

BLOODY BREATHITT: POWER AND VIOLENCE
IN THE MOUNTAIN SOUTH

By

T.R.C. Hutton

Dissertation

Submitted to the Faculty of the
Graduate School of Vanderbilt University
in partial fulfillment of the requirements for

the degree of

DOCTOR OF PHILOSOPHY

in

History

May, 2009

Nashville, Tennessee

Approved:

Professor David L. Carlton

Professor Richard Blackett

Professor Dennis Dickerson

Professor Rowena Olegario

Professor Larry Isaac

ACKNOWLEDGEMENTS

I was blessed with some of the best historical thinkers in the field for my dissertation committee. David Carlton is a ready advisor, a meticulous reviewer, a constant resource for southern lore and a friend. Richard Blackett, once he read part of my early chapters, was an early source of encouragement and his dissertation seminars had a huge impact on later chapters. He and his wife Cheryl have welcomed me into their home many times. Dennis Dickerson and Rowena Olegario are both challenging intellects that provided important criticism. Vanderbilt is fortunate to have a historical sociologist like Larry Isaac on its faculty and I was equally fortunate to have him on my committee. Finally, although he was not on my committee, my MA advisor John A. Williams might as well have been since he set me on a certain path long before I began writing the dissertation.

The Vanderbilt University Department of History provided a young southernist with bed and board, and a generous amount of funding even as the department's identity changed and the American South became a primary subject for fewer and fewer faculty members. I am proud to have been a denizen of Benson Hall. The department's administrators, Jane Anderson, Brenda Hummel and Heidi Welch, always helped me when I was in need.

I benefitted from being surrounded by other young scholars who pushed me to excel. Tim Boyd shared with me an expatriated Briton's interest in the American South and its politics and provided very important suggestions and criticisms. Countless conversations with Steven P. Miller deepened my thoughts on political culture and the importance of our work being relevant to the present though being written about the past.

Pete Kuryla provided an intellectual historian's perspective on subjects that such an august group might otherwise find pedestrian. His suggestions gave this dissertation "depth" and rigor that it would otherwise not have had. I also gained from conversations about the American South with Claire Austin, Debi Back and Patrick Jackson.

A historian's true home is the library and Vanderbilt's Central Library provided me with a top-notch environment for reading, writing and dawdling. Peter Brush is an excellent resource for history students and Yolanda Campbell and Daisy Whitten were always helpful. The interlibrary loan staff, most notably Rachel Adams, tracked down the most obscure requests with what seemed like no effort. Thanks to Robyn Harris for getting me my own carrel space early in my writing.

One of the best parts of graduate-level research is becoming part of an international community of scholars. Professors Bruce Baker, John Burch, William Link and Sam McSeveney have all been good enough to read chapters from this dissertation and offer their ideas. Robert Ireland, one of Kentucky's most important state historians, offered kind advice and clarification when it was asked of him. The late George Graham was an intellectual inspirer when this dissertation was at its very beginning.

My parents, Bill and Cathy Hutton, were a source of decades of encouragement, balanced with intellectual freedom, when it came to pursuing an academic career. Childhood trips to museums fostered an early interest in American history and, growing up in the Hutton household, the past, to paraphrase Faulkner, was never past. My grandparents, Jim and Martha Clendenen, have also supported my writing even when it didn't provide me with gainful employment.

Like other members of the “privelegensia,” historians benefit from the leisure time provided them by other peoples’ labor. The opportunity to deal in ideas for a living, God willing, could only come about because of the hard physical work of people, some still living and others passed, who worked for our family before I began my higher education. George Cato, the Doss family, the Gentry family, the Ray family, Arch Skeens, the Surber family, the Thomas family and the Wolfe family provided me with an education. I stand on the shoulders of the people who do the real work in this world, often without acknowledgement from the people who ultimately profit from it, namely, those of us who make a sedentary living by dealing in information. Whatever value this dissertation has is theirs; whatever errors in it are strictly my own.

TABLE OF CONTENTS

	Page
ACKNOWLEDGEMENTS.....	ii
Chapter	
I. INTRODUCTION: “THE DARKEST AND BLOODIEST OF ALL THE DARK AND BLOODY FEUD COUNTIES OF THIS STATE: VIOLENCE AND PLACE IN BREATHITT COUNTY, KENTUCKY.....	1
Methodology and Historiography.....	11
Why Does Bloody Breathitt Matter?.....	28
Chapter Overview.....	35
II. “TO THEM, IT WAS NO-MAN’S LAND.”: BEFORE BREATHITT WAS BLOODY.....	40
“...the very roughest class of men...”.....	45
“These people lived here in seclusion for several years.....	61
“The Father of Breathitt County”.....	65
“I want my tenant to go and drop in his ballot without my knowledge of the man for whom it is given.”.....	84
“...to perpetuate feudal conditions in Breathitt...”.....	96
III. “SUPPRESSING THE LATE REBELLION”: GUERRILLA FIGHTING IN A UNION STATE.....	101
“...a sublime spectacle of moral power, before which every other history of the world grows dim!”.....	107
“I liked the Southern people the best...”.....	117
“...all Union men, bitter, prejudiced and ignorant”.....	132
“I knew the man I shot.”.....	146
“Previous to that time they knew nothing of pistols and bowie-knives...”.....	153
IV. “THE WAR SPIRIT WAS HIGH: MOB VIOLENCE IN AN UNRECONSTRUCTED COUNTY.....	159
“The Hypocritical Cry of Union”.....	164

	“...the revolutionary and destructive designs of Radicalism...”	177
	“...to rid the county of all but republicans.”	182
	“Any man who is elected in this county and will not take sides with the lawless will be killed by them.”	200
	“...a better, healthier public sentiment”	208
	“...there is no distinction between races up in that country...”	212
V.	“KEEPING UP THE OLD TROUBLE”: THE PAROCHIAL, THE PAST AND THE DEATH OF A FEUDAL HERO	221
	“It is current belief that the mountains of Kentucky are cradles of illiteracy and lawlessness...”	225
	“...but the crying cause back of all this violence and bloodshed is the want of religion.”	239
	“What a mighty revolution!”	249
	“...a sort of feudal hero, exercising over his own neighbors a greater power than ever did landed baron in the days of night-errantry	257
VI.	“THERE HAS ALWAYS BEEN THE BITTEREST POLITICAL FEELING IN THE COUNTY”: THE COURTHOUSE RING AND THE AGE OF ASSASSINATION	272
	“He apparently desired the world to surrender on its knees”	274
	“...Breathitt’s debut into political circles in her long robes of state.”	283
	“There is no politics in the law.”	303
	“...this is only one of many similar feuds which have disgraced the State...”	322
	“Every Goebel Democrat in this county is hot for us.”	339
	“...it is rare indeed, that one of these assassins and anarchists is brought to punishment.”	355
VII.	“THE FEUDAL WARS OF EASTERN KENTUCKY WILL NO DOUBT BE UTILIZED IN COMING YEARS BY WRITERS OF FICTION”: READING AND WRITING BLOODY BREATHITT	365
	“...a feud among families or factions of the peculiar southern type...”	369
	“Actually, they are all one feud...”	380
	“...a killing in Breathitt always seems to be big news...”	401
	“We know that, from the first, the wilderness was their teacher”	414
	“The dirty old Breathitt County courthouse still stands, the place where Cockrell and J.B. Marcum were shot down in cold blood...”	426
	BIBLIOGRAPHY	434

CHAPTER ONE

“THE DARKEST AND BLOODIEST OF ALL THE DARK AND BLOODY FEUD COUNTIES OF THIS STATE”: VIOLENCE AND PLACE IN BREATHITT COUNTY, KENTUCKY

“The means used to achieve political goals are more often than not of greater relevance to the future world than the intended goals.”¹

-Hannah Arendt
On Violence

“Kentucky Lawyer Shot” read one headline on the first page of the *New York Times*’s May 5, 1903 edition. James B. Marcum, attorney, U.S. Commissioner and Republican power broker was the victim of assassination by a then unidentified assailant in front of the courthouse in Jackson, the county seat of Breathitt County, Kentucky. Marcum was a Breathitt County native and, in his forty five years, he had risen through the requisite political ranks and standards of social achievement. His career epitomized the more optimistic estimations of the upper South and, more particularly, those of the Kentucky mountains at the turn of the century. In his capacity as corporate attorney, he represented a modest sized railroad, one that was working harder than any other at the time to connect the craggy Cumberland Plateau to the commercial centers beyond the mountains, hauling out the region’s coal and hardwood while delivering opportunities for education, culture and technology. As a Republican native of a traditionally Democratic county, he personified the vigorous two-party competition enjoyed in Kentucky but

¹Hannah Arendt. *On Violence*. (New York: Harcourt, Brace and World, 1970): p. 4.

dwindling in most of the other southern states. Many Kentuckians probably considered his death not only a ghastly crime but an affront to progress itself.

Outside of Kentucky, Marcum's murder might have just been another quotidian newspaper item had it not been for the notoriety of the locale in which it happened. *Times* readers who were familiar with the name 'Breathitt County' before reading this article were probably less than shocked in learning of Marcum's assassination. Isolated and poor, Jackson, Kentucky had been the site of well-publicized violence since the tumult of Reconstruction in the 1870s. In the following decade, prolonged periods of white intraracial violence in other Kentucky counties established the state as an abnormally brutal area, a reputation that fed the state's notoriety but was ultimately limited to its highlands. Once its unruliness was imitated by surrounding counties, Breathitt County was no longer one peculiar locality that seemed oddly married to violence; it was part of a larger trend among mountain Kentuckians and, by extension, white southern mountaineers en masse. The idea of the "mountain feud" was given birth, and, even though it was overshadowed in popular memory by other tales of mountain violence (especially the idiomatic "Hatfield-McCoy feud"), Breathitt County was remembered as "the darkest and bloodiest of all the dark and bloody feud counties" in Kentucky.²

By the time of Marcum's death his home territory had already been indelibly associated with what appeared to be an institutionalized (or perhaps "natural") form of reciprocal violence acted out among a population increasingly distinguishable from other

²James Patrick Kirby. *Selected Articles on Criminal Justice*. (New York and London: H.W. Wilson, 1926): p. 101.

white southerners and categorized as “mountain whites.”³ “Bloody Breathitt” epitomized *feud*, a term for conflict that originated far from the Kentucky uplands but, through a combination of fact and fiction, took on a historical and geographical specificity that permanently associated the word with the southern highlands and contributed to the idea of “Appalachia” as a region distinctive from the rest of the South. The widely-perceived proliferation of a form of blood feud in the region also helped to establish the impoverished mountain white as not only a target of reform but also a bizarre anthropological rarity.⁴ The white intraracial violence seen there was attributed to the region’s isolated insularity, and it became popular among both mountaineers nearby, and their critics from elsewhere, to contrast Kentucky’s “feud belt” with the “outside world.”⁵

But, aside from its redefinition of mountain whites, *feud* redefined violence as well. The term conveyed a place “at the bottom of the cultural heap,” trapped in a distant past in which violence had motives based upon revenge, kinship-based honor and ritualized reciprocation, a society existing in the present but lower on the “temporal

³White southerners from the section’s steepest uplands were first identified as a culturally “peculiar” population at least as early as 1873. But various pieces of literature had begun to recognize a discernible distinction between communities in the upland and lowland South decades earlier. See Charles Fenno Hoffman. *A Winter in the West: By a New Yorker, in Two Volumes* (Vol. II). (New York: Harper & Brothers, 1835); John Alexander Williams. *Appalachia: a History*. (Chapel Hill and London: University of North Carolina Press, 2002): pp. 197-198; Alan Batteau. *The Invention of Appalachia*. (Tucson: The University of Arizona Press, 1990): pp. 29-37; Henry Shapiro. *Appalachia on Our Mind: the Southern Mountains and Mountaineers in the American Consciousness, 1870-1920*. (Chapel Hill: University of North Carolina Press, 1978): p. 275.

⁴John A. Williams. *Appalachia: A History*. (Chapel Hill and London: University of North Carolina Press, 2002): p. 199; Altina Waller. *Feud: Hatfields, McCoys, and Social Change in Appalachia, 1860-1900*. (Chapel Hill: University of North Carolina Press, 1988): pp. 166-168.

⁵Contrasts between Breathitt County and the “outside world” were drawn by a multitude of writers in the nineteenth and twentieth centuries. The earliest one that I have been able to find, a published account of rail lines under construction in eastern Kentucky, dates from 1887; Young Ewing Allison. *The City of Louisville and a Glimpse of Kentucky*. (Louisville: Committee on industrial and commercial improvement of the Louisville board of trade, 1887): p. 44.

hierarchy.”⁶ It was, as in political scientist John Keane’s Aristotolean analogy, a product of “pre-political realm of the *oikos* [the family] and the extra-political ‘barbarian’ world beyond the polis [the state].”⁷ The word suggested a sense of order and decorum that users of post-Civil War violence rarely employed. Feuds were an ordered condition of violence, though one that was troublingly archaic, that prevents the escalation of killing beyond commonly accepted limitations.⁸ Perhaps most importantly, the use of *feud* to describe violent relationships dictated that they would be deemed strictly *horizontal*,

⁶For the “hierarchies of place” that place certain locales “at the bottom of the cultural heap,” see Barbara Ching and Gerald W. Creed, “Recognizing Rusticity: Identity and the Power of Place,” in Ching and Creed (eds.), *Knowing Your Place: Rural Identity and Cultural Hierarchy*. (New York: Routledge, 1997): p. 14. For “temporal hierarchies,” Johannes Fabian. *Time and the Other: How Anthropology Makes its Object*. (New York: Columbia University Press, 1983): pp. 11-21, 75-79, 81-82. I am grateful to Helmut Smith for introducing me to this important book.

⁷John Keane. *Violence and Democracy*. (Cambridge and New York: Cambridge University Press, 1994): pp. 38-39.

Since one of my main precepts in this project is the subjectivity with which *feud* is used to describe violence, I do not offer an *a priori* definition of the word. However, objectively existent feuds, as they are portrayed by historians and anthropologists, are defined by their strictly horizontal realm of conflict (i.e., between “equals”) and by their origination from “small differences” that have little to no bearing on transcendent issues of ideology or state power. Historians and anthropologists habitually use the word “feud” exclusively for conflicts between individuals or groups of equal standing. This is demonstrated most pointedly in studies of societies in which factional violence became, or has become, institutionalized and accepted as a normal course of action on a strictly horizontal basis. Furthermore, it seems that scholars are more comfortable with speaking of feuds in a setting defined by spatial, cultural or (perhaps most importantly) temporal distance. See Michael S. Drake. *Problematics of Military Power: Government, Discipline and the Subject of Violence*. (New York: Routledge, 2002): pp. 81-84; William Ian Miller. *Bloodtaking and Peacemaking: Feud, Law, and Society in Saga Iceland*. (University of Chicago Press, 1990): pp. 179-220; Harry J. Lamley, “Lineage Feuding in Southern Fujian and Eastern Guangdong under Qing Rule,” in Jonathan Neaman Lipman and Steven Harrell (eds.), *Violence in China: Essays in Culture and Counterculture*. (Albany: SUNY Press, 1990): pp. 27-64.

⁸Aside from being acted out between equal parties, blood feuds are also defined by their limitations of violence. In contrast to warfare, feud violence supposedly takes the form of a “game,” with mutually agreed-to rules of behavior. This arrangement came with expectations that the honor of all parties would be maintained or healed and required that whatever violence that was employed had to follow rules that demonstrated respect for the opponent; Jenny Wormald, “Bloodfeud, Kindred and Government in Early Modern Scotland,” *Past and Present*, Vol. 87 (1980): pp. 54-97. While this form of directed violence is reminiscent of the antebellum code duello, it has no relationship to the use of violence in most of the post-Civil War Kentucky “feuds,” in which violence was carried out with nothing more than an intention to cause the greatest harm to opponents.

acted out between individuals or groups of equal standing and with equal access to the use of violence.⁹

The political motives behind James Marcum's death were eventually revealed and, as will be shown in a later chapter, their shocking implications had a statewide impact on Kentucky's electoral future. But James Marcum's murder was portrayed as one act in an alleged reciprocal, age-old family feud, and this portrayal dictated that it would be remembered as something far different. *Feud*, and all it entailed, was a device of *depoliticization*, obscuring or removing the political implications of political violence.¹⁰ Violence is depoliticized when its political motivations and implications threaten to question the validity of individuals or groups who manage to survive violent challenges to their authority. The feuds of "Bloody Breathitt" went down in history as "manifestations of irrationality generated by lack of information, randomness and

⁹Esther Heidbuchel. *The West Papua Conflict in Indonesia*. (Wettenberg: Johannes Herrmann J&J-Verlag, 2007): pp. 142-152, 161-188; 400-401; Stathis Kalyvas. *The Logic of Violence in Civil War*. (Cambridge: Cambridge University Press, 2006): pp. 330-370.

¹⁰Many of the most important approaches to the depoliticization of violence have dealt with the developing world in the post-Cold War era. See, Elaine Thomas, "Muting Inter-Ethnic Conflict in Post-Imperial Britain: The Success and Limits of a Liberal Political Approach," in Beverly Crawford and Ronnie D. Lipschutz (eds.), *The Myth of "Ethnic Conflict": Politics, Economics, and "Cultural" Violence*. (Berkeley, CA: International and Area Studies, University of California Press, 1998): pp. 436-439; Richard Beardsworth. *Derrida and the Political*. (New York: Routledge, 1996): p. 95; Stanley Cohen, "Crime and Politics: Spot the Difference," in Richard Rawlings (ed.), *Law, Society, and Economy*. (Oxford and London: Oxford University Press, 1997): pp. 242-246; Allen Feldman. *Formations of Violence: The Narrative of the Body and Political Terror in Northern Ireland*. (Chicago: University of Chicago Press, 1991): p. 259; Klaus Schlichte, "State Formation and the Economy of Intra-state Wars," in Dietrich Jung (ed.) *Shadow Globalization, Ethnic Conflicts and New Wars: A Political Economy of Intra-state War*. (New York: Routledge, 2003): pp. 27-44; Wim Savenije and Chris Van der Borgh, "Youth Gangs, Social Exclusion and the Transformation of Violence in El Salvador," in Kees Koonings and Dirk Kruijt (eds.) *Armed Actors: Organised Violence and State Failure in Latin America*; Laura F. Edwards, "The People's Sovereignty and the Law: Defining Gender, Race, and Class Differences in the Antebellum South," in Stephanie Cole, Alison Marie Parker, Laura F. Edwards (eds.) *Beyond Black & White: Race, Ethnicity, and Gender in the U.S. South and Southwest*. (College Station, TX: Texas A&M Press, 2004): pp. 11, 28n; Wendy Brown. *Regulating Aversion: Tolerance in the Age of Identity and Empire*. (West Orange and London: Princeton University Press, 2006): pp.13-24.

unpredictability” rather than conflicts over real power.¹¹ But an examination of the people who used violence there, their victims and their respective relationships to the political trends outside of the county’s boundaries show that Breathitt County was only a pronounced example of larger forces at work. As the reputation of Kentucky and the southern mountains was sullied by this reputation, the political elites who benefitted from acts of violence were protected. *Feud*, not as an event or type of social relation but as an imprecise, misleading descriptor of violence, distorted the larger meaning of violence in Breathitt County.

During the worst days of violence in Breathitt County, the rest of the South was not without its own rash of violence, and violence of a decidedly non-horizontal nature. In the larger South the more notable reports were of interracial violence against freedpeople and, considering the region’s recent history at the time, its political import was difficult to deny. Violence, when described as a feud, could not be political, at least in the sense that Americans of the nineteenth and twentieth centuries thought of politics or even of political violence.¹² Even during the most brutal days of Reconstruction, killings all over the South could be written off as apolitical “‘long time feuds’ involving ‘bad blood’ between families and community factions” as long as they were strictly white affairs.¹³ The racial significance of postbellum political violence in the lowland South, in contrast to the supposedly unadulterated whiteness of the mountain South, was part of

¹¹Mehrad Vahabi. *The Political Economy of Destructive Power*. (Northampton and Cheltenham: Edward Elgar, 2004): p. xi.

¹²Kalyvas, pp. 71, 99, 367; James C. Scott, “Corruption, Machine Politics and Political Change,” *The American Political Science Review* (hereafter *APSR*), Vol. 63, No. 4 (December, 1969), pp. 1146n.

¹³Apparently, using *feud* to depoliticize reconstruction era violence was popular among both conservative southerners and Unionist northerners witnessing internecine violence during military occupation; Dan T. Carter. *When the War was Over: The Failure of Self-Reconstruction in the South, 1865-1867*. (Baton Rouge and London: Louisiana State University Press, 1985): p. 40.

the reason that this history of violence was not roundly remembered as political. Nineteenth-century Americans were forced to think of violence as a means of achieving political aims. The Civil War and the ensuing Indian wars of the West ensured that these aims retain an abiding association with racial difference. Those who defended “white-on-black” interracial violence at the turn of the century acknowledged it as a means of maintaining white supremacy and an attendant “*herrenvolk* democracy” that, ideally, superseded all considerations of difference within the white race.¹⁴ When conservative white southerners harassed, maimed and killed freedpeople in the 1870s and afterward there was little ambiguity of purpose. It was to maintain a political status quo based upon racial difference, and it was defended as such in southern newspapers and decried as such by those of the North. With the internal differences created by the Civil War, a memory becoming ever more distant, race and the enforcement of racial boundaries dominated the use of violence carried out in the name of power.¹⁵ But *for white southerners to kill each other* at rates that surpassed the anecdotal and approached the phenomenal had to be explained as something far different, something that would not challenge the way in which white Americans perceived themselves and their society. Southern mountaineers were considered among the most egalitarian people in the nineteenth century United States because they had supposedly not been exposed to inferior races, and consequently had never felt the need to bring hierarchies of any kind into their social structure. If the feuds of eastern Kentucky had political import, it was deemed best forgotten or

¹⁴George M. Fredrickson. *The Black Image in the White Mind: The Debate on Afro-American Character and Destiny, 1817-1914*. (Middletown, CT: Wesleyan University Press, 1987): pp. 43-70, 256-282. See also John Hope Franklin. *The Militant South, 1800-1861* (second edition). (Urbana and Chicago: University of Illinois Press, 2002) (originally published in 1956): pp. 33-62, 214-226.

¹⁵David Blight. *The Road to Reunion: The Civil War in American Memory*. (Cambridge and London: Harvard University Press, 2001): pp. 108-111.

minimized. As a result, the role of African Americans in Breathitt County's Reconstruction era struggles, a presence that signified involvement in a much larger movement, was curtailed or completely omitted in the press.¹⁶

James Marcum, a politician killed by other politicians, was very much part of Kentucky's "polis." His death was the elimination of a challenge to the local political status quo established and maintained by entrenched Democratic elites who sought to demonstrate the futility of Republican dissent through the use of violence, a common enough series of events in many parts of the South at the time.¹⁷ In fact, every other highly-publicized act of individual or mass violence recorded in Breathitt County since the Civil War was also motivated by struggles for control over the local state, corresponded to the two-party system and reflected larger trends in the South or the United States. From its beginning, Breathitt County's very existence suffered from a

¹⁶I use the phrase "Reconstruction era" when describing Kentucky in the 1860s and 1870s because Kentucky was never subject to the federal imposition of Reconstruction and, unlike most border states, did not emerge from the war with a pro-federal Republican-controlled state government.

¹⁷Jonathan Markovitz. *Legacies of Lynching: Racial Violence and Memory*. (Minneapolis: University of Minnesota Press, 2004); Kenneth Barnes. *Who Killed John Clayton?: Political Violence and the Emergence of the New South, 1861-1893*. (Durham and London: Duke University Press, 1998). Barnes differentiates "political" violence from "racial" violence in a manner that I do not imitate here since my thesis is that both interracial violence and white intraracial violence were fundamentally political in nature. This book also defines "political violence" only in its counterrevolutionary capacity despite the wealth of scholarship on revolutionary anti-state violence. See also, W. Fitzhugh Brundage. *Lynching in the New South: Georgia and Virginia, 1880-1930*. (Urbana: University of Illinois Press, 1993).

Many histories of the South as a region have tended to exclude Kentucky, primarily because most historical conceptions of the postbellum South are based upon the states of the Old Confederacy. However, as demonstrated most prominently by the state's inclusion in C. Vann Woodward's *Origins of the New South*, much of Kentucky's history was determined by its similarities to, and (albeit complicated) relationship with, the South as a whole before and after the Civil War, especially in terms of politics and economic traits. The legacy of slavery, inherited from the beginnings of its statehood, is principal among many reasons Kentucky should be considered a southern state. For Kentucky state histories that make the state's southern identity evident, see Harold D. Tallant. *Evil Necessity: Slavery and Political Culture in Antebellum Kentucky*. (Lexington: University Press of Kentucky, 2003): pp. 103-104; Lowell Hayes Harrison and James C. Klotter. *A New History of Kentucky*. (Lexington: University Press of Kentucky, 1997): pp. 181-182; Penny M. Miller. *Kentucky Politics & Government: Do We Stand United?* (Lincoln: University of Nebraska Press, 1994): pp. 54-56.

crisis of *legitimacy*, a crisis that was only complicated by what happened afterward.¹⁸ A healthy, operational state, as famously put by sociologist Max Weber, monopolizes the use of “legitimate violence” but, as one American historian observed in describing the late-nineteenth century United States, “legitimacy is in the eye of the beholder.”¹⁹ To quash disputes over legitimacy, states can employ violence against its loudest detractors, simultaneously eliminating dissension and warning potential dissidents (while, according to Hannah Arendt, also inadvertently making plain its true lack of actual power).²⁰ In opposition, to demonstrate their dissatisfaction with the state, non-state actors employ different violent acts depending upon the desired level and target of destruction and the desired performance. “Bloody Breathitt” was a place and time defined by both *insurrectionary* violence against the state or majority party, and (in the case of Marcum’s homicide) *counter-insurrectionary* against those who challenged their authority.²¹

¹⁸Legitimacy “reflects the vitality of the underlying consensus which endows the state and its officers with whatever authority and power they actually possess, not by virtue of legality, but by the reality of the respect which the citizens pay to the institutions and behavior norms. Legitimacy is earned by the ability of those who conduct the power of the state to represent and reflect a broad consensus.”; H.L. Nieburg. *Political Violence: The Behavioral Process*. (New York: St. Martin’s Press, 1969):p. 54. See also Robert Alan Dahl. *Political Oppositions in Western Democracies*. (New Haven: Yale University Press, 1969): pp. 348-402.

¹⁹Eric Foner, *Reconstruction: America’s Unfinished Revolution, 1863-1877*. (New York: Harper & Row, 1988): p. 346; Max Weber, “Politics as a Vocation,” in H. H. Gerth, C. Wright Mills (eds.), *From Max Weber: Essays in Sociology*. (New York: Routledge: 2001): p. 78.

²⁰Hannah Arendt. *On Violence*, p. 56.

²¹Suzanne Ogden, “Inoculation against Terrorism in China: What’s in the Dosage?,” in William J. Crotty (ed.) *Democratic Development and Political Terrorism: The Global Perspective*. (Boston: Northeastern University Press, 2005): p. 245; Arthur P. Mendel (ed.), *Essential Works of Marxism*. (New York: Bantam Books, 1961): p. 535.

For the connections between the 1860s-1870s Ku Klux Klan and the southern Democratic Party, see Richard Zuczek. *State of Rebellion: Reconstruction in South Carolina*. (Columbia: University of South Carolina Press, 1996): pp. 51-62; Dewey W. Grantham. *The Life and Death of the Solid South: A Political History*. (Lexington: University Press of Kentucky, 1992): p. 33; Jack Bloom. *Class, Race, and the Civil Rights Movement: The Changing Political Economy of Southern Racism*. (Bloomington: University of Indiana Press, 1987): pp. 32-33; Allen Trelease. *White Terror: The Ku Klux Klan Conspiracy and Southern Reconstruction*. (Baton Rouge: LSU Press, 1971): xvi-xvii; Foner, *Reconstruction...*, p. 425.

In all cases, violence was acted out within arbitrarily-drawn county lines between residents of the county and were always motivated by conflicts over the control of county government. That fact, by itself, should suggest that violent acts had more to do with the allocation of power within said boundaries than it did with of isolated mountaineers' alleged pathological tendencies. Even though outside observers did acknowledge the fact that deadly shootings in the county were often associated with elections, they generally minimized the importance of politics as a mere excuse for inborn ferocity. New South boosters in the latter days of Reconstruction found it more advantageous to portray Breathitt County's population as a strangely disorderly Other than to acknowledge the similarities between its murderous riots and the analogous incidents that were simultaneously taking place in the lowland South. Progressive-era America's middle class nabobs would not believe that the banal mechanics of county government were worth the shedding of white blood. If county government was not banal, it was, even worse, antiquated and corrupt in contrast to the contemporary civic reform and centralized planning ongoing on local and national levels. "County government is the most backward of all our political units," the National Municipal League proclaimed in the early 1920s, "...the most neglected by the public, the most boss-ridden, the least efficiently organized and most corrupt and incompetent, and, by reason of constitutional complications, the most difficult to reform."²² In the Progressive mind, fighting over

²²Quoted in Frederic Austin Ogg and Perley Orman Ray (eds.), *Introduction to American Government: The National Government*. (New York: The Century Company, 1922): p. 732. See also, Charles Beard. *Readings in American Government and Politics*. (New York: MacMillan, 1914): pp. 556-566; S.E. Forman. *Advanced Civics: the Spirit, the Form, and the Functions of the American Government*. (New York: The Century Company, 1905): pp. 195-202; "Lobbyists and Legislatures," *The Nation*, (16 March, 1899): p. 197. For a secondary assessment of the Progressive attack on the county (and its long-lasting scholarly legacy), see Donald C. Menzel, "Introduction," in Menzel (ed.), *The American County*. (Tuscaloosa: University of Alabama Press, 1996): pp. 4-10.

control of a county government did not refute explanations of violence that used terms like ‘isolation’ and ‘ignorance,’ but instead confirmed them. Like the city wards that planners and political scientists of the time (most of whom were far more familiar with the New England township model of local government) abhorred, rural counties were a vestige of the past best absorbed and transformed by social engineering. The county was, at best, quaint and, at worst, detrimental. But, for many Americans, especially southerners within or without the Kentucky mountains, the county constituted the State, or its most immediate and dominant proximity, in the nineteenth century and early twentieth century. What stood in the way of governmental progress in the ivy-covered walls was a central institution in the hinterlands, especially in the sparsely populated mountains of the Cumberland Plateau. The county mattered in a way that the early twentieth century’s arbiters of political economy did not understand. At the same time, it mattered in a way that proponents of the New South understood fully but, seeing attendant problems, chose to suppress.

Methodology and Historiography

This dissertation uses the history of Breathitt County, Kentucky from the mid-nineteenth century to the early twentieth century as a synecdoche for white intraracial violence in the United States. “Bloody Breathitt” described a geographical space that seemed to contain an unusually large number of violent incidents over the course of five decades, fought in an unremitting struggle for control over local government. But, while acknowledging that this place was well-deserving of its nickname for a number of years, this dissertation suggests that Breathitt County embodied a larger historical experience

even while it had the appearance of an ahistorical anomaly. “Bloody Breathitt” described a place and time that was *inherently* violent, but influenced by the *contingency* of larger trends, trends that determined when violence was used and what form it took.²³

This dissertation’s purposes are to expose the circumstances that led to violence in Breathitt County and to describe the specific types of violence, types that corresponded to different political and historical contexts. The kinds of violence were not invented in a remote mountain environment but were instead “model-based” cases of individual or (more often) collective violence, identical to those in other places in contemporaneous history and specific to familiar, identifiable political situations.²⁴ The county was the locus for guerilla warfare between formerly peaceably-inclined neighbors during the Civil War just as was the case in many other parts of Kentucky and the South at the exact same time. During the 1860s and 1870s, when communities in the southern states were rent apart over the war’s results, it experienced types of mass violence almost identical to episodes in the former Confederacy. Although small in number, Breathitt’s African American population asserted their newfound rights, just as black southerners did

²³Although the two are “almost always intertwined and hard to disentangle,” inherency and contingency describe two “antithetical” causal environments for the occurrence of violence. The former suggests omnipresent conditions that make violence likely while the latter involve those that are “not understood without special explanation,” happening outside the boundaries of likelihood.” Both are given to a great measure of subjectivity based upon the perceptions of observing “authorities.” Harry Eckstein, “Theoretical Approaches to Explaining Collective Political Violence” in Ted Robert Gurr (ed.) *Handbook of Political Conflict: Theory and Research*. (New York: The Free Press, 1980): p. 138-142 (p. 139q). In recent years, political scientists and anthropologists who study places torn by mass violence have begun to look upon explanations that favor inherency with a more skeptical eye. The perceived problem is that violence that takes place because of contingencies such as war, famine or political oppression can be written off as the offspring of a society that is inexplicably inherently violent without need for further explanation. See Malcolm Deas, “Violent Exchanges: Reflections on Political Violence in Colombia,” in David Apter (ed.) *The Legitimization of Violence*. (Chipenham and Wiltshire: Antony Rowe, Ltd., 1997).

²⁴Charles Tilly. *The Politics of Collective Violence*. (Cambridge: Cambridge University Press, 2003): p. 18. See also, Peter H. Merkl, “Approaches to the Study of Political Violence,” in Merkl (ed.), *Political Violence and Terror: Motifs and Motivations*. (Berkeley and London: University of California Press, 1986): pp. 20-27.

elsewhere in the South. Election-related rioting and attempted insurrection were reproduced in a state that had never left the Union but still suffered from the continuation of violence seen further south. Lynching, a form of violence reproduced almost uniformly throughout the South beginning in the 1880s, was recorded there in turn, and in a manner that reflected the larger tendency while also reflecting the peculiarities of the local political friction.²⁵ Finally, when political assassination threatened to reach international epidemic proportions at the turn of the twentieth century, it was employed in the streets of Jackson as well. Violent death and the destruction of property were constancies in the county for generations but not always in the same form. Just as *feud* obscured the political incentives behind “Bloody Breathitt,” it also hid the similarities between violence in the “feud belt” and the “outside world.”

With that in mind, each chapter begins with a description of political and social circumstances in Kentucky, followed by concurrent accounts of the same in eastern Kentucky and then Breathitt County, demonstrating statewide correlations throughout. Kentucky is a state on the fringes of the “Solid South,” and, for that very reason, integral to the diversity of southern history. After it was divided from Virginia in 1792, Kentucky began as “the first western state to enter the union,” but owing to the persistence of slavery and other political and cultural affinities, the state was rooted in the South thereafter.²⁶ By the 1850s, Kentucky society was guided, if not dominated, by slaveholders while somehow nurturing a small community of abolitionists, making it virtually the only slave state to tolerate anti-slavery dissent at such a late date. When it

²⁵W. Fitzhugh Brundage. *Lynching in the New South: Georgia and Virginia, 1880-1930*. (Urbana, IL: University of Illinois Press, 1993):pp. 17-48.

²⁶Arthur Norman Holcombe. *State Government in the United States*. (New York: Macmillan, 1916): p. 111.

failed to join its southern sisters in secession in 1861, Kentucky took on a regional and sectional identity crisis. It was not subject to Reconstruction in the 1860s and 1870s but, during this same time, its economy became rooted more and more in extractive industries, sending it on another historical trajectory away from the agrarian South. “Never fitting comfortably into either the North or the South, the Bluegrass State has historically exhibited characteristics of both regions while avoiding the most extreme polemics of its northern and southern neighbors,” one state history explains. “The state’s ambiguous regional personality carries over into its internal identity, where geographic diversity dictates cultural diversity.”²⁷ But perhaps no other state is able to encapsulate the most troublingly divergent of southern images, the patrician agrarianism of the Bluegrass matched by the mountains’ industrial degradation, with its largest cities (Louisville and Lexington) fitting into neither. Kentuckians have long been eager to differentiate the state’s mountainous eastern third from its more cosmopolitan and wealthier Bluegrass section (which section has had a greater role in forming the national image of the state is a matter of debate), giving birth to the enduring idea of the “two Kentuckys.”²⁸ However, the supposed division between the two was scarcely based upon fact. Most of eastern Kentucky’s history was determined by political and economic interaction with the Bluegrass, since the latter dominated virtually all access to capital and housed the state capital. Like *feud*, the idea of the “two Kentuckys” was created and popularized, as shall be demonstrated in following chapters, for political expediency. Although this dissertation’s principal subject is one of Kentucky’s counties, and the violent history

²⁷Harry S. Laver. *Citizens More than Soldiers: The Kentucky Militia and Society in the Early Republic*. (Lincoln and London: University of Nebraska Press, 2007): p. 7.

²⁸James Lane Allen, “Through Cumberland Gap on Horseback,” *Harper’s Magazine*, Vol. 73 (June, 1886): p. 50; Shapiro, pp. 26-29.

therein, this one county exhibits the entire state's uneasy position in the Civil War, Reconstruction and the New South.

Also, this dissertation considers the ways that Breathitt County's violence was initially interpreted, reframed, misunderstood and, ultimately, depoliticized. Having witnessed the distortion of the developing world's political violence in recent decades anthropologists and political scientists have devised a number of terminologies for depoliticization that apply also to "Bloody Breathitt."²⁹ Eastern Kentucky's white intraracial violence was attributed to any number of apolitical factors, including biological and racial inclinations, isolation, lack of education, obsession with revenge and the overpowering importance of kinship, forces that can be understood collectively as what Beverly Crawford calls violence's "primordial explanations."³⁰ Primordial explanations are more widely referred to as reports of *communal* violence, acts of

²⁹It is admittedly unusual to use twentieth century political and social theory on a nineteenth century subject. However, the fact that it is should be surprising. I do so here mainly because of the limitations of preexistent theoretical work on the subject of violence in American history. Scholars such as Hannah Arendt and Charles Tilly recognized that violence was endemic to the period of history in which they lived and felt it necessary to determine the contextual implications behind any number of violent acts varying from assassination to genocide. Their respective attempts to deconstruct these records of inhumanity suggests a sincere urge to understand why they can exist within a civilization. The fact that historians have generally chosen not to do the same for their subject suggests to me that they have simply accepted violence in that setting to be a *sine quo non* and that any more than a cursory explanation for individual acts of violence is unnecessary. This is an injustice for reasons both epistemological and ethical.

For a similar brief critique of U.S. South historiography, see George Rable. *But There Was No Peace: The Role of Violence in the Politics of Reconstruction*. (Athens: University of Georgia Press, 1984): pp. 2-3.

³⁰Like descriptions of "feuds," primordial explanations of violence "invokes the centuries of 'accumulated hatreds' between 'nations' with primordial origins...The argument suggests that the illiberal politics of identity, with its claims of collective exclusivity, and tendencies toward xenophobia and intolerance are more natural to human societies than liberal politics of interest..."; Beverly Crawford, "The Causes of Cultural Conflict: An Institutional Approach," in Crawford and Ronnie D. Lipschutz (eds.), *The Myth of "Ethnic Conflict": Politics, Economics, and "Cultural" Violence*. (Berkeley, CA: International and Area Studies, University of California Press, 1998): pp. 10-13 (pp. 10-11q). See also David D. Laitin. *Nations, States, and Violence*. (Oxford and New York: Oxford University Press, 2007): pp. 26-27.

destruction that represent an “outside threat” originating “outside the social frame.”³¹ Communal violence is action that takes place without the authority, or beyond the supervision, of the modern state and, consequently, beyond its responsibility as well. It is believed to be “the product of ‘deep-seated hatreds’ or ‘ancient animosities’” that “[take] on the appearance of a natural phenomenon which outsiders have no right to condemn and no hope to prevent” or is portrayed as such so that “presiding governments” (i.e., Kentucky’s state government) can distance themselves from blame.³² Emotional descriptors like “hatred” and temporal descriptors like “ancient” suggest that violence taking place in the present has very little to do with the “real” present as it is seen by outside observers. Communal violence originates over issues that have nothing to do with the modern state and therefore do not offer a viable censure of its ability to rule and for that reason, cannot be deemed political by the state’s standards or those of metropolitan observers. *External* sources of violence, factors common to an entire region or nation-state, were occasionally used to explain violence in Breathitt County (particularly during Reconstruction). But *internal* causes, causes that only had bearing within the insularity of the county’s boundaries, became far more popular in explaining

³¹The concept of communal violence comes from the field of Subaltern Studies and has, since the 1990s, been used to describe incidents of religious and ethnic violence in the Indian subcontinent. V.V. Singh. *Communal Violence*. (Jaipur: Rawat Publications, 1993); Ravinder Kaur, “Mythology of Communal Violence: an Introduction,” in Kaur (ed.), *Religion, Violence and Political Mobilisation in South Asia*. (New Delhi and Thousand Oaks, CA: Sage Publications, 2005): p. 23. See also Gyanendra Pandey. *Routine Violence: Nations, Fragments, Histories*. (Stanford, CA: Stanford University Press, 2006); Kalyvas, pp. 71-72. Another examination of violent geographical spaces uses “direct violence” and “cultural violence” to make a similar distinction; Felipe E. MacGregor, S.J. and Marcial Rubio C., “Rejoinder to the Theory of Structural Violence,” in Kumar Rupesinghe and Rubio C. (eds.) *The Culture of Violence*. (Tokyo, New York and Paris: United Nations University Press, 1994): p. 52.

³²Cynthia Brown and Farhad Karim (eds.), Human Rights Watch. *Playing the “Communal Card”: Communal Violence and Human Rights*. (New York and London: Human Rights Watch, 1995): p. vii. The parallels between nineteenth century eastern Kentucky and parts of the developing world in the 1990s and 2000s are sometimes astounding, particularly when it comes to discussing the genesis of violence. As will be detailed in later chapters, it was popular to place the origins of Breathitt County’s history of violence in the distant past even when it was historically questionable to do so because of a lack of supporting evidence.

both lawlessness and feuding and the “‘irrational attachments’ to blood kin” that supposedly brought it about.³³ Owing to this sense of insularity, descriptions of Breathitt County written there and elsewhere often wrote of it in contrast to the “outside world.”

Descriptions of white intraracial violence in Breathitt County and nineteenth century eastern Kentucky as a whole (as will be shown in the final chapter) was often described as having pre-political origins before the Civil War and originating from personal or familial animosities. These descriptions typically overlooked the fact that death and destruction in the county was directed by men who had become mobilized during the Civil War, a decidedly political event, and a statewide crisis of legitimacy that was felt in both of the two Kentuckys. Beforehand, Breathitt County was no more or less peaceful than any other part of Kentucky. As will be accounted in the next chapter, the earliest story of gunshots fired in anger in the county’s history involved sheriff’s deputies trying to dispatch an abolitionist minister in the 1850s, an anecdote that could have originated from any number of places. And, just as this violent antebellum incident reflected larger forces at work in the US South, so did incidents that followed. After the war Breathitt County’s syncopation with the “outside world” was often recognized and often suppressed. As it was reported by governmental leaders and other political elites in the Bluegrass, “feuding” in Breathitt County was typically portrayed as “beyond the social frame” as the social frame was understood in the postwar Bluegrass. When these

³³Mehrad Vahabi. *The Political Economy of Destructive Power*. (Northampton and Cheltenham: Edward Elgar, 2004): pp. 44-47; Eric Van Young. *The Other Rebellion: Popular Violence, Ideology, and the Mexican Struggle for Independence, 1810-1821*. (Stanford: Stanford University Press, 2001): pp. 400-401; Chalmers Johnson. *Revolutionary Change* (Stanford and London: Stanford University Press, 1982): pp. 129-132; Kalyvas, *The Logic of Violence in Civil War*, pp. 72-80, 331. Quote from Patrick B. Inman and James L. Peacock, “Ethnic and Sectarian as Ideal Types,” in Inman, Peacock and Patricia M. Thornton (eds.), *Identity Matters: Ethnic and Sectarian Conflict*. (New York and Oxford: Berghahn Books, 2007): p. 223.

observers gain or suffer from the way in which the provincial violence is portrayed, it becomes that much more vital for it to be considered communal rather than political, inherent rather than contingent, and motivated by internal-rather than external-causes.

Political violence, “acts of disruption, destruction, or injury whose purpose, choice of targets or victims, surrounding circumstances, implementation, and/or effects...tend to modify the behavior of others in a bargaining situation that consequences for the social system” is evident in United States history, although the political and social status quo never seems to be affected.³⁴ But the political element of violence is often difficult to identify, especially in a democracy where deviations from civil behavior are more likely to be written off as having apolitical origins.³⁵ Violence “that arises in a modern context but will not fit the story of progress” is written off as “senseless” and a product of an apolitical “pre-modern culture.”³⁶ Explanations of violence that employ the pre-modern and the senseless are, like communal explanations, attempts to depoliticize political violence by placing it in the “world beyond the polis.”³⁷ Such was the *feud* and its semantic role in describing “Bloody Breathitt,” violence that has continued to be a “difficult subject, diffuse and hard to cope with” even after historians ostensibly resolved to take violence in America seriously.

³⁴H.L. Nieburg. *Political Violence: The Behavioral Process*. (New York: St. Martin’s Press, 1969): p. 13.

³⁵Malcolm Deas, “Violent Exchanges: Reflections on Political Violence in Colombia,” in David Apter (ed.), *The Legitimization of Violence* (Chipenham and Wiltshire: Antony Rowe, Ltd., 1997): p. 351.

³⁶Mahmood Mamdani, “Making Sense of Political Violence in Postcolonial Africa,” in Geir Lundestad, Olav Njolstad (eds.) *War and Peace in the 20th Century and Beyond: Proceedings of the Nobel Centennial Symposium*. (River Edge, NJ: World Scientific, 2003): p. 72. See also Anton Blok. *Honour and Violence*. (Cambridge: Polity Press, 2001): pp. 112-113.

³⁷Keane, p. 39.

Violence as a general subject, not just that performed by a lowly, rural population, has posed a challenge to historians in recent decades. Whether to portray violence as communal or political, caused internally or caused externally, has been, in Richard Hofstadter's words, "a difficult subject, diffuse and hard [for historians] to cope with."³⁸ In the 1950s, he and his influential generation of American historians created a master "consensus" narrative of (as a later historian summarized their interpretation) "a nation placidly evolving without serious disagreements" where violence was an irrational aberration rather than a sign of conflict or an individually or collectively reasoned force for change. By the end of the 1960s, the Consensus interpretation of American history was at a loss to explain assassinations and mass riots and could no longer deny violence's place within the national social order. Hofstadter's co-editing of *American Violence: A Documentary History* represented the Consensus school's late admission that the United States' history of violence was to be taken seriously and inspired a new historiographical emphasis on violence in the 1970s and 1980s- particularly among historians of the South.³⁹ The negotiation between inherency and contingency has been at the center of most of these historical approaches. Some of the most lauded examinations of white southerners' uses and interpretations of violence limited their respective examinations to the years previous to the Civil War (i.e., the "Old South").⁴⁰ These studies also limited

³⁸Richard Hofstadter, "Reflections on Violence in the United States," in Hofstadter and Michael Wallace (eds.), *American Violence: A Documentary History*. (New York: Alfred Knopf, 1970): p. 4. Altina Waller criticizes Hofstadter's relative inattention to feud violence; Waller, *Feud...*, pp. 6-7.

³⁹Eric Foner, "The Education of Richard Hofstadter." *The Nation* . Volume: 254. Issue: 17 (4 May, 1992): p. 597q.

⁴⁰John Hope Franklin. *The Militant South, 1800-1861*. (Harvard University Press, 1956); Dickson Bruce. *Violence and Culture in the Antebellum South*. (University of Texas Press, 1979); Carter, pp. 19-20; Ted Ownby. *Subduing Satan: Religion, Recreation, and Manhood in the Rural South, 1865-1920*. (Chapel Hill: University of North Carolina Press, 1990); Richard E. Nisbett. *Culture of Honor: the Psychology of*

themselves to white southerners, albeit with the understanding that antebellum modes of violence contributed to a racial status quo based upon white supremacy and black slavery. Therefore, while cultural qualities dictated inherent (usually white male) southern attitudes toward violence beforehand, the contingencies of war and emancipation, it is implied, brought an abrupt end to the society that sustained these violent qualities. The Old South was, and remains, a temporally distant place, and discussions of its violent tendencies did not dare readers to suspect that there might be disturbing lineages between past and present.

Other southern historians have attached the issue of violence to the political discord that followed it, most notably involving white resistance to black emancipation and citizenship, and focus primarily on “white-on-black” interracial violence.⁴¹ Postwar “white-on-white” intraracial violence, a subject that has gotten less scholarly attention, is said to have differed from Old South to New. C. Vann Woodward identified the New South’s “gunplay, knifing, manslaughter, and murder” as the successor to the Old South’s

Violence in the South. (Boulder, CO: Westview Press, 1996); Sally E. Hadden. *Slave Patrols: Law and Violence in the Virginia and the Carolinas*. (Cambridge: Harvard University Press, 2001); Bertram Wyatt-Brown. *Honor and Violence in the Old South*. (Oxford University Press, 1986); *Southern Honor: Ethics and Behavior in the Old South, (25th Anniversary edition)*. (Oxford and New York: Oxford University Press, 2007) (originally published in 1982).

⁴¹Nicholas Lemann. *Redemption: The Last Battle of the Civil War*. (New York: Farrar, Straus and Giroux, 2006); Gilles Vandal. *Rethinking Southern Violence: Homicides in Post-Civil War Louisiana, 1866-1884*. (Columbus: Ohio State University Press, 2000); Donald Nieman. *Black Freedom/White Violence, 1865-1900*. (New York: Garland, 1994); Rable. For works that recognize currents stretching from before the war to after in shaping southern violence, see Sheldon Hackney, “Southern Violence,” *The American Historical Review*, Vol. 74, No. 3. (February, 1969), pp. 906-925; “Southern Violence,” in Hugh Davis Graham and Gurr (eds.) *Violence in America: Historical and Comparative Perspectives*. (Beverly Hills, CA: Sage Pub., 1979): pp. 393-410; Edward Ayers. *Vengeance and Justice: Crime and Punishment in the 19th Century American South*. (Oxford University Press, 1984); John Hammond Moore. *Carnival of Blood: Dueling, Lynching, and Murder in South Carolina, 1880-1920*. (Columbia: University of South Carolina, 2006).

more ordered “traditional expression of violence,” the “code duello.”⁴² W.J. Cash’s *The Mind of the South* (1941), the work that is otherwise credited with placing the greatest emphasis on the continuity of traits in southern history, recognized a change in the frequency of southern violence and the types of violence used after the Civil War. To Cash, what had once been an expression of frontier individualism became a means of enforcing conformity to a “savage ideal” among white southerners and reactionary fear of black increases in power (adamant in keeping up the portrayal of trait-continuity into his own lifetime, Cash dismissed this difference as a “contradiction [that] is not so great as it sounds at the first hearing”).⁴³ If inherency suggests the continuity of traits irrespective of political change brought about by war and statecraft, it would seem that neither it, nor the interpretation based upon contingency, has become absolutely dominant in southern historiography.

Thanks to journalism, popular fiction and theatrical adaptations, “feud” violence in an American or southern context remained a familiar subject for most of the twentieth century, particularly in relation to the narrative represented by the idiomatic “Hatfields and McCoys,” a phrase encapsulating historical events that underwent a “transformation from history to folklore.”⁴⁴ *Feud* remained relatively understudied among southern historians despite its associations with the Old South until after the rise of Appalachian

⁴²C. Vann Woodward. *Origins of the New South, 1877-1913*. (Baton Rouge: Louisiana State University Press, 1951): p. 158.

⁴³W.J. Cash. *The Mind of the South*. (New York: Vintage Books, 1969): pp. 114-123, 138-141 (quotes pp. 115, 138).

⁴⁴“[The] transformation from history to folklore, in fact, was so complete that, even though the feud is usually not mentioned in history textbooks, almost every American today is aware of the Hatfield-McCoy legend.”; Altina Waller, *Feud...*, p. 249.

Studies in the 1960s and 1970s.⁴⁵ These “revisionist” historians of Appalachia were chiefly concerned with debunking the assumptions and stereotypes that had established the mountain whites as a group fundamentally distinct from other white southerners, and Anglo-Americans in general, in the late-nineteenth century.⁴⁶ Appalachian revisionists were motivated by a need to demonstrate that violence in eastern Kentucky (often a stand-in for the Appalachian mountain population en masse) was not the product of isolation and degeneracy that observers had believed it to be for most of the twentieth century. Unswervingly, they have attached feud violence to themes of economic exploitation and regional underdevelopment brought on by the degradations of economic dependency created by industrialization financed by a “dominant culture” that intimated itself into Appalachia in subtle ways even before the arrival of railroad track and steam shovel.⁴⁷ Appalachian differentness, they argued, was simply a veneer for disguising the unequal capital-labor relationships in the mountains and a false reinterpretation of the violent results. Accordingly, this series of monographs represents a consistent effort to

⁴⁵As will be detailed in the final chapter, after the Civil war the Old South was remembered as having given birth to numerous extended blood feuds between white individuals or families (or, sometimes, within families). Although there is anecdotal evidence to support this, it is not substantial enough to prove that feuds were a southern institution. They were more likely occurrences common to any place with weak states and ineffective law enforcement; Wyatt-Brown, pp. 351-353, 382-385.

⁴⁶The idea of white southerners in the Appalachians, particularly eastern Kentucky being different from whites of the lowland South, culturally or otherwise, is most concisely exemplified by William G. Frost, “Our Contemporary Ancestors in the Southern Mountains,” *Atlantic Monthly*, Vol. 83 (March, 1899): p. 311.

⁴⁷For national histories that inspired these interpretations of Appalachian history, see Robert Wiebe. *The Search for Order, 1877-1920*. (New York: Hill and Wang, 1967); Alan Trachtenburg. *The Incorporation of America: Culture and Society in the Gilded Age*. (New York: Hill and Wang, 1982). See also, David Thelen. *Paths of Resistance: Tradition and Dignity in Industrializing Missouri*. (Oxford: Oxford University Press, 1986). “Dominant culture” is from Waller, “Feuding in Appalachia: Evolution of a Cultural Stereotype,” in Mary Beth Pudup, Dwight Billings and Waller (eds.) *Appalachia in the Making: The Mountain South in the Nineteenth Century*. (Chapel Hill: University of North Carolina Press, 1995): p. 370.

uphold violent contingency over inherency in explaining “feud” violence.⁴⁸ The only major problem with this analysis is that its impact has not been felt firmly enough among the lay public or even among many historians. The stereotypes of Appalachia that revisionists have fought for decades remain.⁴⁹ My contention that *feud* is a discursive device handy for depoliticizing violence is an argument very much concurrent with these historians’ arguments- minus the conscious preoccupation with dispelling stereotypes.

⁴⁸A thorough effort at revisionist treatments of the history of the Appalachian region and its image had its beginnings with Henry Shapiro’s *Appalachia on Our Mind: the Southern Mountains and Mountaineers in the American Consciousness, 1870-1920*. (Chapel Hill: University of North Carolina Press, 1978). The major works that have since followed suit, and done so by examining the subject of feud violence, are: Gordon McKinney, “Industrialization and Violence in Appalachia in the 1890’s” in Joel W. Williamson (ed.) *An Appalachian Symposium*. (Boone, NC: Appalachian Consortium Press, 1977): pp. 131-144; James C. Klotter, “Feuds in Appalachia: an Overview,” *Filson Club Historical Quarterly* (hereafter *FCHQ*), Vol. 56 (1982): pp. 290-317; Altina Waller. *Feud: Hatfields, McCoys, and Social Change in Appalachia, 1860-1900*. (Chapel Hill: University of North Carolina Press, 1988); “Feuding in Appalachia: Evolution of a Cultural Stereotype,” in Mary Beth Pudup, Dwight Billings and Waller (eds.) *Appalachia in the Making: The Mountain South in the Nineteenth Century*. (Chapel Hill: University of North Carolina Press, 1995): pp. 347-376; Dwight Billings and Kathleen Blee. *The Road to Poverty: The Making of Wealth and Hardship in Appalachia*. (Cambridge: Cambridge University Press, 2000); “Where ‘Bloodshed is a Pastime’: Mountain Feuds and Appalachian Stereotyping,” in Billings, Gurney Norman and Katherine Ledford (eds.). *Confronting Appalachian Stereotypes: Backtalk from an American Region*. (Lexington: The University Press of Kentucky, 1999): pp. 119-137.

The “classical” model of revisionist Appalachian history tends to, at the risk of exaggeration, treat case study localities as relatively inert bodies that were and are acted upon, exploited and changed from outside, typically by the late-nineteenth century arrival of railroads and large-scale extractive industries. In these works, conflicts that took the form of anything from feuds to labor-related violence were attributed solely to these types of familiar “imperialist” events. Recently, a small number of monographs have delved into the economic and political activities of Appalachian communities before the period of incorporation and discovered a series of societies given to vigorous internal activity and hardly isolated from the “outside world.” In these post-revisionist studies, communities in what came to be known as Appalachia generated their own origins of conflict, often from early in their respective histories of white settlement. See Robert Wiese. *Grasping at Independence: Debt, Male Authority, and Mineral Rights in Appalachian Kentucky, 1850-1915*. (University of Tennessee Press, 2001); Rebecca J. Bailey. *Matewan Before the Massacre: Politics and Coal, the Roots of Conflict in Mingo County, 1793-1920*. (Charleston: West Virginia Press, 2008).

