

STORIES
of
Kentucky Feuds

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"Certain death pursued the runners"
(See page 31.)

THE "MAN UNAFRAID"

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How the Tolliver-Martin Feud was stamped out
and "The Rowan County War" Ended

I

"LET the Regulators come. Damn 'em. We're ready for 'em."

Craig Tolliver cast an appraising and approving eye over the ten or a dozen men who lolled, all heavily armed, in the barroom of the American House.

In Morehead, Craig ruled with a hand of iron and the sting of death—there were those in Rowan County, down in the southeastern portion of Kentucky, who called him "Czar" behind his back, but never to his face.

For months and months he had dared, aye, even laughed in the face of every agency of law, order and decency within the borders of the Commonwealth and had escaped unscathed—and now the Regulators were coming! Pouf!

And Craig Tolliver had learned all of this quite by accident, this newest attempt to bring him within the pale of the law. That morning a weak-kneed railway man had telegraphed to his wife in Morehead to leave the town immediately.

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Trouble was expected, so he had wired her; as though trouble were ever absent in this center of one of the bloodiest feuds that had ever stained the annals of Kentucky.

No telegram was sacred in Morehead, not while Craig Tolliver led his clan, and what was more natural than that this stray wisp of warning should be wafted in his direction? Nor was it to go ignored. Eternal vigilance was the price of his throne. The word went quietly to the Tollivers, a half-dozen or more of his kinfolk, and to his henchmen to assemble at the barn-like building which he owned and which was graced with the title of the American House.

They came at his bidding, and none but the Tolliver adherents ventured into the place. The neutral element in Morehead looked on and gasped. They knew what such preparations meant. Morehead folk scarce dared to hope for a happy ending—all they knew was that such tests of strength only meant "more killin's."

Now the loud-mouthed badinage in the bar-room paused, the time had come for whispered instructions. Big Craig turned to his cousin Jay:

"Them Logans hez been jest as much pizen to us Tollivers ez the Ma'tins wuz befo' them. This

looks like ou' chance to wipe 'em off the face of the earth. Boone Logan is at the bottom of all this, Jay, and he's yo' meat." And then clapping his hand upon Jay's shoulder as though to punctuate his command, he added, "And see that you get him."

"No, Uncle Craig—you leave him to me. I'll finish him."

The interruption came from an unexpected source. It was not from a man but a scrawny bit of an undersized boy. This was Catesby Tolliver. Nor was he the only youngster in this gathering of the feudists, for there was his cousin Cal, slightly older than he, but just as heavily armed—both of these wisps of boyhood were equipped with derringers of deadly calibre and cartridge belts, heavily laden.

Craig's powder-singed and shot-pitted face was screwed into an ugly smile that was intended to be both indulgent and good humored.

"How jealous us kinfolks is of the distribution of ou' honahs," he laughed. "But look yere, Cate, ef he's turned ovah to you—you see thet you get 'im."

Another drink was set upon the bar, another trip there for those who lounged upon the boxes

and barrels; here a nervous, tense laugh—there some jostling, all of which came to an abrupt ending when one of the henchmen—who never took his eyes off the dusty winding roadway of Morehead's main street—shouted:

"Thar he goes!"—and the last battle in the "Rowan County War" unwound the final chapter, with which it passed out into history.

There was a mad rush for the open air by the Tolliver host. Before Big Craig, at the moment, was his untouched drink of raw whiskey. He stopped to snatch it up from the bar. It took but a moment—but that pause changed him from the leader to bringing up the rear.

This was a new experience for Craig Tolliver—it filled him with evil forebodings. He had appeared in spectacular roles in most of the twenty odd sudden deaths that had been attributed to the Tolliver-Martin feud, and the others relied upon him for the final words of instruction which this alarm had left unspoken.

For once Craig dallied behind, and who knows what dark thoughts flitted through his brain? Who knows but that all of Rowan County's needless killings passed before him in review? Who knows what passed through his mind, as he stood there

in the prime of his manhood—thirty-six years of age—and pondered as the first bullets whistled and moaned their drab and deadly warning?

Would the Fate that he had laughed at and mocked for three long and bloody years finally deal him a losing hand?

He tugged at his long moustache, he brushed a lingering drop of whiskey from his little goatee, he straightened himself to his full six feet—this was a new experience for Craig Tolliver.

Was he losing his nerve?

No—not by a damn sight.

He lifted the two heavy pistols from their holsters hung on his well stuffed cartridge belt and cursed his one moment of indecision. He had been bred to such scenes—hadn't his father passed out in such a one as this? He was Craig Tolliver once more. He had no idea of side-stepping Fate now!

II

Though Craig Tolliver never once appeared on the side of the right in the Tolliver-Martin feud, he was a dramatic figure from its inception to its spectacular climax. His real name was Talliaferro and he was born in Morgan County, Virginia.

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When he was a lad of ten his father was done to death in his bed by friends and sympathizers of a neighbor whom he had bested in a law suit. The terrors and horrors of that midnight attack left an indelible imprint upon his boyish mind.

Soon after his father's death the family moved to Elliott County, Kentucky, where, as he grew up, he was admired by some and hated by others. Few were quicker with the rifle or with the pistol than Craig Tolliver—few were as gracious and mild when sober or as mean when filled with the fiery liquor of the mountain stills, than he. It was amid these strange contrasts that Craig Tolliver grew to manhood spending most of his time in Morgan and Elliott counties until he reached his majority and had married.

He did not profess, in the beginning of the feud, to the leadership of his clan—that dignity fell to his brother Floyd; and Floyd had no mean following, for others of the Tolliver clan came over the mountains, or were already settled on the hills of these southeastern Kentucky counties as well as his own immediate family. The Rowan County War traces back to the twin roots of much evil—whiskey and politics, and between these it was that Craig Tolliver was dragged forth into the limelight.

