THE TOLLIVER-MARTIN-LOGAN VENDETTA.

(Rowan County)

The royal murder at Seravejo was the spark that set the world on fire. It would be silly, however, to place the blame of the world war upon it. To find the real causes of the appalling tragedy one must go further back.

So it is with the great Rowan County war. There were many agencies at work that contributed, little by little, but none the less surely, to that state of anarchy which disgraced Rowan County and Kentucky during the eighties. The evil influences which initiated it were: Politics and Whiskey. A weak-kneed, yea, corrupt administration of justice permitted its continuation. The reign of terror which continued so long unhindered could have been crushed in its infancy with any sort of an honest, determined effort at law enforcement.

A verse or two of Mulligan's "In Kentucky" finds excellent application here:

III
The bluegrass waves the bluest
In Kentucky;
Yet, bluebloods are the fewest (?)
In Kentucky;
Moonshine is the clearest,
By no means the dearest,
And yet, it acts the queerest
In Kentucky.

The dove-notes are the saddest,
In Kentucky:
The streams dance on the gladdest
In Kentucky:
Hip pockets are the thickest,
Pistol hands the slickest,
The cylinder turns quickest
In Kentucky.

The song birds are the sweetest
In Kentucky:
The thoroughbreds are fleetest
In Kentucky:
Mountains tower proudest,
Thunder peals the loudest,
The landscape is the grandest,
AND POLITICS—the damndest
In Kentucky.”

In the long continued struggle which brought Rowan County into disrepute, many families of high reputation, men of wealth and influence, as well as men of reckless, undaunted, desperate
character, were pitted against each other. Officers of the law, lawyers, judges and politicians of more than ordinary ability and reputation, quarreled, disputed and excited such unreasoning passion as to result in bloodshed. After that the dogged, stubborn determination of the different factions admitted of no other settlement of the controversy save by the arbitrament of arms, a war to the death.

Patrick Henry cried out before the Virginia Convention: “Gentlemen may cry peace, peace, but there is no peace.” In Rowan County, too, men cried continually for peace, yet there was to be no peace until anarchy had almost depopulated the county and its name had become synonymous with outlawry. The only alternative left was to leave the country or fight. Some did leave, most of them remained and fought, fought with a courage worthy of a better cause.

The courts appeared powerless. The officers were themselves bitter partisans. The government of the State, when applied to for troops to assist in restoring order, sometimes refused aid, owing to a technicality in the law, and thus was precipitated the famous bloody battle at Morehead, in which many men were killed and wounded.

It may be well to add that Rowan County was
not a remote, inaccessible region where civilization had made but little progress, as was the case along the border of West Virginia and Kentucky, the scene of the Hatfield-McCoy war. Good roads and railroad communication had introduced to Rowan County even then a civilization which should have made the bloody conflict impossible; it certainly made it inexcusable.

It is difficult to produce a fair picture of the political upheavals and complications which eventually led to and resulted in so much bloodshed without going behind the actual outbreak of the feud. While this necessitates the narration of incidents of purely local interest, and may, therefore, not grip the interest of outsiders, a patient reading of it will develop the fact that it is indispensable to a true understanding of the history of this war, and also that it teaches a moral.

As early as 1874 political quarrels arose, engendering bitter hatred, between prominent, wealthy and influential men of Rowan and surrounding counties. At that time it was hoped and generally believed that the difficulties would be forgotten as soon as the heat of the political contests had abated. But as the years passed factional division grew more and more pronounced. Citizens who had theretofore held aloof from the disputes, were gradually and surely drawn into the
vortex of strife. As is usual and unavoidable under such circumstances, many desperate, degraded characters attached themselves to the various factions. These would commit deeds for pay, from the commission of which the more circumspect employers of them shrank in fear. In such wars the hired assassin always finds lucrative employment. He becomes the blind tool of the coward with the money, and the greater the compensation the more horrible his crimes.

The innocent but direct cause of the political struggle to which we must refer, was the Honorable Thomas F. Hargis, who, in after years, rose to the highest judicial position in the State. His father, before him, served in the constitutional convention of the State in 1849 and was a very distinguished Kentuckian.

When the great rebellion broke out, Kentucky soon began to suffer the distress and horrors of civil war. It at first declared its intention to remain neutral. Governor McGoffin refused to furnish troops to the Union army and attempted to enforce neutrality by maintaining a "Home Guard." This brought on many conflicts with the State Guards. It became at once apparent that the two bodies of troops were nothing more than partisans. The Home Guards often employed their military power and authority in ha-
rassing and mistreating actual or suspected symp­athizers with the cause of the South. The State Guards, on the other hand, used their influence and made every exertion toward turning the tide of public sentiment in favor of the Confederacy.

The sudden invasion of Kentucky by the fede­ral troops was greeted with joy by the Home Guards, who made no attempt to repel it or to preserve the State’s neutrality for which purpose they had been organized. The larger portion of the Home Guards, in fact, at once joined the Union army. The State Guards disbanded and a majority of them joined the Confederates. The division of Kentucky was now complete.

In the general rush to opposing armies we find Thomas Hargis donning the grey and fighting for the “Lost Cause” as captain until the close of the war.

Returning home, he studied law and was ad­mitted to the bar. The date of this admission, an unimportant point it may seem, was nevertheless responsible for the internecine strife of after years.

In the year 1874, Captain Hargis, who had already won prominence as a lawyer of ability and sagacity, was nominated by the democratic party as its candidate for judge of the circuit court. Opposed to Hargis in this race was Geo.
M. Thomas, afterwards United States District Attorney for the District of Kentucky. He was the nominee of the Republican party. The race was exceedingly hot and spirited from the beginning. The contest became bitter. It was charged by the friends of Thomas, among whom were not only the Republicans whose nominee and choice he was, but enemies of Hargis in the ranks of his own party, that he was not eligible to the office because he had not attained the requisite age, and that he was still further disqualified from holding the position of Circuit Judge because he had not been licensed as a lawyer for a sufficient number of years. These reports were industriously circulated against him. Appreciating the danger of such a rumor in a contest like this was, and knowing that only a prompt refutation and repudiation of the charges could prevent his signal and disastrous defeat, he hastened to obtain copies of the records of his age, and of the date of his admission to the bar from the records of the Clerk's office.

At the time of his candidacy Hargis was a resident of Carlisle, Nicholas County, but when admitted to the practice of the law had resided in Rowan County. So the records of his admission to the bar must be obtained there. He, therefore, went at once to Morehead and insti-
tuted an examination of the records, but to his consternation it revealed the astounding fact that the only record and evidence of his admission to the bar had been mutilated and destroyed; the pages containing them had been cut out from the books. Added to this was the unwelcome discovery that the family Bible had also been mutilated in so far as it contained the record of his age. The charges of ineligibility had been widely circulated and published in the newspapers and Hargis' inability to refute them for lack of record evidence now gave them the stamp and color of truth. The Republicans, and the personal enemies of Hargis among the Democrats, were jubilant, while his friends flatly and broadly accused Thomas' friends and supporters of the crime of stealing and destroying public records. This further increased the already bitter feeling. The friends of Thomas now charged that if any such records had ever existed Hargis himself had stolen and destroyed them. The result of it all was that Hargis was defeated by his Republican opponent, and this in a district theretofore always safely Democratic. The close of the contest brought out another truth no longer to be denied or overlooked. Every circumstance and condition existing after the election pointed clearly to the fact that something more than fac-
tional, political animosity, common in all hotly contested races for position, had been awakened and that in the hearts of many, malice had taken deep root. Each succeeding election only augmented the bitter feeling. Desire for revenge, and, what at first seemed but political excitement and zeal for the favored candidate, now caused friends of old to cancel their friendship and the most prominent leaders of the opposing factions regarded each other no longer as merely political, but as personal enemies.

