On the third night of January nine o'clock at night,
I was awakened all in a fright.
I heard a voice crying oh mother what shall I do
They have killed my brother Mason I believe they'll kill me too.
I thought I was in a dream and I sprang out of my bed,
It was Jimmie at my door, he said "they've shot him dead."
It was on a cold and winter night the moon shone bright as day.
It was at the American Hotel I found him cold as clay.
His Uncle jumped and grabbed him and made no alarm
He held him in the door while they shot him through the arm.
The ball went in his body and entered through his heart,
Mason and his mother then they had to part.
He was the constable of Rowan county on him they did rely
But when he done business for Howard Logan they said he had to die.
He done business for the American the Central and the Gault
They never was the people that ever found a fault.
He always had some kind word to say to all who met him by the way,
He was meek, he was mild, he was quite a loving child,
Here lies my poor little marm of a son his life was cut short his race is run
By cruel hands is his blood was shed and now he's sleeping with the dead.
O pardon his sins oh Lord of love and take him home to Heaven above.
On the thirty one of January he was forced to die
And in here this pine his body lies.
Just nine months had scarce passed by 'til my son James was forced to die,
The death of Mason broke on his mind 'till to his bed he was confined.
Death hovered 'round his quiet home and took him in the silent tomb.
His little family then was left of a father they was bereft.

Composed by their mother Mary J. Keeton.

From The Collection Of:
Dr. Jack D. Ellis
552 W. Sun St.
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ONE MAN KILLED AND OTHERS WOUNDED.

Monday afternoon this city was the scene of another startling tragedy. One man was mortally wounded and another slightly wounded in attempting to arrest a Rowan county desperado, who attempted to run the town.

The story is as follows: Sunday night Alvin M. Bowling, Town Marshal of Farmington, Rowan county, was shot in the chest by the son of John Scott, who lives near that place, and at the point of a pistol forced him to allow his daughter, Mattie Scott, to depart with him. Bowling and the girl went to Olive Hill that night, and the next morning came to this place and regaled at the Turner house, a large and well-to-do residence, for breakfast. A short time before the east bound mail train arrived here, Thomas Boyd, a young merchant of Rowan county, who was also in the city, went to the restaurant of Dan Chenault, colored, on Main street, and being considerably worse for liquor, drew a pistol at Chenault and gave him a sound chewing. Chenault immediately swore out a warrant for his arrest. The warrant was placed in Deputy Marshal Wyatt's hands, who went to the depot, where Boyd had gone, and arrested his man. Returning up Main street with his prisoner, Wyatt was overtaken by Bowling, who had gone to the depot with Miss Scott to take the train. Bowling was very drunk, and drawing a large revolver, demanded Boyd's release. Wyatt, thinking discretion the better part of valor, acceded to his demands. Bowling and Boyd then returned to the depot, followed by Wyatt, who summoned a posse to assist in arresting both of them. Bowling was still charging his pistol and defying arrest. By this time the train had pulled in, and Bowling, with pistol still in hand, attempted to board it with Boyd. John Gill and others, who had been summoned to take him, a struggle ensued, and Bowling's pistol was discharged, the ball passing through Howard Wilson's right hand. Freeing himself, Bowling turned and shot John Gill in the stomach, mortally wounding him. In the struggle, Bowling attempted to shoot Lindsey Anderson, but Anderson was too quick for him and grasped the pistol, the hammer coming down on his finger and cutting it severely. Bowling again fired at himself and killed Anderson, but missed him and the ball passed through the vest of James Jones, a negro porter at the Turner House. At this juncture, James W. Groves, Constable for this precinct, rushed in and grasped Bowling from behind. Bowling attempted to shoot him over his shoulder, but before he could accomplish it, Lindsey Anderson had procured a pistol and putting it to Bowling's head compelled him to surrender or he would blow his brains out. Bowling, seeing the game was up, surrendered and was taken to jail. Before the shooting began, it had been arrested three times.

There was some discussion on the street. There was a large crowd at the depot, and it is almost miraculous that they escaped injury. Gill says that he had his pistol at Bowling's head after he (Gill) was shot, and it was his intention to kill him, but as he thought he was a dead man himself, he did not care to have Bowling's blood on his hands. John Gill is about 32 years old, and has a wife and several children. He is a tobacco raiser, and comes here from Fleming county. He is a large, powerful man, and has on several occasions acted as Deputy Marshal. At this writing, it is thought he may not live over twenty-four hours. The pistol used by Bowling was a British bulldog, .44 caliber.

Howard Wilson's wound is very painful, though not dangerous. Alvin Bowling is a notorious Rowan county desperado. It is said that he has more than once committed murder, and has been a holy terror to the people of his section. He was one of the officers who went to Winchester after John Martin, who killed Floyd Tolliver. It will be remembered that Martin was murdered by a mob on the train at Farmersville, when dying accused Bowling of being his murderer, and it is said that Bowling openly boasted of the street here Monday that he had killed Martin. Bowling belonged to the Tolliver faction. He is a married man, with four or five children, and the people of Farmersville are very much incensed at his conduct with Miss Scott.

The young lady is about 17 years old, and came with him of her own accord. She was very much concerned when told that Bowling was in jail. She returned to Farmers Monday night.

Boyd, the young man who was the cause of all the trouble, bears a good reputation, with the exception that he sometimes lets whisky get the better of him. He took no part in the shooting. The coolness and courage of Anderson and James W. Groves is certainly deserving of the highest praise. The good nature and courage of Anderson doubtless saved the lives of Groves and possibly others.

It is high time the people of this city and county were doing something to put a stop to this murderous spirit. Such men as Bowling should be dealt with without mercy by the strong arm of the law, and not by mobs. A few first-class hangings will teach such roughs that they must behave when in the corporate limits of Mt. Sterling.

Bowling was brought out for trial yesterday morning, but the case was continued until today.

Boyd was arraigned before Judge McKee, and was fined $50 and costs for drunkenness, disorderly conduct and resisting the officer. He is yet to be tried for carrying concealed weapons. Error—Gill is dead.
time naming several who were considered a marked improvement on the old set, who seemed to rotate with great regularity, as the succeeding terms came and went. First the name of one man who had officiated as a jury commissioner since the August term, 1885, was read to Mr. Carey, and he was invited to pass any criticism he saw proper. He was not recapitalized in his comment. Among those who served on that occasion was J. E. McMillan, recognized as a more assiduous, and addicted a short time since from several of their

A SORRY STATE OF AFFAIRS.

The investigating Committee appointed by the Legislature went to Rowan last Wednesday and began its labors. After examining several witnesses, the Committee adjourned Thursday evening to meet at Frankfort yesterday, when Judge Cole's side of the case will be heard. Thursday's proceedings are thus detailed by the Courant correspondent:

The investigation into the affairs of Rowan county has progressed sufficiently far to demonstrate to the General Assembly Committee that Judge A. E. Cole cannot succeed on the Court bench here. It is openly charged, and the community seems to avoid divided on the proposition, that the judge has been partial on all his rulings to the Touliver element. When a Touliver was arraigned, which was seldom, the minimum bond was furnished, and, notwithstanding, the or two exceptions, all the killings were done by the members of that set. Prior to June 1st, the first victim of guilt has yet to be turned against one of them for as much even as carrying a deadly weapon, or lesser infraction. The testimony, which invariably associating Toulivers with Toulivers—in fact, it is described as the man who did all the planning for them, but is only the beginning of the story of the extent to which his guilt has been concealed, while the records show that the Martins were held to a promise accountability.

He believed the trouble here had been due to a failure to enforce the law. The people in office here could maintain order if they so desired. He said that Rowan identified Judge Cole and Z. T. Young with the Toulivers. He was asked next about the position Judge Cole assumed towards those who had business in his court.

He replied: "I remember that once a man named Brown was in court to prosecute one of the Logans for shooting his cow. Judge Cole called him a coward; said he was shooting the white feather, and declared that those outlaws (meaning the Logans) had to be prosecuted. This was spoken in the hearing of the jury. Logan was opposed to the Touliver faction. On another occasion—John Keaton was arrested for shooting Howard Logan, and in a few minutes before Judge Cole off the bench. The Court replied to Keaton that he had sworn to his oath, and he did not propose to recognize the affidavit. Keaton was opposed to the Toulivers."

On cross-examination by Mr. W. H. Winesworth it was brought out that all of the present county officials were together-sympathizers.

About the guns shipped here when the military was in Morehead, he said that he had heard it said that Judge Cole was mixed up in the affair. Between 1855, when the county was created, and 1888, when Judge Cole came on the bench, he could remember but five men who had been killed in Rowan. The witness said in conclusion, that while he declined to take sides, his opinion was that the Martins were in the right.

H. Bally, another ex-County Judge, was called next. He knew of several citizens who had been茜icted for the county and were still afraid to return, notably S. Goodwin and H. C. Powers. He had heard frequent complaints as to the appointment of jury commissioners. There was a sameness about them, and beyond that, they were not the style of men the law required. A petition setting forth the grievances of the citizens against the selection of such men had been presented to Judge Cole, and he failed to make any appointments for the ensuing court session. There had also been numerous loud complaints made as to the bonds required. The Toulivers were liberally at the lowest figures, while the Martins were held in heavy amounts. He had seen witnesses imposed upon, as he thought. The law had not been enforced for the want of good and efficient officers. He did not connect Judge Cole directly with the Toulivers. In February, 1885, the witness was a member of the committee that selected the grand and petit juries. After the last had been completed, some persons known to him had tampered with it and made several changes. At present, he could not specify this fact. He failed to communicate it to Judge Cole at the time.

George A. Nickell offered some corroborative testimony, and closed by stating that whisky and a laxity in the enforcement of the law were responsible for the trouble.

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The total bonds required were for Pendleton, $7,000, and $4,000 for each of the other three. Subsequently, Pendleton was acquitted and Logan and McGuire pardoned, but H. T. Allen was still at large. The four indictments against members of the Tolliver faction were set up. They were against A. W. Young, Z. T. Young, J. O. Mann and John Trempe, for conspiring to kill H. M. Logan. Their bonds ranged from $2,000 to $2,000. Four of the Tollivers have been indicted for murder, and not a man convicted.

