

WICKED ROWAN.

Mr. Asher G. Caruth's Observations on That Pestiferous County and Its Courts.

He Thinks the Presence of the Military Was Necessary to Hold Court —The Work of the Present Grand Jury.

Mr. Asher G. Caruth has returned from Rowan county, where he has been aiding in the prosecution of criminals before the Circuit Court. A reporter of the COURIER-JOURNAL called on Mr. Caruth yesterday and asked him to give some account of his observations in the county and to say what he considered the proper remedy for the evil existing there. Mr. Caruth said:

"I believe that nine-tenths of the people of Rowan county are law-abiding citizens and wish to see the law enforced. They are people of ordinary intelligence, and the grand jury is as good as any I ever saw. They want to do what is right and, with one or two exceptions, I have seen no display of partisan spirit on the part of any member of the grand jury. They have found about twenty indictments, including misdemeanors and felonies. Two or three days were devoted to the Logan case, the last killing. The grand jury will meet again next Tuesday, and will immediately undertake the work of discovering the murderers of Martin and Bungarden. I regard Judge Cole as an able, brave, and strictly impartial man, anxious to enforce the laws. He is determined that the jurors shall be fair, even if he has to send out of the county to get them. So far as I have seen, there is no effort on the part of any officer to impede the course of justice. The Sheriff and the County Attorney, Young, seem anxious to do all in their power to aid the court. Young expresses himself as ready to meet any charges that can be brought against him, of partisanship or of any other kind. I think there has been much exaggeration and misrepresentation on both sides of all these questions. There is no very nice regard for the truth when one side talks about the other.

"Certain newspaper reporters are responsible to a certain extent for much of the trouble. They are sent up there to find out how bad affairs are, and, of course, they are on the alert for the sensational. Consequently they make a mountain of a mole hill, foment trouble by indiscreet reports, which keeps one side aroused against the other. The people need peace, and a calm way of looking at things would be much to their advantage.

"I do not believe that under the present state of feeling it would have been safe to have attempted to hold court without the presence of the military; but a good deal of this state of feeling is due to the fact that the military has been sent up there before. It has come to be considered necessary. There is no ill-will against the soldiery in either of the prevailing factions, and Maj. McKee is popular. I believe that the troubles could all be settled if Craig Tolliver and Cook Humphreys could be sent to the penitentiary or otherwise gotten out of the county."

Mr. Caruth was then asked about his own work as Prosecuting Attorney pro tempore. He said he expected to obtain a number of convictions and hoped to be able to remove the worst elements from the county. He said:

"Under the act of the last General Assembly, the duties of a Commonwealth's Attorney, pro tempore, are confined to prosecuting felony cases, unless the County Attorney, as well as the regular attorney for the Commonwealth, is absent. As the County Attorney of Rowan county is present and performing the functions of his office, I only have charge of the felony prosecutions. We hear a great deal of talk about crime and lawlessness in Rowan, although indictments have been found against all known violators of the law, and for all offenses except the murders of Martin and Bungarden, the perpetrators of which yet remain undiscovered. It is a fact that there are but twenty-four felony cases on the docket for the regular term of court, which convenes Tuesday next. In seven of these twenty-four cases, to-wit: James Rabburn, for murder committed in 1880; Wm. Johnson, for murder committed in 1882; John and Alex. Gillespie, for murder committed in 1884; Moses Little and Marion Candel, for murder committed in 1886; William Martin, robbery, in 1885; Frank Warren, burglary, in 1888, and Allen and Amanda Mullin, for conspiracy in 1885, the defendants have never been arrested, having fled the country. Of the seventeen cases which now remain, three are against Ed. Pierce, for shooting, wounding and false swearing. Pierce is already in the penitentiary. Two are against O'Bannon Logan and others, and are both for the same offense, one being intended to supply the other. There have already been two convictions in this case, and Absalom McClurg, Lem McClurg, Wm. Cornett, Harrison Handsbow, and Nelson McRoberts, were before the court, and are to be tried under the kulex act for 'confederating and binding themselves together, etc.,' the punishment of which is not less than twelve or not more than eighteen months confinement in the penitentiary. There are three felony cases against Cook Humphrey, for unlawfully banding with another, etc., and for conspiring to murder. One case is against Thomas Allen Day and others for burning the Martin house, in which case there are before the court Lee Tolliver, Thomas A. Day, and John C. Day; one against Melvina Martin, for attempting to poison Dr. Rain; one for malicious wounding, against W. M. French; one against E. N. Reese, for grand larceny; one against Thomas J. Trusto, for breaking into a railroad car; one against James Stragall, for taking and detaining a woman against her will with intent to carnally know her. Another indictment for this same offense is pending against Fred Jefferson. There is one indictment against Craig Tolliver for false arrest and imprisonment, and one for the same offense Asa Bashaw. These cases, together with the one for malicious cutting against Howard Logan and for murder against Thomas Barton, found by the present grand jury, constitute the felony docket which is to be disposed of by the court which convenes on the 31 of August. I shall carefully examine the testimony in each case, and if, in my opinion, the charge can not be made out, I will dismiss the case. While I would have no guilty man escape, I do not desire to punish the innocent."