In the year 1876 the Legislature of Kentucky created a Circuit Court for Commonwealth proceedings alone, the new district being composed of the same counties as the old. Hargis again announced himself a candidate for judge of the newly-organized court. This time he was elected with an easy majority. He continued in this office, which he filled with signal ability, until in the spring of 1879, when an event took place which opened to him the road to still higher honors, and also still further fanned the flame of political and personal strife.

The event referred to was the vacancy created on the bench of the Court of Appeals as the result of a tragedy enacted upon the streets of the capital of the State, at Frankfort,—the assassination of Appellate Judge J. M. Elliott, by one
Thomas Bufford. The tragic death of this able jurist horrified all Kentucky.

His slayer pleaded insanity. The trial jury on first ballot stood six for conviction and six for acquittal on the ground of insanity. Finally, the verdict of the whole jury declared him insane. He was transferred to the Asylum at Anchorage where he remained but a short time. He escaped to Indiana where he remained because our requisition laws were then not sufficient to enforce his return to Kentucky.

Immediately after the death of Justice Elliott an election was ordered for his successor and Judge Hargis again became a candidate before the Democratic convention. A number of able and distinguished jurists opposed him before that body, many of these much older and experienced than he. In spite of the powerful opposition brought to bear against him, Judge Hargis again succeeded in obtaining the nomination, another proof of his political influence as well as of his talents and abilities as a lawyer and politician.

This last and most important success of Hargis aroused anew the malign hatred and envy of his numerous enemies in the camps of his own party. The old charges were renewed, remodeled, rehashed, renovated and added to, as the occasion demanded. The story of his wilful, felo-
nious destruction and mutilation of court records was republished and more extensively circulated than ever. Newspapers, circulars, hand-bills and letters telling the story were scattered throughout the district, posted up at all public places, on fences and trees along the highways, thus increasing factional enmity to a dangerous intensity.

Opposed to him in this race was Judge Holt, a Republican politician and lawyer of prominence, and of unassailable purity of character.

The contest between these men was waged with spirit with the result that the mantle of Judge Elliott fell upon Judge Hargis. During the canvass Judge Hargis, through the *Courier Journal* and other newspapers, had denounced the person over whose signatures a number of the scandalous accusations and derogatory charges had been made, as liars, calumniators and villains.

Thomas M. Green, editor of the Maysville *Eagle*, also correspondent of the Cincinnati *Commercial Gazette*, had been most persistent in industriously keeping the disparaging accusations against Hargis in the columns of the Republican press of the country. Editor Green was, in consequence, singled out by Hargis in his card to the *Courier Journal* as the chief offender, assailing him in most bitter terms. Green applied to
the law for redress and instituted suit for libel in the Jefferson Circuit Court at Louisville, asking for a large sum in damages.

Early in the spring of 1880 the case came on for trial. Hargis waived all questions of jurisdiction which it had been expected he would use as a defense. He somewhat staggered his enemies by admitting responsibility for the article upon which the suit was based, and declaring his ability to prove the charges made against Green as true. The trial lasted for many months. It was minutely reported in the press of the country and read everywhere. Even now the angel of good fortune did not desert Judge Hargis. He won the case.

During this period the controversy between Green and Hargis had very sharply aligned the friends and enemies in Rowan County. So complete was the breach that the thoughtful ones looked forward to open, actual hostilities. Hope of compromise disappeared as time passed.

A storm so long brewing is apt to accumulate extraordinary force. A fury long pent up will break loose with greater fierceness. The strife had penetrated every neighborhood, almost every household. Any public occasion, especially the biennial election, was looked forward to with dread. Minor political contests, waged in these
elections, served to open old sores and to inflict new wounds, adding material for the spirit of revenge to feed upon.

At that time the Australian ballot system had not yet been introduced. The *viva voce* system was in vogue, and bribery in elections was, therefore, much more common than it is now. Candidates practically bought their offices. The voter cast his vote publicly; it was recorded publicly, and cried out publicly. In this wise the buyer of the vote controlled the seller, and, very often, vote sellers were driven *en masse* to the polls like so many sheep, a cause of innumerable election fights.

Another successful instigator of trouble on election day was the free and promiscuous use of liquor with which candidates treated and influenced the voters. Election contests frequently excite the most staid and conservative citizens, but when whiskey is added it is certain to arouse passions which might, otherwise, have slumbered on.

Such were conditions in Rowan County on the day of election, August, 1884.

A hot political race was on between one S. B. Goodan, the Democratic nominee for sheriff of the county, and W. C. Humphrey, commonly known as Cook Humphrey, the Republican nomi-
The county being almost equally divided politically, the contest was close. Each of the candidates was wealthy, influential and extensively related. Money was used without stint, barrooms were thrown wide open at Morehead, the county seat, and principal town of the county, as well as at most other precincts in the county.

The town was crowded with excited, angry, drunken men and all through the day there were fist fights and brawls. During one of these, the prelude to the conflict which afterward attracted the attention of the American press, John Martin, son of Ben Martin, a wealthy farmer, was struck down and seriously injured. He immediately sprang to his feet, drew his pistol and a general pistol battle followed. When the smoke had cleared away, Solomon Bradley was found dead, Adam Sizemore severely wounded.

The death of Bradley, a good citizen, who had taken no part in the fighting, and the wounding of Sizemore and Martin proved of fatal consequences. Bradley was one of the most influential Republicans of the county. He and John Martin were members of the best families and extensively related even in adjoining counties. The Martins were known to be ambitious and brave men. It appeared that Martin received his wounds at the hands of Floyd Tolliver, a brother
of Craig Tolliver, who afterwards attained such unenviable notoriety and bore the distinction of being one of the most cruel, bloodthirsty desperadoes Kentucky ever had the misfortune to own as her son, and whose tragic death on the day of the memorable battle at Morehead some years later was heralded throughout the country.

John C. Day, the then acting Sheriff of Rowan County, was charged with the shooting and wounding of Sizemore.

The first blood had now been spilt; more was bound to follow. Even the most hopeful became convinced that a long and bloody conflict could no longer be averted. Those best acquainted with the state of affairs knew, and rightly predicted, that the law would not be invoked to settle the trouble and punish the offenders. "A life for a life" was the motto that henceforth governed the factions, now arrayed against each other in open, desperate warfare.

The wounding of Martin by Floyd Tolliver placed the latter and his friends and relatives in a dangerous position. They knew the Martins would not pass lightly over the matter. Their numbers and influence made them dangerous adversaries. Floyd Tolliver lived at Farmers, a small village on the Licking river, a station of the Chesapeake & Ohio Railway, which traverses
the county and passes through Morehead. The Tollivers also were a large family. Floyd, believing himself in danger, now turned to his relatives and friends for assistance. They responded promptly, armed and organized. The Martins, the Sizemores and the Days did likewise, thus dividing the county into four factions, composed of determined, courageous and desperate men.

During the Circuit Court following the murder of Bradley the grand jury returned indictments against John Martin, Floyd Tolliver and Sheriff John C. Day for malicious shooting and wounding and murder. Bail was granted, bonds were readily executed and the cases continued until the next term of court.

In December following the fight of August, 1884, Floyd Tolliver and John Martin, who had recovered from his wounds, came for the first time face to face outside of the court room and when not in custody of the officers, since their fight. They met in a barroom, a place never suitable for enemies to meet. Had both men been duly sober trouble might have been averted. But, flushed with liquor, the old grudge soon got in its work, a dispute arose, their hands reached for their pistols, the shining weapons flashed for a moment, then belched forth fire and flame,—a
cry, the dull thud of a falling body—Floyd Tolliver lay prostrate upon the floor—dead.