In August, 1884, Cook Humphrey, a republi-

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can, and S. B. Goodan, democrat, contested at the polls for the election as sheriff of Rowan County. The vote was about evenly divided and every means to influence the electors, from money to whiskey, played a part in this campaign.

Came the day of the election with things seething in Morehead. Politicians were everywhere; in fact every one of the eleven hundred souls in the county was an active campaigner. As the day grew longer the hot heads became hotter, threats more fierce and violence more imminent.

Brawls and fist fights led up to the high crescendo—murder.

Ben Martin's son, John, was struck down during one of the melees and whipped out his pistol, the starting point of a general fusillade, which resulted in the killing of a man named Bradley and the wounding of Adam Sizemore, while John Martin emerged with his teeth knocked out and his head badly bruised.

Then followed the reckoning. Bradley was a staunch republican, and with Humphrey elected sheriff it was to be expected that blame would be fixed upon some one.

Martin declared that he had been knocked down by Floyd Tolliver and a companion.

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"When I got up, I drew my pistols and started shooting," John Martin testified, "but they were not aimed at Solomon Bradley, my old friend, nor at Sizemore. Who would have shot them, than Tolliver? He was for Goodan and on the other side of the political fence."

"John Martin killed Bradley—he started shootin' first," was the trite explanation that Floyd Tolliver gave.

It was one man's word against the other, and in the charges and countercharges that followed the Tolliver-Martin feud was born and the killing of Bradley became the lesser incident in the chronicle of Rowan County's murderous election day.

On one side was ranged the father of John Martin, Old Ben, who resided on a farm near Morehead, and his republican friends. On the other was the large relationship of the Tollivers, backed by the democratic cohorts. Prominent in this cleavage was the Logans, members of a foremost and respected family, who were drawn into the vortex through their friendship for Sheriff Humphrey.

For weeks the killing of Bradley was the high topic of conversation in the county and in Morehead in particular—no one had been punished for

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the crime and the more the talk, the more bitter the feeling and the more tightly the lines were drawn between the factions. It was during this time that Craig Tolliver, who had been living in Morgan County, joined his brother Floyd and became a factor in the succeeding events.

In due time came the sittings of the Circuit Court and the long promised threat of the sheriff to have Floyd Tolliver indicted; but, the grand jury went even farther for it and included the names of John Martin and John C. Day, the acting sheriff of the August previous, and all faced charges of malicious shooting, wounding and murder.

That was a crushing blow to both the Tollivers and the Martins alike, and the accusation that both sides were equally responsible set the bad blood further to boiling.

The three accused men were released on bail, and neither Floyd Tolliver nor John Martin came face to face until early in December when their case was set for trial. These, now sworn enemies, first met in front of the courthouse and later in a barroom. Both were well under the influence of liquor and it was Tolliver who was the aggressor. He walked up to Martin and declared:

"John, you've been trying to bulldoze me, and I ain't going to stand fo' it."

"I'm not tryin' to bulldoze you, Floyd."

"Yes you are an' I want you to understand that I won't permit it."

Martin, who was the more sober of the two, cut this conversation short by turning on his heel and walking out of the place. Tolliver became more quarrelsome and aggressive as he imbibed more liquor and announced that he was going "gunning" for Martin.

The two again met—this time in the barroom of a place known as the Galt House. Martin in the meantime had been twitted freely by his friends about his walking away from his enemy at the previous meeting.

Again Floyd Tolliver sought trouble, this time adding threats to his taunts. These went unnoticed until Tolliver made the fatal move of putting his hand in his pocket. Instantly Martin wheeled into action, saying:

"Well, if you must have a fight, I'm ready for you."

Their pistols barked in unison, but it was Floyd

Tolliver who fell mortally wounded. The Tolliver men rushed to his side, and his dying words were:

"You men swore you would kill him—keep your oath."

III

That was the spark that flared the fires of hate into a blaze. John Martin gave himself up to the law, but the Tolliver men thirsted for his blood. They threatened to storm the jail; they were in an ugly mood and the wildest rumors filled the air.

Judge Stewart and the County Attorney, Taylor Young, consulted. They believed in removing the cause of the demonstration and John Martin was secretly taken from the Rowan County jail to that of Winchester to keep him out of harm's way.

The Tollivers fumed and they raged when it became known that they had been cheated out of a desperate chance to spend their fury against the slayer of their kin. So black were these clouds of hatred that Judge Stewart suspended his orders for the preliminary trial and waited for the intensity of feeling against Martin to die down.

His order was issued on December 9th. No sooner did it become known than the Tolliver

feudists gathered in secret meeting. Here first appeared Craig Tolliver as the arch-plotter and leader. His brain is credited with a most simple, yet daring scheme.

A forged order, purporting to have been signed by Judge Stewart, was placed in the hands of Marshall Alvin Bowling of Farmers—the little hamlet where Floyd Tolliver once resided—which directed him to proceed to Winchester and convey Martin from that jail to the one at Morehead. With this went another order directing the jailer at Winchester to turn over the prisoner.

Martin had been in the Winchester jail for six days, and on the afternoon that the bogus order arrived he had been visited by his wife, who brought him the news of Judge Stewart's suspension of his trial date. When the Winchester jailer informed him of the arrival of Bowling and four men to return him to Morehead, Martin quaked with fear. He begged the jailer to look beneath the cover of this plot and not turn him loose to certain death. He pointed out that Marshall Bowling was a Tolliver man, a friend of the man he had slain. He asked him to confirm the order of the trial judge.

"Orders are orders" was the only satisfaction that he received, and to which John Martin could

do naught but bow his head and go bravely to his doom. Handcuffed and shackled he was taken to the railway station surrounded by his five grim and silent guards. And the irony of it all was that his wife, riding in a forward coach of the train, was entirely ignorant of his presence aboard.

