

*Biennial Rep. 1897 - 1900/1901*  
*First report made since 1897*

# REPORT

OF THE

# ADJUTANT GENERAL

OF

# KENTUCKY.

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DECEMBER 31, 1901.

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DAVID R. MURRAY, Adjutant General.

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PROPERTY OF THE STATE OF KENTUCKY.

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STATE OF KENTUCKY,  
ADJUTANT GENERAL'S OFFICE.

Frankfort, Ky., Dec. 31, 1901.

To The Honorable J. C. W. Beckham, Governor and Commander-in-Chief of the State Guard of Kentucky:

Sir: I have the honor to submit to you the following as my report as Adjutant General of the State of Kentucky for the period commencing February 3, 1900.

This is the regular biennial report due from this department and is the first one made since the year 1897.

I am your obedient servant,

DAVID R. MURRAY.

Adjutant General State of Kentucky.

## REPORT OF THE ADJUTANT GENERAL.

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Shortly after the late William Goebel took the oath of office as Governor of Kentucky his death occurred and he had not made an appointment of an Adjutant General, which duty devolved upon you as his successor and on the third day of February, 1900, Gen. John B. Castleman of Louisville, Kentucky, was appointed Adjutant General and he accepted the position temporarily. On the eleventh day of March, 1900, the present Adjutant General was appointed Assistant Adjutant General and upon the resignation of General Castleman was appointed Adjutant General, taking effect November 1, 1900. These appointments, except the latter, were made during the trouble that resulted from the contests for the office of Governor and the minor offices. These officials were not permitted to occupy the public buildings and they opened offices at the Capital Hotel in Frankfort, which they maintained until the twenty-second day of May, 1900, when they came into possession of the offices and records.

This department was met by many difficulties both prior to its coming into possession of the office and records and afterwards. Never in the history of Kentucky had there been such turbulence and disorder, and this disorder particularly affected this department.

When the Adjutant General assumed the duties of the office he had no records nor were there any data by which he could determine the condition of the State Guard, its number or anything in regard to its organization, so that nothing could be done by him or his assistant except to maintain an office at the Capital Hotel and muster in a few companies and receive reports from such part of the State Guard in the State as recognized the present administration.

When the records (under the opinion of the Supreme Court of the United States) were turned over to the Adjutant General by his predecessor, Gen. Collier, it was impracticable that there should be a formal turning over of the property of the State or the records, and there was no inventory taken nor was there any receipts given by the incoming Adjutant General.

The last report made by the Adjutant General was in the year 1897. A report was due in 1899. Between these dates the Spanish-American war intervened and a great portion of the State Guard was mustered into the service of the United States; in fact, the First Regiment and Second Regiment were mustered out of the State Guard service and into the service of the United States almost bodily. The Third Regiment was not mustered out of the State Guard service, according to the records of the office, but was also mustered into the service of the United States.

When the biennial report was due in 1899 the troubles and disturbances incident to the contests over the office of Governor and the minor offices were fierce and raging, and there being no biennial report made in 1899 showing the changes in the State Guard or its existing organization, the Adjutant General was at a loss as to its condition, and these conditions confronted the present administration.

It will be readily seen that with the disorganized condition of the State Guard, incident to the intervention of the Spanish-American war and this disorder in Kentucky, when the present administration came into power it was met with many and great difficulties. It found a State Guard almost without organization; companies had been hastily mustered in, the records of which were incomplete, public property had been issued and transferred from one organization to another upon verbal orders, of which no record was found in the office, many companies were mustered in without the consent of the county judges of the respective counties, officers were elected of which no record was found and the present Adjutant General was confronted with the difficulty of ascertaining from any source and every source the condition of the

State Guard, its organization, the amount of public property issued to it, where that property was located, how much had been drawn from the general government, how much was still due from the general government under the appropriation made by Congress, and many other difficulties that would arise daily which need not and could not be detailed in this report.

The state of public feeling was such that any action of the administration was subject to adverse and unjust criticism, its motives impugned and its efforts to organize, equip and discipline the State Guard were criticised as partisan and not for the good of the service.

As to the success of this department in overcoming these many difficulties I will only say that I think the condition of the State Guard at this time will compare most favorably with its condition in any preceding year or under any administration, although much has to be done yet to bring it up to anything like a perfect organization.

In appendix "A" will be found report of Gen. John B. Castleman for the period during which he was Adjutant General and which was submitted to you upon his resignation, which took effect November 1, 1900. Special attention is called to this report, as it is not amiss for me to say that it comes from an officer of pre-eminence and one whose services were most valuable at the crisis in Kentucky of which I have above spoken.

#### RE-ORGANIZATION OF THE STATE GUARD.

As to the condition of the organization of the State Guard, upon the assumption of the duties of the office by Gen. Castleman and subsequently by the present Adjutant General, it may be properly stated that it became necessary to muster out of the service many companies that had been hastily organized and mustered in and those that had become disorganized and in a sad state of efficiency and discipline, but no company showing any creditable state of organization or efficiency or that had been pro-

perly and legally mustered into the service was mustered out. Every properly constituted organization, regimental and company, that gave evidence that it was in such a state as to become efficient was retained in the service, and the present State Guard is composed of many of the old companies and such new ones as have been organized with the consent of the county judges of the respective counties.

It has been the policy of this department not to recommend for muster any company that did not have the consent and certificate of character required by the statute from the county judge of the county in which it was located. Many, as I believe, splendid companies have been offered for muster and have claimed the right to be mustered in without the consent of the county judge because of a precedent set by a former administration, but in every instance this has been refused.

Prior to the assumption of the office on the 22d day of May and under the administration of Gen. John B. Castleman as Adjutant General, there were companies mustered in at the following places:

One company at Frankfort.

One company at Midway.

One company at Nicholasville.

One company at Danville.

One company at Richmond.

These companies still remain as a portion of the State Guard.

Shortly after assuming the duties of the office and coming into possession of the records, it became an evident necessity that certain companies should be mustered out of the service and on the 30th day of May, 1900, the present Adjutant General, then Assistant and Acting Adjutant General, advised and the following order was entered.

There being now assigned and attached to the 2d Regiment, K. S. G. a greater number of companies than are provided for by law and the exigencies of the service not requiring their contin-

uance and the interest of the State Guard Service so requiring, the following companies are ordered to be mustered out of the service, to wit:

The company at London, Ky., Capt. Ed. Parker commanding.

The company at Barbourville, Ky., Capt. R. C. Black commanding.

The company at Corbin, Ky., Lt. W. A. Early commanding.

The company at Grayson, Ky., Capt. Frank Prather commanding.

The company at Maysville, Ky., Capt. Horace J. Cochran commanding.

The company at Paintsville, Ky., Capt. Frank Preston commanding.

The company at Vanceburg, Ky., Capt. W. Brewer commanding.

The company at Pineville, Ky., Capt. H. Clay Rice commanding.

The company at Mt. Vernon, Capt. L. W. Buthurum commanding.

The company at Pleasureville, Ky., Capt. Garnet D. Ripley commanding.

Par. II. Captains C. C. Calhoun and C. W. Longmire are designated and ordered to proceed to the respective points set out in paragraph number three of this order and receive from and receipt to the commanding officers of the companies at said points for all arms, ammunition, clothing and equipment which have been issued to or are in the possession of said companies.

Par. III. The commanding officers of the following companies are ordered to turn over all arms, ammunition, clothing and equipments to Capt. C. C. Calhoun, to wit:

The companies at London, Barbourville and Corbin.

The commanding officers of the following companies are ordered to turn over all arms, ammunition, clothing and equipments to Capt. C. W. Longmire, to wit:

Grayson, Maysville and Pleasureville.

Par. IV. Capt. C. C. Calhoun and Capt. C. W. Longmire will ship all such arms and ammunition, clothing and equipment to Sergeant Henry Lillis, keeper of State Arsenal, Frankfort, Ky., and will make a report of the same to this office.

Par. V. It appearing that no arms, clothing or equipment have been issued to the companies at Paintsville, Vanceburg, Pineville and Mt. Vernon, the commanding officers of said companies will report their obedience to this order to this office.

Par. VI. And it appearing that Judge E. Ingram at Pineville, Ky., has in his custody property belonging to and in the charge of the Commonwealth of Kentucky, Capt. C. C. Calhoun will proceed to Pineville and take charge of said property and ship the same to the keeper of the State Arsenal hereinbefore mentioned and will give his receipt to Judge Ingram.

Par. VII. Capts. C. C. Calhoun and C. W. Longmire are each permitted to take with them one man to assist them in taking charge of and shipping said property as aforesaid.

Par. VIII. The travel enjoined is necessary for the good of the public service, and all necessary expenses are and the usual pay of officers on active duty will be allowed the above named officers and the usual per diem will be allowed the men.

By command of J. C. W. Beckham, Governor of Kentucky and Comander-in-Chief.

DAVID R. MURRAY,

Assistant Adjutant General.

The effect of this order was that the companies at London, Barbourville, Corbin, Grayson, Maysville, Paintsville, Vanceburg, Pineville, Mt. Vernon and Pleasureville were mustered out of the service.

Subsequently, after inspection by the colonel commanding the regiment, Col. Thos. J. Smith, the companies at Morgantown and Greensburg were mustered out of service. The following is a copy of the order under which these companies were mustered out:

Par. I. On account of its inaccessible location and for the good of the service, it is ordered that Company B, Third Regiment, K. S. G., located at Morgantown, be mustered out of the Kentucky State Guard and its commanding officer will turn over to Col. T. J. Smith all public property held by or in his custody or in the custody of said company.

