traceable schedule on the day of the murder. Having been seen by a multitude of individuals the day of the murder, he made arrangements for all family and friends to vacate the Haithcock premises by sundown. Staying nearby at his cousins', the Lovells, for the night provided Haithcock with an alibi, though one that did not appear impenetrable to the jury. Efforts to cast doubt upon the identification given by Mrs. Shelton and the circumstantial evidence also proved unconvincing.

When the defense called for a new trial, a further complication arose. James Shirley Haithcock, the son of Miles Neely Haithcock, Jr. said to have been in the U.S. Army at Fort Baranncas at the time of the murders, came forward. In an affidavit and testimony, he contended that he had gone AWOL and by train threaded his way home to carry out the murders due to a past disagreement with O.T. French.

The appeal for a new trial was made on the basis that the evidence was not strong enough for conviction, that the court erred in its numerous recallings of the defendant to testify, and that this new evidence, in the form of James Shirley Haithcock's testimony, warranted a new hearing. A new trial was not granted. Miles Neely Haithcock entered the Tennessee Penitentiary System in June of 1942 (first at Fort Pillow State Farm, then the Main Prison). His sentence is listed as from 20-28 years. He would be paroled, however, in August of 1953.

Coincidentally, James Shirley Haithcock would also end up with a prison record and serve time alongside his father. An arrest for grand larceny garnered him a prison stay from May of 1941 to August of 1945. He is listed as having escaped on October 13, 1941, and upon his return on October 26, 1941, he was moved from Fort Pillow State Farm to the Main Prison.

## CONTAINER LIST

### Microfilm Reel #1

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1. Bedford County Circuit Court Transcript of **Miles Neely Haithcock, Jr. vs. State of Tennessee** (1940)—Volume 1, Pages 1 – 498
2. Volume 2, Pages 499 – 976
3. Volume 3, Pages 977 – 1465
4. Volume 4, Pages 1466 – 1848
5. Appeal Document--Assignments of Error, Brief and Argument on Behalf of Plaintiff in Error, Miles Neely Haithcock, Jr (1942)—  
(Summary Information)
6. Appeal Document--Reply Brief for the State (1942)—  
(Summary Information)