

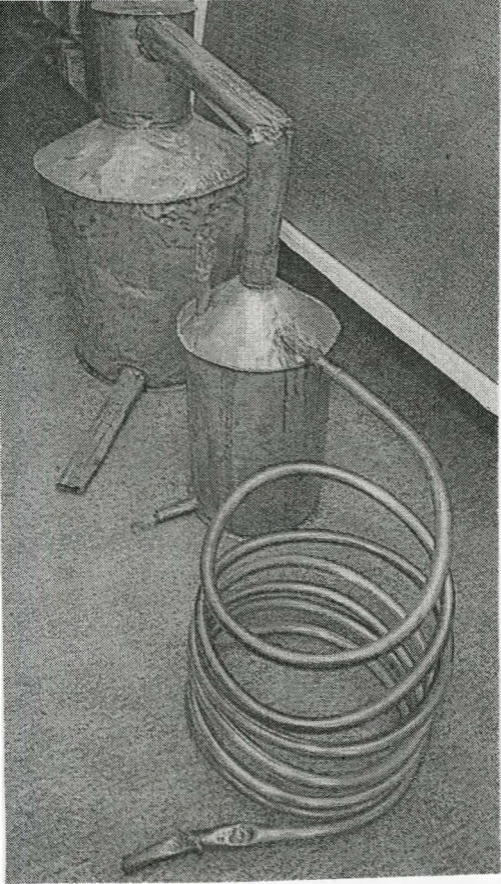
This 1924 picture shows Lee Stewart, left foreground, with a 300-gallon still seized in Greenup County. Above Stewart is Jim Billiter of Pikeville; right, Sheriff Vernon Callahan, Deputy John Huff, Boyd County.



IN ABOUT 1900 Rowan County Sheriff J. D. Caudill captured this still. Prohibition was not in effect but whiskey was cheaper if home manufactured. Sheriff Caudill, with badge, has his hand on the still. Others in the picture include: Billy Nickell, Columbus Carter, Charlie Keeton, Jack Carter, Jim Brown, Ezra Proctor, Henderson Adams, Pierce Blair, Bert Tussey, Claude Allen, Walter Miller, Charley Hudgins, Sam P'Simer, Riley Trumbo, Melville Johnson and J. W. Riley. The dog at upper right is 'Trixie' which old-timers say was the town pet.



MOONSHINERS IN
EASTERN KY



A COPPER WORM
ANOTHER NAME
FOR A MOONSHINE
STILL





On 1909 a vessel
destroyed captured
monks in Gulf in
front of the Revenue
Cutter house.

witnesses included (2-12)

Dove Coudell, Jack
Carter, Judge J. W. Riley
and a revenue agent

8.244

237

Making Moonshine was a
profitable business in the
eastern Kentucky hills in
during the prohibition
years of the 1920's. The
coppersmith was captured
by fearless revenue R. Lee
Stewart (front left) in 1924.

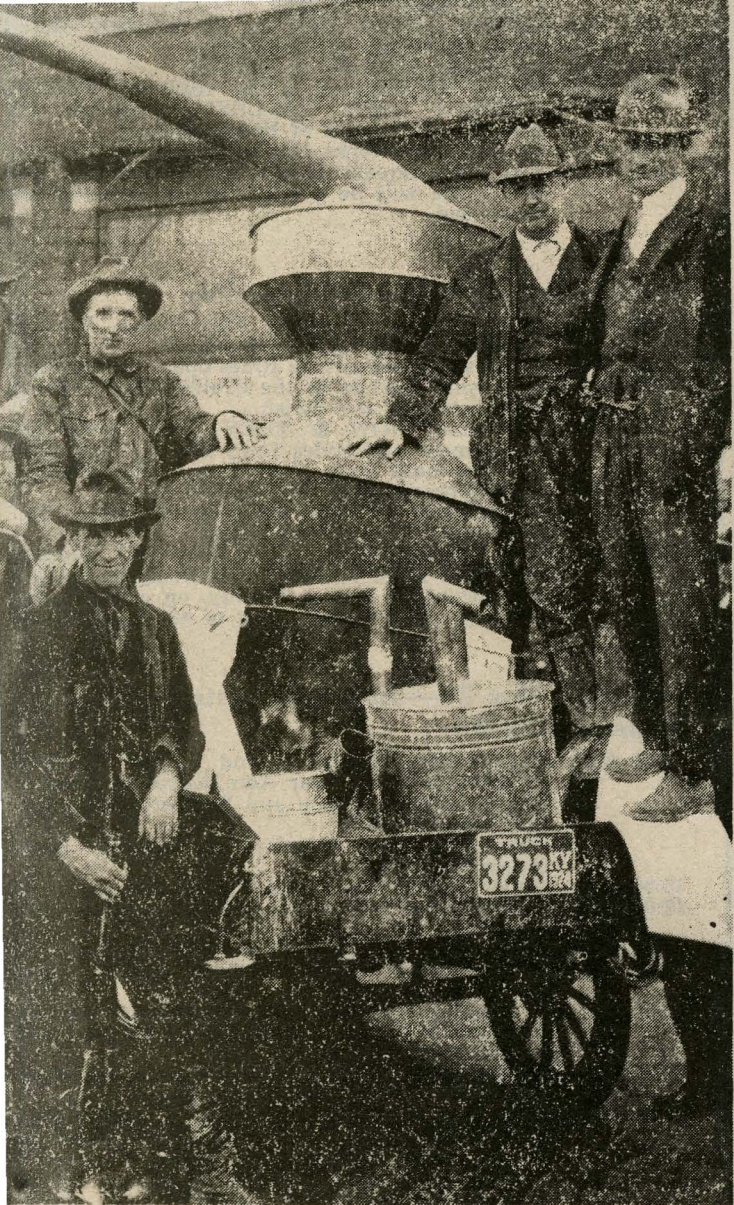
From The Collection Of:

Dr. Jack D. Ellis

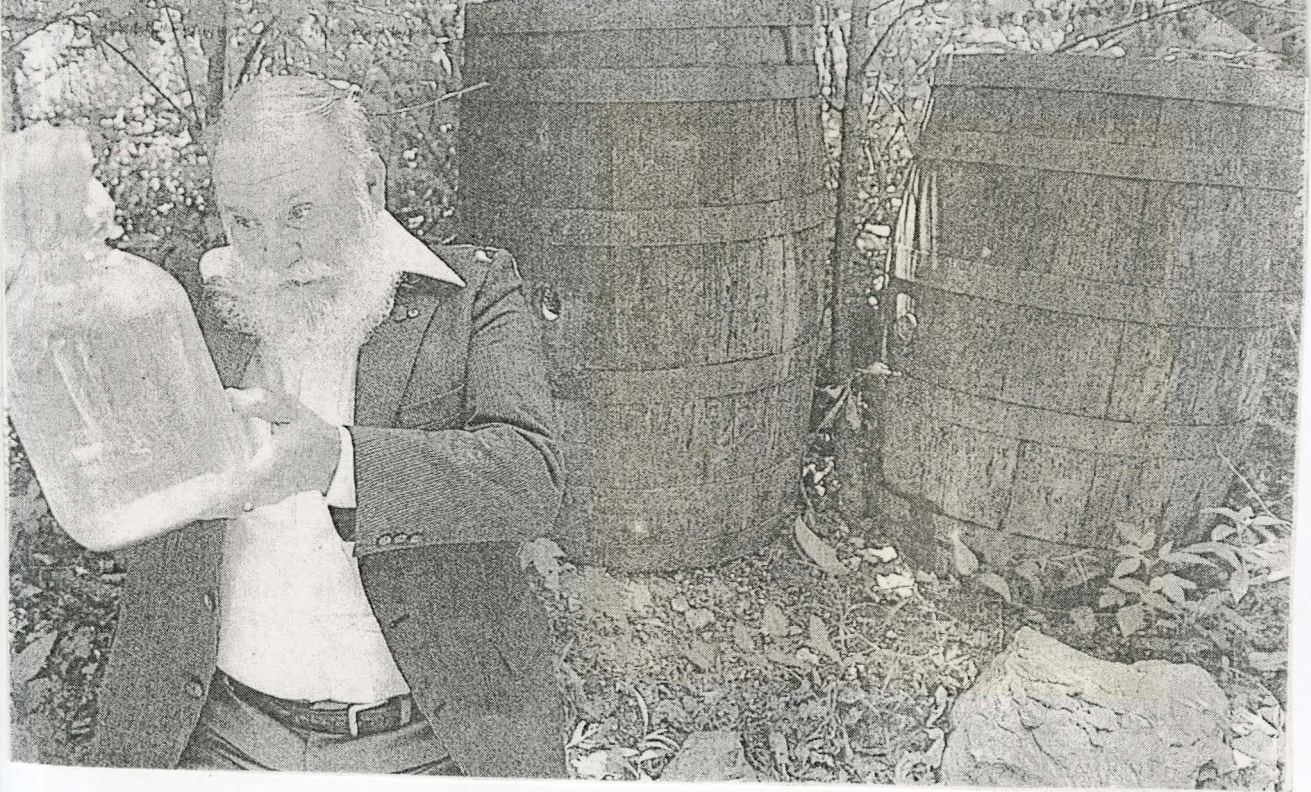
552 W. Sun St.

Lead, KY 40351

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COPPER STILL—This rig for making moonshine was captured in 1924. In front is Lee Stewart who led the raid. Story about Stewart, the man most feared by the illegal whiskey manufacturers, appears elsewhere in this edition.

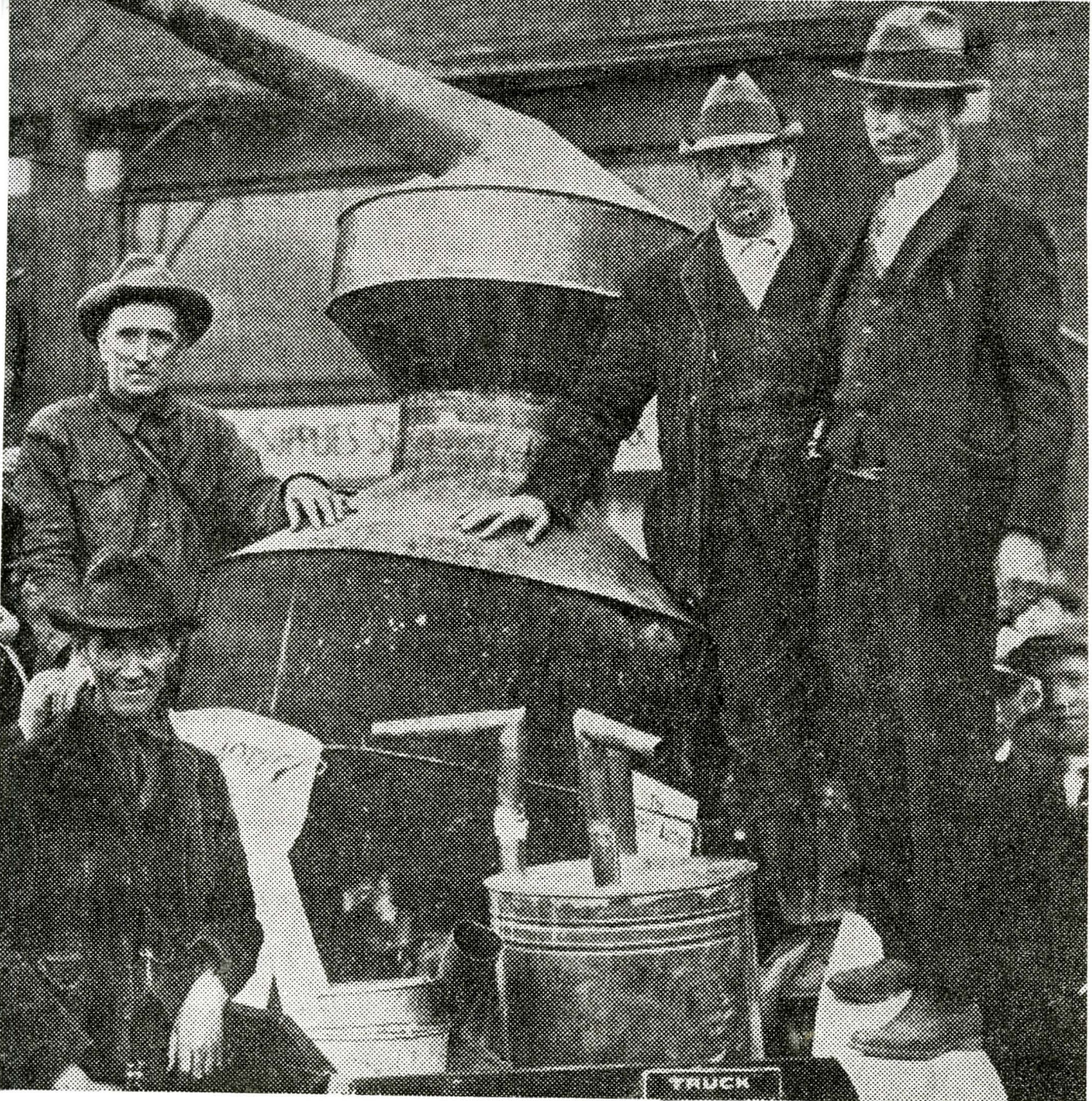


Local Moonshiner
EXAMINES LATEST
RUN OF "WHITE LIGHTING."

pat

Q3

3000



This is what a 300
gallon moonshine still
looks like - captured

by Federal Agents R. Lee
Stewart (Front), Jim Billiter,
Vernon Callahan + John
Haff.