Outside the November winds whistled, it was chill and gloomy and then rain began to fall. The train bore on through the night until the hamlet of Farmers was reached, and it had scarcely come to a stop when from out of the darkness a huge band of men, their faces hidden in handkerchiefs and such disguises, climbed aboard. They made no mistakes—they knew where their quarry was.

Not a move was made by Alvin Bowling, sworn protector of the law, nor his four deputies brought along to "guard" Martin. He, poor wretch, shackled and unarmed, had no opportunity to fight for his life.

It was an assassination, pure and simple and even complete, for his shivering body was plugged with so much lead that even his poor wife, quick to sense the cause of the shots and the screams of the dying man, had difficulty, a few minutes later, in recognizing the husband she believed was resting securely in the Winchester jail.



"It was an assassination, pure, simple and even complete"

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So it came that a Martin had killed a Tolliver—and the Tolliver clan killed a Martin.

Did Craig Tolliver fire any of the shots that spelled death for John Martin? No one knew, at least no one testified that he did, though it was he, commonly, who was credited with the plans for the assassination. Nor was any one punished for this crime, let alone being arrested to answer for it.

The rest of Rowan County sat back and prepared for the worst. They knew that the end was far from in sight. Emboldened by the first taste of the blood of their enemies it was not for the Tolliver breed to rest quietly on their gory laurels.

IV

Months passed with both sides resting on their arms; there were clashes, many of them, but no blood was spilled until Stewart Bungardner, a deputy under Sheriff Humphrey, a loud boastful gun fighter and former resident of Elliott County, made bold to declare that the Tollivers should be prosecuted. That sealed his fate. While he was riding along a public highway, about six miles from Morehead, he was riddled with buckshot—those who shot him from ambush making fully sure that his death was certain.

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The Martins openly charged the Tollivers with this crime, nor were they slow to retaliate, for in the following month, April, 1886, the county attorney, Taylor Young, while riding by the identical spot where the bullets snuffed out the life of Bungardner, was ambushed and shot through the shoulder.

The neat explanation for this attack was that Young was a Tolliver man—though he disclaimed any connection with either faction. "But," said the Martins, "did he not attempt to circumvent the Tollivers by having John Martin taken to the Winchester jail? Why should they desire to see him killed?" Such was the blind fury of the feudists.

Taylor Young had enough of the lawlessness of Rowan County. Able lawyer that he was, he decided that more peaceful scenes were to his liking and that he would no longer be a target for the bullets of assassins. He moved elsewhere and many other residents of Morehead and the surrounding country made a like exodus.

And those who went soon had just cause to rejoice.

Stinging under the death of his deputy, Cook Humphrey, sheriff, determined to "fight it out," his purpose being to rid the county of the Tollivers

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or be eliminated himself.

Morehead was now to witness the first drawn battle within her boundaries. Humphrey appeared one morning with a mysterious individual, later to be identified as Ed Pierce, a notorious gunman from Greenup County, both of them heavily armed and with a number of the Martin adherents following in their wake. Little further was needed as a warning to the peaceable citizens to take to cover. And the Tollivers had been caught napping.

The redoubtable Craig was out of town!

Over the hills flew a messenger in quest of him. He was found and with him came a number of the Tollivers from Elliott County, all armed to the teeth and ready to fight to the death for their kinsmen and supporters in Morehead.

Those who believed in the cause of Sheriff Humphrey gathered at the Carey House, but they were not to remain there long without action. A fusillade that sent doors and windows crashing and rending marked the opening of the Tolliver attack.

A gun battle of violence followed in which the Carey House—a frame structure of doubtful stability—was sadly splintered and torn. Bullets plowed their way in every direction. Nor was there one or a dozen volleys. For hours the firing kept up, a withering hail of slugs and buckshot,

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and yet, like so many of such drawn battles of the feudists, there were no casualties.

Again law-abiding citizens of Morehead packed their things and departed. At last the state had to take notice of the wave of such lawlessness in Rowan County. Such goings-on were creeping into the newspapers. Another smirch was being drawn across Kentucky's fair escutcheon.

Craig Tolliver and Sheriff Humphrey were summoned to Louisville. Bright legal minds attempted to fathom what it all was about. And here H. M. Logan appears upon the scene as one of the prominent actors in as cruel a drama as the mind of mortal man could ever conceive.

Logan was an upright citizen, a business man—in the eyes of the Tollivers he was a supporter of Sheriff Humphrey, and a republican, two good and sufficient reasons to them why he should be a target for their hatred. The Logans were a large and powerful family in Rowan County and here was Howard Logan in Louisville to plead the cause of Humphrey. Craig Tolliver's blood boiled. Logan and Judge Carey, another Humphrey man, were marked from that day on.

After a long inquiry, in which General Castleman, then adjutant general for the state of Ken-

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tucky, figured, a compromise was reached and the belligerents agreed to return to their homes, lock up their arms and be good citizens.

As well might two lion cubs have been asked to give their promise that they would not range the jungle.

V

It was only a matter of a few weeks until the flames of the feud were fanned anew and this from an unexpected source.

Reference has been made to the mysterious stranger who appeared as the lieutenant at the heels of Sheriff Humphrey on the day of the drawn battle in Morehead's streets. Pierce, the gunman from Greenup County, could not stay out of the way of trouble for long. He fell foul of the law in Montgomery County and the Circuit Court there sentenced him to the penitentiary for seven years.

But before he went he had a secret to impart!

