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REPORT

OF THE

ADJUTANT - GENERAL

OF KENTUCKY,

FOR THE YEAR 1889.

SAM E. HILL, Adjutant-General.

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PROPERTY OF THE STATE OF KENTUCKY.

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FRANKFORT, KY.:

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## ADJUTANT-GENERAL'S REPORT.

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COMMONWEALTH OF KENTUCKY,  
ADJUTANT-GENERAL'S OFFICE,  
FRANKFORT, December 2, 1889. }

*His Excellency*, S. B. BUCKNER,

*Governor and Commander-in-Chief:*

SIR: I have the honor to submit the following report of the affairs of this department since I took control of it on the first of October, 1887.

### THE STATE GUARD.

The organized militia, or State Guard, at date of the last annual return of my predecessor in office, on 31st of December, 1886, numbered 1,023 men, rank and file, and consisted then, as now, of three regiments of infantry, of eight companies each. My last annual return of 31st December, 1888, showed a total of 1,318 men, rank and file, an increase of 295 men. The law of Congress providing for Federal aid to the organized militia of the several States requires, as a condition precedent to such aid, that the State shall have at least 100 organized militia to each Senator and Representative in Congress to which the State may be entitled, so it will be seen that we have the requisite number of men in our State Guard to entitle the State to such aid. The amount to which our State is entitled annually under existing law, so long as we maintain an organized militia of requisite numerical strength, is \$11,981.56, payable in ordnance and Quartermaster's stores, and without which we would be unable to maintain our State Guard at its present strength in anything like respectable or efficient condition. The State appropriates annually for the support and equipment of the State

Guard only \$10,000, and that is made payable out of the "Kentucky War Claim," so that if there is no money in the Treasury derived from collections on said claim, as was the case when your administration began, the State Guard gets nothing till further collections are received from said source into the State Treasury.

On the first of October, 1887, there was in the Treasury to the credit of the Military Fund the sum of \$1,155.16, and, with no money on hand received from the General Government on the War Claim, the most rigid economy in the expenditures for State Guard purposes had necessarily to be observed. No annual encampment of the State Guard for instruction, so necessary to the discipline and improvement of a citizen soldiery, could, therefore, be had during the year 1888 for lack of funds. That the officers and men of the State Guard continued to take a lively interest in military matters, notwithstanding the scanty and precarious support derived from the State Government, was attested by the splendid exhibition of the Kentucky soldiers at the Washington Centennial Celebration. By order of your Excellency, I directed Colonel John B. Castleman to detail from the State Guard not exceeding 300 men, rank and file, to proceed to New York City to take part in the Centennial Celebration of Washington's first inaugural as President of the United States, on the 30th of April last. Colonel Castleman's detail, however, including musicians, numbered 350 men, all from the First Regiment, or Louisville Legion, and in the great military parade through the principal streets of the metropolis on that occasion the Kentucky troops came into competition with many of the best drilled troops in the country, and by their handsome appearance, martial bearing, accuracy and precision of movement, elicited from hundreds of thousands of delighted spectators along the line of march the most rapturous applause, and received honorable mention by the most distinguished military critics present. To the comfort, as well as the success of the troops on that trip, much was due to the thorough military knowledge, strict discipline and unwearying industry of Colonel Castleman, while Lieutenant-Colonel Coen and Major Kelly zealously and ably aided their Colonel in the successful handling of the troops on parade, and

in looking to their comfort in barracks. Much praise is also due the line and staff officers of the detachment, as well as the non-commissioned officers and enlisted men, for duty well and willingly performed. A correct judgment of the favorable impression made by our troops on that occasion, where the most famous regiments competed for the palm of excellence, may be formed from the fact that competent military critics present were unable to determine whether the far-famed Seventh Regiment, of New York, the noted Fifth Maryland Regiment, of Baltimore, or the Louisville Legion excelled in the several elements which constitute good soldiery.

#### ENCAMPMENTS.

In obedience to Executive orders, voluntary camps for instruction were had during the present year, for the Second and Third Regiments of the State Guard. The Third Regiment, excluding Company C, of Pikeville, which was too remote, but including Company G, of First Regiment, was the first ordered into camp, from the 10th to the 17th of August, at Grayson Springs; and the Second Regiment, encamped at the Lexington Fair Grounds, from the 24th to 31st of the same month. The encampments being voluntary, several companies of each regiment failed to report at their regimental encampment, but the troops that did attend made rapid progress in familiarizing themselves with military science and duty, and officers and men were greatly aided by the presence of Lieutenant Geo. B. Duncan, of the Ninth Cavalry, U. S. A., an accomplished officer and excellent gentleman, who was detailed by the War Department to attend said encampment and inspect our State Guard, and a copy of whose report is herewith filed as appendix "A" to this report. It will be observed that Lieutenant Duncan designates Company A, Third Regiment, Captain E. H. Watts, commanding, as the best drilled company in the State Guard, while to Company B, Second Regiment, Captain C. J. Gibson, commanding, he awards the honor of having the best kept arms, both of which compliments were worthily bestowed. Colonel S. H. Ford, of the Third Regiment, a veteran of the late war, and a zealous and faithful officer, commanded at Grayson Springs, and was greatly assisted by Lieutenant-Colonel T. J. Smith, an

earnest and indefatigable soldier. Adjutant Austin Berry and Quartermaster John G. Ellis were especially active and intelligent in the discharge of their respective duties, but the camp was so healthy as not to afford Surgeon Watkins a chance to display his medical skill. The line officers and men seemed kindly disposed to duty, but I fear the camp was too near a fashionable watering-place to get real good work from them. To Dr. C. B. Eddy, of Grayson Springs, and his estimable wife, the officers and men are indebted for many thoughtful courtesies.

The Second Regiment encampment was favored by better weather for drilling, and its commander, Colonel L. W. McKee, by the end of the week, had established thorough discipline, and officers and men advanced rapidly in the acquisition of knowledge necessary to the intelligent discharge of camp duties. The sudden death of Adjutant Geo. W. Williams, who was taken sick on the night of the second day's encampment at Lexington, and died the next day, was quite a shock to the camp, and deprived the regiment of an efficient officer, who was highly respected and much liked by both officers and men. Colonel McKee appointed First Lieutenant E. H. Taylor, Jr., of the Frankfort Company "H," to the vacancy occasioned by Adjutant Williams' death, and the appointment proved to be an admirable one. Lieutenant-Colonel Roger D. Williams was unable to attend the camp by reason of the death of his brother; nor was the Regimental Quartermaster in attendance, but that excellent officer, Major D. V. Johnson, was present, rendering efficient aid; and the duties of Quartermaster were creditably performed by Lieutenant James Milton, of Company D, who was detailed for the purpose. Surgeon Alvin Duvall was present during the entire encampment, promptly responding to all appeals for medical aid. That veteran officer of the State Guard, Captain J. B. Veach, of Company D, was also taken sick on the second night of the encampment, and was unable to take further part in the camp, thus devolving the command of the company on Lieutenant Buckner Allen, a competent and popular officer. To the officers of the Lexington Fair Association we were placed under heavy obligations for courteous attention and lavish hospitality. Major Nerge

Clark, Assistant Adjutant-General, attended both encampments, and was of great assistance to me by the quick comprehension and prompt performance of every duty required of him. Colonel M. H. Crump, Inspector-General, was present at the Third Regiment encampment, and inspected the camp and troops, but left before the camp broke, to attend to pressing business matters. His report will be found as Appendix B hereto. A roster of staff and State Guard officers is herewith filed as in Appendix C.

The two encampments cost \$1,527.51, which was expended for transportation and subsistence.

#### MILITARY FUND.

As stated above, the amount to the credit of the Military Fund on 1st of October, 1887, was \$1,155.16, which has been since increased by \$20,000, a portion of the sum collected on the Kentucky War Claim, and by \$1,061.50 realized from the sale of obsolete arms, moth-eaten clothing, and other rubbish from the State Arsenal, and by \$20 from miscellaneous sources, making a total of \$22,236.66; while the expenditures chargeable to said fund from 1st of October, 1887, to November 1st, 1889, amounted to \$8,586.99, leaving a balance to the credit of said fund, at the last-named date, of \$13,649.67; to which should be added another annual appropriation now due, which, when the proper transfer is made on the books of the Auditor of Public Accounts, will give to the Military Fund a total of \$23,649.67.

#### ACTIVE MILITIA.

Since the 1st of October, 1887, two detachments of troops have been sent to the mountains, the first detachment of 70 men, rank and file, going to Perry county in November, 1888, to protect the circuit court against the disorders and threatened violence growing out of what is popularly known as the French-Eversole feud, and the second going to Harlan county in September, 1889, on a similar mission, because of the threatened violence from the strife between the Howard and Turner factions. I accompanied the troops on both occasions, and made special reports to your Excellency on my return, copies of which are herewith filed as Appendices D and E to this report.

These expenditures are necessarily very expensive, because of the great distance of the objective points, and the rough condition of the roads, which imposes the necessity of employing a great many wagons to transport supplies and camp equipage.

The disbursements on account of active militia from October 1, 1887, to October 31, 1889, amounted to the sum of \$10,310.80. It may be the subject of congratulation, however, for the people to know that the expenditures from the public Treasury on this account are gradually growing less, as the records show that during the administration of Governor McCreary, from 1st of September, 1875, to 1st of September, 1879, the disbursements on account of active militia, amounted to \$21,904.21; while there was expended for same purpose during the administration of Governor Blackburn, from 1st of September, 1879, to 1st of September, 1883, the sum of \$49,658.91; and the expenditures charged to same account during the administration of Governor Knott, from 1st September, 1883, to 1st of September, 1887, amounted to \$26,626.56. I attribute this diminution of military expenditure in large part to the fact that several of the counties, which a few years since were the scenes of factional feuds and strife, are now comparatively peaceful, which changed condition of affairs is to be accounted for in part by the fact that such counties have been penetrated by railroads, their rich timber and mineral resources are, in consequence, being developed. A liberal infusion of new blood into the population has been effected, and a liberal investment of foreign capital has served to furnish the native population with constant employment at remunerative prices, and they have turned their attention from murder to money, from bush-whacking to business, from enforced idleness (for there is not tillable land enough to employ more than two-thirds of the male population in its cultivation) to well-rewarded industry. A similar improvement may reasonably be predicted as to the other counties under similar improved conditions.

#### WAR RECORDS.

Pursuant to an Act of the General Assembly, approved April 27th, 1888, I caused to be transcribed and printed, in neat form, a roster of the Volunteers from Kentucky in the war with

Mexico, and mailed copies thereof to each of the county clerks of the State, thus placing, as was contemplated by the General Assembly, the names, together with the company and regimental organizations in which they severally served, of Kentucky's gallant contingent in that war—so prolific of military renown to both State and country—within easy reach of the people. I can not omit to mention that my predecessor in office, Colonel Jonn B. Castleman, obtained the copies of the rolls from which the roster was made, and the people of Kentucky owe him a debt of gratitude for securing so valuable an acquisition to our military history. I have also caused to be transcribed the rolls of the other regiments mentioned in said Act, thus replacing the old and worn rolls with neat new ones made on better paper, thus placing beyond danger of loss, except from fire, the records so useful to surviving soldiers and to the widows and heirs of deceased ones.

Colonel Castleman, during his term, had the records of the volunteers from Kentucky in the war of 1812 neatly transcribed into blank books, suitably ruled for the purpose, and thereby put in durable shape the military history of the brave Kentuckians who engaged in that terrible struggle with the British and their savage allies for the mastery, not only of the high seas, but of this continent as well, and whose names will continue to be honored so long as State pride and love of country exist.

And now that we have in the archives of the State the military records of the Kentucky volunteers who fought in the war of 1812-15, of those who served in the war with Mexico, and of those who served on the Union side during our late deplorable civil war, would it not be well for the State to take such action as may be necessary to obtain the military records of the Kentucky Confederate volunteers, who, although doomed to defeat and disappointment, by their steady and persistent valor, their heroic endurance of danger and privation, challenged the admiration and won the respect of both comrades and foes, and contributed so liberally to our military fame as a people? A true and accurate history of our State can not be written without data to be gathered only from those records. The cost would be trifling while the benefits to be derived, would, in course of time, be invaluable. I would recommend that such action as may be necessary to procure said records be taken.

## THE KENTUCKY WAR CLAIM.

By direction of your Excellency, I visited Washington City in July, 1888, to look after the Kentucky War Claim and to press its collections. I remained a week in Washington, and with the assistance of Speaker Carlisle, Judge A. B. Montgomery, Captain Stone, Colonel Breckinridge, and Hon. Polk Laffoon, I succeeded in getting a portion of the claim "expedited," and in October following I received a draft for \$47,674.84 from the United States Treasury Department, payable to your Excellency as Governor, to be credited on the claim. General Fayette Hewitt accompanied me to Washington, and by reason of his long familiarity with the claim, was of much assistance to me.

The above-named amount is all that has been paid on the claim during the present administration of the State government, though Major Pettingill, the Washington attorney for the State, employed by a former administration and continued by the present, and who is a highly competent and industrious man, leads me to hope for further payments in the near future. I have furnished Major Pettingill with a great deal of documentary evidence taken from the records of this office, in the preparation of which Mr. Thomas J. Harris has rendered the State valuable service, having formerly been, for a long time, clerk in the Quartermaster-General's office before that office was merged into this by legislative enactment, and is, therefore, thoroughly familiar with the records referring to the claim. The collection of the greater portion of the balance due on the claim may reasonably be expected to be slow and doubtful. For a statement of the claim as it stands at present see Appendix "F."

## STATE ARSENAL.

The State Arsenal, under the efficient management of Captain W. G. Thompson, Chief of Ordnance, is in good order, and the Ordnance Quartermaster stores and camp and garrison equipage stored therein well kept and cared for. With your sanction, I advertised for bids on three pieces of brass cannon, badly honey-combed, some obsolete muskets, and other rubbish in and about the Arsenal during the winter of 1887-8, but none of

the bids being for as much as the property was thought to be worth, were all rejected. During September last, I effected a sale of the most of the property advertised to Simon David & Son, of Louisville, at prices approved by your Excellency, and realized from said sale the sum of \$1,061.50, which I turned into the Treasury to the credit of the Military Fund.