⁴⁹Even a recent history of Kentucky attributed feud violence to a “hard-to-define abstraction, ‘the Kentucky character,’” that entailed inherent features such as “blood relations, the weakness of the courts, isolationism, and a fighting spirit,” imprecise suggestions that encourage age-old problematic assumptions about violence; Hambleton Tapp and James C. Klotter. *Kentucky: Decades of Discord, 1865-1900*. (Lexington: University Press of Kentucky, 2001): pp. 400, 409. Another account of white intraracial “feuds” in Louisiana attributes the violence to the “anarchy and degeneration” of a population with a “distorted perception of individual rights,” a similarly imprecise abstract explanation for violence that employs no substantive evidence; Samuel C. Hyde, Jr.. *Pistols and Politics: The Dilemma of Democracy in Louisiana’s Florida Parishes, 1810-1899*. (Baton Rouge and London: Louisiana State University Press, 1996): p. 261.

The settings of the two book-length revisionist treatments of *feud*, Altina Waller's *Feud: Hatfields, McCoys, and Social Change in Appalachia, 1860-1900* (1988) and Dwight Billings's and Kathleen Blee's *The Road to Poverty: The Making of Wealth and Hardship in Appalachia* (2000) are geographically close to each other (and to Breathitt County) but examine two very different scenarios. Waller's book shows that the quarrel between the Hatfield and McCoy families began as an interpersonal dispute enclosed within a discrete mountain community but then became complicated by the arrival of industrial interests from beyond the mountains. It was to these outside interests' benefit that the conflict was attributed to isolation, drunkenness and attendant stereotypes. *The Road to Poverty* portrays a far less-known story, the "Clay County War" in which two powerful families vied for control over their native county from the 1840s until the early twentieth century. Even though the two families were not the late arrivals that Waller uses as indirect antagonists, their bringing of industrialization (in the form of their competing salt-making businesses- a much older industrial pursuit than the better-known timber and coal extraction) to their part of the mountains is a sort of invasion analogous to the one portrayed by Waller.

The difference in the findings of these two books should, if nothing else, show the insouciance with which *feud* was used to describe any violent acts in the Kentucky mountains and the firm association between the word and the place. However, they share a common benchmark: the arrival of industrialization brought social chaos to previously peaceful (to use historian Robert Wiebe's often-repeated phrase) "island communities" and violence ensued.⁵⁰ Both books show that the primordial explanations for violence used for their respective subjects were chimerae disguising the connections between

⁵⁰Robert Wiebe. *The Search for Order, 1877-1920*. (New York: Hill & Wang, 1967): pp. xii-xiv.

violence and modernization. But, while these books successfully defeat the stereotypes that their respective authors despise, they do not necessarily disqualify their two stories from being about “feuds.” In all actuality, the Hatfield-McCoy feud and the Clay County War were feuds proper (if such a thing exists historically) albeit ones whose causes were misconstrued. Both were essentially horizontal affairs, prolonged fights between two groups who were very similar to each other and had roughly the same capabilities when it came to getting the upper hand- a battle of equals. Furthermore each of these “feud” scenarios had a definite narrative form, with a beginning, an end and the same families (if not the same individuals) being involved throughout.

This is where “Bloody Breathitt” differs; there, *feud* did not describe an event, but a series of events that, over the course of years, amounted to a geopolitical ontology, a state of being that defined the county’s existence and helped to redefine that of the Kentucky mountains surrounding it. Breathitt County was a fundamentally violent place for a number of years.⁵¹ In accounts of its troubles that did not employ *feud*, “lawlessness” was used instead, suggesting that the county contained a Hobbesian condition of social entropy beyond the control of state authorities.⁵² Testimonials from natives of the county

⁵¹It is well established that in the United States, one of the most historically internally violent nation-states in the world, certain areas have managed to maintain peace and accord for huge swaths of history while others seem to have maintained a constant affinity for violence. This is a demographic phenomenon that thrust native violent impulses into the frontiers of the South and West.⁵¹ As Richard Maxwell Brown and Orville Vernon Burton have demonstrated about Edgefield, South Carolina, it is not unheard of for a single community to produce an exceptional number of murders and violent individuals, yet still reflect the conditions of its surroundings for the same reasons. But, with its being a Deep South community, Edgefield was typically allowed to be interpreted, for better or worse, as an exemplar of the South as a whole (and, therefore, part of the “outside world” at least on a regional basis); Orville Vernon Burton. *In My Father’s House are Many Mansions: Family and Community in Edgefield, South Carolina*. (Chapel Hill and London: University of North Carolina Press, 1987): pp. 4-6; Richard Maxwell Brown. *Strain of Violence: Historical Studies of American Violence and Vigilantism*. (Oxford: Oxford University Press, 1975): pp. 67-90.

affirmed its native violence and often attributed it to the same ills as observers from elsewhere. Lack of education, isolation and a racial/cultural tendency toward violence cannot be blamed, since many other counties in the United States that were as unschooled, secluded and peopled by Anglo-whites did not have the same condition of endemic violence. Furthermore, industrialization cannot be blamed fully, since the first recorded episodes of mass violence pre-dated the events that most historians would equate with it (corporate influence over local politics, access to railroads, the arrival of large-scale extractive interests), at least in Breathitt County. Even though the causes of the seemingly phenomenal rash of factional violence in eastern Kentucky in the final decades of the nineteenth century were given to misattribution by the media and the public, such violence *did happen* and cannot be completely dismissed as nothing more than the product of stereotypical exaggeration, even if “often erroneous, exaggerated, and self-serving” accounts dominated its retelling.⁵³

It was the Civil War, an event that Billings, Blee and Waller do not consider a causal factor, that introduced mass violence to Breathitt County and mobilized segments of its white and black male population against each other as “feudists.”⁵⁴ Fighting in Breathitt County was very much political, and political in the most prosaic sense of the word: involving the same party system used by the rest of the United States. For a time,

⁵²Mehrad Vahabi. *The Political Economy of Destructive Power*. (Northampton and Cheltenham: Edward Elgar, 2004): pp. 103-105; Gyanendra Pandey. *Routine Violence: Nations, Fragments, Histories*. (Stanford, CA: Stanford University Press, 2006): p. 31.

⁵³Billings and Blee, “Where ‘Bloodshed is a Pastime’: Mountain Feuds and Appalachian Stereotyping,” in Billings, Gurney Norman and Katherine Ledford (eds.). *Confronting Appalachian Stereotypes: Backtalk from an American Region*. (Lexington: The University Press of Kentucky, 1999): p. 134.

⁵⁴While Billings and Blee scarcely give the war a mention, Waller asserts plainly that the war had no direct role in beginning the Hatfield-McCoy feud; Waller, *Feud*, pp. 18, 29-33, 227-228.

the war militarized the two-party system in Kentucky since membership in the Democratic Party very often meant support for the Confederacy, while Unionists were responsible for bringing the Republican Party to the state. The effect of the war was felt harshly in Breathitt since it was a Democratic, mostly pro-Confederate county surrounded by the largely Unionist Kentucky mountains. Moreover, its native Unionist minority was unwilling to tolerate Confederate dissent within an officially Union state, and their respective wartime depredations established longstanding postwar animosities. Most importantly, it was the war that made the county's Democratic leanings controversial for the first time, establishing the argument over legitimacy that outlasted the war generation. If prolonged violence happens within a generation after something so devastating as a civil war, or, in the case of "Bloody Breathitt," begins almost immediately afterward, the past war should be considered. The "feudists" of Breathitt County began fighting of their own accord, and their resultant troubles cannot be blamed on the interference of a "dominant culture," unless the Union and the Confederacy could be spoken of as such.

Finally, unlike the two revisionist monographs on feud violence in eastern Kentucky that mainly interrogate the motives for violence, I pay close attention to the aforementioned "model-based" variety of violence witnessed in Breathitt County.⁵⁵ Guerilla warfare, various forms of rioting, lynching and public assassination are all very different kinds of deadly violence, are used within very different social and political situations and, contextually, each have very different associations. All of these models of violence were used for political ends in one sparsely populated county over the course of only five decades, suggesting that Breathitt County may well have been an inherently

⁵⁵Tilly, *The Politics of Collective Violence*, p. 18.

violence place for a time, but it was also affected by contingencies that made its history of violence diverse. *Feud*, at least in the case of Breathitt County (I make no similar claims about the Hatfield-McCoy feud or the Clay County War), was primarily a discursive tool for hiding this very telling diversity.

Why Does Bloody Breathitt Matter?

This dissertation has multiple purposes, one of which is to reintroduce a part of “Appalachia” into the larger narrative of southern history. Breathitt County, Kentucky never resembled the South at large according to traditionally accepted criteria. The South is most often thought of as the former Confederacy, excluding Kentucky and other states that felt the sharp brunt of secession and war even though they were not *de jure* rebels. But politically, Kentucky and its notorious county were very much part of the South. The entirety of southern Appalachia, and more specifically the area of southeastern Kentucky studied here, was contained within colonies, and later states, whose governmental arrangements and institutions were determined by the existence of chattel slavery, its controversy and its legacy. The proliferation of extractive industries in the final decades of the nineteenth century set the region apart from the traditionally agrarian South in many Americans’ minds (even though mineral and timber extraction have had tremendous impacts on many parts of the South not typically thought of as “Appalachian”) as did the early industrial discourse that set central Appalachia apart regionally as a space populated by a “a strange and peculiar people.” Once much of the region was dominated by captains of the coal and timber industries, rather than yeomen and planters, it seemed quite far removed from a South defined by either “Moonlight and

Magnolias” or “the Sahara of the Bozart.” However, the region had been peopled by black and white southerners for generations before what one revisionist has called “the fiction known as ‘Appalachia.’”⁵⁶

This dissertation also attempts to expose, or re-expose, the irrevocable connection between violence and politics in American history. The employment of *feud* was only one method of depoliticizing violence in American history. The school shooting phenomenon, especially at Columbine High School in 1999 and Virginia Tech in 2007 (the latter of which took place during the writing of this dissertation), reawakened debates over how internal violence in the United States should be interpreted. While neither tragedy had perceivable political motives, they renewed preexistent political discussions. But they also awakened a resistance to the very possibility of exploring the events’ political ramifications. Both added new fuel to arguments for greater regulation of firearms sales, while opponents of such regulations countered with claims that “senseless” violence cannot be stymied by preventing gun sales. In other words, the possible complexities of acts that appeared outwardly “senseless,” and, therefore, beyond social context, should not be discussed. In effect, lending weight to the supposed “senselessness” of killing depoliticizes violence and, worse, confounds attempts to get to its real meaning (much like relegating feud violence to “legend” status).⁵⁷ The cultural critic Jean Baudrillard predicted that such a denial could constitute an entire nation’s loss

⁵⁶Mary K. Anglin, “A Question of Loyalty: National and Regional Identity in Narratives of Appalachia,” *Anthropological Quarterly*, Negotiating Identity in Southeastern U.S. Uplands, 65 (1992): p. 106.

⁵⁷Anton Blok writes: “To define violence as senseless or irrational is to abandon research where it should start: exploring meaning, interpreting symbolic action and mapping the historical and social context of activities defined as violent.”; Anton Blok. *Honour and Violence*. (Cambridge: Polity Press, 2001): pp. 112-113.

of intellectual freedom. “[If] [v]iolence is whitewashed, history is whitewashed, all as part of a vast enterprise of cosmetic surgery at whose completion nothing will be left but a society for which, and individuals for whom, all violence, all negativity, are strictly forbidden.”⁵⁸ The historical denial or trivialization of violence is dangerous for reasons both political and aesthetic. This denial and trivialization are the roles that *feud* has played and, with its being “the darkest and bloodiest of all the dark and bloody feud counties,” roles that the construction of “Bloody Breathitt” contributed to as well.

But I also want to address issues of everyday politics, ones that have implications that have bearing far beyond the boundaries of one rural county or the misunderstood region of Appalachia as a whole: the manner in which violence is not so much whitewashed as it is relegated to a stratum of American society that many might consider politically invalid. While echoing the findings of the revisionist school of Appalachian history (but with the concern that I do not remain bogged in regional specificity), it also has bearing on the aforementioned formation of “hierarchies of place,” hierarchies that do not so much disfranchise and invalidate geographical spaces as they do the people who live in them. The “two Kentuckys” construct was not only about creating hierarchies within Kentucky or the white South, but also about establishing the nationwide existence of a subaltern white citizenry perpetually carrying on the threat of primordial violence as their defining attribute.

Feud, as antiquated as it is as either an antiquated social relationship or a descriptor of violence, still has some currency in signifying persistent white American traits that travel under the cultural mainstream’s radar. References to a feud, historical or

⁵⁸Jean Baudrillard. *The Transparency of Evil: Essays on Extreme Phenomena* (translated by James Benedict). (New York and London: Verso, 1993): p. 45.

fictional, convey an inability to conform to modern norms of behavior (i.e., “they’re still feuding”) and, therefore, a diminished right to exist in the modern world and an irredeemable role as an outsider (and, curiously, always a *white* outsider). In 2008, a cellular phone commercial portrayed a nuclear Hatfield family oddly housed in an expensive-looking cul de sac neighborhood calling an end to their feud with the McCoy’s because of being able to finally reach them by cellular phone (inadvertently calling to mind the late-nineteenth century hope that communication and technology would end feud violence). The song “Shenandoah” plays lightly and what appear to be daguerreotypes hang on the wall in the background, subtly evoking a past century. But the product advertised in the commercial, and the teen-aged son and his parents, are undeniably products of the twenty-first century, dressed in the costume of the suburban upper-middle class (a follow-up commercial depicted the Montagues and Capulets reconciling for similar reasons but, in contrast, still in their Elizabethan garb, unlike American feudists trapped forever in a literary past- but armed with cellular phones). The punch line: “Who will we feud with now?” Even amid the trappings of twenty first century consumerism, the pathological urge endures. In the same year, a character in the sitcom “30 Rock,” an unsophisticated naïf typically portrayed as a religious escapee from southern poverty (and called a “hillbilly” by other characters), non sequitured that before his move to the big city he had “promised [his] mother that if I ran into any Mackenzies I would kill them.” The quip suggests that this feud is ongoing and permanent and potentially executable outside of its place of origin. It and the commercial both suggest that the *feud* and all that it represents are American constancies, not trapped within a particular provincial space but rather carried by an insidious breed of white humanity,

dangerous but comically so as well, and diffused throughout the national populace. When journalist Hunter S. Thompson described the Hell's Angels motorcycle club as descendants of the "inbred Anglo-Saxon tribes of Appalachia," he was expressing his own belief in a real national hierarchy of place but, more generally, conveying an image of a never-ending strain of the white American existence defined by primordial violence.⁵⁹ *Feud*, as it is employed in the American media, serves as an eternal contrast to advanced white society.

This employment of *feud* is not limited to popular culture, but has also been used, purposefully or inadvertently, in academic literature. A historian of southern violence wrote in the 1980s that "isolated mountain people," in the years after the Civil War, "had no notion of cultural pluralism or moral relativism- only right and wrong," suggesting that spatial removal from metropolitan areas resulted in a lack of nuanced attitudes toward relationships of power (one wonders how great other nineteenth century Americans' perceptions of such decidedly twentieth century concepts were in comparison).⁶⁰ In a mid-1990s political science monograph, nineteenth century white intraracial violence in Kentucky (no longer divided into the "two Kentuckys" but now characterized instead as a single essentialized statewide political space) provided a primordial explanation for a very current, and actually very national, political trend:

Because of Kentucky's history of dueling and feuds, its penchant for self-reliance, and its isolation, one would not be surprised to find that 95 percent of rural Kentucky households are armed; about

⁵⁹Hunter S. Thompson. *Hell's Angels: A Strange and Terrible Saga*. (New York: Ballantine Books, 1966): p. 202.

⁶⁰Ayers, *Vengeance and Justice: Crime and Punishment in the 19th-Century American South*. (Oxford University Press, 1984): p. 256. For a concise narrative on the twentieth century origins of 'pluralism,' and how it became a transcendent ideal among American intellectuals (but not until the early twentieth century), see Louis Menand. *The Metaphysical Club: A Story of Ideas in America*. (New York: Farrar, Strauss and Giroux, 2001): pp. 377-408.

half of the males in those areas, it is estimated, carry guns either on their person or in their vehicles. Given such powerful attitudes, it is also not surprising that the Kentucky General Assembly, strenuously lobbied by the National Rifle Association (NRA), in 1984 prohibited Kentucky localities from regulating the distribution of firearms.⁶¹

By placing the origins of their supposed “powerful attitudes” about gun ownership into a past beyond the polis as suggested by dueling and feuds, opposition to gun control was invalidated as acceptable political behavior (for that matter, the NRA’s lobbying power in the legislature was conflated with a popular affinity for guns as a causal factor, thus rendering the argument inconsistent and confused) casting the debate over gun control in the United States as a hierarchical relationship between a knowledgeable, benevolent urban elite and a rural populace with “regressive political tendencies” defined by an unfortunate past of white intraracial violence.⁶² Although Breathitt County was not individually mentioned, its since-depoliticized history of violence was integral in delegitimizing the ideology of late-twentieth century Kentuckians.

In another scholarly engagement with the rural working class, an anthropologist studying gender and labor relations in the mountains of western North Carolina used *feud* in a more nuanced fashion in a published moment of self-critical confession after one of her subjects exhibited what she considered repugnant behavior.

I have been loathe to offer this vignette because it presents mountain whites as ignorant, hate-mongering, and racist—a *partial truth which invokes the Hatfields and McCoys* [my italics].” Failing to note instances such as these, however, I unwittingly construct Appalachia as egalitarian, bucolic, and *white* [Anglin’s italics], echoes again of the local schema. It is equally important to note that this moment of virulent racism did not go unchallenged, but was refracted and relocated in the debate between Hazel and her father [Anglin’s subjects].⁶³

⁶¹Penny Miller. *Kentucky Politics & Government: Do We Stand United?* (Lincoln: University of Nebraska Press, 1994): p. 71.

⁶²Matt Wray. *Not Quite White: White Trash and the Boundaries of Whiteness*. (Durham and London: Duke University Press, 2006): p. 3.

⁶³Anglin, “A Question of Loyalty: National and Regional Identity in Narratives of Appalachia,” *Anthropological Quarterly: Negotiating Identity in Southeastern U.S. Uplands*, Vol. 65, No. 3. (July, 1992): p. 111.

The scene described a family quarrel over a matter of racial and regional identity politics (and involved the use of a racial epithet) that ended with one subject reminding another that their living in “the South” ultimately stifled the debate. The vignette reflected what is probably an issue very common to researchers who harbor sympathy for their subjects yet disagree with them on fundamental subjects. But the language she uses to reveal this is more telling than was intended. “Hatfields and McCoys,” the phrase that Americans use interchangeably with *feud*, was offhandedly linked with the “ignorant, hate-mongering, and racist” even though the incident in question had nothing to do with the carrying out of a familial vendetta or, for that matter, any act of violence. The anthropologist divorced the familiar surnames from their actual historical context and used them as surrogates for some perpetually bigoted mudsill of white American existence that could only be spoken of in the fictive form of mythologized historical figures and, unlike her subjects whom she had previously idealized, undeserving of her sympathy or “help.” It would seem that *feud*, or its synonyms, does not only suggest a format for “primordial” violence but a racial and cultural presence that challenges the limits of scholars’ own beliefs in multiculturalism and “cultural pluralism or moral relativism.” The forces supposedly let loose by “Bloody Breathitt” and all it entails are extremely difficult for the liberal imagination to confront without using an awkward coded language. In the following chapters, and especially in the final one, I make a small attempt at deciphering the code.

More than anything else, *feud* represents an act of segregation, a segregation of violence from the national narrative and a virtual denial of its existence. The success of violent acts is itself an indictment of the society that they are acted out against. In such

cases it is easy business for those who benefit most from the maintenance of the status quo to point directly, and exclusively, to the unarticulatable senselessness of violence, thereby robbing it of its historical and spatial meaning. Those listening are ready to believe them, since an indictment upon their society is an indictment upon them as well, and it is therefore more suitable for acts of “lawlessness” to be written off to irrationality, thus making violence as far beyond the confines of human agency as a hurricane. This is far easier when violence is acted out among America’s most marginalized populations and in its most marginalized places, both urban and rural. But if we do two things—first, examine the actual acts as they transpired, and, second, consider the possibility that they might have been carried out for reasons as rational as the most cherished American narratives of patriotic bravery (the ones that just happened to involve killing), we see a very different picture. In the thick of the United States’ worst period of mass urban disorder, Martin Luther King, Jr. insisted that “a riot is the language of the unheard.”⁶⁴ A riot is only one manifestation of violence. Perhaps the same could be said for others as well.

Chapter Overview

The arrangement of chapters is both thematic and chronological. To demonstrate exogenous effects upon Breathitt County over the course of the nineteenth century, most of the chapters begin with political conflicts in the “outside world” (i.e., Kentucky) and end with accounts of their being endogenously reproduced in the county. Most of the

⁶⁴Mervyn A. Warren. *King Came Preaching: The Pulpit Power of Martin Luther King, Jr.* (Downers Grove, IL: Intervarsity Press, 2001): p. 196.

chapters deal with types of violence that were specific to their respective eras and political conditions.

The county is a political unit common to most of the United States, but its importance was intensified in the southern states. Nineteenth-century county government was paradoxical, embodying elements of both popular sovereignty and elitism. While looking forward to a yeoman republic defined by local rule, local rule that might have been best embodied in the county, Thomas Jefferson nevertheless had to acknowledge the prevalence of courthouse patricians who dominated county courthouses.⁶⁵ In chapter two, I describe how Breathitt County's history of violence came from both internal and external sources, sources that can be traced back to the formation and arrangement of county government. From its beginning as a state in 1792, the "free" land of Kentucky was contested by settlers and land speculators who had seized many of the land grants issued to veterans of the Revolutionary War. This conflict continued in pockets of the state after it was resolved in the agriculturally attractive (and, therefore, first-settled) Bluegrass. Even though its county seat was named for a president who publicly despised the rash of land speculation (yet was a land speculator himself) during his administration, the county was formed as part of one such enterprise.⁶⁶ A white male minority of old families and commercially interested recent arrivals formed the county in hopes of harnessing its untapped mineral and timber resources once more viable means of transportation attached it to the "outside world" (in this case, Kentucky's own "polis," the

⁶⁵Charles S. Sydnor. *The Development of Southern Sectionalism, 1819-1848*. (Louisiana State University Press, 1948): pp. 46-51.

⁶⁶John McFaul. *The Politics of Jacksonian Finance*. (Ithaca and London: Cornell University Press, 1972): pp. 172-174.

Bluegrass). This chapter describes how this political paradox planted the seeds for Breathitt County's history of violence.

Chapter three illustrates Breathitt County's experience in the Civil War. As mentioned before, revisionist histories of "feud" violence have either firmly dissociated postbellum factional conflicts from the war or disavowed the war's importance by omission.⁶⁷ But in Breathitt County, the American Civil War had a tremendous, long-lasting impact on the relationships between its citizenry. Breathitt County was home to a close-quartered war between neighbors like many other parts of the South. Somehow, however, the politically legitimate violence involved in the fighting of the Civil War was absorbed by the illegitimacy embodied by *feud*.

Chapter four shows a time period in which Breathitt County's legitimacy was tested to an even greater degree than it was during the war. The years of presidential and congressional/ military Reconstruction were devastating in the formerly rebellious states, but they were felt in the unseceded border states as well, with Kentucky being the most pronounced and divided case. Conflicts over the politics of race and statehood were fought out in the streets of Jackson in a manner not dissimilar from those in other parts of Kentucky in the 1870s. In the 1870s, the Kentucky state militia was dispatched to Jackson twice to quell local disputes, one of which resulted in the shooting death of a county judge, earning the county the nickname "Bloody Breathitt."⁶⁸ It was during this

⁶⁷The former being Waller, *Feud...*, p. 18 and the latter being Billings and Blee, *The Road to Poverty...*, which does not mention the effects on its case study (Clay County, Kentucky).

⁶⁸The first usage of the phrase "Bloody Breathitt" that I have found appeared in Frankfort, Kentucky's *Kentucky Yeoman*, 1 October, 1874. However, it would seem that the phrase did not achieve widespread fame and usage until years later.

time that violence in eastern Kentucky was portrayed in the media as something far different than the conflicts of Reconstruction.

“‘Keeping up the old trouble’: Parochialism, the Past and the Death of a Feudal Chieftain” is a coda to its preceding chapter, demonstrating how the development of eastern Kentucky’s “feud belt” gave credence to the pre-established primordial depiction of political violence in Breathitt County. In turn, the strength of the Republican Party in the mountains, in contrast to the state’s Democratic majority, helped to establish the “two Kentuckys.” As the idea of Appalachian otherness gained popularity for reasons both cultural and political, Breathitt County became more and more connected to the “outside world,” as land was sold and plans were made for future advancement. These changes set the stage for the violent death of the county’s most famous “feudist” and the last remnants of the Civil War’s challenge to Democratic dominance in the county.

The fifth chapter details the most famous acts of political violence in Breathitt County’s history. The campaign and subsequent assassination of William Goebel radicalized Kentucky’s two-party system and brought new attention upon the Kentucky mountains and Breathitt County. After Goebel’s death Democratic efforts to enforce their control over the county’s ballot box resulted in three assassinations carried out in a manner similar to that of Goebel’s short years earlier. What was, at the turn of the century, an internationally popular form of political violence was interpreted as a feud, thereby confusing its political import.

To many Americans, “Bloody Breathitt” represented traits in their country’s character that were best forgotten. But to others, “lawlessness” and *feud* were important elements in a useable history, useable for economic gain, and useful for strengthening

political arguments. The sixth and final chapter, ““The feudal wars of Eastern Kentucky will no doubt be utilized in coming years by writers of fiction.’: Reading and Writing Bloody Breathitt,” details the history of *feud* in the American and southern American lexicon as a descriptor of violence. It also describes how people in Breathitt County, its Kentucky surroundings and the “outside world” employed the county’s violent history to their own ends soon after the most famous incidents had ended. This chapter makes a modest claim that is certainly not novel but essential to my general argument: that culture and cultural interpretations of human events can and has been used to disguise political motives, especially when these motives require inequality and disfranchisement.

CHAPTER II

“TO THEM, IT WAS NO-MAN’S LAND.”: BEFORE BREATHITT WAS BLOODY

In his memoir of a life’s religious revelations and ponderings, George Washington Noble recalled watching a “pitched battle” when he was a child in Breathitt County, Kentucky. The fight was a strictly hand-to-hand fray, a common exhibition in the southern backcountry, and employed seconds in order to prevent foul play by both pugilists and give a measure of duel-like ritualized order to what might otherwise have been nothing more than base mutual brutality.⁶⁹ In the county seat of Jackson this directed display of violence became institutionalized as a popular spectacle and contest between communities. On Court Days (always a boisterous event in the antebellum South), “Tessy Boys,” the leading bullies of various communities, fought each other for cash prizes and local prestige.⁷⁰ The Tessy Boy fights established a space in which even a child like George Noble could be a participant in an otherwise adult male event, expanding Court Days’ social significance beyond their official functions and broadening their magnitude. The fights instilled a political and legal event with an element of

⁶⁹George Washington Noble (hereafter G.W. Noble). *Behold He Cometh in the Clouds: A Religious Treatise from Inspiration and Illumination with Life and Adventures of the Author*. (Hazel Green, KY: Spencer Cooper, printer, 1912): p. 5. Simple fisticuffs, a less drastic form of combat than armed dueling, nevertheless served a similar purpose in that the ordered undertaking of a “battle” insured that disputes were settled in the public eye and according to community parameters; Elliot J. Gorn, “Gouge and Bite, Pull Hair and Scratch’: the Social Significance of Fighting in the Southern Backcountry,” *The American Historical Review* (hereafter *AHR*), Vol. 90, No. 1 (February, 1985): 18-43; William Barney. *The Road to Secession; A New Perspective on the Old South*. (New York: Praeger Press, 1972): p. 157; Robert Ireland, “Homicide in Nineteenth Century Kentucky,” *RKHS*, Vol. 81, No. 2 (Spring, 1983): pp. 142-143.

⁷⁰Elisha Livingston Noble. *Bloody Breathitt*. Volume 1. (Jackson, KY: The Jackson Times Printing Company, 1936) (hereafter E.L. Noble), pp. 63-64.

entertainment while also providing an informal interaction of some of the county's male citizens alongside the more formal proceedings, gathering "high and low into deeply charged, face-to-face, ritualized encounters."⁷¹ A rough, unruly activity in tandem with a public event that insured civic order, the Tessa Boys' fights also serve as an allegory for Breathitt County, Kentucky's social and political way of life in the two decades previous to the Civil War. The incorporation of acts of violence into a state-ordained ritual like Court Day, and the constraints provided by seconds and public oversight, mirrored the local state's marginally successful attempt to bring stability to a chaotic environment.

Untamed as it was, the place that became Breathitt County was never completely isolated from the "outside world" as it would later be portrayed. The county came into being in 1839 at the behest of Jeremiah South, a Bluegrass speculator who, anticipating potential improvements, lobbied for the county's formation around the thousands of acres of timberland he had recently procured. As was the case with most antebellum petitions for new Kentucky counties, South's was easily granted, giving him and his allies a remarkable amount of local power. Along with other recent arrivals and the wealthier elements of the preexistent population, South exerted both political and economic domination over his new county. The most dramatic outcome of the new county's creation, and the establishment of a town that would shortly be named in honor of Andrew Jackson, was the creation of an unprecedented pocket of Democratic defiance within a section that adhered to the Whig Party. Breathitt County was a testament to the amount of political control a minority could exert within a small political unit, creating a

⁷¹Quoted from David Waldstreicher, "Rites of Rebellion, Rites of Assent: Celebrations, Print Culture, and the Origins of American Nationalism," *Journal of American History* (hereafter *JAH*), Vol. 82, No. 1 (June, 1995): p. 41.

collusion of Jacksonian America's two most all-encompassing impulses: the expansion of free enterprise and the demand for local sovereignty, impulses that worked in conjunction to spell the end of "disinterested" government.⁷² Combining commodification of the land, the creation of a new governmental unit, and successful manipulation of the electorate's party loyalties (and, by extension, the political character of the county), the creation of Breathitt County can best be termed an act of cartographic and political discipline, a discipline carried out for decidedly undemocratic purposes.⁷³

During this period the territory that was to become Breathitt County was not exclusively peopled by like-minded white settlers with amicable aims for the area's development. It was instead the construction of an arena for the conflict that Frederick

⁷²Aside from the overt economic motivations behind the creation of this and other counties in Kentucky before 1850, the intense localism brought about by the proliferation of increasingly smaller political units was also detrimental to the old commonly accepted virtue of disinterestedness; Gordon Wood. *The Radicalism of the American Revolution*. (New York: A.A. Knopf, 1991): pp. 243-270; *The Creation of the American Republic, 1776-1787*. (Chapel Hill: University of North Carolina Press, 1969): pp. 55-61; Saul Cornell, "Aristocracy Assailed: The Ideology of Backcountry Anti-Federalism," *The Journal of American History* (hereafter *JAH*), Vol. 7, No. 4 (March, 1990): p. 1167. For the significance of disinterestedness in republican ideology and practice see Gordon Wood, "Interests and Disinterestedness in the Making of the Constitution" in Richard Beeman, Stephen Botein and Edward C. Carter (eds.) *Beyond Confederation: Origins of the Constitution and American National Identity*. (Chapel Hill: University of North Carolina Press, 1987): pp. 69-109.

⁷³*Discipline* is the act Michel Foucault used to describe the treatment and manipulation of the body in the modern age. I use the term analogically since it is general yet not overly imprecise in describing the manipulation of bodies (or in this case a body of land and a body politic) in ways not limited to the physical, political and economic but combining elements of all three. Breathitt County's creation involved a holistic attempt to combine contractual ownership with the establishment of a corresponding political and administrative unit. The level of control involved in such an undertaking (made structurally possible by the freedom granted to individuals in nineteenth century Kentucky to almost single-handedly 'create' a county) can be well described as "an uninterrupted, constant coercion, supervising the processes of the activity rather than its result and it is exercised according to a codification that partitions as closely as possible time, space, movement"; Michel Foucault. *Discipline and Punish: The Birth of the Prison*. translated by Alan Sheridan (New York: Vintage Books, 1977): p. 137. For analogous examples of the Foucauldian concept of discipline applied to a modern "managed nature," see Stuart Oliver, "The Thames Embankment and the Disciplining of Nature in Modernity," *The Geographical Journal*, Vol. 166, No. 3. (September, 2000): pp. 227-238; Nancy Lee Peluso and Peter Vandergeest, "Genealogies of the Political Forest and Customary Rights in Indonesia, Malaysia, and Thailand," *The Journal of Asian Studies*, Vol. 60, No. 3. (August, 2001): pp. 761-812.

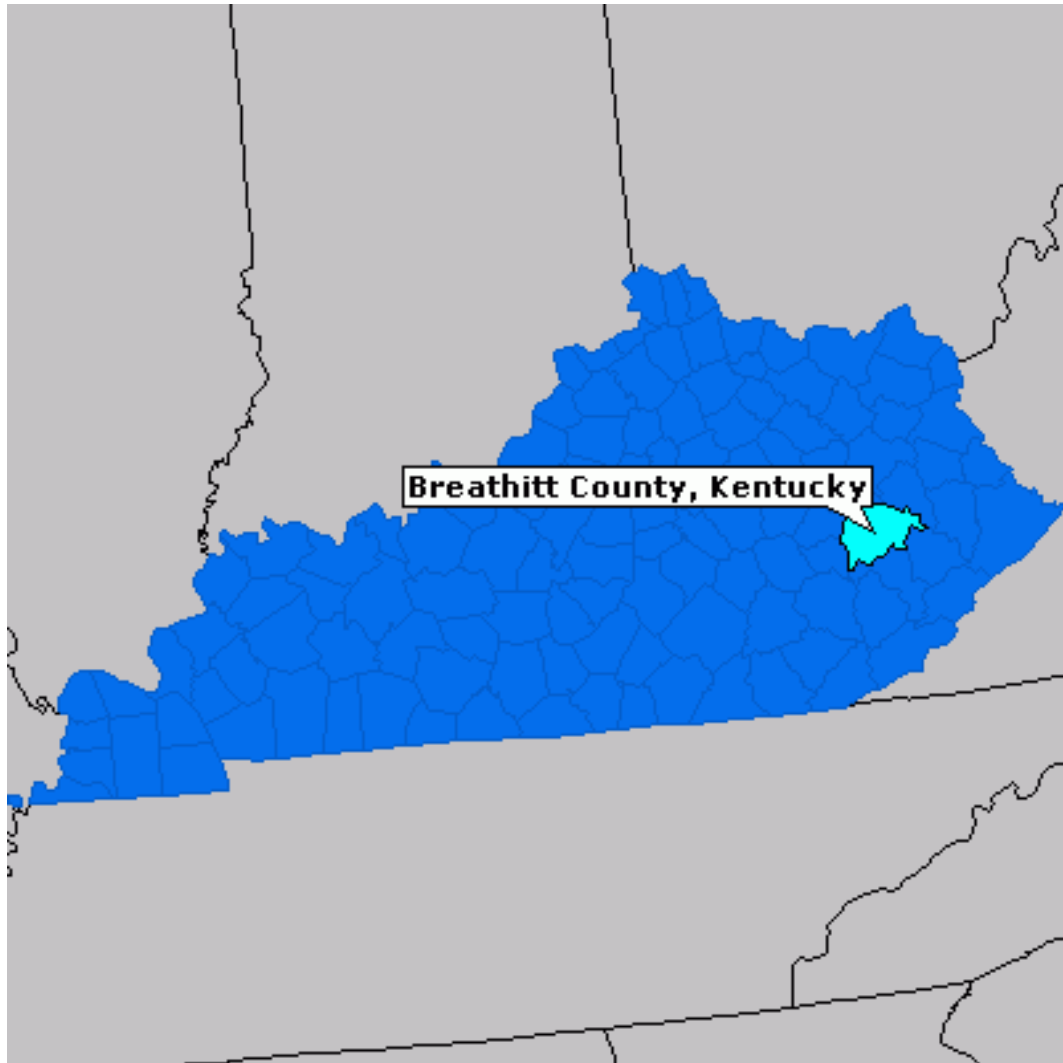
Jackson Turner dubbed “the contest between the capitalist and the democratic pioneer.”⁷⁴ Before what would become the state of Kentucky in 1792 was occupied by more than a small population of white pioneers, most of the land had already been doled out into land grants by the state of Virginia, initially as a latter variety of the colonial headright, and later awarded to veterans of the Revolutionary War. Most of these grants remained unclaimed for decades, but were still contested between settlers and speculators.⁷⁵ In the meantime, people either ignorant or uncaring of these previous arrangements populated the area. For some, especially the relatively small number who had occupied the Three Forks region for decades previous, the forests and pastures of the Kentucky River’s lower breaks were a place to raise crops, livestock and families without having to go into debt for the prospect of eventually owning land. To speculators, however, it was an investment for an unseen future, a future based upon extraction rather than agriculture and hunting. Below the heavily timbered exterior lay a wealth of coal, and the combined value of these two resources eventually transformed the landscape and economy of eastern Kentucky. While the area’s early pioneers had begun capitalizing on these resources to supplant their agricultural pursuits since the early 1800s (an enterprise assisted by the Kentucky River’s sometimes-navigable forks) there remained an

⁷⁴Frederick Jackson Turner. “Social Forces in American History,” in *Frontier and Section: Selected Essays of Frederick Jackson Turner*. (Englewood Cliffs, N.J., Prentice-Hall, 1961): p. 164. Turner’s interpretations of westward expansion in North America are highly debated by historians (especially considering Turner’s pronounced prejudice signaled by his use of the phrase “democratic pioneer”). However, the conflict between settler and speculator in the Trans-Appalachian West has never lost significance in historical inquiry and Turner’s quote remains a useful heuristic for describing a pervasive struggle between white Americans in the nineteenth century. For a more recent account of this struggle specifically about Kentucky, see Stephen Aron. *How the West was Lost: the Transformation of Kentucky from Daniel Boone to Henry Clay*. (Baltimore: Johns Hopkins University Press, 1996).

⁷⁵Aron, “Pioneers and Profiteers: Land Speculation and the Homestead Ethic I Frontier Kentucky,” *The Western Historical Quarterly*, Vol. 23, No. 2 (May, 1992): p. 181.

abundance of natural resources that could only be fully harnessed at some future time in which railroads could supplant the rivers as a more dependable means of transportation.

Figure 1: Breathitt County in Modern-Day Kentucky



When this new community was being formed, Tessa Boy fights notwithstanding, it was probably among the most peaceful in the United States. But the county's very creation, the attempt to impose a new economic and political discipline upon an otherwise undisciplined space, was a catalyst for future conflict. The county's formation

presented an opportunity for conflict between landowners and untitled settlers, a conflict that created a mutual dearth of legitimacy that impacted both public and private sectors. Befitting their relative poverty, the latter group held a shortage of control over the formal institutions that would sustain their command over the land they called home, and became legally transformed from settlers to squatters. At the same time, landowners and speculators were not able to fully triumph either, for reasons political, economic and, perhaps most important, geographic. This chapter traces these factors during Breathitt County's first two decades of existence as an embryonic source of violence.

“...the very roughest class of men...”

In the 1930s, Breathitt County native and historian E.L. Noble (George Noble's younger cousin) recollected a local fable from what he fancifully called “the medieval history of Eastern Kentucky” about a man who, sometime before the county's partitioning, traded “an entire creek of land, some two to three thousand acres” for a rifle. The moral of the story, Noble explained, was that while “the man buying the gun today (the 1930s when his series was written and published) is looked on as an imbecile...in fact [at that time in history] he made the best bargain.” While the deed to the land brought with it the potential for wealth, this was wealth that involved the application of arduous labor; the plowing of rough ground and fencing of crops, the tending of livestock, the hiring of possibly undependable help, not to mention the burden of paying property taxes. In contrast, ownership of the rifle, compounded with unfettered access to all the territory one was willing to traverse, made one “heir to all the game that roamed the woods in a thousand valleys, or on a thousand hills.” Noble added that, along with the rifle, “A fish

hook in those days was more valuable than a common farm.”⁷⁶ The terrain almost demanded that one live the existence of what Noble called a “wood denizen” rather than that of a legitimate yeoman.⁷⁷ And, even in his own time, Noble believed that something like the wood denizen existence persisted just shortly beyond the isolated poverty he saw around him.

There once lived, a now invisible people, in these forest primeval worlds, rich in primeval glory and wealth of worlds unknown to man. The greed of man has robbed this ancient folk of their wealth and left them in poverty amid man’s ingratitude. They still reside here among the people of today; but silent, uncomplaining; too proud to weep aloud; too good(?) to shed a tear; to royal to mourn for waste; to majestic to live with their own; to pure and lovely to ever fade or vanish from the part of man that has journeyed from afar and knows poverty in its extreme; a poverty stricken people that would not exchange themselves for all that now stands as civilization.⁷⁸

Influenced by a probable combination of early twentieth century sociology and local color writing, as well as an elderly mountaineer’s sense of nostalgia, E.L. Noble’s descriptions of Breathitt County’s early years are pastoral, edenic and, on the whole, apocryphal. Official land ownership was as desirable to the nineteenth century Kentucky mountaineer as it was to other agriculturally-minded and investment-minded Americans of the time. However, the story of the rifle/land trade and the “now invisible people” serve as economic parables, illustrating the importance of open land to many early settlers in the Three Forks region; while contractual ownership of tracts of land was recognized as legitimate and sought after, it was secondary in importance to the settlers’ ability to exploit the land’s wealth. The Cumberland Plateau’s rugged terrain made

⁷⁶E.L. Noble (Vol. 1), pp. 13, 28-29.

⁷⁷Writing in the 1930s when squatters were still being found on titled land in Breathitt County, E.L. Noble used the nomenclature “wood denizens” interchangeably with ‘squatter,’ suggesting not only Breathitt County squatters’ affinity for unimproved, wooded land but also their foreignness to the mainstream of local society suggested by their apparent unwillingness to seek out legally recognized land tenure; *Ibid* (Vol. 2), pp. 58.

⁷⁸*Ibid* (Vol. 1), p. 81.

agricultural techniques transplanted from elsewhere difficult.⁷⁹ The clearing of land for planting staple crops required an almost prohibitive investment of time and labor. Corn and flax and small patches of cotton were grown, mainly for home consumption, but, for the most part, large expanses of the county's 700 square miles remained unimproved for decades (see Figure 2).⁸⁰ For these reasons, unlimited access to open lands was imperative for many mountaineers who found that hunting and foraging could not be fully replaced by agriculture and husbandry. A generation before E.L. Noble's 1872 birth, mountain farmers who supplemented their livelihood with game meat and grazed their livestock on other people's land might have laughed at the prospect of trading land for a gun, but probably out of the story's rueful reality rather than its absurdity.

The fight that George Noble witnessed, probably in the early 1850s, happened at a time when a substantial population in the northern reaches of the Kentucky River's three forks was barely a generation old. Although most of Kentucky had been densely settled since the late eighteenth century, especially the verdant Bluegrass, the eastern area of the state that was part of the Cumberland Plateau had not been widely occupied by Euro-Americans for nearly as long. "The [non-Indian] population of Kentucky until the

⁷⁹John Solomon Otto, "The Decline of Forest Farming in Southern Appalachia," *Journal of Forest History*, Vol. 27, No. 1, (1983): pp. 21-22.

⁸⁰Daniel Haskel and J. Calvin Smith. *A Complete Descriptive and Statistical Gazetteer of the United States of America, containing a particular Description of the States, Territories, Counties, Districts, Parishes, Cities, Towns, and Villages- Mountains, Rivers, Lakes, Canals and Railroads; with an abstract of the Census and Statistics for 1840, exhibiting a Complete View of the Agricultural, Commercial, Manufacturing, and Literary Condition and Resources of the Country.* (New York: Sherman & Smith, 1843): p. 78; James Green Trimble. *Recollections of Breathitt.* (Jackson, KY: Jackson Times Printer, 1915): p. 8.

separation from Virginia,” wrote one early twentieth century historian, “was practically confined to the Bluegrass.”⁸¹ Kentucky’s first generation of white settlers considered

Figure 2: Farming on Improved and Unimproved Land in Breathitt and Surrounding Counties, 1850-1860

County	# Families	# Farms	Acres improved	Value of improved land (including implements)	Acres Unimproved	Percentage of improved land	Average improved acres per family	% Families with Farms
1850								
Breathitt	625	433	13,517	\$279,674	274,043	04.7%	0.04	69.28%
Clay	782	511	19,186	320102	137,006	12.28%	0.04	65.34%
Estill	934	604	26,839	493554	84,619	24%	0.03	64.66%
Owsley (1843)	588	484	14,887	369148	226,241	06.1%	0.03	82.31%
Perry	500	396	14,145	233263	279,673	04.8%	0.03	79.2%
1860								
Breathitt	824	471	18093	458,647	226518	7.9%	.04	57.16%
Clay	1005	596	27590	518417	227306	12.1%	.03	59.3%
Estill	2133	558	40828	992961	106868	38.2%	.05	26.16%
Owsley	897	578	26277	774862	231160	11.3%	.03	64.43%
Perry	990	595	18754	430969	301564	6%	.05	60.1%

“Caintucke’s” section of the plateau little more than an impediment to reaching the more desirable Bluegrass, a bountiful cultivator’s paradise where a facsimile of the Virginia plantation economy could be most easily re-created. With its being “least accessible and last settled,” one Appalachian historian labeled the plateau “New Appalachia” due to its having no permanent white occupation until roughly the last decade of the eighteenth century, and relatively little for some time after that.⁸²

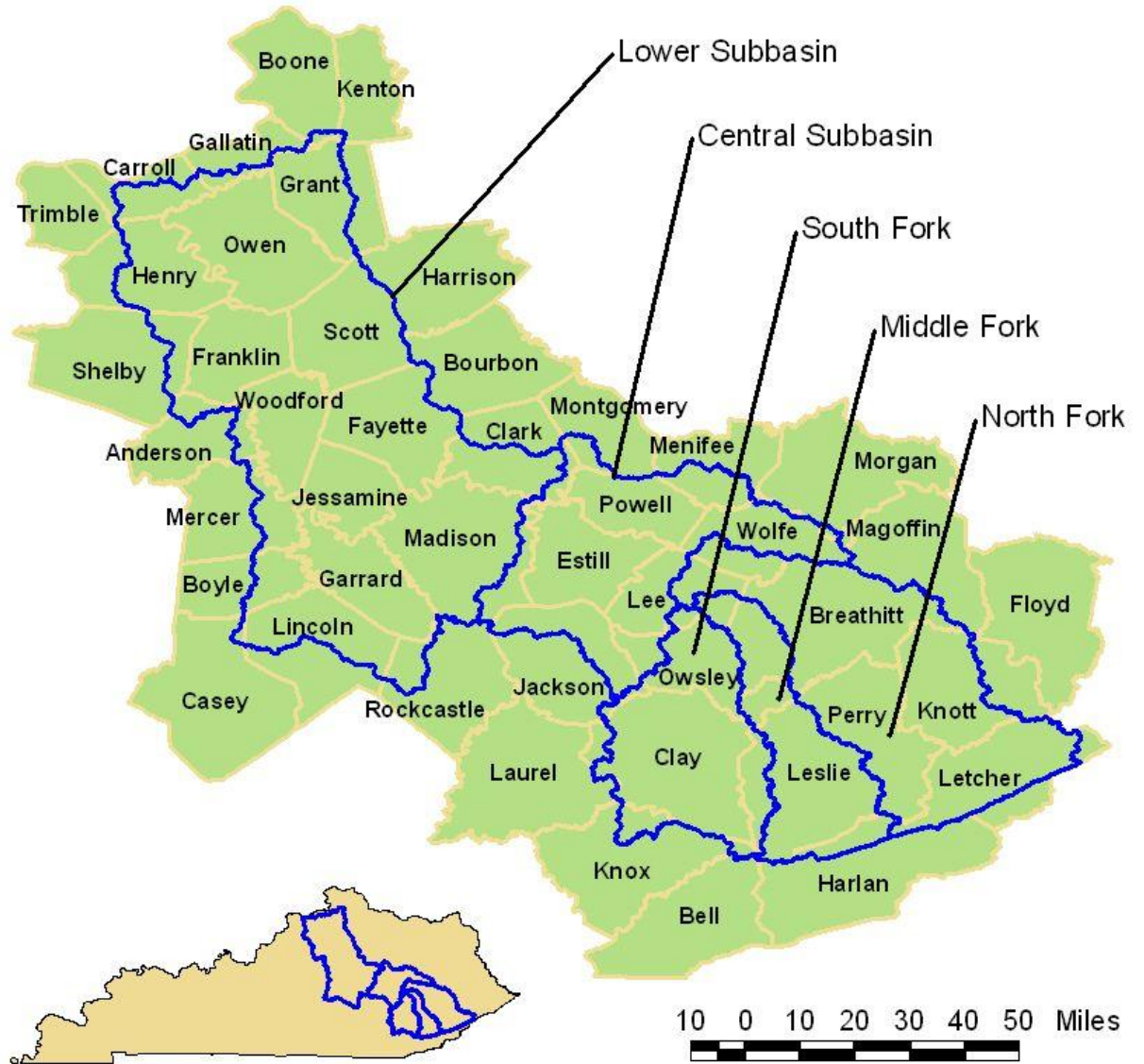
The opportunity to mine and refine salt, an ever-valuable commodity, prompted Bluegrass residents to establish satellite hermitages in the mountains. At its smallest headwaters surrounding what is now the town of Manchester in modern day Clay County, the Three Forks region (the area of eastern Kentucky draining into the north, middle and

⁸¹Mary Verhoeff. *The Kentucky River Navigation*. (Louisville, KY: John P. Morton & Company, 1917): p. 42.

⁸²Paul Salstrom, “The Agricultural Origins of Economic Dependency,” in *Appalachian Frontiers: Settlement, Society, & Development in the Preindustrial Era*. (Lexington: The University Press of Kentucky, 1991): p. xvii.

Figure 3: Kentucky's Three Forks Region

Subbasins of the Kentucky River Basin



www.uky.edu/.../KRB_AR/printable_reports.htm

south forks of the Kentucky River) gave birth to a burgeoning salt-making industry in the late eighteenth century, starting a thriving market economy supported by river navigation improvements and slave labor.⁸³ Shortly thereafter, white settlements, fed by Virginia to the east and the Bluegrass to the west, formed on the shores of the Big Sandy River soon after and eventually coalesced into Floyd County, the first Kentucky county formed exclusively in the mountains.⁸⁴ But most of the land in between these watersheds was steeper, rougher territory not well-suited to cultivation, slightly poorer in mineral wealth and of little initial use other than hunting and grazing. As Kentucky's population grew, rising land prices in flatter sections of the state drew attention to these lands that earlier pioneers had bypassed. As the population of the mountains slowly grew new arrivals made agreements with more established residents that their collective needs were better met by the formation of new counties. Clay and Floyd Counties (which had shared between them the entirety of eastern Kentucky after their respective formations) were then carved into smaller units where courts and markets could be reached more easily.

⁸³The Three Forks region refers to the area of land draining into the Kentucky River's north, middle and south forks within the following counties in existence before 1860 (in order of formation): Clay, Estill, Perry, Breathitt, Owsley, Letcher and Powell; Mary Verhoeff. *The Kentucky Mountains: Transportation and Commerce, 1750 to 1911; a Study in the Economic History of a Coal Field*. (Louisville, KY: John P. Morton & Company, 1911): p. 6; Billings and Blee. *The Road to Poverty: The Making of Wealth and Hardship in Appalachia*. (Cambridge: Cambridge University Press, 2000): p. 28; John E. Kleber, Thomas Dionysius Clark, Lowell H. Harrison (eds.), *The Kentucky Encyclopedia*. (Lexington: University Press of Kentucky, 1992): p. 204.

⁸⁴Formed in 1800, Floyd County was the only county in Kentucky with a county seat east of the Bluegrass, containing six modern counties and portions of seven others. Residents of Floyd County, formed around early settlements in the Big Sandy River Valley, were relatively fortunate compared to the small number of people living in the Three Forks region to the west. Residents of the Three Forks region, most of them citizens of Madison County, were forced to travel over one hundred miles to the county seat in Richmond to attend to periodic court business. This geopolitical arrangement initially privileged the Bluegrass, leaving most residents of southeast Kentucky without direct access to public institutions. Floyd's relatively stable history (compared to many other counties in eastern Kentucky) might be attributed to its early formation; Henry P. Scalf. *Kentucky's Last Frontier*. (Johnson City, TN: Overmountain Press, 1966): pp. 192-194; Robert Wiese. *Grasping at Independence: Debt, Male Authority, and Mineral Rights in Appalachian Kentucky, 1850-1915*. (Knoxville: University of Tennessee Press, 2001): pp. 23-25.

As late as the Civil War, still recognizing that theirs was a relatively new community, eastern Kentucky's residents referred to the Bluegrass core as the "old settlements."⁸⁵

To an outside observer, Three Forks residents in the early nineteenth century appeared impoverished and considerably different than the white southerners who had turned the Bluegrass into a thriving agricultural metropole. Confounded by a lack of provisions while following the Kentucky's north fork southward, a travel writer recorded in 1835 that "These primitive people live altogether in log-huts, and you may form some idea of their extreme poverty, from our being utterly unable in our last day's ride to procure grain of any sort for our horses, or even a mouthful of food for ourselves."⁸⁶ This condition of relative destitution was exacerbated by a constant trickle of new arrivals. As settlement in eastern Kentucky grew slowly during the early decades of the nineteenth century, the availability of useful land declined. And, as this condition progressed, the perceived differences between the Bluegrass and eastern Kentucky became starker. In 1889 a journalist described Kentucky as divided into three distinct regions "like Gaul," an oft-repeated reference to the Gallic wars.⁸⁷ But the contrast between the highlands and the Bluegrass popularized another geographical commentary made three years earlier, one that asserted "two Kentuckys," one defined by agrarian wealth and the other by primitive deprivation.⁸⁸ This geographic metaphor came to

⁸⁵William Davis and Meredith Swentnor (eds.), *Bluegrass Confederate: The Headquarters Diary of Edward O. Guerrant*. (Baton Rouge: Louisiana State University Press, 1999): p. 251.

⁸⁶Charles Fenno Hoffman. *A Winter in the West: By a New Yorker, in Two Volumes* (Vol. II). (New York: Harper & Brothers, 1835): p. 200.

⁸⁷Charles Dudley Warner. *Studies in the South and West with Comments on Canada*. (New York: Harper & Brothers, Franklin Square, 1889): p. 359.

influence Kentuckians' self-image as well as their state's portrayal outside of its borders. Different as they seemed, however, the two Kentuckys were never far removed from each other.

From early on, legal ownership of arable land was concentrated into relatively few hands.⁸⁹ For some landless arrivals, especially those who aspired to eventual ownership, tenancy was the most likely option. While it had never existed as a stable system given to habits of deference and permanency, tenancy in some form or another had been practiced since the early days of white settlement in Kentucky.⁹⁰ Many Kentucky tenant farmers deemed it a temporary condition, one that could be left behind after a short time when open land came available elsewhere. Frontier tenancy's inherent instability, an instability determined by the relative availability of cheap or free land, prevented Kentucky from ever developing a clearly defined class division between landlord and tenant.⁹¹ The transient habits of un-landed settlers was a source of constant irritation to landlords not only because dependable labor lasted only as long as tenants felt inclined to provide it, but also because rampant landlessness could prove threatening to the Virginia-style "agrarian republic predicated upon monied wealth" that Kentucky's first generation of landowners wanted to reproduce.⁹² Even if it did not become a static

⁸⁸James Lane Allen, "Through Cumberland Gap on Horseback," *Harper's Magazine*, Vol. 73 (June, 1886): p. 50; Shapiro, pp. 26-29.

⁸⁹Mary Beth Pudup, "Land Before Coal: Class and Regional Development in Southeast Kentucky," (unpublished dissertation, UC Berkeley, 1987): pp. 142-147, 150.

⁹⁰Although it was never as common in the mountains as it would be later in the lowlands, tenancy was supposedly "entrenched on every southern Appalachian frontier"; Wilma Dunaway. *The First American Frontier: Transition to Capitalism in Southern Appalachia, 1700-1860*. (Chapel Hill: University of North Carolina Press, 1996): p. 69.

⁹¹Wiese, p. 7.

economic arrangement, the inequality of landownership upon which the practice depended was a source of constant friction from the early days of Kentucky's white settlement.