Par. II. On recommendation of the colonel commanding and by the desire of the company and for the good of the service, Company C, Third Regiment, K. S. G., located at Greensburg, Ky., is ordered to be mustered out of the State Guard Service and its commanding officers will turn over to Col. T. J. Smith all public property held by him or said company.

Par. III. Col. T. J. Smith, Third Regiment K. S. G., will proceed to Morgantown and Greensburg and receive from and receipt to the commanding officers of Companies B and C, Third Regiment, K. S. G., for all public property held by them respectively and will ship same to keeper of State Arsenal, Frankfort, Ky. He will employ such assistance as is necessary to pack, handle and ship said property and will muster said companies out of the service.

Par. IV. The travel enjoined and also the expenses are necessary for the good of the public service, and the usual pay of officers of his rank will be allowed Col. T. J. Smith, while in performance of the service herein enjoined.

By command of J. C. W. Beckham, Governor and Commander-in-Chief.

DAVID R. MURRAY,

Asst. and Acting Adjutant General.

On December 15, 1900, Company B, located at Frankfort, and Company L, located at Lexington, were mustered out of the service under the following order:

Par. I. Company B, Capt. Walcutt, and Company L, Capt. Geyant, Second Regiment, K. S. G., are mustered out of the Kentucky State Guard.

Par. II. The mustering out of said companies is deemed best for the good of the service and is not a reflection upon either officers or soldiers belonging thereto.

By order of J. C. W. Beckham, Governor and Commander-in-Chief.

DAVID R. MURRAY,  
Adjutant General."

On November 14, 1900, upon the recommendation of Col. Roger D. Williams, Second Regiment, K. S. G., the companies located at Somerset and Newport were mustered out of the service. The following is a copy of the order therefor:

Par. I. On the recommendation of Col. Roger D. Williams, commanding Second Regiment, K. S. G. and for the good of the service, it is ordered that Company G, Second Regiment, K. S. G., located at Somerset, Ky., and Company H, Second Regiment, K. S. G., located at Newport, Ky., be mustered out of the State Guard service.

Par. II. 1st Lieut. Ernest Bell is appointed mustering officer and will proceed to Somerset, Ky. and receive from and receipt to the commanding officer of Company G for all public property held by said company and will ship same to Capt. Henry Lillis, State Arsenal Keeper, Frankfort, Ky. and will then muster said company out of the service.

Par. III. Capt. C. W. Longuire is appointed mustering officer and will proceed to Newport, Ky., and receive from and receipt to the commanding officer of Company H for all public property held by said company and will ship the same to Capt. Henry Lillis, State Arsenal, Frankfort, Ky., and will then muster said company out of the service.

Par. IV. The commanding officers of said Companies G and H will deliver to said respective mustering officers hereinbefore designated all public property of the State of Kentucky held by them or said companies or under their control.

Par. V. The travel enjoined is necessary for the good of the

public service, as is also the necessary expense, and the usual pay will be allowed said mustering officers while in performance of their duties under this order.

By command of J. C. W. Beckham, Governor and Commander-in-Chief.

DAVID R. MURRAY,  
Assistant Adjutant General.

On November 27, 1900, an order was issued mustering out what was known as the "Legion" located in Jefferson county, it being the First Regiment, K. S. G., composed of Companies A, B, C, D, E, F, H and K. The order therefor is self explanatory and is as follows:

Par. I. Under section 2661 of the Kentucky Statutes, it is required that before any company of the Kentucky State Guard may be organized in any county of the Commonwealth, the written consent of the county judge of the county therefor shall be obtained, also his certificate that the applicants are men of good moral character and are residents of the county and are qualified for the service required.

This provision is not only the law as written, but is a recognition of the principle of local self government, a protest against the foisting of the militia upon any community without the consent of the civil authorities and a safeguard against the organization of improper and unqualified persons into the State Guard companies, and it appearing that Companies A, B, C, D, E, F, H and K, comprising the First Regiment, K. S. G., located in Jefferson county were mustered into the service without the consent of the county judge of Jefferson county and without his certificate as to the moral fitness, residence and qualification of the members of said organizations and therefore the said companies were unlawfully and without authority mustered into the service and the regiment that they comprise, having thus been unlawfully formed and constituted, it is therefore ordered that said companies be mustered out of the Kentucky State Guard and the regiment

which they comprise is dissolved and the field and staff officers thereof will also be mustered out.

Par. II. Lt. Col. Henry Jouett Henry, Third Regiment, K. S. G., is appointed mustering officer and will proceed to Louisville, Ky. and receive from and receipt to the officers of the said regiment and companies all public property held by them respectively and such will deliver to said mustering officer all such property, which will be shipped to keeper of State Arsenal at Frankfort, Ky.

Par. III. The said mustering officer will then muster out of the Kentucky State Guard Companies, A, B, C, D, E, F, H and K, First Regiment, and the field and staff officers of said regiment.

Par. IV. The travel enjoined and the necessary expense is necessary for the good of the service, and the usual pay of an officer of his rank will be allowed the mustering officer while in performance of the duty enjoined.

By command of J. C. W. Beckham, Governor and Commander-in-Chief.

DAVID R. MURRAY,  
Adjutant General."

No other organizations belonging to the State Guard were mustered out. It was believed to be absolutely necessary for the good of the service that the above organizations be mustered out, although this entailed upon this office a great deal of labor in mustering them out, in reclaiming the public property held by them, ascertaining what public property had been issued to them, as far as possible, and in mustering other companies into the service to take their places, but it was thought that the State Guard could not be made efficient unless such was done.

It is unnecessary to go into detail as to this re-organization; the principal portion of expense was paid out of the military appropriation made by the General Assembly of Kentucky for this purpose and the Auditor's report will show the amount and the items of such expense. I desire to state in this connection that a large portion of the expenditure of this appropriation was for arms pur-

chased during the contest for the offices and during the period that armed forces, which had possession of practically all the arms belonging to the State, occupied the State House grounds and public buildings; to wit:

1,000 Winchesters Magazine Rifles and ammunition	\$20,012.50
4 Hotchkiss Rapid Fire Guns and ammunition	6,299.09
Clothing, blankets and repairs to Gatling gun	772.10
	<hr/>
	\$27,083.69

The report of the Auditor shows that of the military appropriation \$29,572.63 has been expended. Deducting the amount expended for ordinance and clothing above set forth, it will be seen that only \$2,488.94 has been expended in the re-organization of the State Guard.

#### PRESENT ORGANIZATION.

The State Guard is now composed of two regiments of infantry, one battalion of artillery, five unassigned companies of infantry, one drum and bugle corp and one company of cadets.

As hereinbefore stated, there is now no First Regiment in existence.

The Second Regiment, having headquarters at Lexington, Ky., consists of the following:

Col. Roger D. Williams, Lexington.

Lt. Col. S. S. Morrow, Somerset.

Major Nelson J. Edwards, Newport.

Major J. Embry Allen, Lexington.

Maj. Surgeon Jas. C. Carrick, Lexington.

Capt. and Adj. Henry Hutchinson, Lexington.

Capt. and R. Q. M. Henry Casey, Frankfort.

Capt. and Chaplain Rutherford Douglas, Nicholasville.

Capt. and Judge Adv. Mat. Walton, Lexington.

Capt. and Asst. Surg. Wm. J. Foley, Lexington.

1st. Lt. and Com. Chas. Wooley, Lexington.

1st. Lt. and Bat. Adj. Edw. B. Dishman, Barbourville.

1st. Lt. and Bat. Adj. Kelly Boone, Somerset.

1st. Lt. and Bat. Adj. Lovel Foushee, Lexington.

Company A, Frankfort, commanding officer, Capt. F. L. Gordon.

Company B, Nicholasville, commanding officer, Capt. John T. Kennoy.

Company C, Lexington, commanding officer, Capt. C. C. Calhoun.

Company D, Barbourville, commanding officer, Capt. John F. Hawn.

Company E, Richmond, commanding officer, Capt. L. J. Frazier.

Company F, Midway, commanding officer, Capt. R. K. Combs.

Company G, Danville, commanding officer, Capt. E. W. Lillard.

Company H, Monticello, commanding officer, Capt. F. R. Harrison.

Company I, Covington, commanding officer, Capt. Frank R. Peek.

Company K, London, commanding officer, Lt. H. F. Hugli.

Company L, Tyrone, commanding officer, Capt. L. Z. Bond.

Company M, Lexington, commanding officer Capt. C. W. Longmire.

The strength of the Second Regiment, rank and file, is 792 men.

The Third Regiment, with headquarters at Bowling Green, has the following field and staff and is composed of the following companies:

Col. Thos. J. Smith, Bowling Green.

Lt. Col. Jouett Henry, Hopkinsville.

Major Ed. H. Watt, Bowling Green.

Major E. B. Bassett, Hopkinsville.

Maj. Surg. S. S. Watkins, Owensboro.

Capt. and Adj. Henry Williams, Bowling Green.

Capt. and R. Q. M. Frank L. Strange, Bowling Green.

Capt. and Chaplain Frank M. Thomas, Henderson.

Capt. and Judge Advocate B. B. Davis, Paducah.

Capt. and Asst. Surg. John L. Dismukes, Mayfield.

1st. Lt. and Bat. Adj. G. E. Snell, Bowling Green.