#### CORRESPONDENCE.

The correspondence of this department is voluminous, many letters being received from the survivors of the Mexican War and the late war and from the widows, and heirs of deceased soldiers, requesting certificates of service to be used in lieu of certificates of discharge, which have been lost, in the prosecution of pension and bounty and pay claims. In many instances the writers furnish but meagre or inaccurate statements of the military service of the soldier whose record is required, and to find such record often involves several hours search among the rolls of different companies and regiments. Colonel S. S. Anderson, Assistant Adjutant-General, has charge of this branch of the work, and has performed his duty in a highly satisfactory manner, though it keeps him busy to keep it up, and his salary is inadequate.

#### RECOMENDATIONS.

I would recommend that the State make more liberal provision for the maintenance of the State Guard, either by imposing a light capitation tax of not exceeding twenty-five cents per capita on the unorganized militia of the State, or by increased appropriations, to be paid of out of the proceeds of the War Claim, or from the treasury direct.

I would also beg to suggest the propriety of the State providing a fire-proof vault for the storage of the more valuable records of this department, now constantly exposed to danger of destruction by fire, and the burning of which would entail heavy loss to the State, as many of them are original papers, bearing directly on the War Claim, the collection of a large part of which would, in consequence, be thereby defeated, as no secondary evidence of their contents could be procured. Other

records of the office of great historic value, the loss of which would hereafter be keenly felt, should be placed beyond danger from fire.

I would also suggest that the pay of the Assistant Adjutant-General be increased to at least \$100 per month, and that the State Arsenal be enclosed by a neat and strong fence. I ought not to omit to mention the fact that the Louisville & Nashville, the Newport News & Mississippi Valley, and the Queen & Crescent Railroad Companies, have been quite liberal in their charges for transporting troops to the encampments, and the last-named company has given the State the benefit of "party rates" of two cents per mile for transporting troops while in active service. I have to thank the members of the general staff, and officers and members of the State Guard, for uniform courtesy and assistance rendered, and especially am I indebted to your Excellency for advice and aid in the performance of my official duties. Very respectfully,

Your obedient servant,

SAM E. HILL,

*Adjutant-General.*

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APPENDICES.

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**APPENDIX A.**

LEXINGTON, KY., August 22, 1889.

*To the Adjutant-General U. S. Army, Washington, D. C.:*

SIR—I have the honor to submit the following report as the result of my observations of the Third Regiment Kentucky State Guards, in camp during the seven days, commencing August 10, 1889, pursuant to Special Orders, No. 153, dated Headquarters of the Army, Adjutant-General's Office, Washington, July 5, 1889, as amended by Special Orders, No. 160, dated Headquarters of the Army, Adjutant-General's Office, Washington, July 13, 1889:

I reached Grayson Springs, Ky., the evening of August 9, 1889, in company with Brigadier-General S. E. Hill, Adjutant-General of the State. Camp was established the next morning, August 10th, under the direction of the Adjutant-General; the companies, as they arrived, being directed to the ground they were to occupy, each company putting up its own tents. The command was turned over to Lieutenant-Colonel Smith, Third Regiment, upon his arrival that afternoon. Colonel Ford, Third Regiment, assumed command upon his arrival next day, the 11th.

The routine work of the camp commenced on Monday, the 12th, guard mounting and retreat parade being the only things attempted on the first two days. His Excellency, General S. B. Buckner, Governor of the State, arrived on Sunday, the 11th, and lived in camp with the troops until its conclusion. The camp, named George Rogers Clark, in honor to the early explorer, was situated on a grassy slope, on the east bank of Bear creek, within three hundred yards of Grayson Springs Hotel. It was an excellent place for a camp, but the limits were too confined to admit of parade and drills in its vicinity. The companies had to be marched about a half a mile away to get a drill-ground, parade being held in front of the hotel.

The Third Regiment of State Guards is composed of eight companies, a captain and two lieutenants to a company; a colonel and lieutenant-colonel, adjutant, quartermaster, and non-commissioned staff.

This encampment of the Third Regiment was a purely voluntary affair, the State providing a camp-ground, rations and transportation for those companies which desired to participate in the encampment. The members of companies were not required to attend; they could come to the encampment or stay away, as they saw fit. The consequence was that only five companies of the regiment went into camp, and these were small. Some of the companies had men with them from the companies which remained away, but they were carried on the morning report as belonging to the companies with which they were in camp. The regimental morning report was made up from the strength of the companies in camp, no report being made of absentees who did not come, and it was thus impossible to find out the actual enlisted strength of the regiment. The morning report on the day of inspection showed as present in camp nineteen officers, including field and staff, and 132 enlisted men, about equally divided in the five companies.

#### ARMS.

The regiment is armed with Springfield rifles, caliber, .45. The condition of the guns in the command was very bad; there had evidently been little or no effort made to clean them or to keep them in good condition; all were badly rusted and dirty. Some of the guns had been issued new a month before the encampment, yet their condition was little better than guns which had been in use for years. The utmost indifference as to the care of arms was exhibited. A company on drill being brought to a place rest, about half the men would drop their guns on the ground, no matter what its condition, and let them stay there until called to attention. It may not be practicable to require men to keep each his own gun condition, but they should be instructed that the proper care of a gun is an important duty of a soldier—one not to be neglected. Some of the old guns had firing-pins broken and screws out, but with a few repairs and properly cleaned they would all be in a serviceable condition.

#### EQUIPMENT.

Each company was equipped with waist-belts and plates, cartridge-boxes and bayonet-scabbards, all in good condition.

Their appearance could have been improved by the brass parts being polished and the leathers blackened. They had also recently been supplied with new blanket-bags, haversacks, and canteens. One blanket per man had also been issued. One of the companies had a few field-belts, and they are to be issued to all the companies. One company had the old-style knapsack, but they are to be returned to the State Arsenal. The tentage was new, and is habitually kept in the State Arsenal, being issued to companies when on duty. Each company has good mess-furniture, cooking utensils, and table-ware, furnished by the State. The companies were well equipped for any service for which they may be required.

#### UNIFORM.

The State furnishes each member of its Guard with an undress uniform and an overcoat. These uniforms are obtained from the Quartermaster's Department, U. S. Army, and require no comment; the State button being substituted for regulation button. There is no regulation full-dress uniform. If a company wishes one, they buy what they please, at their own expense. During the encampment, the regulation undress uniform was the only one worn on duty; some of the uniforms having been in service a long time were much worn, but, as a rule, were in serviceable condition for field duty.

#### DISCIPLINE.

The discipline of the command was fairly good. Little attention was paid to the matter of saluting; not once did I see the respect paid of rising and saluting when an officer passed. The officers of the command were much more particular in this respect to each other than were the men to their officers. The men were allowed to be absent from camp at all times, except when required for duty. In the performance of duty all were manifestly cheerful and obedient, but on account of the license allowed in being absent from camp, they were slow in turning out and forming for roll-calls. At times, all of the officers and most of the men in a company would be away from camp.

It should be stated, in extenuation of this laxity in discipline, that the great majority of the command were in camp for the

first time; many had entered the State service within a week of the encampment.

The *personnel* was excellent—young men of intelligence and fine appearance. The defects were apparently due to ignorance of what was required in a military camp.

#### INSTRUCTION.

Previous to coming to the encampment the only instruction which the men had received was in the school of the company.

At the request of the Colonel, I several times held an officers' school of all the officers in the command, explaining carefully the ceremonies of parade and guard-mounting, skirmish drill, and some of the simple movements in battalion drill. I also instructed a company, formed from details from the several companies, before the officers and men of the command, in the details of company skirmish drill. The progress made was excellent; just what could be expected in the handling of such intelligent material. I twice drilled the battalion. The readiness with which all grasped explanations and executed the maneuvers was most satisfactory.

#### DRILLS.

Company drills were very good, but the unsteady step and carriage in ranks showed that the setting-up exercises had been much neglected. In most cases the non-commissioned officers drilled in ranks as privates, the marchings and wheelings being all that could be expected, considering the number of recruits. It would have been better had the companies at drill devoted their time to skirmishing and other military work which could not be attempted in their armories.

#### DAILY CAMP ROUTINE.

The daily routine provides for a reveille roll-call, formations for meals, guard-mounting, retreat parade, and two company drills a day, of an hour each, at 9 A. M. and 4 P. M.; very little for a regimental camp of instruction. The order for company drill was changed, by verbal order of the Colonel, to skirmish and battalion drills, in the afternoon, under my direction.

## GUARD DUTY.

The greatest defect in this camp was in the performance of guard duty. Having marched on, the new guard, except the relief on post, stacked arms, took off their accoutrements, and deserted the guard-tents. No orders were given for the conduct of the guard, and no attempt made to instruct them in their duties. The guard was never turned out for inspection or formed for any purpose, except to march off when relieved in the morning. The only orders a sentinel had were to walk his post, to salute officers, and to keep civilians out of camp. The members of the relief next to be posted were only required to be at the guard-tents an hour beforehand. Sentinels on post rarely saluted any one entitled to this compliment; they could be seen at any hour standing on their post talking to other members of the command, either private or officer. Any man could go out of or into camp across any post he wished. Some of the most glaring defects of guard duty were pointed out to the Colonel in command, but nothing was done to improve matters. Thus, guard duty, one of the most important things for a soldier to learn in a camp of instruction, was entirely neglected.

## TARGET PRACTICE.

There was no target practice in camp, and, as far as I could learn, it had never been attempted in any of the companies.

## CEREMONIES.

At parade, after the first two days, the regiment did very well, the companies taking their places properly and promptly in line, and the manual being well executed.

Guard mounting showed a marked improvement each day. The officers and men all coming to see this ceremony profited by the mistakes made, which were promptly pointed out and corrected by the adjutant, a most capable and efficient officer.

A review on Friday by His Excellency, Governor Buckner, was most creditable to the regiment, and showed the marked improvement which had been attained by this week in camp.

## POLICE.

The grounds around the kitchen fires and mess-tables were kept well policed. The sinks were kept in an excellent sanitary condition. The company streets were at least once a day cleaned up. In general, the police of the camp was all that could be expected.

## SUPPLIES.

The Adjutant-General of the State had in his hands all the arrangements for the camp. The quartermaster's stores were shipped by him from the State Arsenal, at Frankfort, Ky. The commissaries and medicines were purchased by him in open market. In camp the regimental quartermaster, acting commissary of subsistence, took charge of all supplies. The commissaries issued were the regular army ration, and these were issued upon the requisitions of company commanders without approval. As there were no scales in camp, the correctness of the issues was a matter of guess work. The supplies were the best the market afforded.

## MEDICAL DEPARTMENT.

The regimental surgeon was present at all times. He furnishes his own case of instruments, the State sending him what medicines he needed. There was but little sickness, and, as there was no general hospital, the men were treated in their tents.

## MESSES.

The men messed by companies, the officers and men together. Each company had with it one or two cooks, employed by the company. In addition to the army ration issued, the men bought fresh vegetables, chickens, mutton, etc., and lived splendidly. Bread was baked in camp, and was very good. I have never known men to fare better.

## ALLOWANCES.

As this was a voluntary encampment, no one received compensation. When called into actual service by the State, the privates receive \$1.50 a day and the officers \$2.50.

## CONCLUSION.

In conclusion, I will say that the Third Regiment, composed as it is of young men of intelligence and soldierly qualities, will, with the reins of discipline drawn a little closer, be a credit to their organization and to their State. Being under orders to inspect two more regiments of State Guards, I will leave my general recommendations until I am through.

Very respectfully, your obedient servant,

GEO. B. DUNCAN,

*2d Lieutenant, 9th Infantry.*

LEXINGTON, Ky., September 3, 1889.

*To the Adjutant-General, U. S. Army, Washington, D. C. :*

SIR: In obedience to Special Orders, No. 188, dated Headquarters of the Army, Adjutant-General's Office, Washington, August 15, 1889, I have the honor to submit the following report as the result of my observations of First Regiment, Kentucky State Guard, on review at Louisville, Ky., August 24, 1889, and of the encampment of the Second Regiment from August 24 to 31, 1889:

## FIRST REGIMENT.

On Saturday, the 24th August, I attended the review of this regiment in the city of Louisville. The review was held by His Excellency, Governor Buckner, accompanied by his military staff. The regiment arrived on the ground with six companies, under the command of Colonel John B. Castleman, the regimental commander, preceded by the regimental band and drum corps of forty musicians. Line was formed to the left from column of fours, and the companies promptly dressed by their captains. The battalion was then presented for review without being brought to a rear open order; but the error was immediately corrected. The formation was in single rank, and as the regiment stood in line the men presented a very neat and soldierly appearance in a dress uniform of single breasted blue coat, trousers with white stripes, helmet and plume, and crossed white belts for bayonet-sabbard and cartridge-box and waist-

belt. In passing in review distances were well preserved; the dress was good, both in wheels and in marching. Forming line to the left from column of companies was almost perfect. In coming to a rear open order, officers and guides showed themselves well posted in their duties.

The battalion was then formed for inspection without an error. The inspection showed them to be armed with the .45 caliber Springfield rifle, model of 1873. These rifles presented a very neat outside appearance, barrels free from rust, stocks well cared for; but upon opening the breech-block they were all found to be more or less rusty and dirty in the chamber, bore and counterbored recess. They were equipped with the regulation cartridge-box and a bayonet-scarbald of brightly-polished steel. I was informed that they had in their armory the full regulation equipment of a United States infantry soldier; also the fatigue uniform furnished by the State.

Colonel Castleman is evidently a strict disciplinarian, during the review and inspection the most excellent order being maintained. There was no gazing about or raising of the hands or talking in ranks. In the questions asked of officers during inspection they all showed themselves to be well instructed and conversant with their duties.

Inspection was followed by a dress parade, and at its conclusion Colonel Castleman was presented by his regiment, through His Excellency, Governor Buckner, with a magnificent pair of gold spurs.

In conclusion, I will say that the regiment made an excellent showing, and its officers and men have every reason to be pleased with the proficiency they have attained.

#### SECOND REGIMENT.

I reached the camp of the Second Regiment at the fair grounds of Lexington Association, on Monday, the 26th of August. This regiment has a colonel, lieutenant-colonel, major, regimental staff, and eight companies, with its full complement of officers and non-commissioned officers. Colonel McKee, the regimental commander, was in command of the camp. As in the case of the Third Regiment, this was a voluntary encamp-

ment. What was said of that regiment applies with equal force to this. Six companies, some large, some small. It was impossible to get at the total enlisted strength of the regiment; there were in camp 11 officers and 144 men. His Excellency, Governor S. B. Buckner, arrived on the 26th, and remained in camp until its conclusion.