Testimony was next in relation to the special grand summoned by the circuit, at the direction of the court, to present during the February term, 1867. In all there were twenty-eight of thorough Mr. Johnson, who questioned, described twenty-three as Tolliver sympathizers, one of the Martin side, and there were four he could not certify to. Subsequent examination revealed that about half of the special guard was under indictment, for crimes which ran the full scale of the calendar, from murder to petty larceny. Some of the men were from Elliott county. Against some of these identical charges, no one could be charged, or the proceedings of the court held at that time have returned unsought.

In many cases the evidence disclosed the fact that men have been appointed to the county reveals a disgraceful state of affairs. The evidence discloses the fact that men have been appointed jury Commissioners who are in sympathy with the notorious Tolliver gang, and who at the time of their appointment had suits pending in court, such an appointment being clearly in violation of the statute, and could not have been made, without Judge Cole ignoring the fact, as he was bound to judge who had given his consent to the term of term. In violation of the law, the excessive bail was required of the accused, charged with crime and small bail to the Tollivers. To our minds the trial fully develops that Judge Cole's conduct in his Court and the language used by him towards parties arraigned before him, was disgraceful and suborning a judicial officer, and the evidence is ample that Judge Cole has all along been sympathetic with the Tollivers. It may be that the Committee will not be able to get testimony sufficient to impeach him, working to their short stay at Morehead, but if they will

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The Rowan Investigating Committee of the County, under the direction of Judge Cole, has been holding a hearing on the case of the murder of Mr. Tolliver, who was found dead in his home last week.

Logan testified that Allie W. Young, the county coroner, had made an order on the county records authorizing himself to hold a coroner's inquest. He swore to the coroner's order, and gave the coroner a copy of the evidence. He then took the coroner's order, and gave it to the coroner's office.

Dr. Jack D. Ellis, the coroner, said that he had been ordered by the county attorney to hold a coroner's inquest. He swore to the coroner's order, and gave the coroner a copy of the evidence. He then took the coroner's order, and gave it to the coroner's office.

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Mr. Logan replied that he had not heard of the change in this line, but that there had been a good deal of talk on other matters, judging from the inclination of the Rowanites. The point was raised that this examination was not within the scope of the investigation and Mr. Young then desisted, although he was told that he might proceed.

The consent of the District Attorney and Mr. Young did not take advantage of it.

Col. Samuel McKeen of Louisville, Judge James L. Hartson, and W. B. Dearing of Flemingsburg, favorably to Judge Cole in his official conduct—Attorney General Harvin was then called to the stand. He went to Rowan county in July, 1852, at the request of the Governor, to make an investigation of the affairs of the county. The view to beginning prosecutions. The people were, however, afraid to talk, and he did not get as much as he had learned that all had heard before leaving. He was true, and the half-time had not been told. Judge Cole was not present during any part of his stay in Rowan county.

"I had a long talk with Mr. Taylor Young, who was the County Attorney, with reference to the troubles and strife that existed in the county. Mr. Young admitted that the men who were being prosecuted were his friends and he was in full sympathy with them, but insisted on appearing and act with me for the reason that if he stepped aside it would prejudice him with the people, before whom he was making a race for Commonwealth Attorney. He opposed his taking part in the proceedings under the circumstances, but he was to hold the bench. A few days later I accidentally overheard him say to the County Judge, 'That is so bad a shame that these men should be prosecuted, and the people and the act, and the situation, they ought to be turned loose,' and the County Judge asked what he would do about it. Mr. Taylor Young was not afraid to do what he believed. He was not afraid to hold the bench. He was a man of strong words. He told me that he should not be put down. He had to act. I would expose him in open court.

"A day later he made an explanation and an apology, and as a result of it, be went into the cases with me. We had a capture early in the process, and be the trial. The whole court machinery was rotten, and trials were the nearest thing. Men were turned loose that I would not have hesitated to hang on the evidence. I found a subsequent term of court, and the grand jury to be made up of some persons related to defendants. Three of them had previously prosecuted, and the entire panel was disqualified from jury service. A motion in court for its discharge, but was opposed by the pro tem. Prosecuting Attorney and the Mr. Young, and was overruled by the Judge. I then washed the hands of the entire matter and let the county to that which time "I hope not back." In answer to a question to Harvin, he said from his observation he judged that ninety per cent of the people inclined to be peaceable and law-abiding, but they were in a state of disorder and and had been subjugated and intimidated by the vicious element of the population. In a letter that was the expression as to what it was for Judge Cole to have corrected the abuses under the circumstances, he said he had great confidence in the power of a Circuit Judge if properly directed, and the would, therefore, answer in the affirmative. Mr. Taylor Young was then permitted to question Mr. Harvin. The latter took a liberty in his answers to is perhaps permitted by the rules of evidence, and if he was to the disadvantage of Mr. Young, he asked that the witness be confined to direct answers. Is your recollection good?" Mr. Young at another time. "Reasonably good, as you will learn before I get through," was the reply. Mr. Taylor Young got definitely the worst of his round with the Attorney General, who evidently believed that he was largely responsible for nearly all the trouble in Rowan county.

Major W. R. Kinney, of Louisville, went to Rowan to represent the Commonwealth under the found partisan feeling on the part of Judge Holbert, who presided. The secret of the grand jury room was betrayed by the County Attorney. Major Kinney explained the case to the Judge, and was informed that the grand jury had reconsidered, and would not indite.

Both the Judge and the Commonwealth's Attorney acted in bad faith in securing the surrender of Gov. Humphreys. Ills days were numbered, not $1,360 bond would be required and demanded $3,600 when he appeared. Court of the grand juries were friends of the Tollewars. Indictments against the Tollewars would not hold water. No convictions were secured while he was there. He understood that the Court was organized to punish the Martins and the Tollewars. He believed all he had heard about the Rowan county troubles, and having seen the condition of the Court and county officials.

The investigation was continued on Saturday, but most of the proof taken was by the defense, a number of prominent lawyers of Judge Cole's Krout, testifying as to his high character as a man and his uniform fairness, on the bench. The count tried then adjourned until Tuesday afternoon.

Our gifted editorial writer of the Licking Valley Scourcher takes us to task again, because we see fit to attack the Magistrate who ruled in an examining trial in the late unpleasantness of Rowan county, leaving criminals unwhipped of justice. When on the wrong side, a big fuss, beautiful words, and a play of wit has the effect to draw the unsuspecting from the main issue. In this our contemporaries are both powerful and famous. We call him to the question. The Magistrates could have done nothing more than to have held the defendants over and subjected them to the investigation of circuit court. The officer, which our friends would have us believe was acting in good faith, and that his rulings were based solely on the evidence before the court may have been honest, still his judgment was at variance with the masses, so much so that it calls out a criticism which he cannot escape. It has not been nor will it ever be our aim to rob any citizen of this broad Commonwealth of his good name. Indeed, we delight to reach down even beneath the slums of vice and corruption, and lift him who had fallen to where the bitter, slanderous tongues could harm him not.

Two Magistrates sat in judgment; one saw sufficient evidence to hold the defendants over, while to the other, no evil deeds could be seen and no convincing evidence was heard. Why this? The soldiers and State officers went to Rowan county in sympathy with the Tollier revolution; they heard the testimony and every man was wrought up and demanded of these troubles, both Democrats and Republicans, and what do they say? "These very accused men with a few leaders are the guilty parties who have caused the troubles." What does the grand jury say? "We are not satisfied with the testimony of the alleged murderers of John Martin and Ben Rayburn, yet we believe the convening of another grand jury, circumstances and fact will be developed as to bring fair investigation of the guilty parties in each; and relying on better circumstantial and positive proofs, they recommend a submission of each of these cases to another grand jury." Here are sixteen men who want the accused men put to a closer test. They believe there are other facts to come out. What does one of the grand jurors say of the sixteen? "Major Kinney, I know it is wrong to talk, but there were only three of us who desired to do right, and we were powerless." With these facts and circumstances before us, we are willing to stand by our criticism of the action of Esq. Phillips, and will not "rob him of that which enriches us not, and makes him poor indeed." We will be found on the side of right, aiding in meting out justice to evil doers.
Major W. R. Kinney returned to Louisville last week from Rowan county, and says the state of affairs there is deplorable, and that the law is insufficient to mete out justice. The court was a farce from the beginning. Both the acting Judge and Prosecuting Attorney were elected in the interest of a party; and until the Legislature convenes and makes special laws, the Governor is powerless to bring criminals to justice. Since the convening of this term of court no trials were entered into. The newspapers have not exaggerated the state of affairs there, in fact, the half has not been told.

We take the following extract from the Courier-Journal editorial of last Saturday, regarding the trouble in Rowan:

"The community has been terrorized, and every effort of the law-abiding citizens to restore order has been prevented by an infamous conspiracy. Under forged orders prisoners have been taken from the jail and hanged. A Sheriff and his deputies refusing to obey the orders of a clan, have been slain or driven from the county. Magistrates have been threatened, and Judges have been intimidated. Juries have been packed, and false witnesses procured, and in the climax of such crime the County Attorney appears in open court the volunteer advocate of the gang, in behalf of the witnesses of the State, and avowing his active sympathy with their most unlawful acts. Joined by the nominal representative of the State, when the Circuit Court is in session, he opposed with vehemence and alarm a motion of the Attorney General to dismiss a packed grand jury, and so powerful is this man that the court, with all the facts before it—facts which with a courageous Judge would have led to the instant dismissal of the jury—in obedience to the orders of the clan, refused the motion of the Attorney General, and gave control of the grand jury to the gang of ruffians. A more open, a more shameless and humiliating proceeding, has not been witnessed in any courthouse in the land.

