

# ROWAN'S COURT ADJOURNS

## The Grand Jury Says That It is Not Satisfied With the Investigations Made.

## Cook Humphrey Comes Into Court and Surrenders.

## He Testifies, But No Indictments Are Found—The Soldiers Still in Camp.

(Special to the Courier-Journal.)

MOREHEAD, KY., Aug. 17.—Agreeably to general expectation court adjourned this afternoon. The Grand Jury made its final report a short time before the adjournment of the court. That report says: "We have been in session twelve days, and have returned sixty bills of indictment, thirty-two for carrying concealed and deadly weapons, five for unlawfully confederating and banding together to commit murder, three for Sabbath breaking, four for selling liquors to minors, three for unlawful gaming, one for fornication, three for failing to keep a public road in repair, two for an assault, three for shooting at another without wounding, one for a breach of the public peace, one for house-breaking, one for attempting to poison another, and one for resisting an officer. We have met with much difficulty in our efforts to get witnesses before us. The unfortunate condition of Rowan county has been such for the last six months as to defy the officers of the law in a great measure, so that full and complete investigations have not and can not at this term of the Court be had and returned by the grand jury. We are not satisfied with the testimony of the alleged murders of John Martin and Ben Rayburn, yet we believe, by the commencing of another grand jury, facts and circumstances will be so developed as to bring the guilty parties to justice, or, at least, a fair investigation of the guilty parties in each case, and relying on better circumstances and positive proof, we recommend a resubmission of each of the cases to another grand jury.

"The thanks of the grand jury and the people of Rowan county are due to the Hon. George T. Halburt for the faithful and impartial manner in which he has presided at this term of the court as Special Judge. The thanks of the grand jury and people of Rowan county are now returned to the Kentucky troops in our midst; especially to Maj. McKee, their gallant, brave, and noble commander."

### COOK HUMPHREY SURRENDERS.

This morning at sunrise Cook Humphrey came in and surrendered to Maj. McKee, and was turned over by that gentleman to the court. Since the arrival of the troops Humphrey has been the Great Mysterious of Rowan county. Reporters have been led through thorn and bramble and lost in the impenetrable mazes of mountain forest upon a bare hope of obtaining an interview with him. It had been circulated that the far West had received the man whose villainy, say the Tolliver faction, is detestable; whose heroism, according to the Martin faction, is unparalleled. In person Humphreys is about five feet seven inches tall, of a slight, though somewhat loose build, with a more than ordinarily large head, steady blue eyes, and a large half-Roman nose that displays more character than any other feature of his face. His manner toward strangers is marked by an awkward hesitation of bashfulness, which before it wears off conceals the shrewd, good sense which most mountain men have, and which he has in an eminent degree. There is nothing about him that indicates the desperado. In reference to

### THE KILLING OF RAYBURN

He tells essentially the same story as that detailed by Miss Sue Martin on the witness stand in the trial of Tolliver. In response to the question as to what time he became involved in the Martin-Tolliver feud, he responded: "From the day of my election the leaders of the Tolliver crowd began to treat me coolly, and not long afterward I heard it whispered around by the Tolliver crowd that I should not ride as Sheriff, and that I would be dropped out of my saddle."

In answer to other questions, Humphrey said: "In January, shortly after I had qualified, I was at Hoggstown, eight or nine miles from here, on business. Craig Tolliver came up to me and said that I must not have anything to do with any indictments against him and his friends for the shooting of John Martin on the train. He pulled out a handful of 44 cartridges and said they were the kind John Martin was killed with and the kind he (Tolliver) used, and I wanted to shoot it out with him then. Then a day or so after the convening of the February term of the court, Marion Tolliver, a brother of Craig, followed me around town without my noticing him, and would have shot me had it not been for McKenzie." He continued that a day or two after the Circuit Court convened Alvin Bowling approached him on the streets and

### WANTED TO SHOOT IT OUT

with him, and only desisted in the face of a cocked gun. A little later on, a deputation, consisting of four Tollivers, John Day, Dere Wilson and one or two others, waited on him, demanding that he vacate his office. He says that he applied to Judge Cole to have them put under bonds to keep the peace; that Cole told him that such a proceeding would only enrage them the more, and he had better leave the county for a while and give them time to cool down. About this time he appointed Bumgardner his deputy. They stayed pretty close together. He was not molested. Later on followed

### THE ASSASSINATION OF HIS DEPUTY.

then the set fights on the streets of Morehead between himself and Pearce on one side, and Jeff. Bowling, Tolliver and others on the other, and lastly the fight at the Martin House, in which Rayburn was killed and he escaped so narrowly.

He claims that in all the collisions between himself and the Tolliver faction the latter were the aggressors, and that all he ever did he did in self-defense. Humphrey went before the grand jury today, but no indictments were found upon his testimony. It is supposed because that body was just about to adjourn, when he appeared before it. There are five indictments against him, found at this term, growing out of his difficulties with the Tolliver faction.

Humphrey is now in camp, and says he will stay there as long as the soldiers remain. How long that will be is not certain, though it is probable that all the troops will be withdrawn about the end of the week.