1st. Lt. and Bat. Adj. C. H. Tandy, Hopkinsville.

Company A, Bowling Green, commanding officer, Capt. R. C. P. Thomas.

Company B, Morganfield, commanding officer, Capt. D. D. Crabb.

Company C, Owensboro, commanding officer, Capt. J. Tandy Ellis.

Company D, Hopkinsville, commanding officer, Capt. Hiram P. Thomas.

Company E, Madisonville, commanding officer, Capt. Walter Powers.

Company F, Greenville, commanding officer, Capt. R. C. McCracken.

Company G, Franklin, commanding officer, Capt. A. T. Welch.

Company H, Mayfield, commanding officer, Capt. Rupert C. Wright.

The strength of the Third Regiment, rank and file, is 520 men.

The Battalion of Artillery consists of two companies, to wit:

Battery A, located at Louisville, commanding officer, Capt. Hal. Griffith, strength 75 men.

Battery B, located at Lexington, commanding officer, Capt. D. J. McNamara, strength 57 men.

Maj. John H. Mansir of Louisville is commanding officer of the Battalion and Lt. Ernest Bell is the Adjutant thereof.

The unassigned companies are as follows:

One located at Newcastle, commanding officer, Capt. Frank Maddox, strength 56 men.

One located at Whitesburg, commanding officer, Capt. John A. Webb, strength 45 men.

One located at Bardstown, commanding officer, Capt. Lud. McKay, strength 45 men.

One located at Fulton, commanding officer, Capt. Percy W. Jordan, strength 48 men.

One at Catlettsburg, commanding officer, Capt. H. G. Marcum, strength 49 men.

The company of cadets, organized under Section 48 of the State Guard Law, is located at Bardstown, commanding officer, Ernest Crume, strength 46 men.

The one Drum and Bugle Corp is located at Lexington, commanding officer, Lt. L. S. Shronshire, strength 13 men.

The total strength of the State Guard, rank and file, is 1,746 men.

My reason for not assigning the five above unassigned companies is that when a regiment is formed in Jefferson county, giving Louisville, as the statute requires, at least eight companies, a partial re-organization of the Third Regiment and perhaps of the Second Regiment will become necessary so as to have a battalion of the First Regiment from counties lying outside of the county of Jefferson and it will be advisable to have this battalion located as near to Louisville as possible. I, therefore, have held these unassigned companies awaiting the organization of the First Regiment so that this regiment can be formed out of companies as conveniently situated to Louisville as possible, and to also so arrange the other two regiments by throwing into battalions companies which are as near together as can be procured.

## ARMORY AT LOUISVILLE.

I have been loth to hurry the organization of the First Regiment because of the fact that the city of Louisville has so far failed to provide a suitable armory for the regiment.

Nothing is better known and understood than that an efficient organization can not be maintained anywhere without a suitable armory. It is useless to talk of forming a regiment in the city of Louisville and keeping it up to any degree of efficiency or maintaining any degree of discipline without an armory sufficient for the purposes of the organization, and it would be almost useless to organize a regiment now in the city and expect it to be an efficient and well disciplined organization.

It has been with the greatest difficulty that one company of artillery has found quarters in the city of Louisville, in any wise suitable for them to use as an armory, and it is only by grace that they now occupy rooms which were not constructed for an armory, but are at best a makeshift, and in inclement weather they have only been able to drill by the kindness of the directors of the Horse Show Building and this is a cold and uncomfortable place.

I have at all times expressed my willingness and anxiety, whenever questioned on the subject, to do all I could to effect the organization of a regiment in Louisville whenever the city of Louisville will procure a site and make an appropriation for the construction of a suitable armory for the troops.

I have learned, unofficially, that several companies, perhaps eight, have been formed in Louisville and are ready to enter the State Guard service whenever an armory is provided or steps taken which justify the expectancy that one will be built. I have no doubt that immediately after steps are taken by the city council to provide an armory a good regiment can be formed and maintained in the city of Louisville. Both the Board of Trade and Commercial Club have for some time had committees to select a site

(they have selected one, as I understand it) to recommend and urge the council to purchase and make an appropriation for the erection of the building. The city council up to this time has refused to take any action in the matter; I learn, however, that the new council will probably proceed at once in this direction.

The city of Louisville, the metropolis of the State, not only needs a strong force of the State Guard within its borders, but it seems to me it should be a matter of pride to the first city of the State to have an armory second to none in the country and to give every encouragement to the maintenance of a first class and well organized regiment of infantry, as well as to provide for the maintenance of the splendid battery that is now in existence there and to do all things required of the city by the statute to this end.

I hope during the incoming year to be able to accomplish the organization of a good regiment of infantry at Louisville, and also to maintain Battery A in its present excellent condition, if not to improve it.

#### CADETS.

For the first time in the history of the State a company of cadets has been organized which, as before stated, is located at Bardstown, Ky. I would recommend that this branch of the service be given the attention of your excellency and of the General Assembly. A cadet company consists of members not under fifteen nor over eighteen years of age, and are not subject to active duty outside of the county in which they are located.

Boys of this age take readily to military instruction and discipline and are zealous and enthusiastic in their work and, when thoroughly drilled and disciplined as cadets, they are then ready in the above respect to become useful and active members of the State Guard. It was an exceeding pleasure for me to notice the zeal and efficiency of the Bardstown cadets during the encampment held this year at Owensboro.

## CATLETTSBURG BAND.

The Catlettsburg Company, in addition to being a regular company of the State Guard, is composed partly of a brass band. A number of the young men at Catlettsburg had formed a band, purchased their own instruments and were desirous of becoming a part of the State Guard; they were mustered in as a regular State Guard company, but have been permitted and encouraged to keep up their band organization in addition to their State Guard duties.

The result of this experiment has been very gratifying; within six months after being mustered in and practising as a band, they attended the encampment at Owensboro as a band and performed the duties of a regimental band at that encampment most creditably and efficiently. This was accomplished at a less cost to the State than the hiring of a band, and having a band a portion of a regular company is more economical than the mustering in of a body of men for that special purpose.

I desire to commend Capt. H. G. Marcum and his men for the progress made and their efficiency, both as soldiers and as a regimental band.

## ENCAMPMENT 1901.

A prolonged spell of sickness prevented the Adjutant General from personally supervising the arrangement for the Encampment held at Owensboro in August, 1901, and his being in command at the encampment, therefore, I feel no hesitancy in saying that this encampment was, I believe, the best in all of its features ever held in this State.

It devolved upon the Assistant Adjutant General, Col. Percy Haley, to arrange for and conduct this encampment and I take pleasure in commending him for the very superior manner in

which the same was done, resulting in a successful encampment from every standpoint. His report of the same will be found in Appendix "B".

#### PROPERTY ACCOUNT.

In Appendix "C" will be found the report of Capt. Henry Lillis, keeper of the Arsenal, as to the property received during this administration from the general government and property now on hand in the Arsenal. I desire to commend Capt. Lillis for the very faithful and efficient performance of his duties as Keeper of the Arsenal.

#### NAVAL MILITIA.

The Congress of the United States has appropriated \$60,000.00 annually for the organization of the naval militia in the different states. The last information I have is that of this appropriation Kentucky is entitled to about \$2,000 and could organize one company of naval militia.

This company of naval militia, as I understand it, is during the summer months to be given instructions on board a vessel furnished by the U. S. Government. I would recommend that an act of the General Assembly be passed providing for the organization of a company for this branch of the service.

It will be instruction to the young men of the State that will qualify them for employment in the navy of the United States if a call should be made for volunteers for the navy. The experience along this line on the breaking out of the Spanish-American war doubtless prompted Congress to make this appropriation and I would be glad to see the young men of the State given the opportunity to become instructed on this line and thus open up a new avenue of employment.

## CONGRESSIONAL LEGISLATION.

It is surprising to any one who investigates the matter to find that so little has been done by the Congress of the United States in aid of the National Guard. Almost every President, including Washington, Jefferson, Madison, Monroe, Jackson and Cleveland, have in their messages to Congress urged legislation on this subject, but it will be surprising when the statement is made that the laws now in force known as the "U. S. Militia Laws" were enacted in the year 1792.

There have been some amendments, perhaps, but the existing law is the law of that date, and it is interesting to know that this law, which is still in force, requires that every able bodied citizen between the ages of eighteen and forty-five years be subject to military duty; that each shall be "constantly provided with a good musket or firelock of a bore sufficient for balls the 18th part of a pound, a sufficient bayonet and belt, two square flints and a knapsack, a pouch with a box therein, to contain not less than 24 cartridges," or a "good rifle, shot pouch and powder horn, 20 balls and a quarter pound of powder," and that "each officer shall be armed with a sword or hanger and a spontoon." It may perhaps at this late date be necessary to define a spontoon: it is a demi-pike with a hook to arrest malefactors.

This reads as if it could not be true, but so little attention has been paid to the National Guard by Congress that this act has been allowed to remain upon the statute books unrepealed and, as to its requirements, unmodified.

But the country has awakened to the necessity for and value of the State Guard and during the past years efforts have been made by the Adjutant Generals of the different States to induce Congress to take action in this matter. Through the efforts of Col. E. Britton of Brooklyn, N. Y., who is chairman of a committee for that purpose, a bill has been prepared to provide for the appointment of a commission by the President of the United States

to compile information relating to the militia of the United States and to report to Congress a bill for the organization and government of the militia force in the United States, etc.

