



1st Women's Jury of Municipal Court
Morehead
L to R - Samuel Caudill
John Nickell
John Riley

Jurors - L to R
Elizabeth young
Mrs. Snyder
Mrs. Leora Hart
Rene Wells
Mrs. Oattie Nickel (Grovar)
Maggie Hogge

From The Collection Of:
Dr. Jack D. Ellis
552 W. Sun St.
Morehead, KY 40351
606-784-7473

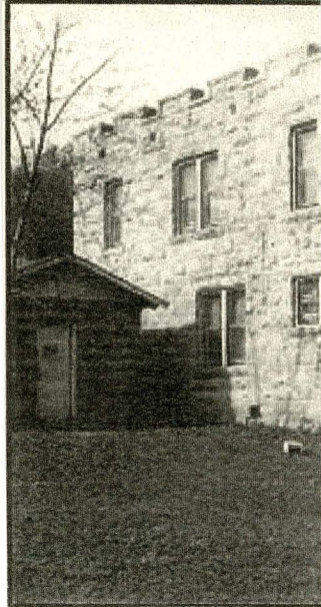


From the Collection of
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552 W. Sun St.
Morehead, KY 40351
606-784-7478

J W RILEY (R)
MOREHEADS CITY
ATTORNEY WHEN THE
FIRST FEMALE JURY
IN KENTUCKY WAS
SEATED - (LATER A
DISTRICT JUDGE)
PRESIDED OVER THE
DESTRUCTION OF
A MOONSHINE STILL
IN FRONT OF THE
ROWAN COUNTY COURTHOUSE



Dr Jack D Ellis
215 Knapp Ave
Morehead, KY 40351





"UNCLE" SAMMY
CAUDILL -

MOREHEADS CITY
POLICE COURT
JUDGE THAT
PRESIDED OVER
THE FIRST JURY
TRIAL IN KENTUCKY
WITH AN ALL
FEMALE JURY.

1921

John Caudill Ellis's
GRANDFATHER

Judge Elijah Hogge Is Dead Of Heart Attack At His Home; Noted At Track, In Politics

SPECIAL DISPATCH TO THE ENQUIRER.

Morehead, Ky., April 3—A heart attack today took the life of Judge Elijah Hogge, 69 years old, Eastern Kentucky political leader, and breeder of thoroughbred horses.

The Judge had been suffering with heart disease for the last three years and virtually had been forced into retirement from law practice.

Judge Hogge was a steward of the Kentucky Jockey Club from 1922 to 1934, passing three months of each year officiating at Churchill Downs and Latonia race tracks. He was Chairman of the Democratic party in Rowan County for 24 years, being elected every four years without opposition. When his health failed he relinquished this post.

Judge Hogge served as attorney of Rowan County from 1913 to 1917 and was Mayor of Morehead from 1918 to 1921. He held numerous other honorary appointive positions, but with the exception of making the races for county attorney and Mayor preferred to place his friends in office. He was a powerful figure in state politics for 20 years, being closely aligned with the late Senate

Allie W. YoYung. They were in almost constant association for many years and it was a short time after Senator Young died that Judge Hogge's health declined.

Born at Whitesburg, Ky., his family moved to Morehead when he was 2 years old. He was educated in the common schools of Rowan County and taught school four years. He studied law under the late William A. Young and was admitted to practice in 1897. From that time until 1934 he was a member of the law firm of Young, Hogge, and Clay. In 1934 he and Lester Hogge formed the partnership of Hogge and Hogge, but due to his health Judge Hogge was never active in the new firm.

The Judge was married February 13, 1895 to Margaret Allen of Morehead.

Judge Hogge is survived by his widow and one son, Walter Hogge, employee of the Lexington Leader; two daughters, Mary Hogge and Mrs. Roy Cornette, of Morehead; four grandchildren, a sister, Mrs. Betty Littleton, Ashland, and two half-brothers, Grover and Edgar Hogge.

Funeral services will be conducted by Rev. B. H. Kazee at the Baptist Church Wednesday at 2 o'clock with burial in Lee Cemetery. Rites at the grave will be conducted by the Masonic Lodge.

Judge Riley's Life Nearly Spans History Of Rowan County

Always Thought Of Morehead As His Home

(The following is reprinted from the April 4, 1946 issue of the Rowan County News.)

One of Eastern Kentucky's most active political figures was 80 years old Monday—April Fool's Day. And, on his 80th birthday Judge J. W. Riley, the man whom the old timers say "came into Rowan County with a candidate card in his hand" locked his office, retired from 52 years of law practice and resigned his position as United States Commissioner.

Some 40 years ago Judge Riley vowed that when, and if, he became 80 years of age, he would retire. For the last two or three years he has been disposing of his property in Morehead and made plans for the time that he would lock the door forever at the office where he has practiced for more than a decade, situated across from the Rowan County courthouse.

The Judge (everybody calls him Judge although his last term as County Judge expired many years ago) held office in Rowan County longer than any other person, living or dead. In fact, during his 52 years, this dean of the Eastern Kentucky bar, has held some kind of public office all the time with the exception of four years.