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

OLD-TIMERS: Moonshiners Never T

By ALLAN M. TROUT, ^{B Feb 4 1973 D APR 1 1963}
Courier-Journal Frankfort Bureau
B 1863 D APR - 1963

This is the sixth of a series of Kentucky character studies by Allan M. Trout—but character studies with a difference. Trout decided he was tired of “whooped-up copy on men who amount to something,” or those who think they do. He set out to find some Kentuckians who have been content to grow up with the Commonwealth and not try to shape it. He wanted “positively nothing that points to the solution of any problem.” He had a good time finding it.

MOREHEAD, KY., June 25.—The headwaters country of Licking River was disrupted once by a disastrous raid of federal prohibition agents. Two heavy-hearted citizens met the next day. They stopped to canvass the damage. One counted nine neighbors whose outfits had been cut to pieces. And then he added:

“Anse’s made 10, Lige’s made 11, and mine made 12.”

Robert Lee Stewart was one of the federal agents who made that raid. This mild-mannered, soft-spoken mountaineer was on thousands of other raids, too. He is reputed to have cut up more moonshine stills than any other man in the United States. Raiding was his career, off and on, from 1901 to 1948.

Now 76, Stewart lives in retirement. To see him in his comfortable home here at Morehead, you’d take him for a man of gentle pursuits, well-preserved through years of careful attention to correct diets and regular habits.

But he is the hard-bitten veteran of gun battles with moonshiners all over the mountains of East Kentucky. He has tramped untold thousands of miles through the ice and snow of winter and the tangled undergrowth of summer. He has been ambushed, gone 24 hours without food many times, arrested dangerous men, and matched wits with the slickest clan of lawbreakers ever sired in this country.

Homesteaded In Oklahoma

There is nothing tough about Stewart but spirit and sinew. He does not curse, smoke or chew. He does not talk against people, unless perchance they be Democrats he believes stole an election. He has never indulged in whisky, has not tasted beer for 30 years. He does not drink coffee, but takes tea on rare occasions.

While raiding moonshine stills was his principal career for nearly half a century, Stewart has followed other pursuits from time to time. He has been a mountain schoolteacher, traveling salesman, and hotel clerk. Republican politics led him to the Kentucky House of Representatives, both as member and as enrolling clerk. He was secretary to Congressman John W. Langley two years, and assistant secretary of state two years of the Morrow Administration. He has been police judge of Morehead, and twice was Republican nominee for clerk of the Court of Appeals. And he homesteaded 160 acres of land in Oklahoma Territory in 1907-08.

Stewart was born February 4, 1873, on Carr Creek in Letcher County. That section was cut from Letcher in 1884 and put in the new County of Knott. He obtained his early schooling, such as it was, on Carr Creek and Right Beaver. Then he enrolled in Prof. George Clarke’s Academy at Hindman, and later studied three years at the University of Kentucky.

His father was the noted Dr. Alexander H. Stewart, physician, soldier, Republican politician, and the author of four books on sociology from the medical viewpoint. Dr. Stewart was elected to the State Senate in 1887, and later was physician at the reformatory in Frankfort. It was here he obtained material for his books. He moved to Oklahoma Territory in 1901.

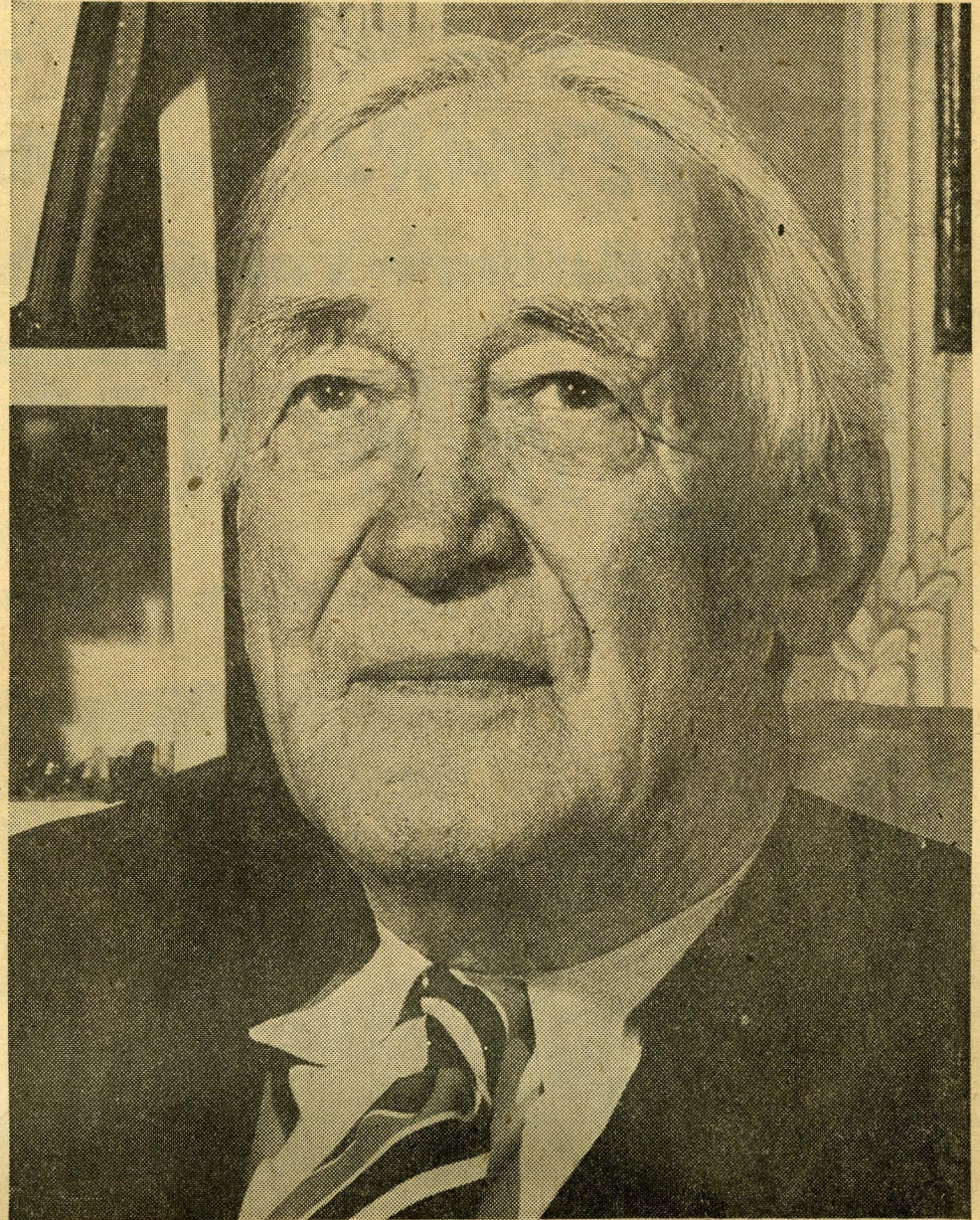
‘Rat House’

Thus we see the boy came honestly by his Republican leanings, although his Democratic name of Robert Lee was acquired sub rosa. He was named Robert after an uncle. But a short time later there fell into the Stewart household a red bandana handkerchief bearing the pictures of Confederate generals. General Robert E. Lee, of course, dominated the scene. His mother’s people, the Pigmans, were Democrats anyway, and his father was in Texas at the time. So they appropriated Lee from the handkerchief and added it to his name.

Stewart’s destiny as a moonshine raider was set in 1899 when he was appointed storehouse keeper and gauger by John W. Yerkes, collector of internal revenue at Danville. In those days, East Kentucky was dotted with small distilleries operating under Government license. It was the young man’s duty to measure out grain to these distillers, test the proof of their runs, and keep a sharp eye on the operation in general.

But these small distilleries were not able, by any means, to supply the demand. That is the main reason so many mountaineers set up stills outside the law. The secondary reason was that moonshiners had the advantage of \$1.10 a gallon the licensed distillers were required to pay the Government.

For that matter, the combined output was hardly enough to meet local demands for drinking liquor. Licensed distilleries were



Courier-Journal photo by Cort Best

Mild is the word for Robert Lee Stewart, 76, of Morehead—but he has shot it out with moonshiners throughout Eastern Kentucky as a federal officer.

lucky to hold whisky in storage three weeks. It was by the hardest they carried 10 gallons through the summer; otherwise, new warehouse permits would have been required that fall.

Licensed distilleries of that day utilized an ingenious device called a rat house. It was a small room made out of logs, without windows or cracks, but fitted with a sliding box through one wall. The customer pulled the box out, dropped his money and bottle into it, then pushed it back through the wall. When he pulled it out again, he found his money’s worth of whisky. There was little, if any, basis here for incriminating testimony.

Years later, Stewart was to encounter the same brand of ingenuity on Wooton Creek in Leslie County. In a cabin there he found several tubs of corn sprouting in water. It looked to him like a batch of malt in the making. He turned to the old woman for further light.

“Pon my honor, Lee,” she said, “that don’t mean anything in this world. The ole cow’s teeth got so p’int-blank bad we soak her corn in water to make hit soft.”

The young man was promoted to deputy collector of internal revenue in 1901. It was in this capacity he began raiding stills. Thereafter, off and on until 1948, he raided under such titles as warehouse guard, deputy United States marshal, federal prohibition agent, United States commissioner, and field agent for the Alcoholic Beverage Control Board at Frankfort.

But the great and golden era of his career

was the period of national prohibition. From 1922 to 1935 he carried the dread title and wielded the hard authority of federal prohibition agent. In this fact alone can be seen his unsurpassed record of destroyed stills. He not only raided through the entire period of prohibition, but had been at it, off and on, for 20 years before, and continued, off and on, for 13 years after.

A Fortified Still

The bloodiest raid ever experienced by Stewart occurred back in 1922. The scene was at a fortified still built by the Ballard brothers, Bob and Charley, on East Fork of Slate Creek in Menifee County.

The outfit was camouflaged skillfully with brush pilings. The fortress consisted of a double line of stout poles the size of a man’s thigh, with rock and dirt tamped in the 18-inch space between the two lines of poles. The place was bulletproof. There was a well near the gate, from which the Ballard brothers could draw water in safety.

Among the men on this raid was Eugene McFarland, Glasgow. He survived 34 years of dangerous raiding. He was mortally injured, at last, by a fall from his barn loft while getting down fodder for the cow.

After watching the Ballard fortress a long time that fateful day, the raiders decided it was deserted. Bob Duff, Owingsville, twice jailer of Bath County, stepped boldly to the gate. He was killed instantly by a blast of gunfire from inside.

The Ballard brothers were not captured

Look a Shine to Robert Lee Stewart

Dr. Jack D. Ellis
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 Morehead, Ky 40351
 606-784-7478

that day. But a few days later, the agents ran them to cover in an old log house. In the gun battle that followed, the moonshiners killed a posseman by name of Treadway, from Sterling, and Guy Cole, an agent from West Kentucky.

Bob Ballard was hit by four bullets. He died shortly after the agents carried him from the house. Charley Ballard crawled out the door and escaped. The men followed him by the trail of blood he left, tracked him to a horse, and at last rode him down.

Old-time mountain raiders used four methods to locate stills. The sure method was to listen to informers tempted to talk by the Government fee of \$10. Another method was by smell, another by smoke, and the fourth was to get out and search the countryside. John Fulton, a posseman and the nephew of Deputy U. S. Marshal Tom Holifield, always said look for a still about where you would hide it yourself.

Some Shrewd Snooping

On long raids into remote territory, agents were compelled to eat and sleep where they could find accommodations. They sometimes accepted the hospitality of moonshiners themselves. In a way, moonshiners often revealed their own secret by being overly hospitable to the raiders. These mountain hosts rarely accepted money for bed and board. But there is an exception to every rule. For example:

Stewart and six other raiders once stopped at the log house of a schoolteacher and farmer named Holbrook, on Beehide Creek in Letcher County. Professor Holbrook aroused their suspicions right away by asking \$1 a head for the night's lodging. (The value of a still in those days was around \$10. The agents suspected he was after their \$7 to help him replace his outfit if the need ever arose.)

Nothing happened that night, however. But at breakfast the next morning, one of their party, John Henry Addington, failed to show up. Known as John Hen, this agent was born and raised at the mouth of Boone Creek in Letcher County. He was shrewd to a fare-thee-well.

The raiders decided, therefore, to look for John Hen before eating. They found him down at the creek, snooping in all directions from a burning stump. The stump, obviously, had been afire since the day before. It well could have been fired for a little mash cooking.

None was more interested in John Hen's search than Professor Holbrook. When it appeared certain the still would be located, the professor melted away into the undergrowth. A moment later the raiders heard

a pistol shot. Thus guided, they quickly found the still. Professor Holbrook was standing there, pistol in hand. He had revealed the location of his own still to collect the informer's fee of \$10!

John Hen had the reputation of finding his man where others failed. He once set out to arrest an elusive character living near the Virginia state line. He reached the culprit's cabin after dark one night. He decided to wait until morning, then catch his man when he first stepped out into the yard, still half asleep.

John Hen found a big old poplar log about 200 feet up the hillside from the cabin. He crawled under the down side of the log and slept there until daybreak. 'Twas a rustling that awakened John Hen. It was the man he had come to arrest. The fellow had slept all night on the up side of the same log, but at the other end.

The two men faced each other in the cool mountain dawn. Both had to laugh. John Hen had slept out to fool the culprit, and the culprit had slept out to fool John Hen, but neither dreamed he was bedfellow to the other.