Under date of January 21, 1901, at the solicitation of Col. Britton, I addressed him the following communication:

“Congressional legislation is very much needed to place the National Guard of the country upon an efficient basis. Experience has shown that really the defense of the nation rests in the National Guard in any severe crises, and that it may be depended upon, but to render it efficient it must be organized and disciplined and to secure this, Congress should liberally provide for its organization and maintenance. I, therefore, endorse the provisions of a bill to provide for the appointment of a commission by the President to compile information in regard to the militia and also to report a bill for the organization and government of it, which bill, I understand, is now pending before or will be introduced in Congress.

“While I believe that Congress should directly legislate on this subject without the appointment of a commission, it seems that the information that would be gathered by a commission is necessary to secure legislation and, feeling the importance of such legislation, I endorse this bill as means to that end.”

It is to be hoped that the efforts being made by the Adjutant Generals of the States and others interested in the subject will be successful in inducing Congress to enact legislation that will put the National Guard upon a permanent basis and make an efficient force in defense of the nation in any crisis that may arise.

## SPANISH-AMERICAN WAR RECORDS.

The roster and records of the Spanish-American war have as yet not been made out and it is impossible, with the force in this office, to make out and complete them. A record was commenced under the administration of my predecessor, Gen. Collier, and some work has been done on it during the present administration, but with the regular work of this office it is impossible for it to be completed within a reasonable time.

Nearly three years have elapsed since the Kentucky troops were mustered out of the U. S. army and it is important that these records be made out.

I earnestly recommend to your excellency that the General Assembly be urged to make an appropriation sufficient for this purpose.

## ACTIVE SERVICE.

Since the present administration took charge there have been several calls made upon the Chief Executive for troops for the maintenance of peace and the upholding of law, but the troops have only been called out on four occasions.

## FRANKFORT.

On the 22d day of March, 1900, in response to the request of the officials of Frankfort and Franklin county, your excellency called into service Company C of the Second Regiment commanded by Capt. C. C. Calhoun and Company M of the Second Regiment, K. S. G., commanded by Capt. C. W. Longmire, the battalion under the command of Major J. Embry Allen of Lexington, Ky., and ordered them to Frankfort, Ky. Subsequently on the 27th day of March, 1900, Company A of Frankfort, under the command of Capt. Ben Marshall, was called into active service and ordered to

report to Major Allen. This command remained in active service until the 22d day of May, 1900, when they were relieved from duty. These troops were quartered in the Court House at Frankfort and at the armory near by.

It is a matter of public history that the period during which these troops were in active service was the most troublous time ever experienced by the State of Kentucky. Public excitement and partisanship ran high, the opposing factions in the State were ready, not only at the State Capitol, but at every cross-roads, to resort to the shedding of blood and at the State Capitol these forces under my command were confronted within short rifle range by a much larger force of the opposing party, who were quartered in the State House grounds and buildings and who were in possession of practically all the arms of the State, including the Gatling guns, which frowned from the State House yard. A clash was probable at any moment.

It is unnecessary to cite in detail the happenings of that period, for they are written in the history of the State, and future generations will wonder that such a state of things could exist and yet there be not a single shot fired, but that coolness prevailed and true Kentuckianship governed the passions of men and tided us over this dangerous threatening period. I only mention this to call the attention of your excellency and the General Assembly to the excellent conduct of these troops, who were uncomfortably quartered, yet stood like a stone wall for two months obeying orders of their superior officers and conducting themselves as gentlemen, yet ready at all times to bare their breasts in the defense of that which they thought to be right. They were brave enough to be gentlemen and gentlemen enough to be truly brave. I can not speak too highly of the conduct of both officers and men, who were perfectly obedient to every command I gave them and heeded every admonition. While they had not much active service to perform, they has the more arduous duty of lying in camp during a most portentous inactivity.

## WHITLEY COUNTY.

On the 17th day of January, 1901, the following executive order was issued:

T. L. Morrow, judge of the Whitley Circuit Court, 28th Judicial District of Kentucky, having notified the Chief Executive that a riot existed at Corbin, Whitley county, and that the civil authorities were unable to suppress the same and requesting that State troops be sent to the scene of domestic violence and it being deemed necessary for the welfare of the Commonwealth and to preserve the peace and the security of the lives and property of citizens that a portion of the State Guard be called into active service, the Adjutant General is directed to place in active service not exceeding one hundred of the State guard, rank and file, under the command of Col. Roger D. Williams, Second Regiment, K. S. G., with orders to report to the sheriff of Whitley county, and aid said sheriff of Whitley county in preserving the peace and the security of the rights and lives of the citizens in and of the county of Whitley.

J. C. W. BECKHAM,

Governor.

By the Governor:

C. B. Hill, Secy. of State.

By Harry G. Tandy, Asst. Secy. of State."

By authority of the above order, Special Order No. 7 was issued by this department, under which Col. Roger D. Williams with one company and the Gatling Gun detail, proceeded to Whitley county, reported to the sheriff of said county and was successful in restoring peace and order in said county.

So efficiently and quickly was this done that on January 19, 1901, the troops were relieved from active service.

The following is the report of Col. Roger D. Williams, commanding:

"I have the honor to report:—In pursuance of S. O. No. 7 I left Lexington at 8.45 P. M., 17th, with Company "C" and one Gatling Gun section and reported to the sheriff of Whitley county at 3.30 a. m., 18th, and immediately following established Camp Murray.

Arrests of all parties for whom warrants had been issued were made shortly after day light and the prisoners were taken to Williamsburg at 11 A. M., by a special detail of ten men in charge of a commissioned officer.

Permission was granted three of the prisoners, sons of James Shotwell, to attend (under military escort) the funeral services of their father at Rockhold. The prisoners were all delivered to the jailer of the county at Williamsburg at 4.30 p. m. Owing to the intoxicated condition of and disappearance of the sheriff, the detail reported to Circuit Judge Morrow for further orders and was by him returned to Corbin.

After careful investigation of the situation, I deemed it unnecessary to remain longer and, acting under special wired instructions from Governor Beckham, broke camp at 11.50 p. m., 18th, reached Lexington at 8.20 a. m., 19th.

Am pleased to report the trip void of accident or unusual incident and the health and conduct of the command most excellent.

I have the honor to remain, etc.

#### HOPKINS COUNTY.

The county officials of Hopkins county and also the circuit judge of that district requested your excellency to send a portion of the State Guard to Hopkins county on account of the condition of things there arising out of the strike of the United Mine Workers of America in that county, and the opposition of the operators and the non-Union miners thereto. None of the coal mines in Hopkins county are worked by Union labor and in November, 1900, a strike was inaugurated in that county; as to the merits of the strike I

have nothing whatever to do or say. This strike continued until in September, 1901, and the condition of lawlessness in Hopkins county was such that the officials, as above stated, declared themselves unable to preserve the peace and security of the lives and property of the citizens of Hopkins county, and on the 25th day of September, 1901, Company "A" of the Third Regiment, located at Bowling Green, under command of Capt. R. C. P. Thomas, and Company "C" of the Third Regiment, located at Owensboro, commanded by Capt. J. Tandy Ellis, were ordered to proceed at once to Madisonville, Hopkins county, and there report to Major E. H. Watt of the Third Regiment for active service. Assistant Adjutant General Percy Haly was ordered to proceed to Madisonville and take command of said troops and report to S. W. Offutt, jailer of Hopkins county, and to aid the officers of said county in preserving the peace and security of the lives and property of the citizens.

These troops promptly proceeded to Madisonville, and Col. Haly immediately reported to the jailer of said county as commander. On the next day, Sept. 26, 1901, Col. Haly being called home on account of the illness of his father, I proceeded to Madisonville and assumed command of the troops.

Upon my arrival at Madisonville I found that both the United Mine Workers and the operators and their guards were armed and in a state of hostility towards each other. Application had been made by the mine owners to the county judge for armed guards, which were appointed by the judge and placed at several mines in the county. Some of the operators had refused to treat with the United Mine Workers, and thus a state of affairs existed where armed forces practically confronted one another, each force being in open hostility towards the other.

The Reinecke Mines had been closed down because, as was reported, the Union miners had stopped the non-Union laborers on their way to and from the mines and had intimidated them so that the mine had to shut down; a spirit of lawlessness prevailed in the county, the concealed deadly weapon law was a dead letter, shots were being recklessly fired both in the city of Madisonville and in

the vicinity of the mines by unknown parties, attacks had been made, which the mine owners and guards charged were made by the Union miners and the Union miners charged were made by the guards, and the courts and officers of the county seemed powerless to find persons against whom to issue process or upon whom to execute them.

Conceiving my duty to be only to try and restore peace and order in the county and to use the troops for no other purpose, I proposed to both the mine owners and the Union miners that they each surrender their arms to me and that I would guarantee when such was done to protect property and life and every citizen in the exercise of his legal rights

Both parties agreed to this proposition, the mine owners asking protection for their property and the lives of those working for them and the Union miners asking that they be guaranteed protection in the exercise of their constitutional right of free speech, which they alleged had been denied them at several points in the county. I did not expect to receive, nor did I receive, very many of the arms from either side, but I did hope to place each side in such a position that the carrying of arms or the use of them would be in such bad faith that each would refrain from doing so or that public sentiment would be aroused to such an extent as to compel them to keep them hidden away, and I hoped that within the course of a few weeks the normal condition of law and order might be restored in the county and that public sentiment would enforce its maintenance.

