

PEACE IN ROWAN.

Mr. Caruth Effects a Settlement Which Judge Cole Approves As a Proper One.

Craig Tolliver and Cook Humphrey Mutually Agree to Leave Their County for Its Good.

[Special to the Courier-Journal.]
MOREHEAD, Aug. 9.—When the Circuit Court met this morning, on the call for motions, Mr. A. G. Caruth, Acting Commonwealth's Attorney, presented the following paper:

HON. E. A. COLE, JUDGE ROWAN CIRCUIT COURT.—Under your appointment I have acted as Commonwealth's Attorney *pro tempore* at the special July and present August term of the Rowan Circuit Court. I have given the felony docket over which alone, under the present law, I have jurisdiction, careful study and attention. I have also investigated as thoroughly as a stranger to the people of Rowan county could do in the limited time of my service, the causes which lead to the present unhappy condition of affairs, and have sought to find a remedy for the evils afflicting this people. I find it to be the opinion of the law-abiding citizens of all parties that the public peace could be best secured by the continued absence from the county of Rowan of the acknowledged and recognized leaders of the two rival factions—Craig Tolliver and W. Cook Humphrey. Against the former there is now pending—one felony charge—that of false arrest and imprisonment. Against Humphrey, there are three indictments for felony on the docket, each for conspiracy, etc., to commit personal violence. I have the written request of each of these persons accused to suspend further proceedings in their cases, coupled with a promise on the part of each to leave the county of Rowan, never to return, unless temporarily, to attend the burial of some immediate relatives. These requests, marked "A" and "B," are filed herewith as part of this motion. The persons charged to have been injured by their acts, also request this disposition of the pending cases. It is the opinion of the members of the grand jury now in session, and of the vast majority of the citizens of this county, that this disposition of the cases will do much to restore peace and confidence to this community. After free consultation with members of the bar, residing or practicing here, with the commander of the forces now stationed at the county seat, and with citizens of high position and authority in the Commonwealth, familiar with affairs here, and considering the uncertainty of criminal trials, I am convinced that this is the best available method to secure the end in view. No harm can by this means be done the State, because should the agreements be violated the cases can at once be set for trial and prosecutions made. I desire to hold the cases in *terrorem* over these defendants so as to enforce their agreement, and ask, therefore, should Your Honor concur with me in the wisdom of this course that each of the cases be filed away with leave to the Commonwealth to re-docket at any time it may see fit to do so.

ASHER G. CARUTH,

Commonwealth's Attorney *Pro Tempore*, Fourteenth Judicial District.



COOK HUMPHREY.

Accompanying this motion of Mr. Caruth's was the following communication from Cook Humphrey:

ASHER G. CARUTH, COMMONWEALTH'S ATTORNEY *PRO TEM.*, FOURTEENTH JUDICIAL DISTRICT.—I request you to suspend any further proceedings in the cases now pending against me in the Rowan Circuit Court, and promise that I will remain away from the county of Rowan permanently—only reserving to myself the right to return in the event of my father's or mother's death, to attend their burial, and immediately go away. I am willing the cases should be re-docketed and the trials proceed should I violate this agreement. I will leave said county on or before Sunday, the 8th day of August, A. D., 1888.

W. C. HUMPHREY.

Attest: G. A. CANNON.



CRAIG TOLLIVER.

Craig Tolliver's promise was to the following effect:

ASHER G. CARUTH, COMMONWEALTH'S ATTORNEY *PRO TEM.* OF THE FOURTEENTH JUDICIAL DISTRICT: I request you to suspend any further proceedings in the cases now pending in the Rowan Circuit Court against me, and promise that I will remain away from the county of Rowan permanently. Should I ever return to said county, I am willing that the cases shall be re-docketed and the trials proceed. I will leave said county on or before the 8th day of August, A. D., 1888. In this agreement, I reserve the right, in the event of the death of any of my immediate relatives, to return to attend their burial, but I must immediately thereafter leave the county to permanently remain away.

Attest: D. B. LOGAN.

CRAIG TOLLIVER.

Judge Cole sustained the motion of Mr. Caruth, the defendants were discharged and the indictments filed away, subject to be re-docketed when either shall violate the promises contained in their communications to Mr. Caruth. The settlement of the difficulty appears to meet the approval of all, and it is believed that the Rowan county troubles have been at last settled. The Court will probably close for the present term, after which time there will be no demand for the presence of the troops and they will be removed.

Craig Tolliver and Cook Humphreys have promptly put into execution the promises made to Mr. Caruth, the former going to Texas, the latter to Missouri.

And so, let all hope, ends the Rowan troubles.