Martin was immediately arrested and conveyed to the county jail. To his friends the killing was a shock. They were fully convinced that Craig Tolliver and the other brothers of Floyd Tolliver would seek summary vengeance. Grave fears were entertained for the safety of John Martin in the old jail. Rumors of the organization of a large Tolliver mob increased anxiety and apprehension with each fleeting hour. But, as much as the Tollivers were feared, and the more they threatened, Martin’s friends bravely prepared to protect him at all hazards. Thus the aggressiveness of the Tollivers was counteracted by the bold defiance of the Martins.

The County Attorney, Mr. Young, was one of the ablest and most fearless Commonwealth lawyers in Kentucky. By his enemies, and they were numerous, he was regarded as wholly unscrupulous. They refused to credit him with even one pure thought, or action, emanating from a noble impulse. But unbiased investigation of the facts of this matter clearly shows that Mr. Young did his duty in this particular. He was perfectly acquainted with the character of the men arrayed against Martin, and was not the man to be deluded by their repeated declarations that the law
would be permitted to take its course. At the risk of antagonizing the Tolliver faction against himself Mr. Young promptly directed the removal of John Martin to the Clark County jail at Winchester for safekeeping. County Judge Stewart saw the wisdom of it and issued the order for the removal, which was accomplished without mishap.

As soon as it became known that their intended victim had escaped them, the Tollivers, furious and raging, gathered in large force, spreading terror wherever they appeared. "We can wait—" they said, "there is another day coming. John Martin must be brought back to Morehead for trial and then—just wait."

December 10th, 1884, was the day set for the examining trial before County Judge Stewart at Morehead. Before that day arrived, the unusual activity of the Tollivers, the ominous collection of all the members and friends of that family, the frequent but secret meetings, had been quietly, but nevertheless keenly observed by Judge Stewart. He was convinced that if Martin were brought back to Rowan County at this time of ferment and excitement he would suffer a violent death at the hands of his enemies, and that any attempt on the part of the officers and friends of
the prisoner would precipitate a conflict the magnitude of which could not be foretold.

In this opinion Judge Stewart was sustained by Attorney Young. After a careful investigation of the state of affairs the court decided on an indefinite postponement of the trial. The order to the jailer of Clark County, directing him to deliver Martin to officers of Rowan County, was suspended on the 9th day of December, but unfortunately (fateful neglect!) the order of suspension was not communicated to the Clark County jailer. The wife of John Martin had been advised of the postponement of the trial. The faithful woman who had already suffered untold anxiety and fear for the safety of her husband, felt relieved and hastened to Winchester to inform him of the action of the Court of Rowan County.

As soon as the Tollivers were informed that the trial would not take place, and that, therefore, Martin would remain at Winchester for an indefinite time, they convened in a council of war to discuss plans of campaign.

A raid upon the Winchester jail was suggested, but the leaders, though desperate and brave enough to have attempted and dared anything, did not believe that such an undertaking would
meet with success. They advised strategy instead of force.

On the 9th of December, on the same day that Judge Stewart canceled the order for delivery of the prisoner by the jailer of Clark County, an order was delivered into the hands of A. M. Bowling, town marshal at Farmers, directing him to demand Martin from the jailer at Winchester and to convey him to the county jail at Morehead. The order also directed the jailer of Clark County to surrender Martin into the custody of Bowling. The plot was shrewdly planned. The order, forged, of course, would open the doors of the Winchester jail without difficulty, and the prisoner must, therefore, become an easy victim on his way to Rowan County.

Bowling, a Tolliver clansman, engaged four other members of it to accompany him to Winchester,—Hall, Eastman, Milt and Ed Evans. Four men to convey a handcuffed prisoner! It was deemed best to send a sufficient number to prevent outsiders from interfering in the final act of the inhuman drama staged by Craig Tolliver and his henchmen.

On arriving at the jail at Winchester, Bowling presented his order, which was signed (?) by two Justices of the Peace of Rowan County and which directed the delivery of Martin to Bowling.
The order was carefully drawn in the usual form, and had every appearance of genuineness. A few minutes after John Martin's wife had bidden her husband good-bye at the Winchester jail, Bowling presented his order for the delivery of Martin.

While the wife was at the station awaiting the arrival of the train which was to carry her homeward, little dreaming that she had clasped the hand of her husband warm with life for the last time, the prisoner was aroused by his keeper and told to prepare for his removal to Morehead. Martin at once became suspicious. He remonstrated against the transfer, but the jailer produced the order. The prisoner pleaded long and earnestly. He explained to the official that he had received definite information through his wife that on account of the danger that awaited him at Morehead the county authorities of Rowan County had indefinitely postponed his removal. He insisted that Bowling and his companions were his deadly enemies; that every surrounding circumstance pointed to treachery, and that his delivery into the hands of Bowling meant nothing more nor less than assassination.

The jailer turned a deaf ear to his entreaties. He argued that a refusal to comply with the imper-ative order of the Rowan County Judge would involve him in trouble. He had no right to be-
lieve the order forged. It bore the stamp of genuineness. It seems to us, however, that a more circumspect officer, informed of the conditions and circumstances surrounding the prisoner, acquainted with the dangerous state of affairs in Rowan County as the result of which Martin had been removed to Winchester, would have held the prisoner until he could have communicated with the authorities at Morehead. Disobedience to the court’s orders, intended for the protection of a helpless prisoner, could not have been subject to censure, especially when the forgery of the order was later on established. He might easily have verified the genuineness of the paper by telegraph. Blind obedience often works injury. Threatening disasters through blunders of commanding officers have often been averted by the disobedience of inferior officers, who preferred facing court martial rather than become a party to useless slaughter and defeat.

John Martin was delivered to Bowling and his companions. Securely shackled, he was marched to the train. Doubtless he suffered the same mental agony as does the man on the way to the scaffold. It was pathetic chance that Mrs. Martin boarded the same train. She entered another coach, entirely ignorant of her husband’s presence in the next one.
While this occurred at Winchester, Craig Tolliver and his band had already assembled at Farmers, ready to play their part in the cowardly deed. Armed to the teeth, they were posted at and near the railway station, impatiently awaiting the arrival of the train. The night was dark and disagreeable, perfectly suited for a hold-up.

Presently the flash of light pierces the gloom, the shriek of the engine whistle echoes mournfully through the night. The train bearing John Martin thunders toward the station. The air-brakes wheeze, the train slows up; the conductor cries “All out for Farm—” He does not finish the call of the station. A pistol is thrust into his face. Armed men board the engine and cover the engineer and fireman. Others enter the coach in which Martin is sitting, handcuffed, utterly helpless, surrounded by Bowling and his confederates.

Martin sees the men enter and instinctively realizes that his end has come. He attempts to rise to his feet. Instantly shots are fired. Martin sinks back upon his seat, lifeless, his “protectors” calmly witnessing the murder.

Martin’s wife, in another coach, had up to this time believed her husband secure in his cell at Winchester. But the moment she heard the shots, unaccountable, undefinable dread seized
Instinctively she rushed to the scene of the tragedy and found her suspicions realized. There lay the blood-covered body of her husband, literally torn to pieces and perforated with leaden messengers of death. All that the faithful, grief-stricken wife could do was to order the remains taken on to Morehead. Martin was buried amid a large concourse of sorrowing friends and relatives. The solemnity of the occasion accorded ill with the many suppressed, yet none the less ominous threats of terrible and swift punishment of the murderers.