Carrying out my agreement of protection, I placed detachments of troops at several of the mines in the county where I thought there would be most danger of trouble. These troops remained at said mines for about three weeks guarding the property and the laborers so that every mine in the county, according to reports made to me, ran every day with full force of men with the usual, and, in some cases, increased, output of coal. I thus guarded several mines belonging to the St. Bernard, Reinecke, Monarch, Crab-tree and Carbondale coal companies.

In their communication to me the attorneys for the Union mine workers stated that all they asked was the right to exercise free speech in advocacy of their order and their cause, which was guaranteed to them by the Constitution of the United States and decisions of the Supreme Court. Upon application to me, I furnished a detachment of soldiers to accompany their speakers and protected them at, I think, five appointments in the county, some of these being at places where they stated they had been denied that privilege theretofore.

Law and order prevailed in Hopkins county during the time the troops remained there, and on no occasion did the troops under my command do other than protect the lives and property of the citizens of that county. The bad faith exercised by not delivering up the arms under the agreement is a matter for the consciences of those who are guilty of it. The troops were withdrawn on the 20th day of October, 1901.

Afterwards I made a trip to Hopkins county, accompanied by Capt. J. Tandy Ellis; we visited the camps of the Union miners and, as fully as possible, investigated the condition of affairs in the county and reported to you that there was no necessity for troops to be sent to the county, although many persons were fearful that trouble was again brewing.

On Sunday, November 10, 1901, an attack was made upon the mines of the Providence Coal Co., situated at Providence, Webster county, not far from the line of Hopkins county, in the same mining district. Under orders from your excellency, I went to Madisonville on Tuesday, the 12th of November, to investigate the conditions existing at that time. When I arrived in Madisonville I at once found a changed state of affairs from that at the time of my last visit. I was reliably informed that arms had been purchased and there was a general appearance of activity in the miners' camps and the feeling was almost universal that a crisis was at hand; it was an ominous situation and on Sunday morning, the 17th day of November, about daybreak, an attack was made upon the Providence mine, in which several lives were lost and

several persons wounded. This battle caused great excitement and it at once proved that my estimate of the situation as given above was a correct one.

On Saturday, prior to the last battle of Providence, upon instructions from your excellency, I called upon Mr. J. D. Wood, president of the United Mine Workers, District No. 23, in which Hopkins and Webster counties are included, and notified him that you demanded that no foreign element should be allowed to remain within the camps then located in Hopkins county, and that there must be no show of intimidation or violence upon the part of the Union miners. On Saturday night I received a communication from Mr. Wood in which he stated that he had made a close examination of his camps on that date and pledged that no foreign (I mean by foreign those coming from any distance and not residing in that immediate community) element should remain in the camp and that there would be no show of intimidation or violence committed by any of the Union miners. It is unfortunate that the attack upon the Providence mine happened so soon after this communication was delivered to me.

Upon Sunday, the 17th day of November, I reported to your excellency that in my opinion the presence of troops was absolutely necessary to maintain peace in Hopkins county and that portion of Webster in which the Providence coal mines were located. Meanwhile the county judge of Webster, L. V. Hall, had, in a conference with me, requested that troops be sent to Providence for the maintenance of peace there.

Under your order a company of the State Guard at Madisonville was immediately called into active service and also the company at Hopkinsville was ordered to proceed immediately to Madisonville. The company at Madisonville was under the command of Capt. Walter Powers, and the company from Hopkinsville under the command of Capt. H. P. Thomas. This command was placed under the command of Maj. E. B. Bassett, of Hopkinsville.

The Hopkinsville company arrived at Madisonville at 11:10

P. M., and within a short time a detachment from both of these companies, numbering twenty-one men, was put in wagons and sent to Providence, a distance of seventeen miles, arriving there before daybreak on Monday morning. The remainder of the command was held at Madisonville.

It is proper to state in this connection that the Union miners had two camps established in Hopkins county, one within two miles of Madisonville, and the other within a quarter of a mile of Nortonville.

It is the opinion of the officials of Hopkins county that out of these camps came many of the men who were engaged in the attacks made upon the Providence mine, and I am informed that affidavits to that effect are in the possession of the county judge of Hopkins county.

I am of the opinion that had not the troops reached Hopkins county promptly after this last battle, much bloodshed would have resulted in that county, but I am happy to state that since the troops arrived there, not so much on account of the strength of the guard, but of the moral effect of having them there, no disorder has been reported in any part of either county.

On Wednesday, November 20th, Judge J. G. B. Hall, county judge of Hopkins county, after taking numerous affidavits, issued an order to the effect that the camp of Union miners at Nortonville should disperse. Some days prior to this, the camp at Madisonville had been moved to and consolidated with the camp at Nortonville.

Under instructions from your excellency, I, accompanied by Capt. J. Tandy Ellis and Capt. F. L. Gordon, went to Nortonville, and there met the attorneys and some of the officials of the Union miners and notified them that it was your demand that the order of Judge Hall should be obeyed. I did not meet President J. D. Wood, of the Union at the hotel, and accompanied by Capt. F. L. Gordon, proceeded to the camp within a quarter of a mile of Nortonville, and there met President Wood and delivered the instructions I had received as above from you. This was on Satur-

day, November 23d. I was informed by the officials of the Union miners that they would offer no resistance to the troops, but that they refused to disperse. On Sunday morning, November 24th, under order of Judge J. G. B. Hall, who accompanied the troops in person, also the sheriff and his deputies, I proceeded with a detachment of the troops, then stationed at Madisonville, on a special train, to Nortonville. The troops remained on the train on a side track near Nortonville, and the county judge, with the sheriff and his deputies, proceeded to the camp and dispersed the same, arresting about twenty-one persons found in the camp, and bringing the tents and other camp equipage to Madisonville with them.

The Madisonville company was relieved from active duty on December 5th; the Hopkinsville company remained at Madisonville until this, December 15th, upon which date they have been relieved from active service.

The officials of the Union miners claimed the right to maintain camps on the ground that they were in this way furnishing economical homes to miners who had been thrown out of their homes by reason of the strike and have no homes at present. The operators claimed that the camp was a rendezvous for, not only the home miners, but others from different portions of the State and county, and that they were a constant menace and a source of intimidation and alarm.

While it may be seriously doubted that these camps afforded in the winter season the best and most economical homes, and whether or not it might be said that the insufficient accommodations afforded by these camps would be an unanswerable argument against their maintenance for the purposes claimed by the Union miners, that is a question I do not feel called upon to decide. While these camps may be the most economical and feasible means of furnishing homes for the homeless miners, it is unquestionably true that they do furnish rendezvous for evilly disposed persons and those who are not loth to use force in enforcing the shutting down of the mines and the dislodgement

of the non-Union laborers so that it seems to be a reasonable ground to take that a camp should be allowed to be maintained simply and only for the purpose of furnishing homes to any miners who are in good faith residents of Hopkins county and who are homeless.

In order that the true character of the inmates of said camps can be known, and to relieve the camps of being considered rendezvous for others evilly disposed, I think it would be wise, both upon the part of the Union miners and the authorities of the county, that the names of those persons who are in good faith entitled to a home in the camps be given to the authorities of Hopkins county, and that all others be excluded from the camps.

One thing seems to be beyond doubt, and that is, as long as the camps are maintained and contain persons unknown to the authorities and the outside world, they will be in fact a menace and cause of alarm and as long as these conditions exist there can not be a restoration of the county to its normal condition of peace and good order.

The officials of the county and of the State have had to contend with the ultra views of partisans, both of the operators and the Union miners; each would have the authorities to secure the success of their respective cause without reference to the rights of the other party, even to the extent of the extermination of the Union miners on one side or the shutting down of the mines on the other.

The screeds of anonymous and irresponsible newspaper writers, who contend that there is but one side (and this the mine owners) have been scattered broadcast. Their contention that there is but "one side" stamps them as being blinded by partisanship or otherwise and makes their opinions worthless, yet liable to excite trouble and lead the uninformed into error. It may as well be clearly understood that the troops will not be used to, on the one side, close down the mines and dislodge the non-Union miners, nor on the other hand to exterminate the miners' Union, nor the Union miners, but only to protect all alike in person, property and

the exercise of legal rights and to aid in bringing to punishment violators of law.

It has been my utmost endeavor, in which I have received your full concurrence and encouragement, to so conduct the matter as to simply obey the law, giving to all parties their legal rights and to maintain peace in the counties. There has been the utmost willingness upon the part of the administration to do anything and everything justified by the law, to restore peace in this county, but it has been confronted by two opposing factions, both of which are well supplied with money and both of which seem determined to resist to the bitter end or accomplish their purpose. These factions are absolutely irreconcilable and each have their rights and to preserve them to each from illegal encroachment of the other, by force or more subtle methods, is the problem which the authorities have to solve.

On the fourth day of December, Maj. E. B. Bassett was called home by sickness in his family, and upon his request he was relieved from duty and Maj. E. H. Watt of the Third Regiment, K. S. G., was placed in command.

I was compelled by the duties of my office to return to Frankfort, and left Madisonville on the fifth day of December.

In performance of my duties in Hopkins county, both in investigating the conditions and in commanding the troops, I have had the valuable assistance of Capt. J. Tandy Ellis, of Company C of Owensboro, and I am much indebted to him therefor.

## RECOMMENDATIONS.

The government appropriation for Kentucky, which can be drawn in supplies only, is \$27,614.37 annually. It is a fact that the State Guard of Kentucky is badly crippled by reason of the fact that the State's appropriation is only \$7,000.00 per year for its maintenance. It is impossible upon this small appropriation to maintain the State Guard in such a manner as to make it a credit to the State or to bring it up to a condition of efficiency. I would recommend that the appropriation by the State be increased to an amount at least equal to the appropriation made by the government for Kentucky.