Every effort to right these grievous wrongs has failed, but one thing has been accomplished: These men and their confederates have been exposed. The record now is read by all men. The accessories and retainers of Craig Tolliver are known of all the people of the State. Hypocrisy no longer abounds. Pressed by the prosecutions, these fellows disguised as upholders of the law, have been forced to aver their sympathies, and all their cunning will avail them nothing in the future. A man who serves a lot of lawless desperadoes as Taylor Young has served the Tolliver gang can never again serve the State, and for his abuse of his position he must now account to the outraged people of Kentucky."

The Courier-Journal of Saturday contained a graphic account of the origin and progress of the Rowan county lawlessness. The correspondent shows very plainly that the Tolliver clan were to blame for the whole business, and that they were governed and directed by a master hand. It is not hard to guess who this master spirit was and is. If there is an honest man in the State who still believes in the purity and honesty of this man, we cannot see on what he bases his belief. We believe a majority of the people of this State have their eye on him. May he suffer the same torment he has made others suffer.

The Force in Rowan County.

It is said that George T. Halbert was invited to attend the Rowan Circuit Court for the express purpose of being elected Judge—invited by Z. Taylor Young. It is certain he understood before going there he would be chosen. In appointing Geo. E. Roe as Commonwealth's Attorney, and in refusing to discharge the grand jury packed with murderers, their kinmen and friends, he did the work cut out for him to do. Nobody knew better than Halbert how to do it.—Weekly Maysville Eagle.

The State is getting into financial trouble, from which it will be hard to extricate itself. A branch penitentiary is being built and there is no money in the treasury to meet the demands. Firms actually refuse the contractors material on the State's credit, and are becoming personally responsible for her debts. These are facts and Kentucky with all her boasted pride is forced to stand it.
ETHAN SPIKE,

Unburdens his Mind to his Fellow Democrats, and tells Them Where They Missed It.

SPOONERVILLE, KY; Sept. 17, 1887.

Feller Dimycrats, scattered from the heads of the waters to the ends of the yeath, I want to address this open letter to every mammy's son of you and tell you sum think fur the good of our party seen that the times is smartly a turnen jest and likely to be wus, and knowin from many years of experience pollylicks that there ain't no time fur fulein if Mrs. Cleveland's husband and the Old Bandana is to cum out fast in November.

I say unto you that we're in a monstrous tight place, and we must pull off our coats and make the wool fly if we win. Why, jest see the drift of things! When we was a hopin to hear cheerin news from Oregon jest in time to put the capashen on the St. Lawy convention, what was the result? Why, 7,000 fur the Radicals; but we kind of brushed that aside and made little of it, but we had to modify our tariff views on account of it and patch up a Janus-faced platform, and we've bin ever since a worryin and tryin to explain what the platform meant, and it's give us no end of trouble and vexashun.

Then come the elecshun in Varmount with a Radical gain of 5,000, and right on the heels of that a fall off in Arkanawal of 15,000; and then arter we'd made one of the hardest fights in Maine we ever made the Radicals had a gain of near 5,000, and Mrs. Cleveland's husband had to further define his position on the tariff, and—well, the Lord only knows what a mess of crow we'll have to eat afore the thing's over.

Now what's the cause of all this trouble and vexashun? When Solomon said "All is vanity and vexashun of spirit," he must a bin a running Dimycrat campane fur President, fur shorely there couldn't a bin grounds fur such a remark in any other undertakin. Well, there's alers a cause that produces effeks and those effeks were perdueed by causes, and what are they? Well, to be plain to you, seen you are feller Dimycrats a travelin to the same bourne and aimin at the same sence—perileral power—and I hope you'll bear with me and uncle Ben, and listen to us your help.

In the fast place, the people hadn't the greatest confidence in us since we went into rebell ion agin the Government, and we've bin fur 20 years a tryin to git em to put us in power agin; but they look on us sumwhat as a farmer does on a hoss that's run away in the plow—not very safe to trust, and ever little skittish move we make they are ready to tighten the lines on us. At last we got em to trust us but it was finner by accident like. But we got into power and they've bin a watchin us and we've bin a workin to git in sum our Dimycratlicks that would tell in our behalf.

You know our party was alers fur free trade, but we never could git the people educated up to it. We was beginnin to feel party good and hopeful that ourtime had cum, so we jest had Mrs. Cleveland's husband, our nominee, to put out a feeler in the way of his message to Congress, and we all thought it was a goin to take party well, so we got up the Mills Bill in accordance and then the platform all a tenant to the great goal of our amblusion, free trade. But I find the times ain't ripe fur it yit. We've made a mistake, and Mrs. Cleveland's husband has labored hard in his letter of acceptance to define away a heap of our blunders and our previousness in the move, but it's too late.

We're like the women whose turkeys got drunk on brandy cherries and she picked 'em thinkin they was dead, but one of 'em cum to and hollered "quitt." "Oh," she says, "you spoke too late." Now we spoke too late, and it would a bin jest as well if we hadn't a spoke at all on this subject, fur it's crawlin in right square back.

Now, feller Dimycrats, you see the situation. Varmount, Varmount and Maine gone, and New York, New Jersey and Illinois shore to go, and I'll take the shotgun to hold the void South, and when it cum to that we're in a mighty bad strate. But I'm not unduly eggserised over these things, but I want to prepare your minds fur the worst fur it's a cumin. All the offices will have to be turned back to the Radicals and our fellers will have to let go of the publick till and go to stick in their thumbs agin. I know it'll be hard to bear, and it would a bin better fur them as is in office if they had never a bin there, fur to be pulled loose jest as the best flow of the lactal fluid was a presentin itself will be hard to bear; but I say unto you and so does uncle Ben: "Stand from under, fur sumthin's a goin to drap."

I weep with you, I mourn with you, fur it's a family affair. I hadn't hold no office yit, neither has uncle Ben, but we was hopin our turn would cum sure, but it's all dun furever now. I'm afraid we won't never reach our Mecca to worship at its shrine. I feel the cold chills of despair a creepin up my back now. Yours in sadness,

ETHAN SPIKE
and his uncle Ben.
Rowan Co. War

Portions of Newspaper Articles - 1864-1867

Newspapers I Have Collected -

Licking Valley Sentinel
MT Stirling Gouge

NEW YORK SUN

MAN (MAC)

Comes to me By

Gene Hammond

Morehead KY

4/15/03

From The Collection Of:
Dr. Jack D. Ellis
552 W. Sun St.
Morehead, KY 40351
606-784-7473
This outbreak was the culmination of a series of dastardly crimes bloodier than those of our Indian annals. The peace officers were compelled to arrest Craig Toller, Town Marshal; Robt. Merser, Town Constable; four men named Day, Jeff. Bowling and John Trumbou were arrested, and are now under going an examining trial before two Magistrates, Philip and Morgan.

The prosecution has been conducted by Attorney General Hardin with a vigor and an aggressive earnestness that have already alarmed evildoers. All those implicated in similar crimes, men who have almost come to believe that the forms of the law existed only for their protection, begin to tremble. They are now realizing that an appeal has been taken from territorized Rowan to the unbiased sentinel of the whole State.

The question at issue is, shall these men have bail? The law says no; public opinion says no; every sense of right and justice says no. Bail means that they will again roam over the country, awing and overiding the whole community. The majority of the people in Rowan county want to obey the law, but they must have some assurance that the law will protect them.

Hereofore all such prosecutions have usually ended in the release of the accused. Here, as elsewhere, the arm of the law seems to have been paralyzed, and bail has been accepted in the most aggravated cases.

In defense of these prisoners, it is urged that they have only organized the Toller gang to defend themselves against the Martin gang. The Courier-Journal finds no Martin gang, unless it is composed of three helpless, unprotected women. It is altogether imaginary, and will not stand a moment's examination.

A MURTIN Am, some months ago, slay a member of the Toller faction. He was promptly arrested and taken to Winchester. To the jailer came an order, forged, for the delivery of Martin to a man named Al. Bowling, to be taken to Morehead to stand his trial. Martin begged the jailer not to surrender him, he knew the Tollers would murder him. He was delivered to Bowling nevertheless. Bowling started with his prisoner. As the train neared Farmersville, it was boarded by some masked men, and Martin was slain. This left the Martin gang, so-called, three women and a boy twelve or fourteen years of age.

Humphrey had been elected Sheriff, but by threats he was forced to resign, and it was with difficulty A. J. McKeezie was induced to accept the office.
It is urged in behalf of the Tolliver faction that Cook Humphrey was trying to kill Z.T. Young, the County Attorney. In order to maintain the defense, Ed. Pearce was introduced on the examining trial to testify that Humphrey and the women had paid him $50 to kill Young.

The trial had gone on smooth enough until this point was reached. To the consternation of the defendants, Pearce not only refused to testify, but he retracted the so-called confession and stated plainly and unequivocally that he had made the statement to save his life. He had been visited by some of the friends of the Tolliver, who threatened to "take him to Morehead by the Martin route," and believing them he entered the bar and had made up his mind.

The Attorney General was present. He stood the people of Rowan, and they are many that the end of the ascendency of brute force and assassination approaches. All that is asked of the County Attorney is that he will step aside and not attempt to embarrass the prosecution.

**At Morehead.**

The grand jury adjourned Friday, after reporting a number of indictments for murder against persons for killing the Tolliver.

A conflict occurred last week between the Court and Captain McPherson, commander of the State troops at Morehead. Willie Perry, who stands indicted for murder, was at large in the county, and refused to surrender. Judge Cope ordered Capt. McPherson to deliver to Sheriff Hogg the box of Springfield rifles and box of ammunition which had been shipped from Mt. Sterling to Deputy Sheriff A. J. White and captured by the troops to arm a piece of citizens to arrest Perry. Capt. McPherson declined to obey the order, giving as his reason that his orders were to release these arms except by command of the Governor. In the meantime Perry is at large.

The trial of Pigmam and Perry still drags along. The defense closed Saturday, and the Commonwealth introduced rebutting testimony. Up to the hour of going to press we had not heard the result of the trial.