The raiders had law on their side. But they did not always win out in the everlasting battle of wits with the moonshiners. They never overcame the deadly precision of mountain grapevine. For example:

News of their presence always preceded the raiders. When they showed up at the mouth of a creek, somebody fired a shot, or rang a dinner bell. In a few moments another shot rang out, or another bell pealed, always farther up the hollow, always ahead of the raiders.

One season in Edmonson County, Stewart and his party of raiders noticed an unusual volume of fox-horn blowing. Not hearing the familiar bells and shots, they quickly interpreted the new message of the horns. In Whitley County, agents seldom captured a prisoner. It was the unwritten law among moonshiners there to leave their stills at the first note of warning and to stay away until the raiders left the county.

Rattlesnake Sentinel

Stewart was on a raid in Greenup County once. With him were Guy Tuggle, London, and Roy W. Easley, Louisville. Rain was pouring in sheets as they neared the location of three stills. They encountered the lookout man. He had no hands.

The lookout suddenly flopped down in the mud and began jabbering. Thinking he had been seized with a fit, they lifted the fellow to a more comfortable position. This act of kindness quickly solved the mystery. The lookout had a pint of whisky there on the ground. Having no hands, he could not

throw it away when the agents approached. But he flopped down on the bottle, in the hope of hiding it until the agents passed on.

The deadliest sentinel Stewart ever encountered at a still was back in 1930 when he and agents W. C. Manning and Alfred Moore were raiding on Caney Creek in Bath County. The outfit appeared to be deserted. But when they started to dismantle it, a four-foot rattlesnake with 15 rattles hissed defiance from the 50-gallon copper still.

"Look out, boys," Stewart cried. "He's down here checking up on his poison."

Native intelligence reached enviable heights in the art of walking from house to still without leaving a path. This point was of supreme importance to the moonshiner. In the court of Federal Judge A. M. J. Cochran it was prima facie evidence of guilt to prove a path led from the defendant's house to a still up the hollow.

Eavesdroppers

Stewart once found three stills on Old House Branch in Knott County without the slightest trace of a road or path leading to either. It was useless for raiders to travel a ridge road, if what they wanted to find was paths leading down the incline. Moonshiners never left a ridge road twice at the same place. But 40 to 50 yards down the mountain side these random routes usually converged into one path leading to the still.

Stewart and Dan Hays, old-time sheriff of Knott County, cut up a deserted still one Tuesday on Laurel Fork of Quicksand. The season was dry, so they did not burn the barrels lest a forest fire start. Instead, they merely knocked the barrels apart, and left the staves and hoops lying in disorder.

The federal agent and Sheriff Hays allowed the moonshiners a day or so to get their still set back up. By Thursday, they figured, the men would be ready to reassemble the barrels. They came by on the ridge road above the location. Sure enough, they heard hammers and mallets go bang, bang, as they slipped down the mountain side. They crawled silently to a clump of bushes within easy earshot of the two moonshiners.

One of them had just got a barrel back together. He stepped a pace or so to the rear, and stood there admiring his craftsmanship. The officers of law heard him say:

"Now, damn you, Dan Hays, cut this 'un up ag'in!"

Stewart's career as a raider ended in 1948 through the ironical medium of modern progress, plus his life-long habit of walking. In his younger days, Stewart never rode unless he had to. He walked. Once he offered a man \$2 to let him ride his wagon the 45 miles from Hindman to Jackson. He pitched his satchel in the wagon and set out afoot. Half way there, the wagoner remarked:

"Lee, you ain't ridin' now, just charge you \$1."

15 Miles on a Mule

At Jackson, the wagoner made it deeper. "Lee," he said, "I reckon 50 cents is about satchel."

But to return to Stewart's fateful valedictory. After raiding in Elliott County that cold winter's day of 1948, he stepped out to the hard-surfaced highway to catch a bus. It was snowing and the bus was late. He started walking to meet it. An automobile knocked him down in the blinding snowstorm. It broke his right arm and ended his days as a raider.

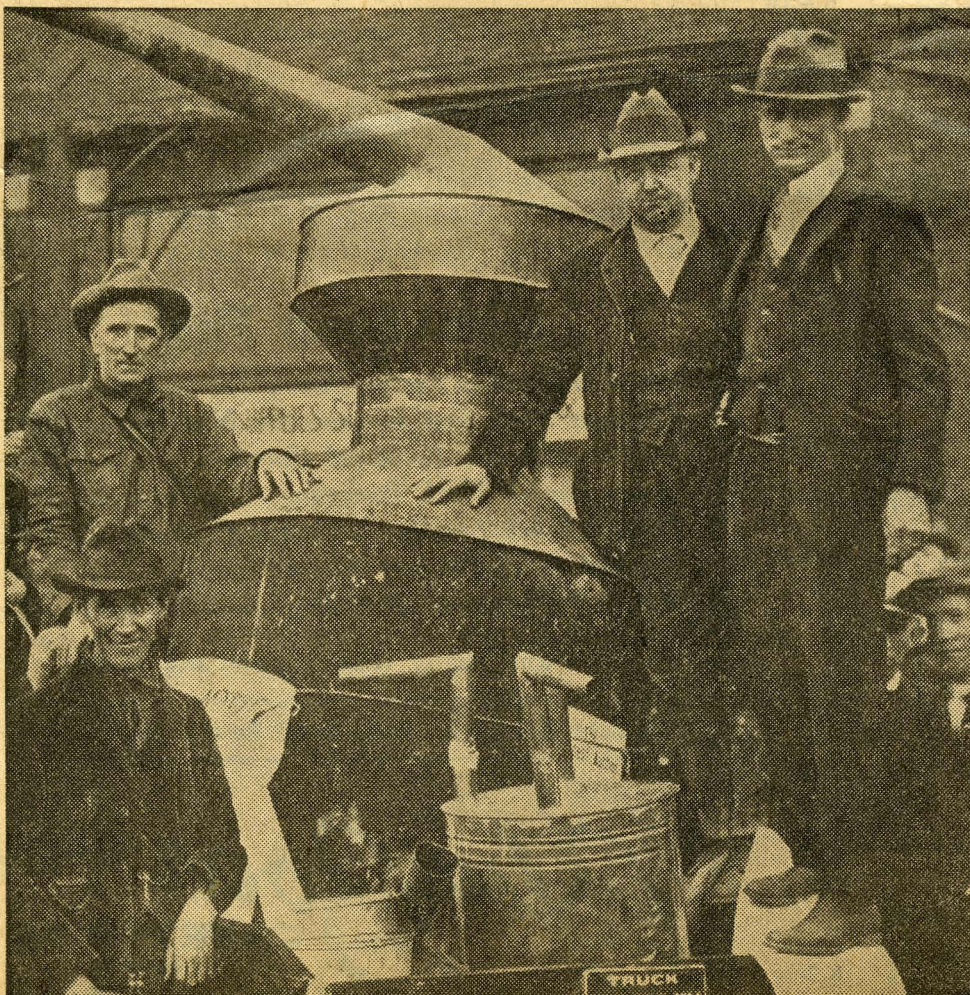
What a contrast from the primitive circumstances of his only other mishap. It was back in 1925 that his party was ambushed at the head of Licking River. The first volley went wild. A bullet in the second volley cut through his leg. He dressed the wound the best he could, then rode 15 miles on muleback to the office of Dr. Richard W. Duke at Bosco.

Stewart didn't get alarmed on that occasion until he got to Bosco. There a Chesapeake & Ohio freight train scared the mule so badly he nearly entangled the wounded rider in a wire fence near the depot.

In his lifetime, Stewart never saw any good come of whisky. He will never forget the summary a moonshiner once stated in Judge Cochran's court. The fellow had served a term for his first offense. He came back home, got caught again, and made bail. Then he went to Ohio and got a legal job of work.

He came back for his second trial and was convicted. He stood before the bench and asked Judge Cochran to probate his sentence so he could return to Ohio and make a legal living.

"Judge," he said, "hit's not me that suffers. Hit's my wife an' children."



This 1924 picture shows Lee Stewart, left foreground, with a 300-gallon still seized in Greenup County. Above Stewart is Jim Billiter of Pikeville; right, Sheriff Vernon Callahan, Deputy John Huff, Boyd County.

Next Week:

Part II

- Moonshiners become more devious in their activities. Federal agents capture over 500 illegal stills.

History

THE MOREHEAD NEWS, APRIL 14, 2000

About the Author



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

Morehead Memories:

People & Places

Moonshiners vs Revenuers Part I

By Jack D. Ellis
Special to The Morehead News

Wine is a mocker, strong drink is raging. (Proverbs 20:1)

Making home-brew whiskey has been a part of Rowan since it became a county in 1856. Indeed the hills of Appalachia and making "moonshine" whiskey have long been intertwined into the culture.

During the 19th century and the early 20th century the production of corn liquor was primarily a family-oriented enterprise and was made only in small quantities. But with the advent of prohibition in the 1920s and the great depression in the 1930s, moonshine still took on a much more sinister atmosphere.

State law passed against liquor in Rowan County

Rowan County has had a long and infamous relationship with "demon rum." In fact the report of Kentucky's Adjunct General Sam Hill in 1887, who investigated the Rowan County feud, reported that it was caused by a mixture of whiskey and politics.

Evidently the Kentucky Legislature recognized the social, economic and human violence caused by whiskey, because in 1887 the legislature passed "An act to prohibit the sale and use of spirituous, vinous and malt liquor in the County of Rowan." It is no wonder that Eastern Kentucky has been stereotyped as a center for moonshine whiskey.

Homemade stills increase

Although Rowan County had long been a center for the production of homemade spirits, that act of the legislature seemed to increase the number of local stills. Since the state of Kentucky was world famous for its legal distilleries, and a great deal of state and federal revenue was generated by a tax on whiskey, the government did not take kindly to illegal distilleries.

Revenue agents organized

It was during the early 1900s that a large cadre of Revenue Agents, commonly called "Revenuers" were organized. Their headquarters were in Louisville and their agents covered Kentucky and Tennessee. Their task was to prevent the illegal production, manufacture and sale of



In 1909 revenuers destroy moonshine still in front of Rowan County Courthouse. From left: witnesses Dove Caudill, Jack Carter, Judge J.W. Riley and revenue agent.

untaxed liquor, commonly called "moonshine."

It received its name because it was made at night when the telltale smoke from the fire that cooked the mash could not be seen. Both clear "white lightning," bourbon whiskey and home-brewed malt beer were made in those homemade stills. There were two kinds of stills: metal pot and wood barrel.

In the metal pot type, the mash was cooked directly on an open fire and in the wooden barrel type, the mash was cooked by steam in the barrels. In both types the condensation took place in copper tubing with the final liquid condensing into 100 proof alcohol that dripped into jugs. Of course, this was all illegal, but at first little effort was made to stop it.

Effects at stopping the illegal manufacture and sale of whiskey (moonshining) began in Rowan County on Sept. 14, 1903 when U.S. Marshall P. Jackson raided and destroyed a still in Rowan County. Also on Sept. 18, 1914, U.S. Marshal J.W. Crawford, along with Marshal Eubank, captured a Rowan County still. The marshals destroyed 200 gallons of home-brewed beer, and four gallons of whiskey. The battle against home brew had begun.

Prohibition Act increased

moonshining

Throughout the mountains of Appalachia the making and selling of home brew was an accepted way of life for centuries. Although it was an illegal and unsavory activity, it was just an accepted way of life. The owners and operators of a still within a community were known and accepted by residents. It was not until the U.S. government passed the 18th Amendment (January 1919) which prohibited the national sale of whiskey that the Revenuers began to earnestly seek and destroy local stills.

There were federal revenue agents in Rowan County before prohibition to seek out and stop the illegal traffic in moonshine whiskey. But it was estimated that there were more than 100 cases brought before the grand jury during the prohibition years (1919-1933). Those found guilty usually got off with a light sentence by a sympathetic jury and went right back to making whiskey.

As prohibition continued in this nation, moonshining became a lucrative business and lots of money was to be made. It was shipped to the cities where it brought a good price at the illegal saloons. Dorsie Keaton, an ex-revenue

See MEMORIES on C-2

Local Trivia

Early History

■ With tax on distilled whiskey once at \$12.50 per gallon in the early 1900s, it was the third largest source of income for the federal government.

Section D

THE MOREHEAD NEWS, FRIDAY, OCTOBER 6, 2006

History

About the Author



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

Morehead Memories:

People & Places

Robert Lee Stewart: Moonshiner's nightmare

By JACK ELLIS
Special to The Morehead News

"Be not drunk with wine, wherein is excess." (Ephesians 5:18)

During Rowan's 150th birthday, this writer has attempted to remember some of the people who have made a difference in the history of our county. Today's article spotlights one of these men, Lee Stewart.

Mild-mannered Robert Lee Stewart could have been called the "Clark Kent" of the early Federal Revenue Agents in Kentucky. He was the soft-spoken, mild-mannered Morehead man who didn't smoke, drink alcoholic beverages or chew tobacco.

He would sometimes literally rip off his suit and tie and don, not a cape, but a battered old hat, rough shoes, and a 45 pistol under his overall jacket. He then became the nemesis of the moonshiners throughout Appalachia.

The headwaters of the Licking River was once a center of illegal moonshine stills. One Monday morning after a disastrous raid near the Rowan, Morgan and

Menifee lines, two met in Morehead to discuss damage assessment. One said, "Lem's made ten stills destroyed, Otis' made 11, and mine made 12. It's getting harder every day to make a living in this country. I may have to go to Ohio and get an honest job."