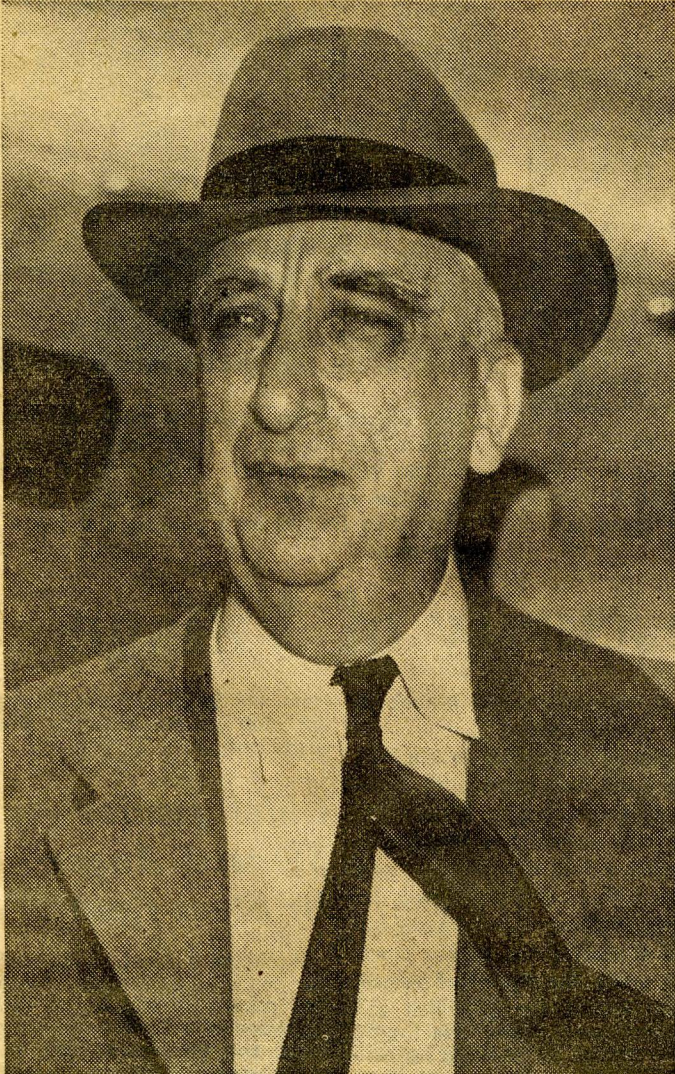
He retired from office, to use his words "comfortably fixed." But his colleagues and friends say that he accumulated considerably more money than just to be "comfortably fixed."

Judge Riley didn't retire because of poor health or because he was unable to continue his law practice and duties as United States Commissioner. Rather he is as active as a man 20 years his junior . . . has . . . been ill in his life . . .



THIS PICTURE OF JUDGE J. W. RILEY was taken on his 80th birthday—April 1, 1946, by The Rowan County News. He is closing his office door on Main Street, across from the Rowan County courthouse, ending his colorful business and political career. Judge Riley died Tuesday afternoon at Lexington.

Chief Justice Fred Vinson, Kentucky Native, Dies at 63; Friend Ike Heads Mourners



Courier-Journal Photo

CHIEF JUSTICE FRED M. VINSON looked like this when he arrived at Lexington, Ky., Airport, in June, 1946, to make a commencement address at the U. of K.

Rites In Capital Tomorrow And at Louisa on Friday Symbolize Varied Career

By ROBERT L. RIGGS

The Courier-Journal Washington Bureau

Washington, Sept. 8.—In the vast hall of the Washington Cathedral the nation's leaders, headed by President Eisenhower, will gather at 2 p.m. Thursday to pay a last tribute to Fred M. Vinson.

When officialdom has completed its testimony of sorrow, Vinson's body will be taken to the little County-seat town of Louisa, Ky., which looks from its hills across the Big Sandy River into West Virginia.

There at 2 p.m. Friday he will be buried in Pine Hill Cemetery among the Vinsons and the Fergusons and the Prices and others who had the same pioneer blood in their veins.

The two contrasting funeral sites symbolize the career of the friendly man who served seven years as Chief Justice of the United States and who probably could have been the presidential nominee of the Democratic Party last fall had he been willing to be a candidate.

Because of his genuine interest in people, Vinson retained a

Washington lawyer, the Vinsons have another son, Robert, who is in the Army and who is the father of their only grandchild.

A Nonpartisan Friend

It was typical of Fred Vinson that he should be on as friendly a basis with his bridge-playing comrade, Dwight Eisenhower, as he was with the former Democratic President, Harry Truman.

Because of that friendship, as well as because of his respect for the office of Chief Justice, Eisenhower is breaking into his Colorado vacation to attend the Vinson funeral here. He will fly back to Denver Thursday afternoon.

The cathedral services will be conducted by Episcopal Bishop Angus Dun. Associate justices of the court will be honorary pallbearers.

Vinson's body will lie in state at Gawler's Funeral Home in Washington between 4 and 10 p.m. tomorrow. The family has asked that expressions of sympathy take of the form of contributions to a heart fund.

40 Years In Public Office

Vinson's unexpected death ended a career of nearly 40 years in public office, 30 of which were spent in Washington. He had been a Commonwealth's attorney in Louisa, a member of Congress, a judge on an intermediate Federal Court bench, an administrator of wartime executive agencies, a member of the Cabinet, and, lastly, Chief Justice of the United States.

Two years ago Truman was pressing him to be a candidate for the Democratic presidential nomination. Had he consented, there seems little doubt that Truman, with the power of the White House behind him, plus Vinson's own popularity, could have guaranteed his selection by the national convention.

But Vinson refused, at the urging of Mrs. Vinson, to go back into active politics. It was obvious, however, that he often yearned to slip through the Supreme Court's silken curtain and return to the rough-and-tumble of electioneering.

Other pictures and stories are on Pages 2 and 4.

strong interest in what his neighbors back in Ashland and Louisa were doing. It was that quality that brought forth such genuine expressions of sorrow from every political camp when it was learned the Chief Justice had died unexpectedly during the night.

Retired Feeling Good

At 63, Vinson could have expected at least seven more years on the Supreme Court. He had been in good health. His wife, the former Roberta Dixon of Louisa, and their son, Fred M., Jr., said he was feeling good when he went to bed.

He aroused them at 2:30 a.m. in their apartment in the Sheraton Park Hotel. At 3:15 a.m. he was dead, shortly after Mrs. Vinson had summoned her physician, Dr. Henry Ecker.

In addition to Fred, Jr., a

— Vote for —

JAMES E. CLAY

Candidate for

COUNTY ATTORNEY

ROWAN COUNTY



Your support and influence appreciated

Morehead Police Court Had 1st Woman Jury In Kentucky - - The Date, 1921



Courts

FIRST WOMAN JURY: Pictured above is the first woman jury to ever serve in Kentucky. From the left: Mrs. Elizabeth Young Duessler, Mrs. Gertrude Snyder, Mrs. Leora Hurt, Mrs. Rena Wells, Mrs. G. C. Nickell and Mrs. Maggie Hogge. Back row: Uncle Sammy Caudill, who was City Police Judge; Uncle John Nickell, who was then chief-of-police; and Judge J. W. Riley, then serving as City Attorney. The jury found another woman guilty.