Landowners sometimes used unusual methods in attempting to control their renters. In the winter of 1844 a widowed landlady living near Floyd's county seat of Prestonsburg wanted to dispossess a tenant family from a cabin on her property but was contractually obligated to allow them to remain housed there until the following March. Being aware that the tenant's daughter "had acquired an unsavory reputation" by becoming involved with a married lawyer, the landlady enlisted a young relative to scare the family off of her property. Employing a homemade noisemaker made from rope and wood, the boy sneaked into their vicinity under cover of night and tricked the tenants and their neighbors into believing that "a haunt [had been] sent into the neighborhood on account of the conduct of this young woman and the lawyer..." The tenant family's neighbors succumbed to superstition and soon forcibly removed them from the county.⁹³ The landlady was then free to once again use the now-vacant property as she pleased. When possible, the courts could be used as well, but not always to landowners' perfect advantage. In the winter of 1845, during a Baptist camp meeting near Prestonsburg, "the very roughest class of men in and around the town" staged a mock camp meeting, drunkenly shouting bogus sermons and prayers with the constant threat of forcibly

⁹²Craig Thompson Friend. *Along the Maysville Road: The Early American Republic in the Trans-Appalachian West*. (Knoxville: University of Tennessee Press, 2005): pp. 108-112. The attempt to recreate a political economy reminiscent of the Virginia Tidewater, coupled with the recognition of conditions that made an exact recreation impossible, brought about a "Bluegrass System," the local variety of Henry Clay's proposed "American System" that favored a society led by planters and merchants. But a perfect recreation of Virginia was impossible given that, from the time of its first constitution in 1792, Kentucky granted adult white male suffrage regardless of land ownership; Aron, *How the West was Lost*, pp. 124-149.

⁹³Thomas W. Parsons. *Incidents & Experiences in the Life of Thomas W. Parsons from 1826 to 1900*. Frank F. Mathias (ed.) (Lexington: University Press of Kentucky, 1975): pp.26-27.

disrupting the actual meeting. After “three of the best citizens in the place” had the group indicted by a justice of the peace for their blasphemies, their ringleader confronted one of them in front of his house and launched a fuselage of rocks through his windows.⁹⁴ After firing off a shot and injuring one rioter the homeowner managed to escape with his family by disguising himself as a woman but was later himself counter-indicted for his reckless use of a firearm. After he was acquitted the rioters were tried for their own actions, “settl[ing] the social and moral atmosphere in and around Prestonsburg for several years.” The two trials aroused conflict in the community to such a degree that the state militia was summoned to keep peace.⁹⁵

These incidents suggest that Jacksonian Appalachia, presumably a time and place of remarkable egalitarianism, was rife with the same tension between the landed and the landless that had permeated the Bluegrass’ settlement decades earlier. Either through force, jurisprudence or control exerted through manipulation of folk belief in the supernatural, eastern Kentucky landowners had some means of controlling tenants, but squatters were another matter. To early Kentucky landowners, the alleged avoidance of labor to amass land was perhaps more repugnant to their sense of republican virtue than a tenant farmer’s daughter’s adulterous affair.⁹⁶ But their moral superiority was limited.

⁹⁴Nineteenth century Kentucky juries were peculiar in their use of the courts to prosecute profane acts and speech despite their being otherwise commonly accepted assertions of masculine independence. But, as demonstrated in early Floyd County, the punishment of profanity was often used as a means of directing the behavior of unlanded citizenry to the benefit of their landed neighbors; Christopher Waldrep, “The Making of a Border State Society: James McGready, the Great Revival, and the Prosecution of Profanity in Kentucky,” *The American Historical Review* (hereafter *AHR*) Vol. 99, No. 3 (June, 1994): pp. 773-782.

⁹⁵Parsons, pp. 27-29.

⁹⁶“Without legal claim to land and often without permission to live where they did, the very poor seemed the greatest threat to the ideal of ‘work & be rich.’ Their alleged avoidance of work fundamentally clashed with the industry of persons determined to carve a profitable existence out of the West.”; Friend, pp.

Since much of what became the state had already been deeded out in grants by the state of Virginia, the unwarranted occupation of deeded land was rampant virtually from the beginning of white settlement and influenced political debate, while also fattening lawyers' pocket books, for decades.⁹⁷ "Almost every inch of Kentucky land was disputed" and the distinction between squatter and legitimate landowner was often quite indistinct.⁹⁸ Yeomen who found unauthorized settlers on their property could sometimes force them into tenancy.⁹⁹ But farmers with large expanses of land or absentee owners found the practice much harder to prevent. Ignorant of, or perhaps unconcerned about, these estates' official tenure, Kentucky squatters made use of these expanses of land throughout the nineteenth century. As E.L. Noble described his forbears' arrival in the Three Forks region (much of which was already owned "on paper"), "To them, it was no man's land."¹⁰⁰

Kentucky squatters wielded significant political power during the early years of white settlement. *Public Good*, Thomas Paine's leaflet that disputed Virginia's rights to what would become Kentucky in the following decade, was widely circulated west of the mountains within two years of the Revolutionary War's end, arguing in favor of settlers'

110-111. This sentiment was shared by planters further south for decades, especially after preemption laws came to be viewed as a threat to southern land values. In describing class differences in the antebellum South, Alabaman Robert Hundley described squatters as "useless to themselves and the rest of mankind"; D.R. Hundley. *Social Relations in Our Southern States*. (New York: Henry B. Price, 1860): p. 119.

⁹⁷Elizabeth Perkins. *Border Life: Experience and Memory in the Revolutionary Ohio Valley* (Chapel Hill: University of North Carolina Press, 1998): pp. 126, 147; Paul W. Gates, "Tenants of the Log Cabin," *The Mississippi Valley Historical Quarterly* (hereafter *MVHQ*), Vol. 49, No. 1 (June, 1962): p. 5.

⁹⁸Patricia Watlington. *The Partisan Spirit: Kentucky Politics, 1779-1792*. (New York: Atheneum, 1972): p. 16.

⁹⁹Ralph Mann, "Mountain, Land, and Kin Networks: Burkes Garden, Virginia, in the 1840s and 1850s," *JSH*, Vol. 58, No. 3 (August, 1992): p. 415.

¹⁰⁰E.L. Noble (Vol. 1), p. 40.

rights to land contained within the Virginia grants in opposition to those of speculators.¹⁰¹ These hopes were eventually revealed to be somewhat valid once these landless farmers formed into an effective voting bloc. From the turn of the century until well into the 1800s Kentucky squatters took advantage of the state's lack of property requirements for voting and elected legislators who advocated their interests over those of speculators.¹⁰² In the 1820s and 1830s, state legislation favored occupiers' rights to the disadvantage of Virginia grant claimants.¹⁰³ While squatting violated property relations, it did so without publically challenging "the de jure distribution of property rights."¹⁰⁴ Kentucky's legislature had little reason to look any more favorably on speculators than squatters since speculators often failed to pay their debts to the state while the latter may not have been abundant sources of revenue but did "attend to their own business." As a result, in its early years Kentucky became a state "on the vanguard in recognizing the rights of the squatter."¹⁰⁵

¹⁰¹E. Merton Coulter, "Early Frontier Democracy in the First Kentucky Constitution," *Political Science Quarterly*, Vol. 39, No. 4 (December, 1924): p. 665.

¹⁰²Kentucky's 1792 constitution was the second state constitution to have no property requirements for voting or running for public office; Ralph A. Wooster. *Politicians, Planters and Plain Folk: Courthouse and Statehouse in the Upper South*. (Knoxville: The University of Tennessee Press, 1975): p. 13.

¹⁰³While one pro-squatter Kentucky law was struck down by the US Supreme Court in 1823, it upheld a similar law nine years later; Ireland (ed.), *The Kentucky State Constitution: A Reference Guide*. (Greenwood, CT: Greenwood Publishing, 1999): p. 211.

¹⁰⁴James C. Scott, *Weapons of the Weak: Everyday Forms of Peasant Resistance*. (New Haven and London: Yale University Press, 1985): p. 32.

¹⁰⁵James A. Ramage, "The Green River Pioneers: Squatters, Soldiers, and Speculators," *RKHS*, Vol. 75, No. 3 (Fall, 1977): pp. 184, 190.

Although given to relative poverty and legal tenuousness, squatting on someone else's land provided a measure of freedom as well.¹⁰⁶ To the landless immigrant, it was an effective means of making a living, on par with most landowners without having to deal with the coercion inherent to tenancy. In recent decades historians have maintained that habits of landownership in preindustrial Appalachia threatened to sow the seeds of its own destruction.¹⁰⁷ Bearing in mind the challenges presented to farmers attempting to make a living off of increasingly smaller tracts of marginally fertile land, the squatter's presence was, if left otherwise unmolested, arguably more sustainable than land practices deemed legally legitimate. While most probably aspired to become landowners themselves, many squatters, especially those who occupied the remotest land, saw little need for the legitimacy that came with an undisputed title. Squatters based their claims to property on direct physical control over their living environment rather than the recognition of state authorities, yet did so without presenting a serious challenge to laws and common practice regarding property rights.¹⁰⁸ The undisciplined atmosphere that gave birth to this culture of "preemption" reflected a radical conception of non-

¹⁰⁶Aron, "Pioneers and Profiteers..." p. 181.

¹⁰⁷Families of the nineteenth century Cumberland Plateau were forced to deal with two factors that turned land inheritance into a process of increasing poverty: a dearth of arable land coupled with one of the highest birth rates in the United States. This condition was exacerbated by the practice of "partible inheritance" in which land was equally distributed to all eligible heirs (or all male heirs). As a result, familial landholdings became smaller over the course of generations. While landless farmers would have suffered from the increase in population along with their landed neighbors, partible inheritance had little impact on people with no land to inherit. In fact, the shrinking of individual landholdings may have made squatting seem more attractive; Salstrom, *Appalachia's Path to Dependency*, pp. xxv, 22-23, 53-55; Wiese, pp. 261-280; Waller, *Feud*, pp. 58-59; Williams, pp. 153-154; John Sherwood Lewis, "Becoming Appalachia: the Emergence of an American Subculture, 1840-1860," (unpublished dissertation, University of Kentucky, 2000): pp. 115-119.

¹⁰⁸Scott, *Weapons of the Weak: Everyday Forms of Peasant Resistance*. (New Haven and London: Yale University Press, 1985): p. 32.

contractual ownership that prevailed throughout the Trans-Appalachian West for years.¹⁰⁹ For years, the greater Ohio Valley was a “squatter’s paradise.”¹¹⁰

And since it was settled last, the Three Forks region was the paradise’s last bastion. As squatters became landowners by invoking preemption, or moved further west, their importance as a political coalition declined. Henry Clay, who guided Kentucky politics for decades, came to look upon squatting more as trespassing than as inexpensive improvement of fallow land.¹¹¹ Federal land policy, which ostensibly granted the right of preemption in 1841, favored only settlers who were able to purchase the lands they occupied in the near future.¹¹² For this reason, coupled with the omnipresent possibility of westward movement, the number of squatters in central and western Kentucky dwindled significantly in the 1840s. The success of squatting was inversely proportional to legitimate landowners’ willingness (or ability) to surveillance their land and enforce their control over it. So in parts of the mountains squatters persisted.¹¹³ Without outside

¹⁰⁹Aron, *How the West was Lost...*, pp. 150-152; Daniel Dupre, “Ambivalent Capitalists on the Cotton Frontier: Settlement and Development in the Tennessee Valley of Alabama,” *The Journal of Southern History*, Vol. 56, No. 2 (May, 1990): pp. 225-226; S. Charles Bolton. *Territorial Ambition: Land and Society in Arkansas, 1800-1840*. (Fayetteville: University of Arkansas Press, 1993): pp. 72-76

¹¹⁰Eric Hinderaker. *Elusive Empires: Constructing Colonialism in the Ohio Valley, 1673-1800*. (Cambridge University Press, 1997): p. 248.

¹¹¹*Register of Debates in Congress*, First Session, Twenty Fourth Congress, Vol. XII (31 March, 1836): p. 1029.

¹¹²Aron, *How the West was Lost...*, p. 199; Douglas R. Picht, “The American Squatter and Federal Land Policy, *Journal of the West*, Vol. 14, Issue 3 (Summer, 1975): pp. 72-83.

¹¹³Although it is difficult to trace accurately because of its inherent invisibility among public records, the continuation of squatting can be demonstrated somewhat accurately by identifying specific surnames registered as landless over the course of multiple decades. One survey of antebellum Appalachia suggests that landlessness was often intergenerational, with families that had arrived west of the Alleghenies without land in 1800 still without land in 1860; Dunaway, p. 83. Dunaway insists that “there was no such thing as ‘free’ land or ‘squatters’ rights” in antebellum Appalachia (p. 86). This statement only pertains to the contractual ownership of land and not the “ownership” brought about by occupation and applied labor that was the original legal and moral basis of preemption. While there may have been

interest in one of the “newest” sections of New Appalachia, squatters in expanses of land between Manchester and Prestonsburg were free to drive livestock, fell timber and mine coal with impunity for years after most of the rest of the state had become divided among landowners. Squatters who exported timber and coal profited from their neighbors to the west without having to adopt a post-frontier dedication to privately owned land.

Furthermore, Three Forks squatters’ way of life did not directly impede that of their landowning neighbors. With his dependence upon open land, even the wealthiest farmer made a living in a manner very much like the landless, even those who probably surreptitiously used his land. Due to geographical conditions, both depended upon access to open land, land that was not subject to commodification by grant or title.

Squatters eking out livelihoods on land titled to men who were long dead (sometimes without heirs) declared preemption because they aspired to become “legitimate” landowners themselves. Like most tenants, such farmers saw official landlessness as a temporary condition to be eventually overcome and logically accepted the commodification of the land they lived upon.¹¹⁴ As Kentucky went from being the United States’ “first western state” with widespread landlessness to a southern state with widespread land ownership, preemption eventually lost favor. The availability of land

nothing resembling squatters’ rights in most of the southern states by the eve of the Civil War, that does not mean that many people did not enjoy access to open land and perhaps profit from it as much as a farmer with “legitimate” ownership.

¹¹⁴For the inherent condition of inequality involved in land commodification in Appalachia, see Billings and Blee, *The Road to Poverty*, pp. 36-39. Billings and Blee suggest that Kentucky mountaineers saw little problem in accepting land as a saleable commodity. For an opposing viewpoint on this subject (pointing out the cultural barriers to land commodification) see Batteau, “Mosbys and Broomsedge: The Semantics of Class in Appalachian Kinship Systems,” *American Ethnologist*, Vol. 9, No. 3 (August, 1982): pp. 457-463. Both of these explanations of land commodification in New Appalachia only take into account land “known” by its owner and the legal and social implications of that knowledge. While this was the case for many landowners, the prevalence of absentee ownership had the effect of giving unauthorized land users greater knowledge of the land than its official owners. This chapter submits that direct knowledge of and engagement with land were indirect forms of “ownership” that, while not legally recognized, nevertheless served squatters’ economic and perhaps moral purposes.

west of the Mississippi River could only threaten the value of southern land. When the last antebellum federal preemption bill was struck down by Congress in 1859, southeastern Kentucky's U.S. House representative, John Elliott, joined most other southern congressmen in opposing it.¹¹⁵ But to squatters who invested most of their time in hunting and droving, preemption was an unhelpful non-issue, since "improvement" of land did little to improve their well-being.¹¹⁶ If anything, clearing land was detrimental to their interests, since it diminished the habitat of game animals and eliminated the cane and mast that free-range cattle and pigs fed upon. For years the area that was to become Breathitt County served as a haven for this way of life, a way of life that did not necessarily reject economic participation in the outside world but still depended upon the land remaining unfenced, untitled and undisciplined.¹¹⁷

¹¹⁵Congressmen representing New Appalachia realized (apparently correctly) that the opening of western lands would lead to the decrease of already marginal land values in their districts; *The Tribune Almanac and Political Register* (hereafter TAPR), 1859, pp. 23, 58; Salstrom, *Appalachia's Path to Dependency...*, pp. 22-23.

¹¹⁶A quantitative study of the eighteenth and nineteenth century Swedish peasantry concluded that "neither an inherent reluctance to change nor a moral economy led peasants to distance themselves from markets that prevented change. Similarly, white male Kentuckians' electoral support for preemption as a "natural" right probably would have been inversely proportional to their relative opportunity for legitimate land ownership; Patrick Svensson, "Peasants and Entrepreneurship in the Nineteenth-Century Agricultural Transformation of Sweden," *Social Science History*, Vol. 30, No. 3 (Fall, 2006): p. 420.

¹¹⁷There is little reason to think these landless men and their families practiced a pure "moral economy" that favored communal localism over individualistic market participation. On the contrary, dependence upon hunting and free access to markets via a natural conveyance (i.e., the navigable tributaries of the Kentucky River) probably sustained a very individualistic society. The portrayal of "peasant" societies as communities that perpetually work toward common goals has been criticized as a situation in which "scholars tended to idealize and homogenize the peasant community, constructing it as a seamless universe in which all agreed on how to define the moral economy and on what parts of the old world they sought to regain. Internal dissension, exploitation, or violence, no matter how important to the operation or definition of the community, tended to disappear from view" In his "post-revisionist" study of the political economy of nineteenth and early twentieth century Floyd County, Kentucky Robert Wiese calls this tendency "household localism" and contends that mountain yeomen of practically all possible financial situations had little reason to enter into arrangements that benefitted anyone outside of their respective immediate families. There is little reason to believe that eastern Kentucky's landless would have behaved much different from their landed neighbors in this respect; Wiese, pp. 11-13, 59-60. For a recent critique of the drawing of a stark distinction between "nonmarket and market-based societies" (using water rights in

Still, like all Americans, mountaineers with or without land craved participation in public institutions. They realized that a place for mediation, namely the court, was necessary to maintain peace and prosperity in even the most sparsely populated places and, rather than travel to far away county seats, it was easier to institute seats of government that were physically convenient. The formation of new counties became the most viable means of bringing courts to remote populations.

“These people lived here in seclusion for several years...”

The difficulty involved in clearing land for cultivation and grazing (and the even more difficult prospect of generating enough capital to obtain legal ownership of sufficient land) necessitated that these farmers combine marginal cultivation, the hunting of large and small game and open range grazing of livestock on titled *and* untitled land.¹¹⁸ Livestock was the locale’s only marketable agricultural product and required extended road travel, either east to Virginia or west to the Bluegrass, the former being the easier conveyance.¹¹⁹ Three Forks farmers turned to other forms of marketable extraction soon after their arrival. The recorded products that Three Forks mountaineers shipped to the Bluegrass in the early nineteenth century, deer skins, furs, honey and ginseng, demonstrate the way in which hunting and gathering could be used to contribute to a

the American West as its case study), see Thomas Clay Arnold, “Rethinking Moral Economy,” *The American Political Science Review* (hereafter *APSR*), Vol. 95, No. 1 (March, 2001), pp. 85-95; Florencia E. Mallon. *Peasant and Nation: The Making of Postcolonial Mexico and Peru*. (Berkeley: University of California Press, 1995): p. 64.

¹¹⁸Ronald Lewis. *Transforming the Appalachian Countryside: Railroads, Deforestation and Social Change in West Virginia, 1880-1920*. (Chapel Hill and London: University of North Carolina Press, 1998): pp. 23-28.

¹¹⁹The importance of eastern Kentucky droving began to decline in the early 1850s after improvements on the Ohio River increased its traffic, further minimizing the importance of the old Wilderness Road as a commercial route; Verhoeff, *The Kentucky Mountains...*, p. 100.

market economy.¹²⁰ Coal, salt and timber may have surpassed agriculture as the Three Forks’ primary market commodities by the 1830s, especially in the southern headwaters, where salt extraction began in the late eighteenth century (see Figure 4).¹²¹ Coal and timber were easily transportable via the rivers, and residents used self-manufactured

Figure 4: Agricultural and Extractive Production of Breathitt and Surrounding Counties-1840¹

County	Coal (bushels)	Salt (bushels)	Lumber (\$)	Other “products of the forest” (e.g., skins, ginseng) (\$)	# Sawmills/ Grist mills	# Cattle	Corn (bushels)
1840							
Breathitt	21,017	70	\$0	\$1,617	1/9	3,517	91,185
Clay	88,950	106,000	\$5,230	\$2,745	6/29	6,321	153,140
Estill	98,525	0	\$2,457	\$1,135	5/27	5,118	296,697
Perry	0	7,000	\$0	\$14,889	1/34	6,001	88,070

flatboats for delivery further northwest in Beatyville and Frankfort.¹²² The seasonally navigable three forks of the river provided a permanent (but tenuous) conduit of transportation between the Three Forks region and the Bluegrass core. Cannel coal, a particularly valuable variety of hard coal, was prevalent in the Three Forks, especially in the future Breathitt County. Cannel is primarily a surface coal, and could be easily surface mined without deep shaft digging, making early coal mining a simple winter vocation for farmers.¹²³ “Shallow pits” and “farmers’ diggings” were sufficient for most

¹²⁰Trimble, p. 10.

¹²¹Tyrel G. Moore, “Economic Development in Appalachian Kentucky,” *Appalachian Frontiers*: pp. 222-234; Ellis, pp. 56, 68, 73-74.

¹²²Flatboats or “push boats” were the primary vehicle of eastern Kentucky’s logging industry before the arrival of railroads and did not immediately disappear afterwards, remaining common well into the twentieth century; William E. Ellis. *The Kentucky River*. (Lexington: The University Press of Kentucky, 2000): pp. 53-80; Trimble, p. 11.

¹²³In fact, the mining of cannel coal in the nineteenth century was statistically safer than bituminous mining due to a lessened need for blasting; James C. Hower, “‘Uncertain and Treacherous’: the Cannel Coal Industry in Kentucky,” *Nonrenewable Resources*, Vol. 4, Issue 4 (Winter, 1995): p. 312.

early coal mining enterprises, although slightly larger enterprises employing slave labor were in operation at least as early as the 1830s.¹²⁴ Timber was an even greater asset to those interested in supplementing their farming. In 1835, up to 3000 logs from the Three Forks drainage area were felled and floated to Bluegrass markets by flatboat crews.¹²⁵ Although the vast majority of male heads of household in Breathitt County reported themselves to the census as farmers, many were simultaneously lumbermen and miners as well.

But the natural wealth of what was to become Breathitt County was only as accessible as was allowed by the small means available to exploit it. Although the markets available downstream kept the Three Forks region in permanent contact with the Bluegrass the sparse population could not even begin to fully capitalize on its natural resources due to a lack of infrastructure. State geologists surveyed Breathitt County and surrounding environs as early as the 1840s but no major efforts had been made to create centralized mining operations in the area.¹²⁶ Remarking on the wealth of coal and timber on Simon Cockrell, Sr.'s land in the 1830s a local memoirist writing in the 1910s wrote

¹²⁴Alan Banks, "The Emergence of a Capitalistic Labor Market in Eastern Kentucky" *Appalachian Journal*, Vol. 7, No. 3 (1980): p. 191; Hoffman, pp. 184-185; Workers of the Writers' Program of the Works Projects Administration in the State of Kentucky. *In the Land of Breathitt*. (Northport, NY: Bacon, Percy & Daggett, 1941): pp. 18-19.

¹²⁵*Kentucky Senate Journal* (hereafter *KSJ*), 1835, appendix p. 39; Verhoeff. *The Kentucky River Navigation*, pp. 174-175.

¹²⁶James MacFarlane. *Coal-Regions of America: Their Topography, Geology, and Development (with a colored geological map of Pennsylvania, a railroad map of all the coal-regions, and numerous other maps and illustrations)*. (New York: D.Appleton and Company, 1875): p. 346; David Dale Owen. *Fourth Report of the Geological Survey in Kentucky Made During the Years 1854 to 1859*. pp. 94-96, 351, 357, 362, 367, 369, 372, 417, 419, 420.

that “The latter was regarded as of but little value at that time, but would be worth an immense fortune now.”¹²⁷

Early nineteenth-century arrivals to the Three Forks region created a diverse economy that combined hunting, droving and marginal crop cultivation with timber and mineral extraction, an economy that notably employed a small measure of slave labor. While visitors to the area may have perceived poverty in this undisciplined half of the two Kentuckys, later labeled a “retarded frontier,” Jacksonian mountaineers had economic advantages equal to most Americans of their time and arguably greater than many.¹²⁸ Market ties to Virginia via the old Wilderness Road and the Bluegrass via the Kentucky River might be termed by some historians as economic dependencies; however, with a wealth of land unfettered by legal boundaries, these were dependencies that white Kentucky mountaineers negotiated generally under their own terms. E.L. Noble hyperbolically described his ancestors as existing in “forest primeval worlds, rich in primeval glory and wealth of worlds now unknown to man....These people lived here in seclusion for several years; not knowing what country or nation they were citizens. They wanted quiet and seclusion and for a long time found it.”¹²⁹ While relative seclusion was readily available to Noble’s forbears, the ability to profit from markets outside of their immediate vicinity was far too enticing to allow them to retreat completely to the mountain fastness that surrounded them. Residents of the Three Forks region in the early nineteenth century were eager to profit from the land even when they had no legal claim

¹²⁷Trimble, p. 5.

¹²⁸ The phrase “retarded frontier” as a description of Appalachia originated in George E. Vincent, “A Retarded Frontier,” *American Journal of Sociology*, Vol. 4, (1898): p. 1.

¹²⁹E.L. Noble (Vol. 1), pp. 40, 81.

to it. The two Kentuckys, different as they were in outward appearance, were permanently linked by commerce. This linkage was precisely what brought about the creation of Breathitt County.

“The Father of Breathitt County”

Unregulated land-use was not without potential complications. In 1805, conflict arose between cattlemen living between the Kentucky’s middle and north forks over the destruction of crops by steers that had strayed from a cattle drive en route to the Virginia line. John Amis, a north fork resident, took revenge on his careless neighbors by somehow drowning a number of their cattle in the river. In retaliation, members of the Strong and Callahan families from the banks of the middle fork killed Amis’ cattle and horses and assaulted his wife. Amis and his confederates attempted revenge days later by firing on the offending party of cattlemen, and shots were returned without immediate resolve. In an apparent response to the conflict, or perhaps the request of concerned locals, the Kentucky General Assembly formed Clay County from two other counties the following year with the intention of indicting the cattle war’s participants with greater ease. If the state government’s intentions were the maintenance of law and order in the area, it would seem that the effort was only partially successful; Amis was reportedly fatally shot while testifying on the witness stand.¹³⁰

¹³⁰Interviews with Andrew Combs Hazard, Matilda Duff Lewis and E.C. Strong, *John J. Dickey Diary* (hereafter *JJDD*), reel 3, p. 2272, 2322, 2419-2425. Margaret I. King Library Special Collections and Archives, University of Kentucky, Lexington (hereafter KLSCA); Jess Wilson. *The Sugar Pond and the Fritter Tree*. (Berea, KY: Kentucke Imprints, 1981): pp. 44-48; Gordon DenBoer and John H. Long (eds.), *Kentucky: Atlas of Historical County Boundaries*. (New York: Charles Scribner's Sons, 1995): p. 117; Strong Family Papers, p. 86, Breathitt County Public Library (hereafter BCPL).

What was remembered as the “Clay County Cattle War” was probably somewhat of an anomaly in the Three Forks region. Long cattle drives and free-range grazing continued for years afterward.¹³¹ The fact that the Cattle War was still frequently spoken of nearly a century later attests to how truly unusual this sort of mass violence was before the Civil War.¹³² The formation of a new county as a result of this one incident demonstrates that nineteenth-century eastern Kentuckians considered the oft-practiced formation of new counties a remedy for most, if not all, ills.¹³³ Over the thirteen years following the Cattle War, eastern Kentuckians continuously petitioned the legislature for the delineation of new counties in order to bring courts closer to remote farming communities, amounting to a “frenzy of county-making” between 1806 and 1822.¹³⁴ Between 1822 and 1860 the number of counties in the state increased from 71 to 110, bringing county courts closer to a greater number of voters while simultaneously increasing the state’s intensely parochial social and governmental character (see Figures).¹³⁵

¹³¹The raising of free range livestock presented a challenge to private property just as it did in other parts of America. Other sources that address the conflict between cultivation and droving in other parts of the South are: Steven Hahn. *The Roots of Southern Populism: Yeoman Farmers and the Transformation of the Georgia Upcountry, 1850-1890*. (Oxford and New York: Oxford University Press, 1983): pp. 239-268; Matthew Walpole, “The Closing of the Open Range in Watauga County, N.C.,” *Appalachian Journal*, Vol. 16, No. 4 (1989): pp. 320-335.

¹³²*JJDD*, reel 3, p. 2272, 2322, 2419-2425.

¹³³Although the Clay County Cattle War acted as a catalyst for the county being formed, subsequent demarcations of new counties over the following years demonstrate eastern Kentuckians’ desire for closer contact with county courts for other reasons; James Rood Robertson (ed.), *Petitions of the Early Inhabitants of Kentucky to the General Assembly of Virginia, 1769-1792*. (Louisville: John P. Morton & Company, 1914): pp. 84, 89, 107-108, 114, 117, 130, 141. For the profligacy with which nineteenth century Kentucky expanded the its number of counties see Ireland, *Little Kingdoms: The Counties of Kentucky, 1850-1891*. (Lexington: University Press of Kentucky, 1977): p. 2.

¹³⁴Scalf, p. 194.

Throughout the nineteenth century the partitioning of new county boundaries at the request of locally circulated petitions, as well as the settling of border disputes between preexistent counties, became the Kentucky General Assembly's primary activities.¹³⁶ With much of the population still somewhat transient in the early century there was no sanctioned requirement for petitioners to be natives of the area in which they wished to form new counties. While local primacy usually superseded other matters, occupants of one section of the state who could conceivably benefit from there being a new county in another section were at liberty to seek out their creation as well. With county and circuit courts more readily available to citizens in these increasingly smaller counties, the importance of county government increased. County courts in Kentucky had broad reaching powers comprising not only the judicial but the legislative and executive branches as well, with few checks and balances between the three. County courts were controlled by a board of justices of the peace, a position that was a lifetime appointment. Justices were required to make multiple magistrate nominations to the governor but firm recommendations could be made, recommendations that governors had little reason to ignore. The powers of county government in relation to the state were virtually "semi-federal" analogues to the state's balance of power with the federal government.¹³⁷ As was the case in the rest of the antebellum South, the white male Kentuckian "naturally

¹³⁵The trend continued after the war as well; between 1865 and the early twentieth century ten more counties were added. At this writing, Kentucky has the third most counties (behind Texas and Georgia) of any state; Jasper B. Shannon and Ruth McQuown. *Presidential Politics in Kentucky, 1824-1948*. (Lexington, KY: Bureau of Government Research, College of Arts and Sciences, University of Kentucky, 1950): p. 2.

¹³⁶Ireland, *Little Kingdoms*, pp.1-2, 6-7.

¹³⁷Charles S. Sydnor. *The Development of Southern Sectionalism, 1819-1848*. (Louisiana State University Press, 1948): pp. 39-40.

Figure 5: Kentucky in 1800

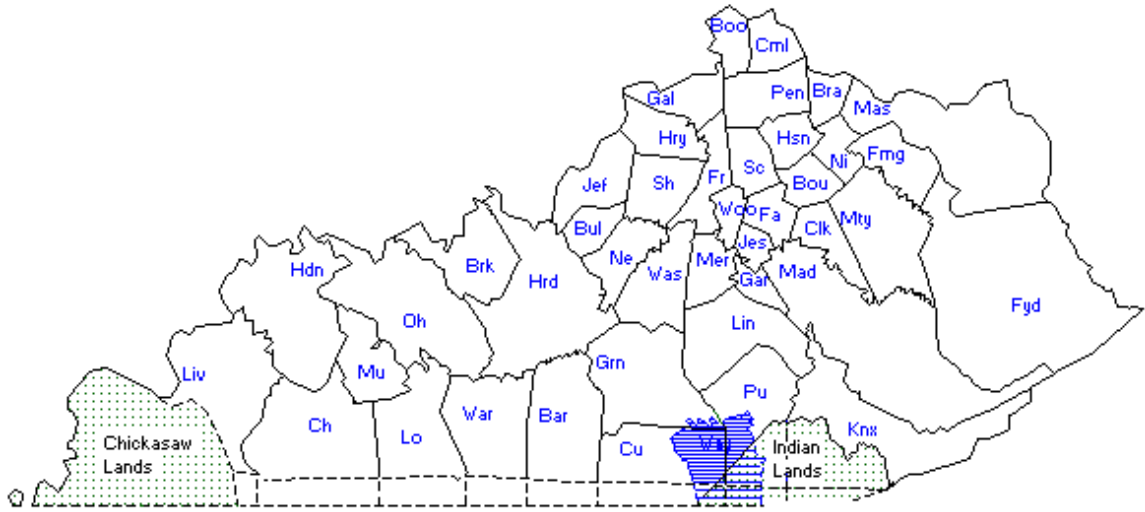


Figure 6: Kentucky in 1820

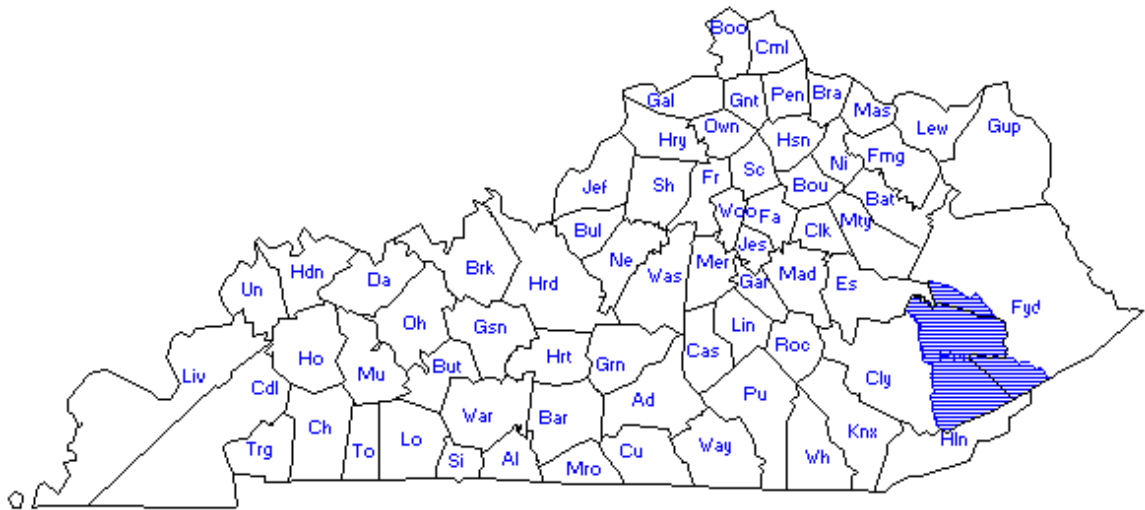


Figure 7: Kentucky in 1840

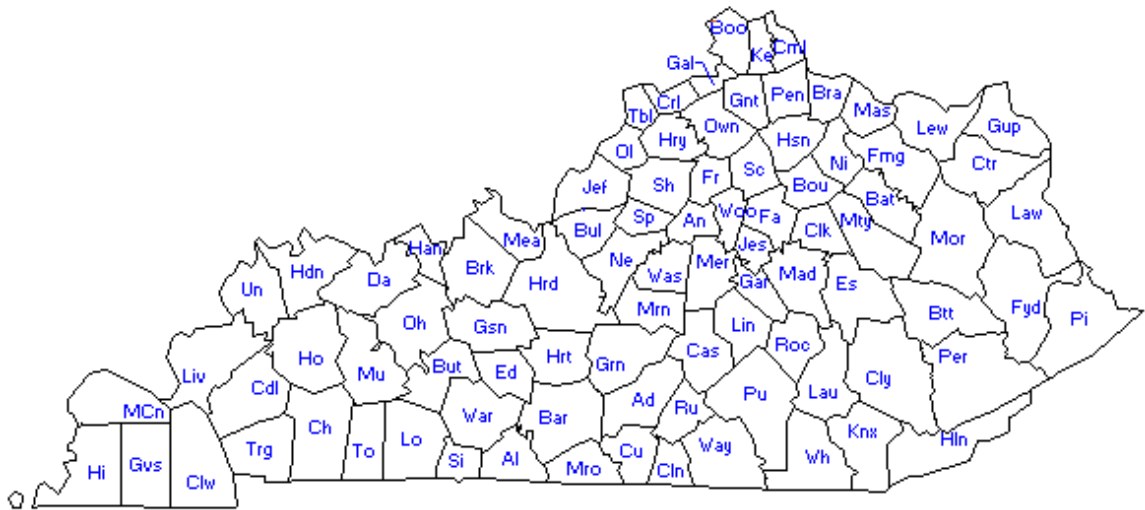
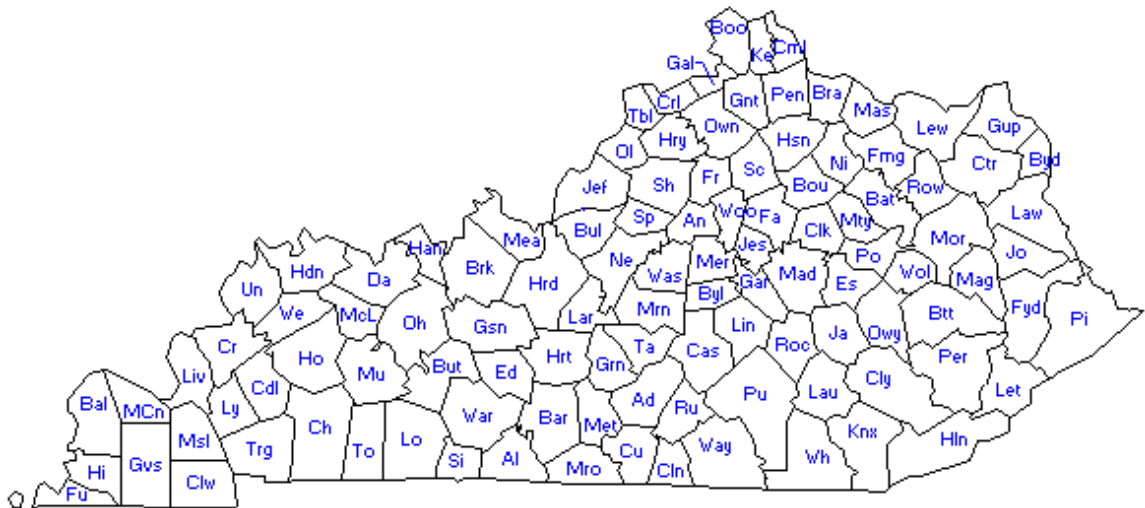


Figure 8: Kentucky in 1860



came to regard the county as having much and perhaps paramount importance among the governments to which he was subject.”¹³⁸

The proliferation of new counties came with unforeseen problems, especially the continuous decrease of individual county tax bases. As preexistent county governments struggled to keep valuable taxable territories, counties could easily lose a considerable amount of revenue with a single act of the legislature, an act that often went through with little attendant debate.¹³⁹ As a result, they ran the risk of becoming more and more impoverished over the course of years, decreasing the ability of county courts to sponsor public works and making paid public positions less and less attractive to local candidates. In many counties, particularly in their infant years, no immediate funds were available for the building of county courthouses, necessitating the holding of court in private homes. Clay, Perry, Breathitt and perhaps most other counties in southeastern Kentucky held court in homes, usually those of the “first families,” during the earliest years.¹⁴⁰ Holding court in privately owned homes was a seemingly innocuous arrangement brought about by economic and geographical necessity, an arrangement that most mountaineers did not complain about. The first families’ local primacy of settlement and wealth of land suggested a measure of disinterestedness. However, the convening of court in homes created confluences of public and private spaces that elite hosts could conceivably use to their personal advantage, to say nothing of the fact that these were often the same local elites who initially petitioned the state to carve new counties.¹⁴¹ As a result, the degree to

¹³⁸Ibid, p. 38.

¹³⁹Ireland, *Little Kingdoms*, pp. 5-6, 124-132, 152.

¹⁴⁰Pudup, pp. 5, 161; Wilson, p. 48; Trimble, p. 8.

which these new county courts reflected the will of the population depended chiefly upon elite intentions.¹⁴² While making possible the local sovereignty craved by nineteenth century Kentuckians, the predominance of county government impeded the development of white male democracy.

Most of eastern Kentucky's counties formed before 1850 were able to finance the construction of courthouses within a few years of their respective origins, and the importance of the initial court procedures being held in wealthy farmers' parlors might be written off as merely symbolic. However, new county formation created other opportunities for the fusion of elite private interests and public policy. New formations worked to the advantage of first families who leveraged the prestige that primacy brought with the control of new county courts to form multigenerational oligarchies. Between 1799's ratification of Kentucky's second constitution and the writing of a new state constitution in 1849, most county offices were appointed by justices of the peace rather than elected, and justice positions themselves were usually passed down to candidates selected exclusively by the board of justices. Elite families and their clients were able to supervise election results, control local patronage and use county funds for personal gain.¹⁴³ Since a daunting number of state legislators simultaneously served as justices of the peace in their respective counties (a trend rampant not just in eastern Kentucky but

¹⁴¹*KSJ*, 1839, p. 377; Billings and Blee, *The Road to Poverty...*, p. 110; Trimble, p. 8.

¹⁴²John A. Williams recognizes this "paradox" working in some manner throughout the Appalachian region: "In every Appalachian state, the political system acknowledged in one form or another the egalitarian traditions of the frontier period, yet the system itself was dominated by the interests of a social elite modeled on the plantation gentry of the lowlands." Williams declares that "...[n]o state carried the county government to greater extremes than Kentucky...": Williams, *Appalachia: A History*, pp. 134-136.

¹⁴³Ireland, "Aristocrats All: The Politics of County Government in Ante-bellum Kentucky," *The Review of Politics*, Vol. 32, No. 3 (July, 1970): pp. 368-369, 382-383.

across the state) the oligarchic influence was felt in the General Assembly as well.¹⁴⁴ As one of the only twentieth century historians to thoroughly examine the subject has asserted, even though there was “a sense of *noblesse oblige*” to insure fair governance, southern counties in the antebellum period were essentially “undemocratic” institutions.¹⁴⁵

Although its government did eventually suffer from the same oligarchic tendencies as other counties in the South, Breathitt County was not dominated by its first families. Many early families maintained their wealth and privilege for ages, but the county’s founders, and the guides to its political destiny, were wealthy Kentuckians from outside of the Three Forks region whose chief aims were creating greater access to the Bluegrass and maximizing the resulting profits. In 1833 Thomas Sewell, one of eastern Kentucky’s leading merchants from the Big Sandy River Valley, financed the clearing of a new road connecting Perry County’s War Creek community with Hazel Green, Kentucky.¹⁴⁶ Beginning in 1835 the state financed navigational improvements on the north fork in order to facilitate canalization of the larger river further downstream.¹⁴⁷ During the 1830s the small settlements in the Kentucky River’s lower breaks were slowly experiencing more visitation from outside of the watershed. The area’s new interconnectedness with the other half of the two Kentuckys was demonstrated in a sometimes flamboyant manner; three years later a traveling circus featuring an elephant

¹⁴⁴Ireland, “The Place of the Justice of the Peace in the Legislature and Party System of Kentucky, 1792-1850,” *The American Journal of Legal History*, Vol. XIII, No. 3 (1969): pp. 206-207.

¹⁴⁵Sydnor, p. 42.

¹⁴⁶Trimble, p. 18.

¹⁴⁷*In the Land of Breathitt*, p. 29; “Report of Board of Internal Improvement, *KSJ*, p. 38; Verhoeff, *The Kentucky River Navigation*, 23-30.

arrived from the Bluegrass, treating locals to the bizarre sight of Asian megafauna tromping through the mountain hardwoods.¹⁴⁸

As the 1830s progressed, the Three Forks region was being “discovered” by both settlers and a revived speculative frenzy unmatched in Kentucky since the 1790s.¹⁴⁹ With business in other parts of the state “prostrated” by the Panic of 1837, settlement accelerated as farmers from the Bluegrass, as well as previously settled areas of eastern Kentucky, were attracted to the watershed.¹⁵⁰ After building a second home on the north fork of the Kentucky River, Simon Cockrell’s son-in-law, Madison County native Jeremiah Weldon South (in partnership with a prominent Bluegrass co-investor), procured one of the delinquent land grants originally issued in the 1780s, a grant that amounted to more than 108,000 acres of mostly forested land.¹⁵¹ Although the area’s timber was what originally attracted South to the Three Forks, it was a difficult resource to exploit in the near future, while the creation of a new county would have attracted land

¹⁴⁸Trimble, pp. 1-2.

¹⁴⁹Watson, pp. 160-161; Roy M. Robbins, “Preemption- A Frontier Triumph,” *MVHR*, Vol. 18, No. 3 (December, 1931): pp. 343-345. John McFaul. *The Politics of Jacksonian Finance*. (Ithaca and London: Cornell University Press, 1972): pp. 172-174.

¹⁵⁰Parsons, p. 22.

¹⁵¹*Morse v. South et al*, Circuit Court D. of Kentucky, April 15, 1897. *The Federal Reporter*, Vol. 80, *Cases Argued and Determined in the Circuit Courts of Appeals and Circuit and District Courts of the United States*. Permanent Edition, June-July, 1897 (St. Paul: West Publishing Company, 1897): pp. 206-218; *The Kentucky Land Grants: A Systematic Index to All of the Land Grants Recorded in the State Land Office at Frankfort, Kentucky, 1782-1924*. Willard Jillson (ed.), (Louisville: The Standard Printing Company, 1925): p. 173; *Old Kentucky Entries and Deeds: A Complete Index to All of the Earliest Land Entries, Military Warrants, Deeds and Wills of the Commonwealth of Kentucky*. Louisville: The Standard Printing Company, 1926): pp. 101, 449; E.L. Noble (Vol. 2), pp. 51-52. After Owsley County was created in 1843 South’s holdings amounted to more than 37 percent of land owned in Breathitt County (see Figure 1). According to 1860’s tax records, his official acreage amounted to over a quarter of the county; *Annual Report of the Auditor of Public Accounts of the State of Kentucky for the Fiscal Year Ending October 10, 1860*. (Frankfort, KY: Jno. B. Major, State Printer, 1861): p. 47.

buyers and potential tenants.¹⁵² With Cockrell's support, South canvassed the area with a petition for the formation of a new county, resulting in the removal of portions of Clay, Estill and Perry Counties to form a new county in the winter of 1839.¹⁵³ Although he campaigned for the new county "without remuneration of any kind," South stood to gain much from forming Breathitt County around his enormous unimproved estate.¹⁵⁴ As other land speculators realized, the formation of a new county seat increased the value of property with the application of a minimal amount of labor. The new county, named for

Figure: 9



Jeremiah Weldon South, circa 1878

¹⁵²*In the Land of Breathitt.* (Northport, NY: Bacon, Percy & Daggett, 1941): p. 49; Trimble, p. 9

¹⁵³*Kentucky House Journal* (hereafter *KHJ*), 1839, p. 426.

¹⁵⁴Trimble, p. 8.

the state's first Democratic governor, was the first to be formed in eastern Kentucky since 1822. After Sewell began erecting dwellings along the north fork, a small town, initially named Breathitt in 1839 but changed to Jackson in 1841, developed into a county seat. Owing to Breathitt County's planned, commercially-interested origins, it became a municipal rarity: an American county formed without a preexistent central settlement.¹⁵⁵

South brought with him a formidable Kentucky pedigree. After helping Daniel Boone construct Boonesborough in 1779, his grandfather John South fought in the Revolution and served in the Kentucky General Assembly's first sessions. His father Samuel followed a general's commission in the War of 1812 with stints as legislator (losing Kentucky's speaker of the house post to Henry Clay by a single vote) and later state treasurer.¹⁵⁶ Although he came from the other of the two Kentuckys, a distinction not quite codified in the 1830s, most of the county's locals were relative newcomers themselves and had little reason to think of South as an interloper. As one visiting New Yorker was surprised to find, Jacksonian highlanders would "sing the praises of 'old Kaintuck' with as much fervor as the yeoman who rides over his thousand fat acres in the finest regions of Kentucky [i.e., the Bluegrass]."¹⁵⁷ Any white Kentuckian with deep roots in the state was a fellow, not a foreigner.

¹⁵⁵Eugene A. Conti, Jr., "The Cultural Role of Local Elites in the Kentucky Mountains: A Retrospective Analysis," *Appalachian Journal*, Vol. 7, Nos. 1-2 (Autumn/Winter, 1979-1980): p. 54.

¹⁵⁶"Samuel South Letter, 1825" (microfilm roll 82-0026, Clift Folder 884), Martin F. Schmidt Research Library and Special Collections, Kentucky Historical Society, Frankfort, KY (hereafter KHS); W.W. Stephenson, "Necrology," *RKHS*, Vol. 12, No. 34 (January, 1914): pp. 110-111; Robertson, p. 51.

¹⁵⁷Hoffman, pp. 199-200.

With his new county established, South began building a widely-supported local power base. As the primary petitioner for the county's founding, South was able to name the county's first justices of the peace, including himself, insuring a consensus of interests among the new county's leading landowners.¹⁵⁸ After being joined by his brothers John and Richard, Jeremiah had the latter appointed as Breathitt County's first sheriff, a position that rivaled county judge in official power (John, a lawyer who made a legal career representing heirs to the old Virginia grants, might have received his own appointment had he not died in 1838).¹⁵⁹ John Hargis and Simeon Bohannon, recent arrivals from Woodford County (the heart of the Bluegrass where the Virginia-style planter economy had taken its most successful roots) served as the county's first circuit court clerk and county clerk respectively.¹⁶⁰ Jeremiah South himself served as the county's first state representative in 1840 and was elected to the state senate three years later.¹⁶¹ Even aside from his ownership of most of the county's land, the "father of Breathitt County," "Jere" South and his Bluegrass fellows exhibited considerable control over their new political unit.¹⁶²

¹⁵⁸*KSJ, 1839*, p. 377.

¹⁵⁹Trimble, p. 4; *KSJ, 1839*, pp. 309, 320, 343, 377. The office of sheriff put one in charge of all county-level tax collection and bond execution, thereby placing the financial well-being of an entire county within the discretion of one individual; William B. Allen. *Kentucky Officer's Guide and Legal Hand-book : Especially Pointing Out the Powers and Duties of County Judges, County Attorneys, Magistrates.* (Louisville, KY, 1860): pp. 201-203.

¹⁶⁰Trimble, p. 8.

¹⁶¹(Mt. Sterling, KY) *Sentinel Democrat*, 14 April, 1880.

¹⁶²Jeremiah Weldon South was often referred to as the "father of Breathitt County" for having petitioned for its creation in 1839, serving as a justice of the peace and legislator in its service and owning a tremendous expanse of land within the county. From the 1850s until the 1870s he served as the superintendent of the state penitentiary and, by virtue of the appointment the monopoly of free labor it represented, became one of Kentucky's most influential Democrats.; *Louisville Courier-Journal*, 27 July 1877; 10 February 1880. Edward Ayers, *Vengeance and Justice: Crime and Punishment in the 19th*-

After assuming the legislator mantle, Jeremiah South came to be known as eastern Kentucky's greatest advocate in the statehouse, sometimes "favor[ing] that section even to the detriment of the state" and resultantly "idolized by the mountain people."¹⁶³ After his service in the state house for most of the 1840s South was elected to organize Breathitt County's troop contribution to the Mexican War but failed to receive the commission he sought due to having not recruited a large enough body of men.¹⁶⁴ This small setback did not diminish his popularity, locally or statewide, and he was soon after reelected to the General Assembly and was remembered at the time of his death as "perhaps, the most popular and influential man in all of Eastern Kentucky from his early manhood to 1880"¹⁶⁵ He was a lifelong supporter of Jackson's party and, as Kentucky Democrats' fortunes increased during the 1850s, his influence increased as well, garnering him the powerful position of state penitentiary superintendent and lessee in 1859.¹⁶⁶ This position came with considerable influence since it brought with it control over all convict labor, a commodity upon which most of Kentucky's internal improvements (at least that which did not employ slavery) depended.¹⁶⁷ While he ran the

Century American South (Oxford University Press, 1984): 195; Lowell H. Harrison (ed.), *Kentucky's Governors, 1792-1985*, (Lexington: University Press of Kentucky, 1985): p. 65; Robert Gunn Crawford, "A History of the Kentucky Penitentiary System, 1856-1937," (unpublished dissertation, University of Kentucky, 1955): p. 29; Ireland, *Little Kingdoms*, p. 2.

¹⁶³Robert Gunn Crawford, "A History of the Kentucky Penitentiary System, 1856-1937," (unpublished dissertation, University of Kentucky, 1955): p. 29; (Mt. Sterling) *Sentinel Democrat*, 14 April, 1880.

¹⁶⁴Parsons, pp. 31, 156; W.W. Stephenson, p. 110.

¹⁶⁵Robert Gunn Crawford, "A History of the Kentucky Penitentiary System, 1856-1937," (unpublished dissertation, University of Kentucky, 1955): p. 29.

¹⁶⁶*Acts of the General Assembly of the Commonwealth of Kentucky* (17 January-5 April, 1861). (Frankfort, KY: Jno. B. Major, State Printer, 1861): p. 22; Calvin Fairbank. *Rev. Calvin Fairbank During Slavery Times*. (Chicago: Patriotic Publishing Comp., 1890): p. 129; Wallace B. Turner, p. 139.

penitentiary South maintained the social capital he had established as a legislator, supplying his political allies with “cheap boarding, cheap washing and free drinks” when the legislature was in session and giving out “curiously wrought walking sticks and cedar chests” as gifts, swaying the General Assembly away from the prison reforms he opposed.¹⁶⁸ Even fellow Democrats criticized his undue influence over the legislature, having allegedly up to a third of the body under his sway “as absolutely as were the convicts.”¹⁶⁹ A former Negro inmate remembered his being only slightly more merciful to his charges than his cruel predecessor, owing more to slightly “more humanity in the man [and] less executiveness” than to his own personal kindness.¹⁷⁰ By his death in 1880 he had been “one of the controlling voices in the Democratic party in Kentucky” for some time, not to mention a controlling voice in the county he had helped to found.¹⁷¹

South and his Bluegrass contingent’s most permanent legacy in the Three Forks region was the establishment of a unfailingly Democratic constituency, a modest feat had it not been formed from within solidly Whig (and later Republican) territory in a state

¹⁶⁷‘Lessee’ was a new state-mandated position when South took it and one that exemplified the collusion of private and public interests rampant in antebellum Kentucky government. As lessee, South received direct personal income from convict labor. After emancipation, and the subsequently amplified dependence upon convict labor for public works, the position (which South retained except for a brief period during the war) was even more influential and supposedly carried with it more power than that of the governor in influencing state government; Ayers, *Vengeance and Justice...*, p. 195; *Kentucky’s Governors, 1792-1985*, Lowell H. Harrison (ed.) (Lexington: University Press of Kentucky, 1985): p. 65.

¹⁶⁸*LCJ*, July 27, 1877; 10 February, 1880; Nancy Disher Baird. *Luke Pryor Blackburn: Physician, Governor, Reformer*. (Lexington: University Press of Kentucky, 1979): p. 81.

¹⁶⁹*LCJ*, 10 February, 1880.

¹⁷⁰Calvin Fairbank. *Rev. Calvin Fairbank During Slavery Times*. (Chicago: Patriotic Publishing Comp., 1890): p. 129.

¹⁷¹Robert Gunn Crawford, p. 29.

known for its local political constancies and at a time when the state's Democracy was at a low ebb.¹⁷² In the 1840s, Kentuckians of many societal strata supported the Whigs and, as was the case in most southern communities, they created relatively homogenous party loyalties in their respective communities (loyalties that usually extended to the county level).¹⁷³ Those who gained their wealth from new roads and easy credit favored Clay's American System, while poorer elements supported the party in areas of the state where Democratic slaveholders dominated elections.¹⁷⁴ Even after the party's national decline

¹⁷²In terms of party loyalty, southeastern Kentucky counties exhibit consistencies that (if Whig, American, Opposition and Republican tickets can be uneasily lumped together) span centuries. Breathitt County's Democratic deviation from its Whig neighbors is especially significant considering the tendency of county electorates in the Three Forks region to follow the political lead of the counties out of which they were partitioned. Floyd and Morgan Counties, older counties situated to Breathitt County's north and east nineteenth century boundaries, exhibit the same staunch loyalty to the Democratic Party throughout the nineteenth century and, like Breathitt, held pro-Confederate leanings during the Civil War. Intuitively, this might indicate that Breathitt County's political socialization came from economic and social ties between these counties. However, the similarities may be misleading. Aside from the waterways that drained into the three forks of the Kentucky River, Breathitt County's only other major transportation conduits across county boundaries was a state road connected the county with Clay, Perry (counties that lost territory to the former's formation) and Owsley (a newer county to which portions of Breathitt County were lost) Counties, which were all traditionally Whig. Before 1850, there were no mapped roads between Breathitt and its similarly Democratic neighbors, suggesting that such physical ties of socialization might have been relatively minimal and giving further credence to Jeremiah South's personal influence on the electorate; Harold Tallant, *Evil Necessity: Slavery and Political Culture in Antebellum Kentucky*. (Lexington: University Press of Kentucky, 2003): pp. 136-137; Eugene A. Conti, Jr., "Mountain Metamorphoses: Culture and Development in East Kentucky," (unpublished dissertation, Duke University, 1978): p. 186. Ernest Collins, "Political Behavior in Breathitt, Knott, Perry and Leslie Counties," (unpublished master's thesis, University of Kentucky, 1940): p. 41; Moore, p. 224; James E. Copeland, "Where Were the Kentucky Unionists and Secessionists?" *RKHS*, Volume 71, No. 4 (1973): pp. 350-351; Frank F. Mathias and Jasper B. Shannon, "Gubernatorial Politics in Kentucky," *RKHS*, Volume 88, No. 3 (1990): pp. 263, 265, 267, 269; James Klotter and Hamilton Tapp, *Kentucky: Decades of Discord, 1865-1900*. (Frankfort, KY: The Kentucky Historical Society, 1977): p. 7; Harry August Volz, "Party, State and Nation: Kentucky and the Coming of the American Civil War," (unpublished dissertation, University of Virginia, 1982): pp. 69-70. Wallace B. Turner, "Kentucky Politics in the 1850's," *RKHS*, Vol. 56, No. 2 (April, 1958): pp. 123-124.