The news of the cowardly assassination spread like wildfire over the county. The war had begun in earnest. From the day John Martin's body was consigned to the grave, the angel of peace departed from Rowan County. For more than three years a reign of terror was to sweep over it with all its attendant horrors, cutting a wide path of desolation and misery. Deeds of violence now occurred at frequent intervals. All manner of crime went unpunished by the law. The whole machinery of the law was rotten, the officers of the courts being themselves partisans, in some instances very active as such.

Mr. Young, the county attorney, was the first to feel the wrath of the Martin faction. While riding along the road on Christi Creek he was
shot from ambush and painfully, but not fatally, wounded. The perpetrators of this deed were not definitely known, but Young's friends claimed to have certain information that the men who attempted his assassination had acted under instructions from the Martin faction, which had openly accused Young of playing into the hands of the Tollivers, and had even gone so far as to allege that he had with them connived in the murder of John Martin.

Whether he was or was not a Tolliver sympathetic, another murder committed soon afterwards was laid at the door of the Tollivers, to avenge, it was charged, the wounding of Mr. Young. Under the circumstances this gentleman determined to and did remove from the county where his life was evidently no longer safe. He located in an adjoining county. At the succeeding election his son was elected to the office his father had vacated.

The murder above referred to was that of Stewart Baumgartner. Cook Humphrey, the Republican Sheriff, had appointed him a deputy. On the 17th day of March, 1885, Baumgartner rode along Christi Creek, when, almost at the identical spot where Mr. Young had been fired upon, he was shot and instantly killed—from ambush. No one was ever indicted for that kill-
ing, but it was generally believed, charged and never denied that Craig Tolliver's subordinates were the murderers.

Shortly after the death of Baumgartner, and during the month of April, 1885, Cook Humphrey and a stranger, afterwards ascertained to have been Ed. Pierce of Greenup County, Ky., appeared on the streets of Morehead, heavily armed and followed by a number of Martin sympathizers. This act of defiance called forth bitter denunciation from the Tollivers and their friends, among whom was ex-Sheriff Day and Jeff Bowling, men of reckless courage. The leaders of the opposing factions assembled every available man, and provided them with arms. The most determined preparations were made to fight out their differences on the streets of Morehead. Humphrey's headquarters were at the Carey House, a hotel owned and operated by James Carey, an ex-captain of the Union army and a very influential citizen. The Tollivers occupied the Cottage Hotel near the Chesapeake & Ohio Railway depot, then owned by Dr. R. L. Rains. As quickly as possible a message was forwarded to Craig Tolliver, absent from Morehead at the time. He came, accompanied by a number of Tollivers from Elliott County. The battle opened fast and furious. A continuous fire from many
guns kept the citizens of the town in terror for many hours. The balls whizzed through every portion of the ill-fated village. Storehouses and dwellings were riddled. None dared to enter the streets, or expose his body for an instant.

The Carey House apparently bore the brunt of the firing. Hundreds of balls struck and shattered the slight frame structure. The Tollivers, beside superior numbers, had the advantage of position. Their marksmanship was better, too. Humphrey and his clan soon realized that a charge upon their position would mean their annihilation. So at an opportune moment the Carey House was abandoned and the Tollivers remained in undisputed control.

In spite of the long-continued, heavy firing, an unremitting fusilade of many hours' duration, there were no casualties. The battle, however, exercised such a terrifying influence over the peaceable citizens of the town that all that could left.

Morehead, in fact the county, was now in a state of anarchy. The matter was reported to the Governor, who immediately ordered General John B. Castleman, then Adjutant General of Kentucky, to Morehead to investigate conditions there and to discover the causes of this shameful lawlessness. General Castleman, in company
with others, went to Morehead and interviewed the adherents of the different factions and leading citizens of the county. This commission, on completing its mission, reported its findings to the Governor. The result was that the leading spirits in the feud were summoned to Louisville, Ky., where a *compromise* was patched up between the belligerents. Both sides pledged themselves to return home, to lay down their arms and to cease to molest each other. This proceeding brought into prominence H. M. Logan, Judge James Carey and Cook Humphrey as adherents of the Martin faction and Craig Tolliver, Dr. Jerry Wilson and others as the Tolliver faction leaders.

The agreement entered into at Louisville, intended to restore peace, effected the opposite result. It prevented prosecution of either side for the Morehead riot. The leniency extended by the authorities merely emboldened and encouraged the warring parties—the truce was violated by both sides within a short time after it had been agreed to.

The factions charged each other with insincerity, of secretly maintaining armed bands and preparing for renewed hostilities. Within a few weeks after the compromise at Louisville, conditions in Rowan were as bad as ever, nay—worse.
As we have stated, the shooting of Young, the County Attorney, had been charged to the Martin faction. In retaliation for this crime the Tollivers had murdered Sheriff Humphrey's deputy, Baumgartner. Subsequent developments then seemed to directly implicate Cook Humphrey in the shooting of Young, and this led to a renewal of active hostilities. It appears that immediately after the treaty at Louisville, Ed. Pierce, the man who had so mysteriously appeared on the streets of Morehead in company with Cook Humphrey on the day of the riot, was arrested in Greenup County and taken to Bath County for trial on a charge of robbery. A jury found him guilty. He was sentenced to the penitentiary for a long term. While confined in jail previous to his trial, he admitted his participation in the shooting of Mr. Young, implicating also Ben Rayborn of Carter County, a man but little known in Rowan County. In his confession Pierce claimed to have been employed to kill Mr. Young by the sisters and family of John Martin, and that Sheriff Humphrey and Baumgartner, his deputy, had aided and assisted in arranging the details of the plot.

Humphrey and the Martins indignantly denied every word of Pierce's confession, and asserted that he had been bribed by Mr. Young to make
it for the purpose of destroying the prestige of
the Martin family in the county, and to furnish
the excuse for further outrages.

Humphrey and the Martin family were now
put under constant surveillance by the Tollivers.
The Martin homestead, situated about one mile
from Morehead, became an object of special vigi­
lance. Finally, on the evening of the 27th day of
July, 1885, the Tolliver spies reported to their
leader at Morehead that two men had been seen
around the Martin home. Instantly everything
was in commotion at the Tolliver headquarters.
Craig Tolliver, Jeff Bowling, T. A. Day and
others, all sworn enemies of the Martins, sur­
rounded the homestead in the dark of night and
remained on watch until morning.

Shortly after daylight a stranger, afterwards
recognized as Ben Rayborn, in company of Sue
Martin, a young woman of much native sense and
energy, emerged from the house and "robbed" a
beehive in the yard without having discovered
the enemy. Rayborn was heavily armed. His
presence convinced the Tollivers that Cook
Humphrey was in the house; they now deter­
mined upon open attack. But to avoid possible
failure of the plot it was deemed necessary to in­
crease the force. A messenger was hurriedly dis­
patched to Morehead.
A short time afterwards the Tollivers had assembled a force of twenty-five or thirty men, among whom were many of the most violent men of Rowan County.

At nine o'clock Craig Tolliver had stationed this force at every point of vantage. Then he and Bowling appeared at the front door with Winchester rifles gleaming in the sunlight. For the first time the inmates of the house seemed aware of the presence of the enemy. There was apparently no chance of escape. Every door was securely guarded. Tolliver was met at the door by the brave Martin girls who demanded an explanation for the intrusion. Tolliver demanded the surrender of Cook Humphrey and any other man or men that might be with him. The girls stoutly denied the presence of any one save the members of the family. Tolliver knew this to be false. With his own eyes he had seen Rayborn that morning. He charged the girls with duplicity and forced his way into the house. No one was found on the first floor. Then they attempted search of the upper story. At the stairway a shotgun suddenly belched forth fire and flame into the faces of the Tollivers. Craig's face and part of his body was filled with shot, the gun stock shivered to pieces in his hand. He sank upon the steps and rolled helplessly at the
feet of his companions. Bowling miraculously escaped unhurt.