They Found Another Woman Guilty Of Breach Of Peace

Women are so commonplace on juries nowadays that few people realize that 25 years ago a female was prohibited in Kentucky from serving in this capacity.

In 1921 the legislature passed a law making it legal for women to serve on juries, and a day or so after that statute became effective there was assembled in Morehead Police Court six women who have the honor of being the first members of their sex to ever sit on a jury in this Commonwealth.

~~There~~ ^{These} six, all are now living with the exception of Mrs. Gertrude Snyder, wife of the late Guy Snyder, one of Morehead's leading business men.

Elizabeth Young Duessler, daughter of the late Judge Bill Young and Mrs. Young, now lives in Louisville.

Mrs. Leora Hurt, another member of the jury, lived in Morehead until a few years ago ^{and} ~~now makes her home in Lexington.~~ ^{she resides in Lexington.}

Mrs. Rena Wells and Mrs. Maggie Hogge, both known by most Rowan Countians, live in Morehead while Mrs. G. C. Nickell is now a resident of Ashland.

The city judge, ~~Uncle Sammie Caudill, is now deceased.~~ The chief-of-police at that time was Uncle John Nickell, father of the late Dr. G. C. Nickell and Dr. H. L. Nickell, Judge J. W. Riley, who retired two years ago on his 80th birthday, now makes his home in Lexington but is a frequent Morehead visitor and maintains his voting residence here.

Mrs. Hogge and Mrs. Wells remember the occasion as if it happened yesterday. "We were all scared to death," they recall. "It seemed as if we were the ones to be tried . . . every woman on the jury took her task solemnly and with as much thought, deliberation and discussion as if the defendant were being tried for murder."

They remember that the defendant was a woman charged with attacking another woman, and during the melee she managed to extract a goodly portion of the other lady's locks. The jury found her guilty and assessed a fine of \$5 and costs.

Shortly afterwards women juries became the order of the day in the Morehead Police Court. The judge claimed that he could not get a conviction for drunkenness from a man jury, but the women generally returned a verdict for the Commonwealth.

Morehead Vs. Chicago; Morehead Wins

It was Morehead versus Chicago in the girls rider class at the Lexington Junior League Horse Show last night and Morehead won as Miss Eleanor Bruce, daughter of Mr. and Mrs. C. Z. Bruce, who is recognized as one of the outstanding riders of the nation, took first place.

She was followed by two Chicago girls, while Miss Shirley Shafer, daughter of Mr. and Mrs. Warren Shafer of Morehead, was fourth. About 15 girl riders from all over the country competed.

Morehead's other outstanding rider, Miss Mary Scott Wendel, daughter of Mr. and Mrs. J. R. Wendel, did not compete last night. Miss Wendel scored a major upset at the Paris Horse Show last week by beating Miss Bruce. It was the first time that Eleanor has been beaten this year.

Grant Carey, 647

**MOREHEAD MEMORIES: PEOPLE & PLACES
FIRST ALL WOMEN JURY IN KENTUCKY, 1921**

BY

JACK D. ELLIS

"The law is good if a man use it lawfully" (I Titus 1:8)

In today's world of internet, media, and information overload, we are constantly bombarded with hours of crime shows, court trials, lawsuits, allegations and analysis by attorneys. Many of those interviewers and "interviewees" are women and women are commonplace throughout our legal system. Therefore, it is difficult to imagine a legal system without the fairer sex. (No pun intended with the word "fair" because it would seem that men should be as "fair" as women in legal matters.) But there was a time in this nation when women could not vote, let alone serve as jurors in trials of their peers. But that changed in 1921 when the Kentucky General Assembly passed legislation permitting women to serve on juries.

today

THE DAY AFTER LAW PASSED - FIRST ALL WOMEN JURY SEATED

The day after the law took effect, Morehead's enterprising City Judge Sammy Caudill (grandfather of Janis Caudill Ellis) assembled six local ladies to serve on what was ~~thought to be~~ the first all women jury in the state. (Maybe the nation.) The women who had the honor of serving on Morehead's six member City Police Court jury included: (1) Mrs. Gertrude Snyder who was the widow of Guy Synder, one of the builders of the Morehead and North Fork Railroad, and one of Morehead's leading businessmen. (2) Elizabeth Young Duessler, daughter of Judge Bill Young (sister-in-law of Senator Allie Young, considered by many as Morehead State College's greatest benefactor.) Mrs. Duessler later moved to Louisville. (3) Mrs. Rena Wells was the wife of Norman Wells

who happened to be the Sheriff of Rowan County at that time. They were both active in Rowan politics for many years, and lived on the corner of Main Street and University Blvd. (Their home now serves as the law offices of Dehner and Ellis.) Mrs. Wells was head of the Red Cross for many years, and Mr. Wells lived to the ripe old age of 103 and was one of Rowan's oldest citizens. (4) Juror number 4 was Mrs. Maggie Hogge. Mrs. Hogg was the wife of Elijah "Mighty E" Hogge, Senator Allie Young's law partner. Their law office building, now preserved as a historical site, is located just off Main Street at what is now Battson-Oates Avenue near the newly renovated Courthouse. Maggie was active in Morehead's Women's Club for many years. (5) Mrs. Gertrude Nickell was the wife of John Nickell who was the Chief of Police in Morehead at that time. They were the parents of Dr. Grover Nickell and Dr. Homer Nickell who were prominent local physicians who started one of Morehead's early hospitals on Main Street. (6) Mrs. Leora Hurt, a prominent resident of Morehead at the time who lived on Wilson Avenue, and later moved to Louisville.

The City Attorney at that time was J.W. Riley. Mr. Riley later became a long-time circuit judge in this region and lived to a ripe old age of 80. He later moved to Lexington but continued to make his voting residence in Morehead. Judge Riley became a local legal legend but always remembered that first trial with an all women jury - especially since he got a conviction in the case.

JURORS TOOK THEIR RESPONSIBILITY SERIOUSLY

That first all woman jury became well known throughout Kentucky and Maggie Hogge and Rena Wells reported after the famous jury trial was over that "every woman

on the jury took their solemn responsibility ^{as solemn and} seriously even though they were scarred to death." It was as if they themselves were on trial and they gave as much thoughtful deliberation and discussion before reaching a verdict as would be given in a murder trial, even though their case was only a minor assault case. The defendant was a woman charged with attacking another woman. During the wild melee in one of Morehead's shady "night spots" the defendant managed to extract a goodly portion of the other lady's locks. But the jury of her "peers" found the defendant guilty of Breach of Peace and assessed a fine of \$5.00 and costs.