When compared with many other States of the Union, the appropriation seems very insignificant. Several of the States have appropriations running from \$300,000.00 to \$500,000.00 annually, and our sister State of Indiana has an annual appropriation of \$75,000.00. However much we may regret it, a State Guard efficient and well equipped, has become a necessity, and our State can not afford to neglect it.

I would also recommend amendments to the State Guard Law providing for a summary court martial, to be appointed by any company, battalion or regimental commander, for the trial of the lesser offenses. The court martials now provided for are cumbersome and very expensive, though it is very necessary that punishment should be inflicted for the minor breaches of discipline in order that good discipline may be maintained, as without good discipline there can not be efficiency.

I would also recommend that the officers and men be paid for their services at the encampments just as they are when in active service. These encampments for instruction are very necessary, yet it is very hard upon the men to be taken away from their business and receive no compensation therefor, and it seems that simple justice requires that they receive compensation. This would also contribute very much to the discipline and to the

value of the encampments, stricter discipline could be enforced and more could be required of men receiving compensation for their time and work.

#### CONFEDERATE RECORDS.

The bravery of the Kentucky soldier, both Federal and Confederate, is the pride of Kentuckians; the memory of the dead of both armies is a common heritage of Kentuckians and the records of our brothers, whether of the blue or the gray, are entitled to be preserved as valuable portions of the glorious history of Kentucky. The records of the Federal soldiers are now on file in this office, and I think those of the Confederate army should be also. We are a common people and the generation of to-day may trace in numerous instances its ancestry into the ranks of both the blue and the gray; let the records of both be preserved, as both are an honor to the Commonwealth. I recommend that an appropriation be made for this purpose.

#### CLAIM VS. U. S. GOVERNMENT.

Under the act re-imbursing the States for the money's expended in recruiting, mobilizing, etc. of Federal troops during the Civil War Kentucky has been paid the greater portion of said sum amounting in round numbers to about \$963,000.00. The War Department refused to pay interest on the sums thus expended to any of the States, construing the act not to include interest. The State of New York filed its claim in the Court of Claims for this interest, which was resisted by the government. The Court of Claims allowed the claim in part and rejected a part, and both the State of New York and the U. S. Government appealed the case to the Supreme Court of the United States. That court in a very decided opinion ruled that the States were entitled to interest on the moneys expended and under that opinion the State

of New York collected the interest due it; however, it is a rule of the department that no decision rendered will be opened by any successor in office and the Controller of the Treasury, having ruled against the payment of this interest on the application of Kentucky and other States, the department has refused to open up the case so that, while, under the opinion of the Supreme Court, Kentucky is entitled to collect this interest, the rule of the department is such that its payment is refused.

Several of the States are now applying to Congress for an act or resolution providing for the payment of this interest, and steps have been taken to include Kentucky in this act or resolution. I have not the data to determine now the amount of Kentucky's claim against the government and speak only from what I have been able to learn unofficially, but efforts are now being made by this department to determine exactly the amount of the claim.

I would recommend that this claim be vigorously prosecuted, as I think it can be collected and it will amount to nearly \$1,000,000.00.

There are many matters of lesser moment that should have the attention of the General Assembly in the way of amendments to the State Guard Law to make it more effective, though I will not mention them here, but call same to the attention of the Committee on military affairs during this session of the General Assembly.

In conclusion I desire to thank the officers and enlisted men of the State Guard for their aid and assistance given me by their cheerful obedience and kindest consideration extended me in the performance of my duties.

DAVID R. MURRAY,

Adjutant General.

## REPORT OF THE ADJUTANT GENERAL.

FRANKFORT, KY., November 1, 1900.

HON. J. C. W. BECKHAM, Governor,  
Frankfort, Ky.

Sir: On the 3d of February, 1900, Governor Goebel died from the effect of wounds inflicted by an assassin.

You became Governor of Kentucky, and on that date asked me to accept the position of Adjutant General of the State.

Coming to me when business obligations demanded all my time, and when, after being mustered out of the service of the United States, I had determined to do no more military duty, I replied in writing to your excellency as follows: "No one has a right to refuse to serve his State. I will do what I can to conciliate the differences which discredit the Commonwealth."

The intensity of public feeling soon became best known to myself. Its expression was focused upon me as the official of the State by whose direction it should be made effective. It was manifested along with proffered military service coming in large part from most responsible sources. The public anger, thus finding cumulative expression, was alarming, and found its pivotal thought based always on the feeling that assassination which had stained the Commonwealth should find resentment in violence. This was far from being entirely political; it was love of State.

Acting with the approval of your excellency, it was my duty to conciliate and control, not to encourage, violence.

To admonish my fellow citizens that the law was not to be upheld and determined by its breach, and that to the courts and not to arms must be submitted adjustment of lawlessness, and that arms must only be used to aid in the enforcement of the courts' decrees, and, even then, by direction of the courts.

Amidst excitement that finds few parallels in our country's history, it is with pride that I report to you now in formal confirma-

tion of my verbal reports from day to day that, back of all justified anger, your fellow citizens were everywhere amenable to reason, and that throughout the Commonwealth there was demonstrated the great respect for law which is characteristic of the Kentuckian. For the quiet control of your countrymen, in this period of excitement, the Commonwealth is indebted to your excellency. Had you been less tactful and less judicious in your admonition to your fellow citizens, your State would have been involved in civil war, and this horrible result would have somewhat involved other States, for the proffer of armed assistance came not alone from more than thirty-two thousand Kentuckians.

These details shall never be recorded; they shall forever be a sealed chapter in the State's history.

During the period of intense feeling all the details needed to be published from part of the court records in what has become known as the Kentucky case, decided first under the Georgetown agreement by Judge Emmett Field, then by the Kentucky Court of Appeals, and then by the Supreme Court of the United States.

The Statehouse and grounds were occupied by troops assembled there under control of Adjutant General Collier, by the order of Governor Taylor, issued at a time when Governor Taylor had a right to issue such orders. The question as to the right of these troops to remain unmolested in a position absolutely untenable from a military standpoint until there should be a final decision of all the issues involved was respected by your excellency. As soon as this decision was reached the troops there, commanded by Gen. Collier, were dispersed by him, in strict conformity to his agreement with me, and were not molested. It is true that the continued presence of these troops was allowed in deference to the divided public opinion, notwithstanding the proclamation of Governor Goebel and your excellency's orders, until the unquestioned validity of both should be adjudicated. Immediately following the Supreme Court decision, the following correspondence took place:

COMMONWEALTH OF KENTUCKY.

OFFICE OF ADJUTANT GENERAL.

Frankfort, Ky., May 22, 1900. }

Gen. John B. Castleman, Frankfort, Ky.

Sir: In view of the decision of the Supreme Court of the United States, in the contest of Taylor v. Beckham, I have the honor to turn over to you, as Adjutant General of Kentucky, the command of the Kentucky State Guard, and all the property, buildings, etc., properly belonging to same, without awaiting the mandate of the court.

Allow me to thank you for your universal kindness and courtesy, and to suggest that, in my opinion, it is due to you more than to any one else in Kentucky that trouble has been averted.

Wishing you a successful and peaceful administration, I am,  
 dear sir,

Very truly yours

D. R. COLLIER.

COMMONWEALTH OF KENTUCKY.

OFFICE OF ADJUTANT GENERAL.

Frankfort, Ky., May 22, 1900. }

Gen. D. R. Collier, Frankfort, Ky.

Sir: I have the pleasure to own receipt of your communication of this date and to accept control of the Kentucky State Guard and the State property.

I greatly appreciate the terms in which you refer to me, but I beg to say that the State owes far more to you. The conditions have been constantly menacing to the public peace and to a degree best known to you and to me. You have been forbearing and fair-minded always, and I beg to assure you of my high personal regard. I remain, my dear sir,

Yours truly,

JOHN B. CASTLEMAN, Adjutant General.

## COMMONWEALTH OF KENTUCKY.

OFFICE OF ADJUTANT GENERAL.

Frankfort, Ky., May 22, 1900.

Hon. J. C. W. Beckham, Governor, Frankfort, Ky.

Sir: I have the honor to hand you herewith letter of this date from Gen. D. R. Collier and my reply. I have carried out your conservative views, and you are to be congratulated for the great service you have rendered to the Commonwealth under conditions which for nearly four months threatened civic strife between our people. I remain, my dear sir,

Yours very truly,

JOHN B. CASTLEMAN, Adjutant General.

The Legislature passed a resolution introduced by Senator Triplett, which appropriated \$100,000 to be expended by joint action of your excellency and myself in equipping State troops. There was immediately purchased a battery of rapid fire Hotchkiss guns and a sufficient number of small arms to secure the peace of the Commonwealth. There is left unexpended of this appropriation \$66,000, and I respectfully recommend that the account be closed and that this sum be converted back into the general funds of the Treasury.

Until the decision of the courts, the opinion conflicting among our fellow citizens of both parties as to the right, was shared by the organized troops of the State, and respecting this divided opinion, no orders were issued which would augment the embarrassment of the citizen soldiery of the Commonwealth. Such organization as seemed at the time to be necessary was made independent of that already existing.