The petit jury was discharged Saturday and will adjourn this week.

Judge E. DeHaven of Loganville, has been commissioned by the Governor to go to Rowan and try James Harris, who is charged with attempting to murder Judge Cote and Z.T. Young.

These cases and others will be pushed with the utmost vigor. Only the guilty need be apprehensive. The Courier Journal assures the good people of Rowan, and they are many, that the end of the ascendency of brute force and assassination approaches. All that is asked of the County Attorney is that he will step aside and not attempt to embarrass the prosecution.

**NOT GUILTY.**


Court Adjourns and the Soldiers Return to Their Homes.

Last Wednesday at Morehead the jury in the case of Hiram Pigmam and Ap. Perry declared them not guilty of the murder of Craig Tolliver.

A special from Morehead to the Enquirer says of the trial: "The prosecution conducted by four attorneys, assisting the Commonwealth's Attorney, was pushed with unusual energy. Taylor Young, whose name has been so indubitably bound up with the troubles in Rowan county, was the leading counsel for the State, doing all the examining of the important witnesses, while the Commonwealth's Attorney remained in the background, never asking a question of a witness during the trial. The defense was ably conducted by Wallace Magoffin, R. A. Casady, of Fleming County, J.T. Hazelbaker and Boone Logan. The instructions of the Court were such that Taylor Young and they were so strong that they argued themselves. He spoke the truth, and it is understood that in the jury-room it was a serious question.

With some of the jurors whether or not they should be delivered to their oaths if they disobeyed the instructions of the court. On this ground they were ready to convict. But there were others among them, some of the most intelligent men on the jury; who insisted that they would stay there forever before they would convict the men who took part in avenging murder of the Logan boys. The element of uncertainty as to who it was that killed Tolliver and from which crowd a number of several came that took his life had much to do with the decision, and after two hour's consultation the jury decided that the best interests of the county would be best served by an acquittal, and they rendered a verdict accordingly. It is generally regarded as a verdict more in accordance with popular feeling than in accordance with the law as laid down by the court, but, based on whatever considerations, it is now irreversible.
ROWAN COUNTY.

THE TERM OF COURT CLOSED.

Cook Humphrey Surrenders Himself and Gives Bond.

Circuit Court at Morehead adjourned without having accomplished much. The case of Obanoy Logan and others, for the murder of old man Hughes, and cases against Ed. Pierce, four in number, two felonies and misdemeanors, were continued. In the former cases the defendants were allowed bail in the sum of $1,000 each; in the latter it aggregated on the four charges $1,500. Pierce failed to give bond, and was brought to this city for safer keeping. All of the cases on the criminal docket were continued.

Monday morning the exiled Sheriff of Rowan county, Cook Humphrey, accompanied by his brother and several others, rode into camp Morehead and surrendered to Maj. McKee. They came from some place in Fleming county, riding all night to escape observation. Humphrey's appearance created great excitement in Morehead, and when asked why he had not come in sooner he replied that he had waited until he thought it was time. A Transcript reporter writes that he neither looks nor acts like a bold, bad man,
The House of Representatives was to meet on Tuesday afternoon. On the platform, at the head of the hall, stood Judge Cole, who had just returned from his trip to the West. He was a tall, spare-looking man, with a solemn expression on his face. In his hand he held a piece of paper, which he had written in his own handwriting. The paper contained a statement, which he had written in his own handwriting, which he had written in his own handwriting, which he had written in his own handwriting, which he had written in his own handwriting, which he had written in his own handwriting, which he had written in his own handwriting, which he had written in his own handwriting, which he had written in his own handwriting, which he had written in his own handwriting, which he had written in his own handwriting, which he had written in his own handwriting, which he had written in his own handwriting, which he had written in his own handwriting, which he had written in his own handwriting, which he had written in his own handwriting, which he had written in his own handwriting, which he had written in his own handwriting, which he had written in his own handwriting, which he had written in his own handwriting, which he had written in his own handwriting, which he had written in his own handwriting, which he had written 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Many people regard the result as a settlement of the Rowan county troubles. Whether or not they are correct, time alone can tell.

The attorneys for the defense were much elated over their victory, but there was joy demonstration. Hiram Pigman and A. Perry have been surrounded by the ladies of their families throughout the trial, and their friends have stood by them loyally.

Perry's wife and child were by his side when he was sentenced, and they were by his side when the jury came down. Pigman, who had borne up bravely during the trial, broke down as the jury descended the stairs from their room with a verdict and went like a child. Presently, he was consoled and the verdict read, which acquitted, and tears gave way to smiles, and there was general hugging and congratulations.

Judge Cole looked a trifle pale than usual when the verdict was rendered.

After asking, "Gentlemen of the jury, is that your verdict?" and receiving the reply, "It is," he turned to the prisoner and said: "Hiram Pigman and A. Perry, you are discharged!"

THE THRONG

In the Court-room a mad rush to get past the soldiers and out into the yard. The knots of men gathered all over the town, discussing the situation. There was no levity, but the matter was treated with the gravity it deserved.

The case of John Trumbo, indicted as an accomplice of John Reekin in the attempt to murder Capt. Howard Logan, was hurried through in short order, and resulted in acquittal.

Court adjourned Friday evening and Judge Cole returned home. D. B. Logan was in Mt. Sterling Saturday on his way to Hamilton, where he expects to reside in future. He said the soldiers were all in Morehead heavily armed, and that he did not think the trouble was at an end, but that he trusted both sides would be conducted in a friendly manner.

The State troops received orders Saturday to break camp and return home on a special train prepared for them. Capt. McPherson, commander of the troops, directed to return all the arms taken from the citizens to their respective owners, but to take the box of Springfield rifles and 200 rounds of ammunition skilled while in transit from Z. T. Young to A. J. White, Deputy Sheriff, to Frankfort and turn them over to the proper authorities Saturday afternoon, as the soldiers were preparing to leave Morehead. Capt. McPherson was approached by Z. T. Young and Jerry Wilson, who demanded the guns, but Capt. McPherson declined to surrender them.

Sunday afternoon when the special train bearing the soldiers reached Morehead, Mt. Sterling, Deputy Sheriffs Burroughs, Clay and Jones were at the depot and presented Capt. McPherson with an order of delivery from the Montgomery Circuit Court for a box of Springfield rifles, of No. 50 caliber, stored out at the instance of Z. T. Young and Jerry Wilson, but Capt. McPherson declined to surrender them. There was quite a crowd at the depot, and a ripple of excitement was created while the conversation between the Sheriff's and the militia was going on, but the officers of the Court were simply doing their duty and left the train on the captain's refusal to surrender the guns. Deputy Sheriffs Burroughs and Jones went on to Frankfort, and a Lexington correspondent says: "Sheriff Burroughs is afraid that the Rowan county troubles will follow Taylor Young to Mount Sterling, and that Montgomery will be dragged into the dispute. It is a prospect which the citizens of that county do not regard with much favor."

"We should think not.

A letter to us from a soldier at Morehead says the boys are very much incensed at the Sentinel-Democrat for its unjust attack upon them last week. They say they have not sided with the Martin faction because it was the Martin faction, but that no unbiased man could stand by and witness the farce without expressing an opinion, and a very decided one. The soldiers are nearly all of the same politics as the Tollier faction, but they say they are unwilling to see justice trampled on any foot for the sake of politics. Every man in the camp brands the statement of the Sentinel-Democrat as a pernicious falsehood.

GENERAL GRANT.

In one of his private talks in the last few days General Grant wrote to one of his physicians: "I have no admittances that the doctors know not of, and I think it doubtful that I shall last much longer than the end of this month. If I thought I should remain until the winter set in I do not think it worth while for me to bear the discomfort of waiting."

A RATTLING REPORT.

Captain McPherson's Account of the Morehead Military Encampment.

Not Very Complimentary to Judge Cole.

Captain Ernest McPherson, commander of the State troops recently stationed at Morehead, has made a lengthy report to the Adjutant General; in fact, it is entirely too lengthy to be reproduced here. Below, however, we give some extracts from the report, which furnish some very interesting reading. Speaking of the trials he says:

"Not infrequently a witness would apply to an attorney the epithet of liar, and vice versa; and when questioned relative to some crime charged against him, a witness would justify his credibility on the ground that his questioner was guilty of offenses similar in character, which he would proceed to enumerate; an attorney would assume an opponent that he was "the gentleman," and even suggest that he was guilty of crime. But whether such epithets found excuse in the mutual accuracy of their application, or whether such assertions are to be considered as contravening the prescribed rule of professional amenity in the Rowan Circuit Court, or whether, as may not extravagantly be supposed, the necessities of criminality were in certain instances merely truth, they induced..."
apprehension of a necessity for summary interference, and particularly as they appeared in no grave measure to offend the dignity or to fatigue the serenity of the Court and jury. In the case of the Commonwealth of Kentucky vs. John Keeton was called for trial, and the affidavit of the defendant and two reputable housekeepers, asserting the belief that the presiding Judge would not afford the defendant a fair and impartial trial, was, by the defendant's counsel, handed to the Judge, he remarked after reading the instrument aloud, that he was not surprised; that John Keeton would swear anything; that he had sworn to so many lies already that he was not astonished that he should swear that he (the Judge) would not give him a fair trial. This observation of his Honor was delivered in the presence of the Jury that was to be selected to try Keeton.

"In endeavoring to ascertain by impartial inquiry of the reputed leaders of the two factions, the true cause and history of the quarrel, it was discovered that many of the murders had been committed under the form of legal procedure; that John Keeton had been for years composed of almost identically the same men; that the leader of one faction was the Master Commissioner of the Circuit Court; that the son of one of the leaders of the other faction was the County Attorney, and under the law authorized to assist the Commonwealth's Attorney in the prosecution of crimes.