MEN MORE LENIENT THAN WOMEN

Another case on the docket with that first famous female jury was a young local Lothario from one of Rowan's prominent families who frequently appeared in City Court charged with public intoxication. But Judge Caudill and City Attorney J.W. Riley were never able to get a conviction. ^{with male jurors because the men were lenient with men charged with public intoxication.} However, that all female jury sentenced the young man to 10 days or \$10. He chose the 10 days because he could not earn a dollar a day and believed it would be cheaper to stay in jail.

If I told you this man's name, many in Morehead would remember him well, he later became a prominent local businessman, solid citizen and pillar of his church. But he was a "wild and crazy guy" growing up in Morehead. ^{AS WERE MANY OTHER PROMINENT CITIZENS IN THEIR YOUNGER DAYS.}

Judge "Uncle" Sammy Caudill (many men at that time were called "uncle" as a term of respect) and City Attorney J.W. Riley had such success with their first female ^{later would} jury that they often empaneled women juries. ^(is that called 'stacking' in jury today?) When they did their ^{chances} choises of a conviction were greatly enhanced especially in cases against women or men charged with

public intoxication.

In later years J.W. Riley became a respected Circuit Judge in this area and lived to be a ripe old age. During the era of prohibition he tried many "moonshine" cases. But was also known to partake of a nip of "white lightening" on occasion. He had a reputation of being firm but fair with cases of local moonshiners, but sometime ^{more} lenient if ~~the man~~ they had a reputation of making good shine. ~~from one whose product was of poor quality.~~

JUDGE CAUDILL MORE "FORGIVING" IN OLDER DAYS
In later years when Judge Samuel Caudill was a much older man he conducted a bench trial of an older man charged with indecent exposure on First Street. (^{then} The Railroad Street ~~and it was~~ ⁱⁿ then the heart of the business district.) The man pleaded guilty to the charge but said, "Judge I had to urinate and there was no outdoor privy anywhere, so what a fellow to do." The sympathetic Judge, about the same age of the man with about the same problem, turned the man loose and said, "I can understand your plight very well."

"Case dismissed," said the judge, who had become more lenient in his old age.

READ MORE ABOUT LOCAL COURT CASES IN JACK ELLIS'S **KENTUCKY**

MEMORIES AND MOREHEAD MEMORIES, ESPECIALLY THE CASE OF THE

"WHOPPER JAWED MULE." ^{OR THE CHAPTER ON MOONSHINE IN KENTUCKY}

MOREHEAD MEMORIES: PEOPLE & PLACES
OLD LAWS: NEW PROBLEMS
BY
JACK D. ELLIS

"But we know that the law is good, if a man use it lawfully."
(TIMOTHY 1:8)

It is fascinating to this writer to look back at some of the old laws

(some of which still may be on the books) in the city and county. It helps us remember just how far Morehead and Rowan County have evolved eg.: The original charter for the establishment of Rowan as a county read in a way you might really have trouble finding it, let alone placing it on a map.

"The Seat of Justice for Rowan County was designated on the east fork of Triplett Creek at a point agreed upon by the Commissioners and to be between the residences of Dixon Clack and B.F. Powers." The name of the Seat of Justice originally was called Triplett before changing to Morehead.

Other old laws in the town of Morehead includes:

HORSE RACING PROHIBITED - ANIMALS ROAMED THE RANGE

"Horse Racing prohibited: If any person shall ride or drive any horse through the streets of the city at a reckless or dangerous speed, or shall engage in racing or running horses upon the highways of the city, such person shall be fined not less than five or more than \$35 for each offense."

"Animals on the Open Range had to be marked: All stock that ran on the 'range' - cattle, sheep, and hogs had to be marked, so that its owner's might be known. This was done by clipping the ear with each man's

individual mark which was registered at the Clerk's office. In the fall the men would go out and hunt their hogs. When they found one with their

brand on it, they ~~shot it.~~ *would usually kill and butcher it immediately. Not eliminated a lot of controversy over ownership. Not was the controversy that started the Battle of Dryden W. Va.*

Morehead was a 'Slow Town' because the speed limit was 15 miles per hour on Main Street." *Morehead was also considered a "hot town." Necessary to insurance company records they paid out more claims for fire losses than any other town in the area.*

Morehead was a modest town. There was a law that women could not wear their dresses *more than* a certain number of inches from the ground."

~~"Skating only on dirt streets".~~ *Public skating was prohibited* Prohibiting skating on streets and

sidewalks with a penalty of \$1.00 - \$5.00 on each violation." *NO BATHING SUITS ON THE STREETS - NO SWIMMING ABOVE DAM*

There was a time when swimming in Triplett Creek was a crime: "It was unlawful for any person to wear a bathing suit or shorts on the streets of Morehead." Also, there was a conflict between local swimmers and the city's pure water supply. In June, 1944, the local water company was having difficulty providing pure drinking water for the citizens of Morehead.

The cause for the contamination, supposedly, was swimming above the Triplett Creek Dam. (Never mind all the open *out door toilets* sewers that emptied into it.)

Dr. T.A.E. Evans, County Health Officer, and Judge Dan Parker immediately raised the ire of many local boys and girls by issuing an edict prohibiting "swimming or bathing up to four miles above the dam." This of course included the beautiful "Blue Hole" where this writer and other local

young people went swimming every summer. That rule went over like a “lead balloon” to the young people of the community. But there were those who continued to swim in the isolated “Blue Hole” by posting a guard at all times to watch for the “fuzz.” Also, fishing poles were usually kept close by and swimmers could quickly change to fishing, if anyone should be caught in the water, they could always say they were getting their fishing line untangled.