The ill-advised interference with the session of the Legislature at Frankfort was followed by the assembling of the legislative bodies at Louisville, and requisite steps were taken to protect

the people's representatives against any possible molestation. Supplementing the sheriff's posse, I had mustered into the State service by Hon. J. P. Gregory, two companies in strict conformity with the provisions of the law.

I gave my personal attention to the selection of these men, and had them mustered into the State service at such rendezvous as I indicated, at a time when cool, deliberate courage was requisite. These men are entitled to the highest commendation of their fellow citizens. Ample arms were provided to support the civil authorities. A short time after, I went to Frankfort, repaired direct to the Adjutant General's office and sought personal interview with Gen. Collier.

The grave situation was known to both of us, much better than to any one else, and we both knew the extent to which we were responsible to the State.

It is not discreditable to Kentucky that, trusting a Kentuckian's manhood and courage at a period of great feeling, the officer responsible for one force should go unannounced to the armed camp of the officer commanding the opposing force, and discuss the obligations mutual respecting the interest of the Commonwealth.

The futility of armed conflict, with its attendant horrors, was admitted and ultimate adjustment by the courts was conceded. The maintenance of the public peace rested chiefly with the two officials in this conference.

Responsibility for the following course, which I assumed and of which your excellency was admonished, is in justice to others:

When Caleb Powers and John Davis were arrested at Lexington, after evading arrest at Frankfort, I went immediately to Lexington and familiarized myself thoroughly with the situation. At the close of the day I summoned to my rooms Sheriffs Suter, of Franklin county, Bosworth, of Fayette county, and Chief of Police Ross, of Lexington, and advised that Sheriff Suter, acting under his legal authority and aided by the other two most admirable officials, should take the prisoners next morning to Louisville and there lodge them in jail. Judge Field had already decided

the question submitted to him in compliance with the Georgetown agreement. I knew that the safety of the prisoners and the interests of the Commonwealth demanded that this course be pursued. The personality of the prisoners did not concern me, but the interest of the Commonwealth imposed a positive duty. I believe I did the prisoners a kindness; I know I did the State a service. The Commonwealth is indebted to three officers above named.

Your excellency is aware that since the month of June, my duties have been nominal and not necessary, and it is neither just to myself nor to others to hold an office under the circumstances.

With your excellency's approval, I have been endeavoring to have published for the people of the State so much as is ascertainable of Kentucky's sadly-neglected military history, the preparations having begun under the direction of one of Kentucky's greatest Governors, the Hon. J. Proctor Knott.

Taking up the war of 1812 and including the Sabine war, the Mexican war, the Confederate war, and the Spanish war, there is now in course of publication so much as is ascertainable of the military history of the State, the record of whose troops has been neglected for well nigh a century. The records of the Federal troops in the Confederate war has been admirably published by Gen. D. W. Lindsey, but this is the sole official publication of the military service of Kentuckians.

Having your excellency's authority, these publications will be completed as soon as possible. In this, sir, I believe you are adding to the most valuable service you have rendered your State, and now, sir, as your fellow-citizen, I thank your excellency for your conservatism and coolness and sense of justice displayed at the most trying period of your State's history, and as an officer, I am most appreciative of your uniform courtesy and support, and beg that you will relieve me from further official responsibility by accepting my resignation to take effect the 30th inst. Very respectfully,

Your obedient servant,

JOHN B. CASTLEMAN, Adjutant General.

## RESPONSE OF THE GOVERNOR.

STATE OF KENTUCKY,

EXECUTIVE DEPARTMENT,

Frankfort, Ky., Nov. 17, 1900. }

Gen. John B. Castleman, Adjutant General, Frankfort, Ky..

Sir: I am in receipt of your letter of the 1st inst., in which you tender me your resignation as Adjutant General of Kentucky to take effect on the 30th inst. Your appointment to that position was one of the first official acts of mine after I was sworn in as Governor of this State, on the 3d of last February, and I can assure you that nothing done by me since then has been more creditable to the administration than your appointment at the head of the military department of the State. I am not entitled to all the credit for the wisdom of that appointment. While it was my personal desire to make it, the demand from the best people of the State that you be made Adjutant-General at that critical period was so universal and imperative that I could not have resisted it even if I had the desire to do so.

Your distinguished record as a soldier and a civilian was such, in the eyes of your fellow-citizens, that all turned to you at that time and asked, even demanded, that you be placed in charge of the militia of the State. Your reputation as a soldier commended you to their choice, and, still greater than that, your character as a civilian and your firm belief in the subordination of all military to civil authority marked you out as a proper person to deal with the military situation in such a crisis. The ideal soldier is he who, though always ready to perform his duty in arms, yet, at the same time, recognizes the superiority of civil over military authority. In such esteem all the best citizens of Kentucky held you, and you were, therefore, selected for this responsible and trying position. It is a matter of considerable pride to me that the wisdom of the selection has been fully justified by your course.

It is unnecessary for me to rehearse the unpleasant details of

that period of our State's history to which you referred in your letter of resignation. You commended me for the course I have pursued during that trying ordeal, and I appreciate the compliment that you pay me, but I desire to say that if my conduct merits approval, to none am I more indebted than to yourself. Your wise, prudent and sagacious counsel was invaluable to me, for when I found others excited and exasperated under the conditions that existed I always found that your head was cool and deliberate, and that your judgment was conservative and correct. In you I always found a counselor in whose judgment I had implicit confidence and a soldier in whose courage and manliness I had absolute reliance.

Your services to the State and to me can not be overestimated, and it gives me great pleasure at this time to pay you this small tribute in commendation of your conduct as Adjutant General under me. I regret very much this necessary severance of our official relations, but as it was the understanding at the time of your appointment that as soon as peace and order could be restored to our State and the militia re-organized on a proper basis, you should resign, I can not, of course, decline to accept your resignation. It was your wish, expressed at that time, that your services should be limited by this condition, and that you should serve without pay. You stated then that you desired to give your attention to your private interests and that for that reason you could not serve longer than was necessary in a military capacity. I accepted these conditions, and promised you that as soon as you thought proper I would accept your resignation. I do so now in accordance with your wishes, and the terms, expressed in your letter, to take effect on the 30th inst., and in doing so I wish to express to you the gratitude of myself and the good people of this State for your faithful and efficient services as Adjutant General of the State during the most critical period of its history. I am, sir,

Very respectfully,

J. C. W. BECKHAM,

Governor of Kentucky.

Louisville, Ky., Dec. 13, 1901.

Genl. David R. Murray, Adjutant General,

Frankfort, Ky.,

My Dear Sir: I have yours of the 10th inst., and in response beg to state that I have nothing to add to my report of November 1, 1900, which report will form a part of the Adjutant General's report of the State of Kentucky under your admirable conduct of the office since you succeeded to the position.

I have watched with a good deal of interest your course from time to time and realized frequently that you have been placed in a most delicate position, in all of which you have fulfilled your duty in a most acceptable manner.

The question of organization of volunteer troops I know is not an easy one and, while the progress made may not be such as would be satisfactory to you, it is as much as one could reasonably expect with the limited amount of means at your disposal. The State can not have an effective organization of the State Guard unless a more liberal provision is made for its support. If this be not done, then the organization can not be effective, except by individual expenditure, which the State ought not to expect from its citizens. I know from personal experience what a drain is entailed upon the individual in endeavoring, through a desire to maintain an effective organization, to be called upon to supplement the meagre allowance of the State by personal contribution, for during the period in which the Louisville Legion was maintained in Louisville, my Louisville Legion account shows an expenditure of more than \$20,000.00 for that regiment. In addition to this, other officers made liberal expenditures. Indeed, this was my experience not only in active command of troops in the State Guard, but while under Governor Knott I was acting Adjutant General, I voluntarily supplemented the provision of the State in preparing for publication the neglected military history of the Commonwealth of which I made mention in my report to Governor Beckham November 1, 1900. The preparation of the Mexican war records and the records of the war of

1812 was largely at my expense. They were left prepared for the printer in the office, but were published by my successor without giving credit for their preparation, but they have never been published in such way as they should be, and it is to these matters that I invite attention in the report above mentioned. These things should be taken hold of and republished in a manner consistent with the dignity of the State, as should also the publication of the Mexican war veterans and the war of 1812, and I shall be very glad to supplement your admirable efforts in this direction.

In addition to this there should be published the rosters of the Confederate war veterans, which have been kept, and should be in the possession of the State of Kentucky, and should be placed in form to be preserved. Then there should be published also the rosters of the Spanish-American war. These latter should be accompanied by a historical sketch of each regiment furnished by the State of Kentucky to the Spanish-American war.

In all these matters I hold myself at your service to aid you in whatever way my services may be valuable. The regiments themselves should be called upon respectively for the historical sketches. We know from experience that these things too long neglected become impracticable of achievement. It is a fact, known from personal careful, painstaking investigation that there can not be found even now an authentic order book of a commanding officer of troops furnished by the State of Kentucky in the Mexican war, and there can not be found an order book either from Governor Shelby or any other officer in responsible command of troops furnished by Kentucky in the war of 1812. These things should be taken up at once in order that the records may be properly preserved.

Congratulating you upon your very admirable service, with a feeling of pride that I should have been succeeded by you, I have the honor to be, my dear general,

Very sincerely yours,

JOHN B. CASTLEMAN.

## APPENDIX "B."

Frankfort, Ky., December 14, 1901.