This rascal complacently related the fact that he was the miscreant who hid behind the rocks and whose gun had wounded the county attorney, Taylor Young. He glibly recited, also, that his murderous deed had been inspired by the sisters

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of John Martin and directed by Sheriff Humphrey who, he said, paid him two dollars and fifty cents a day for dogging Young and gave him all of the whiskey that he could drink, with a further promise of \$250 for killing Young.

The Martins and Sheriff Humphrey did everything possible to counteract this wild tale of a convict. They pointed out the inconsistencies to his story and did everything possible to discredit it.

Craig Tolliver smiled grimly!

The Martin girls and the sheriff were placed under constant surveillance. Not a move could be made by them without it being reported to Tolliver. And this resulted in the deepest blotch on the whole of his murderous career.

Craig Tolliver made war upon these women.

VI

The Martin men folk had sickened of the feud. Old Ben, the father, after receiving repeated warnings that his life was in danger, had taken himself off to more peaceful valleys in the state of Kansas, and had been joined by his sons Will and Dave, leaving his wife, a small boy, and three unmarried daughters behind in Rowan County.

On the homestead, six miles from Morehead, in

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their substantial two-story dwelling, they lived in constant dread of being molested. Craig Tolliver now was town marshal at the county seat of Rowan, and word had come that he intended to fasten the Young shooting upon two of the Martin girls—Susan and Annie.

Cook Humphrey heard of this new move and winced.

Others might speculate upon the make-up of Craig Tolliver and declare that what wild gallantry there was in the man would deter him from carrying his relentless vendetta to the hearth of unprotected females, but the sheriff had formed his own estimate of the wolf with which he had been dealing.

From over the hills to Morehead came a young fellow, Ben Rayborn, and he had scarcely been in the place long enough to align himself with either side of the feudists, still he had been there sufficiently long to be smitten by the charms of Miss Sue. When Sheriff Humphrey confided in him his fears for the safety of the Martin women, Rayborn showed the stuff that was in him and volunteered to go to their home and see that no harm befell them.

The sheriff had acted in this role as a protector

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when action by the Tollivers seemed imminent, but he could not be in many places at one time, so he welcomed the chance that was offered and deputized Rayborn as one of his men so that whatever law there was left in Rowan County would be on his side.

Rayborn went to the homestead of the Martins and on the last Saturday in July, 1885, he was joined by the sheriff. Humphrey's arrival there was immediately reported to Craig Tolliver and soon a score of his clan knew that the long awaited action was ready to be set into motion.

Again the shrewd side of Craig Tolliver presented itself. He took the precaution to swear out warrants for Humphrey and the two Martin girls, charging them with being accessories to the shooting of Taylor Young, and then he, with his pack at his heels, set out for their man hunt.

That evening fully twenty Tolliver adherents lay hidden in the grasses and brush around the Martin home. And Cook Humphrey did a daring thing. He sensed their presence, and when Mrs. Martin told them that the only weapon of defense in the place was a shotgun, the sheriff stole through the cordon, made his way back to Morehead, secured his Winchester rifle and returned to the place without being caught or observed.

men. Volley after volley of lead was poured into the house. Still the inmates showed no signs of being frightened. Then Craig Tolliver showed that he was not afraid to do the things he demanded from others. He would go into that place and drag the sheriff out by the heels!

He slipped into the yard and got inside the house.

Rayborn had been answering the fire of the Tollivers with a pistol and Cook Humphrey had been potshotting at the Tolliver men with his Winchester, but this new move on the part of the leader had not gone unobserved. Craig Tolliver was coming—let him come!

Through the lower rooms of the house he stamped. The two defenders and the women folk were on the second floor. Up the stairs crept Craig Tolliver and in a darkened angle Sheriff Humphrey was waiting for him.

No sooner did his grim visage appear in fair profile than the shotgun spoke. Craig Tolliver received its charge full in the face. He tumbled down the flight of stairs, snarling and raging in his pain.

His supporters were now at his heels. They seized him by the legs and dragged him to the

Sunday morning came, sunny, lazy and hazy—a day that should have wiped the last vestige of hatred from the hearts of men. Craig Tolliver, however, had not spent the night out of doors to be swayed by the passing beauties of a golden day. He wanted Cook Humphrey and he was determined to "get him." At nine o'clock in the morning his men were all placed and his plans were all set. Fully armed he advanced to the door way. Sue Martin flung it open to meet him.

"What do you-all want hyah, Craig Tolliver?" she demanded.

"I hol' wah'ants fo' the ah'rest of Cook Humphrey. He's in you' house an' I want him handed ovah."

"What's you' wah'ants? Show them to me," the brave girl insisted.

But Craig Tolliver was not showing his papers to the women folk. Disgruntled and annoyed he returned to his men, flinging back over his shoulder:

"You want to see wah'ants, do you? We'll show you strongah wah'ants than any jedge in Rowan County ever writ."

This started the promiscuous firing from his

open air. He was carried off, his face so torn that he could take no further part in this most ungallant affair.

Again the hail of lead peppered the Martin home—something had to be done! Some one had to go to Morehead for reinforcements. Brave Sue Martin volunteered. In one of the occasional lulls in the firing she ventured forth, but she had not proceeded many yards when she came face to face with a terrible object.

It was Craig Tolliver, his face swathed in bloody bandages, half drunk and fully half-crazed with pain.

"You thing you' going' t' Morehead, do you? Take anothah step thet-a-way, an' I'll kill you."

Once started Sue was not to be balked. Tolliver was several feet from her. Nearby was a tangled mass of bushes. Before Craig could divine her purpose she had dived into these, wriggling on farther and gained a ditch and escaped the two shots that Tolliver fired in her direction as she disappeared.

Noon came and still the firing at the house continued. Chance after chance was slipping through the fingers of Tolliver which denied him his prey. He was becoming desperate—sufficiently desperate



"No sooner did his grim visage appear than the shotgun spoke"

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that he appeared in the open with the threat:

"Give us them men or we'll set fire to you' house."