There was once a time Morehead might have been called "Dogtown" *dogs running loose in the city. Even today Morehead might be called Dog-Town because of the*
~~from the number of people walking their dogs on Morehead city streets.~~ *Many areas were once a dog tax in Rowan County on each dog of more than two dogs*
Today that name might still be appropriate. However, that would be on the national news! At one time, dogs running loose were shot on sight. ~~There~~ *THAT*
was once a law in Rowan County, and you had better keep your dog tied up or on a leash because there was zero tolerance by peace officers. It was in August, 1944, and there was a serious outbreak of rabies in the county when Dr. T.A.E. Evans, County Health Officer, and County Judge Parker issued the orders to shoot all dogs running loose.

Dr. Evans pointed out that several people had already been bitten by dogs that tested positive for rabies. Those people had to take a dangerous and painful series of shots to prevent the disease. Two of those people bitten by stray dogs had to take the series of painful and dangerous shots were

2/11/51
Janis (Caudill) and Margaret (Cornette) Dr. Evans said that the months of August and September were the most dangerous months for rabies outbreaks.

LEASH LAW CONTINUES.

Of course the conflict continues today about keeping dogs on a leash. But most responsible dog owners keep their animals under control. As a former city mail carrier, this writer can attest to the fact that there was a time when one could not walk the streets of Morehead without dogs coming at you from several sides. Although this writer was never bitten, Randall C. Wells, a long time city letter carrier, had to take the rabies shots three times in his career.

Early History

■ In the 1880s, everyone was known and their honesty was also known. Therefore, if a mortgage was recorded in the local courthouse, you could say the borrower had a good "credit rating."

History

Tuesday, January 27, 2009



Dr. Jack Ellis is a retired Morehead State University Library director and a retired minister.

Morehead Memories:

People & Places

Rowan County via court records

By JACK ELLIS
Special to The Morehead News

"These were written in a book of remembrance." (Malachi 3:16)

Jean Bailey, Rowan County Court Clerk, has one of the best organized clerk's offices in the state of Kentucky. This writer knows because he has seen many of them as a member of the Kentucky Archives Commission. Ms. Bailey has all records online back to 1990 and is trying to eventually get everything in the computer. I spend a lot of time there and am learning a lot of history from these documents.

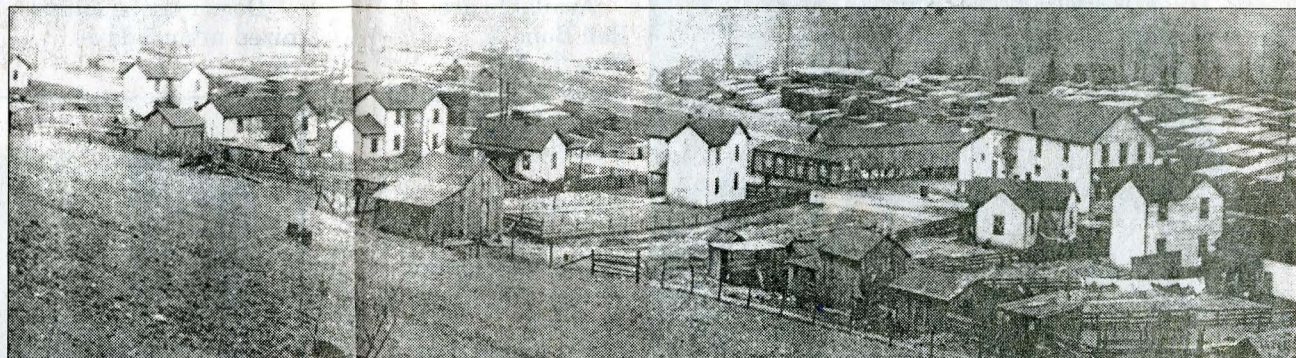
Borrowing, buying and dying

The records in the Rowan County Court Clerk's Office give one an excellent insight into life in early Rowan County; e.g. in Mortgage Book I, page 58 is the record of Jesse Walker listed as a "man of color" borrowing \$100 on December 20, 1889; with interest of 10 percent pr annum from James J. Brady. Mr. Brady was a prominent businessman who ran a

esty was also known. Therefore, if a mortgage was recorded in the local courthouse, you could say the borrower had a good "credit rating."

Wealthy "colonel" held over 500 mortgages

When Warren Alderson (this writer's great-great-grandfather), Rowan County banker without charter, died in 1903, S.M. Bradley, C.L. Clayton, G.H. Elliott and C.H. Proctor were appointed "curator" and appraisers of his estate. They listed the names of over 500 people in Rowan County with notes payable to Mr. Alderson. (That's on record in the Rowan County Courthouse.) Those notes ranged from \$1.25 from J.W. Calvert on 09/03/1891 to \$800 from J.B. Kelley on 03/31/1902. There was a mortgage of \$200 on 50 acres of land the Colonel sold to the Morehead Normal School in 1900. Even "curator" S.M. Bradley had a note in the amount of \$166.65. (Could there have been a conflict of interest here?). It was always believed in my family that attorney S.M. Bradley ended up with most of Colonel



Clearfield Lumber Company, early 1900s, offered a ready market for local loggers in Rowan County.

writer's grandmother. The farm was in the Licking River Valley and was taken when Cave Run Lake was built).

Estate settlements in dower book

Another interesting record in the County Court Clerk's Office is a book entitled "Rowan County Division of Lands and Allotment of Dower, Book No. 1, 1885". When someone died, the law in Kentucky at that time provided for the appointment of Commissioners by the County Judge to divide the estate of the deceased among his heirs. Page one of this dowy book says:

"We the commissioners appointed by the Rowan County Judge to divide and allot all of the real estate of the late John Cogswell deceased



Since Rowan was founded in 1856, timber has been one of its principal industries. Photo taken in the early 1900s near Paragon, Ky. includes: W.L. Hargis, Jack Smedley, Granger Smith, Bill Brown, Milt Brown, George Burton, Harve and John Binion.

Sidney Alfrey by her guardian W.H.

Thomas. The cost of the survey and allotment are as follows:

A.M. Day, 13 days as commissioner - \$19.50

William Jones, 13 days as commissioner - \$19.50

S.S. Cassity, 13 days

Give A Book About Local History & Heroes
By Jack D. Ellis

Kentucky Memories: Reflections of Rowan County.

450 pp; 200 photos; c. 2005.

Patriots and Heroes: Eastern Ky. Soldiers of WWII.