Craig Tolliver was immediately placed upon a horse and sent to Morehead for repairs. The others, not daring to force the stairway, went outside and contented themselves with firing through the doors and windows. The fusilade continued incessantly for a long time. Black smoke hung like a cloud over the premises. If the Tollivers hoped to force the surrender of Humphrey and his companion by mere intimidation, they soon saw their mistake. These two men were brave to the core. Besides, they preferred to die fighting rather than being mercilessly butchered as helpless prisoners. They remembered the fate of John Martin.

Finally Humphrey managed to make himself heard through the din and crash of battle. He informed his assailants that he was there in the house and that by virtue of his office as sheriff of the county none but the coroner had the legal right to arrest him. The Tollivers sneered at this speech. They had not come to uphold the law; they had succeeded in trapping the enemy, and meant to use the advantage they had gained. Hours thus passed. All day the guns roared into and from the house. The sun was sinking rapidly toward the western horizon; the shades of
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evening grew longer. As long as daylight lasted the assailants had kept covered and protected, held at bay by the brave defenders. But in the dark of night, the end must come. They could not prevent a simultaneous attack from the entire force of the assailants. Surrounded on every side, escape seemed well-nigh impossible. Yet Humphrey essayed to make a sortie with his companion, hoping thereby to draw the fire of the enemy upon themselves and to thus at least relieve the women in the house of further danger of death which had threatened them every moment throughout that long day. It was a desperate undertaking, with ninety-nine chances in a hundred against its success. But Humphrey was brave, and so was Rayborn. As expected, the instant they emerged from the house a shower of balls greeted them. They ran for their lives. Rayborn sank, rose and fell again, to rise no more. His body was riddled. Humphrey, however, seemed possessed of a charmed life. Though his clothing was torn to shreds, his body received not a scratch.

Satisfied now that there were no more men in the house, the Tolliver clan crowned their infamous day’s work by setting fire to it. The inmates escaped without even necessary clothing. The body of Rayborn was left lying where it
had fallen until the next day, protected from mutilation by dogs and hogs by a rail pen which had been built around it by the heroic Martin girls.

The excitement that prevailed in the county when the news of the cowardly attack upon the Martin home became known, can better be imagined than described. The lover of law and order was terror-stricken. The question was asked in whispers—"Where will it all end?" The County Judge was a well-meaning man, but utterly incompetent as an officer, possessing none of the qualifications for such an office in a county like Rowan at such a time of lawlessness and anarchy. He was weak and timid. Always in fear for his life, he completely lost his head.

Warrants were at last issued upon the affidavits of the Martin girls against Craig Tolliver, Jeff Bowling and a number of others, charging them with murder and arson. An examining trial followed. At that time such trials were held before two justices of the peace. One was said to be a Martin sympathizer; the other stood accused of being under the thumb of the Tollivers.

The court's decision gave color to these suspicions. One of the magistrates decided for commitment of the prisoners to jail without bail; the other declared that no offense had been proven.
Under the law then existing this disagreement of the court permitted the murderers to go free.

The trial was a pronounced farce. Afterwards some of the parties were indicted by the grand jury for arson, but none was convicted and the murder charges against them all fell.

Jeff Bowling, one of the most desperate of the Tolliver faction, removed from the county of Rowan a short time afterward, and settled in Ohio, where he continued his career of crime, evidently believing that there, as well as in Kentucky, none dared molest him. He saw his mistake too late.

It appears that his mother-in-law had married a wealthy farmer named Douglas, of Licking County, Ohio. It had been due to the persuasion of Douglas that Bowling left Kentucky and settled in or near his Ohio kinsman. Bowling had resided there but a short time when Douglas was found one morning in his barn—murdered. The finger of suspicion pointed to Bowling as the only one who had a tangible motive for the commission of the crime. He was promptly indicted, tried and sentenced to death, but the sentence was finally commuted to life imprisonment. He served seven years of his time and moved to Texas.

Humphrey, after his miraculous escape from
the Martin house, had become thoroughly convinced that it was impossible for him to longer continue in the office of sheriff and resigned, William Ramey being appointed and qualified in his stead.

Craig Tolliver for a time absented himself from Rowan County. He turned up in jail at Cincinnati, imprisoned on the charge of robbery. He was tried, acquitted and returned to Rowan County, when trouble started anew.

Several killings occurred in the county during the year, some of which had, however, only remote connection with the feud. John G. Hughes was killed by a mob styling themselves "regulators." Wiley Tolliver, son of L. H. B. Tolliver, was killed about Christmas, 1885, by one Mack Bentley, during a drunken row.

Early in 1886, the murder of Whit Pelfrey, at Elliottsville, Rowan County, came near precipitating another outbreak. He was stabbed and killed by Tom Goodan, brother of S. B. Goodan, a prominent Tolliver man and brother-in-law of Jay, Bud and Wiley Tolliver. Pelfrey, known as a strong Martin sympathizer, was an influential citizen and wealthy. Goodan was tried for this murder, but acquitted.

The year 1886 brought with it an annual election at which all county officers were to be chosen.
Each faction had its candidates in the field. It may, therefore, be easily imagined that neutral citizens remained in a state of constant anxiety and apprehension.

Cook Humphrey and Craig Tolliver roamed through the county at the head of large forces, frequently entering the town of Morehead and parading the streets in defiance of each other.

On July 2nd, 1886, it being County Court day, a warrant of arrest was placed in the hands of Sheriff Ramey for the arrest of Humphrey, who was in town that day. The officer went in search of and found him near the store of H. M. Logan. An altercation ensued between the men, both drew their pistols and began firing. Friends of both parties became involved and the shooting became general. When the fight was over it was found that the sheriff and his son and deputy, were both dangerously wounded, while W. O. Logan, H. M. Logan’s son, a youth hardly twenty years of age, was killed.

Immediately after the fight the factions retired to their headquarters and prepared for another conflict. The County Judge was prevailed upon to demand troops. His request was readily granted and a detachment of State Guards, commanded by Major K. W. McKee of Lawrenceburg, hastened to the scene of the trouble.
When July 3rd came, the citizens, women and children, trembled with fear of a bloody conflict. At the quarters of the factions guns and pistols were cleaned, oiled and loaded, cartridge belts filled—every preparation made for battle.

Then the long-drawn notes of a bugle floated in the morning air—the astonished people peered through the windows and beheld in the court house yard a long line of soldiers, their guns and bayonets glistening in the morning sun. There was a sigh of relief—danger had passed for the moment.

The troops remained at Morehead until some time in August. It was due to their presence that the election passed off without violence and bloodshed. When Circuit Court convened, the Commonwealth was represented by the Honorable Asher C. Caruth, Commonwealth Attorney of the Jefferson Circuit Court, and afterwards member of Congress from the Louisville District.

As at this time practically every citizen in the county was aligned on one side or the other, it seemed impossible to secure juries that would try cases impartially and without prejudice. This state of affairs did not escape the attention of Mr. Caruth. The result of his investigations of affairs in Rowan County resulted in a *nolle prosequis*, qualified by certain conditions, of the
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charges against the Tollivers and Humphrey. His proceeding in this respect is contained in the following report to Judge Cole, presiding judge of the Circuit Court:

Hon. A. E. Cole,
Judge of the Rowan Circuit Court.