¹⁷³Harry Watson. *Jacksonian Politics and Community Conflict: The Emergence of the Second Party System in Cumberland County, North Carolina*. (Chapel Hill: University of North Carolina Press, 1981): pp. 220, 304.

¹⁷⁴Ronald Lewis, pp. 65-68. Historians of the 19th century American South who consider political parties to be tools of the elite, as well as historians who deem them true vehicles of mass opinion, all recognize the Whig Party's special formidability in the upland South, particularly in eastern Kentucky; Billings and Blee, *The Road to Poverty*, p. 109; Michael Holt. *The Rise and Fall of the American Whig Party: Jacksonian Politics and the Onset of the Civil War*. (New York: Oxford University Press, 1999): pp.

in the early 1850s, one area of the state never allowed Democratic footholds. Breathitt County was carved from the three counties that composed the eastern end of this “Whig Gibraltar,” the south-central section of Kentucky where loyalty to Clay’s party was most dependable.¹⁷⁵ For the first few years Breathitt County continued with its Whiggish origins, casting strong majorities for William Henry Harrison and gubernatorial candidate Robert Letcher in 1840. But within four years Breathitt County had begun an ongoing Democratic attachment, one that was to remain unchallenged for decades (see Figures).¹⁷⁶ Hargis and the Souths had numerous structural devices at their disposal for creating this area of Democratic support. Sheriffs and county court clerks, offices subordinate only to the county judge, held tremendous control over elections.¹⁷⁷ As part of their official duties, Hargis and Bohannon, the first clerks of the county court and circuit court respectively, were in charge of orchestrating “divides” (the vocal casting of votes on election days) and could not only monitor party loyalty but could also manipulate outcomes. With his brother Richard as sheriff (and fellow petitioners serving as the second and third), South was fully capable of using the carrot of patronage and the

34-35, 116. Carl Degler. *The Other South: Southern Dissenters in the Nineteenth Century*. (New York: Harper & Row, 1974): pp. 109-110; James S. Brown. *Beech Creek: A Study of a Kentucky Mountain Neighborhood*. (Berea, KY: Berea College Press, 1988): pp. 7-8.

¹⁷⁵Wallace B. Turner, “Kentucky Politics in the 1850’s,” *RKHS*, Vol. 56, No. 2 (April, 1958): p. 132; Mathias and Jasper B. Shannon, “Gubernatorial Politics in Kentucky,” *RKHS*, Volume 88, No. 3 (1990): p. 248.

¹⁷⁶Aside from majorities casting votes for Kentucky Unionists during the Civil War (perhaps, as will be addressed in the next chapter, due to violent coercion) Breathitt County’s electorate produced majorities for the Democratic Party for all offices, legislative and executive, on the state and federal levels; *TAPR*, 1838, p. 28; 1840, pp. 25-26; 1841, pp. 23-24; 1843, p. 46; 1844, p. 56; 1845, p. 51; 1846, p. 48; 1848, p. 46; 1849, p. 55; 1850, p. 48; 1852, p. 47; 1853, p. 43; 1854, p. 47; 1856, p. 47; 1857, p. 52; 1858, p. 59; 1859, p. 56.

¹⁷⁷William B. Allen. *Kentucky Officer’s Guide and Legal Hand-book: Especially Pointing Out the Powers and Duties of County Judges, County Attorneys, Magistrates*. (Louisville, KY, 1860): pp. 201-203; Ireland, *Little Kingdoms*, pp. 45-46, 124-132.

Figures 10-12: Presidential, Gubernatorial and Congressional (U.S. House) Elections in Breathitt County and its "Birth" Counties, 1828-1859

	"Democrat"/ National Republican	Democrat/ National Republican	Democrat/ Whig	Democrat/ Whig	Democrat/ Whig	Democrat/ Whig	Democrat/ Whig	Democrat/ Whig	Democrat/ Whig
County	1828 Pres.	1832 Pres.	1836 Pres.	1836 Gub.	1840 Pres.	1840 Gub.	1843 Cong.	1844 Pres.	1844 Gub.
Breathitt	-----	-----	-----	-----	45-159W	135-217W	219-138D	231-120D	250-151D
Clay	58-348NR	100-299NR	153-202W	136-356W	91-438W	141-447W	102-443W	92-335W	232-383W
Estill	239-215"D"	227-311NR	No returns	337-455W	155-459W	314-473W	43-597W	216-392W	328-441W
Perry	59-100NR	81-146NR	172-83D	165-134D	45-185W	159-266W	144-154W	84-113W	148-245W
Owsley	-----	-----	-----	-----	-----	-----	-----	129-165W	216-151W

	Democrat/ Whig	Democrat/ Whig	Democrat/ Whig	Democrat/ Whig	Democrat/ Whig	Democrat/ Whig	Democrat/ Whig	Democrat/ Whig	Democrat/ American	Democrat/ Opposition
County	1845 Cong.	1847 Cong.	1848 Pres.	1848 Gub.	1849 Cong.	1851 Cong.	1852 Pres.	1853 Cong.	1856 Pres.	1859 Gub.
Breathitt	288-138D	382-158D	151/143D	278/120D	401-126D	369-0D	234-96D	373-223D	502-112D	394-299D
Clay	321-195D	No Dem. candidate	125/377W	229- 416W	321- 351W	348- 330D*	185- 278W	398-271D	369-421A	511-418O
Estill	205- 337W	No Dem. candidate	238/485W	381- 490W	391- 377W	325-466W	322- 358W	565-410D	543-474D	493-556O
Perry	67-206W	No Dem. candidate	No returns	177- 192W	291- 392W	220-149D	77-130W	257-121D	295-173D	270-265D
Owsley	121- 212W	No Dem. Candidate	248/330W	270-268D	256- 294W	315-241D	326-294D	476-178D	401-335D	314-456O

County	# Democratic Majorities/ Recorded Elections	# Nat. Rep., Whig, American or Opposition Majorities/ Recorded Elections
Breathitt	13/15 (86.6%)	2/15
Clay	3/19	16/19 (84.2%)
Estill	3/18	15/18 (83.3%)
Perry	6/18	12/18 (66.6%)
Owsley (formed from part of Breathitt Co., 1843)	5/12	7/12 (58.3%)

stick of inconvenient summonses to swell the Democratic vote.¹⁷⁸ Breathitt County's political machines came and went long after South's death, but they were invariably Democratic.¹⁷⁹

Long after his death South's personal influence was credited for the county's political transformation, but it also involved a measure of subterfuge. In 1846, South, John Hargis and other fellow Democrats orchestrated a *petit coup* in the county court by holding a meeting of the justices of the peace with only one of the body's two Whig votes members present (Thomas Sewell being the absent Whig). Two vacancies were filled by Democrats, placing the county court completely under Democratic control. Although a Whig himself, Governor William Owsley ignored Sewell's warnings of the Democrats' attempt to "get in power" illicitly.¹⁸⁰ Sewell's suspicions were worthy; with Democrats in exclusive control over county patronage and public works, the party's majority increased significantly for years afterward.

Whether South et al employed these undemocratic methods or depended upon South's purported charisma (or a combination of both), it is clear that he wielded a tremendous amount of political authority in the new county, a level of authority achieved partly through marrying into one of the area's first families (like his brother, Richard

¹⁷⁸*KSJ*, 1839, p. 377; 1843, p. 42.

¹⁷⁹Laurel Shackleford and Bill Weinberg (eds.), *Our Appalachia*. (Lexington: University Press of Kentucky, 1988): pp. 40-43. *America at the Polls : a Handbook of American Presidential Election Statistics*. (Washington, D.C.: Congressional Quarterly, 1920-1956).

¹⁸⁰Papers of Governor William Owsley, Box 4, Folder 72, Kentucky Department of Libraries and Archives, Frankfort, KY (hereafter KDLA). Judging by the nature of letters sent to the governor's office in 1846 Governor Owsley had his hands full with other matters. A year earlier a member of one of Clay County's most prominent families had been jailed for murder and Owsley was obliged to send the state militia to Manchester to insure that a mob did not attack the Clay County jail. Soon after this matter had abated Owsley's attention was taken up by popular rumblings of war against Mexico; Governor's Letter Box (microfilm roll 993680), KDLA; Harry S. Laver. *Citizens More Than Soldiers: the Kentucky Militia and Society in the Early Republic*. (Lincoln: University of Nebraska Press, 2007): pp. 54-56.

South married women from the Cockrell family- a definitive “first family”). But South benefited also from the Three Forks region’s prior lack of what historical geographer Mary Beth Pudup has called an “indigenous vanguard class,” a preexistent elite that retained control over local society sufficient to dominate the local economy and political institutions.¹⁸¹ John Hargis’ arrival, giving the county its first internal law practice, further expanded the new county’s economic potential. In the early 1850s he, South and five of the county’s other large-scale landholders became charter stockholders in the Lexington and Kentucky River Railroad Company, a corporation that anticipated someday connecting the Three Forks region to Lexington by rail (a goal that did not actually come to fruition until after Hargis’ and South’s deaths).¹⁸² Just as forming Breathitt County conceivably benefited South, it did so for his neighbors as well. As a landowner with ambitions of economically enhancing the Three Forks region (with a brother who represented potential outside landowners), South was imposing a measure of economic and political discipline that only the arrival of a middle class could provide, a discipline that most local landowners had little reason to disapprove of. The Three Forks region was populated by farmers who shared an interest in expanding their own

¹⁸¹Pudup, p. 127. Pudup’s conception of class in nineteenth century eastern Kentucky depends upon E.P. Thompson’s dictum that class is not only defined by economic relationships but is also formed according to the dictates of specific historical context. Essentially, class relations in eastern Kentucky were defined according to the parameters of the immediate vicinity involving factors such as land ownership, profession and kinship that may not have corresponded directly to other parts of Kentucky, the upper South or the United States as a whole; E.P. Thompson. *The Making of the English Working Class*. (New York: Vintage Books, 1966): p. 11.

¹⁸²*Acts of the General Assembly of the Commonwealth of Kentucky, November Session, 1851*. (Frankfort, KY: A.G. Hodges & Comp., State Printers, 1852): p. 728.

commercial abilities. As its founder and wealthiest landowner, South was the most “prominent” man in Breathitt County within short years of his arrival.¹⁸³

“I want my tenant to go and drop in his ballot without my knowledge of the man for whom it is given.”

But in a place given to absentee ownership and speculation, being prominent did not necessarily involve being present. For some of the county’s “founding fathers,” living in Breathitt County was a temporary arrangement. In order to exert his growing statewide authority South was obliged to spend most of his time in the Bluegrass by the late 1840s, leaving his son Andrew Jackson South in Breathitt County to manage local business (in total, South fathered 13 children, some of whom remained in or around Jackson until well after the Civil War).¹⁸⁴ After serving as the first county clerk, Simeon Bohannon also returned to the Bluegrass, spending most of his time back in Woodford County and using his Breathitt County property as a summer home for his wife and daughters.¹⁸⁵

John Hargis, however, established a more permanent presence in the county he helped to create. A Virginia native (he was born in Washington County, Virginia and did not come to Woodford County until young adulthood), Hargis did not have the same roots in Bluegrass society as did his compatriots, and did not feel compelled to return.

¹⁸³Trimble, p. 5.

¹⁸⁴*U.S. Census*, 1860; Mary Willis Woodson, “My Recollections of Frankfort,” *RKHS*, Vol. 61, No. 3 (July, 1963): p. 204. South’s other sons may have kept a residence there as well but were not recorded as living in Breathitt County but in Madison County.

¹⁸⁵*KSJ*, 1839, p. 377; G.W. Noble, p. 8; Trimble, p. 12. South and Bohannon’s return to the Bluegrass is consistent with Wilma Dunaway’s assertion of widespread absentee ownership in antebellum Appalachia; Dunaway, *The First American Frontier...*, pp. 56-57.

After, starting his law practice, Hargis represented the county in the state senate, a tenure defined by his efforts to recreate the Bluegrass' commercial success in the Three Forks. Realizing the importance of strengthening ties with the Bluegrass, he advocated the construction of roads and river improvement in his section.¹⁸⁶ He unsuccessfully protested the continuing formation of new counties that removed territory from Breathitt County, and attempted to increase state funding for county common schools.¹⁸⁷ Although Democratic influence in the county court had come about through less than legitimate means, John Hargis did much to encourage white male Breathitt Countians to support his party.

As one of the only mountain Democrat delegates in Kentucky's 1849 constitutional convention, Hargis contributed Jacksonian appeals for individualism, local sovereignty, rural supremacy and slavery. Citing the "great danger to be apprehended from the influence [cities like Louisville] might exercise from the arising from the consolidation of wealth and numbers," he attempted to prevent the state's cities from increasing their representation in the General Assembly.¹⁸⁸ Speaking for a locality that produced few professionals, Hargis opposed limiting county judge candidacy to lawyers.¹⁸⁹ Most remarkably, Hargis spoke out against Kentucky's most cherished of political institutions, *vive voce* or voice voting. Although *vive voce* eased the

¹⁸⁶*KHJ*, 1856, pp. 391, 476.

¹⁸⁷*KHJ*, 1850, p. 203; 1856, p. 472; 1858, pp. 473, 545, 639, 649, 661.

¹⁸⁸*RDPCRCCK*, 1849. (Frankfort, KY: A.G. Hodges & Company, 1849): pp. 523-524, quote on p. 560.

¹⁸⁹*Report of the Debates and Proceedings of the Convention for the Revision of the Constitution of the State of Kentucky, 1849* (hereafter *RDPCRCCK*, 1849). (Frankfort, KY: A.G. Hodges & Company, 1849): pp. 299-300.

participation of the illiterate, it was widely criticized for allowing local elites to monitor voting habits and potentially manipulate the electorate.¹⁹⁰ Hargis was most concerned with landowners' exploitation of renters' votes, and demanded that economic authority not translate unduly into electoral influence. "I want my tenant to go and drop in his ballot without my knowledge of the man for whom it is given. If they vote by ballot what landlord will know anything about the vote of his tenant[?]" But since most of the men at the convention owed their political successes to knowing the inclinations of their tenants and neighbors, his plea for a secret ballot was ignored.¹⁹¹

Opposition to *vive voce* did not indicate firm opposition to the elite machinations that had created Breathitt County ten years earlier, nor to the efforts to create a one-party regime during the intervening years. Hargis wanted there to be as few electable offices on the local level as possible and opposed making county attorney, coroner, jailer and "other little petty officers" electable, preferring that they remained positions appointed by the justices of the peace. Absent due to illness for much of the proceedings, Hargis' contribution to the expanded *herrenvolk* democratization that Kentucky's 1849 constitution was hoped to provide was ambiguous.¹⁹² But Hargis's support was clear in

¹⁹⁰Richard Franklin Bense. *The American Ballot Box in the Mid-Nineteenth Century*. (Cambridge University Press, 2004): pp. 56-57; Ireland, *Aristocrats All...*, p. 368. The secret ballot was instituted for the state in the original 1792 constitution but its 1799 replacement established *vive voce* as standard in Kentucky for a century. For the role of *vive voce* as a method of social control and an advantage to eastern Kentucky elites see *The Annals of the American Academy of Political and Social Science*, Vol. XXV, No. 1 (January, 1905): p. 125; Waller, *Feud...*, p. 26; Billings and Blee, *The Road to Poverty*, pp. 106, 374.

¹⁹¹Knowing that he was in the minority, Hargis apparently did not push the issue and submitted his own draft of a proposed constitution that allowed for *vive voce*. Kentucky did not eliminate it until the 1880s; *RDPCRCCK, 1849*, (Frankfort, KY: A.G. Hodges & Company, 1849): pp. 43, 336.

¹⁹²*RDPCRCCK, 1849*, p. 362. While the 1849 constitution was supposedly an improvement over its 1799 predecessor (in terms of expanding democracy) many historians agree that its most lasting legacy was a killing blow to the Kentucky Whig Party (a result that Hargis no doubt approved of) and, as a result, the weakening of vigorous two-party competition experienced throughout the South in the 1850s. For a

the constitution's revitalized declaration of support for slavery. Asserting that slavery was "sanctioned by the Bible," he proposed its permanent protection in the new constitution and, aware that Kentucky's Protestant clergy had traditionally been the institution's most vocal critics for decades, proposed a constitutional exclusion of "clergymen, priest or teacher of any religious persuasion, society, or sect..." from serving in the General Assembly. Exhibiting the common white anxiety of an unmanageable free black population, he also proposed that all emancipated slaves be required to leave the state under the penalty of re-enslavement.¹⁹³ Hargis' fear of free blacks reflected his Woodford County past more than it did his new home in the mountains.¹⁹⁴ According to local memory, slavery had existed in the area that was to become Breathitt County since about 1800.¹⁹⁵ But, from its creation until the Civil War, slaves made up less than five percent

refutation of the 1849 constitution as a step toward democratization, see Mathias, "Kentucky's Third Constitution: A Restriction of Majority Rule," *RKHS* Vol. 75, No. 1 (Winter, 1977): p. 18.

¹⁹³*RDPCCSK, 1849*, pp. 42-43, 560. In his history of the state in the Civil War era, Merton Coulter claimed that Kentuckians held fast to slavery for constitutional, rather than economic reasons and supported its continuance out of fear of a free black population. One result of the new state constitution was a seeming "settling" of the slavery issue. While debate over the institution had previously been vigorous, after the new constitution's passage public argument became permanently stifled; Coulter, *The Civil War and Readjustment in Kentucky*. (Chapel Hill: University of North Carolina Press, 1926): pp. 7-8; Harold Tallant. *Evil Necessity: Slavery and Political Culture in Antebellum Kentucky*. (Lexington: University Press of Kentucky, 2003): p. 159.

¹⁹⁴Hargis may also have been influenced by the previous year's reportedly white-led escape attempt by dozens of slaves from three Bluegrass counties; Tallant, p. 146. Due to the small numbers involved, slavery's place in New Appalachia has generally not been a popular historical subject. Historians have begun to study slavery in southern Appalachia in recent years, but have tended to look to areas further south (notably western North Carolina, northern Georgia and Alabama) mainly because these were areas in which slavery was marginal compared to the lowlands but not numerically negligible as it was in eastern Kentucky and northwestern Virginia. The only book-length works that have studied slavery as an institution common throughout New Appalachia are Dunaway's *Slavery in the American Mountain South* (Cambridge University Press, 2003) and *The African-American Family in Slavery and Emancipation*. (Cambridge University Press, 2003). But, although Dunaway acknowledges slavery in the mountainous upper South, most of her data is gleaned from sources pertaining to Appalachia's extension into the Deep South states where slavery was more economically viable and slaveowners had an even firmer hold over state and local government than in the upper South.

¹⁹⁵Interview with Edward C. Strong, July 21, 1898, *JJDD*, reel 3, p. 2422.

of Breathitt County's population.¹⁹⁶ Since whites in Breathitt County and surrounding areas outnumbered slaves by a considerable margin, they probably did not share most white Kentuckians' fear of insurrection. Even with Nat Turner's Virginia revolt a relatively recent memory, slaves in the mountains were allowed to go armed for hunting. During an extended dispute between two Clay County salt manufacturers, one of the two even armed a number of his slaves and directed them to harass his adversary and the latter's adherents during a court trial.¹⁹⁷ Slaveowners willing to use their bondsmen as armed combatants had little fear of armed insurrection.

But this contribution to the convention had greater political significance than it did practical significance. Hargis' firm support for slavery as a representative of a county with very few slaves, paired with his support for his constituents' sense of localism, amounted to a paradoxical intersection of sectional and class-based politics. Even though the number of slaves in the county grew over the two decades after it was established (while, in contrast, already small slave populations in neighboring counties declined over the same period) few Breathitt County citizens owned slaves. However, those who did, like South and Hargis and all of the county's original justices of the peace, were among the county's political economic and political elite.¹⁹⁸ But while these men were a

¹⁹⁶*Breathitt County Slave Schedules*, 1840, 1850, 1860. Woodford County held Kentucky's largest proportional slave population during the last two decades before the Civil War. For a numerical comparison of slavery between southeastern Kentucky and other parts of the state see Marion B. Lucas. *A History of Blacks in Kentucky: Vol. 1, From Slavery to Segregation, 1760-1891*. (Frankfort, KY: Kentucky Historical Society, 1992): p. xx.

¹⁹⁷Billings and Blee, *The Road to Poverty...*, pp. 120-121, 125, 213.

¹⁹⁸The growth of Breathitt County's slave population between 1839 and 1860 stands in contrast to the institution's pronounced decline in surrounding counties during the same period. However, slaves were never owned by more than one percent of the white population and less than six percent of white households, suggesting that the small increase in the number of slaves during these years indicates a greater amassment by whites who were already slaveowners rather than general growth of the institution; Ernest

minority within their own locality, they were not within the broader context of the entire state. Slave ownership was widely dispersed in Kentucky, and most slaveowners owned less than ten slaves at any given time, a rate that was scarcely different than that of Breathitt County.¹⁹⁹ Although the number of slaves and slaveowners in the county was far below the statewide average, the typical Kentucky slaveowner owned less than ten slaves as well, a trait shared with masters in all of the slave states.²⁰⁰ Hargis and the Souths had little reason to see themselves differently than other slaveholders in Kentucky and the South and perhaps found this similarity more compelling than the interests of their yeoman and squatter constituents.²⁰¹ Their support for slavery, matched with their representation of a county with few slaves and only a few slaveowners, made the institution's political importance to the county's elites was disproportional to its negligible economic importance. As much as John Hargis wished for Breathitt County's white population to be unfettered by centralized government and bureaucracy, his economic values reflected those of Bluegrass rather than the half of the two Kentuckys in which he now resided and represented.

Collins, pp. 9, 40-41; *Breathitt County Slave Schedule, 1841, 1860*, KHS. This slavery-determined minority control over local courts was consistent with Kentucky at large and other parts of the South with relatively small slave populations; see James Oakes. *The Ruling Race: A History of American Slaveholders*. (New York: Knopf, 1982): p. 144.

¹⁹⁹The county's largest slaveholding in 1861 was only fifteen while most of the county's thirty five slaveowners owned fewer than five; *Breathitt County Tax Books, 1861*, KHS; Ernest Collins, pp. 9, 13.

²⁰⁰In 1860 only seventy Kentuckians owned more than fifty slaves; Stuart Seely Sprague, "The Kentucky Pocket Plantation: Sources and Research Strategies, Mason County as a Case Study," *FCHQ*, Vol. 71, No. 1 (January, 1997): p. 69.

²⁰¹Hardly exceptional, Kentucky is only one good example of a condition common throughout the South: most slaveowners (comprising roughly a third of the white southern population) owned less than ten slaves. The owner of five slaves living in a locality with minimal slave ownership would have nevertheless felt a kinship of economic interest with other slaveowners more than with slaveless neighbors; Frank Owsley. *Plain Folk of the Old South*. (Baton Rouge: Louisiana State University Press, 1949): pp. 8-9.

This disproportionality of interests may have resulted in a small but telling yelp of dissent shortly after the constitution's ratification. In 1851 Kentucky's flamboyant emancipationist Cassius M. Clay attempted a gubernatorial bid, garnering slightly over three percent of the popular vote and carrying no county majorities. In Breathitt County he carried only 5.9 percent of the vote, a percentage that amounted to fewer than fifty votes.²⁰² While such a small number of votes is ostensibly insignificant, when looked at within the context of counties that gave Clay more than a five percent vote, Breathitt County appears to be a striking aberration, an aberration that may have been an indicator of internal tension. All of the other counties that cast a more than negligible vote for Clay were primarily in more developed areas of Kentucky where slavery was either an important part of the economy, a matter of recorded popular controversy resulting in formal dissent or both. Perhaps what makes Breathitt County most peculiar in this election was the fact that all other counties that cast more than a five percent vote for the emancipationist ticket were, owing to Clay's past association with the party, consistent Whig counties (see Figure).²⁰³ The small number of men in Breathitt County who cast

²⁰²The estimation of the number of votes this would have comprised depends upon Breathitt County's having a potential vote of 761 in the following year's presidential election; *TAPR, 1852*, p. 47; Mathias and Shannon, "Gubernatorial Politics in Kentucky," p. 271; Shannon and McQuown, p. 26.

²⁰³Eighteen counties contributed larger percentages of their respective votes to Clay than did Breathitt, with Clay's native Madison County contributing the highest at 35.2 percent. The majority of counties that supported Clay to a greater degree than Breathitt County were highly commercialized areas, both extractive and agricultural, in which slavery was a significant presence but not an overwhelming one. Of these eighteen, all but four had slave populations larger than that of Breathitt (and most were considerably larger). These four, Laurel, Owsley, Perry and Whitley Counties, were all in the more commercialized area of the Three Forks region south of Breathitt County, suggesting that within the slave economy generated by iron and salt mining slavery was not universally accepted, perhaps due to its monopoly by an elite minority. Also, twelve of these counties (including all of the counties in the Three Forks region except for Breathitt) had hosted emancipationist or abolitionist gatherings shortly before 1851, revealing at least a small ferment of native anti-slavery sentiment and resultant impetus for an emancipationist voting base. In contrast, the counties in which Clay had his poorest showings were ones in which slavery was either a large part of the economy (the northern Bluegrass and the plantation-heavy "Jackson Purchase" area to the far West) or ones where slavery was "out of sight, out of mind" (such as the

votes for Cassius Clay did so not out of fear of the tiny local black population, nor for the effect slavery had upon labor arrangements and probably not out of moral disgust for the idea of human enslavement. These votes were cast less out of reaction to slavery’s economic and social prospects than out of the reality of having a slaveowning minority control and represent a population whose interests they did not consistently share. The commercial enterprise that was Breathitt County did not depend upon slavery, but the institution nevertheless represented the irregularity of its creation. Moreover, it showed that, while one of their descendants claimed that they were ignorant and uncaring of “what country or nation they were citizens” eight decades later, the county’s adult white males were quite concerned with subjects originating in the “outside world,” namely slavery and the two-party electoral system.

Figure 13: Counties Returning Greater than 5% for Cassius M. Clay for Governor, 1851

County	1851 Clay vote (%)	% of Pop. Black in 1860	Whig Majority in 1851 Gub. Election	Known Public Antislavery Activity <1851
Breathitt	5.9	4.3	No	No
Butler	7.2	10.0	No	No
Clay	26.5	9.2	Yes	Yes
Edmondson	5.0	6.1	No	No
Estill	18.1	7.6	Yes	Yes
Fayette	5.1	47.3	Yes	Yes
Garrard	15.4	34.9	Yes	Yes
Jessamine	5.1	40.1	Yes	No
Knox	9.9	8.7	Yes	Yes
Laurel	7.3	3.4	Yes	Yes
Lincoln	6.9	33.7	Yes	Yes

eastern counties bordering Virginia), most of which were typically Democratic counties. Clay’s relative success in these counties was partly due to his past in the Whig Party, but also due to the intraparty divisions over the issue of slavery and the Democratic Party’s ability to attract both slaveless yeomen and large-scale-planters. Clay accordingly claimed the credit for the ensuing Whig defeat and declared it evidence of slavery’s intractability in Kentucky politics; Tallant, p. 249; Mathias and Shannon, p. 273; David L. Smiley. *The Lion of White Hall: The Life of Cassius M. Clay*. (Madison: The University of Wisconsin Press, 1962): pp. 43, 147; Lucas, p. xx; Tallant, p. 249; Mathias and Shannon, p. 273; Billings and Blee, *The Road to Poverty...*, p. 60; Harry August Volz, “Party, State and Nation: Kentucky and the Coming of the American Civil War,” (unpublished dissertation, University of Virginia, 1982): pp. 98-100.

Madison	35.2	35.9	Yes	Yes
Monroe	13.9	11.0	No	Yes
Ohio	8.7	10.8	No	No
Owsley	8.5	2.4	No	Yes
Perry	12.2	2.2	No	Yes
Pulaski	12.7	8.0	No	Yes
Rockcastle	19.4	7.4	Yes	No
Todd	6.8	42.3	Yes	No
Washington	7.1	24.8	No	No
Wayne	7.0	9.9	Yes	Yes
Whitely	13.2	2.9	Yes	No

The tensions revealed in 1851 were tested six years later when William Ellaby Lincoln, an English abolitionist preacher, visited the county. On leave from Ohio's Oberlin College, Lincoln came south in the spring of 1857 to preach against slavery and to visit John G. Fee, Kentucky's second most prominent critic of slavery and the founder of co-racial Berea College on the eastern edge of the Bluegrass. Fee urged Lincoln to travel to Breathitt County and he agreed, travelling southeast soon after on foot and later horseback. Along the way, Lincoln encountered resistance to his abolitionist message until he arrived in Breathitt, where he was taken in by a reticent opponent of slavery. Lincoln's host was "careful not to expose himself too much" as an abolitionist since local slaveholders were willing to defend their institution "even by mob violence." They were part of a multiracial congregation to hear a "colored preacher... whose sermon was a careful steer between the master & slave." When Lincoln rose to the pulpit later in the day, sheriff's deputies arrived and warned the slaves away at gunpoint. During his antislavery exegesis of the prophet Jeremiah, Lincoln realized that the same deputies had pointed their pistols in his direction from their pews. He was able to convince them to lower their guns during worship, but afterward some "young slaveholders" who were also in attendance warned Lincoln that he would be shot if he did not leave quickly. On his

way back to the home of the quiet abolitionist (who had bowed out of going to Lincoln's service so as not to attract unwanted attention), the deputies feigned friendliness but then began shooting. Lincoln claimed later to have barely escaped with his life after his horse threw him from his saddle as he was being fired upon.²⁰⁴ Lincoln's visit provided an opportunity for the county's white consensus on slavery to be challenged publicly for the first time. It also showed that, as in other southern communities in the 1850s, protests against the slaveholding order was punished with violence, in this case meted out by officers of the county court.

1851's ballot deviation and the small show of sympathy for abolitionism (as well as the state-mandated effort to suppress it) short years later reveal a lack of perfect consensus within antebellum Breathitt County's Democratic cabal, but hardly a serious challenge to the party's (and by extension Jeremiah South's), local influence. As far as its official institutions and formal political character went, Breathitt County remained in the image of its "father." But South's mastery over court did not translate into mastery over country. For the entirety of his life, and for years after it, much of South's vast landholdings were occupied by squatters, many of whom probably occupied the land before South procured the delinquent title or were descended from those who did.²⁰⁵ By 1846, approximately half of Breathitt County's heads of household reported having no land.²⁰⁶ While some of these families were tenants, they and their squatting neighbors

²⁰⁴Nat Brandt. *The Town that Started the Civil War*. (Syracuse, NY: Syracuse University Press, 1990): pp. 8-12 (quotes p. 11).

²⁰⁵*Hazel Green Herald* (hereafter *HGH*), May 10, 1894; *Miller v. South &c.*, Kentucky Court of Appeals, filed 16 September, 1890, *KLR*, Vol. 12, No. 1 (1 July, 1890): pp. 351-352; *Morse v. South et al*, Circuit Court D. of Kentucky, 15 April, 1897. *The Federal Reporter, Cases Argued and Determined in the Circuit Courts of Appeals and Circuit and District Courts of the United States*. Vol. 80, Permanent Edition, June-July, 1897 (St. Paul: West Publishing Company, 1897): pp. 207-208.

were alike in their usage of South's property, hunting game, herding livestock, sending hogs to mast, damming creeks, cutting timber, mining coal and constructing cabins. Some even received state land patents that ignored South's preexistent grant, the latter of which had been based on one of the old Virginia grants that were becoming increasingly forgotten as the nineteenth century wore on.²⁰⁷ For decades this was a source of constant dismay for South, and numerous times he unsuccessfully attempted to recoup his profits by placing felled timber under attachment in court. He also tried hiring some of his land's occupants to aggressively prevent trespassing, but this extralegal method also proved unhelpful; even legitimate tenants used the land as they willed because of South's sheer inability to physically survey all that he owned. John Aikman, a long-time tenant of the South family and their estate's "guard," exploited Jeremiah South's absence and eventually used the courts to legally lay claim to a substantial mass of his property.²⁰⁸ Despite his holding a grant to the land, the confusion of boundaries between other claimants and ostensible "wild lands" resulted in four decades of litigation during South's life and afterward.²⁰⁹ Nearly thirty years after Jeremiah South's death, Breathitt County was said to have the worst problem with overlapping land claims in all of Kentucky, a harsh indictment in a state whose judicial system had been inundated with tenure litigation since the late eighteenth century.²¹⁰

²⁰⁶*Breathitt County Tax Books, 1846*, KHS.

²⁰⁷*Sizemore &c. v. Trimble, &c.*, Kentucky Court of Appeals, 4 May, 1904. *Kentucky Law Reporter* (hereafter *KLR*), Vol. 26, No. 1 (1 July, 1904): pp. 8-10.

²⁰⁸"H.F. Davis & Co. v. Sizemore et al.," Court of Appeals of Kentucky, 20 December, 1918, *SWR*, Vol. 207 (22 January-12 February, 1919): p. 17; *SWR*, Vol. 37 (1896-1897): p. 260; "Aikman v. South et al.," Court of Appeals of Kentucky, 31 October, 1906, *SWR*, Vol. 97 (1906-1907): p. 5.

²⁰⁹E.L. Noble (Vol. 2), pp. 51-52.

But, among those who occupied South's land, Aikman may have been one the only ones with ambitions of legal land ownership. The wood denizens, thriving for decades after the Civil War, benefited from a superior knowledge of the terrain, a form of possession that was often more effective than contractual ownership.²¹¹ As long as their itinerant hunting, droving and timbering was sustainable, the wood denizens persisted, even without the capital necessary to seek out legal representation. South's ownership of their land was a potential threat, but it was not an immediate one. Legal commodification was a less-than-formidable weapon against physical possession and occupation. Breathitt County's forbidding geography acted as an equalizer between landed and landless. Even Simon Cockrell, wealthy enough to own numerous slaves and act as a creditor for his neighbors, "had no grass" and was obliged to graze his cattle on "cane and other winter forage" on land that was not his own.²¹²

Further complicating the confluence of private and public interests through which Breathitt County had come into being, the perpetuation of the Democratic regime South created probably depended upon the votes of men who brazenly violated the sanctity of his property. Given the continuation of *vive voce* until years after his death, this was probably knowledge shared openly by South, his landed fellows and his trespassers.²¹³

The result was a long-standing stalemate of cross purposes.

²¹⁰BCN, 16 March, 1906.

²¹¹As was the case with the Sussex "Blacks," the organized poachers of the royal forests in Hanoverian England; the land's sheer physicality, especially unimproved forest, places the advantage of *possession* (in contrast to legal ownership) in the hands of the unauthorized inhabitants who have the greater knowledge of the topography; E.P. Thompson. *Whigs and Hunters: The Origin of the Black Act*. (New York: Pantheon Books, 1975): p. 240. See also, Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition have Failed*. (New Haven, CT: Yale University Press, 1998): pp. 11-52.

²¹²Trimble, p. 12; *Louisville Courier-Journal* (hereafter *LCJ*), 3 June, 1904.

“...to perpetuate feudal conditions in Breathitt...”

Near the end of the nineteenth century, with the railroad recently arrived just north of Jackson, coal and timber extraction now the domain of corporations, Jeremiah South more than ten years dead, and ‘Breathitt’ a nationally-recognized byword for rural violence, the county’s first newspaper presented this stalemate as still going strong. Every early issue of the *Jackson Hustler* contained warnings against the taking of logs floating on the north fork that had been branded by individuals or companies, a practice that seemed to be almost as locally accepted as it was difficult to prevent and punish.²¹⁴ John J. Dickey, a Methodist minister and the paper’s founding editor, attempted to appeal to his readers’ religious faith to defend a modern conception of property. “In some places on the river this stealing is going on to such an extent, and is so tolerated and encouraged by persons regarded as respectable, that it is almost impossible to arrest or convict those engaged in this nefarious business” read one column. “A man is as much a thief who steals the saw logs of a rich corporation as the one who enters a church by night and bears away the Bible or the communion service. That men should be guilty of this crime and yet ask to be considered respectable, is a marvel of impudence and effrontery. The law

²¹³Planters further to the south who chafed at having to fence their crops for protection from drovers while depending on these same drovers’ votes suffered an analogous problem; Hahn, “The Yeomanry of the Nonplantation South: Upper Piedmont Georgia, 1850-1860,” in *Class, Conflict and Consensus: Antebellum Southern Community Studies*. (Westport and London: Greenwood Press, 1982): p. 40.

²¹⁴For instance, *Jackson Hustler*, 3 April, 1891. It was only in 1876 that the General Assembly passed a law enforcing the rights of individuals with registered brands to prosecute log thieves; *Jackson Hustler*, April 24, 1891. James J. Dickey’s activities in Breathitt County in the 1880s and 1890s are discussed in more detail in a later chapter.

can not be too rigidly enforced against violators of law of any kind, and especially should it be done when the principal industry of this great country is so effected [sic].”²¹⁵

Alongside his own admonishments against crimes perpetrated by men performing a kind of extractive economy older than the county itself, Dickey also reprinted screeds from Social Gospel devotee Henry George and his acolyte John W. Kramer. While George’s advocacy for the “single tax” on land seemed to be the pastor/editor’s favorite subject, perhaps in reaction to the recent amalgamation of local land by railroads, Dickey also featured George’s condemnation of land speculation.

How speculative rent checks production may be seen not only in the valuable land withheld from use, but in the paroxysms of industrial depressions which, originating in the speculative advance in land values, propagate themselves over the whole civilized world everywhere paralyzing industry and causing more waste and probably more suffering than would a general war. Taxation which would take rent for public uses would prevent this, while if land were taxed to anything near its rental value, no one could hold land that he is not using and, consequently, land not in use would be thrown open to those who would use it. Settlement would be closer and, consequently, labor and capital would be able to produce much more with the same exertion.²¹⁶

As a relative newcomer, Dickey may well have been oblivious to the ironies in his reprinting the nineteenth century’s greatest decrier of land speculation in a county originally founded for that sole purpose, nor in preaching property rights to local timber poachers. By 1891 the county was no longer under the thrall of the men who had created it and, with Gilded Age policies in full swing, the old ideal of disinterested government they had violated was moot. The accumulation of wealth was still Breathitt County’s *raison d’etre* but it was no longer dominated by the same group of individuals who had devised it. Much profit was being made during Dickey’s time as editor but the conditions he spoke to were those of a new industrial era that Jeremiah South had perhaps foreseen

²¹⁵Ibid, 17 April, 1891.

²¹⁶Reprinted in Ibid, 3 April, 1891.

but had never truly gained from. Meanwhile, the squatter economy that had vexed South evidently carried on. The profitable discipline that Breathitt County was to have imposed upon the Three Forks region had become something approaching civil chaos (but with the Democratic predominance South had devised intact). Perhaps unsurprisingly, Dickey's most outspoken critic (once going so far as to attempt to dynamite the *Jackson Hustler* office) was none other than Jeremiah South's grandson, Jerry South III.²¹⁷

The formation of Breathitt County and its subsequent history is a testament to the oft-overlooked significance of county government in American history. Breathitt's crises of legitimacy and violence were the outcome of antebellum Kentucky's broadly defined standards of governance, as well as the particular aims of the individuals who sought to have it founded; a balance of inherency and contingency. In many ways, Breathitt County was truly a "little kingdom," as nineteenth century Kentucky counties have been described.²¹⁸ Like a true kingdom, the county came about under the auspices of an individual and depended upon the degree of authority this individual could exert and the legitimacy lent to him by the population. While Breathitt's abrupt political divergence in the 1840s can be attributed to the actions of party bosses, subsequent events (namely the Civil War) demonstrated that county boundaries had greater ramifications than might otherwise be assumed.

But within the insularity and autonomy suggested by the 'kingdom' appellation, there were limitations. The creation of Breathitt County happened at the behest of a minority of the population (and, it is worth pointing out, an exclusively white male

²¹⁷*JJDD*, Entry 26 May, 1893, reel 1, p. 270; *HGH*, 21 May, 1896.

²¹⁸Ireland, *Little Kingdoms*, pp. 1, 33.

minority) whose control was limited to the abilities of local government, a range of control that was broad-reaching only as long as this government's legitimacy was left unquestioned. The new boundaries drawn by the county's creation were of little social consequence to families and individuals whose political, social and economic relationships had been established before 1839 and persisted irrespective of new local government. The creation of Breathitt County was beneficial to those who wanted greater access to courts and the sense of community and order they provided. But it also solidified the commodification of land in a place in which many depended upon the same land remaining commonly available to all. The new county's founding fathers could expect nothing but support from those who shared their interests, a relationship that did not necessarily extend to everyone. Not only did South's utilization of eighteenth century land grants run counter to the lifestyle of the wood denizens who lived on his land, but his holding of local power suggested a potential direct threat to that lifestyle. Jeremiah South's dual roles as local statesman and property owner were irrevocably intertwined. Thus, an essentially egalitarian society had thrust upon it a local government with decidedly un-egalitarian tendencies. But the individualistic nature of wood denizen life made collective resistance unlikely. As long as South was limited in his abilities to control who used his land, this remained only a nascent threat. Conditions dictated that neither was able to fully surmount the other. The discipline applied to the Three Forks region by the creation of Breathitt County was incomplete.

South's legitimacy as statesman and landholder was limited, limited to his ability to exert authority over his own property and over local public institutions. But the Civil War, an event unforeseen when Breathitt County was in its infancy, provided kinesis to

this potential conflict and challenged South's kingdom. Although South himself remained personally aloof from the ensuing violence (a privilege that was not shared by all of his immediate family), his machinations were recognized as a contributing factor to the county's eventual record of brutality. Writing just before Breathitt County's centennial, E.L. Noble insisted, "The Souths, while not feudists, seem to have done more to perpetuate feudal conditions in Breathitt than any family otherwise directly or indirectly connecting her history."²¹⁹

²¹⁹E.L. Noble (Vol. 2), p. 44.

CHAPTER III

“SUPPRESSING THE LATE REBELLION”: GUERRILLA FIGHTING IN A UNION STATE

“As the nation was rent apart, so was the commonwealth; as the state so was the county; as the county, the neighborhood;
as the neighborhood, the family; as the family, so brother and brother, father and son.”

-John Fox, Jr.

The Little Shepherd of Kingdom Come

In the winter of 1861, sixteen-year-old George Washington Noble, a lifelong believer in divine portent, saw a gigantic comet in the night sky and was told by his father (no doubt also informed by recent national developments) that it could only be interpreted as an omen of an impending war between North and South.²²⁰ Counting this as the first of many in a lifetime of witnessed messages from the Almighty, Noble felt called to defend his home territory. Although well-ensconced within a neutral, and later Union, state, at the war’s beginning he and (by his own observation) most other whites in Breathitt County were far more afraid of northern depredations than the possibility of a pillaging invasion from the South. Within a few months rumors spread that Jackson would soon be occupied by the Union Army, prompting many local men to take their families and slaves “to the hills” to “lay out” the war, an option similar to that chosen by most white male Kentuckians of fighting age. Unless one had the most fervent political convictions for either side, most saw no benefit to actively supporting either side in the escalating conflict, except in the defense of their own families and communities.²²¹ But for a myriad of personal, social and political reasons, many made early decisions to take

²²⁰G.W. Noble, p. 7.

²²¹William Freehling. *The South Vs. the South: How Anti-Confederate Southerners Shaped the Course of the Civil War*. (Oxford: Oxford University Press, 2001): p. 69.

active measures within or without the Union or Confederate militaries. Young George Noble was among this number. By the end of the same year, reasoning that the Confederate Army “was just as good as the Northern Army,” and having heard that the Yankees were “killing women and children and carrying off the negroes” Noble ignored his parents’ pleadings and joined many other boys his own age in a locally-formed company, preparing for what seemed to them a foreign invasion.²²² By the first week of November, 1861, “groups of threes, fives and sevens, chiefly mounted, but many afoot” descended upon Prestonsburg, the county seat of heavily Democratic Floyd County and the site of eastern Kentucky’s first Confederate mustering grounds.²²³

Preoccupied by Confederate raids into the Bluegrass and western Kentucky, the federal army never successfully occupied Breathitt County and never really needed to. But the fear of federal incursion did not die down easily. In the early months of the war Jackson was a vital center of southern sympathy within strongly Unionist eastern Kentucky and became the primary Confederate bastion of the Three Forks watershed. Judging by extant testimonials, the majority of the county’s population was at least in sympathy with the forces of “southern rights” if not adherents to ideas of southern nationalism.²²⁴ If this was not just a bizarre aberration of local feelings it most likely had to do with the county’s antebellum party loyalties. As a legacy of its Democratic

²²²G.W. Noble, pp. 8, 30.

²²³“Campaign Sketches No. 3, by an Officer of the US Signal Corps,” *Arthur’s Home Magazine*, Vol. XXV, No. 3 (March, 1865): p. 179.

²²⁴Christopher Phillips has said that the Civil War era “border experience,” in contrast to the attempts at Confederate nationalism further south, “fits best within the political...rather than the cultural realm...”; Phillips, “‘The Chrysalis State’: Slavery, Confederate Identity, and the Creation of the Border South,” in Leslie Gordon and John Insoe (eds.), *Inside the Confederate Nation: Essays in Honor of Emory Thomas*. (Louisiana State University, 2005): p. 160.

leanings within what had once been a firm Whig electorate, Breathitt's county seat served as one of only two recorded Confederate mustering grounds in the mountain counties (the other being Prestonsburg).²²⁵ Although initial fears were of a "foreign" army, Breathitt Countians, along with other southern mountaineers from Virginia to Alabama, would come to find that the greatest danger during wartime came not necessarily from invaders from the "outside world," but from close neighbors. Almost surrounded by counties of largely Unionist leanings, Breathitt became a maelstrom of close-quartered partisan fighting during the last half of the war.²²⁶ As in many other parts of the upland South, the war not only produced cleavages within the local community but also created a means through which old cleavages could find violent expression.

Class concerns, supposedly eclipsed in the white South by *herrenvolk* democracy, were among these cleavages.²²⁷ For decades previous to the war Breathitt County was divided between large-scale speculative landowners, like Jeremiah South, and poorer farmers and drovers, many of whom illegally occupied South's tremendous parcels of land. After taking over the state penitentiary in Frankfort, South rarely returned to the county he had sired. However, under the guidance of his sons and other large-scale landowners who controlled the courthouse in Jackson, Breathitt County remained under

²²⁵*KAGR: Confederate Kentucky Volunteers, 1861-1865*. (Frankfort, KY: The State Journal Company, 1915): pp. 210-213.

²²⁶*The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*: Series 1, Vol. 32, 1892: pp. 433, 687.

²²⁷Relatively few histories of the US Civil War have used white southern class concerns to explain wartime Unionism in the southern states (in fact, only recently has the subject of southern Unionism been broadly explored). For three exceptions, see Carl Degler. *The Other South: Southern Dissenters in the Nineteenth Century*. (New York: Harper and Row, 1974); Paul Escott. *Many Excellent People: Power and Privilege in North Carolina, 1850-1900*. (Chapel Hill: University of North Carolina Press, 1984) and Wayne Durrill. *War of Another Kind: A Southern Community in the Great Rebellion*. (New York and Oxford, 1990); Richard Nelson Current. *Lincoln's Loyalists: Union Soldiers from the Confederacy*. (Boston: Northeastern University, 1992).

South's indirect control from afar. But many of the county's squatters and poorer farmers did not join this coalition. Until 1861 the landowners' inability to monitor the entirety of their holdings, coupled with the relative complacency of the squatters, prevented any known confrontation between the two parties. The arrival of the war provided a way for the community to become divided along these potential previously untested lines. Perhaps in reaction to Jeremiah South's Confederate leanings, or perhaps uncaring of it, many of the county's poorer landowners and squatters went along with the majority of eastern Kentucky whites and supported the Union. The opportunity to join standard Union military forces, and, more importantly, the opportunity to join quasi-legitimate guerrilla groups (imprecisely labeled "home guards") in the latter half of the war, established an unprecedented conduit for militant political organization among the county's poor. Under the leadership of William Strong, a Breathitt County landowner of moderate means, this group of local Unionists took up an intense offensive against their pro-Confederate neighbors, an offensive fought under the auspices of preserving the Union but often taking on the appearance of personal vendettas, property theft in the guise of military confiscation and terrorism. In turn, pro-Confederates in the county reciprocated in irregular fighting within Breathitt County and in neighboring counties. Due to a combination of geographic placement and nascent political rifts within the county and region, Breathitt County became the center point of guerilla warfare in eastern Kentucky, setting a oft-repeated local precedent for the use of violence to further political aims.

The end result was a condition of violent *intimacy*, an essential element of the civil war paradigm evident in conflicts stretching from the seventeenth century's English

Civil War to this century's Iraqi insurgency. Breathitt County, Kentucky's guerilla war was little different than the irregular fights that took place in many parts of the South and in most states of civil war in the modern era. But, in popular memory, the intimacy of warfare in eastern Kentucky would be interpretively dictated by the discourse of *feuding*, a description of violence that set it apart from the exogenous national conflict and denied its political origins.

Recent literature on what has been popularly labeled eastern Kentucky's "feud" violence has tended to dissociate the war's legacy from later instances of factional brutality.²²⁸ This chapter contends that, considering the vast number of ways that other types of group political violence can become entangled with civil war, as well as the allegedly familial "blood feud," civil war violence that took place previous to these other forms should also be considered, if not only as a causal factor but also as part of a longer process. This is partly because of the available local histories and personal accounts that insist on an overarching connection between martial violence and peacetime violence. Chroniclers of the "feuds" that took place in the county over the ensuing decades, those from Breathitt County as well as "outsiders," consistently ascribed the Civil War as the starting point of the county's atmosphere of internal hostility. Events in later decades suggest that the war was important in codifying political allegiances as well as introducing violence as a political agent. Until the turn of the century, and perhaps

²²⁸The revisionist interpretations of "feud" violence (Waller's *Feud* and Billings' and Blee's *The Road to Poverty*) detract from the Civil War's importance in influencing later violence. While Billings and Blee fail to give the war significant mention (perhaps considering that their setting, Clay County, was thoroughly Unionist), Waller asserts that the war probably played a small role in the Hatfield-McCoy feud, since extra-martial hostilities did not emerge between the factions until more than a decade after the war's cessation. However, Waller concedes that the same issues that had determined allegiance in the Tug River valley in the 1860s were still present when the "feud" emerged years later. Lacy Ford's review of Waller takes issue with this ambiguity. Waller, *Feud...*, pp. 18, 194-195; Lacy Ford, review of *Feud...*, *JSH*, Vol. 55, No. 4 (November, 1989): p. 726.

afterward, political socialization in the county fell within parameters and social networks that had been established by opposing commitments to the Union and Confederate causes on a local level. As late as 1903 partisans in the county's industrial-era political struggles hearkened back to the war to justify their present-day enmity as well as to minimize the their own violent acts' more immediate implications.²²⁹ While such latter-day testimonials could be taken as nothing more than rhetorical justifications for killing, there is reason to grant them some measure of plausibility. Events in the intervening decades, especially during Reconstruction, suggest that the war was important in codifying party allegiances, determining what it meant to support local political parties and also introducing violence as a political agent. Civil War guerrillism was the first stage in a series of violent competitions for power within the territory and the first challenge to the county's governmental legitimacy. This chapter illustrates wartime Breathitt County's political milieu as well as the deleterious effects that internal warfare had upon the county's social and political cohesiveness. By attempting statewide neutrality before reluctantly joining the Union cause, Kentucky damaged its chances of maintaining internal political legitimacy after 1861. The same damage was inflicted by Breathitt County's political elites with their attempt to steer their county toward the Confederacy while being virtually surrounded by Unionist loyalists. Unionism in eastern Kentucky was the status quo and was based upon relationships and ways of life that pre-dated Breathitt County and even ran counter to its purposes. Finally, Unionist dissent within the county contributed to the formations of a polity "beyond the visible end of the

²²⁹R.L. McClure, "The Mazes of a Kentucky Feud," *The Independent*, Vol. 5, (17 September, 1903): p. 2220.

spectrum” embedded in Unionist military organization, and refused to recognize the Democratically-dominated local government’s legitimacy.²³⁰ At the same time, the county’s dissenters were never able to gain political legitimacy for themselves either. The close-quartered nature of the ensuing guerilla conflict did not conform to Americans’ memory of how their civil war had been fought. Even though it was roundly acknowledged that postwar violence had its beginnings in the war, the use of *feud* to describe Breathitt County’s history of violence denied its actual connections to the national conflict.

“...a sublime spectacle of moral power, before which every other history of the world grows dim!”

Breathitt County’s role in the Civil War was determined by its placement in southern Appalachia as well as its being part of Kentucky. Throughout most of 1861 Kentucky struggled through an uncomfortable compromise of neutrality. With the Civil War in its beginning months, the state that was birthplace to both Abraham Lincoln and Jefferson Davis suffered from an identity crisis. Kentuckians had numerous reasons to distrust both sides of the burgeoning national divide. With the second largest number of slave owners in the United States, the state had numerous cultural and political reasons to join its southern neighbors in defiance of the North. Yet Kentuckians had also established longstanding economic ties with their northern neighbors and, for mostly pecuniary reasons, had few practical motivations for abandoning the Union. The state did not have a significant number of fire-eaters with enough influence to steer the state toward outright secession, nor had the intensification of sectionalism in the late 1850s

²³⁰Quoted from James C. Scott. *Domination and the Arts of Resistance: Hidden Transcripts*. (Yale University Press, 1990): p. 183.

diminished the state's two-party balance as it had in other southern states.²³¹ At the same time, Lincoln's win in the previous year's presidential election (a candidacy favored by less than one percent of Kentucky's voters) was a source of disquiet in the state.²³² Initially, the decision favoring neutrality was met with encouragement, since many believed that Kentucky's lack of partisanship would ultimately be the breakthrough to national reunion.²³³ Before Lincoln's inauguration Kentucky Senator John J. Crittenden made a failed attempt at compromise by proposing a reestablishment of the Missouri Compromise.²³⁴ Even after Crittenden's failure, and the first wave of secession, many Kentuckians retained their optimism that their state could set an example for an eventual mutually advantageous bargain. A women's auxiliary's petition presented to a special session of the state senate endorsing neutrality predicted that with "one hand [stretched] to the palmy South- one to the pine-clad North- and so standing [Kentucky] presents a sublime spectacle of moral power, before which every other history of the world grows dim!"²³⁵ However, as 1861 wore on Kentuckians came to realize that the national divide would not be healed as quickly as had been hoped when the first southern states had begun to secede earlier in the year. Expecting an eventual invasion by either a northern or southern army, a special legislative convention decided upon an uncomfortable compromise of nonalignment that few assumed would last. Neutrality ceased to be a

²³¹Harry August Volz, "Party, State and Nation: Kentucky and the Coming of the American Civil War," (unpublished dissertation, University of Virginia, 1982): pp. 477-481.

²³²Lincoln managed a paltry .9 percent showing in Kentucky; Shannon and McQuown, pp. 32-36.

²³³Daniel W. Crofts. *Reluctant Confederates: Upper South Unionists in the Secession Crisis*. (Chapel Hill: University of North Carolina Press, 1989): p. 355.

²³⁴Lowell H. Harrison. *The Civil War in Kentucky*. (Lexington: University Press of Kentucky, 1975): p. 8.

²³⁵*KSJ, 1861* (Special Called Session), p. 20.

problem later in the year when the state was invaded by Confederate forces, prompting an end to neutrality and an official alliance with the Union²³⁶ But this did not destroy the southern sympathies that had been fostered in 1861. Ultimately, it was the initial failed attempt at neutrality that truly defined the state's Civil War experience.