The regiment was armed, uniformed, and equipped like the other regiments of the State. All that was said of the Third Regiment, under these three heads, is equally true of the Second Regiment, and need not be repeated. The companies did not all bring their full equipment with them, and this should have been required. The tentage used was the same as that for the Third Regiment encampment. In this report I will deal more particularly with the material points of difference in the two encampments.

#### DISCIPLINE.

An excellent state of discipline prevailed, except in the matter of saluting, and no line of distinction seemed to be drawn between officers and men in their meetings in camp. All were kept strictly in camp, and only allowed to leave on written pass approved by the colonel. These passes were kept at the guard-tents, and the time of departure and return noted on them. This being the first encampment of the regiment, most of the men were unaccustomed to the restraint imposed on them; two or three attempting to leave without authority were promptly arrested and confined. Colonel McKee is a strict disciplinarian, and exacted a prompt obedience to all his orders.

#### INSTRUCTION.

On going into camp, the officers with these six companies were, as a rule, about as uninformed in military affairs as were the men in their companies. The largest company in camp had been mustered into the service of the State, and had been given their guns only two weeks before coming to the encampment. Another company had their uniforms issued after they arrived; but all seemed willing to learn, and gave their earnest attention to the proper discharge of every duty. At the request of the Colonel I frequently held an officers' school of all

the officers, when the mistakes made at parade and guard mounting would be pointed out. Inspection, review, and the simple movements in battalion drill explained; also company skirmish drill; and a company drilled in its deployments for them. The Colonel found it impossible to attempt battalion drills: he had just gotten his command in shape to commence them when camp broke. There was a most satisfactory progress made during the week.

#### DRILLS.

As the companies had previously but limited instruction in company drill, these only were attempted during the encampment, two hours a day being devoted to this exercise. Non-commissioned officers drilled in ranks as privates.

#### GUARD DUTY.

Considering the fact that but few knew anything of guard duty before coming to the encampment, and that most of the men were recruits, and badly instructed, too much can not be said of the good work accomplished by this camp in the instruction of its members in their duty as sentinels. Several copies of Army Regulations were on hand, and all the guard were kept at work studying. Honors from the guard were given, and sentinels required to salute. Many mistakes were made, but there was an evident endeavor to do well and profit by their opportunity. Colonel McKee gave his personal attention to this, making the rounds frequently by night and day. Army regulations with reference to guards was enforced as strictly as possible.

#### TARGET PRACTICE.

The companies were entirely without instruction in target firing, nor was it attempted during the encampment.

#### CEREMONIES.

Parade and guard was, at best, poorly executed, but there was decided improvement from day to day. Few of the officers or men had before taken part or witnessed these ceremonies, so it

was uphill work. The acting adjutant had been an officer but two weeks, and had to learn his duties with the rest. An improvement was shown at the review by His Excellency, Governor Buckner, on Friday, the 30th, when the marchings and wheelings of companies were well executed.

#### POLICE.

The police of the camp was bad. Sinks were not dug until the third day, and the men rarely used them. The ground around the mess-table was littered with vegetable matter and remains of meals. Trash from the company streets was thrown just outside the sentinels' posts, and not carted away. Wheelbarrows should have been provided, and all the offal and dirt carried to one spot.

#### SUPPLIES.

Commissaries for the camp were purchased and issued in about the same manner as at the Grayson camp. The issues seemed to be a matter of guess work. The supplies were the best in the market.

#### MESSES.

Officers and men messed together in their companies. The great fault of the camp was in the feeding of the men. Each company had one or two cooks employed. As far as I could see no attempt was made to have these cooks prepare meals properly or at regular times; they would get up after reveille and take all the time they wanted to get breakfast, which was served to the companies at times, varying from 8 o'clock to 9:45 in the morning. Sometimes a company would have nothing to eat until after guard-mounting and drill. The cooking was very poorly done. This matter could and should have been attended to.

#### MEDICAL DEPARTMENT.

The regimental surgeon was furnished with a case of instruments and a supply of medicines before coming to the encampment. The general health of the command was poor, no doubt due to impure water which was furnished for the first three days; a number of cases of dysentery and fever broke out. The men were treated in their tents or sent home. On the

second day the regimental adjutant, Lieutenant George Williams, was taken suddenly ill and died the next day. His loss was a severe blow to the regiment, for he was an officer of decided military taste, thoroughly conversant with his duty as adjutant and the proper routine of a camp.

On Saturday, the 31st, tents were struck, and all property packed up. By night all the companies had departed for their respective homes.

#### GENERAL REMARKS.

Having inspected the three regiments of the Guard of this State, I have no hesitation in saying that better material for military organizations can not be found. The men are, as a rule, between twenty and thirty years of age, active, healthy, and intelligent; obedience to command and attention to duty, when required, are the most salient characteristics. In many companies the uncertain execution of the manual, the uneven step, and the unmilitary bearing in ranks shows that the men have not been set up and drilled properly. The best-drilled company I have met is Company A, Third Regiment, Captain Watt, from Bowling Green, Ky., while Company B, Second Regiment, Captain Gibson, from Newport, Ky., presents the neatest appearance at inspection; in fact, it is the only company of the State Guard whose guns are kept in anything like proper condition.

#### RECOMMENDATIONS.

In my intercourse with the Guard of the State of Kentucky I have been forcibly impressed with the fact that company officers seem to regard mechanical perfection in the execution of the manual and the drill of their companies as matters of paramount importance, to the neglect of the cleanliness of a soldier's weapon and accoutrements, of the instruction of non-commissioned officers in their duties in the administration of a company, of the duties of guards and sentinels, of the proper care of a company in camp, and of instruction in the preliminary work of target practice. A weekly school for non-commissioned officers during the winter months would do

much to increase the efficiency of a company, when all these things could be discussed and explained.

I would suggest that voluntary encampments by the State Guard be abolished. At a regimental encampment every company and every man in the company should be required to attend. The State would be amply repaid by having all the preliminary work of a camp, such as putting up tents, digging sinks, building sheds for mess-tables, etc., attended to before the arrival of the companies. In the encampment of the Second and Third Regiments it took about three days to have these matters properly attended to. For men having their first experience in camp life, all the time possible should be given to military instruction, and not to manual labor. To have a camp arranged would be useful work for the regimental quartermaster.

In the matter of transportation, the quartermaster might be empowered to attend to it, being furnished proper blanks for the purpose. The State should have some understanding with its railroads in the matter of transporting troops, thus obviating the necessity of officers putting up their personal checks for transportation, as has occurred.

In a proper system of buying and issuing supplies for its troops the State is more behindhand than in any others. In camp rations are issued upon request of first sergeants, without approval. Blank ration returns should be kept on hand and used in camp; the requisitions should be approved before issues are made. If rations run out or get low the commissary sergeant buys what he wants, the Adjutant-General approves the account, and then it goes to the Auditor. No system is followed in what is bought.

Company records are not kept, as a rule. Books for this purpose should be issued companies. A guard report book should always be used in camp. Non-commissioned officers should drill in their proper places, as required by tactics; otherwise, when used as guides, they are ignorant of their duties.

I would suggest that a copy of Blunt's Manual be issued to each company for its instruction in target practice, and that before coming into camp all the preliminary exercises and posi-

tions in target firing be gone through with. The men of a company should know that clean guns and equipments are of more importance than a neat-fitting uniform. As the desire seems to be to conform to the regulation uniform of the army, I would suggest the disuse of the white stripes on the trousers of privates; make the stripes of non-commissioned officers and officers the same as in the army. An improvement in the fit of uniforms could be made by getting unmade clothing from the Quartermaster's Department, U. S. Army, and make an allowance to the men to have them made up. Exercises in camp should be confined to those which can not be attempted in a company armory—battalion drills and skirmish drills, and target practice, outpost duty, formations, and drills in heavy marching order. Each company should be required to bring its full equipments; first sergeant taught to make out proper company papers; lines of distinction made between officers and men during an encampment, and proper military courtesy observed. To this end an officers' mess would be desirable. An officers' school should be kept up daily. It would be an excellent plan if an officer's commission were, in a measure, dependent upon his knowledge of its requirements.

The State would do well to get permanent possession of ground suitable for a regimental camp, have it well arranged, with target ground near at hand. Let the regiments follow each other in camp for ten days every summer. A week's encampment is too short to do much good in the present condition of its troops. A preliminary camp of instruction for officers and non-commissioned officers would be attended with much benefit. The camp should be so placed that the allurements of a city or summer hotel would not be encountered.

I would respectfully suggest that, when asked for, a company of regular troops be sent into camp near every regimental encampment of State Guards, and that one of its officers and two or three reliable non-commissioned officers to be detailed to assist in the instruction of the regiment. The non-commissioned officers would be of the utmost value in assisting in the instruction of sentinels, and in showing first sergeants how to make out their papers and keep their details in shape, and in teaching the men how to clean their weapons. The

officers detailed could, in like manner, assist the company officers, giving them much useful information, so the colonel commanding would profit by the experience of a regular officer and troops in camp near him. Troops so situated might exercise a wholesome effect in their discipline. Each would wish to do well in the eyes of the other. I think the final result would be to bring many excellent recruits from the militia to the regular army.

In conclusion, I wish to place on record my thanks for the kind, courteous treatment I have received from the colonels of the three regiments I have inspected, to Adjutant-General Hill, and to His Excellency, General S. B. Buckner, Governor of the State.

I am, sir, very respectfully, your obedient servant,

GEO. B. DUNCAN,

*2d Lieutenant, 9th Infantry.*

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## APPENDIX B.

BOWLING GREEN, KY., August 19th, 1889.

*General Sam E. Hill, Adjutant-General K. S. G., Frankfort,  
Kentucky:*

SIR: I have the honor to make the following report upon Camp George Rogers Clarke, Grayson Springs, Ky.:

Pursuant to Special Orders No. 10, A. G. O., dated July 13th, 1889, I proceeded to Grayson Springs on Saturday, August 10th, 1889, where I found Companies A, B, D and H, of the Third Regiment, and Company G of the First Regiment.

### GROUNDS.

The grounds were by no means favorable for laying out a camp according to regulations, and as the street lines were not marked out before the arrival of the companies, who pitched their own tents, there was anything but uniformity, the lines of

the tents necessarily being ragged, which greatly marred the beauty and military precision of the camp. In addition to this, the contracted space did not permit of a proper and regular location of cook houses.

#### POLICING OF CAMP

Was very poor for the first two days, but much improved after that time; but up to the time of my departure had by no means reached the excellence which a camp of instruction should show.

#### COOKING ARRANGEMENTS

Were much improved after the first day or two, and the facilities for feeding the men comfortably were much improved by the construction of tables.

#### MEALS.

The army ration of a very good quality and amply sufficient in quantity was issued, and this, when supplemented by the company fund, made very excellent meals.

#### SINKS.

This most necessary, and, I may say, most indispensable adjunct of a camp was not completed until the third day. I would suggest that, whenever possible, sinks be provided before the arrival of the troops.

#### DISCIPLINE.

For the first two days discipline was quite lax; after that there was a marked improvement. Much of this lack of discipline was the result of ignorance, as in all cases, when the attention of the men was called to any infringement of military duty, there was shown a spirit to correct at once any error.

#### GUARD DUTY.

Owing to the fact that comparatively few, either of the officers or men, had ever been in camp before, there were necessarily many errors in the ceremony of guard-mounting, as well as in the duty of sentinels; but there was evidently an earnest desire upon the part of both officers and men to gain all possible information, as was shown by the marked improvement

which was seen from day to day. I would suggest in camps of instruction that some well-informed officer, preferably a field officer, be detailed to supervise the *guard duty* during the encampment, and that he be advised of this some weeks before, that he may prepare himself. There is nothing within the entire range of the soldier's duty so important as this, and since it can not be learned in the armory every possible facility should be given in camp for it.

#### CEREMONIES.

Dress parade was held every day, and with marked improvement. Necessarily there were many and serious errors, but they are utterly unavoidable in such a camp. One of the most serious was the presence of the right and left guides in line in the left wing of the battalion. This could be easily corrected by the company officer or the sergeant-major as the companies come up on the line.

#### PER CENTAGE OF ATTENDANCE

Was poor, as the six companies numbered, rank, file and band, only 154, as shown by the morning report.

#### PERSONAL APPEARANCE AND MILITARY BEARING.

Possibly owing to the fact that the majority of the men were recruits of less than a month, and also because they are not taught the *setting up* exercises, the military bearing was not what it should be, with Kentuckians, who, as a rule (and these men were no exceptions), are men of fine physique. More attention should be paid, by both officers and men, to their carriage. Belts should be fitted closely, and clothing properly and carefully adjusted.

#### CLOTHING.

Only one company was completely fitted with clothing. A few members of some of the remaining companies had the service uniform, and many of them old and much worn clothing. This is a matter of very great importance. Since the member of the State Guard gives his service to the State, every possible effort should be made to furnish him the best possible uniform, good material and made to fit, and the latter can only be had by making the clothing to measure.

## ARMS.

The general condition of the arms, from a casual inspection, was fair. The companies are being supplied with the finest guns furnished any army in the world—the improved Springfield rifle—and the attention of the men should be constantly called to the fact that every care and attention should be bestowed upon this, the most important part of their equipment.

## EQUIPMENTS.

The canteens, haversacks and blanket-bags now being issued to the State troops are most excellent, and it is merely necessary to call the attention of the company officers to the importance of seeing they are not lost. Every man should be held personally responsible for his equipments.

## MILITARY COURTESY

Was fairly good, both by men when on duty and when off. The sentinel on Post 1 did not turn out the Guard as should have been done on many occasions. Indeed, I failed to see the Guard turned out at all.

## THE SYSTEM OF INSTRUCTIONS

Contained in Special Orders No. 10, was not carried out. The reasons for this I do not know; at least up to Wednesday this had not been done. It was my misfortune to be called away then, but heard that battalion drill was had after this time.

The presence of the Commander-in-Chief and the Adjutant-General in camp, with the same quarters, and partaking of the same fare, had a most salutary effect upon the young soldiers, and the rapid checking of disorders, as evidenced by the Court of Enquiry, and the reduction to ranks of a non-commissioned officer, as well as the confinement of men to the limits, showed what could be accomplished in a very short time by discipline.