Brig.-Gen. David R. Murray, Adjutant General of Kentucky,  
Frankfort, Ky.:

Sir: I have the honor to herewith transmit a copy of my report to the Governor and Commander-in-Chief relative to the annual State encampment held at Owensboro in August, 1901, during the time that I was Acting Adjutant General, you being on sick leave.

Nothing else of importance occurred in the department during that period, and I therefore have nothing further to add to the facts reported and recommendations made therein.

Very respectfully,

PERCY HALY.

Assistant Adjutant General.

STATE OF KENTUCKY,  
ADJUTANT GENERAL'S OFFICE. }  
Frankfort, Ky., August 21, 1901. }

Hon. J. C. W. Beckham, Governor and Commander-in-Chief,  
Frankfort, Ky.:

Sir: I have the honor to report as follows: On April 18th I became Acting Adjutant General by reason of the absence of Brig. Gen. D. R. Murray, on account of illness. I continued to so act until August 21, 1901, the date of Gen. Murray's return to duty.

July 16, 1901, I received your executive order, as follows: "The Kentucky State Guard Encampment for 1901 will be held at Owensboro, Daviess county, from August 7th to 23d, inclusive. The Acting Adjutant General will arrange for the necessary subsistence of the troops while in camp and also for the

transportation of all organizations from their respective stations to the camp and return. Subsistence will be furnished to all officers and men, but no pay will be allowed.

"The Acting Adjutant General is further charged with the issuing of such orders and instructions as are necessary to carrying this order into effect."

Referring to the above executive order, I issued general orders Nos. 2, 3 and 5, current series, directing the mobilization, movement and the itinerary of the several organizations composing the Kentucky State Guard.

By special orders Nos. 65 and 70, current series, Maj. J. Embry Allen, Second Infantry, K. S. G., and Capt. J. H. Lillis, Arsenal Keeper, were respectively ordered to proceed to Owensboro, Ky., and there construct the camp on the grounds donated by the citizens of that city and to ship such military stores and equipment from the Frankfort arsenal as would be needed to lay a first-class camp.

The entire camp was completed August 6th and ready for the occupancy of the troops the following day.

August 7th the headquarters and twelve companies of the Second Infantry and the Catlettsburg Band, Newcastle and Whitesburg companies unassigned, Col. Roger D. Williams, commanding, arrived at Owensboro and immediately went into camp.

The Artillery Battalion, Major John H. Mansir commanding, arrived August 10th, and at once went into camp with the above infantry organizations.

The Second Infantry and the Newcastle and Whitesburg companies unassigned, remained in camp nine days, or until the 15th of August when they broke camp and proceeded to their home stations. The same day the headquarters and eight companies of Third Infantry and the Fulton and Bardstown companies unassigned, and the Bardstown Cadets, Lieut. Col. Jouett Henry commanding, arrived and went into camp under the canvas that day-vacated by the Second Infantry.

The Artillery Battalion remained in camp ten days, or until

August 19th, when it broke camp and the batteries proceeded to their home stations.

The Third Infantry and attached companies and the Catlettsburg Band remained in camp nine and eighteen days, respectively, or until the 23d of August, when they proceeded to their home stations.

As will be seen, the Artillery Battalion was in camp during the last half of the time the Second Infantry was there and the first half of the time the Third Infantry was there. The experience thus gained by infantry and artillery camping together, I am sure, is of the greatest value to the organizations concerned.

I desire to call especial attention to the splendid location of this camp, the completeness of it in every detail and the excellent manner in which it was constructed. The officer charged with the work had all the tentage up, mess and cooking sheds built, sinks dug, shower baths and stables built and all kitchen equipment and utensils set up and straw on hand for bedding before the arrival of the troops. I desire to commend Maj. J. Embry Allen for the zeal, good judgment and energy displayed by him in the construction of this work.

The discipline of all the troops, both in camp and while visiting Owensboro near by, was very good; indeed, it was excellent, considering the fact that the regiments and companies composing the Guard have been organized only twelve months.

While in camp, instruction was given in battalion, company, battery and squad drill and in guard duty. Officers and non-commissioned officers' schools were held daily. Much hard work was done on ceremonies, such as guard mount, parades and review inspection. All the honors, courtesies and formalities usually observed at military camps and posts in the regular army were rendered at this camp, notably the receiving of your excellency with appropriate military honors on your arrival at camp and the review and inspection by you the following day.

The sanitary conditions of the camp were at all times very

good. The sinks were kept clean and earth and lime were frequently scattered; the streets and grounds I found always clean.

The rations issued to the troops consisted of fresh beef, bacon, soft bread, potatoes, fresh corn, cabbage, tomatoes, onions, coffee, sugar, molasses, pickles, vinegar, salt, pepper, soap, candles, ice and buttermilk. These rations were issued at a cost of thirty-one and a third cents per ration, i. e., the troops were fed at a cost of thirty-one and a third cents per man per day. All the articles composing these rations were bought after receiving bids, approved vouchers were given for each purchase and presented to the State Auditor for payment.

On arrival of the troops in camp, the camp commissary had ready for the companies in their kitchens, ice, fresh meat, fresh bread and fresh vegetables, and the remaining articles of the rations in the store house ready for issue.

I desire to commend Capt. J. H. Lillis and his assistants in the commissary department for the business-like manner and promptness with which they received the rations and issued them to the troops.

The commanding officers of the three organizations informed me the camp, its accommodations and the rations issued were in their judgment the best ever furnished the State troops.

I recommend that the Secretary of War be requested to send a company of regular infantry to the annual State encampment hereafter in order that the officers and men of the Guard may have the experience of camping and serving with well-trained and disciplined troops, and also that we may have the services of a regular army officer in camp as instructor.

I also recommend that, if practicable, and the necessary funds are available, the Guard be ordered in camp once in each year, and that they be clothed and equipped as are like organizations in the regular army.

Very respectfully submitted,

PERCY HALY.

Acting Adjutant General.

## APPENDIX "C."

State Arsenal, Frankfort, Ky., December 31, 1901.

Brig. Gen. David R. Murray, Adjutant General of Kentucky,  
Frankfort, Ky.:

Sir: I have the honor to submit my report as Keeper of the Arsenal, showing the property on hand, the property received and the property distributed since the incoming of the present administration. I am

Your obedient servant,

J. H. LILLIS,  
Captain and Keeper of Arsenal.

PROPERTY AND MILITARY EQUIPMENTS IN STATE ARSENAL DECEMBER  
31, 1901.

Blouses .....	1,119
Trousers .....	1,241
Overcoats .....	414
Hats .....	775
Leggins .....	2,030
Chevrons .....	2,050
Gloves .....	2,030
Hat cords .....	200
Ponchos .....	300
Blankets .....	700
Hospital tents .....	17
Hospital flies .....	17
New wall tent flies .....	45
Company tents .....	270
New wall tents .....	30
Old wall tents .....	32
Ridge poles .....	17
Upright hospital poles .....	34

## REPORT OF THE ADJUTANT GENERAL.

55

Ridge poles .....	62
Upright poles .....	124
Ridge poles .....	210
Upright poles .....	549
Drums .....	18
Drum covers .....	18
Drum slings .....	17
Drum Sticks .....	36
Bugle cords .....	3
Trumpets .....	3
Bugles .....	3

## ORDNANCE IN STATE ARSENAL DECEMBER 31, 1901.

New Springfield rifles .....	85
Old Springfield Rifles .....	96
New Winchester rifles .....	\$55
Relle gun .....	1
Old English gun .....	1
Alligator gun .....	1
Spencer carbine .....	2
Ballard rifle .....	1
Swords .....	8
Old bugle .....	1
Mess chests with contents .....	12
Shovels .....	24
Spades .....	12
Picks .....	12
Grubbing hoes .....	2
Monkey wrenches .....	2
Pincers, pairs .....	1
Step ladders .....	3
Trucks, pairs .....	3
Officers' mess for 60 .....	1

# REPORT OF THE ADJUTANT GENERAL.

## ARTILLERY IN STATE ARSENAL DECEMBER 31, 1901.

Small cannon and limber .....	1
Street gun (no good) .....	1
Limber chests .....	8
Hand spikes .....	17
Swabbing buckets .....	7
Rear artillery harness, sets .....	3
Double set lead harness .....	1
Double sets lead harness .....	2
Double sets rear harness .....	2
Double sets rear harness .....	2
Sets ambulance harness without bridle .....	1
Nose bags .....	22
Swabbing sticks without swabs .....	16

## MILITARY EQUIPMENTS RECEIVED FROM THE UNITED STATES GOVERN- MENT DURING 1900.

Blouses .....	1,500
Trousers .....	1,500
Overcoats .....	804
Hats .....	1,990
Leggins .....	1,800
Chevrons .....	1,170
Stripes .....	1,065
Gloves .....	1,200

### RECEIVED DURING YEAR 1901.

Blouses .....	1,375
Trousers .....	1,100
Overcoats .....	112
Hats .....	875
Leggins .....	2,30
Chevrons .....	2,050
Gloves, pairs .....	2,000
Hat cords .....	200
Ponchos .....	300

Musicians' dress uniforms, complete .....	44
Helmets, complete .....	44
Bed sacks .....	309
Officers' mess for 60 .....	1

PROPERTY AND QUARTERMASTER STORES ISSUED TO THE STATE MILITIA  
DURING THE YEARS OF 1900 AND 1901.

Blouses .....	1,759
Trousers .....	1,359
Hats .....	1,830
Overcoats .....	302
Leggins .....	1,300
Chevrons .....	1,170
Stripes .....	1,035
Gloves .....	1,290