412 pp; 85 photographs; c. 2003.

and dying

The records in the Rowan County Court Clerk's Office give one an excellent insight into life in early Rowan County; e.g. in Mortgage Book I, page 58 is the record of Jesse Walker listed as a "man of color" borrowing \$100 on December 20, 1889; with interest of 10 percent pr annum from James J. Brady. Mr. Brady was a prominent businessman who ran a general store about two miles west of Morehead (one would have to assume that's how Brady Curve on U.S. 60 West got its name).

Not much is known about Jesse Walker except he was listed as a "man of color." But it must be assumed that he was an energetic teamster because he borrowed the \$100 to purchase "two yoke of work cattle" from F.C. Nickell. One yoke consisted of a red colored five-year-old lead steer named "Charlie." The "off" steer was named "Bob." The other yoke was a four-year-old red and white spoiled lead steer named "Buck" and the off steer named "Berry." It was a good bet that Mr. Walker was in the logging business.

Since there were no banks in Rowan County, it was common for local businessmen and wealthy farmers to act as bankers without "charter". They would loan money at ten percent for those with a poor credit reputation and six percent for good credit. The lenders usually collected their interest quarterly. Of course, if the borrower defaulted on the loan, the lender would foreclose and in this case own two yoke of oxen. But in the 1880s, everyone was known and their hon-

Calvert on 09/03/1891 to \$800 from J.B. Kelley on 03/31/1902. There was a mortgage of \$200 on 50 acres of land the Colonel sold to the Morehead Normal School in 1900. Even "curator" S.M. Bradley had a note in the amount of \$166.65. (Could there have been a conflict of interest here?). It was always believed in my family that attorney S.M. Bradley ended up with most of Colonel Alderson's estate.

Of the 500 names listed with dates and amounts owed, about 256 had been listed as "worthless". (They must have taken the bankrupt law). Over 100 names were listed as "doubtful" and some 150 were assumed to be "collectable" according to those lawfully appointed by the judge to carry out that responsibility.

The following list of inventoried items was about all that was turned over to his widow with the following statement recorded in the courthouse:

"The appraisors of the estate of Colonel Warren Alderson, deceased, hereby set aside for his widow Rachael Alderson: 1 pair of 2-year-old mules; 10 head of sheep; 2 cows; 2 calves; a link of manufactured cloth in lieu of a spinning wheel and cards; one barn wagon; \$50 cash and all household goods. Respectfully reported in our inventory and appraisal. Signed S.M. Bradley, Curator; C.L. Clayton; G.H. Elliott and C.H. Proctor, Appraisors."

It is interesting to note that Mr. Warren Alderson gave his children and grandchildren rich farms before he died. (One of those grandchildren was Mary Ellis, this

Book No. 1, 1885". When someone died, the law in Kentucky at that time provided for the appointment of Commissioners by the County Judge to divide the estate of the deceased among his heirs. Page one of this dowry book says:

"We the commissioners appointed by the Rowan County Judge to divide and allot all of the real estate of the late John Cogswell, deceased, among 8 heirs, have had the real estate surveyed and divided into 8 lots, and a drawing was held among the heirs to allocate the land to the heirs as follows:"

(Name is followed by lot number)
Henry Cogswell - 1; Mrs. Jane Brown - 2; Mrs. Mary Lawson - 3; James Cogswell - 4; Mrs. Cogswell (widow) - 5; Mrs. Zilpha Downey - 6; Mrs. Rachael Nickell - 7; Mrs. Emily McClain - 8.

This land, as one would expect, is located in the Cogswell section of Rowan County on Licking River above Farmers (now about 3 miles from Cave Run Dam). The commissioners were A.J. Thurber, J.M. Carey and Aaron Crosthwaite. They each worked 9 days going over the surveys and the project was completed and dated March 11, 1886. Signed by James Carey, Clerk of Rowan County; J.M. Carey, D.C.

Another Dowry Report involved the estate of Samuel Alfrey, deceased, dated Nov. 26, 1910. It listed the following heirs: Fielding Alfrey, Martha Crosthwaite and A. Crosthwaite (her husband), H.R. Alfrey, Allen Alfrey, Peachie Williams and her husband J.H. Williams,

Since Rowan was founded in 1856, timber has been one of its principal industries. Photo taken in the early 1900s near Paragon, Ky. includes: W.L. Hargis, Jack Smedley, Granger Smith, Bill Brown, Milt Brown, George Burton, Harve and John Binion.

Sidney Alfrey by her guardian W.H. Thomas. The cost of the survey and allotment are as follows:

A.M. Day, 13 days as commissioner - \$19.50

William Jones, 13 days as commissioner - \$19.50

S.S. Cassity, 13 days as commissioner - \$19.50

S.S. Cassity, surveying, drafting and report - \$30.00

A. Crosthwaite, 68 meals for surveyor @ 16-2/3 cents per meal - \$11.33

Harvey Alfrey, 7 meals as chair curator @ 16-2/3 per meal - \$1.17

Joe S. Jones, 5 days as chain operator - \$5.00

Wallace McKenzie 3-1/2 days as chain operator - \$3.50

Total - \$109.50
Signed Dec. 5, 1910, W.L. Day, Clerk

Approved, affirmed and recorded in open court on Jan. 2, 1911.

Goods and service prices in 1800s

It is fascinating to look through the inventories and estate sales in Rowan County in the 1800s. You not only get an understanding of how estates were settled but also what people accumulated and the worth of those "worldly goods." When wealthy merchant J.S. Pitman died in October 1885, a few of the items inventoried in his store and prices were as follows:

Sausage mill, \$1.25; well pulley, \$0.25; (used to draw water from a well); Durham Tobacco, 2-1/4 cents a sack; roasted coffee beans, 16-2/3 cents a pound; 1 lb. gum cam-

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phor (used for toothache), 40 cents; 6 bottles of shoe polish, 2-1/2 cents each; bluing, 2-1/2 cents a box; and bees, 20 cents.

Life and times reflected in estate settlements

Samuel Alfrey, a successful farmer and horse man from the Upper Licking River area, died in 1910. The appraisal of his estate included: 1 horse, \$100; 1 three-year-old filly, \$300; 1 gray mare and colt, \$150; 1 bridle, \$1; 1 saddle, \$2; 1 buggy and harness, \$12.50; 1 wagon, \$5, 1 cow and calf, \$45; about 30 lbs. of tobacco, \$3; and one ferry boat, \$25.00. (Evidently Mr. Alfrey had a ferry boat business across Licking River). There were many other miscellaneous items attested to by W.L. Day, County Clerk and W.T. Caudill, Deputy Clerk.