The afternoon was waning now and the full terror of this horrible thought weighted down the hearts of the people besieged. Humphrey knew that this was no idle mouthing and that once the idea gained root Tolliver would put it into execution.

He and Rayborn calmly discussed their chances of life and success in making a break for the forest to the rear. There their efforts to get away promised the most, though they would have to run for dear life across an open cornfield and present themselves as targets until they reached the fringe of trees.

To disconcert the Tollivers, Mrs. Martin proposed to go to the stable while the sheriff and Rayborn made their dash for liberty. This plan was put into execution. The two men slipped out of the side door once Mrs. Martin was well on her way.

The surprise created was only momentary—the Tolliver marksmen were not to be cheated so easily. One close by Mrs. Martin lifted his rifle and deliberately sighted it at the fleeing men. She

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knocked the barrel up so that this one bullet went wild.

But the other feudists were more keen in their chase. Some sped to the rail fence and rested their guns upon it to steady their aim. A dozen rifles and pistols spoke. Certain death pursued the runners. A hundred yards were gained toward the timbers before Rayborn and Humphrey were caught by this terrible fire.

One of them fell. Poor Rayborn, struck in at least three vital spots, sunk to his knees and added another victim to the growing list of the blood lust of Rowan County. In a moment the Tolliver pack were upon him firing shot after shot into his prostrate body, making doubly sure that he would rise no more. Nor was this all, as Rayborn lay there quivering in his death throes they rifled his pockets of his little store of money and divided it among Craig's he-wolves. Among them there was not one who had a spark of sentiment, for the body was left lying in the cornfield stark and uncared for, while the Tollivers set out to wreak their final vengeance upon the women of the Martins.

The torch was applied to their house upon the hill. The women were restrained from even entering the place for their clothing, and all night long they watched the flames carry away all of the

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things that they held dear while they covered under a tree to wait for the return of the sheriff or the coming of another day.

Now to return to Sue Martin. She was the first to reach Morehead with her story of the latest Tolliver outrage. Her pleadings fell upon deaf ears. Wasn't there a warrant for her arrest? Yes, and forthwith she was clapped into jail on the trumped-up charge of the shooting of Young.

Then came Sheriff Humphrey, his clothing shot with holes to show how narrowly he had escaped the end that had been planned. Long as he lived Cook Humphrey never explained the fortune that allowed him to escape the fate of Rayborn. Nor would any of his adherents venture to aid the Martins and brave the wrath of the Tollivers.

Still another came into Morehead that night, begging and pleading that some one come to aid in putting out the fire that was consuming her home. It was Anne Martin. She, too, was seized and placed in jail to keep company with her sister Sue.

VII

Again the telegraph wires clicked out the word of this latest outbreak, and again the state officers were forced to take notice. Two companies of

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soldiers arrived in Morehead on Monday night; the Martin girls were released from custody and warrants were sworn out for the arrest of Craig Tolliver and his principal henchmen.

That should have cleared the atmosphere, but the law now was bandy-legged and spineless in Rowan County. As fair proof of this, the fact stands out that Police Judge Mumick issued a warrant for the arrest of Ben Rayborn three hours after that young man was done to death. This for a breach of the peace, and he, perforce, having been killed by an officer in discharge of his duty.

This so disgusted Cook Humphrey that he resigned his office of sheriff. The Tollivers, however, were not to escape without the fingers of the law touching them. Three of the clan, which included Craig, stood accused of arson and other felonies. When their examining trial came they took refuge in the double magistrate system, and one of these learned gentlemen ordered them to jail without bail while the other declared they should be dismissed. As the law stood at that time, when such a breach of decision came about, the accused went free!

Months rolled by without the principals in the feud being thrust into the limelight—but this did

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not mean that the Angel of Peace had found an abiding place in Morehead.

A mob, which styled itself as "The Regulators," did one man to death, a Tolliver was killed in a drunken row; a wealthy and influential citizen of the place was stabbed and died of his wounds because he paraded his sympathies, outspokenly, for the Martins.

Even Craig Tolliver fell foul of the law—but not in Rowan County. He took a jaunt to Cincinnati and landed in jail there on a charge of robbery, from which, however, he was able to extricate himself and soon returned to familiar scenes.

With these passing glimpses of violence and death the record would not be complete without mention of the brawls, gun plays and fist fights that took place in the town. These came so closely together as to be almost continuous. Morehead was now a community distracted with the Tollivers completely in the saddle. They had even named the successor to Cook Humphrey—a man by the name of Ramey who could be relied upon to do their bidding.

During this time Cook Humphrey carefully avoided any semblance of disorder that would lead to his falling into the hands of the Tolliver hench-

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men. He was a marked man, however, and many times he was forced to steal away from his own home and seek other fields of activity because of the threats that were made against him.

What remnant was left of the better citizenship had grown heartily sick and tired of the affairs as they stood. They promised Humphrey that they would support him with law and order if he would again take up the reins as the guardian of the law in Rowan.

The former sheriff no sooner assented than the fat was in the fire once more. Again politics stirred its discordant jangle. The Tollivers announced that they would block his election, if not by fair means then by foul.

Court Day came in Rowan County on the second day of July in 1886. Writs were sworn out and placed in the hands of Sheriff Ramey for the arrest of Cook Humphrey and two of his strongest political supporters, charging them with a breach of the peace. They surrendered quietly—but there was a terrible whip-back to this piece of political strategy. It enmeshed the Logans irrevocably and started the chain of events that broke the strangle hold that Craig Tolliver gained on Rowan County in the end.

The scene of this conflict took place in the store

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of Howard (H. M.) Logan, and what better pen could describe it than his?