In comparison to the other unseceded Border South states, Delaware, Maryland and Missouri, Kentucky was far more divided in its internal loyalties.²³⁷ The months of neutrality provided a space for differing decisions to be made in the hinterlands' households and courthouses. Kentucky eventually provided far more volunteers for Union military forces than it did for the Confederacy, and this singular fact established Kentucky as a loyal state in many Kentuckians' war memory.²³⁸ But military volunteerism is not a perfect standard for gauging wartime allegiances on a statewide level, since most white males of both Confederate and Unionist sympathies chose to avoid regular military service altogether while still taking an unofficial role in the war, if only on a local basis.²³⁹ For instance, many chose to join local militias for whom there are no extant county-by-county records or, in many cases, evidence that they were subject to

²³⁶Frank Moore, Edward Everett (eds.), *The Rebellion Record: A Diary of American Events, Vol. III*. (New York: G.P. Putnam, 1862): pp. 29-31, 129; Ralph A. Wooster. *The Secession Conventions of the South*. (Princeton, NJ: Princeton University Press, 1962): pp. 206-222; Merton Coulter. *The Civil War and Readjustment in Kentucky*. (Chapel Hill: University of North Carolina Press, 1926): pp. 35-57; Edward C. Smith. *The Borderland in the Civil War*. (New York: The Macmillan Company, 1927): 1-39; Federal Writers' Project of the Work Projects Administration of the State of Kentucky. *Military History of Kentucky*, p. 147; Ruth McQuown and Jasper B. Shannon. *Presidential Politics in Kentucky, 1824-1948*. (Lexington: University of Kentucky Press, 1950): p. 36.

²³⁷Freehling, p. 52.

²³⁸Thomas Speed. *The Union Cause in Kentucky, 1860-1865*. (New York and London: G.P. Putnam and Sons, 1907): pp. 140-157.

²³⁹Stephen Rockenbach, "'The Weeds and the Flowers are Closely Mixed': Allegiance, Law, and White Supremacy in Kentucky's Bluegrass Region, 1861-1865," (paper presented at the Southern Historical Association, Atlanta, Georgia, 4 November, 2005): p. 3.

state oversight.²⁴⁰ Others avoided partisanship altogether and attempted to keep their sympathies out of the public record. Judging by the diverse wealth of memory and history dedicated to the state's wartime contributions, Kentucky was claimed almost equally by the Union and the South, if not the Confederacy (although a Confederate "capital" was temporarily established in the state).²⁴¹ Within the state's localities Kentuckians made claims of their own.

Although the decisions of individuals and families affected the state's wartime trajectory, so too did county government. As described in the preceding chapter, counties in nineteenth century Kentucky were virtually sovereign entities, holding a far higher amount of authority over commerce, electoral politics and public works than did the state government.²⁴² The state's constitutionally-mandated decentralization was a major determinant during the debates over secession and the ensuing war. Decisions regarding which side to support when war came were often made under the firm direction of county

²⁴⁰Copeland, p. 345.

²⁴¹The abundance of personalized war memoirs written by Kentuckians on both sides speaks to the lack of consensus in the state and the need for participants on both sides to define the war individually; see Peter Frances Dallam (ed.), *A Union Woman in Civil War Kentucky: The Diary of Frances Peter*. (Lexington: University Press of Kentucky, 2000); William Davis and Meredith Swentnor (eds.), *Bluegrass Confederate: The Headquarters Diary of Edward O. Guerrant*. (Baton Rouge: Louisiana State University Press, 1999); Conrad Wise Chapman. *Ten Months in the "Orphan Brigade: Conrad Wise Chapman's Civil War Memoir*. (Kent, OH: Kent State University Press, 1999); *Diary of Brigadier-General Marcus J. Wright, C.S.A.: April 23, 1861 - February 26, 1863*. (Chapel Hill, NC: Academic Affairs Library, University of North Carolina at Chapel Hill, 1998); Lot D. Young. *Reminiscences of a Soldier of the Orphan Brigade*. (Chapel Hill, NC: Academic Affairs Library, University of North Carolina at Chapel Hill, 1998); John S. Jackman.. *Diary of a Confederate Soldier : John S. Jackman of the Orphan Brigade*. (Columbia, SC: University of South Carolina Press, 1997); George Dallas Mosgrove. *Kentucky Cavaliers in Dixie: Reminiscences of a Confederate Cavalryman*. (Jackson, TN: McCowart-Mercer Press, 1957). It should be noted that many, if not most, wartime memoirs written by Kentuckians dealt with experiences outside of the state. Even though the accounts are personalized, they tend to stress their participation in the larger war effort rather than the discord within their own state.

²⁴²Robert Ireland. *Little Kingdoms: The Counties of Kentucky, 1850-1891*. (Lexington: The University Press of Kentucky, 1977): pp. 1, 60-61.

courts guided by the political inclinations of the judges, sheriffs and county clerks who controlled these courts. While the judgments of governor and legislature eventually resulted in a pro-Union stance, many of the state's county officials "conducted themselves in ways approaching secession."²⁴³ Minority attacks on local governments' choice of partisanship, coupled with the fact that most white male Kentuckians chose to stay home and protect their interests during the war, resulted in fierce guerrilla warfare throughout the state in which aggressions were often directed against local enemies rather than national ones. Kentucky's war was in many ways a series of small wars fought less over slavery and preservation of the Union than over control of local government, contributing to the eventual breakdown of "segmented sovereignty," the semi-federal sharing of power between county and state, and instead the emergence of "fragmented sovereignty" that left the two at odds.²⁴⁴

It was this fragmented sovereignty, a damaged connection between local partisans and central authorities, that gave birth to Kentucky's dreaded home guards. The home guards were militia units originally formed in 1861 "as a wholly defensive measure" to protect individual communities against incursions from invading armies, either southern or northern (although it was implicitly understood that even in the neutrality months

²⁴³Ireland, *Little Kingdoms*, p. 60.

²⁴⁴The "War Between the States" motif, a condition in which delineations of "segmented authority" are purportedly clearly drawn, makes the American Civil War seemingly unique among civil wars of the last three centuries since secession created what were virtual definitive boundaries between the war's oppositional forces. However, in the Three Forks region, and communities throughout the South whose wartime stories have only begun to be told, the war was fought "intimately" within communities, suggesting that this civil war was perhaps more similar to others than may have been previously suspected. Stathis Kalyvas. *The Logic of Violence in Civil War*. (Cambridge University Press, 2006): pp. 83, 88-89, 330-363; Stephen Ash. *When the Yankees Came: Conflict and Chaos in the Occupied South, 1861-1865*. (University of North Carolina Press, 1995): p. 125.

Home Guards were tacitly expected to provide Union support).²⁴⁵ The various home guard units that were established throughout the state, or rather the very phrase ‘Home Guard,’ came to mean something far different than their intended purposes and meanings. Although the Home Guards were mandated and armed by the state government from early in the war, they were not under the state’s direct authority. After Kentucky’s official joining of the Union, state oversight of the numerous county-based home guards came to an end, leaving the opportunity for preexistent units to act according to their own interests. Early in the war Home Guard organization was so apolitical that some groups were shared by pro-Unionists and pro-Confederates (although the latter soon withdrew). One Bluegrass Kentuckian who was instrumental in forming his county’s home guard unit did so for fear that “in the present state of excitement the Negroes might break out” rather than to repel an invading military force.²⁴⁶ Other segments of the home guard, particularly those in and around Frankfort, began acting outside of what many Kentuckians considered their true mandate. In the war’s early months home guards clashed with the State Guard, another state militia that had been formed by pro-Confederates within the state government.²⁴⁷ In the waning days of neutrality home guards summarily arrested state legislators suspected of having southern sympathies.²⁴⁸ Early affrays between home guard and State Guard factions prompted the state government to declare martial law in Lexington from autumn, 1861 until the end of the

²⁴⁵Coulter, *The Civil War and Readjustment in Kentucky*, p. 87; *KSJ, Special Called Session, 1861*, p. 24.

²⁴⁶Parsons, pp. 74-75.

²⁴⁷Perrin et al, p. 357; A.D. Kirwan (ed.), Johnny Green. *Johnny Green of the Orphan Brigade; the Journal of a Confederate Soldier*. (Lexington: University of Kentucky Press, 1956): pp. 8-10.

²⁴⁸Coulter, *The Civil War and Readjustment in Kentucky*, p. 147.

war.²⁴⁹ As has been the case with militia-related groups in many civil war settings, the home guards were ultimately more political than they were military, bent upon local state-building and unbuilding and attempts to reallocate local rule rather than defending their respective territories from invaders.²⁵⁰

Many Kentuckians in the state's rural areas came to view the home guard as unauthorized guerrillas bent more upon brigandage than military victory and an aberration from the internal partisan lines that they came to accept as routine within a border state.²⁵¹ Confederate Lieutenant William Guerrant, assigned with tracking down Union partisans in the Three Forks region, equated 'home guards' with 'bushwhackers,' the nineteenth century's most damning epithet for wartime irregulars.²⁵² Months after the war's end Governor Thomas Bramlette publicly proclaimed the home guards' formation a deplorable failure.²⁵³ After the war "home guard" was simply an imprecise pejorative for men who had taken advantage of the war's chaos for the sake of personal gain and love of havoc, despised by Unionists and Confederates alike for sullyng an otherwise mutually noble cause.²⁵⁴ It was an affront to the legitimacy of cause that former Unionists and Confederates both claimed in their memory of the war.

²⁴⁹WPA, *Military History of Kentucky*, p. 166.

²⁵⁰The means by which a militia becomes "a political rather than a military institution" is explained in Kalyvas, *The Logic of Violence in Civil War*, pp. 107-109.

²⁵¹WPA, *Military History of Kentucky*, p. 240.

²⁵²William Davis and Meredith Swentnor, pp. 245, 252. For the linguistic distinctions between 'bushwhackers,' 'guerrillas' and 'partisans' as they were understood in the nineteenth century, see Robert Mackey. *The Uncivil War: Irregular Warfare in the Upper South, 1861-1865*. (University of Oklahoma Press, 2004): pp. 6-10.

²⁵³*Lexington Observer and Reporter*, 9 December, 1865.

²⁵⁴WPA, *Military History of Kentucky*, p. 240.

The crises of legitimacy for both sides was felt most acutely in the eastern half of the “two Kentuckys,” where sovereignty was more fragmented than anywhere else in the state. The citizens of Kentucky’s various counties were expected to follow the decisions of their respective county court officials, but the enforcement of those decisions throughout the citizenry was far from perfect, especially in rugged, mountainous territory. The classical portrayal of wartime Appalachia has asserted that southern mountaineers were consistently against slave interests and consequently supported federal authorities during the war, even against the efforts of their respective state governments and the Confederacy as a whole.²⁵⁵ This oversimplification of regional loyalties originated even before the war began. During the secessions of 1861 one northern author predicted that the mountain southerners would stall the upper South from following the gulf states.

²⁵⁵This interpretation of Civil War-era Appalachia was dominant until the 1970s when historians began to recognize that the southern Appalachians were a place of considerable wartime division and that slavery was only one factor among many that motivated mountaineers; Noe, ““Deadening Color and Colder Horror”: Rebecca Harding Davis and the Myth of Unionist Appalachia, in *Confronting Appalachian Stereotypes...*, pp. 67-68. Historians of the Civil War in Appalachia have been more willing to abandon the traditional military history-approach to the war and embrace a social history that attempts to explain how the war affected localities and how individuals made personal decisions to join, support or ignore the opposing armies. For other “revisionist” accounts of Civil War-era Appalachia, see Jonathan Sarris. *A Separate Civil War: Communities in Conflict in the Mountain South*. (Charlottesville: University of Virginia Press, 2006); Brian D. McKnight. *The Civil War in Appalachian Kentucky and Virginia*. (Lexington: The University Press of Kentucky, 2006); Gordon McKinney, “The Civil War and Reconstruction,” in Richard A. Straw and H. Tyler Blethen (eds.), *High Mountains Rising: Appalachia in Time and Place*, (Urbana: University of Illinois Press, 2004); Martin Crawford. *Ashe County’s Civil War: Community and Society in the Appalachian South*. Charlottesville: (University Press of Virginia, 2001); John Inscoe and Gordon B. McKinney. *The Heart of Confederate Appalachia: Western North Carolina in the Civil War*. (Chapel Hill: University of North Carolina Press, 2000); Sean Michael O’Brien. *Mountain Partisans: Guerrilla Warfare in the Southern Appalachians, 1861-1865*. (Westport and London: Praeger Press, 1999); Kenneth Noe and Shannon H. Wilson (eds.) *The Civil War in Appalachia: Collected Essays*. (Knoxville: University of Tennessee Press, 1997); Phillip Paludan. *Victims: A True Story of the Civil War*. (Knoxville: University of Tennessee Press, 1981); John W. Shaffer. *Clash of Loyalties: A Border County in the Civil War*. (Morgantown: West Virginia University Press, 2003); William R. Trotter. *Bushwhackers: The Civil War in North Carolina (The Mountains)*. (Winston Salem: J.F. Blair, 1991). Although the historiography on the mountain South in the Civil War is diverse, Appalachia’s exceptionalism remains a common theme in many of these histories. It should be noted that the majority of these books (with McKnight’s and Shaffer’s being important exceptions) are dedicated to areas within the Confederacy’s official political boundaries.

[The southern mountaineers] control the Secession movement in Virginia, North Carolina, and Tennessee, and would control it in Georgia and Alabama could they have been permitted to vote upon it, as were those of Tennessee and North Carolina. They will no more submit to the dictation of the Montgomery [Alabama] oligarchs than New York or Pennsylvania. Their interests are more directly opposed than those between the Cotton States and the extreme North, because the wide distance that separates the latter renders them independent of each other, while the Cotton States are seeking, by every possible means, to drag all the Slave States with them, for the purpose of compelling them to share their burdens, and of giving greater strength and dignity to their cause.

This great tongue or wedge of land carries Northern ideas, Northern industry, and Northern population right into the heart of Cottondom and within two hundred miles of the Gulf of Mexico.²⁵⁶

In 1862, a Minnesota journalist concurred, predicting that the assumedly slaveless mountaineers of “Alleghania” would remain true to the United States and help provide a swift northern victory. In “the Switzerland of the South,” insisted the writer, “a population exists on whom slavery has no hold, who are free and lovers of freedom, and who will undoubtedly co-operate with the Union in reestablishing its power.” Noting that the “secession hotbed” of unseceded Kentucky was in its “largest slaveholding district” the journalist optimistically predicted that these areas without an apparent dependence upon slavery would rally to the side of the Union.²⁵⁷ Just as Kentuckians made hopeful assumptions based on their middle ground status, concurrent assumptions were made for eastern Kentucky and the entirety of the southern mountains. However, Minnesota was quite far from “Alleghania,” and the mountain war, though overshadowed by the campaigns of northern Virginia and elsewhere, proved to be something far different than an unadulterated Union fifth column.

Military recruitment records demonstrate that there was indeed reason to look for loyalty in Kentucky’s mountains. Despite their sparse populations, the eighth and ninth

²⁵⁶Daniel Lord. *The Effect of Secession upon the Commercial Relations between the North and South and upon Each Section*. (London: Henry Stevens, 1861): pp. 75-76.

²⁵⁷“Southern Aids to the North,” *Continental Monthly: Devoted to Literature and National Policy*, Volume 1, Issue 3 (March, 1862): p. 242.

congressional districts of the east surpassed all of the state's other congressional districts in sheer numbers for Union recruitment.²⁵⁸ However, in assuming that slavery was the only agent in white southerners' decision making, the northern journalist failed to recognize the complexities faced by Kentuckians both within and outside of the eastern third of the state's mountains during the previous year, as well as the vagaries of local politics in the mountain South. Slavery was not a pervasive presence there, but it was a presence nonetheless; the South's definitive labor arrangement was obliged to be influential to some degree. Moreover, in assuming that "Alleghania" was consistently slaveless or consistently white, the journalist also failed to recognize the heterogeneity of interests within the mountains. Regardless of their alleged isolation and highly pronounced individualism, southern mountaineers in both the loyal and seceded states still lived in communities in which they were economically, politically and socially involved, a condition that probably superseded personal inclinations as they did in the rest of the South. Southern Appalachia, in Kentucky and further south, was a patchwork of loyalties determined not by a uniform regional ideology (of independence or otherwise) but by a multitude of local consensuses arrived at by the interests of discrete communities and their respective leaders.

Historians have successfully debunked the myth of stolidly Unionist southern Appalachia, revealing a far more complex array of factors that contributed to the formation of divergent allegiances in the mountains. The southern Appalachians were home to both pro-Unionists and pro-Confederates, as well as some who attempted to

²⁵⁸Federal Writers' Project of the Works Project Administration for the State of Kentucky (hereafter WPA). *Military History of Kentucky Chronologically Arranged*. (Frankfort, KY: State Journal Press, 1939) (hereafter *Military History of Kentucky*): p. 198.

remain neutral, all of whom, like other white southerners, made their decision of affiliation based upon any number of parameters determined by family, community, political affiliations and economic background. Considering the numerous variations in loyalty witnessed in the mountains, the Civil War may have been a far more complex matter for mountaineers than for most white southerners. Southern Appalachia's Civil War experience was more like that of the majority of the modern era's civil wars in which the larger war actually played host to a "mosaic of discrete miniwars," many of which had only peripheral connections to the "master cleavage" (in the case of the United States, secession) that initiated a state of war.²⁵⁹ Civil wars create combatants, but they do not dictate that they fight uniformly and for uniform causes. Breathitt County, one of many places in which the "southern war experience in microcosm" was played out, had tenuous connections to the Civil War's master cleavage but, isolated from the "outside world" as it supposedly was, few of its inhabitants were able to completely avoid the war's effects.²⁶⁰ By the war's end, its geographical and political placements had insured that it experienced this microcosmic war in full.

"I liked the Southern people the best..."

In 1859 Jeremiah South, the man who had guided Breathitt County's political character since its formation twenty years earlier, returned to the Bluegrass to become Kentucky's state penitentiary lessee. He left behind his brother Richard and four adult sons and one of the largest expanses of property in Kentucky, as well as a network of

²⁵⁹Bill Berkeley. *The Graves Are Not Yet Full: Race, Tribe, and Power in the Heart of Africa*. (New York: Basic Books, 2001): p. 151.

²⁶⁰Noe and Wilson, p. x.

Democratic allies in control of the county court and all official functions of local government.²⁶¹ When the war came, South joined his party's "southern rights" faction. A former penitentiary inmate remembered South as a "born and bred Democrat of the Southern stripe." "Upon the inauguration of the Rebellion," South was "in full sympathy with it" and did not hide his leanings.²⁶² In the Bluegrass Confederate sympathies were tolerated, if not fully condoned, but in 1863 South's opinions were deemed a liability to the state and the General Assembly removed him from his position as lessee.²⁶³ But in the county he helped to create, his influence helped to create an island of Confederate support in a place relatively far from the actual Confederacy.

It seemed that most of Breathitt County's white male citizenry, or at least those who left imprints on the public record, chose to follow the lead of "Colonel South" in supporting the South. Both members of the county's delegation to the special vote on neutrality in early 1861 voted against it in league with pro-southern Kentuckians.²⁶⁴ The following year, Jeremiah South's sons, Samuel, Jerry Jr., Barry and James and his brother Richard enlisted in the Confederate Army.²⁶⁵ Prominent Democrat and former county judge Edward Callahan "Red Ned" Strong, a descendant of some of the Three Forks region's earliest settlers and a slaveowner of considerable means, joined Barry South in

²⁶¹David Dale Owen. *Fourth Report of the Kentucky Geological Survey in Kentucky made During the Years 1858 and 1859*. (Frankfort: J.B. Major, State Printer, 1861): p. 351.

²⁶²Calvin Fairbank. *Rev. Calvin Fairbank During Slavery Times*. (Chicago: Patriotic Publishing Comp., 1890): p. 129.

²⁶³Rockenbach, pp. 1-2; Crawford, pp. 24, 29.

²⁶⁴Wooster, p. 206.

²⁶⁵*KAGR: Confederate Kentucky Volunteers, 1861-1865*. (Frankfort, KY: The State Journal Company, 1915): p. 213; Ed Porter Thompson. *History of the Orphan Brigade*. (Louisville, KY: Lewis N. Thompson, 1898): p. 1052.

organizing recruitment for Confederate forces in Jackson during the summer of 1861.²⁶⁶ Their efforts met with a measure of success; in 1862 alone 126 young men from Breathitt and surrounding counties were recruited for the 13th Kentucky Cavalry and other Confederate units, a healthy number for an area of small population and opportunity for many men to “lay out” the war.²⁶⁷ Aside from being a rallying point for Breathitt County’s native southern sympathies, Jackson also provided a chance for enlistment for military-aged men with Confederate sympathies who were from these neighboring counties.²⁶⁸ Under South’s and Strong’s guidance, there is little reason to doubt the fundamentally Confederate leanings of most people living in Breathitt County in 1861 despite its being almost surrounded by Unionist counties.

There is little reason to doubt the fundamentally Confederate leanings of most people living in Breathitt County in 1861 despite its being almost surrounded by Unionist counties. Doubtlessly, in voting for or against neutrality and reacting to the war’s arrival the county had to deal with issues common to the greater South in combination with conditions unique to the locality. But in eastern Kentucky, or in Kentucky as a whole, the decision to support the Confederacy or join its military required a firm willingness to defy the state’s white male majority. Unionists and Confederates in Appalachian North Carolina, a seceded state, could justify their loyalties to either the Union or their home

²⁶⁶Ed. Porter Thompson. *History of the First Kentucky Brigade*. (Cincinnati: Caxton Publishing House, 1868): p. 746.

²⁶⁷*The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*: Series 1, Vol. 32, 1892: pp. 433, 687; *Kentucky Adjutant General’s Report* (hereafter *KAGR*): *Confederate Kentucky Volunteers, 1861-1865*. (Frankfort, KY: The State Journal Company, 1915): pp. 210-213.

²⁶⁸Jess D. Wilson. *When They Hanged the Fiddler and Other Stories from "It Happened Here": Including Some Unpublished Works by the Author*. Berea, KY: Kentucke Imprints, 1978: p. 73.

state. Pro-Confederate Kentuckians, however, made a far different calculation, choosing to defy both. It is difficult to determine why one political unit's population surrounded by support for the opposition would exhibit such firm support for a rebellion. Moreover, it is equally difficult to determine why a population that might have conceivably waited the war out under a condition of passive neutrality instead chose to participate so fervently.²⁶⁹ The young George Noble's trepidation toward the prospect of Union forces entering Jackson is a testament to the degree to which many Breathitt County residents, deep within the most staunchly Unionist sector of what would become an officially Unionist state, felt a kinship with the South and antipathy toward the North in the war's early days. Years later, an older Noble by then living in Missouri recalled making an easy choice based upon kinship and regional identity. "My grandfather came from the South, and I liked the Southern people the best."²⁷⁰ The wording of Noble's memory suggests an affinity for a region that Breathitt County could only be a part of in a nominal sense; the South that his grandfather "came from" was relatively far away, and the younger Noble's loyalty to it was a political decision based upon a *historical* kinship rather than a desire to defend his present homeland. If George Noble's decision to support the South was a manifestation of expatriated "Confederate nationalism," it was

²⁶⁹Although Brian McKnight's history of the Civil War in the "central Appalachian divide" suggests that mountaineers were capricious in their loyalties and unwilling to provide firm support for either side, I contend that under the direction of local elites eastern Kentucky's male population, white and black, exhibited a distinct interest in the war's outcome (or at least its local outcome) and thus participated actively although not always within the confines of regular military forces. Having produced a unambiguous military history McKnight does not take strong account of the role of local government or violent political agency outside the parameters of official military units or units of peripheral officiality; McKnight, 3-5, 109-113.

²⁷⁰G.W. Noble, p. 50.

one he had to create largely on his own.²⁷¹ And, considering that Unionists from other mountain counties largely shared Noble's white southern heritage but made the opposite decision, other factors were clearly at work.

While slavery was, as historian Carl Degler has said, "neither simple nor obvious" as a primary determinant for most white southerners' decisions in 1861, it should not escape consideration as a possible issue in Breathitt County's wartime partisanship.²⁷² One local historian, himself descended from slave owners, remarked that "[s]lavery was asserting itself in a degree" among the families who consequently "held to the Confederate wing" without necessarily actively taking a side.²⁷³ Those who did own slaves in Breathitt County were little different than slaveholders in other parts of the state on an individual level. Slave ownership was widespread in Kentucky but most slave owners owned fewer than ten slaves at a time, a rate that was scarcely different than the miniscule rate of ownership in the mountains. Although the number of slaves in Breathitt County had increased since 1840 (while actually decreasing in surrounding counties) the county's largest slaveholding in 1861 was only fifteen, while most of the county's thirty five slave owners owned fewer than five.²⁷⁴ The number of slaves and slave owners in

²⁷¹Although nationalism does not fully explain Confederate loyalty in a Union state, Noble's testimonial suggests its contribution in conditions in which it was not previously part of the political or cultural atmosphere. "Nationalism is contingent; its creation is a process. It is not a substance available to a people in a certain premeasured amount; it is rather a dynamic of ideas and social realities that can, under the proper circumstances, unite and legitimate a people in what they regard as reasoned public action. Such a view of nationalism, moreover, underlines the political nature of the undertaking, directing attention to the social groups seeking to establish their own corporate ideals and purposes as the essence of group self-definition." Drew Gilpin Faust. *The Creation of Confederate Nationalism: Ideology and Identity in the Civil War South*. (Baton Rouge: Louisiana State University Press, 1988): pp. 1-21 (quote from p. 6).

²⁷²Quote from Degler, *The Other South: Southern Dissenters in the Nineteenth Century*. (New York: Harper & Row, 1974): p. 122.

²⁷³E.L. Noble (Vol. 2), p. 5.

the county was far below average for the state as a whole, but the typical Kentucky slave owner owned less than ten slaves as well.²⁷⁵ In terms of numbers of slaves owned, the Souths, Edward Strong and other slave owning families had little reason to see themselves as different from other slaveholders in Kentucky and the rest of the slaveholding South. While Breathitt County's slave owners had no more of a dependency on the institution than did their brethren in the Bluegrass, they arguably had no less as well.

Mountain slave owners may well have been even more reluctant to relinquish the institution than were many Kentucky lowlanders. Up until the 1850s most white Kentuckians held an uneasy attitude toward slavery. Recognizing the state's relative lack of need for bondspeople, Kentucky slave owners and non-slave owners were nevertheless hesitant to eradicate slavery for fear of the free black population that would result from immediate emancipation. Beginning in the early nineteenth century, laws discouraging slave importation into the state were popular among all segments of the white population and exportation was simultaneously encouraged, mainly due to the assumption that the state's slave owners were most likely to sell their unruliest chattel out of state while retaining a more placid black population. Abolitionist rhetoric, while never popular among most whites, was nevertheless left unstifled until only short years before the Civil War. As Henry Clay advocated throughout most of his political career, Kentuckians,

²⁷⁴Collins, pp. 9, 13; *Breathitt County Tax Books, 1861*.

²⁷⁵In 1860 only seventy Kentuckians owned more than fifty slaves; Sprague, "The Pocket Plantation...", p. 69.

even those who strongly disliked slavery, also preferred that it be allowed to die a slow death rather than a sudden one.²⁷⁶

Or, in some slaveholders' minds, perhaps not die at all. In the Three Forks region the dangers of a free black population would have been miniscule, numerically at least, and probably went without local whites' consideration. By the beginning of the Civil War only twenty five free blacks lived in Breathitt County, comprising less than fifteen percent of the county's black population and less than one percent of the county's total population.²⁷⁷ Moreover, slaves were an important investment to the white mountain farmers who could afford them, particularly those with low-valued landholdings. It was not unusual for Breathitt County slave masters to have slaves that were collectively worth more than the land they worked. David Chandler, the owner of one of the county's largest chattel holdings in 1861, owned a total of thirteen slaves valued at \$5500 yet only valued his 700 acre farm at \$2000.²⁷⁸ Eastern Kentucky slaveowners, wealthy from the fruits of human bondage but not surrounded by a numerically superior population of potential insurrectionists, shared their lowland fellows' profits but perhaps not their fears. Chandler and Jeremiah South had little reason to share their fellow masters' ambivalent feelings and were consequently less likely "to give up (their) slaves without a battle."²⁷⁹

Slavery was not economically vital to the majority of the populations in mountainous locales like Breathitt County but it was not without political import since

²⁷⁶Harold D. Tallant. *Evil Necessity: Slavery and Political Culture in Antebellum Kentucky*. Lexington: The University Press of Kentucky, 2003: pp. 91-100; Todd H. Barnett, "Virginians Moving West: The Early Evolution of Slavery in the Bluegrass," *FCHQ*, Vol. 73, No. 3 (Fall, 1999): p. 244; Coulter, *The Civil War and Readjustment in Kentucky*, pp. 6-8.

²⁷⁷*Breathitt County Census, 1860*, KHS.

²⁷⁸*Breathitt County Tax Books, 1861*, KHS.

²⁷⁹Collins, p. 41.

virtually all officeholders were slave owners. Although most whites did not own slaves those who did were particularly concerned at the war's onset. Many Breathitt County yeomen probably felt a kinship to their slaveholding neighbors due to their shared position as property owners. White southern mountaineers, within and outside of the seceded states, agreed with their lowland fellows that the alleged northern threat to slavery was an equal threat to all property and, therefore, autonomy.²⁸⁰ At the same time the clientalist influence these families had over their slaveless neighbors motivated support for the Confederacy.²⁸¹ John Aikman, the South family's tenant who acted as their enforcer against squatter incursions, would go on to become Breathitt County's most fervent defender of the local Confederate cause at his patrons' behest.²⁸²

But, when looked at within the context of its surroundings, slavery does not provide a full answer for Breathitt County's popular white rebellion. The largest slave population in eastern Kentucky was in Clay County, Breathitt County's neighbor to the south, a county that apparently retained a staunchly Unionist government with little apparent disagreement within the white population. At the same time, Breathitt County's neighbors to the north, Floyd and Morgan Counties, voted against neutrality, were noted for Confederate sympathy and miniscule recruitment for the regular Union Army but had

²⁸⁰John Inscoc. *Mountain Masters: Slavery Sectional Crisis Western North Carolina*. (Knoxville: University of Tennessee, 1989): pp. 9-10.

²⁸¹The political influence that mountain planters had over their slaveless neighbors specifically within the context of the American Civil War is detailed in Inscoc, *Mountain Masters*, pp 123-130. For the relationship between patron-client relationships and martial violence, see Stefen W. Schmidt, Laura Guasti, Carl H. Lande and James C. Scott (eds.). *Friends, Followers and Factions: A Reader in Political Clientelism*. (Berkeley, Los Angeles and London: University of California Press, 1977): pp. xxxii-xxxiii.

²⁸²E.L. Noble (Vol. 2), pp. 50-52; *Breathitt County Tax Books, 1861*.

slave populations even tinier than Breathitt's.²⁸³ What these two counties did share with Breathitt was a longstanding loyalty to the Democratic Party lasting for decades before the war. In contrast, Clay County had been a strongly Whig county since the Jacksonian era. This suggests that southeastern Kentucky was consistent with the rest of the state since cursory analysis of Kentucky's sectional divides on the 1861 neutrality vote reveals a consistent correlation between Democracy and anti-neutrality. The same areas that had supported Henry Clay and his Whigs during the party's salad days tended to favor neutrality in 1861 and contributed the greater amount of Union support after Kentucky's official participation in the war. Counties that had continued Democratic leanings since the 1820s opposed neutrality and accordingly provided the larger numbers of Confederate volunteers over the next four years after the state's early attempt at neutrality was revealed as a clear failure.²⁸⁴ In many ways, the political decisions made by eastern Kentuckians in 1861, and their subsequent choices of military support, were simple reflections of traditional party affiliation. Accordingly, guerrilla raids into heavily Unionist Owsley County in 1864 were said to have been blamed on "A bunch of Democrats from Breathitt County."²⁸⁵

²⁸³Breathitt, Floyd and Morgan Counties, were peculiar in being "Confederate in sympathy" compared to most counties in eastern Kentucky; James C. Klotter and Hambleton Tapp. *Kentucky: Decades of Discord, 1865-1900*. (Frankfort, KY: The Kentucky Historical Society, 1977): p. 7.

²⁸⁴As further evidence of the correspondence between local politics and loyalty, Jackson County, located just west of the Three Forks region, was the only county in the state said not to have produced a single Confederate recruit while being drained of "every male under sixty years of age, and over fifteen" for the Union. It trailed only neighboring Owsley County in the percentage of its military-age population recruited by federal forces and contributed 25 percent of its votes to Lincoln in the 1860 presidential election, by far the highest county-level margin for Lincoln in the state; John Fox, Jr., "the Southern Mountaineer," *Scribner's Magazine*, Vol. XXIX, No. 4 (April, 1901): p. 389; Clinton Rossiter. *Parties and Politics in America*. (Ithaca and London: Cornell University Press, 1964): pp. 85-86.

²⁸⁵Wilson, *When They Hanged the Fiddler*, p. 75.

Attempting to determine Breathitt County's wartime direction cannot depend fully on either slavery or party habits. By 1861, slavery and party politics were far too intertwined to identify one or the other as the chief incentive for the choosing of sides among mountaineers, Kentuckians and white southerners at large. While most Kentucky slave owners in the state had traditionally voted Whig or Opposition, by 1860 most of them had recently recognized Democracy as their most effective vehicle for their political interests.²⁸⁶ In Breathitt County, support for the Confederacy, tacit or active, was based upon support for the county itself, its Democratic regime but more importantly its commercial significance. Interest in supporting the South was equated with the county itself and how much one benefitted from its formation two decades earlier, the creation of Jackson and the future development promised by Jeremiah South and his landed fellows. One local war recollection records that the county's "prominent landowners...owners of much live stock and fertile bottoms" tended to be the strongest Confederate sympathizers, if not active supporters.²⁸⁷ Most Breathitt County surnames were found exclusively on either Union or Confederate recruitment rolls, showing that kinship played a significant role in picking sides. But the small number of surnames found on both sides, when compared to 1861 tax records, suggest that economic considerations sometimes trumped familial ones. (see Figures 14-17). Men with smaller tracts of land (less than fifty acres claimed), moderate tracts of negligible taxable value or no declared land at all were more likely to be Union recruits, while yeomen with larger holdings tended to side with the

²⁸⁶Christopher Waldrep, "Rank and File Voters and the Coming of the Civil War: Caldwell County, Kentucky as Test Case," *Civil War History*, Vol. 35, No. 1 (1989): pp. 70-71.

²⁸⁷Herbert W. Spencer. *Captain Bill's January Raid*. (unpublished, 1961) viewed at <http://www.artontherocks.net/genes/tree/np77.htm> (viewed 11/20/2006).

Confederacy. Confederatism’s appeal to the more economically interested was not unlike conditions in the rest of the state. In the mind of postwar southern apologists Kentucky Unionism as a whole was comprised of poorer whites bent upon tearing down the power of men like Edward Strong and Jeremiah South. Regretting his own Union service after the war, one Bluegrass veteran remarked that “the Kentucky troops in the Confederate Army, being fewer in number and from the richer and more educated part of the state, were as a whole a finer body of men than the federal troops of the Commonwealth.”²⁸⁸

What is also revealed in the case of Breathitt County (and arguably those of Clay, Floyd and Morgan Counties as well) is the remarkable degree of influence a “prominent” minority of propertied men could have over their county’s inhabitants and the singular importance of county government in the conveyance of this influence. This was probably

Figures 14-17: Names Found on Military Rolls and 1861 Breathitt County Tax Books

Andrew Allen	Confederate	550
Ira Allen	Confederate	200
John Angel	Union	200
Levi Angel	Union	0
Nathan Arrowood	Union	0
Annianias Barnett	Union	0
Elijah Bowling	Union	0
George Belcher	Union	200
Edward Collinsworth	Confederate	100
Thomas Collinsworth	Confederate	0
William Crawford	Confederate	500
Jeremiah Davidson	Union	75
Edward Deaton	Union	100
George Deaton	Union	0
Joseph Deaton	Union	0
William Deaton	Union	0
Golden Flinchum	Union	0
Hiram Freeman	Union	0
James Freeman	Union	0
William Freeman	Union	0
William Gambill	Union	1000
Henry Haddix	Confederate	0
Hiram Haddix	Confederate	200
William Haddix	Confederate	300
Hiram Haddix	Confederate	0
John Hall	Union	200

²⁸⁸*Military History of Kentucky*, p. 240.

William Harvey	Union	50
Alexander Herald	Union	500
Stephen Hogg	Confederate	0
Elisha Johnson	Union	225
James Johnson	Union	300
Jefferson Johnson	Union	0
Thomas Johnson	Union	350
Hiram Miller	Confederate	0
Samuel Miller	Confederate	100
Alexander Patrick	Confederate	1500
Benjamin McIntosh	Union	150
Henley McIntosh	Union	0
Fugate McIntosh	Union	150
Nimrod McIntosh	Union	0
William McIntosh	Union	50
George Miller	Union	0
Booker Mullins	Confederate	100
Elias Noble	Confederate	0
John Noble	Confederate	200
John Riley, Sr.	Union	50
John Riley, Jr.	Union	0
Squire Riley	Union	0
Calloway Sebastian	Union	100
Lewis Sebastian	Union	0
Harden Sizemore	Union	0
Lewis Sizemore	Union	0
Irvine Spicer	Union	0
Edward Stamper	Union	50
Samuel Stidham	Union	0

Combs Family Members

First Name	Wartime Affiliation	Land Wealth in 1861 (acres)
Alfred	Confederate	800
George	Confederate	400
Henderson	Confederate	160
Henry	Confederate	100
Jeremiah	Confederate	100
Mason	Union	0
Nicholas	Confederate	0
Seburn	Union	0
Tarlton, Jr.	Union	0
William	Union	100
William B.	Confederate	100

Jett Family Members

Curtis	Union	4600
Granville Jett	Confederate	1000

Little Family Members

First Name	Wartime Affiliation	Land Wealth in 1861 (acres)
Alfred	Union	0
Edward	Union	0
James	Confederate	300
John C.	Confederate	1500
William B.	Union	0

the case in other areas of the Kentucky mountains as well; surprised by the amount of Confederate support he found in eastern Kentucky in early 1862, Colonel James Garfield complained that “party leaders” in the mountains held far too much sway over popular opinion and advocated loyalty oaths for these heads of party, hoping that lead rams would change the direction of the flocks.²⁸⁹ “Strong southern rights man” and prominent Democrat that he was, Jeremiah South had much personal responsibility for Breathitt County’s support of the Confederate cause.²⁹⁰ Just as South had disciplined an otherwise Whiggish territory into a staunchly Democratic county in short years after petitioning for the county’s creation, he, his families and their allies were able to perform a similar act of discipline at the war’s onset. As “perhaps, the most popular and influential man in all of Eastern Kentucky,” South had enough clout within the county he had practically created to sway it against its surrounding Unionist neighbors.²⁹¹

Breathitt County’s initial contribution to Confederate divisions was high but desertion among Breathitt County men was later rampant. Most Union recruits from the Three Forks region patrolled their home locales, dealing harshly with neighbors who took the opposite side, always benefiting from being on familiar ground. But Confederates from the area were more likely to be sent further afield, especially across the state line into southwestern Virginia.²⁹² As a result, they were unable to watch over their families

²⁸⁹*The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies*: Series 1, Volume 10, Part 2, p. 68.

²⁹⁰G.W. Noble, p. 57.

²⁹¹Crawford, “A History of the Kentucky Penitentiary System, 1865-1937,” (unpublished dissertation, University of Kentucky, 1955): p. 29.

²⁹²After the possibility of forcibly swaying Kentucky toward the Confederacy proved to be a lost cause after 1862, most of the state’s pro-Confederate resources were concentrated around the Virginia-Tennessee line in the interest of protecting the mines of Saltville, Virginia and the vital Virginia-Tennessee

and domestic economic interests during their time of service. This distance eventually tested many Confederates' interest in the larger war effort. As the South's military fortunes changed for the worse after the July, 1863 defeats at Gettysburg and Vicksburg, the men from Breathitt County who had chosen to support it through formal military service saw little reason to continue their support beyond their home territory.²⁹³ In August, 1863, John Aikman and as many as a dozen other Breathitt County enlistees abandoned their 5th Kentucky Infantry company in Hansonville, Virginia. Desertions from other units peopled by recruits from Breathitt County were also common. Edward Strong, by then a lieutenant in the same company, requested a leave of absence from his position as company quartermaster around the same time of Aikman et als desertion to have his family moved to safety in Virginia and later procured an appointment back home in Jackson, returning to a formalized version of the recruitment position he had held at the war's beginning.²⁹⁴ By means both legitimate and otherwise, Breathitt County's rebels withdrew from a rebellion they had never been truly a part of.

The mid-war return of a large number of Breathitt County's native Confederate soldiers was a pivotal moment in the county's further becoming a space of internal conflict.²⁹⁵ Rather than returning to the life of a noncombatant, Aikman and his fellow

Railroad from federal capture; Thomas R. Ramsey, Jr. *The Raid: East Tennessee, Western North Carolina, Southwest Virginia*. (Kingsport, TN: Kingsport Press, 1973): pp. 147-154.

²⁹³The communitarian homogeneity make-up of the 5th Kentucky may have contributed to this mass desertion. Confederate units with large numbers of soldiers from the same community were often more prone to desertion than units made up of men from disparate areas; Peter S. Bearman, "Desertion as Localism: Army Unit Solidarity and Group Norms in the U.S. Civil War," *Social Forces*, Vol. 70, No. 2 (December, 1991): p. 340.

²⁹⁴*KAGR: Confederate Kentucky Volunteers, 1861-1865*. (Frankfort, KY: The State Journal Company, 1915): pp. 210-213; Strong Family Papers, p. 82, BCPL.

²⁹⁵This return coincided with a statewide stagnation of regular Union and Confederate activities in Kentucky, giving way to their replacement by an irregular "people's war" fought by both sides; B. Franklin

deserters began fighting a “parochialized” version of the war upon their return, perhaps compelled by a desire to further the Confederate cause but perhaps, especially in Aikman’s case, to protect the interests of the local regime.²⁹⁶ But by doing so, he and those who joined him waged a quixotic struggle, since they were virtually surrounded by staunchly and actively Unionist populations in surrounding counties. Moreover, this pro-Confederate elite may not have considered the heights to which the county’s internal dissidents would go to resist and usurp the former’s authority. A minority of the county’s citizens, made up of marginal landowners and landless farmers, many of them squatters on property officially owned by the South family and other large landholders, fought against the county’s Confederate leanings under Edward Strong’s cousin William Strong. As a result an internal war was established in the county, the effects of which would be felt for decades afterwards. But before these effects wore out completely, their origins in actual war would be obscured, denied and forgotten.

Cooling, “A People’s War: Partisan Conflict in Tennessee and Kentucky,” in *Guerrillas, Unionists, and Violence on the Confederate Home Front*. Daniel E. Sutherland (ed.) (University of Arkansas Press, 1999): pp. 117-118.

²⁹⁶The “parochialization” of civil war takes place in which extensions of a national conflict are acted out in an enclosed location through which local issues come to take precedence over national ones as the basis for conflict or, “the shift in meaning from the *great* to the *little* tradition (my italics). Aikman’s patrons, the South family, retained their concerns in fighting for the Confederacy due to relatively cosmopolitan concerns, namely, the upholding of “southern rights” but they were equally concerned with maintaining order and a modicum of political uniformity within their county. Although Aikman continued to fight under their leadership (or at least the leadership of Jerry South Jr.) his return to fight a more localized war against individuals with whom he was probably socially acquainted prior to the war represented a means by which local interests (i.e., the political and economic primacy of his patrons, the South family) came to eclipse abstractions like “southern rights” espoused by the patrons themselves; see James C. Scott, “Protest and Profanation: Agrarian Revolt and the Little Tradition, Part II” *Theory and Society*, Vol. 4, No. 2 (Summer, 1977): pp. 220-222.

“...all Union men, bitter, prejudiced and ignorant.”

In class terms, William Strong had more in common with his enemies than he did with the Unionist irregulars he sought out as his allies. But Strong’s Unionism was inspired by factors that pre-dated Breathitt County’s existence and beyond the political influence that pointed it in a southward wartime direction. Strong was a landowner of some substance, albeit with far smaller tracts than his wealthy cousin Edward, and a slave owner as late as 1860.²⁹⁷ Unlike Edward, William Strong had no associations with Jackson’s South coterie or the Democratic politics it entailed. His home was in the Crockettville precinct, an area of the county that, considering that it hosted Breathitt County’s only Confederate mustering grounds in 1862, seemed to rebel from Jackson’s

Figure 18: William Strong (photo probably taken sometime during the Civil War)



²⁹⁷*Breathitt County Slave Schedules, 1860; Breathitt County Tax Books, 1861, KHS.*

Figure 19: John Aikman (photo date unknown)



Confederate tendencies.²⁹⁸ Crockettville was in the southern corner of Breathitt County and situated on the middle fork of the Kentucky River. As of 1847 it had the only post office outside of the county seat, so residents of the community and its surroundings had only to visit Jackson on court days.²⁹⁹ With Jackson on the north fork, the smaller town had greater social and commercial contact with Perry County, a Unionist hotbed, further to the south.

Perry County was the home of Major John Eversole and Wiley and Thomas Amis, also descendants of early Three Forks settlers and Strong's compatriots in the Union cavalry. Strong and the Amises were both descendants of participants in the Clay County

²⁹⁸*KAGR*, Vol. II, pp. 786-787.

²⁹⁹*The Kentucky State Gazetteer and Business Directory for 1879-1880*. Microfilm reel #S92-68, Margaret I. King Library Special Collections and Archives, University of Kentucky, Lexington, KY (hereafter, KLSCA): p. 133.

Cattle War six decades previous.³⁰⁰ Before joining the army together the Strongs, Amises and Eversoles were all related by marriage and, perhaps most importantly, shared a local society that pre-dated Breathitt County's apportionment from Perry County at Jeremiah South's request (benefiting from the county's formation, and living closer to Jackson, William's wealthier cousin Edward was apparently otherwise motivated). As a testament to his family's persistence without regard for the new political delineations being drawn around them through the years, Wiley Amis' farm lay at the confluence of Breathitt, Perry and Owsley Counties. Like many other Three Fork residents with property in Breathitt County, the county was an abstraction that meant nothing more than having to pay property taxes to a courthouse controlled by one's wartime enemies.³⁰¹ Had he a sense of a larger picture of local events, South's claim on the old Virginia land grant and formation of a new county may have seemed to William Strong the acts of an interloper, and a danger to his economic interests since he, like many mountain farmers, probably depended upon large areas of unfenced land for livestock droving and had little interest in land speculation. Whatever his reasons, Strong chose the side of the Three

³⁰⁰Although Strong's grandfather had opposed members of the Amis family decades before during the brief but violent "Clay County Cattle War, this apparently had little bearing on his willingness to join forces with members of the family during the war, further suggesting that, just as family loyalty was only among multiple factors that influenced wartime loyalties, past familial enmities were put aside in the interest of mutual political interests; G.W. Noble, p. 30; Pudup; Interview with Anderson Combs, April 26, 1898, *JJDD*, Reel #3, pp. 2267-2273; E.L. Noble (Vol. 2), p. 37; Strong Family Papers, Breathitt County Public Library (hereafter BCPL); US War Department. *Official Army Register of the Volunteer Force of the United States Army for the Years 1861, '62, '63, '64, '65, Part IV*. (Washington DC: Government Printing Office, 1865): p. 1236; William Henry Perrin, J. H. Battle, G. C. Kniffin. *Kentucky: A History of the State, Embracing a Concise Account of the Origin and Development of the Virginia Colony; Its Expansion Westward, and the Settlement of the Frontier Beyond the Alleghenies; the Erection of Kentucky as an Independent State, and Its Subsequent Development*. (Louisville and Chicago: F.A. Battey and Comp., 1888): p. 728.

³⁰¹*Acts of the General Assembly of the Commonwealth of Kentucky: passed at December Session, 1845*. (Frankfort: A.G. Hodges, State Printer, 1846): p. 16.

Forks region's majority and neighbors in another county in defiance of his own county's elites, a decision that notably never brought him into direct conflict with his cousin Edward but nevertheless caused his name to become anathema to pro-Confederates.

Having joined the 14th Kentucky Cavalry in 1862 and serving primarily in the Bluegrass, Strong was mustered out in 1864 and returned to Breathitt County, at which time he was said to have been immediately beset upon by local Confederates under Barry South's command.³⁰² In reaction, William Strong and his allies began "killing nearly every Southern citizen he found" as part of Kentucky's Three Forks Battalion (sometimes also called the "Last Chance Battalion" since it served as the last chance for mountain Unionists mustered out of other units to "get in the fight"). The formation of the Three Forks Battalion reflected a turning point in the Civil War, after much of the seceded states were occupied by federal forces. The 14th Kentucky had been formed in anticipation of large-scale Confederate attempts to occupy the state. In contrast, the Three Forks was one of ten battalions that made up Kentucky's 1st Regiment of Capital Guards, a unit authorized by Secretary of War Edwin Stanton for fighting pro-Confederate forces from within the state. Rather than fighting an invading enemy, Strong and his fellow Capital Guard officers were to wage war within their home locales potentially against their own neighbors.³⁰³ By the end of 1865 "Captain Bill" had

³⁰²Although a local account that was generally sympathetic to Strong's enemies suggested that he had deserted the 14th Kentucky Cavalry, records show that Strong was given officially-authorized leave from the unit; G.W. Noble, p. 23; *KAGR*, Vol. I, pp. 388-389.

³⁰³The Three Forks Battalion was one of ten battalions within the "1st Regiment of Capital Guards" authorized in May, 1864 by Secretary of War Edwin Stanton to suppress the state's internal "guerrilla evil" once major invasions from the south had trailed off. Although a local account that was generally sympathetic to Strong's enemies suggested that he had deserted the 14th Kentucky Cavalry, records show that Strong was given officially authorized leave from the unit. His official connection to the Three Forks Battalion bears this out as well. This is an important distinction since many of his actions in the latter part of the war that inspired much of his reputation as a brigand, murderer and "feudist" were performed under the auspices of the federal government. Suggestions that Strong had deserted the Union Army were one of

established a reputation as one of Kentucky's most brutal partisans on either side of the conflict, a reputation supported largely by people who had known him for years before the war. Although he never achieved a commission higher than captain, by all accounts William Strong was the undisputed leader of official and unofficial Unionist antagonism in Breathitt County and one of the most authoritative Union partisans in all of eastern Kentucky. Fighting against his county's Confederate majority by the war's end, William Strong was said to have become "the most powerful man in Breathitt County."³⁰⁴ Strong's intimidation was felt so strongly that, from 1863 until 1865, Breathitt County Democrats stayed home from wartime elections, thereby making Breathitt the only typically Democratic county in eastern Kentucky to support Unionist candidates in wartime elections.³⁰⁵

Strong's, Eversole's and the Amises' inter-county collusion of aggressive Unionism came about through old social arrangements generated by shared roles as the Three Forks region's "first settler families," an advantageous position in the Kentucky mountains that carried with it the potential for leadership status on either side of the conflict.³⁰⁶ They were assisted by a mysterious population made up of both Breathitt County's landless whites and people of color, two subaltern populations that are difficult to trace in the historical record. Without slaves or land of speculative value, Breathitt County's poorest farmers had less reason to follow the lead of Edward Strong and the

many attempts to depoliticize his memory; G.W. Noble, p. 23; *KAGR*, Vol. I, pp. 388-389; *1890 Special Veterans' Census for Eastern Kentucky* Charles C. Wells (ed.) (Baltimore: Gateway Press, 2000): p. 52; *JJDD*, reel no. 92, p. 2146.

³⁰⁴E.L. Noble (Vol. 2), pp. 5-6.

³⁰⁵*TAPR*, 1862, p. 61; 1864, p. 59; 1866, p. 59.

³⁰⁶Pudup, "Town and Country in the Transformation of Appalachian Kentucky" in *Appalachia in the Making...*, p. 292.

South family. Recruitment for regular Union outfits such as the 14th Cavalry, and the subsequent Three Forks Battalion, attracted the Three Forks region's poorer elements, no doubt inspiring one Confederate officer assigned with tracking down William Strong to characterize the county's "Union men" as "bitter, prejudiced and ignorant."³⁰⁷ Yet, this was not necessarily an opposition based upon isolation, racial fear and willful ignorance of the "outside world," as mountain Unionism has been characterized.³⁰⁸ Opposition to Breathitt County's Confederates was also opposition to the threat to the squatter economy that Jeremiah South's county posed. As mentioned earlier, this same population used their unfettered access to Bluegrass markets via the forks of the Kentucky River. From an economic perspective, these landless farmers, many of whom were squatters on the South family's vast tract, were motivated by self determined participation, not complete isolation or "traditional" modes of local economics.³⁰⁹ The "wood denizens" did not resist commercial life but, occupying land that was contractually someone else's, preferred to encounter the market down the river under their own terms. Breathitt County's poorer farmers' dissent against their county's majority brought about the "internal war" fought in many places in the upland South in which decisions of loyalty made by planter elites did not reflect the freeholder political economy, an otherwise

³⁰⁷William Davis and Meredith Swentnor , p. 246.

³⁰⁸This is a common interpretation of southern mountain Unionism espoused most prominently in Paludan, pp. 28-30.

³⁰⁹The assumption that belief in "tradition" as shorthand for resistance against market economics as a determinant of border state loyalties during the Civil War is found in David Thelen. *Paths of Resistance: Tradition and Dignity in Industrializing in Missouri*. (Oxford: Oxford University Press, 1986): pp. 59-62.

“innocuous” prewar cleavage that only became politicized and subject to polarization through the arrival of war.³¹⁰

Nor were they strongly motivated by an innate fear of the African race, as was also supposedly the case among mountain Unionists.³¹¹ Anecdotal evidence suggests that some of Breathitt County’s small black population took up arms as guerrilla fighters alongside the wood denizens, an ability born from the geographical dictates inherent to mountain slavery.³¹² Just as Breathitt County’s hunter and drover economy was shaped by its terrain, so too was the condition of bondspople. Gang labor, the use of slaves for a single, continuous task, was uncommon in the Kentucky mountains, since most slaveowners, like their slaveless neighbors, diversified their economic pursuits. The tending of crops was accompanied by the herding of livestock, the felling of timber and the maintenance and mining of small farmyard coal mines. The nature of their work afforded slaves a freedom of movement and lack of surveillance, two things rarely enjoyed by slaves in the plantation South.³¹³ A slave “with whom everyone in the county was acquainted” owned by Jeremiah South often traveled across great distances, acting as a messenger for his owner and their neighbors.³¹⁴ The county’s 1860 slave schedules

³¹⁰Eric Foner, *Reconstruction : America's Unfinished Revolution, 1863-1877*. (New York: Harper & Row, 1988): p. 16; Kalyvas, *The Logic of Violence in Civil War*, p. 79.

³¹¹“Unionist Highlanders,” were said by one historian to have “disliked Negroes as well as slavery...”; Paludan, p. 59.

³¹²William Davis and Meredith Swentnor , p. 254; Slave assistance to regular Unionists was not unheard of in other parts of the South; see Margaret M. Storey, “‘I’d Rather Go To Hell’: White Unionists, Slaves, and Federal Counter-Insurgency in Civil War Alabama,” *North & South*, Vol. 7, No. 6 (October, 2004): pp. 70-82.

³¹³ Stuart Seely Sprague, “The Kentucky Pocket Plantation: Sources and Research Strategies, Mason County as a Case Study,” *FCHQ*, Vol. 71, No. 1 (January, 1997): pp. 77-79, 84.

reveal a large number of manumitted slaves living alongside those still in bondage, further contributing to their physical mobility and the covert conveyance of information.³¹⁵ Their small numbers and diversity of tasks allowed mountain slaves to sometimes interact within white society and, to a greater extent, with slaves from other farms and free blacks in the local area.³¹⁶

Few in number, those slaves who put an active effort into supporting the local Unionist efforts played an integral role in quieter fashions as well. One unnamed slave owned by Confederate partisan John Duff acted as Eversole's spy, traveling to Perry County to warn him of an impending attack to be led by his master.³¹⁷ Once he returned to Breathitt County after serving with the 14th Cavalry, William Strong may have employed his and his father's slaves as fellow combatants and was recorded as "carr[ying] off" one of his raid victims' slaves, a theft in the mind of the raid victim that was perhaps actually a recruitment.³¹⁸ Still, local Confederate observers did not apparently fear internal insurrections among the small slave population as much as they did the prospect of federally mandated black soldiers. One Confederate officer, well aware that eastern Kentucky had become a large source of recruitment for the U.S. Colored Regiments, was

³¹⁴Trimble, p. 2. Despite having the physical ability to escape to free territory (which in Kentucky was as close as the Ohio River), slaves like Jo were prevented from escaping due to familial obligations. Due to the high rate of slave exportation out of Appalachia, mountain slaves stood a greater chance of being separated from family than slaves in the lowland South. Had he feared that Jo would attempt escape, South could have easily threatened to sell members of Jo's family at the Manchester slave market in nearby Clay County; see Dunaway, *Slavery in the American Mountain South*, pp. 192-193.