Samuel Alfrey was also in the private

lending business and had 16 notes listed from people who had borrowed money from him. Such familiar names of early Rowan residents as R.M. Nickell, James Armstrong, Clint Williams, A. Crosthwaite, Leonard Crosthwaite, Acqua Johnson, Valentine McKinney and Charles Adams. It was good for everyone concerned when the first bank appeared in Morehead in 1896, because banks didn't die. It seemed when private citizens loaned money, when they died there was some difficulty collecting on their notes.

The last date in this book was Apr. 7, 1931 that settled an estate valued at \$11,600 between Russell Jones and Nettie Moore. The curator was J.B. Fraley, and appraisers were J.B. Fraley, J.H. Miles and C.B. Turner, signed J.M. Butcher, clerk.

Early History

■ Female juries became favorites of local prosecutors because they were considered to be less lenient than all-male juries.

THE MOREHEAD NEWS, FRIDAY, SEPTEMBER 15, 2006

History



Dr. Jack Ellis is a retired Morehead State University Library director and a retired minister.

Morehead Memories:

People & Places

First all-woman jury fielded here in 1921

"The law is good if a man use it lawfully." (1 Timothy 1:8)

In today's world of Internet, media, and information overload, we are constantly bombarded with hours of crime shows, court trials, lawsuits, allegations and analysis by attorneys.

Many of those interviewees and "interviewees" are women and women are commonplace throughout our legal system. Therefore, it is difficult to imagine a legal system without the fairer sex. (No pun intended with the word "fair" because it would seem that men should be as "fair" as women in legal matters.)

But there was a time in this nation when women could not vote, let alone serve as jurors in trials of their peers. But that changed in 1921 when the Kentucky General Assembly passed legislation permitting women to serve on juries.

Day after law passed

—first all-women jury seated

The day after the law took effect, Morehead's enterprising City Judge



Wouldn't you hate to be charged with a crime before this solemn jury? Jurors on first all-women jury in Kentucky were not very happy looking. From left, they were Mrs. Elizabeth Young Duessler, Mrs. Gertrude Snyder, Mrs. Leora Hurt, Mrs. Rena Wells, Mrs. Gertrude Nickell and Mrs. Maggie Hogge. Back row, from left: "Uncle" Sammy Caudill-City Police Judge, John Nickell-Chief of Police, and Judge J.W. Riley-City Attorney.

JURY

From Page D-1

Sammy Caudill (grandfather of Janis Caudill Ellis) assembled six local ladies to serve on what was the first all-women jury in the state. (Maybe the nation.) The women who had the honor of serving on Morehead's six member City Police Court jury included:

(1) Mrs. Gertrude Snyder, who was the widow of Guy Snyder, one of the builders of the Morehead and North Fork Railroad, and one of Morehead's leading businessmen. (2) Elizabeth Young Duessler, daughter of Judge Bill Young (sister-in-law of Senator Allie Young, considered by many as Morehead State College's greatest benefactor). Mrs. Duessler later moved to Louisville. (3) Mrs. Rena Wells was the wife of Norman Wells, who happened to be the Sheriff of Rowan County at that time. They were both active in Rowan politics for many years, and lived on the corner of Main Street and University Blvd. (Their home now serves as the law offices of Dehner and Ellis.) Mrs. Wells was head of the Red Cross for many years, and Mr. Wells lived to the ripe old age of 103 and was one of Rowan's oldest citizens. (4) Juror number 4 was Mrs. Maggie Hogge. Mrs. Hogge was the wife of Elijah "Mighty E" Hogge, Senator Allie Young's law partner. Their law office building, now preserved as a historical site, is located just off Main Street at what is now Battson-Oates Avenue near the newly renovated courthouse. Maggie was active in Morehead's Women's Club for many years. (5) Mrs. Gertrude Nickell was the wife of John Nickell who was the Chief of Police in Morehead at that time. They were the parents of Dr. Grover Nickell and Dr. Homer Nickell, who were prominent local physicians that started one of Morehead's early hospitals on Main Street. (6) The sixth juror was Mrs. Leora Hurt, a prominent resident of Morehead at the time who lived on Wilson Avenue and later moved to Louisville.



J.W. Riley (right), Morehead's City Attorney when the first female jury in Kentucky was seated (later a district judge), presided over the destruction of a moonshine still in front of the Rowan County Courthouse.

der trial, even though their case was only a minor assault case. The defendant was a woman charged with attacking another woman. During the wild melee in one of Morehead's shady "night spots" the defendant managed to extract a goodly portion of the other lady's locks. But the jury of her peers found the defendant guilty of breach of peace and assessed a fine of \$5 and costs.

male jury that they often empanelled women juries. (Is that called "stacking" the jury today?) When they did, their chances of a conviction were greatly enhanced, especially in cases against women or men charged with public intoxication.

In later years J.W. Riley became a respected Circuit Judge in this area and lived to be a ripe old age. During the era of prohibition he tried many "moonshine" cases, but

by the case of the "whopper-jawed mule" or the chapter on moonshine in Kentucky.

ROWAN COUNTY SESQUICENTENNIAL CELEBRATION 2006

This year Rowan County is 150 years old.