The presence of an officer of the regular army was also of much importance, and I would respectfully suggest that in the future application be made to have a company of regulars at camps of instruction. Nothing would so much conduce to the instruction, especially in the matter of discipline.

Very respectfully,

M. H. CRUMP,  
*Colonel and Inspector-General, K. S. G.*

## APPENDIX C.

Roster of the General and Staff Officers of the Kentucky State Guard,  
Including the Governor's Staff, and Regimental, Field and Staff, and  
Commissioned Officers of the State Guard.

SIMON BOLIVAR BUCKNER, Governor and Commander-in-Chief.

Brigadier-General SAM E. HILL, Adjutant-General and Chief of Staff.

Colonel S. S. ANDERSON, Assistant Adjutant-General.

Major NERGE CLARK, Assistant Adjutant-General.

Rank.	Name.	Residence.
Colonel . . .	Ernest Macpherson, Judge Advocate-General . . .	Louisville.
Colonel . . .	M. H. Crump, Inspector-General . . . . .	Bowling Green.
Colonel . . .	D. W. Yandell, Surgeon-General . . . . .	Louisville.
Colonel . . .	Sam. K. Cox, Paymaster-General . . . . .	Hartford.
Colonel . . .	Jay H. Northup, Commissary-General . . . . .	Louis.
Colonel . . .	Benjamin Bayless, Quartermaster-General . . . . .	Louisville.
Captain . . .	W. G. Thompson, Chief of Ordnance . . . . .	Frankfort.
Colonel . . .	E. Polk Johnson, Aid-de-camp . . . . .	Frankfort.
Colonel . . .	M. B. Belknap, Aid-de-camp . . . . .	Louisville.
Colonel . . .	Wickliffe Chapman, Aid-de-camp . . . . .	Frankfort.
Colonel . . .	John Barret, Aid-de-camp . . . . .	Louisville.
Colonel . . .	J. Shelly Hudson, Aid-de-camp . . . . .	Covington.
Colonel . . .	G. A. Park, Aid-de-camp . . . . .	Owensboro.
Lieut.-Colonel.	F. B. Brown, Aid-de-camp . . . . .	Morganfield.
Lieut.-Colonel.	Joseph Geiger, Aid-de-camp . . . . .	Morganfield.
Major . . . .	Hubert Potter, Aid-de-camp . . . . .	Bowling Green.
Major . . . .	W. G. Buckner, Aid-de-camp . . . . .	Lebanon.
Major . . . .	A. H. Mason, Aid-de-camp . . . . .	Louisville.

## First Regiment State Guards—Field and Staff.

Rank.	Name.	Co.	Residence.
Colonel . . .	Jno. B. Castleman . . . . .		Louisville . . . .
Lieut.-Colonel.	W. H. Coen . . . . .		Louisville . . . .
Major . . . .	James P. Kelly . . . . .		Louisville . . . .
Chaplain . . .	T. U. Dudley . . . . .		Louisville . . . .
Surgeon . . .			
Ass't-Surgeon .	Ed. L. Pearce . . . . .		Louisville . . . .
Adjutant . . .	James B. Smith . . . . .		Louisville . . . .
Quartermaster.	J. B. Holloway . . . . .		Louisville . . . .
Sergeant-Major	James Garrison . . . . .		Louisville . . . .
Drum-Major . .	James S. Roberts . . . . .		Louisville . . . .
Ordnance-Sgt..	J. H. M. Dawson . . . . .		Louisville . . . .
Armorer . . .	Geo. S. Bowman . . . . .		Louisville . . . .
Captain . . . .	J. M. Sohan . . . . .	A	Louisville . . . .
First Lieut. . .	Ben. P. Gray . . . . .	A	Louisville . . . .
Second Lieut. .	G. D. Lee . . . . .	A	Louisville . . . .

## First Regiment.—Continued.

Rank.	Name.	Co.	Residence.
Captain . . .	W. I. Hunt . . .	B	Louisville.
First Lieut. . .	J. B. Gregory . . .	B	Louisville.
Second Lieut. . .	J. B. Wilder . . .	B	Louisville.
Captain . . .	J. F. C. Hegewald . . .	C	Louisville.
First Lieut. . .	P. R. Bettison . . .	C	Louisville.
Second Lieut. . .	Jas. Mitchell . . .	C	Louisville.
Captain . . .	D. W. Gray . . .	D	Louisville.
First Lieut. . .	Graeme McGowan . . .	D	Louisville.
Second Lieut. . .	H. S. Gray . . .	D	Louisville.
Captain . . .	John H. Leathers . . .	E	Louisville.
First Lieut. . .	Sam McKee . . .	E	Louisville.
Second Lieut. . .		E	
Captain . . .	W. B. Wheeler . . .	F	
First Lieut. . .	H. M. Stuckey . . .	F	
Second Lieut. . .	Thos. B. Bobon . . .	F	
Captain . . .	B. F. Pemberton . . .	G	Shelbyville.
First Lieut. . .	Chas S. Hite . . .	G	Shelbyville.
Second Lieut. . .		G	Shelbyville.
Captain . . .	J. H. Mansir (Battery) . . .	A	Louisville.
First Lieut. . .	G. A. Francke (Battery) . . .	A	Louisville.

## Second Regiment.

Colonel . . .	L. W. McKee . . .		Lawrenceburg.
Lieut.-Colonel . . .	Roger D. Williams . . .		Lexington.
Major . . .	D. Vertner Johnson . . .		Lexington.
Chaplain . . .	E. O. Guerrant . . .		Lexington.
Surgeon . . .	Alvin Duvall . . .		Frankfort.
Adjutant . . .	Edmund H. Taylor . . .		Frankfort.
Quartermaster . . .	B. F. Allen . . .		Winchester.
Sergeant-Major . . .	L. K. DeRoode . . .		Lexington.
Captain . . .	E. H. Gaither . . .	A	Harrodsburg.
First Lieut. . .	Warren I. Allin . . .	A	Harrodsburg.
Second Lieut. . .	B. G. Williams . . .	A	Harrodsburg.
Captain . . .	C. J. Gibson . . .	B	Newport.
First Lieut. . .	Lewis Buchanan . . .	B	Newport.
Second Lieut. . .	E. K. Lome . . .	B	Newport.
Captain . . .	P. A. Lightfoot . . .	C	Falmouth.
First Lieut. . .	T. G. Hall . . .	C	Falmouth.
Second Lieut. . .	E. D. McMath . . .	C	Falmouth.
Captain . . .	J. B. Veach . . .	D	Lexington.
First Lieut. . .	Buckner Allen . . .	D	Lexington.
Second Lieut. . .	James Milton . . .	D	Lexington.
Captain . . .	J. Speed Smith . . .	E	Richmond.
First Lieut. . .	R. E. L. Biggerstaff . . .	E	Richmond.
Second Lieut. . .	T. M. Curtis . . .	E	Richmond.
Captain . . .	Shadrach Stacey . . .	F	Hazard.
First Lieut. . .	B. F. Fugate . . .	F	Hazard.
Second Lieut. . .	Thomas Holliday . . .	F	Hazard.
Captain . . .	L. W. Landrum . . .	G	Lancaster.
First Lieut. . .	Henry Patterson . . .	G	Lancaster.
Second Lieut. . .	J. I. Hamilton . . .	G	Lancaster.

## Second Regiment.—Continued.

Rank.	Name.	Co.	Residence.
Captain . . .	C. Gran. Graham . . . . .	H	Frankfort . . .
First Lieut. . .	Noel Gaines . . . . .	H	Frankfort . . .
Second Lieut. . .	Carroll Walcutt . . . . .	H	Frankfort . . .

## Third Regiment.

Colonel . . .	S. H. Ford . . . . .		Owensboro . .
Lieut.-Colonel.	T. J. Smith . . . . .		Bowling Green.
Major . . .	J. C. Barclay . . . . .		Russellville . .
Chaplain . . .	J. L. Caldwell . . . . .		Bowling Green.
Surgeon . . .	S. S. Watkins . . . . .		Owensboro . . .
Adjutant . . .	Austin Berry . . . . .		Owensboro . . .
Quartermaster.	J. G. Ellis . . . . .		Hopkinsville . .
Sergeant-Major	H. H. Abernathy . . . . .		Hopkinsville . .
Drum-Major . .	Pat Duggan . . . . .		Bowling Green.
Q. M. Sergeant.	B. P. Eubank . . . . .		Bowling Green.
Captain . . .	E. H. Watt . . . . .	A	Bowling Green.
First Lieut. . .	W. H. Edley . . . . .	A	Bowling Green.
Second Lieut. . .	F. L. Strange . . . . .	A	Bowling Green.
Captain . . .	La Vega Clements . . . . .	B	Owensboro . . .
First Lieut. . .	J. G. Burch . . . . .	B	Owensboro . . .
Second Lieut. . .	R. M. Radford . . . . .	B	Owensboro . . .
Captain . . .	. . . . .	C	Pikeville . . .
First Lieut. . .	James Sowards . . . . .	C	Pikeville . . .
Second Lieut. . .	J. S. Cline . . . . .	C	Pikeville . . .
Captain . . .	Jouett Henry . . . . .	D	Hopkinsville . .
First Lieut. . .	Walter Campbell . . . . .	D	Hopkinsville . .
Second Lieut. . .	James F. Garrity . . . . .	D	Hopkinsville . .
Captain . . .	J. E. Reynolds . . . . .	E	Greenville . . .
First Lieut. . .	B. M. Rice . . . . .	E	Greenville . . .
Second Lieut. . .	James H. Craig . . . . .	E	Greenville . . .
Captain . . .	G. M. Atkinson . . . . .	F	Henderson . . .
First Lieut. . .	. . . . .	F	Henderson . . .
Second Lieut. . .	. . . . .	F	Henderson . . .
Captain . . .	J. H. Duncan . . . . .	G	Elizabethtown .
First Lieut. . .	. . . . .	G	. . . . .
Second Lieut. . .	. . . . .	G	. . . . .
Captain . . .	R. M. Beadles . . . . .	H	Mayfield . . .
First Lieut. . .	L. B. Anderson . . . . .		Mayfield . . .
Second Lieut. . .	. . . . .		. . . . .

**APPENDIX D.**

ADJUTANT-GENERAL'S OFFICE,  
FRANKFORT, NOV. 14, 1888. }

*To His Excellency, Governor S. B. BUCKNER:*

DEAR SIR: Pursuant to Executive order, bearing date 29th ult., I left Frankfort on 31st, and proceeded to Hazard, the county-seat of Perry county, arriving there near noon of Sunday, the 4th inst., where I remained till Thursday, the 8th, when I left on my return, at 10 o'clock A. M., arriving here Saturday morning. Hazard contains near 100 inhabitants when they are all at home, but I was told that not more than about thirty-five people were at home when I reached there, the rest of the population having refuged in consequence of the French and Eversole feud, which has distracted the people of the town and county for more than two years, and during which some ten men have died by violence as the result thereof.

Many of the refugees returned before I left there, a number having joined the troops en route, and returned under their protection to Hazard, arriving there on the afternoon of Sunday, the 4th, while others returned Sunday night, and others as late as Wednesday night.

Among those who had sought safety in flight were George Eversole, county judge, and brother to Joe Eversole, the leader of the faction of that name; Ira Davidson, circuit and county court clerk, a sympathizer with that faction; Josiah Combs, late county judge, and father-in-law to Joe Eversole, and his son—Combs, who is an officer of the circuit court, and Fulton French, the leader of the French faction, together with the families of each, except Davidson, who is a single man. These all returned, except the elder Combs, either with the troops or after their arrival, and before I left. The killings above referred to were mostly assassinations from ambush, which seems to have been the favorite mode of warfare adopted by both factions for ridding the community of the presence of persons who, from causes real or supposed, had made themselves obnoxious to the slayers, though one killing, that of Mr. Gambrel, was committed in the town of Hazard, in

broad day-light, by Joe Eversole and two of his henchmen, and was witnessed by a number of people; was committed without anything like adequate provocation, but for which no indictment had ever been found. Grand juries and witnesses seem either to have sympathized with the law-breakers or to have been intimidated by them; but it is not improbable that both these causes have operated to paralyze the administration of the law, and to correspondingly stimulate crime. As is usual in such cases, I found that the county authorities failed to act with any degree of promptness and vigor at the inception of the difficulties, and the result was the inevitable one—the troubles soon grew beyond their control. Josiah Combs, the father-in-law of Joe Eversole, was county judge at the beginning of the feud, and Eversole and his friends were evidently the aggressors—at least were first to resort to violence—and when the county judge was appealed to by outsiders to issue warrants for their arrest, positively declined to do so, saying that Eversole had done nothing to be arrested for, and that French ought to be driven away from the town. Thus the inaction of the authorities stimulated the friends of each faction, and each sought safety in arming such persons as would take service with them, and setting at defiance the law, instead of looking to it as their best protection. Finally, on one Sunday morning last April, Joe Eversole, in company with Nic Combs, his brother-in-law, and Josiah Combs, started from Hazard to Hyden to circuit court, and when about five miles out from Hazard they were fired upon from ambush, and Eversole and young Combs were instantly killed. Fulton French was indicted for that killing, and, while he may have instigated it, he certainly did not participate in the shooting.

The killing of Joe Eversole seems to have demoralized his friends, the most prominent of whom soon after left Hazard. The last assassination was that of Elijah Morgan, who was shot from ambush, near Hazard, on the 9th of last month. His only crime appears to have been that he sympathized with French. Morgan was also son-in-law to Josiah Combs and brother-in-law to Eversole. And now, perhaps, you are ready to ask what was it all about? Well, I can not say, although I very naturally sought to learn the cause. Some of whom I enquired thought

it was business rivalry, while others said there was a woman in the case, and I think it attributable, in part, to both those causes. French and Eversole were both merchants and lawyers, and I was told that some three years ago a man who was clerking for French accused French of deflowering his wife, and quit French and took service with Eversole, and told the latter that the former had offered him \$500 to murder him, and soon afterwards Silas Gayhart, who was a friend of French, was murdered, as it is charged, by Eversole and his friends, and from that time forward the troubles have grown and assassinations multiplied, the victims being first from one side and then from the other. I thought it advisable to call out 44 of the reserve militia, all that I had arms for, and selected these from the best, most non-partisan people that I could.