Destroying stills was his business

Robert Lee Stewart was one of the men who led that raid. The mild-mannered, soft-spoken mountaineer was a veteran of thousands of such raids. He was reputed to have cut up more moonshine stills than any other man in the United States.

Raiding stills had been his career off and on from 1901 to 1948. But he had also been a school teacher, traveling salesman, hotel clerk and Republican politician, leading him to one term in the Kentucky House of Representatives. He also found time to be a part of the great Oklahoma land rush where he homesteaded 160 acres.

He had also served as Morehead's Police Judge and the Republican nominee for the State Court of

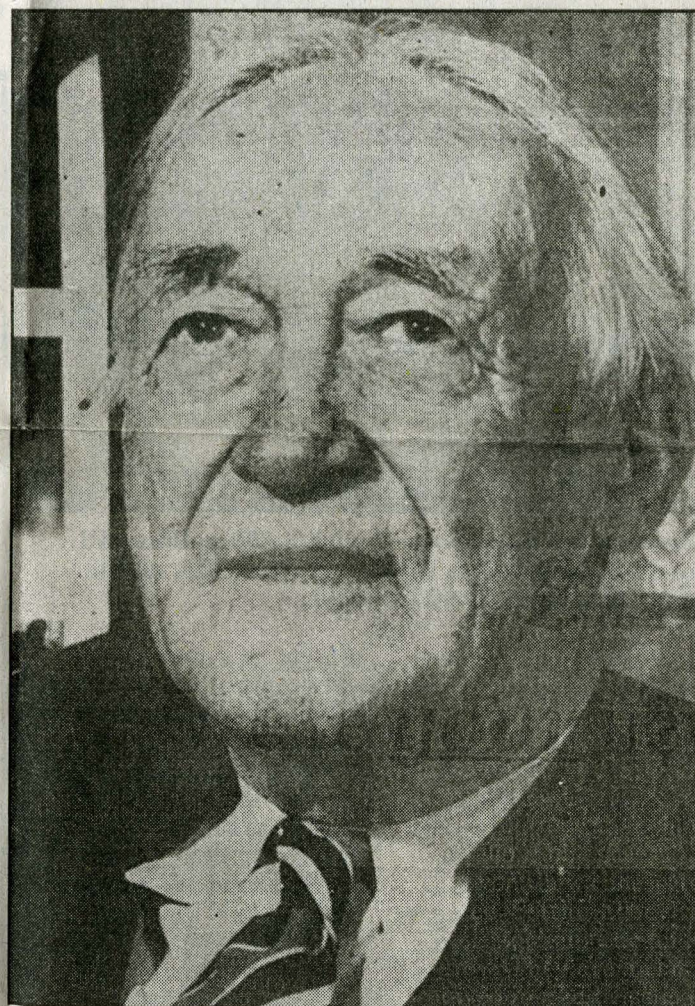
Appeals. He retired in 1948 to his home in Morehead. This writer remembers mild-mannered Lee Stewart well but at that time had no idea of the extent of his service as a Federal Revenue Agent.

Robert Lee Stewart was born on Feb. 4, 1873, on Carr Creek in Letcher County. That section was removed from Letcher County in 1884 and put in the new county of Knott. He was the son of Dr. Alexander H. Stewart, physician, soldier, Republican politician and author of four books examining medicine's influence on sociology. Young Robert Lee received his early schooling at Carr Creek and Right Beaver.

He then attended Professor George Clark's Academy in Hindman, and later studied three years at the University of Kentucky.

Illegal alcohol sold in some distilleries

Stewart's destiny as a moonshine raider began in 1899 when he was appointed as federal revenue agent assigned to oversee the many small legal distilleries that dotted the landscape in Kentucky. It was



Robert Lee Stewart, 1873-1963. This mild-mannered federal revenue agent was the nemesis of all illegal whiskey makers. He retired in Morehead in 1948 and once served as local police judge.

his duty to measure out grain to those small legal distilleries and test their runs and keep a sharp eye on their operation.

The licensed distilleries could not keep up with the demand, so unlicensed operations and bootlegging became prevalent in Kentucky. Even those small distilleries had a way to sell illegally; e.g., they utilized an ingenious system called "A Rat House."

It was a small room made up of logs without windows or cracks, but filled with a sliding box through one wall. The customer entered the room, pulled out the box, put his money and jug into the box and pushed it back through the wall.

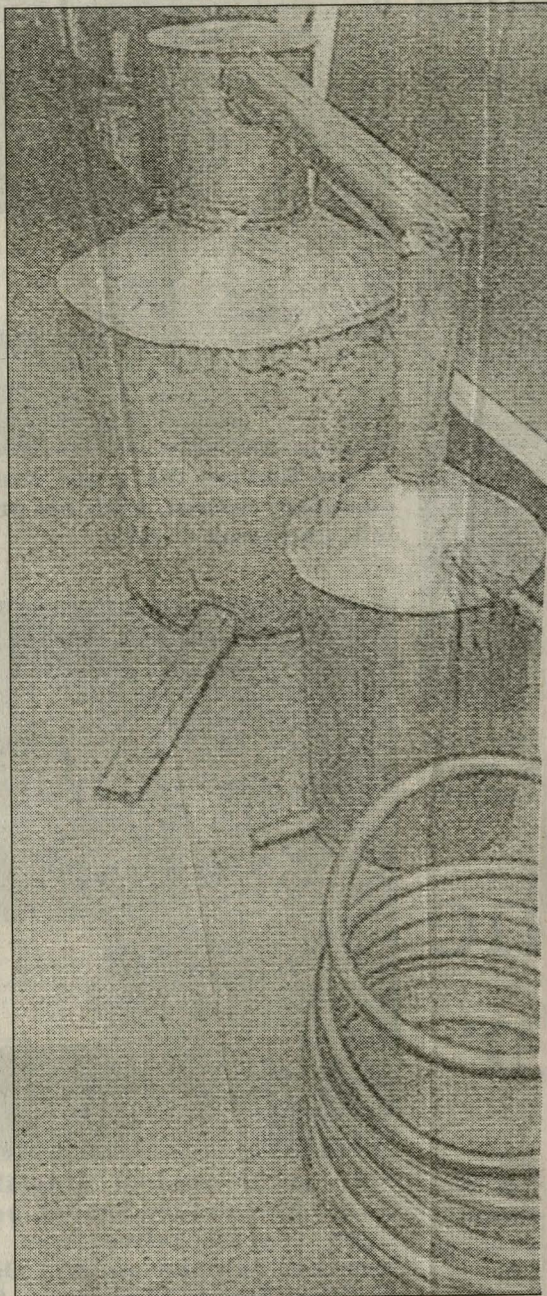
After a brief wait he pulled the box back and the money was gone and his jug was full of "Mountain Dew." (There was little basis for incriminating testimony.)

This reminds me of the old country song that says, "If you'll hush up your mug they will fill up your jug with that good old "Mountain Dew." (Where do you

A MUST SEE!

Everyone in Rowan County should visit the outstanding display of the 150 Year History of Rowan County, Ky. It is now on display at the Kentucky Folk Art Center on First Street... 9:00 a.m. - 5:00 p.m.: Monday - Saturday Admission Free

Jack Ellis will be speaking at the Kentucky Folk Art Center Monday, Feb. 20 at 7 p.m.



The "copper worm", another name for still, is captured and destroyed.

of political patronage, should shock the dignity of this Assembly with fatuities babblings and bibacious banter." The Still Bill evidently died a natural death in committee because these

hills are still. Read more shiners vs. r Jack Ellis' bc Memories: R Rowan Coun

Local Trivia

Early History

Probably the most hilarious bill was introduced in 1922 during the era of prohibition. It was designed to control the illegal production of moonshine whisky at a time when white lightning was a moneymaking business.

History

THE MOREHEAD NEWS, FEBRUARY 17, 2006



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

Morehead Memories:

People & Places

Still Bill not still, but shrill

By JACK ELLIS
Special to The Morehead News

"Strong drink is raging and whoever is deceived by it is not wise." (Proverbs 20:1)

Moonshine stills required to have a whistle

For over 200 years the General Assembly of Kentucky has been meeting every other year and "cranking" out legislation. At the same time, citizens of the Commonwealth have held their collective breath wondering what will come out of Frankfort that year and how it will affect them. Throughout our history they have introduced good bills, bad bills, sad bills and funny bills. But probably the most hilarious bill was introduced in 1922 during the era of prohibition. It was designed to control the illegal production of moonshine whisky at a time when white lightning was a moneymaking business.

After reading this bill presented to the Legislature in 1922, one has to admit the members of the General Assembly had

more of a sense of humor than they seem to have today. Below is a sample of the "doings" of the 1922 Legislature according to a booklet by G.J Jarvis entitled "Footprints of the Flock."

Carter County Senator Bennie Tabor, author of the famous Script Bill, was also the author of this famous Moonshine Bill.

Whistle required to blow regularly

-Famous joke - Moonshining Bill of Kentucky Assembly-1922. Idea of Carter County salon was a still behind every hill, and they should not be still, but have a whistle on every still. There might still be stills, but they would not be still but would be shrill.

"Be it enacted by the General Assembly of The Commonwealth of Kentucky: that it should be unlawful after the passage of this bill to set up or operate any moonshine still or other apparatus which may be used for making moonshine or intoxicating liquor without having placed upon said still or other apparatus a "Whistle" which shall make a noise which can be

heard for at least two miles from where said still is being operated.

"Each still, after complying with the above section shall, between the hours of 2 a.m. and 11 p.m. at each interval of thirty minutes, blow said whistle so that same can be heard by persons who may be within two miles of said still, so that said persons can easily find their way to said still."

Safe road required to each still

"Each still when so equipped as stated above shall, in addition, provide a roadway or a well-beaten path to reach the still in safety.

"Each person, persons, or corporations who may violate the above sections shall upon conviction be fined not less than \$10.00 or more than \$100.00 for each and every offense and the evidence of any person shall be sufficient to convict.

"There is hereby created the office of Moonshine Still Inspector in every county of this State, who shall be elected at the regular election held in each county at the November

election each year, commencing with the November election in 1922, and it is hereby made the duty of the Fiscal Court of each County to provide for the payment of said inspector. The inspector shall see that the above law is enforced.

"All acts and parts of acts in conflict with this Legislation are hereby repealed."

The above bill was referred to the Committee on Agriculture chaired by Senator Newton Bright of Eminence, who himself must have had a great sense of humor. After due deliberation the Committee submitted the following report.

Committee makes "sound" recommendations

"First - That as an act of courtesy, even omitting political necessity, it develops upon this body to appoint the author of such a bill (Senator Tabor) as State Enforcement Officer of Moonshine Stills in Kentucky; not alone to see that they were run without interruption, that the siren regularly summon the gentle country folks to the mental and physical com-



This copper rig for making illegal whiskey was captured in Rowan County in 1924. (No, it did not have a whistle on it.) Front right, feared federal revenuer Lee Stewart captured this still in 1924. Read more about Lee Stewart in Chapter 10 of Kentucky Memories by Jack Ellis.

See HISTORY on D-3

Local Trivia

Illegal brew

■ The making of illegal whiskey continued in Rowan County throughout the 1940s, 50s and 60s. But rarely found today.

History

THE MOREHEAD NEWS, APRIL 21, 2000



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

Morehead Memories:

People & Places

Moonshiners vs Revenuers Part II

By Jack D. Ellis
Special to The Morehead News

Wine is a mocker, strong drink is raging. (Proverbs 20:1)

As the moonshiners became more devious in their activities, the Federal Agents became more determined to stop them.

In 1939, three men were arrested after agents discovered and destroyed one of the largest operations in Rowan County.

They reported destroying 50 gallons of moonshine whiskey, two 400-gallon stills, one 200-gallon copper still, and one 100-gallon copper still in their surprise raid.

They narrowly missed catching a truckload of whiskey that had just left the area. The sheriff and Revenue Agents brought the whiskey and beer into town, and in the presence of the judge poured it down the sewer.

This writer can remember clearly coming home from school at times the whiskey was being destroyed. The odor was terrible. Although no one was apprehended at that still, three men were eventually arrested and brought to trial. (They had a pretty big operation with six men

working for them.)

Although the three were suspects from the beginning, in order to get evidence to convict them, the agents searched the records of the local store keeper and found he had sold 1,200 pounds of sugar and 100 feet of copper tubing to the suspects.

That resulted in their arrest and conviction for moonshining. Usually only a light sentence resulted in those cases, but that time the three were sentenced in Federal Court at Catlettsburg to five years.

From interviews with ex-federal agents Dorsie Keaton and R. Lee Stewart, along with anecdotal evidence, it appeared there has always been problems with making illegal whiskey in Rowan County. But only token attempts were made to stop the illegal trade until the great depression. Then it became more than evading the law, but a determining factor in peoples' income. With the depression came an increase in size of stills and quantity of whiskey produced.

As it became a money making project, and profit became the driving force it became a significant problem because of the lost tax revenue.