Read about early Rowan County and Morehead, "The City of the Hills" in one of

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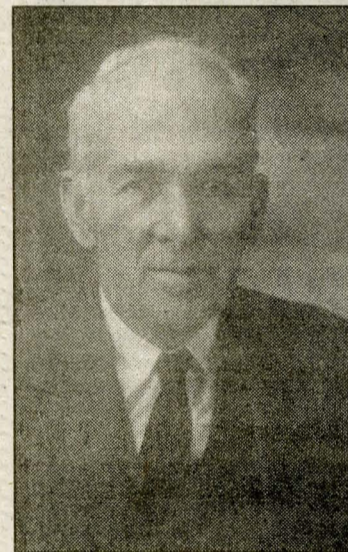
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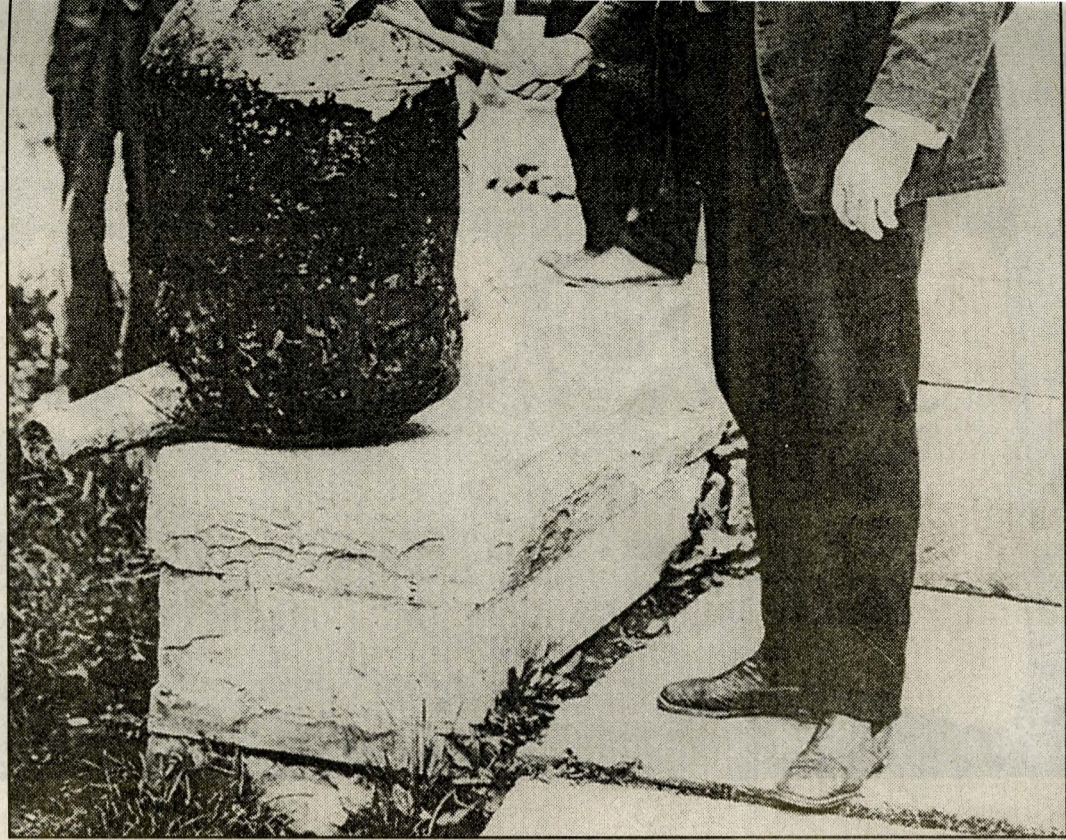
"Uncle" Sammy Caudill, Morehead's City Police Court Judge that presided over the first jury trial in Kentucky with an all-female jury, 1921.

The City Attorney at that time was J.W. Riley. Mr. Riley later became a long-time circuit judge in this region and lived to a ripe old age of 80.

He later moved to Lexington but continued to make his voting residence in Morehead. Judge Riley became a local legal legend but always remembered that first trial with an all women jury - especially since he got a conviction in the case.

Jurors took their responsibility seriously

That first all-women jury became well known throughout Kentucky, and Maggie Hogge and Rena Wells reported after the famous jury trial was over that "every woman on the jury took their solemn responsibility as solemn and serious, even though they were scared to death." It was as if they themselves were on trial and they gave as much thoughtful deliberation and discussion before reaching a verdict as would be given in a mur-



J.W. Riley (right), Morehead's City Attorney when the first female jury in Kentucky was seated (later a district judge), presided over the destruction of a moonshine still in front of the Rowan County Courthouse.

der trial, even though their case was only a minor assault case. The defendant was a woman charged with attacking another woman. During the wild melee in one of Morehead's shady "night spots" the defendant managed to extract a goodly portion of the other lady's locks. But the jury of her peers found the defendant guilty of breach of peace and assessed a fine of \$5 and costs.

Men more lenient than women

Another case on the docket with that first famous female jury was a young local Lothario from one of Rowan's prominent families who frequently appeared in City Court charged with public intoxication. But Judge Caudill and City Attorney J.W. Riley were never able to get a conviction with male jurors because the men were lenient with other men charged with public intoxication. However, that all-female jury sentenced the young man to 10 days or \$10. He chose the 10 days because he could not earn a dollar a day and believed it would be cheaper to stay in jail.

If I told you this man's name, many in Morehead would remember him well; he later became a prominent local businessman, solid citizen and pillar of his church. But he was a "wild and crazy guy" growing up in Morehead, as were many other prominent citizens in their younger days.

Judge "Uncle" Sammy Caudill (many men at that time were called "uncle" as a term of respect) and City Attorney J.W. Riley had such success with their first fe-

male jury that they often empanelled women juries. (Is that called "stacking" the jury today?) When they did, their chances of a conviction were greatly enhanced, especially in cases against women or men charged with public intoxication.

In later years J.W. Riley became a respected Circuit Judge in this area and lived to be a ripe old age. During the era of prohibition he tried many "moonshine" cases, but was also known to partake of a nip of "white lightning" on occasion.

He had a reputation of being firm but fair with cases of local moonshiners, but sometime more lenient if the man had a reputation of making good shine than one whose product was of poor quality.

Judge Caudill more "forgiving" in older days

In later years when Judge Samuel Caudill was a much older man he conducted a bench trial of an older man charged with indecent exposure on First Street. (Then Railroad Street was in the heart of the business district.) The man pleaded guilty to the charge but said, "Judge, I had to urinate and there was no outdoor privy anywhere, so what's a fellow to do?" The sympathetic judge, about the same age of the man with about the same problem, turned the man loose and said, "I can understand your plight very well."

"Case dismissed," said the judge, who had become more lenient in his old age.

Read more about local court cases in Jack Ellis's Kentucky Memories and Morehead Memories, especial-

ly the case of the "whopper-jawed mule" or the chapter on moonshine in Kentucky.

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