The list was not quite complete when I left, but I authorized Capt. Sohan, whom I found to be an excellent officer, to muster them in, and gave him similar instructions to those you gave me on the subject. Judge Lilly is very anxious that the troops go with him to Knott and Letcher counties, but I heard of no organized bands of outlaws in those counties too strong for the civil authorities, if the latter will do their duty. The troops, officers and men comprising the detail, conducted themselves in a soldierly and appropriate manner, and I apprehend that they will have no trouble in protecting the court from violence should any be offered, which I think improbable.

Very respectfully,

SAM E. HILL,

*Adjutant-General.*

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HEADQUARTERS LOUISVILLE LEGION,  
FIRST REG. KY. STATE GUARD, ADJUTANT'S OFFICE,  
LOUISVILLE, KY., November 27th, 1889. }

*To the Adjutant-General, Frankfort, Ky. :*

SIR: Under instructions contained in your letter of March 8th, 1888, handed to me at Hazard, Perry county, Kentucky, I have the honor to submit the following report :

Pursuant to General Orders Nos. 38 and 39, issued from regimental headquarters, and authorized by Executive Orders, I

left Louisville October 30th, at 8:05 P. M., with a detail of 4 commissioned officers and 63 non-commissioned officers and privates, and 1 gatling gun, under instructions to report to Hon. H. C. Lilly, Judge of the 19th Judicial District, at Hazard, Perry county, Kentucky.

The detail occupied 2 passenger coaches and 1 baggage car, which were attached to the regular 8:05 P. M. train on the Knoxville Branch of the L. & N. Railroad. We arrived at London, Ky., about 2 o'clock, and there our cars were sidetracked and the command occupied them until daylight, when we disembarked, had breakfast and started for Hazard, which is about 75 miles distant. We traveled in wagons, which had been provided by Lieutenant J. H. Mansir, Acting Quartermaster, who had preceded the command to London for that purpose. To transport the command were required 14 wagons and teams, and 1 team for gatling gun. The officers were mounted. Owing to the condition of the road, in places almost impassable, the march was very tedious; the men had frequently to dismount and help the teams up the hills or over the rough places. About 4 o'clock we went into camp for the night, and resumed the march next morning at good daylight. We continued the march in this manner from day to day, going into camp between 3 and 4 o'clock, and resuming the march between 6 and 7. We reached Hazard at 3 o'clock Sunday afternoon, November 3d, 1888, it being the 5th day out from London. On the second day of the march we were joined by Judge Lilly, when about 25 miles from London. He remained with or near the command until we reached Hazard. At various points along the route we were met by the officials of the Perry Circuit Court—the circuit clerk, sheriff and deputy sheriffs—all of whom were awaiting escort, and who accompanied the troops into the town.

Arrived at our destination, I found the court-house yard unsuitable for a camp-ground, and selected for that purpose a hill in rear of court-house, and about 200 yards distant. It proved an admirable site, being dry, easily picketed, in a manner secluded, and affording good opportunity to command the town in case of difficulty. We were comfortably encamped before dark, and entered at once upon the routine of camp life, the full particulars of which have been made known to you in my

daily reports. I reported for duty to Judge Lilly at the courthouse on Monday, the 5th inst., at 9 o'clock A. M. He instructed me that he would not require a guard at the courthouse or town just then, not deeming it necessary; as but few people were in, and that in any case he did not intend to try to do anything until after the election, which occurred on the 6th, and that when he wanted a guard he would let me know. I returned to camp and the judge adjourned court until Wednesday, the 7th. Upon resuming Wednesday, the town being well filled with people, the judge required a guard in the court-room as a precautionary measure, and entered formally upon the business of the term. I noticed that in charging the grand jury he dwelt at considerable length upon the crimes of illegal liquor selling and gaming, but passed murder with the remark that "it was unnecessary for him to call the attention of the jury to the fact that murder was a crime," and also when one of the attorneys at the bar wanted to introduce a motion to reorganize the grand jury, in order to get a jury that would indict certain persons for murder, the judge informed him that he would overrule any motion to that effect; "That, if commenced, there would be no end to it; that the jury was carefully selected, and was as good as could be had in the county." The business of the court proceeded slowly, the great majority of the cases having to be passed, owing to the absence of the accused, or of important witnesses, whose attendance it seemed impossible to secure. A few convictions for minor offenses were secured, the penalty inflicted generally being the lowest prescribed by law; besides these, but one important case was decided, one man being sent to the State Prison for one year for shooting and wounding, receiving the lowest penalty. The judge, in finally dismissing the jury, reprimanded them for their leniency, and called attention to the light sentence imposed as indicative of the state of feeling throughout the community. As far as I could judge the court officials used every endeavor to promote the ends of justice, but were effectually hampered by their inability to make arrests and secure the attendance of witnesses and get juries to convict. About the third or fourth day of the court, B. F. French, one of the principals in the French-Eversole feud, was brought into town by the sheriff of Breathitt

county. He was surrounded by a posse of about 20 men who rode in in good order, in column of twos, each man holding his rifle at an "advance." They went at once to French's residence, where they remained during the court. I believe French was nominally surrendered to the sheriff of Perry county, but was permitted to remain in his house and was constantly surrounded by the Breathitt county posse, which was made up of his friends and followers, and which was represented to me as containing some of the worst men in Breathitt county. So threatening was their appearance that the judge commanded them to surrender their arms to me. They at first refused, but finally brought nine rifles to the camp, and, I suppose, hid the balance, as they did not appear any more under arms. The rifles surrendered to me were the 50-calibre Springfield, exactly the same gun as the State Guard was formerly armed with. I returned them to the posse, on order from the judge, when they left town. French, although under arrest, went constantly armed, and seemed to be under no restraint. A day or so after his arrest he went into court, gave bond for himself and several of his followers and was released from arrest, but remained in town until near the end of the term, when he left for Breathitt county, surrounded by an armed guard similar to that which brought him in.

Perhaps the most important event of the trip was the formation of a military company at Hazard, the organization of which was commenced by yourself during your stay there, and completed by me, acting under your instructions. I have made full reports of this event to your office, with roster of company and report of election of officers. I respectfully recommend that this company be encouraged in every way possible, as in my opinion it will have a quieting effect upon the turbulent element in Perry county. The company is largely made up of the men selected by yourself, and who are, as near as possible, unbiased in the feuds of the county. The officers appear to be good men for the positions to which they were elected, and enjoy the respect of the community.

As the end of the term approached, and being without orders to govern my further movements, I despatched Lieutenant Gray, who volunteered for the service, to London, on Saturday, the

19th inst., with a telegram to your office asking for instructions. I waited until the last day, knowing Judge Lilly had asked the Governor for the troops over his entire circuit. You had instructed me that definite orders would be sent me in time to act. The order did arrive Monday afternoon, having been delayed two days in the mail, and was to return to Louisville. I immediately made arrangements to break camp, and Lieutenant Gray having returned Tuesday night with telegram confirming the above order, the command left Hazard Wednesday, the 20th. Judge Lilly remained in Hazard, awaiting action of the Governor in regard to his application for troops, and his request for these being refused, he decided not to go any farther on his circuit, and left Hazard with us. He parted with us finally the next day, a few miles out from Hazard, and I believe returned to his home.

I desire to express my thanks to Judge Lilly for the uniform kindness and courtesy of his bearing toward myself and my command.

The return trip was made in the same manner as the outward one, and by the same means, but was even more trying on the command, as the weather was colder and the roads worse. We reached London Sunday, 27th, about three o'clock P. M. We found cars ready for us, and at once occupied them. They were attached to the one o'clock A. M. train and arrived at Louisville Monday morning, the 28th inst., where the command, having disembarked, were marched to the armory and disbanded. This ended a service somewhat unique, even in the varied experience of the Kentucky State Guard.

That it was productive of good there can be no doubt. It impressed the people of the community that the State was determined to assert her power and majesty, and that they could no longer defy the law with impunity. The officials of the court and the residents of the town and county were unanimous in the assertion, which was made to me repeatedly, that the term of the court could not have been held without bloodshed, except for the presence of the troops, and I believe this to be true. On the day of the national election there was not the slightest disturbance, although several murders and affrays were reported from adjoining counties, in Hazard—a thing

almost unprecedented in its history. We had here the same experience that the State troops have always had on similar service, that is the police power of the State is universally feared and respected. That there will be more blood shed before this feud is settled was the opinion of all to whom I spoke on the subject. The men engaged in it are vindictive and daring, and will use any means to escape punishment or gratify their revenge. That the people really believe this, is shown by the fact that many of them had left the town permanently. The circuit clerk and county judge, both residents, left when we did with the intention of not returning. Half the houses in the town are unoccupied, and one of the citizens lamented to me the fact that whereas they formerly had 150 inhabitants they now had but seventy. The moral condition of many of the people of this section is indeed deplorable. There is not a church of any kind in the county, but few schools, and they of the most primitive sort; not half of the murders committed are ever made known to the public; many of the people live in the most squalid poverty and social degradation; incest of the vilest sort is frequently practiced, and the marriage ceremony is constantly ignored. I have counted as many as fifteen children, who, with their parents, occupied a small cabin, containing one room. It is from such conditions that the disordered state of the community arises, and in my opinion they can not be fully removed until advancing civilization and development bring new people and new incentive to labor.

This state of affairs renders it very difficult for the civil officers to perform the duties satisfactorily, as a majority of the people seem to have sunk into a kind of apathy regarding crime, and hold aloof from any effort to enforce the laws. The fear of secret assassination or "bushwhacking" hangs like a pall over the entire section, so that those who would otherwise aid in enforcing order do not care to risk their lives in the attempt. I will state an instance showing how widespread this fear is: several of the men in French's body-guard were wanted in Knott county, and the warrants for their arrest were brought to Hazard by a woman. Neither is this fear groundless, as is shown by the fact that more than twenty men

have been killed in the French-Eversole feud, most of them being shot from ambush. This is the secret of all the trouble. The people are held in terror by a few desperadoes. The peaceable and respectable citizens largely predominate in the county, and could they be assured of protection, would soon put an end to the disorders. In closing this report, it gives me great pleasure to refer to the conduct of the detail under my command. Perhaps no part of the State Guard has ever passed through more severe test of discipline and endurance. Certainly none have ever responded more gallantly and faithfully to the demands made upon them. The march from London to Hazard and back was particularly trying, the camp each night being but temporary, the men could not make themselves comfortable and suffered severely from the cold. The road is simply indescribable, being so rough that most of the command preferred walking to riding in the wagons provided. We frequently marched for hours in the water, the natural bed of the creeks being the only available way through the hills, and this was generally the best part of the road; at other times it took all hands to help the teams up the hills, or keep them from falling over the precipices. Through it all, the men were cheerful and uncomplaining, and though allowed every possible liberty, there was not a single serious breach of discipline, and but few even of a trivial sort. This, I think, speaks well for the training and reliability of the command from which the detail was taken.

The health of the detail was remarkable during the entire journey. But three men were excused from duty on account of sickness, and they only for a few days. Illness, even of a minor sort, was very rare. This was no doubt due, in a great measure, to the skill and management of Assistant Surgeon Edward Pearce, who had entire charge of the sanitary affairs of the camp, and to whom my thanks, and that of the entire command, are due for his watchful care and fidelity. To my associate officers, Lieutenants Mansir, Gray, Wheeler and Magowan, many thanks are due for their faithful and efficient services. Lieutenant Mansir performed the very arduous duties of Quartermaster in an able and satisfactory manner. Lieutenant Ben Gray volunteered for the fatiguing journey from Hazard to Lon-

don and return with dispatches. Lieutenants Wheeler and Magowan were always prompt, watchful and efficient, and to the ability and faithful care of all the success of the campaign is entirely due.

Very respectfully,

Your obedient servant,

J. M. SOHAN,

*Captain Commanding.*

I transmit herewith the bond for \$500 taken from Captain Stacey and P. W. Hall, surety, for the preservation and return, on demand of the State, arms and ammunition delivered by me to Captain Stacey for the use of the Perry County Guard.

Very respectfully,

J. M. SOHAN.

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### APPENDIX E.

COMMONWEALTH OF KENTUCKY,  
ADJUTANT-GENERAL'S OFFICE,  
FRANKFORT, Nov. 13, 1889. }

*Governor* S. B. BUCKNER:

SIR: In obedience to Executive orders, bearing date 5th September, 1889, I detailed thirty men of Company A, Second Regiment, State Guard, Capt. E. H. Gaither commanding, and seventy-five men of Company D, Second Regiment, Lieutenant Buckner Allen commanding (Capt. Veach being physically unable to go), for active service in Harlan county during the September term of the Harlan circuit court, which commenced on the 16th of that month. Pursuant to orders, the details left their respective armories on Friday morning, the 13th of September, and proceeded by rail to Junction City, where they united near noon of that day, and, Captain Gaither assuming command of the entire force, the command proceeded by rail to Pineville that afternoon, where it arrived about 6 P. M.

Capt. Gaither took up the line of march early Saturday morning for Harlan Court-house, thirty-three miles distant, and

notwithstanding the rough roads peculiar to that section of country, he marched the command nineteen miles on Saturday, the 14th, and resuming the march early Sunday morning, the troops reached Harlan Court-house about noon of that day. I joined the troops at Junction City, and proceeded with them to Pineville, where, on Saturday morning, I was joined by Judge Robert Boyd and Colonel Clark, judge and Commonwealth's attorney of the judicial district which includes Harlan county, and to whom I there showed your orders by which the troops and myself were to be governed. Judge Boyd expressed some surprise and regret that the troops were not to be allowed to act as a posse to make arrests.

I left Pineville about two o'clock P. M., on Saturday, the 14th, in company with Judge Boyd, Colonel Clark and Doctor Alvin Duvall, Surgeon of the Second Regiment, who was detailed to accompany the expedition, and we all traveled together for about twelve miles, when the judge and the colonel stopped for the night, and the doctor and myself proceeded to Captain Gaither's camp, where we found the troops much fatigued by their day's march, but cheerful and bright. I preceded the troops to Harlan Court-house on Sunday, to make arrangements for their dinner, as it was impossible for the baggage-wagons to keep up over the rough mountain roads, and arrived about eleven o'clock A. M. I found the town quiet and peaceable, and many of the people expressed their gratification that you had sent troops, as they believed the presence of troops would insure a peaceable term of court, and impart to jurors and witnesses a feeling of confidence and security in the discharge of their respective duties. I caused copies of your Excellency's proclamation to the people of Harlan county to be posted in different public places about the town early on Monday morning, and sent other copies to different parts of the county, besides which I furnished a copy to the editor of the county paper, who published it in his issue of that week. I heard many of the best citizens of the county commend the views expressed in the proclamation.