And also, as a matter of course, having free access to the sitting of the grand jury, that the Judge of the court, and the leader of the Tolliver faction, and the Commonwealth's Attorney, were in constant association, boarding at the same house, eating at the same table, coming together to Morehead on the same train that brought many of the men recognized to be of the Tolliver party and conceded to have been partisans of Z. T. Young, whom it was intended to arm with the Springfield rifles known to have been shipped to Young at M. Sterling, and who were to have come armed to Morehead with the Judge and Young if the Governor had not ordered the force there. Thereupon the Judge, in the absence of the two, avowed a bloodier battle than that of the 22d of June. When the grand jury was being selected the Judge stated that he had every reason to believe that those summoned were honest, intelligent, discreet and worthy gentlemen; but as they were to investigate the recent trouble, and as imputations had been cast upon the fairness and impartiality of the court and jury, he desired that all persons who had any objections to any of these gentlemen serving upon the grand jury to tender them at that time, that no one could be justified thereafter in impeaching the motives or proceedings of the court or of the grand jury. Therefore D. B. Logan produced affidavits advancing objections to several members of the jury; and, in the investigation which followed, Z. T. Young took it upon himself to defend the court and jury to whom objections had been made. He asserted his right to the purity and integrity of every one summoned on the grand jury, and stated that he was personally unconcerned as to who might compose the grand jury, but that he appeared as a 'friend of the Judge and a lover of right and justice,' It should be parenthetically remarked that the Commonwealth's Attorney remained silent. Several of the objections were sustained; but in one or two instances were overruled; and then D. B. Logan announced that so far as he was concerned nothing further would be said; that he feared no investigation into any act of his life. It being necessary to summon additional jurors, the Deputy Sheriff of Rowan county, George Hogg, who as one of the posse of Crig Tolliver, was present at the

MURDER OF THE LOGANS

On the 7th day of June, and yet was nevertheless permitted to attend officially the sitting of the court, proceeded to summon his own father, but the elder Hogg was excused. In all the proceedings against those who were supposed to be partisans of the Martin or Logan faction, Z. T. Young or his son, the County Attorney, were suffered by the court to be the active representatives of the Commonwealth. To a lawyer as well as a soldier, these facts and proceedings appeared so anomalous as to compel the conclusion that the charge of partisanship in the judicial methods of the Rowan Circuit Court, which was the common comment of the camp, and of many of the jurymen from Fleming county, was not without good foundation. Wrong have been drawn up by Z. T. Young, were, 'Convict these defendants.' The jury, however, were good men and true, and, to the evident surprise of the court and ciagnin of the prosecuting attorneys, rendered a verdict of 'Not guilty.' These jurymen had been summoned from Fleming county. Their names are Noble H. Crane, Andrew Porter, W. H. Smith, Wm. E. Courney, James P. Allen, Wm. McCann, E. S. Parker, H. C. Hawkins, J. S. Savage, Frank Peck, James W. Overly and C. W. Dougherty. Their names deserve public record, as their verdict proved them to be deserving of the thanks of all good citizens of the Commonwealth. Obedience to the law and protection from the law are reciprocal rights and duties, and the jury of the present case decided that where those to whom it is delegated to administer the laws and to protect the lives, liberties and properties of the citizens, willfully disregard or timidly refrain from discharging their duties, the citizen has the right to defend himself. This is the mere reafirmation of a just and primary principle of government, belief in which justified the formation of our republican institutions.

After giving an account of the evidence concerning the cold-blooded killing of the Logan boys, and an interesting account of the capture and retention of the Springfield rifles, he concludes with the following suggestions:

"In concluding this somewhat lengthy report, the following suggestions are offered: The chief causes of the long continuance of the disgraceful disorders in Rowan county have been the confidence of certain boat-breakers, that their crimes would not be punished, and the apprehension, or belief, of many of the good citizens that the legal machinery had been, and would be, conducted in the interest of a few men.

"If Rowan county were legislated into some other Judicial district these causes would no longer exist. To abolish the court might accomplish the same purpose, but it would be unnecessary to transfer to unwilling hands the settlement of a controversy which can be quelled at home, and possibly to involve the nation in the quarrel of a few men against a good people in Rowan as in any county, and I am satisfied that the great majority desire peace. The wrongs committed by both parties can never be righted. The verdict of the jury in the Pigman case was a triumph, with gratification by the law-abiding people of Rowan, and its effect can be but wholesome. I think it would be advisable to pardon all persons who still stand indicted for the killing of the 22d of June. No one expects a conviction in these cases, and their trial would serve to revive animosities which should be quelled if possible."
Roaring Rowan.

As Peaceful a Lamb, and the Work of Investigating Goes Bravely (7, on.

The following dispatch in last Saturday’s Logan shows the affairs in Rowan county in a very bad light for the Tolliver faction. This was written by a man who is in a position to know, and we give it to our readers as it comes from his pen:

"Although it was notified that a man had been arrested and brought here from Rowan county a few days ago, little has been accomplished toward securing the desideratum of their wishes—that is, restoring order. Indeed, it begins to look like the whole proceeding, in the light of events heretofore detailed, a farce, and will fail of its intentions most signal.

"The civil authority is rested in the County Judge to the divorce of the Fugitive in Courts. To this County Judge, whose name is Sturdivant, is the military subordinate. To him lies the vindication of the law, and the only present appeal in this present diseased condition. He (Sturdivant) has finally been discovered and brought into court. A number of warrants have been sworn out against him by parties of both the factions. To show this, in consequence, we are sure the military will arrest the sheriff, the constables, the justices of the peace, and all who are in charge of their duties, surrounded the County House, and, after killing Bayburn and wounding Humphrey, burned the house down over the heads of the defenseless occupants, who were women, one of them encumber at that, having been arrested on warrants charging that there were reasonable grounds for believing that they were guilty of shooting in the house of Benjamin Martin on June 30th, while standing near the county house, and that this was the work of the Tolliver faction, done by order of their leader, for the purpose of making an enemy of them in their favor.

"The examination of the trial went on Monday, and a gentleman who came from that place Saturday informed us that it was the work of the Tolliver faction, done by order of their leader, for the purpose of making an enemy of them in their favor. Attorney General Martin has intimated that the examining grand jury, which has begun to sit, and has announced his intention not to continue them.

"Monday was County Court Day in Morehead, and a large crowd attended, all orderly and well-behaved. Three more prisoners, O. A. Day, J. B. Day and James Oxley, were brought into court to be examined on the murder of Ben Bayburn.

"Mrs. Vina Martin was also arrested on a charge of selling poisoned food to the proprietor of the Village Hotel, for the purpose of poisoning Craig Tolliver, who is confined there. This is but a scheme of the Tolliver faction to break down the evidence of Mrs. Martin, who is the strongest witness against the murder of Mr. Martin. She has too much sense to think of herself even, and under the circumstances, the Tolliver crew would refuse to hay any food from her. It is a fixed idea of him.

News from Morehead.

Saturday evening Jesse Colclough, a Martin man, and Nick Day, one of the recently arrested Tolliver gang, got into a difficulty in which the latter was badly used up. The sheriff attempted to arrest Colclough, but the latter took to the brush. Monday morning he was arrested in the bushes near his home. The warrant for breach of peace was dismissed, and he was tried for assault and battery, in the absence of the County Attorney, three soldiers, all belonging to the Creno Guards. The District Attorney then appointed sam. H. Cash for the Commonwealth, and A. O. Lard and J. B. Massey for the defense. Cash paid the trespasser $100, which he demanded in full and in the language of the distinguished County Judge. Day was held on a charge of using abusive and insulting language.

"Circut Court begins at Morehead next Tuesday, and the Sheriff is making a desperado effort to get the boys there to try what he does convene. Ed. Pierce is the only man in jail. In the absence of Judge Cole, in whose district the Governor will appoint a special Judge, and the probability is the gang will get off.

"Mrs. Martin’s trial, for attempting to poison her husband’s family, was set for yesterday, and was held there.

Harry Clarke’s Part in the Logan Tragedy.

FRENCHBURG, Ky., June 20, 1867.

Edited.

As in your issue of the 18th inst, you publish an article in reference to the late unfortunate and lamentable killing of the Logan boys in Rowan county, I have quoted quotations are made from a letter published by H. M. Logan in the Commercial Gazette referring among others to Henry Clarke, I should like, therefore, that you would publish the following letter to Mr. Logan.

In that letter, Mr. Clarke is referred to as “one of the gang.” I do not intimate nor intend any ill feeling against H. M. Logan by what I write, but desire the matter shall be correctly stated. Suffice it to say then, that Henry Clarke is not my son now in his 21st year, and more boy like and younger in appearance than a majority of boys of his age. He was raised at Morehead until the spring of 1865. I see my Boys in Blue of Missouri. He had been absent from Morehead more than two years, had never had any connection with the town, and had not an enemy there that I am aware of. Of all the relations he had a half brother and uncle living there, and a sister there a teaching a class in music. It was to visit them and his friend that he went there on Saturday before the killing occurred, and would he have remained there, but the gang were on the morning of the killing, only that he was induced by some of his relations to remain until the next day, as they intended then to come down the road, also. In the afternoon of that day he went to the postoffice to see if there were any letters from home, and while standing near the office, having no knowledge whatever of what was going on, a posse came around the corner and he was summoned by the marshal of the town to go and assist in making an arrest, not knowing at the time who was to be arrested. He says he felt bound to obey the summons, and that is how he happened to have any connection with the matter, but he had no “Winchester rifle,” and he tells me further, that he never told any one what Mr. Logan has published in the Commercial Gazette as coming from him...How Mr. Logan got it I don’t know; he never says Harry, and Henry denies emphatically that he never told any one what Logan has published. I think further, that Henry was on terms of the most perfect friendship with the Logan boys, and also, with every other person he knew at near Morehead. It was impossible for him to do the things in the face of his feelings, any motive of doing whatever to injure them, and his action in the premises was induced by his belief that it was his duty and that he was bound to do, and with no intention of doing wrong.

Very Respectfully,

JAMES E. CLARK.
The Rowan Outlaws Cleared by the Examining Court.

Craig Tolliver Rearrested and Taken to Ohio.