³¹⁵*Breathitt County Slave Schedules*, 1860; For the importance of relationships between slaves and free blacks as resistance networks, see Hahn, *A Nation Under Our Feet*, pp. 57-61.

³¹⁶By 1860, more than half of Breathitt County's slaveowning households were also home to manumitted slaves; *Breathitt County Slave Schedule, 1860*, KHS.

³¹⁷G.W. Noble, p. 9.

³¹⁸Herbert W. Spencer. *Captain Bill's January Raid*. (unpublished, 1961) <http://www.artontherocks.net/genes/tree/np77.htm> (viewed 9/20/2006).

nonplussed at the possibility of uniformed blacks, vowing that he and his fellow rebels “would not tolerate their taking up arms against us.” But when a “fleetfooted negro” warned Unionists of his approach, the same officer was more annoyed than alarmed.³¹⁹ “Legitimate” Confederate soldiers did not initially see their shadowy war as a direct threat comparable to colored men in the legitimate Union uniform. But this strange interracial wood denizen population proved to be a greater threat to eastern Kentucky’s Confederate campaign than the United States Colored Troops.

Two violent associates of William Strong for years after the war, Henderson Kilburn and Hiram Freeman, are two of a very small number of names that can be identified within this unarticulated interracial group. Historical records reveal little about Kilburn other than that he was a landless farmer at the beginning of the war (possibly on Jeremiah South’s acreage).³²⁰ He was from a stratum of mountain society that may have cared little for either sides’ larger goals. Kilburn initially joined the Confederate 5th Kentucky Infantry but deserted after less than two months. But for some unknown reason he later defected and joined the 14th Kentucky Cavalry and returned to Breathitt County in early 1865 to join the Three Forks Battalion.³²¹ After he served as a private under Captain William Strong’s command Kilburn maintained a violent loyalty to his old commander. As an assassin both during and after the war, Kilburn was said to be

³¹⁹William Davis and Meredith Swentnor , pp. 461, 464. For black military recruitment in Kentucky’s mountain counties see Inscoc, “Slavery and African Americans in the Nineteenth Century” in H. Tyler Blethen and Richard Straw (eds.), *High Mountains Rising: Appalachia in Time and Place*. (University of Illinois Press, 2004): p. 39.

³²⁰*Breathitt County Tax Books*, 1861, KHS.

³²¹Kilburn and McIntosh Family Files, BCL; *KAGR*, Vol. I, p. 388.

Strong's "chief Lieutenant" and his deadly "right hand, right foot and right eye."³²² Hiram Freeman was the mulatto son of a manumitted slave from Clay County who relocated to Breathitt County after escaping a contract that would have amounted to indentured servitude.³²³ Freeman was part of the racially ambiguous population that William E. Lincoln had witnessed before the war and he used his biracial heritage to negotiate multiple, or overlapping, racial identities.³²⁴ Although he was listed as mulatto on the 1860 census, Freeman and at least one of his sons (all of whom were listed as white on the same document) were able to join the otherwise all-white 14th Kentucky Cavalry, perhaps through William Strong's influence.³²⁵ Though not as brutal as Kilburn, Freeman was remembered as "among the worst" of Strong's allies during the war and after.³²⁶

Historian John Alexander Williams describes both mountain squatters and people of color as "lead[ing] a shadowy existence," a barely discernible presence in extant records that suggests to him that both may have enjoyed economic advantages unknown by their fellows in other parts of the South.³²⁷ In Breathitt County this "shadowy

³²²E.L. Noble (Vol. 2), pp. 56, 82.

³²³Among the nineteenth century Kentucky county's most coercive constitutional powers was the ability to assign orphaned minors into forced apprenticeships, a practice that was used most often with free blacks. In 1836 Freeman and his brother were bonded to a relative of Williams Strong's in order to "learnt the art and mystery of farming" His infant sister was bonded to another Clay County citizen to be trained as a seamstress. In 1838, Freeman successfully challenged his and his siblings' bonds of apprenticeship on the grounds that the facts of their original bonds were erroneous; *Freeman vs. Strong and Others*, 20 April, 1838, Appeal from Circuit Court, Clay County, Records of the Court of Appeals of Kentucky, KDLA; Manual Ray Spencer. *The Descendants of Joseph Spencer*. (M.R. Spencer, 1996): p. 325.

³²⁴Lincoln, "Memoir," manuscript, Founders and Founding Collection, Berea College Archives, Berea, KY: p. 13.

³²⁵*Breathitt County Census*, 1860, 1870; *KAGR*, Vol. II, p. 499.

³²⁶G.W. Noble, p. 55.

³²⁷John A. Williams, pp. 109-110.

existence,” combined with the Unionist war effort, defined the ferment of violence in Breathitt County. As different as they may have initially been, Strong, Eversole, the Amises, and the semi-anonymous multiracial wood denizens all shared motivations for disaffection toward Confederate Breathitt County: all either did not benefit from, or were potentially harmed by, the interests of the South family and, by extension, the county court. Strong, Eversole and the Amises were simply going along with the Three Forks region’s majority and most white Kentuckians, but were also basing their loyalties upon relationships dating back to the early days of white settlement in the Three Forks region. Utilizing his racial indeterminacy, Freeman, although born free, was fighting the white supremacy represented by Breathitt County’s slave owning interests that peopled Breathitt County’s political and economic elite, a fight he shared with the county’s black and mulatto population, both free and enslaved. Finally, Kilburn and other white squatters fought against the Souths’ speculative economic interests, interests that could potentially damage the formers’ livelihood as semi-itinerant drovers and forest farmers.³²⁸ Local Unionism, and its ability to organize disparate individuals and groups, provided a challenge to Breathitt County’s more powerful elements and their attempt to veer eastern Kentucky toward the Confederacy.

This organization was defined by the irregular methods and command style characterized by Kentucky’s semi-official home guards. Although the Three Forks Battalion was a unit mandated by the state of Kentucky and the US War Department, it approximated a more localized and irregular home guard detachment in form and function. After the “legitimate” Confederate Army had given up major raids into the

³²⁸Ronald Lewis, pp. 27-28.

state, one southern officer complained that the units he identified as home guards were the primary source of Confederate failure in the Three Forks region and a recognition that political and military mobilization was carried out on the county level. “Their policy is to organize these mountain counties as speedily as possible against us. Taking advantage of our retreat from the State, they are trying to convince the people that we have given the State up. In this way they seduce many into their Home Guard organizations.”³²⁹

This was the so-called home guards’ function within the “master cleavage.”³³⁰ It was within the war’s local cleavages that units like William Strong’s had their greatest lasting impact. The decentralized authority and small numbers inherent to Kentucky’s home guard units made their purposes and actions malleable to the wishes of individual commanders like Strong, and the insular concerns of the communities. Membership in military units authorized by the federal government, a body that men like Strong, Freeman and Kilburn may never have given significant thought to before 1861, provided a means by which local actors and outside interests could form alliances of common purpose, blending the formers’ commercial interests with the “master cleavage” represented by the war en masse. The wood denizens fought a war that was as much based upon local, almost personalized, issues as it was in the greater national struggle. However, they were able to do so under the banner of a national movement based upon the preservation of the Union and suppression of rebellion. The war provided an “interface” between the national and the local.³³¹ The ability to link their local cause to

³²⁹*United States Congressional Serial Set*. (Washington DC: United States Government Printing Office, 1889): p. 451.

³³⁰ Kalyvas, *The Logic of Violence in Civil War*, pp. 382-387.

³³¹ Kalyvas, *The Logic of Violence in Civil War*, p. 383.

the larger one proved useful after the war when Strong was able to have individuals with questionable military credentials placed upon pension rolls and to use his role as legitimate military actor when he was sued by his neighbors for confiscating livestock during the war.³³²

Finally, the war, and the wood denizens' service under Strong's command, created an infrapolitical body independent of institutions commonly recognized as legitimate by the local state (i.e., the county court) heightening Strong's power as a "chieftain" of Breathitt County's squatter population and the county's "special protector of the colored race."³³³ After the war, Strong's detractors suggested that he maintained a paternalistic hold over his allies, often in language that suggested the latter's primitivism. One local historian denied that the landless Unionists had any real conscious purposes in fighting under Strong's command, but characterized the wood denizens as *tabulae rasa* for his evil exploitation. "These men, in the main, had no opinion of their own. They were ignorant and savage, having no desires of their own; they desired only to be clothed and fed; thus they were fit subjects to execute what others desired done. They seemed void of conscience; knew nothing of the cause against which they fought."³³⁴

However, perhaps the means by which Strong became a "chieftain" went beyond whatever charisma he held over his more "ignorant and savage" underlings and was a product of Strong's negotiation of multiple roles. In becoming a "chieftain" among the

³³²E.L. Noble (Vol. 2), p. 9; Wells, pp. 221-228.

³³³E.L. Noble (Vol. 2), p. 56; WPA, *In the Land of Breathitt*, p. 59. "Infrapolitics," political praxis carried out outside of official institutions, is described fully in Scott, *Domination and the Arts of Resistance*.

³³⁴E.L. Noble (Vol. 2), p. 11.

wood denizens Strong was benefiting from a political dynamic common to all civil wars in which authority is extended to individuals who are most willing to commit violent acts.³³⁵ Had Strong not received his commission in the 14th Cavalry, and his subsequent captaincy in the Three Forks Battalion, his influence in the Three Forks region's society would have been limited only to his economic and social status, kinship and the rights and privileges afforded to any other white male landowner. But by gaining authority in a martial capacity, and acting out that authority through acts of violence, the war enhanced Strong's ability to influence those around him, particularly since most, if not all, of the men who served under him were his neighbors from southern Breathitt County and neighboring Perry County. Further, this military arrangement placed a landowner and slave owner like Strong in league with slaves and landless whites, an alliance that would not have taken place under any other circumstances. Martial authority translated into, and was combined with, community authority, thereby giving Strong "chieftain" status over a portion of the Three Forks region's population for decades after the war. The pocket of Unionism within an otherwise Confederate state (at least as far as Breathitt County could be considered a state) crystallized into a "small state" that subverted the larger state long after the war was over.³³⁶

With pro-Confederate control over the county court, the only universally recognized governing body within Breathitt County's boundaries, the county's Unionists were robbed of conventional access to local public institutions, access that they had previously enjoyed as white male voters (with the probable exception of Hiram Freeman) before the war. An 1863 petition submitted to the Kentucky House of Representatives

³³⁵Kalyvas, *The Logic of Violence in Civil War*, pp. 57-58.

³³⁶Phillip Gosse. *The History of Piracy*. (New York: Tudor, 1946): pp. 1-2.

expressed concern for the ability of Union soldiers from Breathitt County being able to vote.³³⁷ Under the vive voce conditions that had already always given court officials inordinate surveillance and control over the electorate, Union sympathizers, or for that matter Union soldiers, could easily be prevented from voting by force or by simply not being counted (a practice that was likewise directed at Confederate partisans or sympathizers in strongly Unionist counties).

“I knew the man I shot.”

War fought within an enclosed community where opposing participants are familiar enough with one another to complicate (or prevent) combatants’ use of self-anonymity blurs boundaries between the political and the personal. Given that those who returned to fight this internecine war were neighbors who had established peaceable interpersonal relationships before the war, the eventual fighting took on what Stathis Kalyvas calls an “intimacy” of violence, an essential element of modern civil war.³³⁸ The conditions by which such a war are fought were tersely described in the postwar testimonial of an Owsley County partisan who intermittently battled incursions from pro-Confederate neighbors from Breathitt County: “I knew the man I shot. He had been a

³³⁷*KHJ, 1863*, p. 1145.

³³⁸The “War Between the States” motif, a condition in which delineations of “segmented authority” are purportedly clearly drawn, makes the American Civil War seemingly unique among civil wars of the last three centuries since secession created what were virtual definitive boundaries between the war’s oppositional forces. However, in the Three Forks region, and communities throughout the South who’s wartime stories have only begun to be told, the war was fought “intimately” within communities, suggesting that this civil war was perhaps more similar to others than may have been previously suspected. Kalyvas, *The Logic of Violence in Civil War*, pp. 83, 330-363; Stephen Ash. *When the Yankees Came: Conflict and Chaos in the Occupied South, 1861-1865*. (Chapel Hill: University of North Carolina Press, 1995): p. 125.

friend of mine but I knew we had to kill some of them or they would kill some of us and I had too good a bead on him to let him go.”³³⁹

As a geopolitical buffer between eastern Kentucky’s pro-Confederate counties and pro-Union counties, Breathitt was “ravaged by guerilla raids” and military occupation for the second half of the war.³⁴⁰ By 1864 conditions in the Three Forks region had deteriorated to the point that court days and elections were not held.³⁴¹ Despite its being well within pro-Union boundaries, Breathitt County saw more visits from regular Confederate units than from the federal army. Led by Perry County native Major John Eversole, mountain Unionists had resisted the attempts of Generals Benjamin Caudill and John Hunt Morgan and Colonel Jack May to establish Confederate dominance in the Three Forks region.³⁴² Breathitt County provided southern commanders with valuable access to the Kentucky River’s headwaters and a relatively safe bivouac from which attacks into Kentucky’s most fervently Unionist counties could be launched. Among the boldest of Kentucky’s native Confederate generals, Morgan attempted to claim control over Unionist Estill County, declaring Unionist home guards “enemies of the government” despite officially having the same status himself³⁴³ By

³³⁹Wilson, *When They Hanged the Fiddler*, pp. 75-76.

³⁴⁰*Acts of the General Assembly of the Commonwealth of Kentucky, 1864*. (Frankfort: Wm. E. Hughes, State Printer, 1864): p. 365.

³⁴¹Breathitt County was one of nine Kentucky counties that failed to produce returns in the 1864 presidential election (George McClellan won the state); *Chicago Daily Tribune* (hereafter *CDT*), 12 December, 1864; Shannon and McQuown, pp. 38-40.

³⁴²*1890 Special Veterans’ Census for Eastern Kentucky* Charles C. Wells (ed.) (Baltimore: Gateway Press, 2000): p. 289.

³⁴³“To the People of Estelle and Adjoining Counties,” broadside, *John Hunt Morgan Papers, 1840-1870; 1890*. Southern Historical Collection, Wilson Library, University of North Carolina, Chapel Hill, NC. See also, *Louisville Daily Journal*, 29 January, 1863. A Bluegrass native, Morgan had visited Breathitt County at least as early as 1856 to retrieve a lost horse; *Lexington Leader*, 7 October, 1958; Jacqueline Bull, “Writings on Kentucky History, 1958,” *RKHS*, Vol. 58, No. 3 (July, 1960): p. 241.

1863 the southern military presence in the county was so pervasive that Confederate currency was in wide circulation among the civilian populace (testifying also to the relative lack of available specie in the mountains).³⁴⁴

While serving as a byway for southern armies, the county was a headquarters for the local Confederate effort as well. Serving officially or unofficially under his landlord Lieutenant Jerry South Jr., John Aikman and many others augmented Confederate efforts in the Three Forks region with a smaller war of local state-dismantlement. Clay County to the south and Owsley County to the west, both Unionist bastions, were often targets for Breathitt raiders, mostly for the forced appropriation of livestock.³⁴⁵ Aside from the theft of horses and cattle from noncombatant farmers, Owsley County's jail was burned and its county court records ransacked and destroyed, symbolically and effectively crippling local government.³⁴⁶ After his desertion in Virginia, John Aikman gained the reputation as one of the Three Forks region's most brutal Confederates, a reputation that was no doubt strengthened by the apocryphal story of his spitting out a lead ball after being shot in the back by one of Eversole's men and remarking on having been fed a "damned hot morsel."³⁴⁷

John Aikman's reputation as a "bad man" gained during the war was matched, if not surpassed by William Strong's reputation for brutality. During his service in the Three Forks Battalion (or ersatz home guards) Strong garnered ill repute not only for his purportedly self-interested confiscation of property but also for the terrorism he directed

³⁴⁴G.W. Noble, p. 14.

³⁴⁵McKnight, 225-226; Wilson, *When They Hanged the Fiddler*, p. 75.

³⁴⁶*Louisville Daily Journal*, 20 April, 1863.

³⁴⁷E.L. Noble (Vol. 2), pp. 14-15.

against ostensibly neutral civilians. More than a decade after the war's end he was remembered by a Democratic newspaper as a source of wartime terror in Kentucky's mountains: "The majority of the people (in Breathitt County) were Southern sympathizers, and that made them legitimate game for the devil, who appeared in the person of Captain Bill Strong."³⁴⁸ Whether or not Strong was truly more villainous toward his neighbors than his adversaries were to neighboring counties is questionable, since most post-war chroniclers were unsympathetic, while his allies remained unarticulated. The only operative difference between Strong's and Aikman's styles of combat was that the former was more prone to attack, plunder and capture within his home county. "Intimacy" apparently worked in paradoxical ways in Strong's case; while the aforementioned Owsley County partisan was willing to overlook friendship in favor of partisanship, encounters between Strong and the young George Noble suggest that the reverse could just as easily take place. When he was captured by Strong late in the war Noble was able to secure a quick release through negotiations based upon the former's personal familiarity with the Noble family before the war.³⁴⁹ Months later when William Strong's brother John was killed in ambush (supposedly due to being mistaken for William) Noble recalled feeling regret that his comrades had "killed the wrong man" rather than relief that a dangerous enemy partisan had been eliminated.³⁵⁰ Breathitt County's intimate war dictated that local combatants were judged more for their personal selves than for their political stances after the war.

³⁴⁸*LCJ*, 3 December, 1878.

³⁴⁹Noble's age, and the minimal threat he represented may also have weighed upon Strong's decision as well; G.W. Noble, pp. 35-36.

³⁵⁰G.W. Noble, p. 54.

If Strong extended courtesies to others during the war as he did to Noble they were not recorded. Murder, theft, intimidation and property destruction, actions that many in Breathitt County supposedly considered outside the bounds of acceptable warfare, were all attributed to him and the home guard. The most egregious crimes attributed to Strong dealt with his treatment of civilians. Years after the war a Democratic newspaper recorded the names of nineteen “private citizens” killed by Strong’s home guard.³⁵¹ Like Aikman, Strong was also known for committing property crimes against families of opposing sympathies. During the same aforementioned raid in which he “carried away” a slave belonging to a farmer named Jesse Spencer, Strong and his men

drove away most of Spencer's livestock, went into the house, split open the featherbeds with their knives, and poured jugs of ‘sorghum’ molasses into the ‘Feather ticks.’ Hams, middlings, and shoulders were taken from the smokehouse. They also destroyed what other property they could not take with them.³⁵²

Suspecting that Strong and the Amises made such these and other acquisitions for purely personal gain, at least one of his victims unsuccessfully attempted to sue Strong after the war but was blocked by his invocation of federal authority.³⁵³ Strong’s primary tactic was to surround the home of a suspected “rebel scout” and demand the surrender of any men who formerly served with Confederate forces or provided them with support. Young Confederate Miles Spurlock, on winter furlough from service, was shot in the back by Strong while attempting to escape during a raid. Soon after, David Barnett, “an

³⁵¹*Kentucky Tri-Weekly Yeoman* (hereafter *KTY*), 22 December, 1878.

³⁵²Spencer.

³⁵³*Wm. M. Combs agst. Capt. William Strong, Wiley Amis and other defendants, 1867-1869, Wm. M. Combs agst. Hiram Freeman and Jason Little, 1867-1869, (KDLA).*

innocent man" in George Noble's opinion, was summarily shot in his home.³⁵⁴ In terms of damaging the pro-Confederate hold on Breathitt County, Strong's most significant kills were Andrew Jackson South and Jerry South Jr., his opposite military numbers and the South family's remaining adult male representatives in their county.³⁵⁵ Thus, Strong eliminated the Three Forks region's predominant native Confederate partisan as well as chief enemy of the squatters who occupied South family property.

Cursory scrutiny of Strong's and Aikman's actions between 1863 and 1865 reveals little but seemingly apolitical barbarism. However, there is a greater complexity to the torture of their neighbors than might be assumed. Both recognized that what the historian Stephen Ash has since called the "communal nature of guerrillaism" blurred significant distinctions between soldier and civilian since the two were fundamentally interdependent, making seeming nonaligned individuals and families viable targets.³⁵⁶ Provisions seized by passively hostile civilians not only fed the raider and robbed the raider's enemy, but also demonstrated the raider's superiority (and, by extension, greater claim to political legitimacy) to his victim.³⁵⁷ At the same time, both men had come to understand, as most of the war's officers came to realize after months and years of attempting to occupy hostile territory, that warfare in the midst of a civilian population

³⁵⁴Whether or not Barnett's purported innocence alluded to his being nonpartisan or non-military was not revealed; G.W. Noble, pp. 32, 78.

³⁵⁵Strong Family Papers, p. 111, BCPL; Edwin Porter Thompson, p. 746; Spencer; McKnight, pp. 225-226.

³⁵⁶Ash, p. 64; In guerrilla settings, civilian populations, even those with little or no direct connection to fighting forces, act as a "support system" for partisans in providing provisions, intelligence or refuge; Timothy P. Wickham-Crowley, "Terror and Guerrilla Warfare in Latin America, 1956-1970," *Comparative Studies in Society and History*, Vol. 32, No. 2, (April, 1990): p. 225.

³⁵⁷Vahabi, pp. 69-70.

required a certain amount of regulation over their behavior. In his raids against Clay and Owsley Counties, Aikman purportedly fought in the interests of the majority of Breathitt County whites. Strong was supported by Major Eversole, the Amis family and the wood denizens but was forced to deal with a hostile population within his own county (which he clearly refused to abandon) as well as the negative attention of regular Confederate forces, many of whom were willing to mete out the same harsh treatment against Strong's forces as Strong did toward civilians. By early 1863 Confederate units still attempting to take hold of the Three Forks region began performing summary executions of prisoners that were said to be home guards. Confederate Colonel Jack May, considered somewhat the guerrilla himself, "murdered" a sergeant under Strong's command after he was taken prisoner.³⁵⁸ Some civilians suspected of resistance were executed by enlisted men without the orders of their superiors.³⁵⁹

The hostile intermingling of Confederate forces from outside, native Confederate partisans such as Aikman, and the so-called home guards under Strong made Breathitt County into a veritable no-man's land in which neither oppositional party had a clear advantage over the other. But neither Aikman nor Strong held a superior claim to legitimacy within their respective campaigns. Guerrilla warfare, usually a "weapon of the weak" directed against superior forces, became the reciprocal norm for the native leaders of both sides, creating a situation in which neither had a firm grasp over either locally recognized moral authority or state approval.³⁶⁰ Complicating matters for the worse was the intimacy of violence made inevitable by the insularity of primary military

³⁵⁸KAGR, p. 389.

³⁵⁹William Davis and Meredith Swentnor, pp. 251-252.

³⁶⁰Scott, *Weapons of the Weak*, p. 35.

targets. Aikman's and Strong's parochialization of the Civil War was brought about by the conflation of a national cause with the concerns of local popular politics; Aikman's Confederatism combined with the South family's economic agenda, while Strong's did the same with the agrarian revolt embodied by the wood denizens. Through intimate brutality, this disruptive conflation of the local and the national was joined, and complicated, by a further intermingling of the political and the personal.³⁶¹ Even though Strong was a *de facto* victor after the official surrender of Confederate forces in May, 1865, the struggle that had taken place in Breathitt County was left unresolved. Despite having been on the war's winning side, Strong was no closer to having won locally recognized legitimacy except among the wood denizens, many of whom recognized Strong's "chieftain" status for years after the war. Worse yet for him, his martial efforts would scarcely be recognized as such over the following years. The intimacy of Breathitt County's war, although perhaps no more pronounced than in many other parts of the South, was eventually remembered not as warfare but as *feud*.

"Previous to that time they knew nothing of pistols and bowie-knives..."

Breathitt County's wartime partisanship, and its obvious contrasts with what Michael Fellman has called "a stand-up war with uniformed, flag-carrying massed troops charging one another in open combat," helped to establish its image as a place of intrinsic irrational violence.³⁶² Local histories written by men who had experienced the war directly, or interviewed those who did, considered the political significance of the Civil

³⁶¹Kalyvas, *The Logic of Violence in Civil War*, pp. 25, 343, 379.

³⁶²Michael Fellman. *Inside War: The Guerrilla Conflict in Missouri During the American Civil War*. (Oxford: Oxford University Press, 1989): p. 23.

War and later “feud” violence in the county an obvious fact. When war was fought so intimately within such a small space, the distinction between violence in war and violence afterward became arbitrary.³⁶³ But to those looking in from the “outside world,” Americans bent upon establishing a reunited nation, the possibility that Breathitt County’s wartime conditions were part and parcel of the War Between the States was unacceptable. With the United States bent upon reunion, it was necessary that the equally noble causes (albeit one of them a courageous “lost cause”) and the mutual gallantry of the northern Virginia campaigns overshadow the horrors that took place in corners of the South like Breathitt County. It and other guerillism-ridden counties’ individual wartime records did not stand out among mountain counties in Kentucky or the South. The violence memory was lost amid the telling of war in the mountain South and its requisite contrast to the “stand-up war” war fought in the more storied campaigns. A regional inherency obscured the various contingencies that pulled many communities into the Civil War. And the spirit of national reunion depersonalized the war, separating the opposing causes from the individuals who had fought for them. Internally however, in a community such as Breathitt County, that was a difficult, or impossible, prospect.

The myth of a solidly Unionist Appalachia, a myth that also excluded Breathitt County, was therefore important for comfortable reconciliation between the sections as well as the expansion of discourse on Anglo-Saxon purity in the region.³⁶⁴ So too was the idea that the Civil War had unfortunately “happened” to the otherwise isolated, apolitical

³⁶³Kalyvas, *The Logic of Violence in Civil War*, pp. 21, 71.

³⁶⁴Nina Silber. *The Romance of Reunion: Northerners and the South, 1865-1900*. (Chapel Hill and London, University of North Carolina Press, 1993): pp. 143-147; Noe, ““Deadened Color and Colder Horror,”” pp. 77-80; Batteau, p. 77.

yeomen of eastern Kentucky, as opposed to their having taken a direct part in it and even harnessed it for their own purposes, or that the type of guerrilla warfare used in the mountains was something essentially foreign to the greater war effort. Attempting to explain eastern Kentucky's barbaric wartime record carried out by men like Strong and Aikman, journalists (writing short years after eastern Kentucky's "feuds" had arisen to national attention) credited the wartime mountaineers with a combination of patriotism for the Union and primeval innocence.

I am told that this lawlessness has only existed since the war; that before, the people, though ignorant of letters, were peaceful. They had the good points of a simple people, and if they were not literate, they had abundant knowledge of their own region. During the war the mountaineers were carrying on a civil war at home. The opposing parties were not soldiers, but bushwhackers. Some of the best citizens were run out of the country, and never returned. The majority were Unionists, and in all the mountain region of eastern Kentucky I passed through there are few to-day who are politically Democrats. In the war, home-guards were organized, and these were little better than vigilance committees for private revenge. Disorder began with this private and partly patriotic warfare. After the war, when the bushwhackers got back to their cabins, the animosities were kept up, though I fancy that politics was little or nothing to do with them now. The habit of reckless shooting, of taking justice into private hands, is no doubt a relic of the disorganization during the war.³⁶⁵

In a similar vein, another reported...

In the civil war this sturdy, honest people fought for the Union; previous to that time they knew nothing of pistols and bowie-knives. The local war between themselves and the guerrillas which raged at the time, first accustomed them to blood-shed; and the feuds then created by outrages perpetrated in the name of patriotism, endure even to the present day.³⁶⁶

Unable to fully explain the horrible acts that had taken place the writer also incorporated race as a determinant. While the "hospitable, gentle-mannered" mountaineers who fought for the Union were of "English, Scotch-Irish and German origin" the "guerrilla companies which infested the country during the war" were composed of "[a] second class...

³⁶⁵Charles Dudley Warner, "Comments on Kentucky," *Harper's New Monthly Magazine*, Vol. 78, Issue 464 (January, 1889): p. 263. See also, E.L. Noble (Vol. 1), pp. 270-271.

³⁶⁶Emma M. Connelly. *The Story of Kentucky*. (Boston: D. Lothrop Company, 1890): p. 268.

...of which there are only a few in the Kentucky mountains are a sallow, gypsy-like people, *of unknown origin* [my italics]; idle, vicious, thoroughly conscienceless, and 'far more incorrigible' than either the Indian or the negro.³⁶⁷

The myth of unswerving mountain Unionism served not only to separate the Kentucky mountains from the rest of the state (and from the South as a whole) but also to depoliticize the violence that had take place there.

Previous to the arrival of a railroad and subsequent outside interest in the area's extractable resources, these attitudes were of little concern to the people who had been directly affected by the local war. People who played a major role in the Three Forks region's Civil War had a difficult time leaving the war's legacy behind them. John Eversole was killed in retaliation for his Unionism.³⁶⁸ Although he lived to a ripe old age, William Strong was forced to contend with old enemies and their successors for the rest of his life due to his violent role in the war, a situation that was complicated by his continuing role as the wood denizens' "chieftain" and his own irascible nature. While he managed to outlast the war by more than thirty years his eventual death was not peaceful. Jeremiah South, however, did not suffer loss of power or property because of the war. While his sons paid the price for fighting the war directly, South was able to remain aloof from the war's uglier side, remaining in the Bluegrass and continuing to have tremendous sway over the actions of state government. In 1870, after Kentucky's Unionists had lost control over state government, he was reappointed as penitentiary lessee.³⁶⁹

³⁶⁷Ibid, pp. 266-267.

³⁶⁸G. W. Noble, pp. 53-54.

³⁶⁹Rockenbach, pp. 1-2; Robert Gunn Crawford, pp. 24, 29.

Aside from introducing mass violence into local society, the Civil War provided kinesis for a potential conflict that had existed since the county's founding. It exposed local preexistent fissures in Breathitt County that had been gaining momentum since the county's formation and provided a source of organization to the less politically and economically able among the county's citizens. The war, and the subsequent legitimization provided by "suppressing the late rebellion," strengthened William Strong's informal political authority for years after the war. For decades after 1865 Strong remained a "chieftain" and was often, through the force of his willingness to use force, immune to the ardor he had stirred up against himself among his fellow citizens. When local conflict again emerged in the county years after the war, the oppositional parties were arranged according to the same alliances formed originally (and perhaps only ostensibly) by the fight for and against the Union's preservation.

However, Strong's "chieftain" status was not without potential problems and was the cause of many actual ones. Since this new political arrangement was founded in war, codified through martial alliances, and did not benefit from peacetime state institutions, it continued to depend upon violence, or the threat of violence, for sustenance. Also, the "intimacy" of violence experienced in Breathitt County's guerrilla war made it difficult for the county's citizenry to dissociate wrongs committed in a state of war from peacetime social relations. The violent means by which Strong and the wood denizens attempted to enforce the Union cause incited nothing but anger and resentment among his victimized neighbors. Along with this, Strong's fusing of his own interests with a larger political cause would have caused further resentment; the war he fought did not appear to his neighbors as a patriotic cause. At the same time, South's local regime suffered from

its own crisis of legitimacy. Although Strong was never successful in effectively wresting control of Breathitt County away from South and his allies, the latter were nevertheless on the losing side of a national war. Whatever legitimacy the Souths and others had fought for during the war rested only upon institutions within their own community, not that of the state or the nation. Managing to maintain a modicum of control over local pro-Confederate government within very pro-Union surroundings contributed to Breathitt County's political insularity and perhaps made the stakes for control over its public institutions that much higher in the years after the war. And William Strong would continue to challenge that control. While the rest of the United States started a movement toward peaceful national reconciliation, Breathitt County's war had only concluded its initial phase.

Chapter IV

“THE WAR SPIRIT WAS HIGH”: MOB VIOLENCE IN AN UNRECONSTRUCTED COUNTY

In August or September of 1874 former Union captain William Strong led an interracial gang of sixteen men into the streets of Jackson and forcibly took possession of the Breathitt County courthouse. The upheaval had little effect within the county. Even though it had caused tremendous alarm in the press, Strong's temporary rebellion was only a small, benign reminder of the violence he had instigated during the Civil War ten years earlier. Strong's war had primarily been fought against his neighbors who maintained pro-Confederate sentiments during the war. Since then, he, his Three Forks Battalion compatriots, and other partisans whose participation in the war was somewhat less official, had maintained their armed vigilance long afterward, partly out of defense against the enmity they had earned from their wartime enemies, but also partly out of a continuing sense of unity. After the war Strong remained the “feudal hero” of Breathitt County's landless population and the “special protector of the colored race in Breathitt,” labels that illustrated the longevity of Strong's informal political authority established by his martial leadership, as well as the seemingly pre-modern nature of his influence.³⁷⁰ These groups' continuing unity under Strong's leadership insured that Breathitt County's tenuous claim to governmental legitimacy would remain in doubt even after the Civil War was over. Having been on the winning side of the Civil War, Strong was dismayed that the victory he helped to bring about was not reflected in his home county. By the

³⁷⁰ *HGH*, 10 May, 1894; WPA, *In the Land of Breathitt*, p. 59.

time Kentucky's state militia arrived from the Bluegrass in October to restore order and reestablish court sessions Strong was present but no longer holding the courthouse hostage. His apparent attempt at local insurrection was ultimately more a demonstration than an attempt to affect political change.

It was the company he kept during his riot that may have alarmed most Kentuckians at the time. Strong's revolt, reported in one Kentucky newspaper under the headlines "White and Negro Rioters," was in the waning years of Reconstruction, a period of armed racial antagonisms throughout the South.³⁷¹ Incidents like Strong's attempted insurrection were common across Kentucky in the 1870s. When the Kentucky state militia was sent to Breathitt County, it was only one of three counties in the state simultaneously occupied by the militia or federal troops in similar situations of civil disorder. Animosity between former Unionists and Confederates and violent reactions to the emancipation and enfranchisement of freedpeople contributed to one of the worst statewide records of violence during Reconstruction, especially for a border state with a numerically small African American population. Before incarnations of the Ku Klux Klan appeared in the state as early as 1869, other "regulator" groups of varying political adherences continued the state's guerilla war in a chaotic bid for political control. The announcement of the U.S. Senate's passage of a civil rights bill (passed by the House the following year) provoked riots in various Kentucky counties and reawakened rumors of an impending race war (rumors that white conservatives had propagated since the announcement of the Thirteenth Amendment nearly ten years earlier).³⁷² While

³⁷¹ *Louisville Courier-Journal* (hereafter *LCJ*), 28 September, 1874.

³⁷² *Ibid*, 1, 6 October, 1874.

Kentucky's disturbances were given due notice by the press, during August and September the northern media's attention was focused more keenly on Louisiana's White League revolt.³⁷³ Strong's attempt to usurp authority in his home county was met with local alarm but, considering contemporaneous events, his attempt at group mayhem was commonplace in 1874.

Given the changes in the state's politics during the latter part of the war and ensuing years, Strong's problematic postwar position was one shared by many other Kentuckians in all parts of the state. He was a Unionist, fervent in his efforts to enforce his side's victory in a state that "seceded in 1865."³⁷⁴ Kentucky's Democrat-controlled postbellum state government did little to support Unionists and did little to prevent violence against them, especially in the eastern half of the "two Kentuckys." Primarily, when also faced with violence in more densely populated areas of the state, the state's Reconstruction-era governors preferred to err on the side of enforcing the law in more developed, racially-mixed parts of the state (particularly the Bluegrass) rather than the sparsely populated mountain counties. The latter were less likely to involve racial antagonism and therefore less likely to attract negative attention from the federal government and the northern press. Secondarily, local law enforcement was less effective in these counties since violent actions were often carried out by, or at the behest of, local political leaders. In many cases what was reported to the public as vigilante-style violence was actually the enforcement of local state policies.³⁷⁵ In a state still

³⁷³*New York Times* (hereafter *NYT*) 20 August, 2, 4-5, 10, 12-13 15-18, 21, 23-26, 29 September, 1874; *Chicago Tribune*, 5 August, 5, 10, 15-18, 21, 25, 28 September, 1874.

³⁷⁴Coulter, *Civil War and Readjustment in Kentucky*, p. 334.

uncomfortably wedged between North and South, the depoliticization of violence was a popular tactic for both Democrats and Republicans who, unable to deny their state's troubles, could at least redirect the blame for them. Violence used to suppress, or even assert, the civil rights of black and white Kentuckians could be written off as directionless havoc with no discernible meaning.

This depoliticization had its most pointed manifestation in Breathitt County's evolution from an isolated, little-known mountain locality to the epitome of *feud* violence. As journalist and novelist John Fox, Jr. would observe early in the following century, Breathitt County was eastern Kentucky's first *feud* setting or, as a later survey of feud violence would show, the first place that the nineteenth century media would use to prove that a peculiar kind of white intraracial violence was endemic to the southern mountains.³⁷⁶ When Strong's attempted insurrection gained the attention of the state government and the national media, his incitement of mass violence was initially judged to be part of a larger southern problem. In the twenty years following the war, the forms of mass violence employed by both Strong and his enemies, the capture of public buildings, rioting and lynching, were part and parcel of what the rest of the South had come to know as more than familiar.³⁷⁷ But while his actions, and those of Strong's

³⁷⁵Ireland, *Little Kingdoms*, pp. 73-76. In this instance the term 'state' is used here not in the sense that Kentucky was a state within the American union of states but rather in the sense that the sociologist Max Weber used the term to describe an organization or body that monopolized legitimate violence within a given territory or, more generally, the institution through which allocations of power are mediated. Due to the remarkable decentralization of government and jurisprudence in Kentucky, the individual counties, rather than the capitol in Frankfort, constituted true 'states' in that sense of the word. However, unless otherwise indicated, "the state," as used in this paper, refers to Kentucky as a whole.

³⁷⁶John Fox, Jr. "On the Road to Hell-fer-Sartain," *Scribner's*, Vol. XLVIII, No. 3 (September, 1910): pp. 353-355; Waller, "Feuding in Appalachia: Evolution of a Cultural Stereotype," in Billings, Mary Beth Pudup, Waller (eds.) *Appalachia in the Making: The Mountain South in the Nineteenth Century*, (Chapel Hill: University of North Carolina Press, 1995): pp. 348, 354.

wartime opponents, were indeed motivated by the war's legacy, observers from outside Breathitt County would eventually come to disassociate the county's subsequent cycle of violence from its actual origins. Later, however, observers noted that this event took place in the mountains rather than the lowland South (where one was accustomed to hearing of violence in the mid-1870s) and suggested the event was something *sui generis*, an event purely inherent to the mountain fastness of eastern Kentucky without relation to the war's political contingencies.

This chapter examines Breathitt County's postwar instances of mass violence. During the war oppositional parties in the county used the war as legitimization for deadly force and employed it both within and outside of formal military parameters. The end of the war left both sides with the same unresolved conflicts but without the legitimizing influence that the war had provided. The result was the mutual employment of mass violence in groups organized according to wartime loyalties, demonstrating that, while the war's provision of a larger cause was convenient, it was not essential. With the withdrawal of federal troops from the former Confederacy over a year in the past, chroniclers from both North and South were more than willing to believe that the politically motivated violence taking place in an isolated corner of the upper South was a product of internal strangeness rather than remnants of a national divide. As a result, *feud*, a descriptor of communal violence familiar to most nineteenth century Americans,

³⁷⁷At times the word 'riot' is employed but with an understanding of the limitations this word brings with it. Although it is easily defined as violent or unruly action carried out by a group of three individuals or more this does not account for the various nuances that could distinguish a riot from a mob or any other word describing a violent concerted effort. At best, 'riot' is "an imprecise term for describing popular actions" but it is difficult to imagine a more descriptive word in many cases; Thompson, "The Moral Economy of the English Crowd in the Eighteenth Century," *Past and Present*, No. 50 (February, 1971): p. 107.

supplanted the true political causes of Breathitt County's violence and their relations to the national effort to recover from disunion.

“The Hypocritical Cry of Union”

Kentucky's standing, or lack thereof, in the Reconstruction narrative has never reached a perfect historiographical consensus.³⁷⁸ This has been partly because of the disjunction between statewide and local studies. Most historians' interpretations of the state's postwar politics fail to consider anything but the formal “legitimate” actions of electorate and government as actual political action. All of the histories of the state during Reconstruction deal primarily with the actions of the state government and large business interests, and fail to take into account the decentralized nature of governance in nineteenth century Kentucky that led to its complex political landscape. As was the case

³⁷⁸Merton Coulter's *The Civil War and Readjustment in Kentucky*, the classic yet dated history of the state during the 1860s and 1870s, maintains the essentially pro-Confederate, white supremacist character of Kentucky politics during Reconstruction and suggests that the state's failure to join other states in secession was essentially a mistake that did not reflect the general will of white Kentuckians. Liberal historians, reacting to Coulter's neoconfederate sympathies, later downplayed Kentucky's postwar conservatism. Ross Webb's revisionist *Kentucky in the Reconstruction Era* (University Press of Kentucky, 1979) explains the state's lack of cooperation with postwar federal policies as resistance to unwelcome federal authority rather than genuine adherence to the Lost Cause. Thomas Connelly, “Neo-Confederatism or Power Vacuum: Post War Kentucky Politics Reappraised,” *RKHS*, Vol. 64 [October, 1966]: pp. 257-269) also deemphasized the importance of race and the Confederate memory in the years following the war; after 1865 Kentuckians were supposedly more caught up in sectional competition over internal resources and railroad construction than in issues relating to the recent war. By the mid 1870s the “New Departure” school of political thought, favored by the state's development-minded Democrats, had led the state into an era of relative prosperity unmatched by the rest of the South due to greater cooperation with northern interests. In Connelly's interpretation, as a state Kentucky was therefore detached from the ravages of Reconstruction disorder. Considering Coulter's overt Confederate sympathies, both Webb's and Connelly's revisions are understandable. But by taking a more local approach, and one that does not depend as heavily upon evidence from the Bluegrass as a supposed “Kentucky writ large,” historians have more recently described a Kentucky countryside rife with counterrevolutionary violence against both blacks and white Unionists, suggesting that Kentucky's postwar Confederate sympathies have been underestimated since Coulter's time; J. Michael Rhyne, “We are Mobed and Beat’: Regulator Violence Against Free Black Households in Kentucky's Bluegrass Region, 1865-1867,” and J. Michael Crane, “The Rebels are Bold, Defiant, and Unscrupulous in their Dementions of All Men’: Social Violence in Daviess County, Kentucky, 1861-1868,” both in *Ohio Valley History*, Vol. 2, No. 1 (Spring, 2002): pp. 17-29, 30-42.

with many southern states during the era, the most dramatic violent actions were carried out in places far from the state capitol for stakes that were almost exclusively local. Kentucky's county courts held far more authority over the maintenance of law and order and public power associations than did Frankfort. Whether or not the various governors and legislators chose to forget the memory of the war had little to do with the actions of judges, law enforcement officials and private citizens whose political and factional identities had been forged during the war were the primary actors. In his conservative reading of Kentucky's wartime and postbellum experiences, E. Merton Coulter gave considerable attention to the state's postwar violence but attributes "ku kluxing," "feuding" and other similar incidents to "weakened respect for state authority" rather than attempts to affect or suppress political change.³⁷⁹ But this separation of politics and violence is misleading. In fact, violence was very much a means of enforcing "state" authority as well as defying it. The tendency to view violence as simply an outcome of a lack of social order does not take into account the functional nature of violent acts in causing or preventing political change.³⁸⁰ Violence, whether carried out by agents of the state, paramilitary organizations with no formal affiliation with a state, or individuals, was as much a means of allocating or reallocating power as were the laws passed by the state house and were arguably more effective in doing so. Postwar Kentucky was a place defined by what sociologist Alfredo Schulte-Bockholt has called "*oligopolies* [Schulte-Bockholt's italics] of violence," a condition in which the state no longer (in Max Weber's famous phrasing) monopolizes legitimate violence but is forced to share it with dissident

³⁷⁹Coulter, *Civil War and Readjustment in Kentucky*, p. 365.

³⁸⁰Julie Skurski and Fernando Coronil, "Introduction: States of Violence and the Violence of States," in Coronil and Skurski, (eds.), *States of Violence*. (Lansing: University Of Michigan Press, 2006): p. 3.

minority groups whose claims are popular enough to afford them a secondary measure of political legitimacy.³⁸¹

The formation of oligopolies of violence was a trait Kentucky shared with other southern states after the Civil War. In many ways, however, Reconstruction-era Kentucky appears significantly unlike other parts of the South, especially considering its high level of white intraracial violence, in contrast with the more familiar southern history of “white-on-black” interracial violence. The state’s white intraracial violence revealed internal divisions that existed in the other southern states but with a somewhat smaller (but not absent) African American population that reflected antebellum Kentucky’s relative lack of economic dependence upon slave labor.³⁸² “In many ways,” says one of the few historians to address the state’s conditions during this period, “Kentucky was a microcosm of conflict between the Bourbon and the yeoman, the slaveholder and the independent farmer, the agriculturalist and the commercialist, and the states’-righter and the Unionist.”³⁸³ In the 1860s and 1870s Kentucky was far from peaceful but the contrast between it and the contemporaneous records of states such as South Carolina or Louisiana have led some historians to make overreaching assertions such as the claim that “...the problems of Reconstruction-resulting from the emancipation and enfranchisement of the Negroes-were settled in Kentucky more quickly

³⁸¹Alfredo Schulte-Bockholt. *The Politics of Organized Crime and the Organized Crime of Politics: A Study in Criminal Power*. (Oxford: Lexington Press, 2006): pp. 201-204. For Max Weber’s definition of the State as an organization or body that holds a “monopoly of legitimate use of physical force within a given territory,” see H.H. Gerth and C. Wright Mills (eds.), *From Max Weber: Essays in Sociology*. (New York: Oxford University Press, 1958): pp. 78-79.

³⁸²James Klotter and Hamilton Tapp. *Kentucky: Decades of Discord, 1865-1900*. Frankfort, KY: The Kentucky Historical Society, 1977): pp. 377-378.

³⁸³Webb, “Kentucky: Pariah Among the Elect,” p. 106.

and peacefully than in much of the Deep South.”³⁸⁴ But, as the small wealth of books on black Kentuckians in the nineteenth century have revealed, violence against blacks for political and economic reasons also defined the period.³⁸⁵ As in the formerly rebellious states, the suppression of black rights was a fundamental motivation for post-war violence in Kentucky during Reconstruction. Between 1866 and 1870 67 black men were lynched for alleged crimes, usually coinciding with local or state elections.³⁸⁶ Lynchings were accompanied by countless other murders, arsons and harassments performed by an assortment of paramilitary groups and gangs and that one Reconstruction historian has called “the military arm of the Democratic Party.”³⁸⁷ African Americans, although emancipated and technically enfranchised, had to deal with what some said was a greater degree of race-based oppression than in the unreconstructed South. “The anti-Negro feeling,” remarked the Republican *New York Times* in 1870, “influences political action more in Kentucky than in Alabama- more in Maryland than in Georgia.”³⁸⁸ Post-Civil War Kentucky presents a case in which establishing too great of a distinction between

³⁸⁴Malcolm E. Jewell & Everett W. Cunningham. *Kentucky Politics*. (Lexington: University of Kentucky Press, 1968): p. 10.

³⁸⁵Pem Davidson Buck. *Worked to the Bone: Race, Class, Power, and Privilege in Kentucky*. (New York : Monthly Review Press, 2001); Marion B. Lucas. *A History of Blacks in Kentucky*. (Frankfort: Kentucky Historical Society, 1992); George C. Wright. *Racial Violence in Kentucky, 1865-1940 : Lynchings, Mob Rule, and "Legal Lynchings"* . (Baton Rouge : Louisiana State University Press, 1990); Victor B. Howard. *Black Liberation in Kentucky: Emancipation and Freedom, 1862-1884*. Lexington, KY: University Press of Kentucky, 1983).

³⁸⁶Wright, pp. 307-311. See also J. Michael Rhyne, "'We are Mobed and Beat': Regulator Violence Against Free Black Households in Kentucky's Bluegrass Region, 1865-1867," and J. Michael Crane, "'The Rebels are Bold, Defiant, and Unscrupulous in their Dementions of All Men': Social Violence in Daviess County, Kentucky, 1861-1868," *Ohio Valley History*, Vol. 2, No. 1 (January, 2002): pp. 17-29, 30-42; Coulter, *Civil War and Readjustment in Kentucky*, pp. 359, 361.

³⁸⁷George Rable. *But There Was No Peace: The Role of Violence in the Politics of Reconstruction*. (University of Georgia Press, 1984): p. 95.

³⁸⁸*NYT*, 12 November, 1870.

interracial violence and intraracial violence as problems in the history of the US South may be misleading and impractical.

As detailed in the preceding chapter, Kentucky never seceded but, partly due to its 1861 attempt at neutrality, the state was never fully loyal to the federal government and contributed large numbers of Confederate volunteers. As the war progressed, federal actions such as the first and second Confiscation Acts, the presidential suspension of *habeus corpus*, and the Union Army's manumission and arming of African Americans disillusioned otherwise loyal white Kentuckians, hardened the resolve of their pro-Confederate neighbors and generally increased sympathy for the Lost Cause. After the war, the state was not subject to presidential or congressional Reconstruction, leaving the war torn state without significant federal oversight (although the suspension of *habeus corpus* continued long after the war by presidential proclamation, as it did in the rebellious states).³⁸⁹ After the war, attacks on African Americans and former Unionists went about with relatively little punitive action from state authorities. Recognizing that conditions in Kentucky were on par with the states that were subject to federal occupation, Senator Charles Sumner of Massachusetts, the leader of the US Senate's radical faction, advocated placing Kentucky under federal military authority.³⁹⁰ "Congress has passed certain laws for the government of the rebels," Sumner wrote in 1867. "Why exclude rebels in Kentucky or in any other state from their benefit?"³⁹¹ Kentucky's postwar intransigence was later confirmed by a historian who had no admiration for Sumner or his

³⁸⁹*Kentucky Tri-Weekly Yeoman* (hereafter *KTY*), 2 December, 1865.

³⁹⁰*Cincinnati Commercial*, 31 May, 1867; *Charles Sumner: His Complete Works*. (Boston: Lee and Shepard: 1900): pp. 200-202.

³⁹¹Coulter, *Civil War and Readjustment in Kentucky*, p. 334.

policies. In Merton Coulter's phrasing, the state seemingly "seceded in 1865."³⁹² Decades later, C. Vann Woodward, a more moderate historian, concurred: "Despite Kentucky's failure to secede and join the Confederacy, no state below the Ohio River presented a more solidly Confederate-Democratic front in the decade after Appomattox."³⁹³

For reasons both political and constitutional, Sumner's suggestion was never enacted. Any justification for occupying a state that had never attempted to leave the Union would have been met with constant protest. Moreover, there were many white Kentuckians who had supported the Union cause that would have been further angered at the federal government for being treated like rebels after the war. Concordantly, loyalty to the Union in Kentucky did not translate into an overflow of support for the Republican Party in the latter half of the 1860s. Unlike other states of the upper South that had remained in the Union, most notably West Virginia and Missouri, Republicans were never able to form a majority in a Kentucky state legislature that "clung to the decaying body of slavery."³⁹⁴ The Republican Party was weak in the state due to the existence of the moderate alliance of Democrats and former Whigs known as the Union Party until the latter's "Unconditional Unionist" faction began to merge with Republicans late in the 1860s.³⁹⁵ To "Southern Rights" Democrats, a faction that initially favored secession and

³⁹²Ibid, p. 53.

³⁹³C. Vann Woodward. *Origins of the New South, 1877-1913*. (Baton Rouge: Louisiana State University Press, 1951): p. 6.

³⁹⁴Eric Foner. *Reconstruction: America's Unfinished Revolution, 1863-1877*. New York: Harper & Row, 1988): p. 37.

³⁹⁵Klotter and Tapp, 10-14; Richard O. Curry (ed.), *Radicalism, Racism, and Party Realignment; the Border States during Reconstruction*. (Baltimore and London: Johns Hopkins Press, 1969).

went on to gain considerable strength in Kentucky after 1864, the Union Party was little different than the Republicans and represented the same threat to state sovereignty. The party, said the Southern Rights *Kentucky Tri-Weekly Yeoman*, “hopes to deceive the people by its name. It dodges and denies, and sometimes abuses, the measures of its Northern ally. This is a part of its scheme of deception and fraud upon the people. The veil that covers its deformity should be stripped off.” By the second year of peace, the party that had gained its wartime strength through what the paper decried as “the hypocritical cry of Union” was becoming little more than a foil for a thriving and resentful Democracy.³⁹⁶

Government was left to these fragmented and increasingly cynical Democrats, and Kentucky’s conservative turn reflected the opinions of a political party “indissolubly wedded to Confederate traditions.”³⁹⁷ The combination of Union Democrats and the party’s “Southern Rights” faction were unwilling to enforce punitive measures against former rebels as other states initially did. In 1865 Kentucky’s General Assembly restored political and civil rights to Confederate veterans and sympathizers. Local and state elections in 1866 placed the state under the firm control of many Confederate veterans. Even before that election, no efforts were made for a postwar constitutional revision, making Kentucky the only southern state that did not revise its constitution to prohibit slavery (although the legislature passed a civil rights bill in 1866 that recognized the demise of the institution and repealed the state’s antebellum slave codes).³⁹⁸ Having

³⁹⁶*KTY*, 2 December, 1865.

³⁹⁷Coulter, *Civil War and Readjustment in Kentucky*, p. 417.

³⁹⁸Slavery was eventually outlawed in the state’s 1890 constitution; Wright, p. 27.

failed to ratify the Thirteenth Amendment in 1865, the General Assembly continued its recalcitrance over the next five years by rejecting the Fourteenth and Fifteenth Amendments as well.³⁹⁹ The Freedmen's Bureau, hated by most white Kentuckians due to its attempts to disrupt the racial status quo, was the only materialization of federal intervention and never proved to be as effective as in other parts of the South. Citing lack of cooperation from local governments, the Bureau was removed from the state in 1869.⁴⁰⁰

The Kentucky state government's greatest failure during the Reconstruction years was the maintenance of civil order, partly out of the government's limitations but also because the ruling Democratic majority often benefitted politically from much of the state's violence. The constitutional power afforded to the central state government was particularly lacking in situations of civil disorder. The "Skagg's Men," composed of Confederate veterans, terrorized Unionists and freedpeople in the Bluegrass' Marion and Boyle Counties soon after the war, while "Rowzee's Band," did the same nearby until the early 1870s.⁴⁰¹ Less identifiable groups loosely known as "regulators" roamed the state until 200 men collectively surrendered to state authorities in Louisville in 1880.⁴⁰²

³⁹⁹Coulter, *Civil War and Readjustment in Kentucky*, pp. 258-261, 316, 420-423; Webb, "Kentucky: Pariah Among the Elect," in Curry, p. 27.

⁴⁰⁰At its inception the Freedmen's Bureau was limited to the rebellious states. But passage of the 13th Amendment was followed by a recognition of the Bureau's need in Kentucky as well. The relatively small African American population in Kentucky and its resultant impact upon the electorate was also a hindrance to the organization; *House Executive Document*, No. 11, 39th Congress, Session 1, p. 31. Ireland, *Little Kingdoms*, p. 70.

⁴⁰¹*The Nation*, Vol. 3, Issue 70, (1 November, 1866); *Appleton's Annual Cyclopaedia and Register of Important Events of the Year 1867* (hereafter AAC), Vol. VII (New York: D. Appleton and Company, 1869): pp. 421-422; W.E.B. Dubois. *Black Reconstruction in America*. (New York: S.A. Russell & Comp., 1935): p. 568; Coulter, *Civil War and Readjustment in Kentucky*, pp. 359, 361; Webb, p. 25.

The emergence of the Kentucky's Ku Klux Klan, perhaps as early as 1868, demonstrates that the name and iconography of an organization formed in the former Confederacy was attractive to white Kentuckians who wanted to perform violent acts in solidarity with other white southerners outside of their own state.⁴⁰³ Even after the organization's presence in the state had become a plain fact Kentuckians minimized its significance in order to avoid a federal incursion. In the face of accusations that Klan criminals were not being properly prosecuted in his state Senator John W. Stevenson went to great rhetorical lengths to prove that the Klan was not "a political organization."⁴⁰⁴ White southern resistance to the changes brought about by the Civil War was as virulent in Kentucky as it was in the Deep South, as Charles Sumner recognized. Federal forces stationed further south after the onset of congressional Reconstruction were met with endless frustration in attempting to quell violence. But as a state not subject to federal occupation, Kentucky was even more ineffective in doing so.⁴⁰⁵ Perhaps not surprisingly, the Ku Klux Klan had a greater longevity in Kentucky than in any other state in the nineteenth century.⁴⁰⁶ Even as late as the 1890s, gangs that

⁴⁰²AAC, 1867, Vol. VII: p. 422; Emma M. Connelly. *The Story of Kentucky*. (Boston: D. Lothrop Company, 1890): pp. 258-259, 317-321.