I reported to Judge Boyd early Monday morning, the 16th, and told him that the troops were there subject to his order, if needed, for the protection of the court or its officers, or for

the maintenance of peace and order in the town, or for any purpose in his sound discretion looking to the security of the court and town, but not to be used as a posse comitatus. The judge thanked me, and said he would let me know if he needed troops for any purpose, and again expressed his regret that the troops were not to be permitted to act as a posse. I was present during most of the time consumed by the judge in delivering his charge to the grand jury, which was lengthy, vigorous and impressive, and was well calculated to bring that body up to the discharge of its full measure of duty.

There was no effort made, however, while I was there, by Judge Boyd or other civil authority, so far as I was advised, to organize a posse for the purpose of effecting the arrest of Wils Howard and Will Jennings, the two noted desperadoes, whose bloody deeds had caused so much alarm in the county, and of whom many of the people, especially of the county-seat, stood in much dread.

On Saturday night, the 21st of September, there was a general jail delivery at Harlan Court-house, some half dozen prisoners effecting their escape by means of aid from friends on the outside, and, some suspected, by connivance with the deputy jailer in charge, but whether there was reasonable ground for that suspicion, I do not know. After that, Judge Boyd called on Captain Gaither for a detail of soldiers to guard the jail, which was promptly furnished, and although several attempts to again effect the escape of prisoners were made, they were foiled by the guard.

A singular condition of things seemed to exist in Harlan while I was there with reference to the sympathies of the people. A majority of the people at Harlan Court-house were hostile to Wils Howard and Jennings, while a majority of the country people with whom I talked seemed to be in sympathy with them, though that may have been the result of the large family influence of the Howards, of whom there are a great many in the county, and was the result, in part, I was led to believe, of the mistake made by Judge Lewis' posse in July, on Martin's Fork, in firing on Howard from ambush without first giving him a chance to surrender.

The sheriff of the county, James L. Howard, had made no

effort to arrest Howard and Jennings, and was said to have announced that he would not do so, saying that Wils Howard had been his friend when he needed friends, and that now he was Wils' friend. It may be proper to remark that Judge Boyd, in his charge to the grand jury, dwelt with much emphasis upon the delinquency of public officials, and I noticed at the time that the sheriff, who was present, seemed somewhat uneasy, and I am informed that the grand jury, sure enough, indicted him for failing to execute the bench warrants which come to his hands against Wils Howard, it being alleged that he held interviews with said Howard while the warrants were in his possession.

I presume that I need not allude to the origin or cause of the feuds in Harlan county, or trace their progress, as it would be almost impossible to locate the one, and your Excellency is familiar with the other. I will only add that, during the two weeks that troops were there, everything was profoundly quiet, but soon after the troops were removed hostilities were renewed.

The troops took up their homeward march at the end of the term of the court, and reached home in safety, nothing of a specially noteworthy character having transpired during their period of active service, except the accidental killing of Corporal McFeet, of Company A, which is alluded to in the official report of Captain Gaither, which I herewith transmit for your information. Corporal McFeet was an excellent man and a true soldier, and his premature death was much deplored by officers and comrades. I can not refrain from expressing my admiration for Captain Gaither as a commanding officer. He soon established thorough discipline in the command, and maintained it to the end of the period of active service without apparent effort. The boys soon learned that disobedience of orders or other unsoldierly conduct would be sure to incur punishment, while obedience and soldierly conduct would as certainly bring corresponding reward under Captain Gaither's command, and from that time on there was no trouble. Lieutenant Buckner Allen proved himself an efficient company commander and an ardent soldier, and bravely and uncomplainingly did his duty, while Lieutenants Williams and Allin of Company A, and Lieutenant Milton of Company D, are all entitled to honorable

mention for duty well done, as are also Lieutenant E. H. Taylor, who was Acting Quartermaster of the detachment, and Surgeon Alvin Duvall, jr., who, in their respective positions, acquitted themselves with much credit. As to the non-commissioned officers and privates, I will only say that each one did his duty so well it would seem invidious in me to personate. I have the honor to remain,

Very respectfully,

SAM E. HILL,

*Adjutant-General.*

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HARRODSBURG KY., September 4th, 1889.

GENERAL SAM E. HILL, *Adjutant-General, Frankfort, Ky.:*

GENERAL: I have the honor to report that on Monday, September 30, 1889, we broke camp at Harlan Court-house, and began the march to Pineville. It had rained the night before, and was raining at the time of our start, but fearing a rise in the river that would detain us some time in Harlan, I determined to move, notwithstanding the weather.

The sheriff had not provided the guard with horses to take the convicted prisoners to Pineville, and I had them conveyed on foot across the river with the command, where a wagon was provided that conveyed the prisoners and the guard to Pineville, where they were safely conveyed.

Before we reached the river at Harlan, it had risen considerably above the stepping-stones, and we were much delayed in crossing, the only means being a leaky canoe that held but four men. The crossing was accomplished without accident, beyond the immersion of one man.

This delay and the slippery condition of the road prevented us from making but ten miles the first day. The men were wet and tired and the ground muddy, and we secured them two rooms of a house to sleep in.

Tuesday, October 1st, the march was continued. The road was heavy and full of mud holes. At 4 P. M. the troops had reached the foot of Laurel Hill, but the wagons were some miles behind, and knowing that it was impossible to reach Pineville that night, we pitched camp at that point.

Owing to our lack of facilities, our provisions were not well cooked, and the continued rain of Monday had further injured them, and so the supper Tuesday night and the breakfast Wednesday morning were not very inviting. The men were in good spirits, however, and at 7 A. M. we had started our wagons, and began the march over Laurel Hill.

The troops reached Pineville at 10:30 and the wagons at 11:30. The tents and flies were spread out to dry, and afterwards, with the cooking utensils of the State, were placed in a car and shipped to your address at Frankfort. The bill of lading was delivered to Captain Thompson.

We had dress parade at 5 P. M., but no other drill at Pineville. The men slept in the Pineville Court-house. October 3d we had reveille at 6 A. M., gave the men their breakfast, and put them aboard the train. Owing to a wreck we did not reach Junction City until 3:30 P. M. The train on the Cincinnati Southern was also late, and we did not leave there until 7 P. M. At Burgin I gave Lieutenant Allin command of the Lexington company, and brought my company here and dismissed them.

The encampment was, on the whole, an exceedingly pleasant one. During the 21 days that I had the command of these 60 men, I had to punish only five of them, and all of these for trivial offenses, none of which were repeated. These offenses were committed the first day in camp at Harlan, when the temptations were beyond the resistance of ordinary men. I had no occasion to use my guard tent after the second day in camp.

With my camp near the center of the town, my men were necessarily intimately associated with the citizens, and yet I heard not a single complaint from the citizens of any misconduct on the part of the troops. Before leaving the leading citizens called on me, and expressed their appreciation of the good behavior and gentlemanly conduct of the boys.

Among the boys during the entire time that we were out, there was not one personal difficulty, and not even a personal controversy that would have warranted the interference of a friend. It was in fact a camp of perfect harmony, and was made so by the good sense, good breeding and soldierly qualities of the men who made up the command, and to the tact and good judg-

ment of the officers. I desire particularly to mention Lieutenants Buckner Allen and James Milton, of Company D, whose strict attention to duty and knowledge of military matters was of the greatest assistance to me.

Considering that the camp was in an infected district, the health of the men was, I believe, unprecedented in any encampment. This I believe to be attributable to the great skill and untiring care of Dr. Alvin Duvall, our surgeon.

The quartermaster's department, conducted by Adjutant Taylor, was in every way satisfactory. The food was well selected, well cooked, and abundant.

I am sir, respectfully, your obedient servant,

E. H. GAITHER,

*Captain Commanding Detachment.*

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HARRODSBURG, KY., October 23, 1869.

GENERAL SAM E. HILL, *Adjutant-General, Frankfort, Ky. :*

GENERAL: In addition to the reports heretofore made relative to the encampment of the State Guard at Harlan, Kentucky, I beg leave to submit the following report:

That while we were at Harlan, no effort was made, either by Judge Boyd or other officer, to organize a posse comitatus to arrest the parties now under indictment, who are evading and defying arrest, of which I had any knowledge, or of which I ever heard any intimation. I was so situated that any such attempt would have been made known to me. I was informed by the sheriff of Harlan county that no bench warrant for the arrest of these parties had ever come to his hands.

I further report that in a private conversation with Judge Boyd, he stated to me that during the winter he intended to scour the hills with troops, and arrest all those who were then evading arrest. The inference that I drew from his statements was that he expected the State to furnish troops for that purpose.

Respectfully submitted,

E. H. GAITHER,

*Captain, Late Commanding Detail at Harlan.*

## APPENDIX F.

Statement Showing the Condition of the War Claim of the State of Kentucky December 14, 1889, Heretofore Filed in the Treasury Department.

NUMBER OF INSTALLMENT.	Amount Claimed by the State as per Statement of Difference of Third Auditor, Jan. 1, 1886 . . . . .	Amount Allowed May 8, 1888, and August 16, 1888 . . . . .	Balance Remaining Suspended and Disallowed December 14, 1889, in the Third Auditor's Office . . . . .
First . . . . .	\$ 996 23	\$ 132 20	\$ 864 03
Second . . . . .	2,596 45		2,596 45
Third . . . . .	8,575 44	505 89	8,070 05
Fourth . . . . .	25,698 18	2,003 85	28,694 33
Fifth . . . . .	9,267 15	714 69	8,552 46
Sixth . . . . .	17,254 81	7,899 72	9,854 59
Seventh . . . . .	47 00		47 00
Eighth . . . . .	7,885 18	927 28	6,407 85
Ninth . . . . .	11,331 94	1,570 89	9,761 55
Tenth . . . . .	4,246 74	1,008 59	3,238 15
Eleventh . . . . .	61,145 09	32,607 93	28,537 16
Twelfth . . . . .	15,573 56	804 80	14,768 76
Thirteenth* . . . . .			
Fourteenth . . . . .	190,650 00		190,650 00
Fifteenth . . . . .	973,701 62		973,701 62
	\$1,328,418 84	\$47,674 84	\$1,280,744 00

\* This was a claim for use of locks on the Green and Barren rivers by the United States authorities, 1861-65.

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CORRESPONDENCE.

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**CORRESPONDENCE.**

JUDGE LILLY TO GOVERNOR BUCKNER.

HAZARD, KY., Nov. 13th, 1888.

*To the Governor of Kentucky:*

SIR: Captain Schon has succeeded in organizing a company of about 45 State Guards in Perry county. He informs me that he has no orders, and does not know whether he will be ordered back to Louisville or to go with me to Whitesburg, thence to Kindman and thence to Breathitt; but, in any event, expects to be ordered away from here very soon. Mr. B. F. French is here with 15, or perhaps more, men, well armed, and the people are so much alarmed, fearing that they will be left to the mercy of those men, that I have decided that I will take the responsibility upon myself to order the Perry Guards on duty, hoping that you will approve my action and order them on duty, and let their pay begin on the 17th inst.

I will not attempt to hold courts at Letcher, Knott or Breathitt unless you send guards along. No good can be accomplished by holding courts in any one of those counties without a guard. If a sufficient guard is present I think that much good will be accomplished in and by the moral effect it will have on the people by showing them that you are determined to have the courts held and the laws enforced, and to give protection to the good citizens.

Please write me and send by way of Manchester, as I shall return that way, and if I do not receive your letter here, can get it on the road. If you order the guard to go with me I will go and hold the courts, if not Providentially hindered.

I remain yours truly,

H. C. LILLY.

Please confer with General Hill, if you have not done so.

## GOVERNOR BUCKNER'S REPLY.

EXECUTIVE DEPARTMENT,  
FRANKFORT, NOV. 27th, 1888. }

*Hon. H. C. LILLY, Judge, Irvine, Ky. :*

DEAR SIR: I have the honor to acknowledge the receipt of your communication of 13th inst., from Hazard, Perry county, in which you say, "Mr. B. F. French is here with 15, or perhaps, more men, well armed, and the people are so much alarmed, fearing that they will be left to the mercy of these men, that I have decided that I will take the responsibility upon myself to order the Perry Guards on duty, hoping that you will approve my action and order them on duty, and let their pay begin on the 17th inst."

At the time I received your communication I was in consultation with the sheriff of Perry county. I inferred from his statements, first, that there was no immediate danger of an outbreak or opposition to the civil authorities; and, second, that but slight effort had been made by him to arrest violators of the law.

Your own statement does not inform me of anything more than a vague apprehension in the public mind, and does not advise me that the civil authorities can not suppress any attempts at disturbance by employing the usual forces of civil government.

I assume that if danger had been imminent, both you and the sheriff would have remained on the ground.

The object of furnishing troops on your application was to protect the court in the discharge of its duties, and not to supersede the civil authorities by a military force.

Under the circumstances, I do not feel authorized to call the local militia into active service.

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Respectfully, your obedient servant,

S. B. BUCKNER.

## JUDGE LILLY TO GOVERNOR BUCKNER.

FRANKFORT, KY., Dec. 5th, 1888.

*To His Excellency, the Governor of Kentucky:*

DEAR SIR: From a full examination and inquiry into the condition of affairs in Breathitt county, I am fully satisfied that the civil authorities can not hold a circuit court in that county and enforce the law without the aid of the State Guard. That the people are divided to such an extent that a sheriff's posse will not be sufficient. Several murders have been committed in the county since the last term, and the offenders are not yet indicted, and can not be, unless the witnesses can be protected. Charges are made against a brother of the sheriff, and the son-in-law of the jailer, and the witnesses can not be induced to go before the grand jury unless they have assurance of protection. There is a number of felony cases in court, which I think will be ready for trial. The regular term is three weeks, but as there is an odd week between that court and the Wolfe court, I can extend the term, and hold four weeks, if necessary, and I am satisfied that it will be. The court begins on the third Monday in this month. I, as Judge of the Breathitt Circuit Court, call upon you to furnish fifty of the State Guard, properly officered and equipped, to aid the civil authorities in holding said court, and in enforcing the law. Herewith I forward to you a statement of Hon. S. H. Patrick and others; also statements of a number of citizens of Irvine, and of Hon. Robert Fluty, in support of this application.