The hospital of Craig Tolliver and his confederates at Morehead was not a success. It had been a failure from the start, and General Harrod had no hopes of holding them over. It was the opinion of Justice Moore that they should be held over for trial, and the examining court, in its decision, absolutely set out the facts, and concluded that the law would not be interfered with by the apprehension of the prisoners, and that they were properly confined. It was the opinion of the court that the law would triumph and the reign of this gang would end.

Just as the prisoners were released, Craig Tolliver was arrested by Deputy Sheriff, and the complaint of the Governor of Ohio, charging him with the robbery committed in Hamilton county in 1825, was placed on record. Tolliver was indicted in Rowan county in 1829 for cattle stealing, and the county court, going to Ohio, he remained there until November, in which month he was killed. While in Ohio he was married, and in a short time after, he robbed a man, killed his mother-in-law, and, as is said, killed a man in effecting the robbery. He deserted his family to Hamilton county, and was entirely lost sight of by the authorities in Ohio until the recent troubles in Rowan, which brought him back to the county.

Tolliver was taken to Lexington and placed in jail, and, on the recommendation of the Governor of Ohio, was sent to Cincinnati to identify him. The witnesses recognized him easily as the man wanted, and he was turned over to the authorities. It was hoped that he would receive the justice in Ohio that he received in Rowan.

GOVERNOR KNOTT'S OPINION.

The following letter from Governor Knott, of Cincinnati, seven days before the report of the examining court, regarding the trial in the case of Craig Tolliver, is taken from the Times, and is the best description of the present state of the case:

DEAR SIR:—I came here on yesterday, and was informed of your affairs in this locality, and on my arrival I was told that a grand jury was in session. I was informed that you had received the recommendation of the Rowan county Grand Jury, and that you were requested to come here, and I am informed that you are to be delivered at once to the authorities of this State for trial on the indictment for robbery pending against him in Ohio. I am glad to say that you have been arrested, and I hope that you will receive the justice you so richly deserve. I am told that you are in very good health, and I hope you will be treated with humanity.

I was informed that the county authorities have been very kind to you, and that you will be treated with kindness. I am informed that you are now safe, and I hope you will be soon released. I am informed that you are in very good health, and I hope you will be treated with humanity.

I am informed that you are in very good health, and I hope you will be soon released. I am informed that you are in very good health, and I hope you will be treated with humanity.

J. PROCTOR KNOTT, GOVERNOR.
SOME PLAIN TALK.

There is no use to longer attempt to disguise the fact that the war in Rowan county was a political one. We have known this all along, but were loth to believe that this Democratic administration in Kentucky would allow this thing to continue. We knew, when Cleveland was elected, they would draw the line at murder, but when a Republican Sheriff appealed to Governor Knot for aid it was refused him. A miserable peace commission, which was a disgrace and a failure, attempted to put a stop to this lawlessness by compromising the honor of Kentucky and allowing these assassins to go unwhipped of justice. This entire transaction was but a farce, and played right into the hands of certain men in Rowan county who at this moment should be swinging at the end of a rope. Every Republican of any prominence has been completely driven out of Rowan county and sacrificed his business and his property, and this grand Democratic government has winked at it all and made no attempt to protect its citizens. Two or three of the minions of Judge Cole! Those who have read reports of the "trial," however, are not quite so sure in their hopes and expectations. I think I can say with entire confidence, however, that a vindication of Judge Cole by the community will be hailed with satisfaction, even by them who do not, class themselves among his warm personal admirers, among us.

But the question that most deeply concerns the people of Fleming, is the question of the Legislature in its action in the Rowan problem. They are opposed, almost unanimously, to the discontinuance of the treatment of the Rowan and the reaffirmation of that portion of its territory taken from Fleming. They are opposed, almost unanimously, to the discontinuance of the treatment of the Rowan and the reaffirmation of that portion of its territory taken from Fleming. They have not made an ill rest to itself, to the people of the county, and the county, with a Republican majority of about 300, would be allowed to Fleming and would make a disastrous Republican county. The distance from the courthouse to the headquarters is twenty miles, and the distance to what will be the county line, is to seven miles. To govern such a population as is to the section of Rowan, from such a distance, will be out of the question, its government may be so read without its consent, for no levy of Sheriff is likely to be found, who will venture into these fastnesses to make as game, with impunity of being shot "too full of lives to live."

But the Fleming people, better having saddled upon them too the cost of governing those people, of eroding the law and supporting their police system, and any attempt at making Fleming responsible for the ignorance and neglect to the rest of what will then be as much Fleming as Rowan, if the old lines are revised. As is understood here that Judge Cole's strong friends are favorable to the revision proposition, because they see in it the mildest form of justice for him. This is the plan of the Judge's friends. The Fleming people regard this as a very costly proposition. It is understood that as many innocent people in Fleming should be made to suffer from the sale of these fastnesses as innocent jurors.

There is considerable talk of getting a remonstrance against the proposed legislation, but this is opposed by some of the Judge's friends, as there are fearful that a remonstrance would interfere with his vindication. Judge Cole had the advantage of finding the Rowan difficulty by demonstrating the course of the people to the county of the same social district, presided over by the same society of people that he has tried to the session justice in Rowan and failed.

WEDNESDAY, MARCH 21, 1888.

WILL THE LEGISLATURE DEAL THE FATAL BLOW?

Will the Legislature of the grand old Commonwealth destroy one of its counties?

If so, will some one tell us how it can legislate out of existence the terms of office of a score and more of officers, who hold their offices and exercise their functions by virtue of the constitution of the State? These offices were created by the constitution, the organic law of the State. Is it not a violation of the constitution, to attempt to take from these occupants their terms of office by a legislative act? Could the Legislature enact a law by which it would say that neither the County Judge of Rowan, nor any other officer in it, shall be endowed with the duties of their office. We answer emphatically, no. If the Legislature can not directly legislate the terms of office of the county officers out of existence, can it accomplish the same thing indirectly? That is, by abolishing the county? Again we answer, no. The constitution provides the means by which bad officers shall be gotten rid of, that is by impeachment, but the Legislature has no power, either directly or indirectly, to legislate them out of office. If this can be done in one county, the same can be done in any number of counties and so the government would be destroyed.

But going beyond the question, that the Legislature has positively no power to do that which some, it seems, would even dare attempt, will those who are bound by all the sacredness of their oath, to do us good and not harm, will they, by one fell blow do the good people more harm than all the mole in their fury have done them? Will they destroy our prosperity and blot out our hopes? Our people are a people of prosperity as a tide is setting in; our beautiful valleys are smiling as they wait for the familiar tread of the husbandman and the whittling of the boy at the plow handle; our hills covered with the blush tint of the springtime mist, rich in minerals and timber— as we look upon them are dear to us. Our night of lawlessness has passed. Joy is settling in with the morning. In the midst of this will those who should be our benefactors deal so cruel a destruction as to abolish the county? Will they make the county the very tax deduction of other counties, and thereby a prey to lawlessness indeed? Will they compel 1,500 voters to attend on courts at a distance of from 20 to 37 miles, to say nothing of hundreds of others, including women, who must often drag these weary miles, in weather good or bad, by private and conveyance, over uncertain roads? What may we expect of the Legislature, as at that distance from us? Surely not much.

Are we worse altogether than others; the Brainard, Bell, Knot, &c? But they say Rowan is mean—mean, meaner, meanest—therefore it is proposed to do that for which finds no precedent in history. Rowan is diseased, they say,—admit it for arguments sake—we thought the practice of this enlightened century was when a man is sick to cure him; but in our case, rather than cure, it is proposed to kill. The State acknowledges its
liability to cure the disease, therefore it will take a club and knock our brains out.

The New York Sun said recently: “If the Legislature abolishes Rowan county, some fool killer ought to come along and abolish the Legislature.” Those who believe in the use of the press for the purpose of delaying the progress of the state are probably aware that the Legislature of the state of New York has been subject to such a treatment. The papers would be “Rowan Abolished.” It would afford nice reading for other States.

We say it with respect, but still we say, that we trust to such a miserable piece of stupidity will be enacted. Let us alone, and if this is done, we make now the prediction that for the next two years there will be no feeling of peace in Rowan as in the majority of the counties of the State at least. Let us alone, and the people here will see to it that the law is enforced. Let us alone!

Our County.

The temper of the legislative mind has been to abolish Rowan county, but a reaction has come, and a chance will be given the good people of the county to work out its redemption. This can be done only through a faithful execution of the laws, and there is no possibility hereafter that another season of violence and crime will settle her existence forever. It is believed that the conservative law abiding elements of the county can correct any existing evils, and secure the just punishment to those, who have violated the law. It will become their desire to perpetuate the county; to discharge the duties of citizenship by seeing to it that each officer performs his duty faithfully, and stand by him in his performance of it; or if he fails or refuses to do so, to bring him to punishment for his failure. The law is ample to correct all the evils that afflict society if administered and looked to, and secured its administration in Rowan, if you would have it perpetuated.

THE ROWAN MATTER.

The People of the County Protest Against its Abolition.

At a large meeting of the citizens of Rowan county held at the court house in Morehead, Monday, Jan 16, 1888, T. J. Hazeltine was called to the chair and A. J. Thooper appointed Secretary. On motion from the committee consisting of Jas. E. Clarke, W. W. Sanderson, J. L. Hamilton, C. Lam and W. L. Parker, were appointed to draft resolutions expressive of the sense of the meeting, who reported the following:

WHEREAS, We have heard with much interest the proposition pending before the Legislature of Kentucky to repeal the act establishing the county of Rowan; therefore

Resolved, That we appeal to the Legislature as a body, not to divest us of the rights with which we are invested by the act of Assembly establishing the county.

2. That we appeal to our Senator from this district, and to our Representative in the lower house, to do all in their power to prevent such a result.