Under your appointment I have acted as Commonwealth Attorney pro tempore at the special July and present August term of the Rowan Circuit Court. I have given the felony docket, over which alone, under the present law, I have jurisdiction, careful study and attention. I have also investigated as thoroughly as a stranger to the people of Rowan County could do in the limited time of my service, the causes which led to the present unhappy condition of affairs, and have sought to find a remedy for the evils afflicting this people.

I find it to be the opinion of the law-abiding citizens of all parties that the public peace could be best secured by the continued absence from the county of Rowan of the acknowledged and recognized leaders of the two rival factions—Craig Tolliver and Cook Humphrey. Against the former there is now pending one felony charge, that of false arrest and imprisonment. Against Humphrey there are three indictments for felony on the docket, each for conspiring, etc., to commit personal violence. I have the written request of each of these persons accused to suspend further proceedings in their cases,
coupled with a promise on the part of each to leave the county of Rowan never to return unless, temporarily, to attend the funeral of some immediate relative. * * * The persons charged to have been injured by their acts also request this disposition of the pending cases. It is the opinion of the members of the grand jury now in session, and of the vast majority of the citizens of the county, that this disposition of the cases will do much to restore peace and confidence to the community. After full consultation with the members of the bar residing here or practising here, with the commander of the forces now stationed at the county seat, and with citizens of high position and authority in the Commonwealth, and considering the uncertainty of the criminal trials, I am convinced that this is the best available method to secure the end in view. No harm can, by this means, be done the State, because, should the agreement be violated, the cases can at once be set for trial and prosecutions made.

The following written agreements were then signed and attested:

Asher G. Caruth,
Commonwealth’s Attorney pro tempore,
14th Judicial District:—
I request you to suspend any further proceedings in the cases now pending in the Rowan Circuit Court against me, and promise that I will remain away from the county of Rowan perma-
nently. Should I ever return to said county I am willing that the cases shall be redocketed and the trials proceed. I will leave said county on or before the 8th day of August, A. D. 1886. In this agreement I reserve the right, in the event of the death of any of my immediate relatives, to return to attend their burial, but I must immediately thereafter leave the county to permanently remain away.

(Signed) CRAIG TOLLIVER.
Attest: D. B. Logan.

A similar agreement was prepared and signed by W. C. Humphrey, attested by G. A. Cassidy.

We do not wish to criticise Mr. Caruth's course in this matter, but it occurs to us, and must occur to the reader, that the practice of compromising with outlaws proves a weak-kneed administration of the law. It seems that a man or set of men may terrorize a community as pleases them, then demand of the authorities immunity for crimes, on certain conditions prescribed by the criminals. Mr. Caruth acted for the best interests of the community, as he believed. Aware that juries were partial or prejudiced, he realized that trials in Rowan County of either of the factions would result in injustice one way or another. The Grand Juries were corrupt and accustomed to wreak vengeance on some and whitewashing others. The selection of trial juries was so pal-
pably unfair that visiting lawyers commented upon it and afterward testified before the legislative committee to that fact. Several court officers were undisguised partisans. It seems to us, however, that these cases might have been removed from the county and tried elsewhere upon a change of venue. At any rate, the compromise effected by Mr. Caruth proved not only unsatisfactory, but ill-advised. The success of his scheme was founded upon the belief that the parties to the agreement would adhere to the pledge to leave the county. He did not understand the character of Craig Tolliver. To secure his signature to an agreement that would put an enemy out of his way was one thing, to make him keep it, another. Tolliver remained absent from Morehead long enough to assure himself that the indictments against him were dismissed, when he promptly returned. Although the compromise was based upon the understanding that if either returned except under the conditions recited in the agreement that the indictments against the party so returning should be redocketed and revived, this was never done. Tolliver was free to continue his career of crime. Humphrey kept his word, and never violated his pledge. He sold out his earthly possessions in Rowan County and bade farewell to his native State.
Previous to his election as sheriff Humphrey had been a highly esteemed citizen, a man of exemplary character, of amiable disposition. His fatal connection with the feud was mainly due to his unfortunate selection of Stewart Baumgartner as his deputy. The latter was a citizen of Elliott County, where he had a reputation for violence and desperation. Pursuing the same course in Rowan, Humphrey's association with him made him many enemies. Baumgartner's connection with the Martin faction compromised Humphrey; thus step by step he was thrown into the whirlpool of trouble. The formerly quiet, inoffensive citizen grew dangerous and violent; the dormant, unholy passion of revenge was aroused. Humphrey became for the time being a character dreaded by those that opposed him. At the time of his participation in the feud he was yet in his twenties and unmarried. After leaving Kentucky he went West, never to return to his native heath until after the death of Craig Tolliver and his followers, and then only on special business.

With Humphrey gone, the Martin faction practically disbanded. Had Tolliver observed the treaty stipulations as faithfully and honestly as did Humphrey, this chapter might end here. The writer would be spared the unpleasant task of
continuing the record of violence, murder and anarchy. It is evident that Tolliver had entered into this agreement with the avowed purpose of violating it. He had every reason to believe that Humphrey would observe it. He out of the way, there stood no one to dispute Tolliver's undisputed sway in the county, especially at Morehead. His adherents remained faithful and joined him. They did as they pleased, in fact had things their own way. If the authorities did not dare molest them, who should? A few of the citizens who had attempted a mild protest against Craig Tolliver's dictatorship, were easily intimidated by keeping them in constant fear of death or destruction of their property.

Saloons were opened and operated without license. Magistrates refused to issue warrants, knowing that such an act would forfeit their lives. Had the warrants been issued, no officers could have been persuaded to execute them. The residences and grog shops of the Tollivers resembled and were arsenals. An effective and favorite method of Craig Tolliver to rid himself of any, to him, undesirable citizens, was to send a written communication to them, setting forth the fact that Rowan County could dispense with their presence, and that on a certain day in the near future certain funerals would take place unless
they were gone from the county. A funeral is not a pleasant function at any time, and the prospect of one’s own set for a definite time, has a tendency with many persons to try hard to avoid it, if possible. It was, therefore, not surprising that parties thus notified preferred absence from the county to being principals at funerals. A few regarded those letters as idle and meaningless threats, but the sincerity of the advice could no longer be doubted or questioned when several prophesied funerals did take place.

To detail the circumstances of the various killings that occurred during that stormy period of Rowan County would prove tedious. Suffice it to say, that from the first Monday in August, 1884, to the 22nd of July, 1887, twenty-three men were killed in Rowan County. No convictions were secured for any of these murders. But of this later on.

On October 20th, 1886, H. M. Logan was shot from ambush in the streets of Morehead, while walking from his place of business to his residence. The wound was dangerous but not fatal.

Judge Carey came in for a full share of the enemy’s hatred and vengeance. His hotel was frequently fired into at night by parties armed with needle guns and large calibre Winchesters. His house assumed the appearance of having been
struck by a cyclone. Windows and doors had been completely shot away and the walls perforated in a thousand places. It required neither doors nor windows to admit daylight.

The Exchange Hotel shared a similar fate. It was managed by H. C. Powers, another Humphrey adherent.

This kind of argument was convincing, more forcible than words or letters. Powers and Carey both felt a sudden desire to remove from the atmosphere of Morehead, concluding that Covington, Kentucky, possessed greater allurements for the time being than did their home town. Both remained away from the county until after the bloody, final battle at Morehead in 1887. Unfortunately, we have no authentic account of the leave-taking between the Tollivers and Carey and Powers. It must have been very affectionate, since the Tollivers had exhibited such concern for their safety, comfort and health as to persuade them so urgently to remove to a happier and better land.