I remain yours truly,

H. C. LILLY,

*Judge 19th Judicial District.*

You have heard Judge Robert Riddell's statement made in your presence.

LILLY.

## GOVERNOR BUCKNER'S REPLY.

EXECUTIVE DEPARTMENT,  
FRANKFORT, December 14, 1888. }

*Hon. H. C. LILLY, Judge 19th Judicial District, Irvine, Ky.:*

DEAR SIR: I have fully considered your letter of the 5th inst. in reference to the condition of affairs in Breathitt county,

in which communication you say that you are "fully satisfied that the civil authorities can not hold a circuit court in that county and enforce the law without the aid of the State Guard; that the people are divided to such an extent that a sheriff's posse will not be sufficient; several murders have been committed in the county since the last term, and the offenders are not yet indicted, and can not be, unless the witnesses can be protected; charges are made against a brother of the sheriff, and the son-in-law of the jailer, and the witnesses can not be induced to go before the grand jury unless they have assurance of protection." And you further say: "I, as Judge of the Breathitt Circuit Court, call upon you to furnish fifty of the State Guard, properly officered and equipped, to aid the civil authorities in holding said court and in enforcing the law."

It is needless for me to say to you that in a Republic the employment of the military arm in enforcing the law is of rare necessity, and the occasion for its use should not be of doubtful propriety. The law invests the civil authorities with ample powers to enforce the observance of law, and expects those officers to exert their authority with reasonable diligence. When this is done there is seldom an occasion when the military force can be employed without detriment to the public interests and without bringing the civil authorities into discredit. When a people are taught that they are not themselves the most important factor in the conservation of order in society, and that they must depend upon the exertion of extraneous force to preserve order amongst themselves, they have lost their title to self-government, and are fit subjects for a military despotism. I do not believe that any portion of this Commonwealth has reached that degree of political degradation.

As far as Breathitt county is concerned, while there have been acts of individual lawlessness, I do not find in your statement, or from any other source, an evidence of any organized opposition to the civil authorities. On the contrary, I am convinced that a reasonable exertion of their legitimate power by the civil authorities would cause the masses of the people to rally to their support more effectually than could be done in the presence of a military force. The latter, whatever their

numbers, could not influence, and ought not to influence, the character of the testimony of a single witness before the grand jury, but their presence would be a confession of weakness on the part of the civil authorities before they had made any attempt to discharge their duties, and to this extent would lessen respect for their authority, and render the subsequent discharge of their duties more difficult. A healthy public sentiment, and not the presence of an armed force, is the best support of government; and the powers conferred upon a circuit judge, both as a judge and as a conservator of the public peace, are so unlimited that a firm and judicious discharge of his duties will almost invariably mould public sentiment in support of his judicial actions.

Under all the circumstances, I do not believe that the presence of troops in Breathitt county is necessary to maintain the laws. With every purpose to support the judicial tribunals in the effective discharge of their duties, I feel constrained to decline the request which you make to order a detachment of the State Guard to Breathitt county. But if my own presence will be of any service to you, I will take pleasure in accompanying you to the Breathitt court if you conclude, on reconsideration, to hold it.

In your letter, November 13th, you say: "I will not attempt to hold courts at Letcher, Knott or Breathitt, unless you send guards along." This is a matter on which the Executive can take no action. It is for the legislative department of the government to judge of the facts which will justify an official in thus abdicating the duties imposed upon him by law.

But on this subject I trust you will permit me, without intruding on your consideration any views of my own, to invite your attention to an act passed by the General Assembly at its last session, and approved March 9, 1888. Amongst other things this act provides that "if, at any term of a circuit court, the presiding judge thereof shall be absent, \* \* \* \* it shall be lawful for any other circuit judge of this Commonwealth to attend and hold such term of the court, and while so engaged he shall have and exercise all the powers and authority of the regular judge of such court."

I am informed that under authority of this act, some circuit

judges have already interchanged courts, and if there are any reasons why you prefer not to hold the court in Breathitt, I have no doubt that many of the circuit judges would be willing to interchange with you. I happen to know that Hon. Lucius P. Little is willing to hold the Breathitt Circuit Court for you, if you will hold the McLean Circuit Court for him, beginning on the fourth Monday of the present month.

I have the honor to be, respectfully,

Your obedient servant,

S. B. BUCKNER.

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JUDGE LILLY TO GOVERNOR BUCKNER.

IRVINE, KY., February 4th, 1880.

Governor S. B. BUCKNER:

DEAR SIR: Your letter dated 14th of December, and post-marked, on the 18th, was received by me on the night of the 25th, at Jackson, Breathitt county. On the third page you proposed to accompany me to Jackson in the following words: "But if my own presence will be of any service to you, I will take pleasure in accompanying you to Breathitt court, if you conclude, on reconsideration, to hold it." You was advised that the Breathitt court would begin on the 17th, and I suppose your Adjutant-General had informed you that I had decided to go and hold court if I could so do. I told him on the morning of the 8th that I would go to Breathitt court. You must have believed that I would leave Irvine for Jackson as early as the morning of the 14th, and before you wrote your letter. Why did you make such a proposition to me at the time you did? I fear you will have a little trouble to make the public believe that you made the offer in good faith.

On page 4 of your letter you say, "I happen to know that Hon. Lucius P. Little is willing to hold the Breathitt Circuit Court for you, if you will hold the McLean Circuit Court for him." I thank Judge Little for his kind offer, and believe he made it in good faith, but why did you withhold the information from me until it was too late for me to confer with him? He lives in

the western part of the State. You must have known that I had no time to make any arrangements with him. You must have known that the offer was futile, and that it could not be carried into effect. Can you make the public believe that you were acting in good faith?

In speaking of the application I made to you on the 5th of December, you failed to make any reference to the papers filed with it. Why did you conceal from the public the fact that a majority of the attorneys who practice at the Breathitt Circuit Court, to-wit: Judge John S. Mahan, Judge G. W. Gourley, Capt. J. M. Beatty, Hon. H. L. Wheeler, Hon. Jas. M. Sebastian, Hon. S. P. Hogg, Hon. H. B. Hogg, E. E. Hogg, Esq., Hon. S. H. Patrick, Judge Robert Fluty, and Judge J. B. White, and divers other prominent men, had requested you to send a guard, and gave it as their opinion that the court could not be held without a guard? I am at a loss to know why you sought to throw the whole responsibility upon me.

That the public may know something about the condition of Breathitt county at the time, it is only necessary to say that between the first day of August and the fifth day of December, 1888, the following men were killed, to-wit: Lewis Taulbee, James Shockey, David Barnett, and Isaac Combs, "Shooting Ike;" and the following men were shot and wounded, viz: Crain Flinchem, John Smith, Jeff Smith, Marion Lawson, Curtis Spicer, Luther Abner, John Campbill, Jack Barnett, Pearl Strong, Wm. Frances, and Breck Miller. There were also a large number of other felonies committed in the county, and all this, in addition to the old docket, which shows a large number of felony cases. Knowing their system of combining their strength to help one another, to prevent any one being punished by the law, I submit to you if it would not have been better if you had sent a guard there to encourage the good citizens to attend court. I held court there three weeks, and there was no outbreak that is true, and it is also true that we got no verdicts in important cases. We tried four murder cases and had hung juries in each case. Except those required to be in attendance, the good citizens of the county were not there. Why were they absent? I think it was because they thought it unsafe to be there. For the same reason nearly all the attorneys who practice at that bar failed to attend the court.

Theories look well on paper, but when you come to put them in practice they often fail to work well. What do murderers and outlaws care for theories? I hope you will not think I put it too strong when I say that your course has given comfort, if not aid, to those who are charged with crime. They feel that they are able to prevent the civil authorities from enforcing the law, and, in view of your letter, they feel that no help will be given the civil officers, and hence they will do as they please.

Judge W. H. Randall, Judge Robert Riddell, Judge Cole and Judge Jackson, and other judges, have thought it advisable to have a guard. Judge Finley failed to attend his courts in Letcher, Perry and Knott for several terms before his term of office expired. Were all these judges mistaken? I think not. They, like myself, had better opportunities of knowing the real status of affairs in their counties than people who live far away, and do not understand the people.

It has been published in the newspapers of the State that a certain judge held his courts in Breathitt and had no trouble. That judge, previous to his election, had been employed as counsel for nearly every one charged with high crime in that county, and, as a consequence, did not have to try them. On the contrary, he was doing all he could to prevent their conviction, and to prevent the laws being enforced upon them. He is yet the employed counsel of six persons charged with murder and other high crimes in that court. Of course he had no trouble. Who can say whether, if he had trying to bring them to justice, he would have gotten along so easily? As the papers pretty generally throughout the State have published your letter to me, I hope they will do me the favor to publish this, my answer.

Hoping you will find it easy to answer the interrogations propounded to you in this letter, I remain,

Yours respectfully,

H. C. LILLY.

## GOVERNOR BUCKNER'S REPLY.

COMMONWEALTH OF KENTUCKY,  
EXECUTIVE OFFICE, February 8, 1889. }

*Hon. H. C. LILLY, Judge Nineteenth Judicial District, Irvine,  
Kentucky:*

DEAR SIR: Your letter of the 4th inst. reached me yesterday. You seemed to impute want of good faith on my part in offering to attend you to the Breathitt Court. This charge on your part is based on the erroneous and gratuitous assumption that the Adjutant-General had doubtless informed me that it was your intention to hold the Breathitt Court on the regular day. The Adjutant-General informs me to-day that he did not himself know that it was your determination to hold the court, and that the remark you made to him on the subject left him in the belief that you had not reached a determination as to what you would do in the premises. You wrote me that you would not hold court in Knott, Letcher, or Breathitt county, unless I sent guards along. You did not hold the courts in Knott or Letcher, and in your conversation with me gave me no ground to believe that you had concluded to hold the court in Breathitt.

My conclusion was therefore logical and necessary that you would not hold the court.

Your assumption that I knew that you would hold it is therefore entirely erroneous, and the decision you reach in consequence of this assumption is fallacious.

You ask me a number of questions in your letter, but as you proceed to make replies to suit yourself, and to reach conclusions favorable to your own views, you spare me the necessity of giving them any response. I limit myself to stating what alone is relevant to this question, that having concluded that there was no necessity of sending troops at great expense to the State, I offered to accompany you so that, if my views should have proved erroneous, I would have been on the ground to have called to your aid such assistance as may have been needed.

As the session of court was to continue during three weeks, and as you could have taken your seat on the bench at any time during the term, there was ample time, after writing my

letter, for you to have reconsidered your determination, if you had been at Irvine where I supposed you were, and to which place I addressed my letter to you, and to have gone afterwards to Breathitt long before the term of the court should have closed. So far from knowing that it was your purpose to hold court, I had not the slightest idea that you would do so, until I learned after the adjournment of the court that you had held it. I am gratified that you did so, for it was a demonstration that troops were not necessary for your protection.

In like manner there would have been time for you to have made an interchange with Judge Little, by telegraphic correspondence, if such had been your desire.

You seem to charge that I have aided and abetted criminal classes by declining to place troops at your disposal in Breathitt county, and attribute to their absence the non-conviction of criminals. If their absence produced such a result in Breathitt county, their presence at your court in Perry county should have produced, according to your logic, a large number of convictions. But I am advised that the result was the same in both counties. We must, therefore, look for some other reason than the presence or the absence of the military to account for such uniformity of results. I believe myself that the court is, and ought to be, an important factor in the administration of justice, and that the presence or absence of the military should have no weight in its decisions, and ought not to influence its actions.

You ask why I throw "the whole responsibility" of making an application for troops upon you? It was because you were the judge who made the application; who demanded protection, and averred you would not hold court unless I sent "guards along." There was no one else with whom the responsibility could be divided, and as you must have acted from your convictions of duty, I do not see why you should seek to avoid the responsibility, or desire me to place it where it does not belong.

I have no criticisms to make in reference to other judges who have asked for troops, or in reference to Judge Finley, who, you say, failed to attend certain courts.

These were occurrences under former administrations, and were doubtless considered by the Executives of the time in the

light of facts, which I do not pretend to know. Much less will I offer my comment upon the grave charges you insinuate against another judicial officer in connection with the Breathitt Court. But I can not refrain from expressing regret at what seems to me the manifestation of feeling on your part, which does not impress me as strictly judicial, but, notwithstanding this, I beg you to rest assured of my desire to support your authority in every way that the Executive can do, consistent with the public welfare. I have no objection to your giving the fullest publicity to your letter.

Respectfully yours,

S. B. BUCKNER.

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JUDGE LEWIS TO GOVERNOR BUCKNER.

OFFICE OF WILSON LEWIS,  
JUDGE OF HARLAN COUNTY,  
HARLAN C. H., KY., Oct. 16, 1889. }

*His Excellency, Gov.* S. B. BUCKNER:

DEAR SIR: On Friday, the 11th day of October, 1889, John Cawood was ambushed, about eight o'clock, A. M., in 150 yards of his home, on Cummins' creek, of Martin's fork of Cumberland river, in Harlan county, about ten miles east of Harlan C. H. Cawood owned a large farm, and was accustomed to ride over his farm every morning for the purpose of attending to his stock. Soon after breakfast, on the morning of the 11th, he proceeded up the road around his farm horseback, and when 150 yards above his house, was fired upon from ambush, at a distance of about twenty-five yards, by what afterwards, from the tracks, showed to be seven men in ambush, four balls penetrating his breast, killing him instantly, one, the fifth ball, killing his horse, which partly fell upon him, neither man nor horse living five minutes. This occurred upon his own land. About 200 yards up the road from where John Cawood was killed lived Hiram Cawood, a son of John's, with whom lived, as a hired hand, Hezekiah Hall. About five minutes after the report of the guns that killed John Cawood, Hall, standing in Hiram Cawood's yard, was shot in the back by, from the tracks

showed to be, another squad of five or six ambushers, the ball passing through and out at the abdomen. Hall lived about twenty-four hours, and died from the effects of the wound. Hiram Cawood ran from his house, with a view to escape, a half-dozen balls plowing up the ground around him as he made his escape unharmed. A few minutes, or a short time, after the shooting of John Cawood and Hall, and at Hiram Cawood, Stephen Cawood, a brother of John's, was shot at from ambush upon his own farm, about one mile below John Cawood's, the ball of the assassin missing its aim. The surviving Cawoods fled from home to Harlan Court-house to save their lives.