Local agents captured over

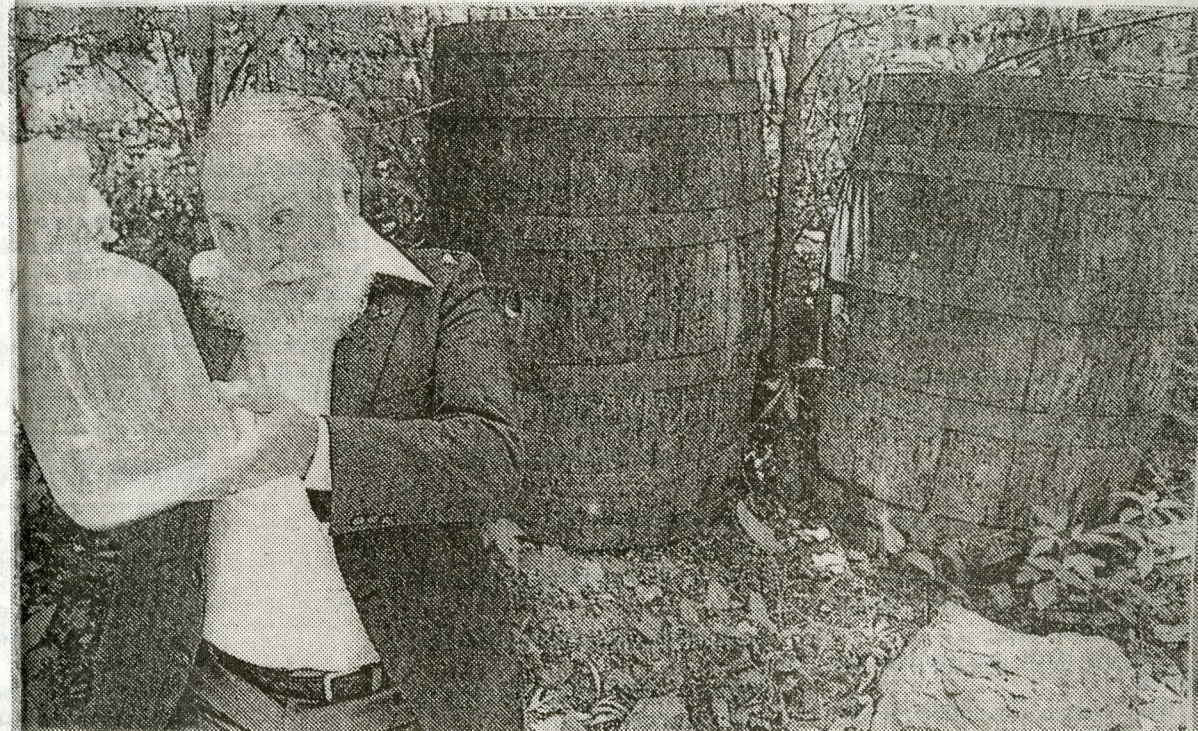
5,000 stills

Revenuer Lee Stewart and Dorsie Keaton both were assigned to Rowan County at one stage of their career. Together, they estimated they were involved in the capture of over 5,000 stills throughout Kentucky, Tennessee and Virginia.

It was an extremely dangerous job. You were confronting men in their own territory and attempting to take away their livelihood (as they saw it). Both men survived to their retirement. Lee Stewart was shot once, and run down on the streets of Sandy Hook by a car driven by a bootlegger.

Upon Lee Stewart's retirement, he became involved in statewide politics. He ran twice on the Republican ticket (1936 and 1940) for the Kentucky Court of Appeals, but was defeated both times. He and his wife Lucinda retired in Morehead and lived at 454 E. Main Street where they lived long into their eighties. Mr. and Mrs. Stewart died in the 1950s.

The making of illegal whiskey continued in Rowan County throughout the decade of the 40s, 50s and 60s. But rarely is a moonshine still found in Rowan County today. Perhaps today it is a result of the economy, and people having the money and opportunity to purchase whiskey legally.



Local moonshiner examines latest run of "white lightning."

Poem describes revenuers vs moonshiners

The following poem, "The Score is Even" was written by Rowan County war veteran Phil Hardin about some of his early memories of moonshiners and revenuers along the Licking River.

It is a poem about Revenuer Billy Perry who had been a former moonshiner who turned federal agent. It was in 1930 when he was shot from ambush as he rode horseback up the river road. He clung to his horse and rode on to a

ballgame that was being played on Sunday afternoon.

The men gave him first aid and took him in a car to a Lexington hospital where he survived. This poem expresses clearly the conflict that arose between the moonshiners and the revenuers.

The Score is Even

I long to go back to my childhood days

And the hills that were loved by me

Before Uncle Sam dammed up the river

And the streams ran crooked and free.

To ride once more on an old jolt wagon,

Astraddle the long coupling pole;

Riding along with bare feet draggin'

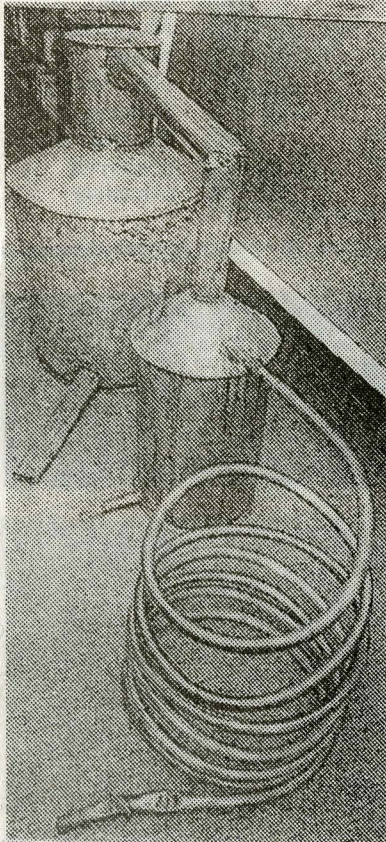
In the dust, to the old swimmin' hole

To follow the path to the old log house

And visit with Oscar and

See MEMORIES on C-2

Memories From C-1



Small moonshine still with copper tubing was used to produce illegal whiskey.

How he sneaked in while they worked in the corn
And slashed up their good cooper still.

As the days passed by men plotted and planned.

This deed they could not ignore;

For good whiskey sold for four bucks a jug

And the judge and lawyers paid more.

Down where Ramey's Creek flooded the road,

In the brush lay a huge sycamore;

Where ten men could hide and never be seen

Just the place to even the score.

It was on a warm Sunday afternoon

With the sun sinking low in the west;

Men lay in wait and Billy rode by

And they sprinkled old Billy's ... yes!

The sheriff came with his long eared hounds

And turned them loose at the site;

They trailed and howled till the moon was high

And on through the starry night.

And all the people on Warix Run

Heard the bloodhounds scratch at their door;

The little ones cried and the men - all lied!

And the score was even once more.

Phil Hardin

Mayor proclaims May 4 National Day of Prayer

Mayor Brad Collins has signed a proclamation declaring Thursday, May 4 as National Day of Prayer in Morehead.

At 6:30 p.m. on May 4, people representing a wide variety of churches and denominations in the community will join for an

our dependence on God, to give thanks for blessings received, to request healing for wounds endured, and to ask God to guide our leaders and bring wholeness to the United States; and

Whereas, I join with our



Receives GED

Cephias Littleton Sr. of Cranston Road, Morehead, recently passed the General Educational Development (GED) test. He is a retired union carpenter from local 472 in Ashland. Getting the high school equivalency diploma is "something I've always wanted to do. It's never too late," Littleton said. Also pictured is Jennifer McKinney, coordinator of the Adult Learning Center. For details on preparing for the GED test, ACT test or pre-employment screening tests, call 783-2871. The Learning Center is located at 316 E. Main Street. All services are free.

Some Tips on Saving Water

During droughts or other emergencies, you may be asked to help by conserving water. You'll be surprised at how much you can save without hardship right in your own home. Some of the economies you can practice at such times are:

Take showers instead of bath—the usual bath requires 36 gal., the usual shower 25 gal.; 20 gal. is enough for a bath, 10 gal. is enough for a shower if you turn it off while you lather.

Turn the water off while you're shaving—a running tap shave uses about 20 gal.; and besides it will steam up your mirror.

Have flushometer toilets reset to use 3½ instead of the normal 5 to 8 gal. per flush.

Reset the float in your tank toilet to turn the water off at a lower level.

Don't flush the toilet to dispose of cigarette ashes, soiled tissues, etc.

Stopper your sink or use a dishpan when washing dishes; a running water wash uses about 30 gal. per meal.

Don't leave the water running when you brush your teeth—turn it on only when you're actually using it.

Use the basin instead of the shower for your shampoo.

Keep a bottle of drinking water in the refrigerator—running it until cold will waste a gallon.

Preparing For Nasty Weather

(NAPS)—Along with warmer weather, this time of year can bring wicked weather. Tornadoes, flash floods and thunderstorms can hit anywhere in the United States at anytime, and the number of these storms seems to be on the rise.

Items you may want to include in your families storm survival kit:

- First aid kit with essential medications such as an inhaler or diabetes medication
- Flashlight and extra batteries

1-64, Exit 94 Winchester 745-4900 \$3.00 All Shows before 6 P.M.

U-571 1:30 4:00 7:00 9:40	SANDRA BULLOCK 28 DAYS 1:15 4:30 7:10 9:50	SNEAK PREVIEW! Ashley Judd Natalie Portman <i>Where the Heart Is</i> Saturday only 7:10
RULES OF ENGAGEMENT 1:15 4:15 7:00 9:40	THE RUMBLE 1:30 4:30 7:20 9:50	Erin Brockovich 1:30 4:00 7:00 9:40
Keeping the Faith 1:00 4:00 7:00 9:40	Return to me 12:45 4:15 7:10 9:50	SKULLS 1:00 7:20
		FINAL DESTINATION 4:15 9:40
		AMERICAN BEAUTY 9:00

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**MOREHEAD MEMORIES: PEOPLE & PLACES
STILL BILL NOT STILL, BUT SHRILL
BY
JACK D. ELLIS**

"...Strong drink is raging and whoever is deceived by it is not wise." (Proverbs 20:1)

MOONSHINE STILLS REQUIRED TO HAVE A WHISTLE

For over 200 years the General Assembly of Kentucky has been meeting every other year and "cranking" out legislation. At the same time, citizens of the Commonwealth have held their collective breath wondering what will come out of Frankfort that year and how it will effect them. Throughout our history they have introduced good bills, bad bills, sad bills and funny bills. But probably the most hilarious bill was introduced in 1922 during the era of prohibition. It was designed to control the illegal production of moonshine whisky at a time when white lighting was a money making business.

After reading this bill presented to the Legislature in 1922, one has to admit the members of the General Assembly had more of a sense of humor than they seem to have today. Below is a sample of the "doings" of the 1922 Legislature according to a booklet by G.J. Jarvis entitled "Footprints of the Flock."

Carter County Senator Bennie Tabor, author of the famous Script Bill, was also the author of this famous Moonshine Bill.

WHISTLE REQUIRED TO BLOW REGULARLY

FAMOUS JOKE - MOONSHINING BILL OF KENTUCKY ASSEMBLY-1922.

Idea of Carter County salon was a still behind every hill ^{and} they should not be still, but

have a whistle on every still. There might still be stills, but they would not be still but would be shrill.

"Be it enacted by the General Assembly of The Commonwealth of Kentucky: that it should be unlawful after the passage of this bill to set up or operate any moonshine still or other apparatus which may be used for making moonshine or intoxicating liquor without having placed upon said still or other apparatus a "Whistle" which shall make a noise which can be heard for at least two miles from where said still is being operated."

"Each still, after complying with the above section shall, between the hours of 2 a.m. and 11 p.m. at each interval of thirty minutes, blow said whistle so that same can be heard by persons who may be within two miles of said still, so that said persons can easily find their way to said still."

SAFE ROAD REQUIRED TO EACH STILL

"Each still when so equipped as stated above shall, in addition, provide a roadway or a well-beaten path to reach the still in safety."

"Each person, persons, or corporations who may violate the above sections shall upon conviction be fined not less than \$10.00 or more than \$100.00 for each and every offense and the evidence of any person shall be sufficient to convict."

"There is hereby created the office of Moonshine Still Inspector in every county of this State, who shall be elected at the regular election held in each county at the November election each year, commencing with the November election in 1922, and it is hereby made the duty of the Fiscal Court of each County to provide for the payment of

said inspector. The inspector shall see that the above law is enforced."

"All acts and parts of acts in conflict with this Legislation are hereby repealed."

The above bill was referred to the Committee on Agriculture chaired by Senator Newton Bright of Eminence, who, himself must of had a great sense of humor. After due deliberation the Committee submitted the following report:

AGRICULTURE COMMITTEE MAKES "SOUND" RECOMMENDATIONS

"First - That as an act of courtesy, even omitting political necessity, it develops upon this body to appoint the author of such a bill (Senator ^{Taber} ~~Carter~~) as State Enforcement Officer of Moonshine Stills in Kentucky; not alone to see that they were run without interruption, that the siren regularly summon the gentle country folks to the mental and physical compliance, but also to sample the product prodigiously, and at frequent intervals."

"Second - To place upon the citizens an official duty who might be so violently at variance with the esthetic tastes and habits, ^{of this bill and could be} might tempt ~~him~~ from the strictly sober and unimpeachable highway of life - which has been a glowing inspiration to the youth of Carter County - and beckon them down the white mule trail into a confusing wilderness of copper worms." (White Mule is another name for moonshine and copper worm another name for a still.)

STILL BILL KILLED IN COMMITTEE

"Third - That the Senate of the Commonwealth of Kentucky does ^{wish to} not create an office so fraught with tragic possibilities; believing rather that it is preferable for the seductive whistle of the still to still be still and stay still; that one lured by the phantom of

political patronage, should shock the dignity of this Assembly with fatuities bablins and
bibacious banter."

The Still Bill evidently died a natural death in committee because these hills are *STILL*,
not shrill, ~~but still~~.

Read more about moonshiners vs revenueurs in Jack Ellis' book, **Kentucky**

Memories: Reflections of Rowan County, chapter 10.