⁴⁰³*Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States: South Carolina, Vol. II*. (Washington DC: Government Printing Office, 1872): p. 1278.

⁴⁰⁴AAC, 1871, Vol. XI (New York: D. Appleton and Company, 1872): p. 174.

⁴⁰⁵George C. Wright. *Racial Violence in Kentucky, 1865-1940*. (Louisiana State University Press, 1990): p. 19; Ireland, *Little Kingdoms*, pp. 85-89.

⁴⁰⁶Allen W. Trelease, *White Terror: The Ku Klux Klan Conspiracy and Southern Reconstruction* (Westport, Conn.: Greenwood Press, 1971): p. 89.

still claimed the Ku Klux Klan banner continued to be violently active in eastern Kentucky, albeit on a smaller, more secretive scale than thirty years earlier.⁴⁰⁷

While southern Unionists of either skin color further south typically took defensive postures after the war, the offensive was claimed by both sides in Kentucky. Even in areas with larger amounts of Confederate support, former Confederates were also subject to harassment, forced exile or murder perpetrated by pro-Union partisans. In the far western edge of the state, an area where Confederate recruitment had been strong during the war, Unionist vigilance committees were organized in 1865 to punish “men formerly identified with the rebellion” upon their return.⁴⁰⁸ A “quasi-military” chapter of the Union League in Lexington and a secretive Loyal League in Louisville each promoted the Republican vote through subterfuge and public shows of arms.⁴⁰⁹ On the eastern side of the two Kentuckys, an area with few African Americans and somewhat more consistent Unionist loyalty, armed groups identified as Loyal Leagues intimidated Confederate veterans and Democrats during elections.⁴¹⁰ In 1874 a Republican party boss in the Bluegrass town of Lancaster armed a number of local African American men in an effort to capture the Garrard County courthouse during a hotly contested election (local Democrats engaged the group in a week long gunfight, prompting the arrival of federal troops from nearby Fort Dick Robinson).⁴¹¹ Soon after a group labeled, apparently

⁴⁰⁷*HGH*, 20 May, 1897; *LCJ*, 10 May, 1897; *NYT*, 13 September, 1897.

⁴⁰⁸*KTY*, 2 January, 1866.

⁴⁰⁹Albert Deane Richardson and Benjamin Russel Hanby. *The Secret Service, the Field, the Dungeon, and the Escape*. (Hartford, Conn.: American Pub. Co., 1866): p. 168; Thomas L. Owen, “The Formative Years of Kentucky’s Republican Party, 1864-1871,” (unpublished dissertation, University of Kentucky, 1981): p. 63.

⁴¹⁰*KTY*, 17 March, 1871.

without irony, “Negro Ku Klux” were said to harass local black voters who supported Democratic candidates in a hotly contested county election elsewhere in the Bluegrass.⁴¹² In Kentucky, perhaps more than in any other southern state, collective violence was a tool employed almost equally by those who resisted the Civil War’s outcome and those who championed it. Legislation that officially recognized political vigilantism as a punishable crime was delayed for years by debates over whether or not the Klan was to be officially addressed in statute or if groups like the Loyal League should be included as well.⁴¹³ The law that was eventually passed had little effect. It allowed the governor to issue rewards for the arrest of members of groups that wore disguises in public and threatened local populations for any reason. The law provided no way for local law enforcement to be compelled to assist in captures, an important omission since local sheriffs and constables were often complicit in acts of extralegal violence. The state militia after the war was also of limited usefulness. White Kentuckians were disturbed by the imposition of martial law during the war; accordingly, laws were passed that made it so Kentucky governors could only dispatch the state militia upon the request of circuit court judges.⁴¹⁴

The oligopolies of violence involving both Democrats and Republicans, and the relative decentralization of the Klan and other “regulator” groups, worked to the advantage of Kentuckians who preferred to portray their state as less politically tumultuous than the rest of the South, particularly conservative Democrats. Fearing the sort of federal intervention that Sumner suggested, Kentucky Democrats duly condemned

⁴¹¹*NYT*, 23-24 August, 1 September, 1874; *LCJ*, 20-24 August, 1874; *Chicago Daily Tribune* (hereafter *CDT*), 4 November, 1874.

⁴¹²*LCJ*, 9 October, 1874.

⁴¹³Coulter, *Civil War and Readjustment in Kentucky*, p. 364.

⁴¹⁴*NYT*, 15 December, 1878; Ireland, *Little Kingdoms*, pp. 85-86.

vigilante violence but, like Senator Stevenson, also went to great lengths to devalue its political significance. Violent acts, even those carried out by groups rather than individuals, they insisted, was the work of criminals rather than political or military partisans.⁴¹⁵ Most northerners believed, and only a few white southerners denied, that the Ku Klux Klan had become firmly associated with a white-dominated Democratic Party in the southern states at least by 1870.⁴¹⁶ But, in Kentucky, there was room for a measure of plausible deniability. South Carolina's and Tennessee's manifestations of the Klan came about through resistance to northern tyranny (and accordingly had clear links to the southern Democratic Party), said *Louisville Courier-Journal* editor Henry Watterson, who, as a former lieutenant for one Nathan Bedford Forrest, claimed some authority on the subject. In Watterson's estimation the Kentucky Klan, in contrast, "...was not an outgrowth of civil war. Neither was it made up of ex-Confederate soldiers." "One third bully and two-thirds whisky, a thorough coward and scoundrel, it disgraced the name of KuKlux when it assumed it."⁴¹⁷ Thus, the state's predominant Democratic organ, and the leader of the centrist "New Departure," could simultaneously decry ku kluxing while denying that Kentucky's continuing cycle of violence had any political implications.⁴¹⁸

⁴¹⁵*LCJ*, 13 August, 1870; Coulter, *Civil War and Readjustment in Kentucky*, p. 361.

⁴¹⁶For the relationship between the southern Democratic Party and the Ku Klux Klan of the 1860s and 1870s, see Tracy Campbell. *Deliver the Vote: A History of Election Fraud, an American Political Tradition, 1742-2004*. (New York: Carroll and Graf Publishers, 2006): pp. 58-59; Foner, *Reconstruction...*, pp. 343-345, 427-442; Trelease.

⁴¹⁷*LCJ*, 14 March, 2 December, 1870. Similarly, Forrest himself testified to Congress that the Klan was for "self-protection" and "had no political purpose" despite evidence to the contrary; quoted in David Blight. *Race and Reunion: The Civil War in American Memory*. (Cambridge, MA: Harvard University Press, 2002): p. 122.

⁴¹⁸Watterson's opposition to the "Bourbons" of his party was partially based upon his moderate views on race. However, as a conservative often mistaken for a progressive by white editors further south, Watterson often preferred that the less said about race the better, especially before the cessation of

Republicans, even those who saw a clear need for federal intervention, knew that such an action could only hurt their already weakened standings at the polls. Even Kentucky's leading Republican newspaper, a publication usually in the habit of connecting all things harmful and disorderly to the Democratic Party, attributed white intraracial bloodshed to "heated blood, family difficulties, old grudges, intoxication, and inborn malevolence" rather than organized reaction to post-war change.⁴¹⁹ After initially reporting a "terrible war between the whites and blacks" during the Lancaster riot, it assured readers that the riot was not between whites and blacks but that "the connection of blacks in the affair is purely from their friendship for the contesting parties" (this of course omitted the fact that Kennedy's Democratic factions included only white men).⁴²⁰ As long as such outrages remained in the hinterlands and not in the streets of Louisville, Lexington and Frankfort, it was easy business for the state's urban press to frame violence apolitically for interested outsiders. A northern missionary, wishing to defend Kentucky's continuing loyalty to the Republic, insisted that white intraracial violence "mistakenly attributed to the Ku Klux." was simply the outcome of "family feuds," a violent scenario that, as will be described in a later chapter, nineteenth century Americans considered insular, anecdotal, antiquated and very much "beyond the polis."⁴²¹ White Kentuckians of both parties were less than willing to see the state subjected to the humiliations the federal

Reconstruction; C. Vann Woodward, *Origins of the New South: 1877-1913*. (Baton Rouge: Louisiana State University Press, 1951): p. 6; Carl R. Osthaus, *Partisans of the Southern Press: Editorial Spokesmen of the Nineteenth Century*. (Lexington: The University Press of Kentucky, 1994): pp. 152-154.

⁴¹⁹*Louisville Commercial*, 15 June 1870.

⁴²⁰*Louisville (Daily) Commercial*, 22 August, 1874.

⁴²¹R. Wheatley, "Correspondence: Religious and Civil Matters in Kentucky," *Zion's Herald*, Vol. 52, No. 4 (28 January, 1875): p. 26.

government inflicted on the rest of the South, and the depoliticization of their acknowledged state of native violence became an important tactic.

Although Charles Sumner recognized that the ostensibly loyal state of Kentucky was in need of federal oversight, few white Kentuckians, particularly those in the Bluegrass, were in agreement. In a sense, New Departure optimists like Henry Watterson were correct; by the end of Reconstruction, Kentucky did not have to accept the bargain of exchanging white dominant state autonomy for economic for the North's "neocolonial domination."⁴²² Democrats dismissed the long record of interracial and intraracial violence that followed the war and cited the state's ostensible loyalty to the Union, with the media tactic of depoliticizing mass violence commonly employed for this purpose. However, the persistence of violence could not be completely ignored in a state that considered itself the economic and social vanguard of the New South. Terrorism in eastern Kentucky became one of the greatest challenges to the state's image of progress.

"...the revolutionary and destructive designs of Radicalism..."

Even after the Unconditional Unionists joined their ranks, the position and ultimate importance of the emerging Republican Party in Kentucky was questionable. Unlike states with larger black populations, it never became an effective vehicle for upholding the rights of freedpeople. The party's only dense core of support was mountainous, predominantly white, eastern Kentucky, the state's poorest and least politically influential region. As previously described, the state's highlands were the

⁴²²Christopher Clark, "The Consequences of the Market Revolution in the American North," in Melvyn Stokes and Stephen Conway (eds.), *The Market Revolution in America: Social, Political and Religious Expressions, 1800-1880*, (Charlottesville: University of Virginia Press, 1996): p. 24.

most consistently pro-Union section of the state, although the section's Unionism was somewhat exaggerated, leading to the political contrast with the Bluegrass that led to the popular belief in the two Kentuckys. A Unionist heritage and resentment toward the Confederates who had dragged the state into an internal war made the mountains a fertile territory for Republican politicians in the 1860s and 1870s. But these mountain Republicans were more conservative than most southern party members. To many white southerners in the mountains, the Republican Party ideology of free labor was less important than the party's function as a platform of dissent against Democratic elites in the postwar years just as the Whig Party had served the same purpose a decade earlier.⁴²³ Even during the hottest years of Reconstruction, most Republicans softened their images as former Unionists and did not take firm civil rights stances. As was the case throughout most of the Appalachian sections of other southern states, Republican voters were not willing to support the racial reforms espoused by the national organization. Their 1866 state caucus went as far as opposing black suffrage, supporting the restoration of *habeus corpus*, and removal of the Freedmen's Bureau from the state.⁴²⁴ Local platforms became less and less related to national ones and became increasingly isolated from the national party, especially after the passage of the Fifteenth Amendment in 1870. Since Republicans were never able to control the state government, as in the reconstructed states, they managed to survive the later years of congressional reconstruction without

⁴²³Degler, pp. 109-110; Mitchell Snay, "Freedom and Progress: The Dilemma of Southern Republican Thought during Radical Reconstruction," *American Nineteenth Century History*, Vol. 5, No. 1 (Spring, 2004): pp. 100-114; Klotter and Lowell Hayes. *A New History of Kentucky*. (Lexington: University Press of Kentucky, 1997): p. 239; McKinney, *Southern Mountain Republicans, 1865-1900: Politics and the Appalachian Community*. (Chapel Hill: University of North Carolina Press, 1978): pp. 31-32; Webb, p. 85.

⁴²⁴Klotter and Tapp, p. 14.

causing significant resentment among voters. Even the passage of the 1875 Civil Rights Bill (the action that caused the most massive retreats of white voters from the southern Republican Party) did not do fatal damage to the party in mountain counties, since voters disassociated their own local affiliates from the national “radicals.”⁴²⁵ Such was the key to the mountain Republicans’ survival.

Conservative as they were next to other party members, Kentucky’s mountain Republicans still raised their Democratic neighbors’ hackles. White Republicans, mostly former Unionists, suddenly ascendant in places in which the party had only recently come into existence, were seen as usurpers of a local status quo that hearkened back to Jacksonian ideas of community autonomy. Unlike mountain Republicans, mountain Democrats clung to the larger party platform. Even though racial politics had little impact on local government, mountain Democrats joined their compatriots in the other of the two Kentuckys in “opposition to the revolutionary and destructive designs of Radicalism,” as stated by Perry County’s 1867 party caucus.⁴²⁶ Less than a year after the war’s end, Confederate veterans in Floyd, Morgan and Wolfe Counties (three contiguous bastions of the Democratic Party in the mountains) organized to expel federal revenue collectors.⁴²⁷ As anti-federal and, by extension, anti-Republican and anti-black sentiment grew in eastern Kentucky, membership in Ku Klux Klan enclaves grew as well.⁴²⁸ While klan organization may have been considered only a white reaction against African

⁴²⁵McKinney. *Southern Mountain Republicans, 1865-1900*. (Chapel Hill: University of North Carolina Press, 1979): pp. 50-56.

⁴²⁶*KTY*, 1 12 January, 1867.

⁴²⁷McKnight, *Contested Borderland*, p. 229.

⁴²⁸Victor B. Howard. *Black Liberation in Kentucky: Emancipation and Freedom, 1862-1884*. (Lexington: The University Press of Kentucky, 1983): p. 178.

American suffrage and social liberty, the flagrancy with which the group grew in largely white eastern Kentucky suggests that the organization (or locally organized bands that imitated its iconography, rhetoric and practices) had a broader meaning to some southern white mountaineers. Unlike Democrats in other parts of the state, party leaders in the eastern counties did not attempt to hide their association with vigilante groups and openly used it as a means of enforcing party policy and intimidating voters. Estill County's state senator and local Democratic boss served as the head of a multi-county Ku Klux Klan klavern in the early 1870s, inspiring ire against recently arrived freedpeople attracted by employment in the county's iron mining industry.⁴²⁹ Although his membership in the klan in a largely Republican county was a matter of public record, his loss to a Republican opponent in 1872 was accredited to his public drunkenness rather than his politics and associations.⁴³⁰ The proliferation of klan organizations in the Kentucky mountains demonstrates that white mountaineers saw connections between their own local conflicts and the larger struggle between conservative southern whites and the encroachment of black enfranchisement and federal authority.⁴³¹ After the war George Noble parlayed his Confederate service into a job as Jackson's town constable and soon

⁴²⁹*LCJ*, 23, 24, 25 July, 1871. The control over Estill County demonstrates the degree to which many white Kentuckians had become seriously aggrieved toward the federal government directly after the war. During the war Estill County had been among the most pro-Union in the state. But in later years labor difficulties brought about by the entrance of cheap freedman labor in the county's iron mines brought about a political sea change and a fierce local attempt to rid the county of its black minority; Dunaway, *The African-American Family in Slavery and Emancipation...*, pp. 247-248.

⁴³⁰McKinney, *Southern Mountain Republicans...*, p. 55.

⁴³¹Even for white southerners who had no involvement in the Klan's original incarnations, the organization nevertheless "provid[ed] a model that other groups emulated." The costume, iconography and reputation of the Ku Klux Klan contained enough resonance among white southerners to be sustained even within movements that had little or nothing to do with enforcing white supremacy. The original program initiated by the Klan became conflated with numerous other causes; William F. Holmes, "Moonshining and Collective Violence, 1889-1895," *JAH*, Vol. 67, No. 3 (December, 1980): pp. 592-593.

after one of the county's leading Democrats. He joined the Klan in the early 1870s and soon became the chapter's "vice president"; he laconically recalled years later that membership in the group "gave a man great power over his neighbor."⁴³² Noble's nonchalance belied the Klan's actual brutality; in fall, 1870 nineteen whites, all of whom were Union veterans or known Republicans, were killed in Klan attacks in Breathitt and three surrounding counties.⁴³³ Federal efforts against Kentucky's mountain Ku Klux Klan was practically crippled. After the federal government took a direct role in hunting down mountain Klan factions, federal marshals had to patrol the Kentucky mountains with little familiarity with the territory and little trust from the public. When, in 1871, federal marshals and US cavalymen managed to capture four wanted klansmen near Breathitt County, the arrest was a rare enough federal victory to receive national media attention.⁴³⁴

The position of African Americans in the mountains was even more precarious. Even though they lived in a region that was supposedly the most stolidly pro-Union area of the state, African Americans probably stood a greater chance of postwar persecution in the mountains than in most other sections of Kentucky. Being few in number, freedpeople in Appalachia had little opportunity for sizeable organization with which to protect their rights to liberty, property and, after 1870, the ballot box. The Freedmen's Bureau, never a strong presence in any part of Kentucky before its 1869 removal, was nonexistent in the eastern third of the state, as was any other sort of federal presence from

⁴³²G.W. Noble, p. 179.

⁴³³*Louisville Commercial*, 28 December, 1870.

⁴³⁴*NYT*, 25 August, 1871.

which the local freedpeople could gain support and advocacy. Eastern Kentucky played host to a fifth of the state's interracial lynchings between 1866 and 1870, even though blacks made up less than five percent of most counties' populations.⁴³⁵ The loss of slavery had a small impact on eastern Kentucky's local economy and, for simple numerical reasons, freedpeople were not a serious challenge to white political and social supremacy after passage of the fourteenth and fifteenth amendments. However, as it did in other parts of the postbellum South, emancipation in eastern Kentucky represented a revolutionary societal change, subverting old beliefs and hierarchies. Breathitt County, a place that had never had a tremendous number of slaves, was nevertheless founded by slaveholders for a commercial order that had depended upon the institution before the war. This commercial order was instituted by Democrats who probably saw themselves as little different from conservatives in other parts of the South and attempted to reestablish their hegemony after it was challenged during the Civil War. Although small in number, the county's African Americans were among those who continued to challenge these Democrats' governmental legitimacy afterward. They did so as part of a rare interracial alliance that embodied the most radical elements of Reconstruction.

“...to rid the county of all but republicans.”

In the first few years following Appomattox, William Strong's campaign for local Union victory was met with some success. During the war Strong and his local adherents managed to temporarily dictate Breathitt County's political direction in favor of the Union. Confederate recruitment had caused a drain on the county's men of fighting age,

⁴³⁵Dunaway, *The African-American Family in Slavery and Emancipation*. (Cambridge: Cambridge University Press, 2003): p. 247.

Figure 20: William Strong, ca. 1876



leaving behind families that may have had publicly known political leanings favoring the Confederate cause but were, for the most part, willing to remain neutral on election days. Working with allies from other more heavily Unionist neighboring counties as well as Breathitt County's landless and people of color, Strong harassed, threatened and killed any of the county's male population that he saw as an obstacle to the Union cause,

regardless of their affiliation with the Confederate military. Strong's bullying tactics, and the absence of a large segment of the adult male population, provided Breathitt County's only gubernatorial defection from the Democratic Party in the nineteenth century. In 1863 only forty-seven men were willing to vote for the Democratic gubernatorial candidate, Charles Wickliffe, giving Breathitt County an overwhelming majority in favor of the Union candidate, Thomas Bramlette (like many other eastern Kentucky counties, there were no available returns from Breathitt County for the 1864 presidential election). Two years later the strongly Democratic county uncharacteristically polled a 212-17 majority for the Union Party's candidate for state treasurer.⁴³⁶ Decades later, a local historian described Strong's wartime and postwar activities as a campaign to "rid the county of all but republicans."⁴³⁷

Strong may not have had any affiliation with the fledgling Republican Party that had begun to gain limited electoral success in many of Kentucky's mountain counties. His commander in the Three Forks Battalion, Henry Clay [H.C.] Lilly, followed his military service with a longstanding political and legal career, serving as circuit court judge for years after the war.⁴³⁸ Strong, however, apparently had no ambitions for using his military record or his standing among the wood denizens to run for political office,

⁴³⁶Only ninety-five men voted in favor of Bramlette out of a total 142 votes counted, a fraction of the usual voter turn out in the county but more than enough to give the Union candidate a considerable majority. Over the next two years of the war the small number of extant returns suggest that Democratic ballots were virtually forbidden from being cast; *TAPR*, 1862, p. 61; 1863, p. 60; 1864, p. 59; 1866, p. 59; 1867, p. 57; Collins, p. 63.

⁴³⁷E.L. Noble (Vol. 2), p. 18.

⁴³⁸Nell Park Gum. *Park of Kentucky, 1747-1929; biographical sketches and genealogy of the descendants of Ebenezer Park, pioneer, of Madison County, Kentucky; with brief notices of the allied families: Benton, Boian, Campbell, Chenault, Clark, Cobb, Covington, Dillingham, Duncan, Elliott, Gum, Henderson, Hume, Jacobs, Keller, Kidwell, Rayburn, Scrivner, Wagers, Wilson and others.* (Frankfort, 1929); p. 39.

and, considering the fury he had stirred among his pro-Confederate fellow citizens his chances of success would have been doubtful. Like many former Unionists, Strong might have otherwise been content to follow his military service with a return to a peaceful civilian life. However, Strong's relationship with Breathitt County's landless white populations and role as "special protector" for the local black population suggests his partisan motivations may have been somewhat more complicated and long-lasting.⁴³⁹ Strong's association with both groups probably originated as a wartime marriage of convenience. But Strong maintained his wartime associations and never disarmed. The longevity of his association with these groups suggests that Strong's wartime experience had an effect on Strong's ideological outlook. One American Civil War historian has suggested that martial participation has a politicizing effect, prompting many soldiers to conflate their initial individual or communal reasons for fighting with the war's larger calling.⁴⁴⁰ Such politicization may or may not have happened to Strong, but the war clearly established him as a leader among Breathitt County's black and white poor. Nevertheless, Strong did not retreat from the ties he had formed with Breathitt County's squatter population and the county's small number of African Americans, forming a loosely organized paramilitary alliance known locally as the "Red Strings."⁴⁴¹

For Strong's postwar group to be known as Red Strings is as telling as his erroneous wartime identification as a home guard. The Red Strings or "Heroes of

⁴³⁹WPA, *In the Land of Breathitt*, p. 59.

⁴⁴⁰James McPherson. *For Cause and Comrades: Why Men Fought in the Civil War*. (Oxford: Oxford University Press, 1997). For a similar argument, also see Eugen Weber. *Peasants into Frenchmen: The Modernization of Rural France*. (Stanford: Stanford University Press, 1976).

⁴⁴¹*LCJ*, 5 December, 1878; 10 May, 1897; *NYT*, 10 May, 13 September, 1897; Interview with Harlan Strong, 1978, The Appalachian Oral History Project of Alice Lloyd College, Appalachian State University, Emory and Henry College, and Lees Junior College: No. 279, pp. 20-21.

America” was a secretive organization of white southern Unionists who acted as spies and saboteurs during the war in Virginia and North Carolina. For years after the war the term was later used to describe regulators who enforced Republican policy just as the Ku Klux Klan did for southern Democrats.⁴⁴² The organization had a class-based significance, supposedly composed of “the small farmers, tenants, laborers and rougher classes of the region.”⁴⁴³ Aware of their secretive opposite numbers in their midst (particularly in the North Carolina piedmont), the Ku Klux Klan included Red Strings in a litany of organizations “whose intention is to destroy the rights of the South, or of the States, or of the people, or to elevate the negro to a political equality with [themselves]” in an 1871 oath of membership.⁴⁴⁴ The longstanding identification of William Strong and his supporters as Red Strings is the only evidence that the term was used for groups

⁴⁴²The “red string” used by members as a discreet emblem of membership hearkened to the Biblical account of the Israelites’ secret infiltration of Jericho. For more general descriptions of the group’s larger activities during the Civil War and Reconstruction (particularly in North Carolina), see *New York Times* 29 April 1867, 11 March 1871, 31 January 1882; Wayne K. Durrill, “Political Legitimacy and Local Courts: ‘Politicks at such a rage’ in a Southern Community during Reconstruction,” *Journal of Southern History* 70(August, 2004): pp. 577-602; Scott Reynolds Nelson. *Iron Confederacies: Southern Railways, Klan Violence and Reconstruction*. (Chapel Hill: University of North Carolina Press, 1999): pp. 102, 207; Nelson, “Red Strings and Half Brothers: Civil Wars in Alamance County, North Carolina, 1861-1871,” in John Inscoe and Robert Kenzer(eds.), *Enemies of the Country: New Perspectives on Unionists in the Civil War South*. (University of Georgia Press, 2001); Kenneth W. Noe, “Red String Scare: Civil War Southwest Virginia and the Heroes of America,” *The North Carolina Historical Review* LXIX (July, 1992): pp. 301-322; William E. Ellis, “The Bingham Family: From the Old South to the New South and Beyond,” *Filson Club Historical Quarterly*, Vol. 61, No. 1 (January, 1987): p. 14; William T. Auman and David D. Scarboro, “The Heroes of America in Civil War North Carolina,” *North Carolina Historical Review*, Vol. 58 (October, 1981): pp. 327-363; *Documentary History of Reconstruction: Political, Military, Social, Religious, Educational & Industrial, 1865 to the Present Time*, Vol. II. (Cleveland: Arthur H. Clark Company, 1907): pp. 334, 354; Brinsley Matthews and William Simpson Pearson. *Mōnon Ou: Or, Well-nigh Reconstructed. A Political Novel*. (E.J. Hale and Son, 1882): p. 39; Edward King. *The Great South: A Record of Journeys in Louisiana, Texas, the Indian Territory, Missouri, Arkansas, Mississippi, Alabama, Georgia, Florida, South Carolina, North Carolina, Kentucky, Tennessee, Virginia, West Virginia, and Maryland*. American Publishing Comp., 1875): p. 493.

⁴⁴³Ina Woestemeyer Van Noppen. *The South, a Documentary History*. (Princeton, NJ: Van Nostrand, 1958): p. 351.

⁴⁴⁴Walter Lynwood Fleming. *Documentary History of Reconstruction: Political, Military, Social, Religious, Educational & Industrial, 1865 to the Present Time*, Vol. II. (Cleveland: The Arthur H. Clark Company, 1907): p. 354.

outside of the former Confederacy and that “Red String” was a commonly recognized term for the Unionist underground. Moreover, William Strong’s militant group lasted until the 1890s, long after Reconstruction, showing that Breathitt County’s underground polity lasted long after the war and Reconstruction were only bitter memories in other parts of the South. And, those who interpreted Strong’s actions against his home county between the 1860s and 1890s acknowledged a direct continuity between his wartime brutality and his later recalcitrance. Even after Breathitt County was widely understood as “feud country,” rife with communal violence, the very political legacy of the Civil War could not be fully denied.

As the Ku Klux Klan emerged in the Three Forks region, “a more determined democratic element” returned to electoral authority in Breathitt County after 1867.⁴⁴⁵ Even while William Strong maintained a level of organized militancy, some of his former enemies attempted to maintain an uneasy peace, a peace balanced by national Union victory and the desire of local Democrats to return to their old political order with as little further damage as possible. But the restoration of the old order probably did not come about entirely without violence. The courthouse, the only seat of formal government immediately available, was considered the best setting to reconsolidate a modicum of the antebellum social order. Conflicts born during the war were negotiated in court cases, both civil and criminal. As mentioned in the previous chapter, Strong was the target of postwar litigation for his actions as a Union officer. Aside from terrorizing families that he saw as political or martial enemies, one of Strong’s other tactics was to commandeer

⁴⁴⁵Poll results show that Democratic majorities in Breathitt County elections were permanently restored after 1867; *TAPR*, 1869, p. 83; 1870, p. 60; 1871, p. 65; 1872, p. 71; 1873, p. 60; 1875, p. 91. Quote from E.L. Noble (Vol. 2), pp. 26-27q.

property, usually livestock, from farmers with purported Confederate sympathies. Lawsuits against Strong and his allies for the loss of property were generally unsuccessful, since they always testified that his wartime acquisitions were carried out for the purpose of “suppressing the late rebellion.” Even Hiram Freeman, whose questionable whiteness would have eliminated him from legitimate membership in the 14th Kentucky Cavalry in many people’s eyes, used the same defense successfully. Breathitt County’s circuit trials were presided over by Republican judges elected by the Republican majorities in surrounding counties within the same judicial district, and they acknowledged Strong’s invocation of Unionist loyalty as just cause to have the lawsuits transferred to federal courts in Louisville.⁴⁴⁶

Strong’s legal wranglings and his obstinate behavior in the late 1860s demonstrate the ways in which southern mountaineers negotiated issues of political affiliation and social ties in the war’s aftermath. The “intimacy” with which the local war was fought extended to the postwar years as well. During the war Strong had acted as a bandit, killing men with whom he had undoubtedly shared social and probably kinship ties before the war. The “strong Rebel” sentiment applied to the dissenting juror and others suggests that many in the county still considered the war as a motivation for punitive legal action. However, despite his irascible behavior, at no time was Strong viewed simply as an abject criminal, even by the pro-Confederate Democrats who had been his primary targets. The fact that Strong was a defendant in civil suits rather than criminal trials demonstrates that even his Democratic enemies recognized his theft of cattle as an act that could be construed as something beyond just a breach of the public peace, but

⁴⁴⁶*Wm. M. Combs agst. Capt. William Strong, Wiley Amis and other defendants, 1867-1869; Wm. M. Combs agst. Hiram Freeman and Jason Little, 1867-1869, Breathitt County Circuit Court Records, KDLA.*

rather part of a national struggle that had been imposed upon the community from beyond its boundaries. Paradoxically, the fact that he was sued at all demonstrates that his acts of confiscation were viewed by some (particularly the victim of his “theft”) as legally illegitimate and did not recognize Strong’s conflation of his local malfeasances with a national struggle as a legitimate excuse. Even though Strong had gone against the majority of his neighbors by joining the Union Army and later leading the Red Strings, he could not be treated as nothing more than an enemy after the war out of recognition of his citizenship within the community. While his supposed “home guard” had fought a far more brutal and punitive war in the Three Forks region than had the federal army, the latter was composed of “outsiders,” a title that not even Strong’s bitterest enemies could impose upon him.⁴⁴⁷

To complicate his position, Strong was not above using physical intimidation during his court trials, and not without success. After assaulting one of his plaintiffs, Strong was sued for \$500 on the grounds of assault and battery. Washington Noble, one of the jurors on the case, confessed later that he had persuaded the jury (including one “strong Rebel” who advocated imposition of the full fine) to reduce the fine to \$100 for fear of further threats from Strong. Noble defended his reduction of the fine as a means of “soften[ing] the enemy rather than hardening him,” considering that, even two years after the end of official hostilities “the war spirit was high and...it was pretty hard to enforce the civil law.” The defendant seemed to be somewhat willing to play along;

⁴⁴⁷The Appalachian understanding of the Civil War as a fight between “outsiders” and organic communities is described in Waller, *Feud...*, pp. 31-33.

Noble recounted that after the trial Strong “treated” the jury at a Jackson grocery store which also served as a tavern.⁴⁴⁸

Even though they had been on opposite sides of the war years earlier, Strong also maintained peaceful relations with his cousin Edward C. Strong, a Confederate veteran who served multiple times as a Democratic county judge.⁴⁴⁹ While their shared family name had not been enough reason to come to an accord during the war, kinship was apparently enough to keep the Strong cousins on peaceful terms even when the two each held membership in the respective vanguards of antagonistic political factions. Through ties of kinship and martial ties established during the war, William Strong was able to negotiate an intermediate position between Breathitt County’s elites and the area’s poor and, during elections, was respected by his Democratic adversaries as a formidable power broker among the county’s landless.⁴⁵⁰ Even though the closeness of combat in Appalachia literally turned neighbor against neighbor and relative against relative to a far greater degree than in most parts of the South, strategies such as Noble’s judicial compromise had a limited amount of success in attempting to return war torn localities to a peaceful status quo. Attempts at compromise made after the war between former enemies suggest that mountaineers recognized the challenge presented by the war’s complexities and were willing to react in ways other than overt retribution.

This did not mean that Strong’s standing in the community was fully restored outside of the county court. Around the time of the trial the South family placed a \$500

⁴⁴⁸G.W. Noble, pp. 82-84.

⁴⁴⁹*LCJ*, 16 January, 1879.

⁴⁵⁰Census records show that in 1870 Strong had the fourth most valuable tract of land in the county’s Crocketsville precinct; *Breathitt County Census Records, 1870*, (KDLA).

bounty on him. The family's patriarch, Jeremiah W. South, suffered the loss of three sons during the war, probably at Strong's hands or those of someone under his command. Up until his death in 1880, South was far too busy being politically besieged for his controversial handling of the state penitentiary to return to Breathitt County.⁴⁵¹ However, during the war Strong had proven to be the greatest threat to South's economic interests and his family. After his last lawsuit, Strong was attacked by an unknown knife-wielding assailant while spending the night in a Jackson hotel.⁴⁵²

At the same time Strong had conflicts with former allies as well. In 1867, Strong's father, William Strong, Sr., sued Wiley Amis and Wilson Callahan for compensation for wartime confiscations (unlike his son, the slaveowning Strong Sr. was apparently a pro-Confederate or was treated as such).⁴⁵³ Around the same time, the younger William Strong ran afoul of Amis and Callahan over the apportionment of their own confiscated livestock. The ensuing conflict was acted out in the circuit court as well as on the field of battle, the latter without apparent interference from local authorities.⁴⁵⁴ Wilson Callahan and at least three members of the Amis family were killed, after which the rest of the Amises migrated to Missouri sometime before 1873.⁴⁵⁵

⁴⁵¹Robert Gunn Crawford, pp. 31-65.

⁴⁵²G.W. Noble, p. 84.

⁴⁵³*William Strong Sr. vs. Wilson Callahan & comp.*, 15 May, 1867, Breathitt County Circuit Court Records, KDLA.

⁴⁵⁴Interview with John Aikman, July 20, 1898; Interview with Edward Callahan Strong, 21 July, 1898, *JJDD*, reel 3, pp. 2412-2413, 2424-2425.

⁴⁵⁵*KWY*, 22 December, 1878; *LCJ*, 16 January, 1879; *JJDD*, Interview with John Aikman, 1899, reel 3, pp. 2412-2413; Charlotte Davison. *Davi(d)son: The first ten - the second ten and many allied families*. (S.N., 1985): p. 6.

Owing to the fact that Amises, Callahans and Strongs had all been combatants in the Clay County Cattle War sixty years earlier, and considering that the more recent conflict was ostensibly started over livestock, it was widely assumed later on that this “feud” was nothing more than a continuation of ancient hatreds.⁴⁵⁶ Years later, the affray between Strong’s Red Strings and his former Union allies was remembered as the “Strong-Amis feud,” Breathitt County’s first prolonged state of factional violence since the Civil War and the first evidence that it was “more fully imbued with the feudal spirit” than anywhere else in the Kentucky mountains.⁴⁵⁷ But since the new conflict involved the Ameses’ and Callahans’ (in E.L. Noble’s phrasing) “turn[ing] democratic,” the conflict could also be interpreted as the collapse of the Three Forks region’s Unionist leadership.⁴⁵⁸ The fact that Wilson Callahan’s son became a leading light in the Democratic Party and the Ku Klux Klan in the 1880s lends credence to this possibility, as do the broader trends in and around Breathitt County. By the time of Strong’s “feud” with his former allies, the Democrats had retaken control over the county. As landowners of some means the Amises and Callahan had less reason to continue their strife with the powers that be. They had fought for the Union and conformed to the majority of eastern Kentucky’s pro-northern inclinations, but, with the war over, they were willing to observe the will of the majority in their home county, a choice that echoed that of many

⁴⁵⁶Interview with Edward C. Strong, July 21, 1898, *JJDD*, reel 3, p. 2424; Pierce, p. 124; Billings and Blee, *The Road to Poverty*, p. 375.

⁴⁵⁷Lewis Franklin Johnson. *Famous Kentucky Tragedies and Trials*. (Louisville, KY: Baldwin Law Book Company, Inc., 1916): p. 320q. See also, Interview with Edward C. Strong, July 21, 1898, *JJDD*, reel 3, p. 2424; Hugh R.V. Vanatta, “On the Trail of a Mystery,” *The Argosy*, Vol. XXXII, No. I (December, 1899): p. 18; J. Reginald Clements (ed.), *History of the First Regiment of Infantry: the Louisville Legion and Other Military Organizations*. (Louisville: Globe Printing Comp., 1907): pp. 147-148; John F. Day. *Bloody Ground*. (Garden City, NY: Doubleday, Doran and Company, Inc., 1941): p. 126; Lawrence Sidney Thompson. *Kentucky Tradition*. (North Haven, CT: Shoe String Press, 1956): p. 98; Billings and Blee, *The Road to Poverty*, p. 375; John Ed Pierce. *Days of Darkness: The Feuds of Eastern Kentucky*. (Lexington: University Press of Kentucky, 1994): p. 124.

⁴⁵⁸E.L. Noble, (Vol. 2) p. 7.

other former southern Unionists. The greater mystery is William Strong's decision to remain defiant (on occasion) toward the Breathitt County Democrats and to continue organization of the Red Strings. Hiram Freeman (who became Strong's farming employee after the war and was injured during the affrays with the Amises) and Henderson Kilburn remained loyal to Strong, further proving the solidity of the strange alliances formed during the war. But, with men who shared his relative wealth no longer on his side, Strong's role as the "chieftain" and "special protector" of the county's black and white poor had become even more solidified. Perhaps as a show of solidarity with the wood denizens, Strong performed mock deference to Democrats of his own social and economic standing, refusing to "drink before [his] landlord" when one poured him the first dram of brandy.⁴⁵⁹

Even though he remained able to negotiate a safe position between the poor and the landed, Strong was at the center of a roiling class conflict fueled dually by the expectation of an approaching railroad and an element of suppressed tension left over from the war. Speculation, the motive for the county's founding, once again became an economic factor in the county. In 1872 the Kentucky General Assembly passed a bill allowing Breathitt and Perry Counties' courts to increase the price of their "vacant and unappropriated lands" in preparation for the unimproved lands' public sale.⁴⁶⁰ Edward Strong, serving another term as county judge, sold a large segment of the county's "wild lands" around Troublesome Creek, a large tributary to the north fork of the Kentucky

⁴⁵⁹*LCJ*, 6 January, 1879.

⁴⁶⁰*KHJ*, 1871, p. 438.

River, to a land company from outside of the county.⁴⁶¹ A number of Troublesome Creek's inhabitants, most of questionable legal status, formed an armed squad and dissuaded Judge Strong's surveyors from recording their findings. Although they were unable to prevent the sale, their demonstration of armed force delayed further surveying of the area for years.⁴⁶² The following year "republicans of the war element" burned the courthouse in Jackson, possibly in order to destroy extant land grants, thereby preventing further speculations on unimproved land in the county.⁴⁶³ Landowners whose only basis for legitimacy lay in their ownership of the oldest land grants, like Jeremiah South, were dealt a serious blow and were forced to defend their ownership in court for decades afterward.⁴⁶⁴ Whatever the unknown assailants' goals may have been, the courthouse burning represented an act of defiance against the Democratic elites like Edward Strong and (in absentia) the South family, demonstrating that, nearly a decade after the war's end, segments of Breathitt County society refused to recognize their legitimacy as community

⁴⁶¹In an interview conducted by the Works Progress Administration's Federal Writer's Program, an elderly cousin of the judge warned humorously that if Edward Strong's grave were disturbed his ghost would return and "have mortgages on everything in Breathitt County." Interview with William Haddix, 1938, Federal Writers' Project (Interviewer: Margaret Bishop). <http://www.breathittcounty.com/BreathittWeb2/THaddix.html> (viewed 19 December, 2008)

⁴⁶²G.W. Noble, p. 177.

⁴⁶³E.L. Noble (Vol. 2), p. 26q; *Acts of the General Assembly of the Commonwealth of Kentucky, Vol. I, Regular Session, 1877-1878*. (Frankfort, KY: S.I.M. Major, Public Printer, 1878): p. 145; "Morse v. South et al," Circuit Court, D. Kentucky. 15 April, 1897. *The Federal Reporter, Volume 80, Permanent Edition, June-July, 1897*. (St. Paul: West Publishing Co., 1897): p. 208.

⁴⁶⁴"Morse v. South et al," Circuit Court, D. Kentucky. 15 April, 1897. *The Federal Reporter, Volume 80, Permanent Edition, June-July, 1897*. (St. Paul: West Publishing Co., 1897): p. 208; E.L. Noble (Vol. 2), p. 26. Later in the 1870s Kentucky's General Assembly passed an adverse possession law, making the legal recognition of old land titles even more difficult than it was already. Claimants who held the old eighteenth century land grants like the one Jeremiah South had based his claim upon were saddled with a greater burden of proof in verifying ownership of land occupied or improved by alleged squatters; *The General Statutes of Kentucky*. (Frankfort: Major, Johnston and Barrett, 1879): pp. 180-181.

leaders. William Strong was implicated in the arson but was never indicted.⁴⁶⁵ It was only now that the incongruity between national Union victory nearly a decade earlier and Democratic persistence in Breathitt County began to appear as a danger. In 1879 Strong told an interviewer that, after his service in the 14th Kentucky Cavalry (he gamely omitted his service in the more notorious Three Forks Battalion), he had “returned home to live in peace” and had only gone after the Amises after other Breathitt County citizens had asked him to form a supposedly bipartisan militia to end their postwar depredation. Strong also denied that he was the “head of a belligerent faction ever since the war” and, even as class tensions mounted in the early 1870s, he maintained a low profile.⁴⁶⁶

The confrontation with the surveyors and the courthouse fire did not completely circumvent Judge Edward Strong’s plans, plans that reflected the confluence of private and public interests upon which Breathitt County was founded. In 1876 he co-founded the Troublesome Creek Boom Company, a firm established to invest in a boom across the tributary for the acquisition and marketing of logs felled further upstream. The charter allowed for the crossing of logs owned by those outside of the company, but it also provided an impediment to the wood denizens’ river traffic by recognizing only the passage of legally owned timber.⁴⁶⁷ More and more of Breathitt County’s citizens who had once been at odds over the Civil War were now accepting what they considered

⁴⁶⁵Strong’s only recorded activity of that year was joining seven other Union veterans in testifying against his old Confederate nemesis John Aikman in a murder trial. In response, five former Confederates testified in his defense. Aikman was subsequently acquitted; *Commonwealth of Kentucky vs. John Aikman*, June 12, 1873, box 4, bundle 1, Breathitt County Circuit Court Minutes, Kentucky Department for Libraries and Archives, Public Records Division, KDLA.

⁴⁶⁶*LCJ*, 6 January, 1879.

⁴⁶⁷*Acts of the General Assembly of the Commonwealth of Kentucky, Vol. II, Regular Session, Begun 31 December, 1875.* (Frankfort: James A. Hodges, Public Printer, 1876): pp.285-287. One large fork of Troublesome had been declared navigable in 1871, making the building of dams and household mills on it punishable by law; *KHJ*, 1871, pp. 981-982.

economic realities; that, as was the case before 1861, acquiescence to, and alliance with, the county's moneyed interests was in the interest of the entire population. The antebellum white consensus that had only shown the smallest of weaknesses was being restored.

It took a racially-motivated murder to provoke William into action. Strong's attempt to forcefully capture the rebuilt courthouse in 1874, his first public act of violence in years, came soon after the tumultuous state elections, when a black man named William Hargis was murdered by a white man named David Flinchem.⁴⁶⁸

Breathitt County's Red Strings did not interpret the murder as an isolated event. With Hiram Freeman, Henderson Kilburn, and Freeman's sons William and Daniel, "Nigger Dick" Strong (said to be a freedman that had once belonged to Strong's father) and ten other unnamed men of both races performed what one newspaper termed an attempted "coup d'état," taking possession of the courthouse and supposedly all of Jackson.⁴⁶⁹

Strangely, Strong seemed to have encountered little resistance. He, the Freemans and their party staged the uprising by force of arms, but there is no evidence that they killed

⁴⁶⁸Even if William Hargis' death had no direct connections to local or national politics, his death came during a flurry of white-on-black killings. August, 1874 marked the first election cycle since the US Senate's passage of what would become the 1875 Civil Rights Law after it was passed by the House of Representatives the following year. In a fevered combination of conservative white alarm and new assertions of black rights, local violence was reported throughout the South with Kentucky as no exception. Race-based killings had increased after a concerted white effort against Reconstruction had begun in 1870 but the August and September of 1874 was a high watermark of white-on-black killings; *New York Tribune*, August 1, September, 30, 1874; *LCJ*, 26 August, 7, 16 September, 1874; *CDT*, 9 September, 1874; *NYT*, 28 September, 12 October, 1874; *KTY*, 22 September, 1874; James M. McPherson, "Abolitionists and the Civil Rights Act of 1875," *The Journal of American History*, Vol. 52, No. 3 (December, 1965), pp. 507-508; Bertram Wyatt-Brown, "The Civil Rights Act of 1875," *Western Historical Quarterly*, Vol. 18, No. 4 (December, 1965): pp. 769-770; George C. Rable. *But There was No Peace: The Role of Violence in the Politics of Reconstruction*. (Athens: University of Georgia Press, 1984): p. 120; Michael Perman. *The Road to Redemption: Southern Politics, 1869-1879*. (Chapel Hill: University of North Carolina Press, 1984): 138-141; Patrick O. Gudridge, "Privileges and Permissions: The Civil Rights Act of 1875," *Law and Philosophy*, Vol. 8, No. 1, (April, 1989): p. 120.

⁴⁶⁹*Chicago Inter-Ocean*, 19 September, 1874; *LCJ*, 28 September, 1874q; *NYT*, 7 December, 1878;

or injured anyone in Jackson, nor did he apparently attack Flinchem for killing Hargis. His taking the courthouse, however, demonstrated his refusal to recognize the legitimacy of the county's law enforcement and the men who controlled it.⁴⁷⁰

In mid-September rumors spread between Frankfort and Louisville that a "party of 200 desperados" had barricaded themselves in and around Jackson's courthouse.⁴⁷¹ Unknown parties contacted Governor Preston H. Leslie with a request to send members of the militia to reestablish order in the county. Having been accused of hesitation in dealing with klan violence in the recent past, and alarmed by the exaggerated reports, Leslie dispatched a militia company to Breathitt County and requested that Republican Circuit Court Judge William H. Randall suspend his court dates in order to schedule a special session in Jackson, one that would allow no continuances.⁴⁷² After false reports that the company had been attacked, Leslie anticipated further requests from Breathitt and sent four more companies. By the end of September more members of the state militia had been sent to Breathitt County than to any of the Bluegrass counties that had requested intervention the previous month.⁴⁷³

By the time of the militia's arrival, Strong and the Red Strings had relinquished

⁴⁷⁰Using evidence from Breathitt County's county court minutes from 1874, Altina Waller connects Strong's 1874 attack on the courthouse to the county's financial crisis, tied to the exoneration of some taxpayer's debts, tax support for an approaching railroad and a lawsuit against absentee landowners. Simmering war-born tensions between Democrats and Republicans are not considered. Although the county's declining economy (a decline that began the previous year during the nationwide Panic of 1873) probably contributed to Strong's and the Red Strings' ire, newspaper accounts of Strong's attack written by reporters who followed the state militia to Jackson agree that it was in reaction to the interracial murder of Hargis. Also, comparisons between accounts of the affray from Democratic and Republican newspapers reveal that both, even in the "far away" Bluegrass, recognized the party-based animosity in Breathitt County; Waller, "Feuding in Appalachia...", p. 365.

⁴⁷¹*NYT*, 19 September, 1874.

⁴⁷²*Cincinnati Daily Gazette* (hereafter *CDG*), 25 September 1874; *NYT*, 28 September 1874.

⁴⁷³*LCJ*, 16, 19 September, 1874; Wright, p. 31.

control of the town, and subsequently allowed themselves to be disarmed.⁴⁷⁴ Beside the fact that they were far outnumbered by the militia, Strong and the Freemans were less reluctant to give up their arms knowing that the court was to be handed over to Randall. As a Republican with a strong civil rights background, Randall appeared as an ally to the county's black and white Republican partisans and a meddling enemy to the Democratic majority.⁴⁷⁵ Perhaps not surprisingly, Strong himself was not indicted for his attempted insurrection, and the Freemans, although indicted by a county magistrate in Croketsville for delinquent murder accusations, were dismissed from trial due to a lack of witnesses for the prosecution.⁴⁷⁶ Randall's leniency to the Strong party may have been reported to the state government, because shortly after the beginning of the special court session Governor Leslie instructed Randall to turn the court over to Breathitt County's Democratic county judge, James Back. In November, Back indicted Strong and the Freemans for carrying concealed weapons, but all four men were found not guilty.⁴⁷⁷ But Back did not attempt to reverse any of Randall's rulings, nor did he further pursue Strong and the Freemans for their earlier crime. Randall's dismissal altered Leslie's original plans for the special court session. After Back was given control of the court, both criminal and civil cases were carried over to future court sessions against Leslie's

⁴⁷⁴*LCJ*, 28-29 September, 1874; *NYT*, 7 December, 1878; Francis Terry Ingmire (ed.). *Breathitt County, Kentucky Death Records, 1852-1858, 1874-1878*. (St. Louis: Ingmire Pub., 1983): p. 18.

⁴⁷⁵James Larry Hood, "For the Union: Kentucky's Unconditional Unionist Congressmen and the Development of the Republican Party in Kentucky, 1863-1865," *RKHS*, Vol. 76, No. 3 (July, 1978): pp. 204-205, 208-212, 214-215; Howard, pp. 56-57, 147.

⁴⁷⁶*LCJ*, 9 October, 1874.

⁴⁷⁷*Comm. vs. Freeman and others*, 19-21 November, 1874, Breathitt County Circuit Court Records Box 4, Bundle 1 (KDLA).

instructions.⁴⁷⁸ No one was ever indicted for Hargis' killing.

Breathitt County's 1874 courthouse attack revealed yet another act of violence arising from a combination of political contingencies and local inherency, the reproduction of violent trends taking place all over the South. Temporary usurpations of courthouses carried out to protest the actions of local government were not uncommon in the 1870s. Unlike Strong's, the majority of recorded instances of southern courthouse captures or fires were carried out for counter-insurrectionary purposes, carried out by groups like the Ku Klux Klan to protest or prevent black participation in elections or jurisprudence.⁴⁷⁹ By temporarily taking the building in reaction to Hargis' murder, rather than simply attacking the accused killer, Strong demonstrated that the county's Democrat-controlled government was as much to blame for Hargis' death. It was, however, a far different violent act than the destruction of the courthouse the previous year, an act that echoed the county's wartime past and the courthouse burnings that were a common modus operandi for both northern and southern armies. Breathitt County's legitimacy was not the issue, but rather that of the Democrats who ran it despite their national defeat in the war and the injustices they allowed. Strong considered Hargis' murder one of these injustices.

The confluence of personal grievances, class division and racial violence endangered the political and social balance in Breathitt County during the later years of

⁴⁷⁸*LCJ*, 28 September, 6 October, 1874.

⁴⁷⁹Aloyisus Leon Higginbotham. *Shades of Freedom: Racial Politics and Presumptions of the American Legal Process*. (Oxford: Oxford University Press, 1998): p. 88. G. Ward Hubbs. *Guarding Greensboro: A Confederate Company in the Making of a Southern Community*. (Athens: University of Georgia Press, 2003): pp. 215-216; Nicholas Lemann. *Redemption: The Last Battle of the Civil War*. (New York: Farrar, Straus and Giroux, 2006): pp. 6-7; Charles Lane. *The Day Freedom Died: The Colfax Massacre, the Supreme Court, and the Betrayal of Reconstruction*. (New York: Macmillan, 2008): p. 22.

Reconstruction, mobilizing the Red Strings and yet again calling the county's governmental legitimacy into question. Jurisprudence in the county, carried out by men who had a greater stake in maintaining control of local government than in enforcing a peaceful social order, was consequently highly politicized. William Strong's attempted insurrection demonstrated his refusal to recognize Democratic authority in his home county as well as the determination of his martially-based polity to maintain its continuing existence. The leniency showed to him by a Republican with superior judicial authority appeared to local Democrats, particularly those in control of the county court, as a threat to their autonomy as well as their local hegemony, both of which had probably motivated them to support the Confederacy in the previous decade. The violence that resulted from the next perceived threat to Democratic authority indicated the determination of elites to remain in control in the face of further efforts toward "reconstruction."

"Any man who is elected in this county and will not take sides with the lawless will be killed by them."

Edward and William Strong were again embroiled in a deadly political conflict four years later, when a controversial election for county judge prompted a return of the state militia and a far greater degree of attention on Breathitt County from the national media. In the end, the Red Strings' show of force in 1874 did little to challenge the county's Democrats and may well have hardened many voters' resolve against the former Unionists. In the 1876 presidential election Breathitt County had its largest Democratic vote in its history, a showing that may very well have been partially determined by the

continuance of Klan activity in the Three Forks region.⁴⁸⁰ But William Strong was given a new opportunity for having greater influence in the local courthouse in 1878, when a newcomer to the county successfully challenged the local Democratic cabal for the position of county judge. John W. Burnett, a young lawyer from Virginia, moved to the county in 1875, joining the local bar organization and making friends with then sheriff James Hagins and other Jackson residents. Even though Burnett had a reputation for brashness (he was rumored to have come to Breathitt County to escape punishment for a duel he had won in Virginia), in the three years since his relocation to Kentucky he had managed to remain personally aloof from the county's internecine political conflicts.⁴⁸¹ In 1878 Burnett decided to use his popularity in a bid for county judge. Although Burnett was a Democrat, as a political neophyte with no preexistent ties to the county he was an interloper within the local political scene, and the more stalwart Democrats nominated Edward Strong. The weeks leading up to the August election were fraught with threats of violence; a third candidate chose to withdraw after being intimidated by unnamed parties. A fellow Democrat (and Klan member), concerned that the county's past political disharmonies were about to reemerge, had warned Edward Strong that "any man who is elected in the County and will not take sides with the lawless will be killed by them."⁴⁸²

⁴⁸⁰As in the rest of the United States, voter turn-out was particularly high in Kentucky in the race between Hayes and Tilden. In 1876 the state had the highest number of votes cast (proportional to population) for a presidential election since 1844. Breathitt County went Democratic with a 70.1 percent majority out of 72.6 percent of potential votes cast; Shannon and McQuown, pp. 45, 47.

⁴⁸¹Altina Waller has suggested that, before his election, Judge Burnett had "obvious ties" to the Bluegrass-based Kentucky Union Railroad which, as will be examined in the following chapter, began amassing land in Breathitt County starting in the 1870s. I have found no evidence of Burnett's connections to it or any other railroad and, considering that he was from Virginia rather than the Bluegrass, this is unlikely. However, Judge Randall was a member of the railroad's board of directors at the time of its charter; Waller, "Feuding in Appalachia...", pp. 365-367; *The Kentucky Union Railway Company*. (Lexington: Kentucky Union Railway Co., 1883): p. 65.

⁴⁸²G.W. Noble, p. 177.

“The lawless,” Strong and the Red Strings, were still a political force to be reckoned with, both as a threat to civil order and as a considerable voting bloc. Seeing his chance, William Strong readily endorsed Burnett after rejecting his cousin’s request for support, giving Burnett a narrow win thanks in part to the squatters who had been angered years earlier by Edward Strong’s land sale.⁴⁸³ Burnett’s resultant eight vote victory over Edward Strong represented the first electoral challenge to local Democratic rule in the county since the Civil War.⁴⁸⁴

Burnett’s term in office was complicated by personal conflicts with a local farmer that eventually expanded into Breathitt County’s largest instance of mob violence. Before his election as judge, Burnett had been deputized by Hagins in the arrest of Jerry Little. Burnett was said to have acted with particular brutality in carrying out the arrest and, after Little’s subsequent acquittal, the former had earned the enmity of the latter’s extended family. When Little’s uncle, Jason Little, was arrested months later for murdering his wife, Burnett had him arrested and transferred to the city jail in Lexington more than one hundred miles away. But after being narrowly elected with the support of a controversial quasi-bandit like William Strong, local Democrats interpreted his arrest and removal of Jason Little as politically-motivated affronts. When Little was returned to Jackson for trial in late November, a mob led by John Aikman and fellow Confederate veteran Alfred Gambrel amassed outside of the jail in an apparent threat to forcibly release Little. The mob was confronted by William Strong, the Freemans, Henderson Kilburn and approximately a dozen other Red Strings. The ensuing street fight resulted

⁴⁸³*LCJ*, 16 January 1879.