"Henry Ramey (deputy sheriff and son of Sheriff Ramey) was in my store and heard me remark that the sheriff had failed to do his duty in not arresting Tolliver and he said that I should not talk about his father when he was absent," wrote Logan a week after this newest tragedy took place.

"I then asked the deputy sheriff if he had a writ for me, and he answered 'No.' I then told Ramey to get out of my house and he said that he would go when he got ready. I pushed him toward the door and he struck me a heavy blow upon the forehead either with his pistol or his fist.

"My son called out to him to stop and he shot him twice. The sheriff came to the door while his son was shooting and shot twice at my son and at me from the doorway. I brought a double barreled shotgun and struck the deputy sheriff on the shoulder with it, when one barrel was accidentally discharged up in the air.

"Now both the deputy and his father were firing at my son and me, so I fired the other barrel at the deputy sheriff but without effect.

"When the fight was over it was found that both the sheriff and the deputy were slightly

wounded. My son was fatally hurt. It is believed by a great many who saw the shooting that the sheriff shot his own son while trying to shoot me. This I think is undoubtedly true."

W. O. Logan, the son referred to, died of his wounds. The disabling of the Rameys sent Craig Tolliver into a tower of rage. Forthwith the edict was issued that "every Logan would have to 'git' out of Rowan County."

VIII

Again the whole of the citizenship within the borders trembled in their boots. Nothing could stave off trouble now, they thought. There was now no way of remaining neutral, one must be for the Tollivers or against them. The Commonwealth again was forced to take notice. Troops were sent, and when the Circuit Court convened a new face appeared as the prosecuting attorney.

This was Asher C. Carruth, of Louisville, and he determined to sift the whole of the unhappy state of affairs to its murderous dregs. Carruth knew that what had been done could not be undone. He found that the indictments for the felonies charged against Craig Tolliver and former Sheriff Humphrey were still pending. He hit upon

what he believed to be the solution and a workable expedient.

Carruth recommended to the court that these two should be banished from the confines of the county.

Humphrey was sick of it all. He was a young man, still in his twenties, and prior to his election had been a highly esteemed citizen. Some say that the killing of his friend and deputy, Bungardner, completely changed him and made him the violent and much-to-be-feared man that he turned out to be. He readily assented to the proposal made by the Attorney of the Commonwealth, took a few days' grace to dispose of his worldly goods, bought a ticket West, and to his credit let it be said that he held to the agreement that he made.

Craig Tolliver feared the indictment against him. He bargained that this should be quashed if he took himself off, and this concession being granted he, too, departed. In due course of time the law winked at Craig Tolliver and then wiped off the slate the charges that stood against him.

For a few weeks following Rowan County breathed easily—and then came a catch to its breath. The word was whispered around that

Craig Tolliver was coming back. Four months, to the day, the intimation was fulfilled. Craig Tolliver came back to Morehead posing as a regenerated citizen!

But the feud had not been allowed to slumber in the meantime. Humphrey gone, the whole of the hatred of the Tollivers, even with Craig away, was showered upon the heads of the Logans, and Howard Logan bore the brunt of it.

Late in October, while he was proceeding to his store, a Winchester spoke from one of the houses belonging to a Tolliver adherent and he was dangerously wounded.

Judge Carey also was subjected to a reign of terror. It will be remembered that he was one of the opponents of the clan who journeyed to Louisville at the time it was sought to clip the wings of Craig. The judge kept a hotel and a favorite form of terrorizing him was to pepper the place with buckshot. This "gentle sport" became so frequent that the place looked like a sieve.

Soon after his return Craig Tolliver announced that inasmuch as he had proven himself to be a peaceable citizen he held that he should be elected to office. He aspired to be the Police Magistrate of the town. To prove that his lurid past had

been completely cleansed away, he went electioneering with his Winchester slung in the crook of his arm and a brace of pistols in his belt!

His American House again became the rendezvous for his henchmen. Weapons of deadly caliber and whiskey, tax and license free, were his chief stock in trade. Law-abiding citizens received their notice to leave, most of the time with the trite intimation that a funeral was about to be held and that the receiver of the notice would be expected to furnish the corpse. Craig Tolliver was no longer the leader of a faction—he now was a law unto himself.

The better element of the citizenship, for there were still good men in this town whose population had been reduced by half since the feud started, talked of banding together for their own protection and for the protection of their families. Some there were who even suggested sending to Texas for Cook Humphrey in the hope that some one could be found who could cope with Craig Tolliver, now that he was out of leash.

Howard Logan gave up the uneven fight. He had been the recipient of one of the funeral invitations that had been sent out by the Tollivers, and though he owned property and a good business, the breaking up of the Martin clan, the passing

of Judge Carey and Cook Humphrey broke his spirit and he moved off to a fairer spot where the specter of coffins would not pursue him. The Tolliver clan rejoiced with the departure of Howard Logan, but this seemed only to inflame their leader, Craig, the more.

IX

"Run 'em all out—run every Logan out of Rowan County," was the orders that came from Craig Tolliver, and then came the event that sealed his decision.

As has been stated Morehead was in the throes of an election, and under the barrels of Craig's pistols some fifty votes were registered in his favor as police magistrate. Not a soul had voted, up to that time, for the straw man who opposed him. Then came Boone Logan, nephew of Howard, to the polls.

"You're goin' to vote fo' Craig Tolliver, ain't yuh?" asked the keeper of the ballots.

"Vote for Craig Tolliver? I'd sooner vote for Hiram Cooper or the yellowest, meanest cur in Morehead. No, sir, watch me mark this ballot." And when Craig Tolliver heard this he fumed.

The Logans had affronted him! The Logans must pay!

He thought long over the problem—his experiences that led to the burning of the Martin homestead, his banishment from Rowan County, had been lessons too dear to be passed by without heed or consideration.