From The Collection Of
Dr. Jack D. Ellis
882 W. Sun St.
Morehead, KY 40351
800-784-7478

Previous to 1884 and the infamous Tolliver-Martin feud, Rowan County was wet. As the settlements in Rowan County at this time were few in number and the population of each very low, it is difficult to determine whether the use and selling of liquor was legal by a specific law or whether liquor was considered a commonplace commodity and thus no need for said law. Following the end of the feud in 1887, an act was past by the Kentucky House in 1888 which prohibited the sale and use of liquor. "An act to prohibit the sale and use of spiritous, vinous, and malt liquors in the county of Rowan."¹ During the feud, liquor had been thought to be a contributing factor in the degrading, immoral, and willful acts of murder. It was the desire of the state to see Rowan County and Morehead raised out of the degradation and vileness brought on by the feud, and the Christian Women's Board of Missions was urged to start a school at Morehead to help insure better standards of education and place higher value on morals. It was for the same reasons that the state passed the law prohibiting liquor.

By 1897 it appears that Morehead had sufficiently regained its footing and stability to the point that "the whiskey men won at the local options contest at Morehead."² From all indications, this piece of information can be interpreted as meaning

¹Laws of Kentucky, Chapter 514, 1887-88, vol. II, p. 102.

²Hazel Green, January 14, 1897.

fact that the navy men were under strict surveillance at all times, thus there being no need for further enforcement.

"In 1943, the townspeople voted Rowan County dry." This could stem from 1938 when there was a possibility that additional liquor stores would open in Morehead. From an article in the June 2, 1938 edition of the Rowan County News comes the explanation that due to a state law, liquor stores could no longer be located outside of the city limits and that these businesses wanted to move inside inside the limits. An addition of liquor stores was said to be detrimental not only to the town but to the college, and voters were urged to put a stop to the situation. This could have been a contributing factor to the dry-vote of 1943 as from all indication, it usually takes a few years to get a solid movement behind such a controversial issue as the wet-dry question. *But in*

1975
Between 1943 and today Rowan County has remained dry despite growing interests of the last few years in favor of going wet. With the change in voting requirements for students, the student vote in the next election could very well swing the pendulum back to the days when Rowan Countians no longer will have to drive to Mt. Sterling or to the local bootlegger.

Illegal Traffic

Bootlegging of home-brew and resale of bottled spirits has long been in evidence in Rowan County as with all Appalachian areas. During the 19th century and the first part of the 20th century, the production of corn liquor was primarily a family-oriented enterprise and manufacturing was usually done in small quantities. With the coming of Prohibition and the Depression stills and moonshine took on the more sinister atmosphere.

Efforts at stopping this illegal traffic have been attempted since the turn of the century but with varying degrees of concentration and thus varying degrees of success. One of the earliest accounts of a raid in Rowan County was reported in the September 18, 1903 edition of the Breathitt County News as a small item mentions that "U.S. Marshall P. Jackson raids in Rowan" on September 14, 1903. From the Carter County News it is reported that in 1914 (approximate) "United States Marshall Eubank of this place, went to Rowan County last week and captured a still. Four gallons of whiskey and 200 gallons of beer was destroyed. Eubank, along with J. W. Crawford, made arrest." As previously mentioned, during the 1920's there were numerous indictments made and local papers carry sporadic account of raids during the 1930's and 1940's. Heresay has it that there are still bootleggers in Rowan County today, although not in the abundance of the late 1960's when Morehead State University

students had a number of chosen spots to choose from and frequent.

Judge Lee Stewart, born 1873, was "one of the most feared"⁴ officers in eastern Kentucky and Rowan County. He is considered "almost a legend in the mountains"⁵ with his various exploits during Prohibition and later years. His dedication and effectiveness went far in putting an ax to many a still. Judge Stewart later retired in Morehead and wrote articles of local color for the newspaper. Accounts of a few of his most memorable arrests are found in an article in the May 10, 1956 edition of the Rowan County News on pages 73-74 and a picture of a still he captured in 1924 is found on page 10 of the same edition.

Dorsie Keaton, of West Liberty, an ex-Internal Revenue Agent, was found to be a valuable source of material for the background material dealing with illegal liquor and its production. Mr. Keaton had his post of duty in Morehead from 1939-44, although he worked in surrounding areas both before and after this period. All totaled he has participated in the capture of over 5000 stills. His account of one outstanding raid in Rowan County took place at the Hogtown settlement, now Elliotville. Two men who both had two prior convictions were operating a still but only doing the loading of the liquor as they could not afford to get caught again. These men had six other men working for them to do the actual producing and selling

⁴Rowan County News, May 10, 1956, p. 73.

⁵Ibid.

of the liquor. Six men were caught and pleaded guilty to the charges. The trials for violators were held in Catlettsburg, Kentucky, and the sentences were usually light for first offenders but in the case of the Hogtown settlement, the sentence was for five years.

Norman Wells, of Morehead, was a local sheriff during the times of Judge Lee Stewart and Dorsie Keaton and aided both men in the investigation and capturing of stills. Mr. Wells has been a participater in the cutting of about 35 stills. As local sheriff he tended to get information more directly from the citizens. Some of his information came from women whose husbands had gotten drunk and led the wives to conclude that a still must be nearby.

Following is additional information given by Dorsie Keaton which further explains the activities of the Internal Revenue Service during the years from 1918-1959 (his time with the Service).

----After repeal of the National Prohibition Act legal distilleries went back to operation and whiskey was taxed at \$12.50 per gallon.

----The tax on liquors was then and is now the third largest source of Revenue the government has.

----The primary purpose of the Revenue agents was to protect the revenue of the government by preventing the illegal manufacture and sale of untaxpaid liquor--commonly called moonshine whiskey.

----Louisville, KY, was headquarters for the 6th district made up of Kentucky and Tennessee.

----Two types of stills were: the pot type which was always

made of metal, and the steam distillery with which the mash was cooked with steam and could be made of wood.

----Two or more Revenue officers generally worked together-- always working with the local officers, sheriffs, police and others where they would and could be trusted. Frequently the local officers received the information as to the location of stills and turned it over to the federal agents.

----There were various ways of getting information: some by letter, some from good citizens, but the best information came from a violator who was caught and suspected one of his competitors turned him in.

For Rowan County, as most parts of eastern Kentucky, the illegal making or selling liquor has for the most part been accepted as a cultural trend pervasive throughout the Appalachian areas. Although this trend is illegal and not a particularly savory aspect of life in the area, it does not seem to have created dramatic social repercussions, or at least not to the extent to get completely rid of the bootleggers. To try and approach the problem of bootlegging in Rowan County in the same vein as bootlegging in a metropolitan area would be taking the situation out of its context and thus giving a look on the problem of illegality of liquor and the priority which they place upon it. All-in-all, Rowan County remains somewhat backward in its outlook and chooses the times (as does any politically-oriented area) at which to recognize the given situation.

Two or more Revenue officers generally worked together-- always working with the local officers, sheriffs, police and others where they would and could be trusted and must say that the great majority of them could be trusted. Frequently the local officers received the information as to location of stills and turned it over to us. We had various ways of getting information, some by letter, some from good citizens but the best information came from a violator who was caught and suspected one of his competitors turned him in.

The Browns,

Shirley H

Mt. Sterling

Weston Creek

H. Walker

Woman Turned up her son-in-law.

Legal distillery in Louisville.

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

1918- 1928 U.S. Commissioner --- Duties.

1928- 1934 U.S. Prohibition Agent--- Duties.

1934- 1959 U.S. Internal Revenue Service- Enforcement division.

After repeal of the National Prohibition Act legal distilleries went back in to operation. and whiskey was taxed at \$12.50 a gallon

The tax on liquors was then and is now the third large source of Revenue, the Government has, First Largest Source of Revenue comes from Personal income tax. comes from Federal Corporation Income tax. The second largest source/comes from Federal Corporation Income tax.

The primary purpose of the Revenue agents was to protect the Revenue of the Government.-- That is by preventing the illegal manufacture and sale of untaxed liquor- commonly called moonshine whiskey.

I have with the assistance of others seized and destroyed hundreds of distilleries making 100 gallons or more each day which meant they were defrauding the Government \$1250., or more each day. The tax on legal manufactured whiskey is \$12.50 per gallon. The moonshiner evaded the tax.

Louisville, Ky , was Headquarters for the 6th. District made up of Kentucky and Tennessee. I have had Post of duty in Louisville, Lexington, Hazard, Catlettsburg and Morehead, Ky. My post of duty was Morehead from about 1939 to 1944- Although I worked Morehead territory after being transferred to Catlettsburg. I have also done considerable work in the state of Tennessee, where several of the larger distilleries were located by AIR PLANE.

Two types of stills in this section as follows:
The pot type still which must be metal.
The steam distillery- cook with steam can be wood/

Morehead, Kentucky.

August 9th, 1950.

Dear Curt:

On receipt of your letter with enclosures, I immediately wrote Mrs. Martha Smith Sewell, Department of Conservation, Division of Parks, Frankfort, who has the data and belongs to the DAR, so I have understood, but have never heard from her. She is a daughter of Nat B. Smith, your father and mother's cousin. His father was Andrew B. Smith and his mother was a sister to our grand fathers. I do not know how many sisters our grand-fathers had, and Aunt Sallie Slone, whose husband was Reuben, father of your uncle John P., Sorrel Head Ison, Green and others. I do not know what Martha's grandmother's name. I could find out when I was a boy from grandmother, but I didn't. Ask Elhaman, but he didn't know. It seems to me that one married Lige Music and another married a Calhoun.

I have written to Martha again today, and wrote yesterday, giving Mrs. Bates all of the information I could about the Smiths and Pigmans, and if Martha doesn't write she has enough information to get started.

Uncle Wilburn Pignan told me once that his grandfather (Leonard) with Sergeant Jasper were captured by the British, and placed in a school house and escaped that night. I have read about Sergeant Jasper being a scout for the Americans. My brother was named Rochambeau by our great grand father John Pignan. He said that General Washington and General Rochambeau on their way to Yorktown, stopped at his father's for dinner and the French General, took him up and nursed him. I understand that he was 106 and Leonard was 111, was buried about the Jpe Bowen place on Carr.

I was glad to hear from you, and hope that all are well. I remain

Very truly yours,

Lee Stewart

CAPTURE STILL, ARREST

Federal officers P. R. Roeton and R. C. Bevins, confiscated a 150 gallon copper still, 4 kegs of mash and arrested Columbus Niles on a charge of manufacturing in a raid near Newfoundland. The officers said Niles was captured at the still as he was preparing to make a run.

Commissioner Lee Stewart set Niles bond at \$500 for his appearance at the May term of District Court at Catlettsburg.

From the Collection Of
Dr. Jack D. Ellis
322 W. Sun St.
Morehead, KY 40358
608-784-7416

Federal Officers In Moonshiners Raids

That federal revenue officers, who succeeded the old prohibition forces that operated in this section during the days of the Eighteenth Amendment, are still actively pursuing the bootlegger and moonshiner, was given conclusive proof again recently when two large copper stills were captured and brought to Morehead by federal men.

The raid occurred just over the county line in Elliott county last week. Two huge copper stills, one with a capacity of 150 gallons and the other with a capacity of 250 gallons, were taken in the raid.

One of the stills was located on the farm of Lee Johnson, while the other was located about a quarter of a mile distance. Officers in view of the nearness of their location and from other facts, held to the opinion that the stills were the property of one man, who operated them alternately.

Along with the two stills, the officers located and destroyed thirty four gallons of mash ready for the still and forty five gallons of whiskey. Apparently the owner was warned, as no one was about the stills at the time of the capture.

About two weeks ago a raid was conducted in the same section which is regarded from the nature of the territory as a moonshiners heaven.

3 Arrested by Federal Agent On Rum Counts

In the biggest raid on illicit making of liquor and the sale and transportation of moonshine, officers last week confiscated four large stills, over a hundred gallons of illegal whiskey and several thousand gallons of mash beer.

Three men of Dewdrop, Elliott county, were arrested. They are Charlie Shelton, merchant, Ernest Conn and Wade H. Blinnery.

Federal agents confiscated records at Shelton's place of business, setting out in their report before United States Commissioner J. W. Riley here, that this was done to allegedly incriminate Shelton by showing unusually large purchases of sugar, copper pipe tubing and other necessities in the manufacture of liquor.

All of the men appeared before

Commissioner Riley and entered pleas of not guilty and executed \$500 bonds for their appearance at an examining trial scheduled to be held here June 1.

They are charged with possession, transporting, selling, setting up and operating an unregistered still and several other charges of the same type.

The federal agents reported to Riley that two 100 gallon copper stills complete, a 200 gallon copper still and a 100 gallon copper still were taken in the raid. They also reported that they barely missed capturing a truck which had come for a load of whiskey. No one was captured at the stills, the officers charging that Commissioner Riley and warned the operators.

6-2-38.

Action Is Needed On The Liquor Question

It has been reported that from five to ten new liquor stores will be opened in Morehead.

The reason for this over-night blooming of dispensaries in this city is that on that date licenses will run out and the stores within the city limit will no longer be allowed to sell liquor under the state law.

If this many new whiskey stores open in Morehead it will mean that we will have a place dispensing liquor for almost every hundred inhabitants.

This would create a situation that would be unsavory and unwanted by any good citizen of this community and one that would be a detriment to Morehead, especially the Morehead State Teachers College.