3. That it is the sense of this meeting that the repeal of the act establishing this county would be fraught with much people, and in this connection, we call the attention of the Legislature to the fact that it is not only in the county of Rowan that a season of lawlessness has prevailed, but also in other portions of the State, and for years past up to the present other counties have been equally lawless, and is the reason of the act establishing the county of Rowan should be thought to be a remedy for such lawlessness, then what does not the same reason apply with equal force and why should not the same remedy be resisted to other counties of the State where lawlessness has prevailed.

4. That it is the earnest desire of the citizens in this mass-meeting assembled that Rowan county be henceforward as famous for peace and for the preservation of law and order as it has been for riot and disorder, and that we hereby pledge ourselves, our persons and property, that in the future we will, by all means in our power, do all that we can in the interests of peace. That, without regard to past affiliations of any sort, feud or tie, we will uphold and maintain the integrity of the law, and will, in our capacity as citizens, as far as is possible, resist and aid in enforcing the law, and therein the good order of society without fear, favor or affection to any class, individual or combination whatever; and therein we will do equal and exact justice to all men whatever their past, recent or offenses, so far as we have knowledge of the right and wrong, which is subject to taxation, and in this connection we also call attention to the fact that the great body of the citizens of Rowan county have always been peaceable and law abiding, and that lawlessness has been confined to comparatively a few in number, who, for the time being, set the law at defiance, and further that a great part of the lawlessness is caused by people coming from adjoining counties and not the people of Rowan.

5. As it is said that we are a proper county we maintain that the charges brought against us are the result of the views of the New York Sun, and for the reasons given by its editor, and we are not responsible for the same. The people of Rowan have never been known for their lawlessness.

D. B. Logan has gone to Frankfort to fight abolishing the county. Mr. Logan said to a reporter: “The people of Rowan have sent me here to defeat, if possible, the scheme for abolition. I do not think it is the best or the most advisable thing to do. It is not necessary, and it would render the journey to the county seat a matter of great inconvenience. The nearest one practicable would be Owingville, about twenty miles distant. I think what we desire is some legislation to secure more reliable work court. The efficiency of Judge Cole is destroyed. I do not say that he has done anything wrong for I am his Master Comissioner; but I do say that he is not in a position to satisfactorily adjudicate matters before his court, and that the committee comes to investigate they will discover this. I should suggest that the better plan would be to transfer the criminal jurisdiction to Judge Ricke. This would correct, in a large measure, all existing abuses. The only trouble now to be apprehended is through the trials of cases now on docket, and if this is adequately provided for I think there will be no need of further legislation. In case the criminal jurisdiction cannot be transferred, if provision could be made authorizing the Governor to send a special Judge for the trial of these cases, it would be satisfactory. The people do not object to the proposed investigation; they are rather anxious for it; but they do object to the idea of abolition.”
Since the above was put in type, Edward M. Logan, a relative of the murdered boys, and who was forced to leave Morehead some time ago, has written a letter to the Commercial Gazette, in which he charges that the Marshal's posse was composed of Mag- uill and his brother, Craig Toller. Bud Toller, J. Toller, two other Toller's whose given names he did not know, George Hogg, Deputy Sheriff, Harry Clark, a son of Z. T. Young and others, and gives the following account of the affair:

"With the pretense of laying warrants for these boys issued by Craig Toller, now Police Judge of Morehead, they started about one o'clock (daytime), armed with Winchester rifles and shotguns, went to their house, surrounded the place, and began the battle, by throwing shots and stone through the windows. This part of the programme was simply to announce their arrival. During this part of the dreadful affair the so-called Marshal Maunn received a slight wound in the shoulder. John Logan fired the shot that wounded Maunn.

"Harry Clark, one of the gang, says that after Maunn was shot the firing ceased for a while. The mob proceeded to the Logan boys that if they would come down stairs and surrender they might be protected. The Logan boys, seeing no chance to escape death, accepted the proposition, came down and were cornered, and were marched about forty yards to the spring and were there shot down like dogs. After they were killed Craig Toller, not being satisfied, put his Winchester rifle against the beard of John Logan and shot him through and through. The ball was dug out of the ground by Hiram Piggman.

"After the killing was over the mob returned to Morehead, leaving their victims dead in their blood, their visit well rehearsed from the Logan side. There arrived at Morehead, which was about dark, Bud Toller went to Hi Ratcliff's, and told him what they had done and asked him to go and take care of their victims. Piggman, thinking this might be a ruse to get him away from home in order to take his life under cover of darkness, acted prudently by not going to the scene till the next morning, when he found the two boys cold in death, with all the indications of a most brutal murder. If this gang of outlaws had been officers, and out for the purpose of making a legitimate arrest, they would have taken care of the remains of these boys and not skulked off like the outlaws they are.

"He states that the gang was organized for the sole purpose of killing these boys. They have also heard substantially the same thing from other sources. If that be true then how that this killing was a premeditated, cold-blooded and deliberate murder. Will the Commonwealth ever find this heinous crime to go unpunished?"

The desperate efforts of the Sentinel Democrat to maintain its position as Taylor Young's defender, in the face of an overwhelming public sentiment, and in opposition to such papers as the Courier Journal and Commercial, to say nothing of innu- merable county newspapers, very clearly shows that the Sentinel Democrat is allowing his friendship for Young to override his judgment.

"It may be true that "sometimes a paper is loved for the enemies it makes," and it is possible that the Sentinel Democrat may have reflected the sentiments of the whole county gang and their supporters may add to its already long list of admirers, whose good opinion we much prefer to that of Taylor Young's defenders.

"We have never charged Taylor Young with anything that the facts did not bear out in. We have never charged him with murder, arson, conspiracy or anything of the sort. We charged that Young had violated the oath of his office and had taken a position utterly indefensible and unheard of in the history of the State; had forfeited his right to every honest man's support, and openly insulted the Attorney General, who was discharging a duty he was sent to perform by the Governor. To charge the Sentinel Democrat makes no reply, except to ask us the question "if we would not have done the same thing if we had been in his place?"

"We say emphatically no! and we do not believe there is another man in the State occupying the same position that Young did, who would have done such a thing. There was nothing in Pierce's confession or retraction that connected Young in any way with the Toller faction. There was nothing in the whole proceedings to warrant such an unprofessional and ungentlemancn action.

"When the Sentinel Democrat charges that the Gazette and Courier Journal are both unfair and malicious, it simply does it to hide its own unfair and malicious conduct. It seems that the editor of the Sentinel Democrat has an "equal interest" in the welfare of his unscrupulous friend, while the editor of the Gazette does not have the honor?"

The fact that Mr. Taylor Young came into the county while the Sheriff was here summoning a jury to try him and his son, and that the jury was largely selected in the neighborhood where Mr. Young formerly lived, has been the subject of much comment among the people of this county. But we do not want the Rowan racket started among us. It is not our fight.—Fleming County Democrat.
THE LEGISLATURE.

Judge Cole to be Investigated.

A resolution was offered last week providing for the appointment of a joint committee from the House and Senate to investigate the charges of official misconduct against Judge A. E. Cole, of the Rowan Circuit Court. The resolution passed the Senate and consideration of the question was postponed in the House until today. This is one of the results of the suggestion made in the Governor's message. Judge Cole says he is anxious for an investigation, but as the Courier-Journal puts it, he can't help himself. We give below an extract from the special report of Adjutant General Hill on the affairs of Rowan county. After briefly reviewing the troubles there, Gen. Hill says:

"The courts of the county, either from sympathy or otherwise, protected the perpetrators, as some of the people insist, from a criminal indifference, or from a timidity about showing evidence against them either, resulted in that degree of vigor which such a condition of the public mind as then existed in the county always requires. Immunity from punishment for open and repeated violations of law soon brought the law and its executors into equal and undisguised contempt."

"Going deeper into the history of the troubles it is finally led to observe that the prisoners were severe in their strivings upon the conduct of Z. T. Young, charging him with being primarily responsible for the late disorders; and their strivings upon Judge Cole were scarcely less. They accuse Young of instigating the election riot of August, 1884, for the purpose of impeding the public affairs of the county; and of Judge Cole they say that he has suffered himself to be elected on the excellent ability of Young in the selection of jury commissioners term after term, the commissioners so appauved, as they charge, tools of Young who would select grand jurors who would indict only such persons as Young would."

"In view of the fact that serious charges have been made against Z. T. Young by the opposing faction in Rowan county, we think it very bad taste, to say the least, of it, for the prisoners to make a point in the prosecution of either side. And also considering that he is a public officer, these charges should be investigated along with the rest. He should not only submit to any investigation but denounce it, if he is innocent. If he is guilty, of course he does not want his actions investigated. We can say, without fear of contradiction, that at present we are in public opinion in this section is decided against him, and we say that in view of all these things he should keep out of this investigation in an official capacity, and walk up like a man, if he is innocent, and have the lights turned on."

August 18, 1887.

MOREHEAD MURDERS.

Assassination Apparently Made Easy.

A Witness Testifies That John Trumbb Was Hired to Kill Howard Logan for $100—The Youngs Acquitted.

MOREHEAD, Ky., August 17.—[Special.]

The court was occupied all yesterday in securing a jury and trying the case of Z. T. Young, Allie Young and Green Mannin. Quite an array of legal talent has been secured on both sides, and the case will be hotly contested.

Judge Keeton testified that Z. T. and Allie Young offered him $100 to kill Howard Logan, that he refused, and that then Judge Trumbull to do the deed, as Howard sent the money to travel to judge Keeton. Keeton also stated that Z. T. Young told him that he (Young) had personal assurance from Judge Cole that nothing would be done to the man that killed Howard Logan.

Fearting that Trumbull would back out, Craig Tolliver was sent for to do the deed, but he didn't arrive until the night before the outcome of Logan's life. Tolliver handed Trumbull in the presence of Keeton and others for his bad markmanship, and Trumbull excused himself upon the grounds that the gun had been to heavily loaded. Keeton stated that Tolliver insisted on making a raid on the Carey house, to kill Judge Carey, burn his house, and make a clean sweep of it, but the others were afraid to back him in it.