Boone Logan was shrewd; he was a lawyer and a man of substance who had carefully avoided becoming enmeshed in the feudists' broils. He had exhibited, on the surface, only passing concern in the removal of his uncle, Howard Logan, elsewhere. Who knows what estimate Craig Tolliver placed upon him? If actions speak louder than words it would appear that he believed him to be a craven at heart for his next move was a most heartless thing.

A mysterious note came to the home of Boone Logan telling him that his room was more agreeable than his company.

"And if you are worried about getting a living for your family," ran this note in substance, "Mr. Craig Tolliver will hire your wife and find a place for your children if she will go to work for him at the American Hotel."

Could a deeper insult have been offered to mor-

tal man of the better fiber? Would Boone Logan withstand such an unheard-of slur as this? To hit the man Craig Tolliver again struck at the woman.

Nor did his hatred for the Logans stop with the direct slap at Boone Logan. Four miles out from Morehead lived Dr. Henry S. Logan, a country practitioner, amiable and law abiding, with his two sons, Billy and Jack. Billy, about twenty-five, was sickly and a victim of tuberculosis. Jack, some five or six years his junior, was preparing to enter his studies to become a clergyman. This surely a family such as should not have brought hatred and meanness upon its head.

First Craig Tolliver set the machinery of the law upon them. The father and his sons were arrested on warrants charging them with conspiring to murder the Circuit Court Judge. The charges were so flimsy as to have been almost laughable in any other region than that of Rowan County.

Dr. Logan was cast into jail and the boys were hurried off to Lexington to be kept out of harm's way, at least so the officials of the county put it. They were not there long, however, for bail bonds were executed and they were allowed to return to their home—their father remaining under duress in Morehead.

That the boys should live in peace was not in accordance with the Tolliver code or that of the minions that were to be found under Craig Tolliver's banner, and thus it was that a most damnable plot was hatched and which, through its brutal execution, brought Craig Tolliver to his doom.

To Rowan's Court House came Hiram Cooper, a disreputable character, a man who, to use one description, "would sell his own mother's soul for a quid of tobacco," and swore to the charge that Billy, Jack and their cousin, A. W. Logan, had secretly confederated and banded themselves together for the avowed purpose of murdering him.

In this period Kentucky was strictly enforcing the laws which had been placed upon its statutes against anything that had the appearance of Ku-Klux. The law to this effect fitted the purpose of those who inspired the charges. How much so it can be seen when it is related that it was Police Magistrate Craig Tolliver who issued the writ, and it was he who placed them in the hands of the town marshal and ten deputies, and of the latter there were no less than four who answered to the name of Tolliver.

Out to the home of Dr. Logan these men proceeded. The announcement of their arrival was

punctuated with a volley of shots. Billy and Jack Logan, alone in the house, ran to the second floor.

Craig Tolliver, aflame with drink, with the marshal, Buck Mannin, rushed the stairs after them. Jack Logan reached for a shotgun and fired at their pursuers, Mannin receiving the bulk of the leaden discharge, and he with his chief ran bellowing with pain and rage from the place.

Now the posse retired beyond the range of the shot-gun while the cunning, scheming brain of their leader devised another plan. The crackle of a fire and a spurt of flame told the Logan boys of the newest plan to lay hands on them.

Then a deputy sheriff, George Hogg by name, stepped forth and bawled out to them that they still had a chance for their lives if they would listen to "reason."

"You-all come out and sub-ender you'selves or you'll burn like a pair of rats," is what he told them.

What was more persuasive than the flames that were rapidly burning away the porch before their very eyes? Beside, this was a county official talking—they had a bit more faith in him, and to his further words offering protection they pinned their hopes.

It was with sinking hearts that the boys started down the stairs. Johnny Logan in particular was timorous—he knew Bunk Mannin, he sensed the bloodthirstiness of the man. Once in Bunk Mannin's clutches—ugh! But the flames were mounting higher—it was death one way or the other. There is always hope that men's hearts will soften.

Down came Johnny Logan and joined his sick, tottering brother in the yard—and Craig Tolliver smiled his deadly smile of satisfaction. Two of the Logans were in his clutches now.

The deputy sheriff ordered them to walk, not down the road toward the town, but into the brush which the Logan homestead faced. He told them to hurry. They did.

"Run!" someone yelled. They quickened their pace—and this was fatal. They were attempting to escape from the law, the law as it was executed in Rowan County.

A brother of Marshall Mannin is said to have fired the first shot. Magistrate Tolliver was not slow to bring his pistols into action.

The firing became general and the two boys toppled over—both dead. Nor was this all. Round after round was fired into their prostrate bodies,

and to finish their dastardly work the assassins ground their helpless forms into the earth with the heels of their heavy boots.

Whispers first told the terrible story of the killing of the Logan boys. The answer of the "officers" was the same old threadbare excuse. They had met with resistance, the culprits had attempted to flee and had paid the penalty which the "law" exacts.

Only one of the "posse" winced under the terrible lie—it was Deputy Sheriff George Hogg, who said that he ran away when the killing commenced.

X

The killing of his cousins was the spur that goaded Boone Logan into action. With friends he went out of Morehead to the place where his kinsfolk lay. With them he cared for the bodies and brought them to Morehead for burial.

Again Craig Tolliver underestimated the man whom he was dealing with. There came a warning to Boone Logan that he or any other Logan who attended the funeral of Billy and Johnny Logan could look for the same fate.

Boone Logan attended the last sad rites for his kinsmen nevertheless.

More, he demanded of the Circuit Court that their assassination be brought to book. The Tollivers assented but through their mouthpiece, Marshall Mannin, they declared:

"We'll come to cou't—but we demand ou' own protection. We claim the right to come armed. In no othah way will we come peaceably."