It seems that the only manner in which this deplorable situation can be prevented is for the Morehead City Council to take action. An ordinance limiting the number of whiskey stores in the city and regulating whiskey within the corporate limits is needed. Action should be taken on this in order to protect the city from the rush-coming of liquor stores in practically every corner.

It is not our intention to discriminate against any person, regardless of what business, if it be whiskey or anything else. At the same time we are interested in preventing anything that would be a detriment to Morehead. Now is the time to act—not wait until the damage has already been done.

The voters of this county saw fit two years ago to give a majority against local option. Those engaged in the whiskey and beer business should take fair warning at this time that it will only be a comparative short time until another election can be called. A situation as is about to rise in Morehead would only hasten local option in this county and put them all out of business.

1963

Leads in For Breathitt

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MSC Choir, Ensemble, Set 'Easter Cantata'

A special program of Easter music will be broadcast Sunday at 5:45 p.m. by Station WMOR. Directed by James Ross Beane, the Morehead State College concert choir and brass ensemble will present what is believed to be the premiere performance of Daniel Pinkham's "Easter Cantata."

Lonnie Ward, Former Rowan Teacher, Died

A former teacher in Rowan County Schools, Lonnie Ward, died last Thursday in Lexington's Good Samaritan Hospital. He was 30. Ward taught one year at the Little Brushy school and had also taught in Florida since graduating from Morehead State College in 1957.

He was attending the University of Kentucky at the time of his death, which came after a six-week illness.

A native of Martin County, Ward was born Feb. 14, 1933. He was a son of London and Malisia Hall Ward.

Ward was united in marriage to Nan Karrick, June 1, 1958. She survives, along with a son, James London Ward. Other survivors include three brothers, Don Ward and Eddie Ward, both of Morehead, and Dewey Ward, Tomahawk, Ky.

Ward was a member of the Masonic Lodge and attended the Baptist Church.

Funeral services were held Saturday at 2 p.m. in the Inez High School gymnasium. Rev. J. C. Raikes and Rev. James Grayson officiated.

Burial was in the Ward family cemetery.

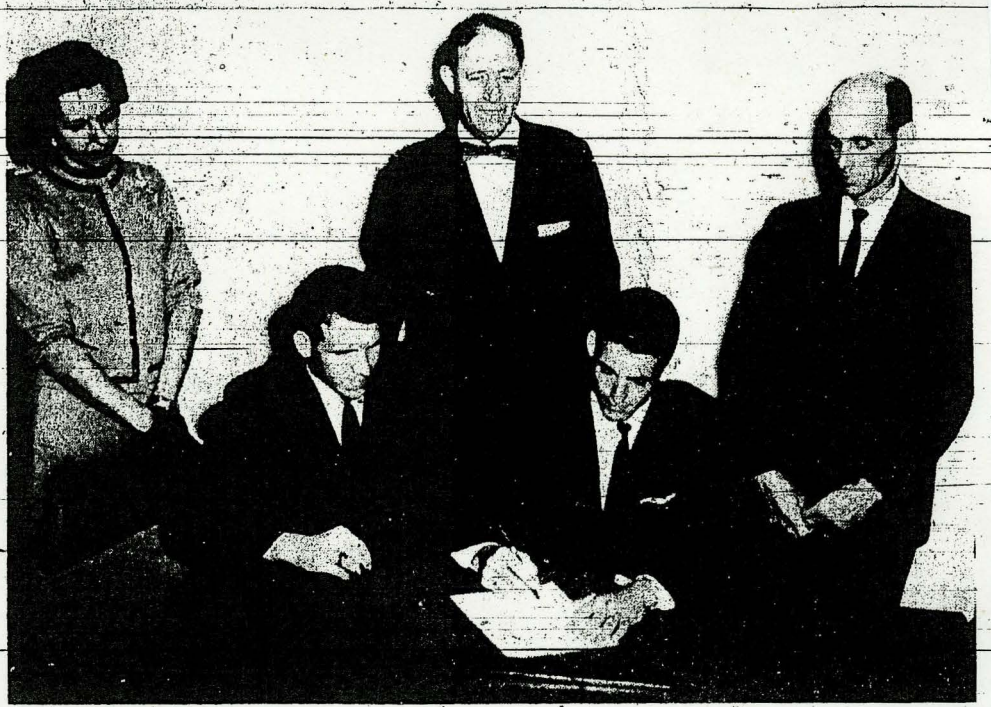
The body was removed from Lane Funeral Home to an Inez funeral home on Friday.

Jaycees Will Elect Officers Tuesday Evening

Morehead's Junior Chamber of Commerce will elect officers at their regular meeting Tuesday evening at ariculture building at Rowan County High School.

The meeting will begin at 7:30 p.m.

Jaycee officials urged all members to attend this meeting and warned that only those person who have paid their dues for 1963 will be eligible to vote. Dues are \$10.00 yearly, however, they are paid semi-annually.



INKS EAGLE PACT—Wingo's Johnny Waggoner recently signed a Morehead State College basketball grant-in-aid. Looking on, l-r, are Waggoner's mother, MSC assistant basketball coach Rex Chaney, Dr. Adron Doran, MSC president, and Waggoner's father, John H. Waggoner. The youth averaged 17 points a game in his junior and senior years.

A Legend In His Lifetime

Lee Stewart, Former Revenue Agent, Claimed At Age Of 90

M. N. D. APR 11 1963
1873

A man who became a legend in his lifetime is dead.

R. Lee Stewart, for years the scourge of "moonshiners" over a wide section of Eastern Kentucky, passed away Sunday in a Lexington hospital after a long illness. He was 90.

Widely-known all over Kentucky for his activities as an agent of the Treasury Department tracking down operators of illicit distilleries and their agents, Stewart was perhaps one of this section's best-known personalities.

A mountaineer to the core, Stewart knew every stream and practically every trail in Eastern Kentucky. He frequently reminisced about his experiences in running down "moonshiners" and could recall with vivid detail the settings and circumstances of many of the thousands of raids in which he participated.

Stewart knew, and was known by, most of the men who engaged in the illicit manufacture of whiskey in this section of Kentucky over a 40-year period. He could often recall two generations in a family who had been in the "business" and was on friendly terms, personally, but not professionally,

with many of them.

He was extremely active for his age, until seriously injured when struck by a car several years ago, he was forced to curtail his activities.

Stewart was an avid student of history, with particular emphasis on Eastern Kentucky and its families. He could talk for hours on the families who populated Knott County and much of the Big Sandy Valley, and knew intimately the genealogy of many of the people in this section.

The eventful and action-filled life of R. Lee Stewart was graphically described by a Prestonsburg writer several years ago. Henry P. Scalf, in an article written for the Floyd County Times, said: "He is without doubt the best informed man on the genesis of Eastern Kentucky families. His knowledge of feudin' and fightin' from Rowan to Wise is all-encompassing." The article is reprinted on page 1, section 2 of this issue of the Morehead News.

His personal library, weighted heavily on the historical side, was

one of the largest private collections in the community.

A rock-ribbed Republican, he was twice his party's nominee for clerk of the Kentucky Court of Appeals but was defeated in the general election. His campaigns were conducted primarily by letters, written in longhand, to his personal friends and acquaintances all over the state.

The letters were credited with being a major factor in the strong races which he ran.

Earlier he had served as secretary to Congressman John Langley, was enrolling clerk in the state legislature, was elected to the legislature from Knott County, and served as an assistant secretary of state.

Too, he served for many years as police judge at Morehead.

Well into his 80s, he wrote a weekly column for this, and other newspapers in this section. Entitled "Reminiscing With Lee Stewart," it contained a mixture of his personal experiences, history, his personal philosophy and comment on current affairs.

Early in life he had been a teacher, and had lived in Okla-

—Turn to last page, this section

ate, House, Circuit Judge's Races Eyed Rowan Voters In Primary Election

By Eastern Kentucky Moo

Morehead Man Faced Danger On Many Raids

The death of R. Lee Stewart this week removed from the contemporary scene a man who had seen Eastern Kentucky develop from a virtual wilderness to its present state. Some nine years ago, this article appeared in the Floyd County Times, Prestonsburg and later was reprinted in the centennial issue of The Rowan County News. It is virtually the life story of one of the most fascinating men ever to live in this community.

Years ago when Lee Stewart was a resident of Prestonsburg he went into the old Modern Drug Shop and looked around for a place to sit down. It was a beautiful fall day, one of those in which the morning is cool and you let the fire, kindled earlier in the day, die out. He saw an old flat-topped laundry stove and immediately parked himself on it. He got off that "hot spot" with alacrity.

In a life of four-score years that little incident was a very minor one but it was symbolic of many "hot spots" Stewart had been in and was yet to be in as a federal prohibition agent. His career as a moonshine still raider began in his native Knott County and lasted half a century.

Today, Lee Stewart lives in retirement in Morehead and writes a column of local historical lore for newspapers. He is without doubt the best informed man on the genesis of Eastern Kentucky families and his knowledge of feudin' and fightin' from Rowan to Wise is all encompassing. A student of history and a moonshine raider! The two seem incompatible until it is learned that some of that history is vivid in his mind because he was a participant. Then, too, his early life in Knott was surrounded by events of feudin' and fightin' that intensified his interest in mountain lore.

He was born Feb. 4, 1873, on Carr Creek, near the present post office of May, the son of Dr. Alexander H. and Margaret Pigman Stewart. His mother died when he was three and he was reared by her parents. He went to the local schools, such as they were. When he was 12 he attended school for

distillery. In 1900 he began a five-year service as deputy internal revenue collector. Part of his duties was the raiding of illicit stills. He went to Oklahoma after that, held down a government claim for a while but fell ill of appendicitis. An operation in 1906 for appendicitis was a serious affair and it was 14 months before he took the bandages off.

He married Lucinda Everage at Hindman in 1901 and kept store in his native county seat for a time. In 1910 he left the field in which he spent most of his life and served Congressman John W. Langley as secretary. The full recitation of the many and varied jobs he held would become wearisome, and it may suffice to state that he served as Representative to the State Legislature, U.S. Commissioner and Assistant Secretary of State. All of these jobs were not sinecures. Some of them held plenty of "hot-spots."

Perhaps one of the hottest spots he was ever in was on the head of Licking River in late December, 1925. Moonshiners ambushed the little party of possemen of which Stewart was one. The first volley went wild.

In corroboration of their statement that he never knew fear, oldsters of Right Beaver always recalled that, after the first shots were fired, Lee Stewart declined to seek cover with the rest of the posse and walked up and down the road, looking for his adversaries in the woodland. Being a good target, the shiners blasted a second time and a shot caught him in the leg. Although the bone was not broken, the wound was painful. He dressed the wound himself and rode several miles through the mountains to Bosco.

This occasion was one of the few in which Lee Stewart knew fear. The mule had never seen a train and the sight of the iron monster threw him into terror. He ran with the wounded officer into a barb-wire fence. Escape from severe laceration by the barbs was narrower than the escape from a moonshiner's bullet.

In his long career as a raider there were incidents of great humor, too, and in one of the jokes was repeated all over the mountains. Dan Hays was sheriff of Knott County and enlisted Stewart's aid to cut up a still on the Laurel Fork of Quicksand. They started out on a Tuesday, the season dry and the danger

place excavated in the mountain side for the still house with one end of the logs resting on the double log wall in front and the other resting on the steep mountain side above the excavation. The house was covered with tar paper roofing, with leaves and brush thrown over the roof, giving it the appearance of a brushy spot upon the mountain side.

"There was a door a little to the right of the center of the double log wall in front with a shutter made of oak lumber one inch thick and hinged to the left door facing to open to the left on the inside of the still house. This still house resembled a fortification as a ball from a high powered rifle could not penetrate this still house at any point except through the door shutters."

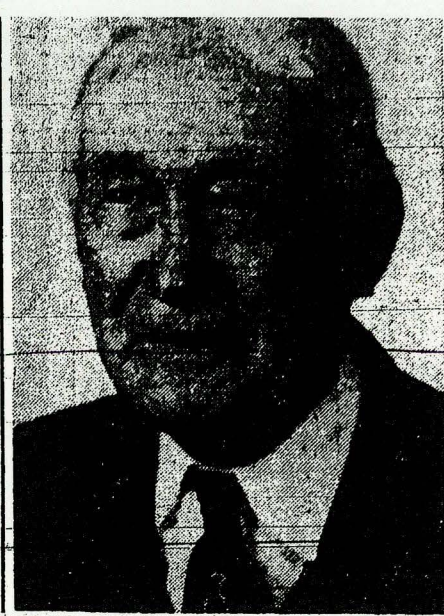
The three officers approached the entrance of the still house and finding the door closed, Duff put down his rifle, picked up a short pole and began to beat on the oaken shutter. Suddenly the door flew open, shots issued from the darkened interior and Duff fell, mortally wounded. Carter and Treadway jumped aside to take cover and when the other possemen arrived some of them tried to crawl near enough to retrieve the wounded Duff. Each time an effort was made to get near more shots met them. They reluctantly retired to Mt. Sterling and an undertaker went to get the body of Duff.

The next day, Sam Collins, with Lee Stewart and eight other prohibition officers, left Lexington. Arriving at Mt. Sterling, they were joined by five more. All journeyed to the Ballard farm on the East Fork of Slate Creek. The body of Duff had been removed by the Mt. Sterling undertaker and the still house was empty of men. The agents destroyed a huge still, 17 barrels and fermenters, 1,400 gallons of "beer", 40 gallons of moonshine and a large assortment of moonshine-making accessories. One still and a worm had been removed and Stewart nosed out on the trail of the man who had carried them away. He found them up near the top of the mountain, hidden in the brush and leaves.