Howard Logan (H. M.) too, had enough of this joke about funeral predictions. He could not see the point of it, and concluded that Ashland, on the banks of the beautiful Ohio, would be the proper place to recover from his labors and see the world. He also remained away until after
the annihilation of the Tollivers. There were a number of others who seemed suddenly seized with a fever to emigrate. Among them were John R. Powers, James E. Clark, a prominent lawyer, who found a more congenial home at Unionville, Clark County, Missouri; James Brain, a brother-in-law of Judge Carey; R. C. Humphrey, brother of Cook Humphrey; both of whom settled in Missouri. Many others "scouted" in neighboring counties until the return of peace. Judge Tussey, brother-in-law of the murdered John Martin, on the advice and persuasion of his wife, remained absent in Carter County and returned only to take part in the final drama.

Nearly all of the parties who were thus driven from the county, were men of wealth and business capacity. Removals continued. The magnitude of the exodus may be realized by examining the figures giving the population of the county seat, Morehead, from 1885 until the early part of 1887. In 1885 Morehead was a flourishing town of more than seven hundred inhabitants. Within two years this figure was reduced to less than three hundred. More than half the population had removed. Private residences and storehouses stood empty, with windows nailed up or were taken possession of by the Tollivers.
whenever it suited their fancy. The Tollivers made up the population. The offices of police judge and town marshal were filled by Tollivers. On June 1st, 1887, Craig Tolliver had the entire town under absolute control. He was elected police judge without opposition. He did a driving business, selling whiskey, without license, of course. The law as to obtaining license to sell liquor applied not to him. He was above the law. He took possession of the Exchange Hotel, which H. C. Powers had left without a tenant, by right of conquest. Why should he have troubled himself with renting property when houses stood empty, and he was monarch of the town! The property of his enemies was his—the spoils of war.

The Central Hotel was placed at the disposal of Tolliver by its owner; the former leased it to Bunk Mannin and his brother, Jim Mannin. These two were Craig Tolliver's constant associates. He had brought them from Elliott County. Knowing their reputation as desperadoes, he created them his body-guard. Bunk Mannin, bloodthirsty, brutal, but courageous, believed he could serve his chieftain best by capturing the office of town marshal. He set himself up as candidate and was elected without a whisper of opposition. As town marshal and hotel keeper,
he opened a saloon at the Central Hotel, operating it in the manner of the one run by Craig Tolliver, in violation of the law. Bud Tolliver was made a member of the town council. Craig Tolliver’s triumph was now complete. The midnight carousals, the continuous discharges of Winchester rifles and pistols, made night hideous. Persons of unquestionable courage grew nervous. At this period the exodus of the inhabitants was greatest.

Social functions were out of the question. Adjutant-General Hill says in his report to the Governor, after the final battle of July, 1887:

“One night while I was there the young people of Morehead had a social at the home of a prominent citizen, and I was told that it was the first event of the kind which had occurred in the little town for years.”

The Tollivers controlled the court and the grand juries. A witness daring enough to indict them for their many offences was certain to be indicted for some imaginary offense in return for his audacity. Thus during one court, shortly after the “shooting up” of the Carey House, two daughters of Howard Logan testified before the grand jury and indicted one Dr. Wilson for participating in the riot. The same evening the
grand jury returned indictments against the two young ladies for "false swearing."

The secrets of the grand jury leaked constantly. Every word of testimony uttered before it was promptly and minutely reported to the Tollivers. Mrs. Martin, who had been a witness against them on several charges, was indicted for sending a poisoned turkey to a Tolliver sympathizer. Is it a wonder that Attorney-General Hardin stigmatized the whole machinery of justice in the county as "rotten"? Is it a wonder that crime was rampant and of daily occurrence? Is it a wonder that outraged manhood at last took the law in its own hand and annihilated the outlaws?

Sometime in the latter part of 1886, or early part of 1887, H. M. Keeton, constable of Morehead precinct, was shot and killed by Bud Tolliver. Keeton, too, had been duly served with notice of the date of his funeral. Remaining in the county, he furnished the body.

W. N. Wicher was shot and killed by John Trumbo, a Tolliver man.

At the February term of the Rowan Circuit Court (1887) Dr. Henry S. Logan, R. M. McClure, John B. and W. H. Logan and Lewis Rayborn, were indicted for conspiracy to murder Circuit Court Judge A. E. Cole, James H. Sallee,
Commonwealth’s Attorney, and Z. T. Young. All the parties indicted were prominent citizens and of such a character that those not prejudiced against, and acquainted with them, at once declared the charges false. The entire transaction bore the ear-marks of a shrewdly laid plot to rid the county of these men, who had become objectionable to Czar Craig Tolliver because they had dared to criticise his rule. The indicted parties were arrested and confined in jail, their bail having been placed at an exorbitant sum. They were hustled off to Lexington for “safekeeping.” John B. and W. H. Logan gave bond and returned to their home, about four miles distant from Morehead. Their father remained in prison.

When it became known that James Pelfrey was the chief witness against them, it seemed easy to see through the whole affair. Pelfrey’s black character was well-known by some of the Tolliver clan, and to this unscrupulous man they had turned to effect their villainous conspiracy. A suitable story was concocted and rehearsed. With it Pelfrey appeared before the grand jury, and loaded upon his sin-stained soul the dastardly, black crime of perjury. After their return home the Logan boys lived quietly and alone, taking charge of the farm in their father’s absence. W.
H. Logan (Billy) was a consumptive, twenty-five years old, and almost reduced to a skeleton by the dread disease. His brother, J. B. Logan (Jack) was a youth of eighteen.

On the 7th of June, 1887, a disreputable character named Hiram Cooper, who lived in the neighborhood of the Logan boys, came to Morehead and swore out a warrant against the Logan boys and their cousin, A. W. Logan, charging them with confederating and banding together for the purpose of murdering him (Cooper). This act was in pursuance of the original plot to rid the county of the family, which, however, had failed to some extent when the boys had succeeded in giving bail and were released from prison.

Craig Tolliver, the police judge, issued the warrants. They were placed in the hands of his confederate, Town Marshal Bunk Mannin, who summoned a posse of ten men to assist him in the execution of the warrants against the two boys. Among these brave officers were Deputy Sheriff George Hogg, Bud Tolliver, Jay Tolliver, Cal Tolliver, Hiram Cooper and one Young.

Completely ignorant of the impending danger, the boys were found at home. The first warning they had of the approach of the assassins, under the guise of officers, was the rapid firing of guns.
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The boys, terrified, ran up-stairs, Mannin and Craig Tolliver rushing after them. Jack Logan seized a shotgun, and over the earnest protest of his brother Billy, fired into the body of Mannin, inflicting a painful, but, unfortunately, not fatal wound. Mannin and Craig Tolliver retreated from the house, while the boys waited tremblingly, with bated breath, for developments. They saw there was no hope for them. The smell of burning wood and clouds of smoke told them of their peril. By order of Judge Tolliver the posse comitatus had built a fire on the porch intending to burn the house, and thus force the boys to come out. The crackling of flames, the shouts and cruel, derisive laughter of the brutal band outside presented a scene such as we read of with horror in the stories of the Indian wars. Deputy Sheriff Hogg then requested permission to extinguish the flames. The other "representatives of the law" consenting, a parley was held. Hogg went into the house and offered the boys the alternative of surrender or death by fire. They naturally chose the former, hoping against hope that some miracle might yet save them, or that, perhaps, their appearing unarmed, might move the band with compassion and mercy. However, before leaving the house, they wished assurance that their lives should be protected. Deputy
Sheriff Hogg reported to Craig Tolliver, and that redoubtable officer of the Commonwealth authorized him to promise them protection. This assurance was then communicated to the boys, supplemented by the personal guaranty of Sheriff Hogg. The boys determined to leave the house. Billy Logan went down-stairs in company of Hogg. The younger boy was yet reluctant to trust himself into the hands of Craig Tolliver and Bunk Mannin, the town marshal, but being again assured that no harm should come to him, he, too, followed and emerged into the yard. They were led away some fifty feet from the house to near a spring. There John Mannin opened fire upon the elder boy, shooting him in the back. This was the signal for a general fusilade by Craig Tolliver, Bunk Mannin and others. The boys fell dead. Not satisfied with their deaths, the heartless assassins, among whom Town Marshal Mannin was the most ferocious, trampled the prostrate forms, stamped them, and poured volley after volley into the dead bodies, thus mutilating them beyond recognition.