It is thoroughly ascertained that the day before the killing of Cawood and Hall that Wilson Howard and William Jennings were in the bend of the river, Martin's fork, about two miles from the house of John Cawood, banded together in company of about twenty outlaws, in close consultation, armed with Winchester rifles—outlaws who have harbored and protected, by their presence, arms and provender, Wilson Howard and William Jennings—said conspiracy resulting in the death of Cawood and Hall, as above stated. John Cawood was an old man, fifty-three years old, one of the wealthiest, law-abiding, peaceable, quiet citizens that Harlan county was possessed of. He and his son Hiram were men that carried no arms at any time, and who strictly attended to their business. John Cawood leaves a large family of children and grandchildren, and was noted for rendering all the aid in his power to aid the officers to enforce the law and effect the arrest of the outlaws. Stephen Cawood is also one of the wealthiest and best citizens of Harlan county, who was never known to carry arms, but who, at all times, rendered all aid in his power to enforce the law, Hezekiah Hall was a very poor, but hard-working, reputable citizen, who leaves a wife and six children, who were dependent upon his manual labor for their daily bread.

I and many other good citizens of the county, fearing to stay at home, are at Harlan Court-house for mutual protection. It is currently reported and believed that this band of outlaws has offered a considerable reward for the death, by violence, of myself, the Cawoods, T. S. Ward, John S. Bailey, Jo S. Kelley, and others noted for their interest in the enforcement of the law, the

effect of which, last Friday, culminated in the death of Cawood and Hall, and the attempted assassination of others.

Believing it to be my duty to inform you officially of the outrages and violations of law in Harlan county, and the powerless condition of law-abiding citizens to avert it.

I am very respectfully yours,

WILSON LEWIS,

*Judge of Harlan County, Ky.*

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JUDGE LEWIS TO GOVERNOR BUCKNER.

OFFICE OF WILSON LEWIS,  
JUDGE OF HARLAN COUNTY,  
HARLAN C. H., Oct. 24th, 1889. }

*His Excellency, Governor S. B. BUCKNER:*

DEAR SIR: A few days ago I felt it my duty to address you upon the events and transgressions of the law transpiring in Harlan county. After the murder of John Cawood and Hezekiah Hall, a short time since, as stated to you, the Cawoods fled to Harlan Court-house for protection. Wilson Howard and William Jennings, who are charged by the grand jury of Harlan county with divers indictments for murder, and who will, at the next session of the Harlan Circuit Court, be again charged for similar offenses by that body, and who were present aiding in the murder of Cawood and Hall, organized a company of 25 armed desperadoes, left their stronghold in the bend of the river of Martin's Fork, 13 miles east and above Harlan C. H., passed by Harlan Court-house to the north side of the river Poor Fork at its mouth, took possession of E. M. Howard's log, but weather-boarded, house, sent messages to several of the good citizens of the town, some of whom were related to them, to move out instantly; that they intended to shoot every house in town all to pieces, and did not wish to molest them unless they were disposed to resist their onslaught and destruction of the town. Their relatives and many others, two-thirds of the town

of Mt. Pleasant, moved out, knowing that 25 desperate and well-armed men, headed by Wilson Howard and Wm. Jennings, were ensconced in E. M. Howard's house, one-and-a-half miles below the court-house. Everyone, I think, of the party with Howard and Jennings was against whom a warrant sworn out by a proper affidavit, and by me issued for the murdering and conspiracy to murder, and, in pursuance to said conspiracy, did murder John Cawood and Hezekiah Hall, and by me placed in the hands of Moses Turner, deputy sheriff of Harlan county, for their arrest, making an order to summon 100 men to compass the requisition of the law, 60 of whom responded, and I, together with the deputy sheriff and posse, proceeded upon them in their stronghold; they refusing to surrender, were fired upon by our posse, we killing one man and wounding eight, one or two perhaps mortally, all making their escape with their leaders, Howard and Jennings, but three of the most serious wounded. We are reliably informed that Howard and Jennings are now organizing over 100 desperadoes to get revenge, and believing that I have exhausted every remedy to enforce the law, and that I have procured the last man that I am able, by due process of law, for its enforcement, and believing that by the desperadoes and violators of law 25 superior numbers, many good citizens will be murdered, and I and the officers of the law powerless to avert it, appeal to you, as Governor of Kentucky, for a sufficient force for the enforcement of the law, and the protection of the law-abiding, good citizens of Harlan county. Also, if it is law, we would suggest that another circuit judge, other than Judge Robert Boyd, of the 15th Judicial District of Kentucky, who is impartial and willing to enforce the law, be sent to Harlan county to try the many and almost daily increasing murders that blackens the name of Harlan county.

I am very truly yours,

WILSON LEWIS,

*Judge of Harlan County, Kentucky.*

## GOVERNOR BUCKNER'S REPLY.

COMMONWEALTH OF KENTUCKY,  
EXECUTIVE DEPARTMENT,  
FRANKFORT, Oct. 26, 1889. }

Hon. WILSON LEWIS,

*Judge Harlan County,*

*Harlan, C. H.*

DEAR SIR: I have the honor to acknowledge the receipt of your letter of 24th inst., reporting the result of your attempt to arrest a band of violators of the law in your county, and requesting that troops be sent to your assistance.

It appears from your report that the posse under your control have temporarily demoralized and dispersed these violators of the law, and that you have sixty-five men in the posse comitatus obedient to the orders of the sheriff.

I desire to commend your efforts to enforce the law in your county. If you have committed any error at all, it is in not requiring the sheriff to summon a much larger body than was ordered. The knowledge that several hundred men had been summoned would not only give encouragement to the law-abiding people, and be an inducement to all such to come to your assistance, but would correspondingly have dispirited the law-breakers.

The situation, as it appears to me, is, that it is the law-breakers and not the law-abiding who have cause of discouragement, and by availing yourself of the confidence your course has inspired, and by largely increasing the number of your posse, you will succeed in bringing the fugitives to justice, or in driving them from the county.

As I have written you heretofore, until the law-abiding people show their determination and ability to enforce their own laws they will never have peace in the county. I believe they have manifested the ability to do this. I deem it unadvisable, therefore, to send troops again to the county at this time. The people should rely upon themselves, and they will develop all needed ability to meet successfully the questions at issue.

The Executive has no authority to displace a circuit judge, or to assign another to his place.

Respectfully yours,

S. B. BUCKNER.

## JUDGE BOYD TO GOVERNOR BUCKNER.

BOONEVILLE, KY., Oct. 29, 1869.

*Governor S. B. BUCKNER, Frankfort, Ky.:*

MY DEAR SIR: Your letter of the 24th inst., offering a reward for G. W. Hall, and also expressing your regrets at my failure to organize a posse during the presence of the troops in Harlan for the arrest of the fugitive offenders in that county, and saying your chief object in ordering the troops there was to enable me to do this, and saying that if I had done so, and had effected that arrest, it would have inspired confidence in the people in their ability to enforce the laws, and would have gone far to have restored quiet in the county. If this was your object in sending troops to Harlan, I certainly misunderstood you in our interview; and you must have misunderstood me, for I assured you that without the aid of troops the arrest could not be effected; that the fugitives and their friends were, in all probability, in the majority. I suggested to you at the time of our interview that almost everybody in the county had taken sides, and it was dangerous, in my judgment, to those who would attempt the arrest; and I would not have been able to raise a force sufficient to do any good unless the soldiers had gone with the posse to aid in the arrests. I had an interview with General Hill in regard to this matter, and I understood him to say that your orders were not to permit the soldiers to be used as a posse to aid in making arrests, but to keep order; and the General will tell you that I requested him to say to you that I thought I could have the offenders located, and if I could get the soldiers to be used as a posse to make the arrests I could get plenty of citizens to join them and aid in making the arrests; but could not get them to go without soldiers, as the offenders and those with them were well armed, and had every advantage, being in the woods and the timber, and the brush being green. I do not believe that those men could have been arrested there by any posse I could have organized, without the soldiers going with and acting in concert with the posse, and aiding in the arrests. Neither do I believe that it can now be done, and the only way that it can be done is by soldiers, with the aid of citizens who know the highways and by-ways of Harlan, Bell

and Leslie counties, and if the soldiers can be had the citizens can be had. The trees will soon be stripped of their foliage, and will not long furnish a hiding place for these men, and with soldiers they can be captured, unless they get out of the country, as the weather will soon be too cold for them to lie out. I learn that they are now in possession of the court-house, and, if soldiers were immediately sent, might be captured while there, if well managed, by not letting our plans be known and published in the papers. I very much regret this misunderstanding, for I am sure that I would have tried anything that you would have thought advisable or expedient, and I am satisfied that you would have done anything you thought best for the enforcement of the law and the restoration of order, peace and quiet to the people of Harlan, and I am satisfied that if you will consult General Hill, Captain Gaither, Dr. Duvall, or anyone familiar with the affairs in Harlan, that I could not have organized a posse of the citizens that could have done anything toward arresting the men accused of crime and fugitives from justice without the active aid and co-operation of the soldiers, used as a posse; but such course would have created, in my judgment, worse trouble. I talked to various citizens, and tried to inspire them with courage to make an effort, and all insisted that it could not be done without soldiers. If you will send soldiers to Harlan to make the arrests and suppress the trouble I will try and get a safe man to go with them and aid in making the arrests, and as soon as I get through with my courts I will call a special term of the Harlan Circuit Court to try the parties arrested, if necessary. I am, and always have been, willing and ready to do anything in my power to aid in arresting and trying and bringing to justice violators of the law and those accused thereof. But as to the best methods to be used in attaining this end I may commit mistakes. I simply write this much to give you the reasons that have impelled me to pursue the course I have pursued in the matter, and was all the time impressed with the idea that I was pursuing the course that you thought advisable.

Very respectfully,

R. BOYD.

## GOVERNOR BUCKNER'S REPLY.

EXECUTIVE DEPARTMENT,  
FRANKFORT, Nov. 16th, 1889. }*Hon. R. BOYD, London, Ky. :*

DEAR SIR: I have received your letter of 29th ult., in reply to mine of the 24th, in which I expressed regret that you had not made an attempt, during the presence of the troops in Harlan county, to organize a posse comitatus for the arrest of prominent violators of the law.

It is no purpose of mine to criticise your action. It is not my province to do so. Nevertheless, it occurred to me that the presence of the troops, who effectually guarded your court and inspired confidence amongst the people, would afford you every facility to organize a civil posse which might be effectual in making the necessary arrests. My chief object in sending the troops was to enable you to do this with confidence of success.

My instructions to the Adjutant-General were to this effect, and he states in his report that he informed you of the fact on meeting you. My proclamation to the people of Harlan county was of the same tenor. They were written after my interview with you, and embodied, as I conceive, our joint views.

Since the departure of the troops, the county judge has organized a posse comitatus, which has succeeded in arresting some of the offenders and restraining the others.

The commander of the troops reports that you did not make any attempt to organize a posse during the stay of the troops.

You doubtless had what you deemed sufficient reasons for not doing so. But without criticising your course, I can not suppress a feeling of regret that you did not avail yourself of the presence of the troops to make an attempt to organize a posse which, if it proved effective, would have gone far towards pacifying the county.

Respectfully yours,

S. B. BUCKNER.

## JUDGE LEWIS TO GOVERNOR BUCKNER.

HARLAN C. H., KY., Nov. 2, 1889.

*His Excellency, Governor S. B. BUCKNER:*

DEAR SIR: I am in receipt of your communication of October 30th. After the repulse by my posse of the outlaws at the mouth of Poor fork, they disbanded and scattered in various squads, not more, I think, than five in a bunch. I took my squad to the bend of the river, on Martin's fork, expecting to find them banded together in force, but they had scattered. My posse came in sight of three of them near the top of Little Black Mountain; halted them; they ran with their guns, making good their escape, although fired upon by my posse. Rans Hall, a noted bush-whacker, news-carrier and friend of the outlaws of long standing, was, on the day of my raid upon their stronghold in the bend of the river, shot dead by my posse a few miles above the place in the mountain that my posse fired upon the armed bush-whackers, on the river Martin's Fork, stationed there ostensibly for the purpose of giving news of the advance of my posse upon the outlaws.

It is now believed that Howard and Jennings have absconded to West Virginia. They were in close consultation with their friend 10 miles below Harlan C. H. on October 28th. It is believed their friend had them conveyed near Pound or Big Stone Gap, heading for West Virginia. I have sent a party to Big Stone Gap, or rather Clinchport, Virginia, to telegraph for their arrest. I think it advisable that you give publication of the rewards. Wilson Howard is about 26 years old, dark complected, black eyes and hair, 5 feet 8 or 9 inches high, and weighs about 165; hair inclined to curl, and sometimes parts it in the middle.

Jennings is light complected, slender, about 5 feet 11 inches high, light hair, and has yellow cat-like eyes, and free spoken, and would weigh about 150 pounds.

I have conversed with James L. Howard, sheriff of Harlan county, time and again in regard to the arrest of Wilson Howard and William Jennings, and various others charged with murder, and placed warrants in his hands for the arrest of the parties. He remarked to me he would not have a d—m thing

to do with it, and could not afford to see them go down. He advised different men not to go with any officer who summoned them to make the arrest.

Berry Howard, jailer of Harlan county, advised William C. Farmer and his sons, who are prominent citizens, to have nothing to do with the arrest of the men charged with murder, and if they done so they would be killed.

Respectfully yours,

WILSON LEWIS,

*Judge Harlan County Court.*

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GOVERNOR BUCKNER'S REPLY.

EXECUTIVE DEPARTMENT, }  
FRANKFORT, Nov. 7th, 1889. }

*Hon. WILSON LEWIS, Harlan C. H., Ky.:*

DEAR SIR: Your letter of the 2d inst. reported the result of your pursuit of Howard and other violators of the law is just received.

In accordance with your suggestion I make the public offer of the reward in the cases of Howard and Jennings. I desire to render you every assistance which can be properly given by the Executive in your efforts to enforce the law in your county.

If the fugitives can be located furnish me the necessary papers, and I will make a requisition on the Governor of West Virginia for their surrender.

Respectfully yours,

S. B. BUCKNER.