To the credit of the Circuit Judge let it be said that he refused to be a party to such a counterfeit trial.

Now Boone Logan was desperate.

In him was now born "The Man Unafraid."

Blocked and balked in obtaining justice at the fountainhead in the county, he turned to the governor of the state. To do this he had to elude the vigilance of the Tolliver guard, for these were flung out in every direction on the approaches to Morehead with given orders "to shoot and ask questions afterwards" of all whom they suspected of being on missions that would result in harm being done to the clan and those who had joined with it.

Proctor Knott, governor of Kentucky, frankly told Boone Logan that he had exhausted all of the means that was within his power to bring order

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out of chaos that reigned in Rowan County, when the two met in the mansion in Frankfort.

This interview ended, Logan, heavy-hearted and dejected, turned to depart, his exasperation reaching the breaking point, he turned to the governor and declared:

"Governor, I have been driven from my home by these outlaws. My kinsmen have been murdered. I have never entered into an affair of this kind, but I now propose to take a hand in this and avenge their death or die in the attempt."

The intensity of his words caused Governor Knott to draw him aside. The governor pointed out to him a means to stay within the bounds of the law and yet bring the Tollivers to book. He pointed out to Logan that Rowan County had not exhausted its powers in bringing the criminals to a bar of justice and that, were a warrant placed in the hands of any one connected with the office of the sheriff, those named in the writ would have to take the consequence if they resisted arrest.

XI

Then a great light broke in the drab outlook of Boone Logan. Back to Morehead he sped. He had already received support from the better ele-

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tion of the Tolliver spy system. Rumors of it had reached their ears, but was laughed off. Hadn't the "Regulators" attempted to organize once before? What had come of that? Craig Tolliver laughed off such things before with his sneers, what had this movement to recommend it to success?

And it was with the tail end of these thoughts still buzzing in his mind that Craig Tolliver dashed out into Morehead's streets to give Boone Logan battle on the morning of June 22, 1887.

XII

Armed to the teeth the hundred supporters of Logan were "set and ready." The only man who had failed them was George Hogg. Logan wished to communicate that he was absent to a storekeeper, who had been one of his staunchest supporters. He sent a young man, Bill Byrant, across the open street with the message. It was his hurried movements that gave the alarm that brought the Tollivers scurrying out of the doors of the American House.

Firing now came from all quarters—from the windows of stores, buildings and dwellings, shot-guns and rifles broke forth with a deadly bark.

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ment of the town, he would now call for all of the resources from this quarter. Secret meetings followed. George Hogg, the same deputy sheriff who ran away, was sounded—it was believed that he could be handled.

Word by word was spread until over a hundred men had signified their willingness to stand shoulder to shoulder with Boone Logan in clearing the fair name of Rowan.

When Logan made his visit to the governor he requested the use of firearms from the state arsenal—and was refused. Again he slipped out of Morehead, this time bound for Cincinnati, where he purchased sixty high powered rifles and guns with much ammunition. These were packed in cases and shipped as merchandise to a town nearby Morehead.

The stage was all set—Boone Logan and his supporters were ready for a test of strength. To the last it had been hoped to avoid bloodshed, and to this end it had been decided upon to have Deputy Sheriff Hogg demand the surrender of the men named in the warrants, and in event of refusal Boone Logan's band would enforce the action.

It was surprising that all of the details necessary to such preparations had escaped the observa-

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Now Boone Logan stepped out of his place of concealment—the band he most relied upon deserted him. He became a target for the pistols of Craig, Jay and Bud Tolliver, with Little Cate and Cal potshotting at him as best they could. Not a bullet struck him, though his clothes were riddled and the dust was plowed in a dozen places at his feet.

The Tollivers ran out of ammunition. They, with their followers, ran back to the American House and replenished their supply. The battle was now swinging toward Logan, his supporters were rallying.

Another dash from the American House found the Tolliver band caught between cross fire. They dodged into the Central Hotel. Hiram Cooper, the man who swore out the warrants that resulted in the death of Billy and Johnny Logan, rushed upstairs and hid in a cupboard—a stray bullet killed him.

Boone Logan ordered his forces to cease firing. He offered the Tollivers protection if they would surrender peaceably. Little Cate Tolliver was the only one to emerge. He was disarmed and allowed to go.

The crack of a pistol from within the hotel put an end to parleys. Logan ordered his men to set

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fire to the place—Craig Tolliver had "smoked out" the Martins and his cousins—he would give them a dose of their own medicine. Out came the band—Craig Tolliver leading and in his stocking feet.

"I said I'd never die with my boots on," he told his followers, "An' no damned Logan is goin' to make me break a promise."

Down a lane to the rear of the hotel Craig Tolliver sped, his pistols snapping fire at any place of concealment which might hide a human. Now he reached one of the business streets. Here were stationed the business men who had stood back of Logan in his attempt to bring law and order back to Morehead. They blazed forth with a withering hail of rifle fire.

Craig Tolliver went down—never to rise again.

Jay Tolliver was run to earth and killed. Bud Tolliver was shot, and if there was any comedy to this final battle of the feud it was supplied by young Cal Tolliver who was shot through the pants and lived to tell the tale.

There is little more to relate of the battle that raged for two hours between the opposing factions, other than that not one in the Logan party were scratched in the last affray.

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Troops came later, trials followed with stirring charges and countercharges but, with the leader of the Tollivers gone, the spark that fanned the lust to kill seemed drenched or smothered out.

Nor was the fallen enemy meted out the inhuman punishment after death that he accorded to others. He allowed Rayborn to lie in a field, he helped grind the faces of the fallen Logans into Mother Earth, but for Craig Tolliver there was a funeral with all the sanctity and all the solemnity that such occasions are supposed to possess.

END.

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