Meanwhile, with Stewart searching the mountainside for the still two other agents were combing the area across the field for a pistol lost by one of the previous day's posse. Suddenly a shot came from near the top of the mountain

Morning, April 11, 1963

Respected, Feared Lexy 'Moonshiners'



R. Lee Stewart
... an eventful life

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mud with grim lips.

They arrived at Cedar Grove,
about a mile and a half from the
Ballard farm. They arrested every
man they found and took them
along. They were not giving any
informers an opportunity to pass
the word of approaching officers
to the Ballards. They reached the
home of Albert Ballard, brother
of Charlie and Bob. It was now
a little after daylight. There Albert
Ballard and his cousin, Willie
Ferguson, were arrested. They
went on to the house of Jeff Bal-
lard but found no one at home.

Down in the hollow, about half
a mile from the home of Albert
Ballard, stood the cabin of Willie
Ferguson. Some of the officers ap-
proached it, leaving the prisoners
in company of others. Nothing was
found there, but an old log house
stood about 175 yards up the hol-
low. The agents approached cau-
tiously, some going around to the
rear, others walking up to the
front. Mat Sanders tried the front
door but found it fastened. Beat-
ing it open with his rifle butt, he
entered the open door. Shots met
him. He fell backwards from the
door and the agents took cover.
While Sanders had been trying to
enter the front door, agent F. G.
Cole was entering the back. He,
too, was met with shots and fell,
shot over the left eye and twice
through the body. He fell inside.

The agents now formed lines
on either side of the log house and
began to fire at the cabin door,
the windows and every aperture.
Lee Stewart remembers now with
a vividness undimmed by the years
the flash of the crackling guns, the
returning fire of Bob and Charley
Ballard from inside. He remem-
bers how J. M. Billiter, of Pike
County, grabbed his hat when a
bullet passed through it. He recalls
the posture of agent W. C. Kim-
mel, stretched behind a log, while
bullets whistled nearby. Stewart
admits to no heroics, admits only

and again in 1939, but was defeated
both times.

Stewart, 81 now, dotes on his
grandsons, who are either getting
an education or have gone to the
armed services. He averred on his
birthday to his assembled friends
that he had "not a lick of sense
yet." To which of course we dis-
agree. A man who has destroyed
hundreds and hundreds of stills,
followed moonshiners and murder-
ers through the mountain fastness,
engaged in pitched battles and
other sundry and wild adventures
and survived to a ripe old age
without mortal mishap must have
been shrewd and wary, cunning
like a fox and "smart as a whip."

His favorite poem is "What Hay-
seed Said To Si":

"Say, Si, don't fuss and growl
at life, and furrow up your brow,
You don't know what life is my
boy."

Lee Stewart knows.

Manufacturer To Open Dress Facility At Mayfield Soon

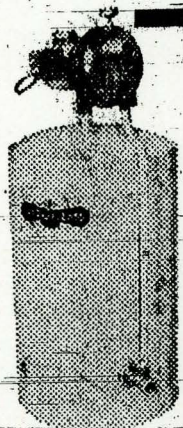
Milton Cahn, vice-president of
production for Jonathan Logan,
Inc., manufacturer of women's
clothing, has announced his firm
will start production in May in a
10,000 sq. ft. leased facility in May-
field.

Cahn said 135 persons will be
employed making women's dresses
and suits. Within two years the
company plans to construct a
30,000 sq. ft. building in Mayfield
and increase employment to 300,
he said.

This will be Jonathan Logan's

lucky. His teaching career reungunoned a few years after that, but in 1896 he was elected enrolling clerk of the State Legislature. In 1899 he was graduated from a law school in Danville, Ind. He really began to enter his life's work, when he was appointed storehouse keeper and gauger in a government

MOST DEPENDABLE TROUBLE-FREE WATER SYSTEM NEW GOULDS Perma-Flow



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PERK'S

ROWAN HEATING & PLUMBING

Flemingsburg Road
Morehead, Ky.

approached within a few feet of two moonshiners. When the re-builder of the barrel had completed his job he sat down and surveyed his work and with venom in his every tone, blurted out: "Now, you, Dan Hays, cut this'n up agin."

In 1922 occurred a raid in Menifee County that brought death to two officers and a moonshiner. U. G. McFarland, federal agent attached to the office of Sam Collins, prohibition director for Kentucky, led raids against the moonshiners on East Fork of Slate Creek. Informers said some of the Ballard family, chiefly Charley Ballard, were operating a distillery on a large scale.

It was Dec. 9 when Agents R. E. Duff and D. R. Carter left Mt. Sterling in an automobile with a posse for the first raid on the Ballards. Agent Stewart was not along on the first raid. Duff carried a search warrant for the premises of Jeff Ballard.

At the Jeff Ballard home the warrant was read to him by Duff, but the old moonshiner averred fervently there were no stills on his place. Duff placed Jeff and Albert Ballard in the custody of two other officers and began a systematic search of the premises. Agents Duff, D. M. Carter and W. P. Treadway, Jr., found a path in the rear of the Ballard home that led across a creek bottom. Following it, they came to the foot of the mountains and saw what at first appearance was a huge brush pile, but upon close observation they discerned an aperture through the brush to a door.

An adequate description of what the officers found is given in the report to Sam Collins, prohibition director, by U. G. McFarland: "They found a moonshine distillery in a house dug out of the mountain side with double log walls in front with a space of about two feet between the log walls, which was filled with dirt and rock dug from the mountain side in making the excavation for the still house. Small logs or poles were laid from this double log wall across the

top towards where we thought the shots came from that were fired at the agents in the valley below, another shot from a rifle fired apparently close to us. We could not tell whether it was in front or on either side of us. We instantly dropped down flat on the ground in order to shield ourselves until we could determine where it came from.

"After lying there a minute or two and hearing no other sound indicating that ambushers were near, we continued to walk cautiously on the narrow ridge-like top of the mountain and when about 40 or 50 yards from where we were when we heard the last shot, we found the body of Dave Treadway, one of our possemen who had gone directly up the mountain to the top from where the shots were fired instead of following us at an angle of about 45 degrees."

Treadway's incaution had cost him his life. He had emerged from the cover of the protecting timber to the top of the ridge and a moonshiner had fired a rifle ball into him at close range. He was shot squarely through the head.

It was getting late in the afternoon and as there was no prospect of taking the murderers this day, the body of Treadway was carried off the mountainside and Stewart and his fellow possemen returned to Lexington. That night a conference was held. The agents were in an angry mood and the cooler heads advised a wait of a few days before they went back to Menifee County.

On Dec. 15, at 2 o'clock in the morning, the officers again left Lexington for Slate Creek. Twenty men were in the posse including Lee Stewart, J. M. Billiter and Mat Sanders, of Pike County, were along. This time they were determined to arrest the murderers and bring them out. They traveled by car to near the post office of Means. There they sent the cars back to Lexington and started to walk. The early morning hours were cold, a slow drizzle fell and the agents slogged through the

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After a trial at teaching in his native Knott and the saving of every salary dollar but eight, he went to the University of Kentucky. His teaching career lengthened a few years after that, but in 1896 he was elected enrolling clerk of the State Legislature. In 1899 he was graduated from a law school in Danville, Ind. He really began to enter his life's work, when he was appointed storehouse keeper and gauger in a government

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On Thursday, thinking the 'shiners might have started operation anew, the two went back to Quicksand. Nearing the location, they heard the banging of hammers as the amateur coopers put the barrels back together. Crawling under the brush, the two officers approached within a few feet of two moonshiners. When the re-builder of the barrel had completed his job he sat down and surveyed his work and with venom in his every tone, blurted out: "Now, you, Dan Hays, cut this'n up agin."

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up near the top of ure mountain, hidden in the brush and leaves. Meanwhile, with Stewart searching the mountainside for the still, two other agents were combing the area across the field for a pistol lost by one of the previous day's posse. Suddenly a shot came from near the top of the mountain and B. F. Unthank and J. W. Phillips, the two possemen, took cover.

McFarland continues his report: "I then proceeded to the top of the mountain in company with eight or ten federal agents and possemen, intending to go around and if possible get in behind the parties who fired the shot from top of the mountain at agents in the valley a few minutes before. When we reached the crest of the mountain and were walking slowly and cautiously on the mountain top towards where we thought the shots came from that were fired at the agents in the valley below, another shot from a rifle fired apparently close to us. We could not tell whether it was in front or on either side of us. We instantly dropped down flat on the ground in order to shield ourselves until we could determine where it came from.

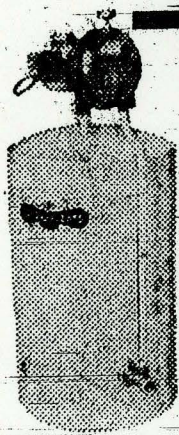
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Treadway's incaution had cost him his life. He had emerged from the cover of the protecting timber to the top of the ridge and a moonshiner had fired a rifle ball into him at close range. He was shot squarely through the head.

It was getting late in the afternoon and as there was no prospect of taking the murderers this day, the body of Treadway was carried off the mountainside and Stewart and his fellow possemen returned to Lexington. That night a conference was held. The agents were in an angry mood and the cooler heads advised a wait of a few days before they went back to Menifee County.

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DEK'S

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It was getting late in the afternoon and as there was no prospect of taking the murderers this day, the body of Treadway was carried off the mountainside and Stewart and his fellow possemen returned to Lexington. That night a conference was held. The agents were in an angry mood and the cooler heads advised a wait of a few days before they went back to Menifee County.

On Dec. 15, at 2 o'clock in the morning, the officers again left Lexington for Slate Creek. Twenty men were in the posse including Lee Stewart. J. M. Biliter and Mat Sanders, of Pike County, were along. This time they were determined to arrest the murderers and bring them out. They traveled by car to near the post office of Means. There they sent the cars back to Lexington and started to walk. The early morning hours were cold, a slow drizzle fell and the agents slogged through the

of Bob Ballard was taken to Mt. Sterling.

The remaining agents now took up Charley Ballard's trail, following it to the home of Henry Reffett, where they found the fleeing man had had his wounds dressed and ridden a horse towards Mill Creek in Bath County. Inmates of the Reffett house said Charley Ballard was wounded in the right foot and in the side. The agents continued the pursuit but darkness came on and they returned to the scene of the battle. There they met agent Ray W. Easley who had found and arrested Jeff Ballard. All walked back to Cedar Grove, met the cars that had returned from Lexington and started back.

The next day the posse again left Lexington for the East Fork of Slate Creek. Arriving at Cedar Grove they met Ben Wells, sheriff of Menifee County. Wells had a message and a proposition from Charley Ballard. He was wounded and would submit to arrest by Wells. The officers agreed if Ballard would be delivered to the jailer of Fayette County. Wells went to Mill Creek, brought the wounded Ballard to jail.

Two days later, Lee Stewart wrote U. G. McFarland, his superior, reciting a list of the illicit moonshining equipment seized and destroyed on the Ballard farm. He concluded his letter: "I am going on a raid with John Collins in conjunction with the Virginia authorities in the vicinity of Jenkins today. After the holidays, if you need me, make the request and I'll certainly be glad to go at anytime, anywhere." He had taken the Ballard trouble in stride, was eager to take the trail again.

Charley Ballard was tried for murder at Frenchburg but was acquitted. He fared much worse, though, in U.S. district court in Lexington, where he received six years in prison.

Lee Stewart received only one serious injury in all of his raiding days and that wasn't from a moonshiner's gun. It was from an automobile. He was in Elliott County waiting for a bus one snowy day, but the inaction palled and he began to walk down the highway. A moonshiner driving along the road saw him and drove his car at him. His right arm was broken.

In later years of Lee's life, when he became less active as a revenue agent, his interest switched to politics. He was the Republican nominee for Clerk of the Kentucky Court of Appeals in 1936

Circuit

And Seek You

After four years service
I returned to Mt. Ster

Soon thereafter, in Oc
Judge to fill the vacan

At three successive el
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office.

Proper and fair admini
being and self-respect
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On this basis, I respect
my record and qualific
as to how you should vo

Your vote and support

BE SURE TO VOTE

THE SCORE IS EVEN

I long to go back to my childhood days
And the hills that were loved by me
Before Uncle Sam dammed up the river
And the streams ran crooked and free.
To ride once more on an old jolt wagon,
Astraddle the long coupling pole;
Riding along with bare feet draggin'
In the dust, to the old swimmin' hole.

To follow the path to the old log house
And visit with Oscar and Tee,
And listen to those old timers once more
Debate their philosophy.
They gurgled their brew from a gallon jug,
From a fruit jar nipped the shine,
And Uncle Os spake of the good old days
Drinking elderberry wine.

In fancy I hear the old story,
About a revenuer named Bill;
How he sneaked in while they worked in the corn
And slashed up their good copper still.
As the days passed by men plotted and planned.
This deed they could not ignore;
For good whiskey sold for four bucks a jug
And the judge and lawyers paid more.

Down where Ramey's Creek flooded the road,
In the brush lay a huge sycamore;
Where ten men could hide and never be seen
Just the place to even the score.
It was on a warm Sunday afternoon
With the sun sinking low in the west;
Men lay in wait and Billy rode by
And they sprinkled old Billy's ... yes!

The sheriff came with his long eared hounds
And turned them loose at the site;
They trailed and howled till the moon was high
And on through the starry night.
And all the people on Warix Run
Heard the bloodhounds scratch at their door;
The little ones cried and the men - all lied!
And the score was even once more.

Phil Hardin