They were left lying where they had fallen, a gory, shapeless mass, the glassy eyes upturned to the sky, in mute appeal to God to avenge this horrible assassination. God saw, and retribution
followed close upon the heels of the inhuman wretches.

Deputy Sheriff Hogg testified afterwards that he ran away as soon as the firing began. The murderers joined him, however, before he had reached town. On the brow of a hill overlooking Morehead Craig Tolliver halted the red-handed band and instructed them all to tell the same tale—that the boys were killed in resisting arrest, and that their killing had been an absolute necessity.

On the following day D. Boone Logan, a cousin of the murdered boys, accompanied by H. M. (Hiram) Pigman and Ap. Perry, went to the Logan homestead, and found and cared for the mangled remains of his relatives. On that evening, upon their return home, they were warned that they would share a similar fate in the event they attended the funeral.

Up to the time of the murder of the Logan boys neither D. Boone Logan nor Pigman had taken any active part in the feudal strife, indeed they had carefully kept aloof from any act or speech that might in any way connect them either directly or indirectly with the faction. Boone Logan had attested the agreement signed by Craig Tolliver to remove from the county. But beyond this he had remained neutral. Not con-
tent, however, with foully murdering his young relatives, Craig Tolliver sent to Boone Logan the exasperating message that he must leave, that he, Tolliver, would rent his house, and hire Logan’s wife out to make a living for her children. By threatening D. B. Logan, Craig Tolliver made the mistake of his life. He conjured up a storm which passed soon beyond his power to control. When it broke loose in all its fury on the 22nd day of June, and the streets of Morehead ran red with blood, the desperadoes experienced at last the lash of an avenging God.

Boone Logan made futile efforts to have the murderers arrested. After several days had elapsed, Bunk Mannin, the town marshal, went to Logan and told him that he wished to have a trial, and that the Tollivers were also ready for trial. “But,” said Mannin, “it must be understood that we attend court with our Winchesters.” Judge Stewart was also notified by the Tollivers that they wished a trial, to which request Judge Stewart made answer that he “would not hold a bogus trial” and refused to try the case.

Logan, Pigman and Ap. Perry, in danger of their lives, yet burning with indignation, entered into a solemn compact to effect the arrest and trial of all the parties engaged in the murder of
the Logan boys. A resolution made by such men as Boone Logan and his friends meant something more than mere words. They, too, were men of action. They went to work in the preparation of their plan with coolness and circumspection. Caution was needed indeed. They first attached to their cause a number of men upon whom they could rely. Meetings were held at secret places. Boone Logan was at once chosen as the leader in the enterprise. In the prime of manhood, of fine physique and intelligent, he was just the man to place at the head of such a hazardous undertaking. Combining indomitable courage with prudence, sagacity and coolness, he was also a man of unflinching determination. Such was the man with whom the Tollivers now had to deal. Educated, a lawyer of prominence, and a polished, quiet gentleman, one would scarcely have picked him out as the man to oppose the outlaws, to attack them in their very stronghold and give them battle.

Logan and Pigman avoided being seen in each other's company, yet the Tollivers by some means had learned of their secret meetings, and, growing suspicious, began hunting them high and low. To relate the many narrow escapes these two men had from death would fill pages. Every road was patrolled by the Tollivers, passing trains were
searched, inquiries made everywhere, and insulting messages sent to Logan's family. Shrewdly he avoided any encounter, but with dogged determination continued his preparations.

On the 16th day of June Boone Logan eluded the vigilance of the Tollivers and succeeded in reaching Frankfort, Ky., where he asked for, and was accorded, an interview with Governor Knott. To him Logan related the existing conditions in Rowan County, the despotism exercised by Craig Tolliver and his associates in crime, the horrible murder of the Logan boys, for which no one had as yet been molested, and asked for troops to effect the capture of the outlaws. The Governor listened attentively to Mr. Logan's representations, but replied that he had already sent soldiers to Morehead at the cost of many thousands of dollars to the State, with no other result than aiding courts in committing travesties of justice; that under the circumstances he could not see his way clear to repeat his experiences with that county. He then asked Logan what per cent of the population was actually engaged in the trouble, and on receiving reply, answered that the good citizens being so largely in the majority, they should be able to themselves put down lawlessness. Logan admitted that he could find a number of citizens who would be willing to aid him in ar-
resting the outlaws if they could secure the necessary arms. He asked the Governor for the loan of a few guns from the arsenal at Frankfort, offering to give satisfactory security for their safe return. The Governor explained that such a course was unwarranted and a matter beyond his control. Logan's face turned almost livid for a moment. He did not blame the Governor, who acted under the law. But he became exasperated at the thought that a band of murderers were under the law permitted to remain in undisputed possession of his county, his home, while the Governor seemed without authority to come to the rescue of order and to maintain the dignity of the law. Courts had refused to do their duty; officers championed openly the cause of the murderers; peaceable citizens had been driven from their homes—anarchy reigned supreme. These thoughts filled his brain. Before his mind's eye appeared the mangled remains of his cousins. He feared for his wife and children at Morehead. His home might at this moment be reduced to ashes and its inmates burned or shot. The young man's eyes gleamed with a dangerous fire. His lips quivered while the strong heart beat almost audibly with excitement, indignation and utter disgust. At last he spoke, slowly, firmly, every word full of meaning. It was then
he made his famous reply, so often repeated and commented upon:

"Governor," he said, "I have but one home and but one hearth. From this I have been driven by these outlaws and their friends. They have foully murdered my kinsmen. I have not before engaged in any of their difficulties—but now I propose to take a hand and retake my fireside or die in the effort."

Future events proved that these words were uttered for a purpose other than mere dramatic effect. The flashing eye told plainly of the passions that had been kindled in his heart, and the Governor could not but admire the man's just indignation and determination to do what the highest authorities in the State could not do.

The action of Governor Knott in refusing to send troops to Rowan County has been criticised by those ignorant of the law and the powers of the Governor in such cases. The law lays down the scope of his authority. The power of the county had not been exhausted in bringing about, or attempting, the apprehension of the criminals. He had already responded with troops to protect the court only to find that the authorities showed the white feather; that compromises with criminals had been entered into; that juries and officers were corrupt, and when trials had occurred
had proved a farce. No doubt in his heart he wished for Logan's success. The man had made futile attempts to live peaceably. Now he intended to act in self-defense. The government cannot help him—he must therefore help himself. A man's home, no matter how humble it may be, is sacred as the King's palace in the eyes of the ancient common law. To defend it from intrusion and attack is man's God-given right, his duty; Boone Logan set about to retake his fireside.