In answer to the question upon cross-examination as to whether he (Keeton) had ever been asked to kill anyone else, he said "Yes," that John Martin (afterward killed) offered to pay him to kill Young and Warren Anderson, but he refused. He denied having anything to do with the killing of Logan. Keeton testified that Trumbull had been recommended to him by a friend of Logan. Keeton also stated that Tolliver insisted on making a raid on the Carey house, to kill Judge Carey, burn his house, and make a clean sweep of it, but the others were afraid to back him in it.

The witness was brought to the jury to-day. The next case on the docket is that of Hiram M. Fryman and Ap Perry, charged with the killing of Craig Tolliver. Judge Cole has two witnesses named at the Court-house door, who search every person thoroughly before allowing them to enter.

About the entire day was occupied in speeches by Wallace Maguire and Common-wealth Attorney Walls for the prosecution and Colonel Whipple Kendall and Z. T. Young for the defense. Judge Cole ordered the State Guards to take arms and while awaiting the verdict of the jury. In compliance with this order, the guards were_By the telegraph, the order was thereupon kept down.

At 6 o'clock the jury returned to the Court-room, and after answering the roll the foreman handed the clerk the verdict, which was a not guilty of the charge specified in the indictment. The prisoners were then immediately released from custody without demonstration by the audience which packed the Court-house. Much interest was excited and the verdict goes to show that what has all along been predicted is absolutely true.
The reported killing of one man and wounding of others by a masked mob while on their way to Court as witnesses proves to be without the slightest foundation.

Services were held in the church at Morehead Sunday, for the first time in several months.

One of the soldier boys was sent home Sunday night very sick with the flux, and several others are similarly afflicted.

Special to The Gazette.

MOREHEAD, August 3, 1847,—Up to noon today all is quiet. The grand jury has reported nine articles of impeachment against [redacted]. The town and county are seemingly at peace, but the sleeping portions of the various parties are pistols, shotguns and rifles in abundance. It is the general opinion that quiet will continue as long as the soldiers are present, but when they leave heinous crimes and blood-thirsty feuds are expected to be renewed. The soldiers are hearty and good spirits. The Court is sitting quietly along. Next Saturday is the last day of the regular Court. Judge Cole will extend the term until all the cases are tried, even if it should run to the 1st of September.

PIERCE'S PERFEIDY.

An Actor in the Rowan County Drama Gives the Plot Away.

Several days since Ed. Pierce, one of the Martin faction in the recent Rowan county troubles, was arrested at Greenup and taken to Owingsville on the charge of robbing a man in that county last year. While at Owingsville he was sent for Z. T. Young and made a confession, giving the Martin faction away. After this day was over, he paid no attention to them whatever. Mr. Young was at home Sunday and we understand he says the above account is considerably overdrawn. The grand jury is hard at work investigating the murder and a large number of inmates will probably be returned. The following is a list of the grand jurors: Ben Culver, Solomon Williams, William Kegley, J. W. Johnson, Jas. Thompson, John Penley, J. W. Amberg, John Hall, A. J. McKenzie, Jr., Archie White, Eph Barnes, Nathan Riddle, Fleming Jones, E. W. Gooden, J. W. Coldren and Foster Swim.

When John Martin was murdered on the train his brother, Dave Martin, went to his (Pierce's) home in Greenup county, on three different occasions to get him to assist in the capture of Martin's murderers, whom they professed to know. After considerable persuasion, and a promise of pay for his time, he went with Martin to old man Martin's house in Rowan county, where they found ten or twelve armed men, among them Stewart Bungartner and Ben Ra.

It was proposed that they all go to Morehead, where the Tollivers were, and arrest them. Sheriff Humphrey came out the following night, and the crowd started to Morehead with the avowed purpose of shooting the Tolliver crowd wherever found, as they had concluded that the latter were too numerous to attack at once. After going part of the way they went out, and he and several others started home. He returned to Greenup, and in a few days received a letter from Sue Martin to come back and assist them to get rid of the Tolliver faction, and intimated that he would be well paid for his work.

He at last yielded and returned to Rowan. The Martin crowd then decided that they couldn't do anything with the outlaws (as they termed the Tolliver faction) and concluded to shoot them from the bushes. The day Taylor Young was shot, Stewart Bungartner came to old man Martin's and told them that Young was going to Hogtown that day, and later on Humphrey came out and reported the same thing and said it would be a good time to kill Young. It was then arranged for Pierce and Raborn to waylay Young and shoot him on his return to Morehead. Humphrey promised them $50 for killing Young, and $10 for each. Filling Bowling, Craig Tolliver, John Day and others, Pierce and Raborn guarded the road leading from Hogtown to Morehead, the former armed with a shot-gun and the latter with a Winchester rifle. When Young came up he was riding in a gallop, and Raborn insisted on getting down to the road, remarking that that was the way he used to do in the Underground war. Pierce kept him back, however, for fear of being detected and running hard, and as Young got oppo.

site to them, Raborn took deliberate aim and fired, and ran down the road and fired a second shot. Young spurred his horse and rode rapidly on. Pierce says he did not want to kill Young, although he had agreed to do it, and refused to fire, giving as his excuse to Raborn that the distance was too great and he could not hit him. He says the snow in Raborn's face was all that saved
year ago he shot Larry Spence in Greenup with a shot-gun, but Spence recovered. He says he never shot anybody else in his life, and the grand jury failed to indict him for this, as it was proved that he shot Spence in self defense. He tells a pretty straight story, but there are plenty of people who will not credit it.

THE ROWAN LAW MILITIA.

Is Grinding Slowly, With No Definite Results.

The trial of the parties charged with the murder of Bayborn and the burning of the Martin property commenced last Thursday, and is still in progress. Z. T. Young withdrew from the prosecution, and Gov. Crittenden is being assisted by W. W. McNeire of Morgan. The Defendants are represented by R. F. Pritchard, of Calhoun; Judge C. W. Goodpastor, of Collegesville; and Allie Young. Miss Sue Martin was the first witness for the Commonwealth and she told a straight-forward story, much of the same as published in these columns two weeks since, and all efforts to break the force of her testimony proved unavailing. A correspondent writes, "The testimony of Sue Martin was corroborated by her mother and sister, who also told a most pitiful story of the burning of their home and the killing of Bayborn. Mr. Young was introduced for the Commonwealth Saturday evening, but owing to the delicate condition of his health, the cross-examination was continued until Monday afternoon, when court adjourned until Tuesday morning. Mrs. Tussy told very much the same story as the other three witnesses. The defendants rely for their defense on the fact that they were summoned by an officer, who had a warrant for the arrest of Humphrey and Bayborn, but that can be no excuse, whatever, for burning the houses. The defendant was not asked to try to impeach the Martin women, but they are of good character and intelligence, and could not be impeached. The Martin faction may have done wrong in some instances, but the way these women have been treated cannot be measured by a trifle. They had their home burned down, and to add misery to a desolate home, they were drenched to the bone without any cause, whatever. Instructions are that the trial will be long and tedious.

Clark Johnson, who was introduced yesterday morning, testified as follows: I am coroner of this county. Robert Musser came to my house about a clock on the evening of the killing and placed a warrant on my hands for the arrest of Humphrey. He told me of the trouble at Martin's house. We started back to Martin's house and were fired on from the bushes. There were about 17 shots fired from both sides of the road, of which 5 turned back and Musser went on.

Some of the officers had no warrant for Humphrey, Salary speaking, was no warrant at all. The general belief is that the stooge should not have been done by the Toliver faction in order to make an impression in their favor.

CARUTH'S COMPROMISE.

In Playing the Devil in Rowan Again—The Martinez Section About Wiped Out.

On Tuesday of last week another tragedy occurred in Rowan county, three miles west of Lexington, and more of the Martinez faction hit the dust. On that day warrants were issued—we have been unable to learn by whom—for the arrest of W. H. W. and Jackson Logan, sons of Dr. Henry Logan, who is now in the Lexington jail charged with conspiring to kill Judge Cole and others. The warrants charged the Logan boys with kidnapping, and were placed in the hands of John Mann, Marshal of Morehead, who in company with Deputy Sheriff Hogg and a posse, composed we presume of some of the enemies of the Martinez faction, proceeded to make the arrest. Arriving at the home of the Logans they refused to come out and surrender, and when Mann attempted to enter the house, he received a charge from the pipe shot in the left eye, an infliction that is a very dangerous wound. His crowd then threatened to burn the building, and the Logans fled in haste to liberty, and were rid of bullets and the posse attempting to make the arrest.

It is said that Mann is a new comer to Morehead, and was not figured in the factional fight there. If that be true, we are unable to learn who composed the Marshall's posse, and as Mann reports from Morehead come out of that side, as there is another is about exterminated, it is next to impossible to get the truth of the situation out of the difficulties there. In this connection we print the following dispatch sent from Lexington to the Louisville Commercial last Friday:

"Later particulars from the Rowan county tragedy indicates that Craig Toliver was with the posse, which numbered ten or more."

A Commercial reporter visited Dr. Logan, father of the dead men, in the jail yesterday afternoon. The poor old man is nearly crazed with grief. He thinks the whole thing was a scheme on the part of Craig Tolliver to get his boys out of the way. He said William was only 24, and was studying for the ministry, while Dr. Logan passed his 50th birthday. He said William had been quite ill for the past six weeks.

The Toliver boys are known to have been courting at the old Logan burying ground, about five miles north of Morehead. The killing of those two men just about wipes out all that is left of the Martinez faction.

We were told a few weeks ago that "law and order now reigned supreme in Morehead," but we fail to see it in that light. Now that all the parties that composed or were in sympathy with the Martinez faction have been killed or forced to leave Rowan county, we expect to get at the true in-waitings of all the trouble in that county. It is an old and true saying that "when thieves fall out honest men get their due," and unless we pretend to say that the Martinez faction did not have some bad men in it, we must admit ourselves in the dark as to the termination of each other. A consummation devoutly to be desired. If the whole dishonest business will be exposed, and we believe revelations will be made that will put the blame where it properly belongs.