⁴⁸⁴*LCJ*, 30 November, 1 December 1878; *Louisville Commercial*, 8 December 1878.

in the shooting deaths of Daniel Freeman and Tom Little (a cousin of Jason Little who William Strong later said had threatened to lead “two hundred Kuklux” from neighboring Wolfe County).⁴⁸⁵ Calm was temporarily restored. However, as Burnett was walking to the courthouse to convene court with William Randall the following day, Gambrel fatally shot him, prompting Randall to flee the county.⁴⁸⁶

At first, the homicide of a county judge was not enough to persuade Governor James McCreary to take executive action in Jackson as Governor Leslie had done four years earlier, despite Judge Randall’s constitutionally-mandated official request that he do so. Reluctant to dispatch the militia, McCreary had initially dismissed the reports of rioting in Jackson as exaggerations. The governor had considerations regarding the use of the militia that his predecessor had not been obliged to deal with, considerations that made him hesitant to dispatch militia units far away from the cities of the Bluegrass. In 1877 Louisville had been the scene for one manifestation of the Great Railroad Strike, bringing commerce to a halt and resulting in massive property damage (as well as a disturbing new cooperation between working class white and blacks).⁴⁸⁷ Kentucky’s militia law was quickly revised later in the year, and in early 1878 the “Louisville Legion,” an urban militia unit that had not been mustered since the close of the Mexican War, was revived. Bearing in mind the political ambiguity that the State and home

⁴⁸⁵*In the Land of Breathitt*, pp. 64-65; *LCJ*, January 16, 1879.

⁴⁸⁶“The Commonwealth of Kentucky Against J.C.B. Allen et al,” *Breathitt County Circuit Court September Special Term 1878-1879, Breathitt County Circuit Court Records*, KDLA.

⁴⁸⁷J.A. Dacus. *Annals of the Great Strikes in the United States: A Reliable History and Graphic Description of the Causes and Thrilling Events of the Labor Strikes and Riots of 1877*. (Chicago: L.T. Palmer & Co., 1877): pp. 430-434; Bill L. Weaver, “Louisville’s Labor Disturbance, July, 1877,” *FCHQ*, Vol. 48, No. 2 (April, 1974): pp. 179-183; Klotter and Tapp, pp. 310-311; Steven J. Hoffman, “Looking North: A Mid-South Perspective on the Great Strike,” in David O. Stowell (ed.), *The Great Strikes of 1877*. (Champaign: University of Illinois Press, 2008): pp. 105-135.

guards represented during the war, the Legion was captained by both Confederate and Union veterans (although the former outnumbered the latter four to one).⁴⁸⁸

Considerations of a blue and gray past notwithstanding, the state's new military arrangements represented a stark divergence from the mentalities and strategies that had dominated military life in the state since the war. As an economically progressive southern state, it was deemed important that Kentucky use its military to protect its urban commercial interests from further labor disruptions. With the rural disorders of Reconstruction resistance apparently at an end, the Bluegrass and urban middle class now recognized that threats to civic order in the state would now be more likely to come from the cities than the countryside. Klan and regulator violence had ebbed in the closing years of Reconstruction, and Kentuckians, particularly those of Henry Watterson's commerce-minded New Departure school of thought, were reluctant to believe that violence born of the war could still menace the state. As an economically progressive southern state, it was deemed important that Kentucky use its military to protect its urban commercial interests from further labor disruptions.⁴⁸⁹ In 1874, William Strong's courthouse capture made Jackson one among a number of trouble spots in Kentucky. In contrast, Breathitt County in 1878 did not appear to urban Kentuckians as a continuation of old problems with violence and disorder, but rather an unfortunate distraction from newer ones.

⁴⁸⁸WPA, *Military History of Kentucky...*, pp. 257.

⁴⁸⁹Kentucky's transition from military surveillance of its hinterlands to a more urban-based military presence parallels the Federal Government's pivotal post-Reconstruction transition from using military coercion as a tool for solving "the southern question" to protecting northern capitalist interests through strikebreaking; Foner, *Reconstruction...*, pp. 583-586.

But these same economic considerations also depended upon good relations with northern business interests. In that light the deluge of condemnations of the Jackson situation from the North's still-vengeful newspapers was still stinging. The Republican *New York Times*, almost as eager to report bad news about white southerners as it had been during the worst years of Reconstruction reported that, thanks to Kentucky's lax law enforcement, "[n]ot one man in 10 who commits murder in Kentucky is hanged."⁴⁹⁰ "It may, perhaps, occur to Governor McCreary that it is disgraceful to have such scenes of violence and bloodshed enacted in a sovereign state of the Union," the usually apolitical *New York Herald* crowed. "but in any case the need of preserving the 'prominent citizens' of even so small a place as Jackson should move him to action. The State of the 'Mill Boy of the Slashes' [a nickname for the late Henry Clay] has no 'prominent citizens' to spare just now."⁴⁹¹ Conscious of criticism from the northern press as well as Kentucky's papers, and equally conscious of the ramifications of a public official's violent death, Governor McCreary reluctantly dispatched the Legion to Jackson in early December.⁴⁹²

Soon after their arrival, Judge Randall returned and court was reconvened, only to have proceedings interrupted by political maneuverings. After Randall convicted Jason Little for his wife's murder, the Republican judge was removed from the bench and replaced by Louisville probate judge William Jackson to try the "conspirators" in Burnett's murder. Randall's party affiliation and his flight from the county a month earlier made him too controversial a figure to try the case. Jackson convicted Alfred

⁴⁹⁰*NYT*, December 2, 1878.

⁴⁹¹*New York Herald* (hereafter *NYH*), December 3, 1878.

⁴⁹²*LCJ*, 3, 5, 8 December, 1878.

Gambrel for Burnett's murder, while Wallace Maguire, the only one of Strong's allies to be put on trial, was convicted for the killing of Tom Little.⁴⁹³ Aikman had fled the county on the advice of a Klan collaborator but was later captured and sentenced for conspiring to murder Burnett. His killing of Daniel Freeman the previous day was ignored.⁴⁹⁴ Before his capture, letters that were supposedly composed by Aikman were printed in Kentucky's predominant Bourbon Democrat paper accusing William Strong of using the chaotic situation in the county for material gain.⁴⁹⁵ In recognition of their role in attempting to uphold Democratic control over the Breathitt County court, the influential South family eventually interceded on Aikman's and Gambrel's behalf, and they were pardoned.⁴⁹⁶ Breathitt County's old Democratic order was now truly restored, partly due to its own actions but not without help from the Kentucky state government and the figures in the other half of the two Kentuckys who had always guided the county from afar.

Upon their return to the Bluegrass, the Louisville Legion was welcomed in Frankfort with a brass band and a welcome address by Governor McCreary, who cited the Second Amendment's call for a well regulated militia and commended their defense of the "good name and fame of Kentucky"⁴⁹⁷ In his message to the Kentucky General Assembly late in 1879, McCreary declared the state government successful in pacifying

⁴⁹³*Louisville Commercial*, 1, 24 February, 1879.

⁴⁹⁴G.W. Noble, p. 186.

⁴⁹⁵*KWY*, 6 February, 1879.

⁴⁹⁶E.L. Noble (Vol. 2), p. 34.

⁴⁹⁷*KTY*, 27 February, 1879.

Breathitt County, stating that, “no county is more orderly or peaceable than Breathitt.”⁴⁹⁸ McCreary’s pronouncement of success failed to acknowledge that, less than a month after the Louisville Legion withdrew from Jackson, the log building used as Breathitt County’s jailhouse had been destroyed by a mob in apparent reaction to the convictions of Little, Gambrel and the other conspirators in Judge Burnett’s murder.⁴⁹⁹ The destruction of the jailhouse, in contrast to the Republicans’ destruction of the courthouse six years before which called the county itself into question, protested what Democrats considered the wrongful arrests and convictions of their own by higher state authorities. The following May a Confederate veteran named Andrew Carpenter was killed in ambush while working in his field.⁵⁰⁰

With Reconstruction newly over and the reins of southern self-rule returned to Democratic white hands, white intraracial killing was suddenly quite strange, even with Kentucky’s egregious statewide repute. One national publication judged Breathitt County’s troubles to be the outcome of “an imperfect organization [resulting] from the practical isolation of the people, the unlettered authorities, and the absence of schools and moral example” as well as the lack of contact with “more advanced communities,” a summation happily echoed in the Bluegrass, the collection of “advanced communities” that had only just begun to eye the mountains’ untapped natural wealth.⁵⁰¹ The distinctions between the two Kentuckys, and the larger implications that they would soon reflect upon the rest of the South, had become more visible because of Breathitt County,

⁴⁹⁸Klotter and Tapp, p. 499.

⁴⁹⁹*Washington Post*, 21 March, 1879.

⁵⁰⁰*NYT*, 27 May, 1879.

⁵⁰¹*AAC*, 1879: pp. 540-541.

and it would not be long before any and all troubles in the southern mountains would be offhandedly defined as communal rather than political.

“...a better, healthier public sentiment”

Andrew Carpenter's end was exemplary of the Red Strings' change in tactics after 1878. Strong was never again presented with the possibility of challenging his county's Democratic cabal through legitimate means, and his unwillingness to accept their victory was always made known. If the deaths that resulted from his support of Judge Burnett had proven anything to Strong, it was that the benefits of his own public displays of force were limited and, in the end, Kentucky's state government would always support his Democratic enemies. Also, as the Ku Klux Klan's influence on local government grew, guided by the son of Strong's former ally Wilson Callahan, so too did their capacity for mass violence. For this reason, Strong chose to fight their authority through individual "bushwhacker" killings rather than through public displays of force on the streets of Jackson in the light of day. Over the next few years Henderson Kilburn, broadly estimated to be the deadliest of the Red Strings, supposedly killed nine men in this manner. Violence in Breathitt County was still as "intimate" as it had been during the Civil War. Even if Strong and Kilburn could be implicated in these homicides, most men in Breathitt County knew each other by name, face or reputation. Strong's new, more secretive, tactic guaranteed that witnesses and jurymen would be wary of being the next victim.

The Red Strings' continuing violence prompted the first major reprisal from his enemies in the spring of 1884 in a way that once again reflected trends elsewhere in the

South. In January Henderson Kilburn and Ben Strong, probably a former Strong family slave or a descendant thereof, were arrested for the murder of a purported klansman named William Tharp. After their arraignment both men were kept in the jailhouse without bail. One night the following April they were forcibly extracted from the jail by approximately fifty Ku Klux Klansmen and hanged side by side from the courthouse portico.⁵⁰² Just as William Strong's capture of the courthouse ten years earlier represented the Red Strings' attempt to reaffirm their wartime victory in Breathitt County, the hangings of two of their number in front of the same courthouse demonstrated that the Red Strings' crimes were in violation of the local commonweal. In the minds of many locals, the Democrats' mass "counterrevolutionary instrument" was no less brutal than their enemies' crimes in past years.⁵⁰³ Strong, Kilburn and other Red String affiliates had remained free from prosecution for their crimes for years because of juries' fears of reprisal. The murder of Judge Burnett and the lynchings nearly six years later showed that local Democrats had come to the realization that extralegal violence was necessary for the maintenance of the status quo as it had for the Red Strings' attempts at armed rebellion. It also represented the fortification of Breathitt County's commercial order, one that would insure the triumph of the county's landowners in bringing it economically closer to the other half of the two Kentuckys. Having witnessed various small crimes supposedly brought about by alcohol and isolation since arriving in Jackson a year earlier, Methodist missionary and Bluegrass native John J. Dickey assured himself that Kilburn's

⁵⁰²*JJDD*, Entry 9 April, 1884, reel 1, pp. 285-286; *Cleveland Herald*, 16 April, 1884; *In the Land of Breathitt*, pp. 74-75.

⁵⁰³Brundage, *Lynching in the New South: Georgia and Virginia, 1880-1930*. (Urbana: University of Illinois Press, 1993): p. 258.

death reflected “the sentiment of the county” and “a better, healthier public sentiment.” Even though he was evidently unsure of their identities, Dickey felt comfortable that “these regulators [were] of the better class.”⁵⁰⁴

The hangings proved to have their intended effect. The lynching of his most brutal compatriot and the black man who shared his surname marked the end of William Strong’s more aggressive efforts against Breathitt County’s Democratic elites. Even though rumors circulated that he would avenge Kilburn’s and Ben Strong’s deaths, William Strong simply requested that their bodies be sent to him so that they could be “both buried in the same grave on his farm among their friends.”⁵⁰⁵ Until his death in 1897, Strong remained the “chieftain” of the county’s squatters and, presumably, the dwindling black population as well. But he would no longer attempt insurrections, act as a public endorser or enforcer during elections or order the assassinations of his political enemies. His informal political authority would now take a defensive, rather than offensive, stance against the changes brought on in the years since the Civil War. Any serious challenge to Democratic authority in Breathitt County, at least in the violent form that Strong preferred, had now come to an end.

In many ways, this act of mass violence resembled many others that would be reproduced in other parts of the South, the “outside world,” in the following decades. In violent synchronicity with much of the rest of the South, Breathitt County did not experience its first lynching until some years after the end of Reconstruction. Even

⁵⁰⁴*JJDD*, Entry 9 April, 1884, reel 1, p. 286.

⁵⁰⁵Although Kilburn was taken to William Strong’s farm after his request, Ben Strong’s uncle claimed his body before it could be transported and it was apparently buried elsewhere; *JJDD*, Entry 10 April, 1884, reel 1, pp. 286-287.

though the sparsely populated mountain county was never subject to the regulatory presence of federal troops or the political sea change of black suffrage, the region-wide phenomenon appeared there at roughly the same time it began to become prevalent in other southern states.⁵⁰⁶ The lynching of the two men at the county's seat of government indicated that their deaths were not only the will of the majority of the county's population, but also that the lynching had been acted out in the interest of law and order, a law and order determined by the wealthier landowners who headed the local Democratic Party and the county's Ku Klux Klan faction.⁵⁰⁷ The act gained its legitimacy by being carried out by a white male crowd, a "majority" of the county's population. In its highly ritualized performance it was communal but, like many other southern lynchings of the era, it was overtly political as well, since it was directed at those who had challenged the prevailing political party.⁵⁰⁸ In most of its characteristics it was an event inherent to its time and place. However, the peculiar contingencies of life in Breathitt County gave this lynching its most unusual trait: the biracialism of its victims. The double lynching of the freedman (or freedman's descendant) and the white squatter reflected the unusual postbellum alliance of white and black that William Strong's Red Strings embodied. But neither interracial paramilitary union nor the broader phenomenon

⁵⁰⁶Dora Apel. *Imagery of Lynching: Black Men, White Women and the Mob*. (New Brunswick and London: Rutgers University Press, 2004): p. 23; Edward Ayers. *The Promise of the New South: Life After Reconstruction* (15th Anniversary Edition). (Oxford: Oxford University Press, 2007): p. 156.

⁵⁰⁷Brundage, *Lynching in the New South...*; Timothy V. Kaufman-Osborn, "Capital Punishment as Legal Lynching?," in Charles J. Ogletree, Jr. and Austin Sarat (eds.), *From Lynch Mob to the Killing State: Race and the Death Penalty in America*. (New York: NYU Press, 2006): pp.32-33.

⁵⁰⁸For the "communal" interpretation of southern lynching, see Jacquelyn Dowd Hall. *Revolt Against Chivalry: Jessie Daniel Ames and the Women's Campaign Against Lynching*. (New York: Columbia University Press, 1979): p. 145; Trudier Harris. *Exorcising Blackness: Historical and Literary Lynching and Burning Rituals*. (Bloomington: Indiana University Press, 1984): pp. 1-23. For empirical accounts of lynching with clear political motives, see Bruce E. Baker. *This Mob Will Surely Take My Life: Lynchings in the Carolinas, 1871-1947*. (London : Hambledon Continuum, 2009) .

of lynching fit easily into the interpretation of violence embodied by *feud*. The 1884 lynching would go on to be the most forgotten recorded incident of violence in Breathitt County's history.

“...there is no distinction between races up in that country...”

The mass violence witnessed in Breathitt County during, and in the wake of, Reconstruction was obvious at first glance. When William Strong's courthouse capture made national news in 1874, the Republican *New York Times* lambasted, not Strong or Breathitt County, but the state of Kentucky as a place where political disputes continued to slow the state's postwar development. Continuing political scuffles were a natural outgrowth of the creation of “pauper counties,” the result of partitioning its counties into smaller and smaller units for electoral purposes while simultaneously creating smaller, poorer tax bases and “a Democratic luxury for which the remainder of the state must pay.” Yet at the same time, the correspondent also blamed the county's inhabitants for their troubles, not in the context of their being mountaineers but rather in their identity as white Kentuckians. “Too much attention to politics and not enough to corn,” said the *Times* reporter, “has brought want to many households, even in this corn-producing region.”⁵⁰⁹ Concurrently, a Republican Cincinnati newspaper reacted to the governor's dispatch of the state militia by speculating that he only did so for fear that “frequent outbreaks in the South, especially at this time, will injure the prospects of Democratic candidates in the North at the approaching elections,” or that this and other contemporary outbreaks would result in federal involvement. “This modern activity of Governor Leslie, after hesitating so long with the Ku Klux raiding within sight of his residence, it is said, is

⁵⁰⁹*NYT*, 26 September, 1874.

the result of his fear that Uncle Sam will suppress the lawlessness in the State if the governor is unable or unwilling to do such work.”⁵¹⁰

The first application of *feud* to Breathitt County was used by Democrats to parry these attacks. When news of Breathitt County’s troubles were as yet rumors in the Bluegrass and beyond, the *Kentucky Yeoman*, the state’s preeminent Bourbon paper, was already dismissing the subsequent reports. “The troubles in the county of Breathitt,” it wrote, “have been much exaggerated, especially by the radical press of Louisville and Cincinnati.” The courthouse capture was simply the “outgrowth of an old feud between two families of the county”⁵¹¹ The *Yeoman*’s primary adversary, the Republican *Louisville Commercial*, used the same familial language to attack the remains of Kentucky’s planter elite. “Men who carry on a controversy of open violence for years always involve others in their difficulties, especially if they belong to the so-called ‘respectable families,’ families of ‘high social position.’ There is no more dangerous or delusive influence exercised in society than that of ungentlemanly gentlemen and families of mythical respectability, who strut about with a package of penitentiary morals hidden under silk and broadcloth.”⁵¹²

Both of these Bluegrass newspapers’ accounts of the 1874 courthouse capture distorted the actual event but nevertheless demonstrated the strength that the language of the familial held for their own antagonistic purposes. While the *Yeoman* used family to dissociate the incident from contemporary ku kluxing and such, the *Commercial* used the

⁵¹⁰*CDG*, 25 September, 1874; *NYT*, 28 September, 1874.

⁵¹¹*KTY*, 22 September, 1874.

⁵¹²*Louisville Commercial*, 26 September, 1874.

language of kinship to denounce what it saw as the harmful remnants of the South's *ancien régime*. Feuds, as they were understood in a nineteenth century context, were a family-based phenomenon associated with the southern aristocracy.⁵¹³ The fact that the courthouse raid was not acted out by a family group, of the planter class or otherwise, was immaterial to either account; both accounts, however, served the papers' more public agendas. In further coverage, the *Commercial* scolded the *Yeoman* for failing to compete with smaller "stiff Democratic paper[s]" in the amount of coverage it gave to the incidents, implying that the *Yeoman* was insensitive to the state's problems with civil unrest.⁵¹⁴ Regardless of the actual details, Kentucky's most partisan members of the fourth estate saw Breathitt County as a foil for larger political purposes.

It became the task of Henry Watterson's occasionally centrist *Louisville Courier-Journal* to diminish Breathitt County's political significance. The paper initially acknowledged the Red Strings' interracial makeup, entitling one of its earliest articles on the incident "White and Negro Rioters in Breathitt," a headline that reflected the incident's similarity to contemporary events in other parts of the state (although the newspaper never referred to Strong's band as 'Red Strings' until the 1890s when the title's political significance was dying in popular memory).⁵¹⁵ The *Courier-Journal* willingly grouped the courthouse capture with more blatantly race-based crimes in Kentucky that had taken place a few weeks earlier.⁵¹⁶ However, the *Courier-Journal* was

⁵¹³Bertram Wyatt-Brown. *Southern Honor: Ethics and Behavior in the Old South*. (Oxford University Press, 1982): p. 352.

⁵¹⁴*Louisville Commercial*, 26 September, 1874.

⁵¹⁵*LCJ*, 28 September, 1874.

⁵¹⁶*LCJ*, 6 October, 1874.

more intent on distancing Breathitt County from the rest of the state and, as was customary in its and other papers' treatment of their state during Reconstruction, depoliticizing the use of violence. Rather than placing the county's disorder within a larger regional or statewide political context, the *Courier-Journal* highlighted the county's isolation. Breathitt was a "beautiful, wild semi-barbarian county."⁵¹⁷ The racially amorphous Freemans were briefly identified as having been "the terror of this county" since the Civil War but were scarcely given any other specific mention in the interest of diminishing the story's potential for racial significance.⁵¹⁸ After the arrival of the state militia, the paper's coverage of Breathitt County dwindled until the only subject of interest was the militia's day-to-day activities, which were apparently without incident; the paper's final story dealt mainly with a baseball game played between two of its two companies, complete with box scores.⁵¹⁹ The *Courier-Journal's* primary objective in its coverage of the story seemed to be the maintenance of a valuable middle ground between Kentucky's left and right flanks. Other than placing implicit blame on the small number of people of color involved in the courthouse incident, Watterson's paper was less willing to make hay out of it than Republican newspapers but still willing to address the story to a greater extent than the *Yeoman*.

In 1878 Watterson's paper was still acutely sensitive to Kentucky being portrayed as a place of political and racial discord and, for a time, acknowledged the Jackson riot's larger political meaning. After the Louisville Legion was sent eastward, the Republican

⁵¹⁷*LCJ*, 29 September, 1874.

⁵¹⁸*LCJ*, 6 October, 1874.

⁵¹⁹*LCJ*, October 17, 1874.

Cincinnati Daily Gazette announced, “At the last State election [Breathitt] county was Democratic by a vote of nearly three to one.”⁵²⁰ When news arrived that many of the participants were of the same party of former Unionists that had captured the courthouse in 1874 editor Henry Watterson countered the paper’s insinuation with the subheading “Bad News for Deacon [Richard] Smith [the *Daily Gazette*’s editor]- the Mobs Said to be Loyal [Unionist] Bushwhackers.”⁵²¹ The fact that the riot had multiracial participation did not mean it was racially motivated, reasoned the *Courier-Journal*, since Breathitt County’s population included only thirty-one black men over the age of twenty-one. “Those figures are sufficient to convince even that truly good and pious man, Deacon Richard Smith that the present trouble is not one of races, though one of the killed and one of the wounded are negroes.”⁵²² Watterson was determined that the latest riot was not to be pointed to as a persistence of rebellion in Kentucky, and went to lengths to see to it that the blame for the riot was placed upon the former Unionists, while ignoring the fact that their adversaries were led by Confederate veterans John Aikman and Alfred Gambrel.⁵²³ Even though it was the latter who had ambushed the county judge, Watterson distorted the facts by saying that Burnett was killed due to “his being a Democrat.”⁵²⁴

Just as it had four years ago, however, the *Courier-Journal* changed its portrayal of Breathitt County after other papers’ interest flagged, accentuating the distance between

⁵²⁰*CDG*, 2 December, 1878.

⁵²¹*LCJ*, 3 December, 1878.

⁵²²*LCJ*, 5 December, 1878.

⁵²³*LCJ*, 3, 5 December, 1878.

⁵²⁴*LCJ*, 3, 5 December, 1878.

the two Kentuckys and depoliticizing the county's violent roots. On the same day the *New York Times* unfavorably compared "the desperadoes who infest the ravines and hills of Breathitt" to the Ku Klux Klan, the *Courier-Journal* described Breathitt County as a savage environment with "meadows that were stripped of all pastoral suggestions" and "a land which did not overflow with honey and where civilization was but a puling strangled infant."⁵²⁵ When reports of a courthouse riot in neighboring Perry County reached Louisville shortly after the Louisville Legion's return to the Bluegrass, Watterson curtly remarked: "The people in the mountain counties need civilizing."⁵²⁶

Watterson's epilogical assessment of the eastern half of the two Kentuckys did not explicitly employ *feud*, as he and other observers would later, to describe Breathitt County and its environs.⁵²⁷ It did, however, demonstrate a commonly held determination to depoliticize a blatantly political problem in his state. Even when the fact that violence was born out of competition between political parties could not be denied, the significance of race could be. As the harsh memory of Reconstruction became more distant, even northern members of the media followed suit. One delusional northern newspaper went as far as to explain that "there is no distinction between races up in that country," a contention thrown into doubt by John Aikman's recorded announcement that he intended to "take a dead nigger" immediately before shooting Daniel Freeman on the streets of Jackson in 1878.⁵²⁸ The prewar assumption that "Alleghania," and by

⁵²⁵ *NYT*, 26 January, 1879; *LCJ*, 26 January, 1879.

⁵²⁶ *LCJ*, 26 March, 1879.

⁵²⁷ Between 1874 and 1895 the *Louisville Courier-Journal*, still under Watterson's helm, identified forty-one violent conflicts identified as "feuds" in thirty-one different Kentucky counties throughout the state. Waller, "Feuding in Appalachia...", pp. 353, 354, 357-358.

extension Breathitt County, was a purely white section of the South was reestablished and its African American residents forgotten.

Just as Breathitt County's "intimate" warfare fit uneasily into the more popular "stand-up war" interpretation of the American Civil War, it seems even stranger within the larger narrative of Reconstruction.⁵²⁹ Indeed, Breathitt County's Reconstruction era troubles did not have the same definite attachment to race as did those of the formerly rebellious states. The entire state of Kentucky remained unreconstructed after the war, and was consequently allowed a postwar white sovereignty not immediately allowed to the rebellious states. The emancipation and enfranchisement of the county's black minority never would have presented the same challenge to white supremacy that it would have in Louisiana or South Carolina. But, for a brief moment it appeared as something conceivably more dangerous in the minds of white Kentuckians. Even in an overlooked corner of an officially un-rebellious state, it played host to the greatest source of anxiety among elite whites: the armed union between freedpeople and poor whites that suffused the aspirations of many southerners but proved tenuous and temporary in other parts of the South.⁵³⁰ Unlike most white southerners, the Red Strings were willing to

⁵²⁸*NYH*, 30 November 1878. The *Herald's* assertion that the Freemans enjoyed equality in Breathitt County is unusual but reflects larger assumptions about the mountain South's misbegotten placement in a region generally defined by a black presence. For Breathitt County to be properly depoliticized, it had to be completely dissociated from racial difference, the primary cleavage in postwar southern society that defined the region's politics. For a larger elaboration on Appalachia in fictional contrast to "the biracial character of the rest of the South," see Inscoc, "The Racial 'Innocence' of Appalachia: William Faulkner and the Mountain South," in Billings, Gurney Norman and Katherine Ledford (eds.), *Confronting Appalachian Stereotypes: Backtalk from an American Region*. (Lexington: The University Press of Kentucky, 1999): pp. 85-97 (quote from p. 89).

⁵²⁹Fellman, p. 23.

⁵³⁰For another instance in which land access became intermingled with interracial political cooperation, see Steven Hahn, "Hunting, Fishing and Foraging: Common Rights and Class Relations in the Postbellum South," *Radical History Review*, Vol. 26 (October, 1982): pp. 55-57; *A Nation Under our Feet: Black Political Struggles in the Rural South, from Slavery to the Great Migration*. (Cambridge, MA:

overlook racial difference in the interest of forming a militant class solidarity. Seeing little threat from black political participation, the whites among their number could not fall prey to shibboleths of race employed by conservatives in other parts of Kentucky, and the South at large, to woo white dissenters into the Democratic fold. The fact that the interracial Red Strings were willing to take a violently offensive posture was the seeming fruition of what conservative Democrats feared most. The types of mass violence used by the Red Strings and their enemies-the capture and destruction of public buildings, riots and lynchings- were used elsewhere in the South as well.

Breathitt County's purported strangeness alongside contemporary violence in Kentucky and the rest of the South was not only due to its inherent qualities. It was also a product of white Kentuckians' broader effort to depoliticize their state's native turmoil in the face of northern/Republican censure, censure that was part and parcel of Reconstruction. Essentially, Breathitt County's connections to Reconstruction in the "outside world" were evident, both in events that took place in the county and the ways they were used by outside observers. The Democratic hegemony over Breathitt County, imposed through violence, was politically advantageous to Kentucky's state government so interference in local matters was limited to the two-month imposition of martial law in 1878 and 1879 (for instance, the 1884 lynching was ignored by the state capitol even though it happened after Kentucky passed anti-lynching laws).⁵³¹ The idea of the peculiar southern mountaineer, and the beginnings of the use of *feud* to describe his use of violence, belied these connections. By using the term, with its implied allusion to pre-

Belknap Press of Harvard University Press, 2003): pp. 185-198; Michael W. Fitzgerald. *The Union League Movement in the Deep South: Politics and Agricultural Change during Reconstruction*. (Baton Rouge: Louisiana State University Press, 1989).

⁵³¹Wright, p. 69.

modern antiquity, observers from both the North and the South could dismiss the modern political implications of violence in the mountainous hinterlands of the South, beginning the process of placing the area in the past and “beyond the polis.”⁵³² Ultimately, the image of the bestial mountaineer was more palatable, and more politically advantageous, than the unrepentant southern rebel to an American public that preferred to believe that the South had truly been reconstructed.

⁵³²Keane, p. 39.

CHAPTER V

“KEEPING UP THE OLD TROUBLE”: THE PAROCHIAL, THE PAST AND THE DEATH OF A FEUDAL HERO

On May 9, 1897, while he and his grandson were riding home from a grocery store on a pair of mules, former Union Captain William Strong was shot to death. Though few of his neighbors in Breathitt County would have doubted that Strong would come to a violent end, even at seventy-two, most would have expected it to have come years earlier when Strong had put himself in harm's way in the streets of Jackson, publicly presenting himself as the leading dissenter against the county's Democratic majority.⁵³³ Nor would the manner of his killing- five to seven rifle shots fired by a hidden gunmen- have surprised them since it was almost identical to murders he himself was said to have engineered years earlier. His death came less than a month after making peace with Edward Callahan, an old antagonist with high positions in the local Democratic Party and Ku Klux Klan.⁵³⁴ Strong was said to have recently joined his wife in regular church attendance and had put aside his old petulance out of acceptance of his own dotage if not his sincere repentance. Whatever ongoing alliances he may have maintained with Union veterans, African Americans or local squatters were not mentioned in the press reports that announced his death. Since Strong had first grabbed the *Louisville Courier-Journal's* attention in 1874, other areas of the Kentucky mountains had erupted with “feuds” in the 1880s, but, for the most part, these conflicts had

⁵³³Interview with Harlan Strong, 1978, The Appalachian Oral History Project of Alice Lloyd College, Appalachian State University, Emory and Henry College, and Lees Junior College: No. 279, p. 13.

⁵³⁴*Cincinnati Commercial-Tribune*, 10 May, 1897.

subsided-though not without giving eastern Kentucky an indelible infamy for lawlessness. Accordingly, the same newspaper that, in 1878, branded Strong a “Loyal [i.e., Unionist] Whangdoodle,” who exhibited the “Wonderful Effect of the Firing on Fort Sumter” now poignantly lamented the passing of an aged “mountain fighter” who was “one of the most *picturesque* characters in Breathitt County.”⁵³⁵ Many Kentuckians probably considered William Strong’s death the turning point from age-old primitivism to peace and progress.

Strong’s death may well have had more to do with old hatreds than it did with current events. The county in 1897 was far different than it had been when Strong began his violent campaign against the county’s Democrats decades earlier. During the 1880s Breathitt County was a prime target for Protestant missionaries who equated their Christian mission with educational advancement and greater inclusion in the national economy. The railroad arrived on their heels in 1889 and, over the next few years, edged closer to Jackson as citizens were obliged to cede land, hire on with new timber and coal ventures or get out of their way. In the minds of progressive optimists this economic integration was the surest treatment for the county’s violent past and, to many within and outside of the notorious county, these predictions seemed to be coming true. Like most mining and timber locales in the nineteenth century, Breathitt County continued to be a decidedly rough-and-tumble locale but, by the beginning of the 1890s, past troubles between organized factions had seemingly ceased to appear. William Strong was apparently the last remainder of Kentucky’s “feudal” past.

⁵³⁵*LCJ*, 3 December, 1878; 10 May, 1897. The *Courier-Journal* did not completely ignore the political significance of Strong’s career as a “feudal chieftain.” As mentioned in the previous chapter, this obituary was the only one published in Kentucky that referred to him as a “Red String” and one of few to remember his opposition to remnants of the Ku Klux Klan. However, the newspaper’s admission of Strong as a political actor after a fashion was not particularly remarkable considering that the struggles that Strong had taken part in probably would have seemed more quaint than controversial to most readers at such a late date as 1897. See also *Cincinnati Commercial*, 10 May, 1897.

But his death may also have had as much to do with the turn-of-the-century present as it did the past. The political complexities that had produced a man like William Strong were larger than most Kentuckians and Americans preferred to consider. He was a landowner of considerable wealth by Breathitt County's impoverished standards and potentially had much to gain from the railroad's arrival. But he was also an ally and defender of the county's landless population, whose livelihood was threatened by Breathitt County's new fortunes. As a "leader among the ex-Federal soldiers and a strong Republican," Strong's divergent interests reflected the conditions faced by Kentucky's Republican Party as a whole: a party that had, since the war, had its greatest appeal among the state's black and white poor who used it as a mechanism for fighting the state's local Democratic machines.⁵³⁶ But over the course of the 1880s the party had also begun to seek out alliances with corporations intent upon exploiting eastern Kentucky's coal and timber. For both reasons, most eastern Kentucky counties retained an unyielding loyalty to the party throughout the last two decades of the nineteenth century. While remembered as a "strong Republican," a mark that placed him within a context with nationwide familiarity and political significance, the same obituary gave him a title laden with strangeness to the late nineteenth century reader: "feudal chieftain." Short years after the Louisville Legion left Breathitt County in 1879 incidents arose in various parts of eastern Kentucky that came to be similarly referred to as feuds. By 1890, the "mountain feud" was widely believed to be a phenomenon specific to the mountainous section of the state (over the passage of years it would eventually be assumed rampant throughout southern Appalachia). Although virtually all of the feud conflicts arose from competition for electoral power, by 1890 they were assumed to be

⁵³⁶*LCJ*, 10 May, 1897.

primordially distinctive to the “mountain white” regardless of intent. By the time of William Strong’s death the image of the mountain feudist was well-ingrained in the national imagination and, consequently, his life and death were defined as such, as were virtually all reported violent incidents in the southern Appalachians for years.

This chapter explores the changes Breathitt County underwent during the years when *feud* violence in eastern Kentucky was first contributing to the construction of Appalachia, a construction that involved a reputation for violence as well as a marked political divergence from most of the white South.⁵³⁷ During the 1880s it was becoming apparent to many Americans that the mountains of eastern Kentucky contained a population unlike any other, a population defined chiefly by its isolation and inability to conform to modern norms. Among other traits, eastern Kentuckians did not join other white southerners in flocking to the Democratic Party but, instead clung to the Republican banner that represented their wartime Unionism. But this political crystallization coincided with an eruption of white intraracial violence that launched the longstanding association between southern Appalachia and *feud*. The mountain white was judged to be a member of a parochial political culture and no longer a valid republican citizen. In this light, his violence was of a communal, rather than a political, nature. The memory of William Strong, and the violent local history that he represented, was summarily depoliticized.

⁵³⁷Quote from Mary K. Anglin, “A Question of Loyalty: National and Regional Identity in Narratives of Appalachia,” *Anthropological Quarterly*, Vol. 65, No. 3, Negotiating Identity in Southeastern U.S. Uplands. (July, 1992): p. 106.

“It is current belief that the mountains of Kentucky are cradles of illiteracy and lawlessness...”

As detailed in previous chapters, the strength of the antebellum Whig Party had translated into adamant Unionism in most eastern Kentucky counties during the Civil War and a fertile field for the growth of the Republican Party afterwards, especially when candidates were willing to ignore the national platform’s emphasis on civil rights for African Americans.⁵³⁸ Aside from the business-minded Republican coterie in urban areas, by 1900 the party had become almost exclusively peopled by either increasingly disfranchised African Americans or white mountain men. After Kentucky’s postwar readjustment, the party found the same source of growth as it did in other economically comparable pockets of the South.⁵³⁹ For many poor whites (and eastern Kentucky was consistently the state’s poorest area) the Republican Party offered a clear alternative to the bourbonism that overtook the Democratic Party after Reconstruction.⁵⁴⁰ A political study of the state based upon exhaustive county-by-county electoral surveys concluded that, in the last decades of the nineteenth century, “poor whites and poor blacks,” in Kentucky “voted as they had grown up to vote- Republican.”⁵⁴¹ In 1880 Kentucky’s

⁵³⁸McKinney, *Southern Mountain Republicans...*, pp. 50-54, 63, 68-69.

⁵³⁹Richard B. Drake. *A History of Appalachia*. (Lexington: University Press of Kentucky, 2001): pp. 160-162.

⁵⁴⁰Mitchell Snay, “Freedom and Progress: The Dilemma of Southern Republican Thought during Radical Reconstruction,” *American Nineteenth Century History*, Vol. 5, No. 1 (Spring, 2004): pp. 100-114; Samuel Webb. *Two-Party Politics in the One-Party South: Alabama’s Hill Country, 1874-1920*. (Tuscaloosa and London: The University of Alabama Press, 1997); “From Independents to Populists to Progressive Republicans: the Case of Chilton County, Alabama, 1880-1920,” *JSH*, (Vol. 59, No. 4, November, 1993): pp. 734-736; Michael R. Hyman. *The Anti-Redeemers: Hill-Country Political Dissenters in the Lower South from Redemption to Populism*. (Baton Rouge: Louisiana State University Press, 1990): pp. 43, 117-118, 182-186, 217-218.

⁵⁴¹Shannon and McQuown, p. 71.

Democrat-controlled legislature gerrymandered a new congressional district that included most of the counties in the old Whig Gibraltar. The move effectively segregated almost a majority of the state's Republican electorate while also insuring that this new eleventh district would always send Republicans to Congress.⁵⁴² But these southern mountain Republicans did not always toe the national party line; during the populist surge of the 1890s the district managed to produce a pro-silver Republican, a rare bird within a party scarcely divided on the issue of the gold standard outside of the western states.⁵⁴³ Clearly, even as southern Republicans floundered in other southern states, Kentucky mountaineers clung to the party they saw as "the logical successor to the federal army."⁵⁴⁴

The growth of Republican homogeneity in eastern Kentucky coincided with a growing nationwide belief in southern Appalachia's social, and even racial, uniqueness within the American South.⁵⁴⁵ Loyalty to the Republican Party, a trait northerners assumed absent among white southerners by the 1880s, was deemed solid evidence of the Kentucky mountains' isolation and abnormality. During a statewide trough in Republican popularity in the late 1880s, a travel writer (one clearly influenced by the throng of local color writing initiated by Will Wallace Harney) remarked that "in all the mountain region of eastern Kentucky I passed through there are few to-day who are

⁵⁴²McKinney, *Southern Mountain Republicans...*, p. 119.

⁵⁴³*Ibid*, p. 175.

⁵⁴⁴ *Ibid*, p. 68.

⁵⁴⁵Shapiro, p. ix. As demonstrated in the previous chapter, the Kentucky Bluegrass press used images of mountain otherness were to suppress the similarities between Breathitt County's troubles in the 1870s from similar incidents of violence in Kentucky and the South at large. However, it was only in following years that similar assumptions regarding the Kentucky mountains and Appalachia as a whole became nationally popular.

politically Democrats.”⁵⁴⁶ Decades later, an early twentieth century visitor who shared the contemporary belief in the strict distinction between the “mountain white” and lowland white southerners noted that eastern Kentucky’s “staunch adherence” to the Republican Party was so well-established that “topography has defined the mountain section as one of the political divisions of the State by a kind of common law of both political parties in their conventions and in common parlance.”⁵⁴⁷ At a time when the southern Democracy still carried with it the taint of Confederate recalcitrance, white mountaineers’ Republican loyalty represented to northerners an uncommon patriotism that would be incremental to the sectional reconciliation.⁵⁴⁸ But accepting these southern mountaineers as part of the (northern) American political mainstream was difficult when they were simultaneously being portrayed as strange, primitive and “vastly out of step, culturally and economically, with the progressive trends of industrializing and urbanizing nineteenth-century America.”⁵⁴⁹ After white northern self-consciousness about national reunification waned, the significance of mountain Republicanism remained. Eastern Kentucky was proof of “the geological distribution of politics” but it was a distribution

⁵⁴⁶Charles Dudley Warner, “Comments on Kentucky,” *Harper’s New Monthly Magazine*, Vol. 78, Issue 464 (January, 1889): p. 264. Will Wallace Harney did not seriously address mountain politics but his 1873 article has been credited with beginning the literary movement that established the southern Appalachians as a place distinct from the South and the U.S. as a whole; Harney, “A Strange Land and a Peculiar People,” *Lippincott’s Magazine*, Vol. 12 (October, 1873), 429-438.

⁵⁴⁷Ellen Churchill Semple, “The Anglo-Saxons of the Kentucky Mountains: A Study in Anthropogeography,” *Bulletin of the American Geographical Society*, Vol. 42, No. 8. (1910), pp. 611-612.

⁵⁴⁸Silber, 145-146.

⁵⁴⁹Billings, Pudurup and Waller, “Taking Exception with Exceptionalism: The Emergence and Transformation of Historical Studies of Appalachia,” in *Appalachia in the Making...*, p. 1.

based partly on empirical fact but also upon speculation, faulty anthropology and colorful mythology.⁵⁵⁰

Republican dissent was one of the many traits used to portray Kentucky's mountaineers as peculiar, but perhaps only peculiar among fellow white southerners. John Fox, Jr., the novelist who determined the way in which most Americans viewed eastern Kentucky in the early twentieth century, expressed this politically-enmeshed abnormality in *The Heart of the Hills* (1913), one of his last novels. The protagonist and narrator was a plucky young mountain boy who (typical to leading characters in most of his books) prospers by embracing the education afforded to him by the "outside world" (i.e., the ever-progressive-but largely Democratic- Bluegrass) without rejecting his alpine manliness. The young man, now college-educated but still a ruggedly masculine Anglo-Saxon, witnessed the beginnings of a political intrigue that threatened to tear Kentucky apart while also heightening his section's electoral importance. He "knew that at home Republicans ran against Republicans for all offices, and now he learned that his own mountains were the Gibraltar of that party, and that the lines of its fortifications ran from the Big Sandy [River], three hundred miles by public roads, to the line of Tennessee." In the process, "in spite of the mountaineer's Blue-grass allies," the young mountaineer hero "had come to believe that there was a state conspiracy to rob his own people of their rights."⁵⁵¹ Even though he had become somewhat assimilated into the refined, semi-urban, Democratic Bluegrass culture surrounding Transylvania University, Fox's young

⁵⁵⁰Coulter and William Elsey Connelley. *History of Kentucky* (Vol. II). (Chicago and New York: American Historical Society, 1922): p. 1047.

⁵⁵¹John Fox, Jr. *The Heart of the Hills*. (New York: A.L. Burt and Company, 1912): pp.203, 206. I am grateful to Bill Hutton for making me aware of this novel.

protagonist was still set apart by the in-born prejudices of his native political party, a party that acts as literary proxy for mountain strangeness.

Along with this party identification came the section's status as a haven for rampant "lawlessness." The levying of the first postbellum whiskey tax was a source of social and legal disruption in the Kentucky mountains and the uplands of other states further south. The distillation of homemade liquor had endured since the Jefferson Administration; southern mountaineers considered the 1867 tax law a violation of their commercial rights and went to great efforts to resist federal efforts toward regulation.⁵⁵² Large-scale organization of outlaw distillers, sometimes in numbers that encompassed whole communities, was used to resist and expel federal revenue enforcement. While the Civil War had created a means by which the wood denizens could be organized into a concerted effort, the protection of whiskey distillation sustained it for years afterward while also increasing disillusionment toward the federal government for whom many of them had fought. Republican loyalty in Kentucky had once stood for fidelity to the Union. But when that Union's central government began to actively infringe on native rights, this was to change.⁵⁵³ The tenacity with which mountaineers clung to their illicit liquor sale was interpreted by many in the "outside world" as a tenacious clinging to the

⁵⁵²For evidence of this type of mass organization in eastern Kentucky, see *NYT*, 7 July, 1871; 13 March, 1881; 15 July, 1886; *HGH*, 14 July, 1886. Whiskey making was especially important to farmers with limited access to acreage and wagon roads since corn was more valuable (as well as more easily transportable) in distilled liquid form than it was by the bushel. "Blockaders" found enough of a common cause within their trade to form organized groups, often numbering in the dozens, to guard production sites, repel revenue agents and punish informants; William F. Holmes, "Moonshining and Collective Violence, 1889-1895," *JAH*, Vol. 67, No. 3 (December, 1980): pp. 593-595.

⁵⁵³Richard Frank Bense. *Yankee Leviathan: The Origins of Central State Authority in America, 1859-1877*. (Cambridge, UK: Cambridge University Press, 1990): p. 378.

liquor itself. Outside of their locality, their zeal for commerce was considered nothing more than zeal for imbibing.

The mass organization of illegal distillers took place primarily in the remotest reaches of the eastern Kentucky hinterlands and represented an abiding disaffection for a distant government shared by many Americans in the years after the war. The towns, however, were also spaces of conflict that were far more internalized and resulted in more losses of life. In the mid 1880s factional disputes borne out of party-based courthouse disputes erupted in numerous eastern Kentucky counties. In Rowan County accusations of vote tampering resulted in a series of riots pitting the followers of the county's Republican and Democratic ringleaders.⁵⁵⁴ Shortly thereafter a conflict between a Republican son of a Three Forks Battalion veteran and a Democratic newcomer in Perry County demonstrated similar results.⁵⁵⁵ Both resulted in short occupations by the Kentucky state militia, the first times that the militia had been used for such situations since the Louisville Legion had left Breathitt County in 1879.⁵⁵⁶ The "French-Eversole feud" and the "Rowan County War" (also known as the "Martin-Tolliver feud") fortified national belief in what was coming to be known as a distinct localized phenomenon of violence in the 1880s.

Aside from both having local power struggles result in street fights and assassination, these two counties were significantly different places. The respective

⁵⁵⁴ Letters to the [Mt. Sterling, Kentucky] *Sentinel-Democrat* pertaining to the Rowan County Feud and other matters" 1885-1886, KLSCA; *NYT*, 11 December, 1884; 6, 8, 11 July, 1885; 10 August, 1886; 27 June, 1887.

⁵⁵⁵ *HGH*, 15, 22 September, 1886; 14 May, 1896; *NYT*, 31 July; 16 November, 1886; 10 November, 1890.

⁵⁵⁶ *AAC*, Vol. XV, (1891): p. 474.

political situations, and the roles played by their respective Republican enclaves, reflected these stark differences. Rowan County, situated in the hilly northeast quadrant of the state, was commercially vibrant, with a spur of the immense Chesapeake & Ohio Railroad and relatively simple access to the market of the greater Ohio Valley.⁵⁵⁷ Rowan County's Republican leadership was made up of a business-minded middle class with interest in increasing the economic presence of "outside" investment. Amidst the economic giddiness of the 1880s, John Martin, a frequent Republican candidate for various offices, was forced to contend with a Democratic challenge from Craig Tolliver, a recent arrival from a lesser developed, heavily Democratic mountain county. The Democrats led by Tolliver were mostly a ragtag group of young disadvantaged men whose economic autonomy was threatened by Martin's railroad-friendly Republicans. Fearful of civil unrest but eager to cut another chink in the mountainous Republican stronghold, the Democratically-controlled state capital allowed the Tolliver faction to terrorize Rowan County's electorate for months before acting.⁵⁵⁸ When Governor J. Proctor Knott finally intervened, it was as a mediator rather than an executive enforcer of peace. The *New York Times* grouched that Knott had "treated the ruffians with all the consideration due from one great nation to another. He had ambassadors appointed by each of the contending factions, received them in Louisville, and after two pleasant

⁵⁵⁷Altina Waller observes that Rowan County was not situated as far back into alpine isolation as it was portrayed in the press; unlike Perry County, it was a "foothill" county with railroad connections that could hardly be characterized as isolated in comparison to most of the state's localities; Waller, "Feuding in Appalachia...", p. 358.

⁵⁵⁸Ireland, *Little Kingdoms*, pp. 72-74; Klotter, "Feuds in Appalachia: an Overview," *FCHQ*, Vol. 56, No. 3, (July, 1982): pp. 298-299.

‘conferences’ with the murderers induced them to sign a treaty of peace, and sent them home with his thanks.’⁵⁵⁹

In contrast, Perry County, located in the sparsely populated mountainous southeastern corner, consisted of small subsistence farms and rudimentary timber and coal extraction operations with only minimal access to remote markets provided by the Kentucky River’s seasonally navigable forks. Republican Joseph Eversole’s private war with Democratic rival Fulton French originated in the former’s efforts to protect local landowners from the machinations of land speculators, with whom the latter had formed an alliance.⁵⁶⁰ To counter Eversole’s role as Perry County’s poorer landowners’ aggressive advocate, French, a newcomer to the county, felt obliged to seek out mercenary support from neighboring Breathitt County’s Democratic “thugs.”⁵⁶¹ Jerry South III, the grandson of the originator of eastern Kentucky’s most ambitious land speculation scheme to date—the creation of Breathitt County—was among French’s “lieutenants” in the conflict.⁵⁶² Since his father had been a member of the controversial Three Forks Battalion during the war, Joseph Eversole’s leadership in the conflict inevitably reawakened generation-old rivalries as well. Despite multiple pleas from circuit court judge H.C. Lilly, himself a former Three Forks Battalion officer and a Republican, Democratic Governor (and lauded Confederate veteran) Simon Bolivar

⁵⁵⁹*NYT*, 27 June, 1887.

⁵⁶⁰Harry Caudill. *Their’s Be the Power: The Moguls of Eastern Kentucky*. (University of Illinois Press, 1983): p. 178.

⁵⁶¹*HGH*, 21 May, 1896; Ireland, *Little Kingdoms*, pp. 76-77.

⁵⁶²*HGH*, 21 May, 1896.

Buckner delayed sending the state militia until after an undetermined number of men had been shot and killed in Perry and surrounding counties.⁵⁶³

These local conflicts demonstrate the divergent political cultures that the Republican Party attempted to cater to in the upper South as well as the party's Gilded Age transition from its "free soil, free labor" origins to one based upon "modern forms of communication and political organization," the latter of which involving a closer alliance with corporations such as the Louisville & Nashville Railroad (L&N) and the burgeoning coal and timber industries, with the Civil War never completely forgotten.⁵⁶⁴ The troubles in Perry and Rowan Counties, as well as other outwardly similar incidences of factional violence in eastern Kentucky, provided the state's Democrats with a steady source of propaganda to use against mountain Republicans and, by extension, the party as a whole. As factional violence began to appear elsewhere in the section in the 1880s, the term 'feud' proliferated as a name for many types of violence in Kentucky (and, eventually, only eastern Kentucky and, by extension, southern Appalachia as a whole), conjuring images of a distant antiquity rather than the contemporary depravity experienced all over the South.⁵⁶⁵ An 1889 letter to *The Nation* explicitly stated the

⁵⁶³*Kentucky Documents, 1889*, Vol. IV, No. 17, p. 64, KDLA.

⁵⁶⁴Williams, "Class, Section, and Culture in Nineteenth-Century West Virginia Politics," in *Appalachia in the Making...*, p. 228. See also Snay, pp. 109-110.

⁵⁶⁵Between 1874 and 1895 the *Louisville Courier-Journal*, Kentucky's most widely-read newspaper, reported forty-one violent conflicts identified as "feuds" in thirty-one different Kentucky counties throughout the state. But while the Martin-Tolliver and French-Eversole conflicts, prolonged series of sporadic acts of violence between extended families or politically-based factions, did indeed constitute episodes that fit into the classical definition of 'feud' within years the word was used to describe practically any type of white intra-racial conflict for both personal or political reasons; Waller, "Feuding in Appalachia: Evolution of a Cultural Stereotype," in *Appalachia in the Making...*, pp. 353, 354, 357-358. For the cultural resonance that "feud narratives" had among nineteenth century readers, and their utility in separating past from present, see Jeffrey Guy Johnson, "Feud, Society, Family: Feud Narrative in the United States, 1865-1910," unpublished dissertation (Harvard University, 2000): pp. 24-53.

subaltern social and racial associations Kentucky Democrats imposed upon the state's Republican Party, as well as its supposed associations with innate violence.

The Republican vote of Kentucky is made up very largely, if not almost entirely, of negroes and mountaineers. As a Union soldier I was fond of the old chestnut about the mountains being cradles of liberty, because our volunteers in Kentucky were mostly recruited from these cradles. It is current belief that the mountains of Kentucky are cradles of illiteracy and lawlessness, and that deadly feuds are rife in these Republican strongholds.⁵⁶⁶

What were eventually called the “mountain feuds” served to further establish the regional otherness of Appalachia, creating a generalization that ultimately overlooked both the fact that these incidents were almost exclusive to the mountain section of a single state and their clear political origins.⁵⁶⁷ While it was true that most of the “feuds” reported in Kentucky during the 1880s were in the eastern “Republican strongholds,” the reason they happened there was generally overlooked. In most cases they began not within homogenous Republican white male populations, but instead had their origins in interparty conflict. And this conflict was not strictly horizontal as was suggested by their mutual association with *feud*.

But the linkage between politics and violence was not lost on Kentuckians, especially Kentucky Democrats who saw it as advantageous. “[N]egroes and mountaineers” were two segments of the population that lowland Kentuckians had come to see as inferior. They were not maligned equally; the mountain white was defined by, if nothing else, whiteness. But they were both nonetheless maligned. Their shared membership in the hated Republican Party was a valuable weapon in the Democratic

⁵⁶⁶Letter from “Mugwump,” *The Nation*, Vol. 49, Issue 1260 (22 August, 1889).

⁵⁶⁷For the late nineteenth century cultural explanations for feud violence, see Alan Batteau. *The Invention of Appalachia*. (Tucson: The University of Arizona Press, 1990): pp. 76-79; Henry Shapiro. *Appalachia On Our Mind*: p. 63. John Alexander Williams. *Appalachia: a History*. (Chapel Hill and London: UNC Press, 2002): p. 192.

arsenal, one that became significantly strengthened by the wars and rumors of war reported in the mountains. By the turn of the century, even Democratic newspapers in the eastern mountains derisively referred to their own section as the “feud belt.”⁵⁶⁸ The feuds of the eastern counties could not be fully depoliticized to the point that they were viewed as simply the product of personal disagreements and heated blood. In contrast to the image of the patriotic and loyal mountaineer of the Civil War, the declaration of the “feud belt” established Republican eastern Kentucky as a political culture distinct from the American norm. In the long run, political motivations for feuds were, if not dismissed, substantially minimized. Writing of the Martin-Tolliver feud in the first decade of the twentieth century, a Kentucky state militia veteran recalled that “the trouble in the beginning was somewhat connected with politics, but afterwards assumed the form of organized brigandage.”⁵⁶⁹ “Brigandage,” as was the case with *feud*, was deemed a definitively apolitical pursuit.

The political and social othering of nineteenth century Kentucky’s mountainous area from the “outside world” can be viewed using the decidedly twentieth century concept of “participatory” and “parochial” political cultures.⁵⁷⁰ In “participant political

⁵⁶⁸*National Geographic*, Vol. 6, (14 February, 1894): p. 632; *HGH*, 28 August, 1902. See also *Kansas City Journal*, 3 May, 1903; *NYT*, 30 May, 1903; William E. Barton, “The Church Militant in the Feud Belt,” *Century*, (Vol. 75, 10 October, 1903), pp. 351-352; *Decatur* (Illinois) *Daily News*, 14 March, 1910; 24 March, 1912; *Decatur* (Illinois) *Daily News*, 14 March, 1910. Charles Neville Buck. *The Call of the Cumberlands*. Middlesex, TW: Echo Library, 2005) (originally published 1916): p. 102; *Primitive Traits in Religious Revivals: A Study in Mental and Social Evolution*. (New York: Macmillan, 1917): p. 305.

⁵⁶⁹Col. Ernest MacPherson, “The Louisville Legion,” in J. Reginald Clements (ed.), *History of the First Regiment of Infantry: the Louisville Legion and Other Military Organizations*. (Louisville: Globe Printing Comp., 1907): p. 9.

⁵⁷⁰Since its mid-twentieth century inception, “political culture” has come under tremendous criticism for its conceptual amorphousness and its utility in allowing cultural historians to “evade certain classic considerations of political life, namely, power, and who exercises it” and “repeat[ing] social history’s earlier slighting of power and policy dimensions.” For this reason, the phrase should be used with

cultures” citizenship defines social relations and the relationship between individuals and the state and, by extension, the citizen expects the state to serve as a means to preserve, or gain, popular expectations. In opposition, the area of Kentucky that was increasingly referred to as the feud belt constituted a “parochial” political culture in which there is an absence of specialization among political roles. Parochial cultures are associated with “tribal” government, political bodies that American citizens generally associated with either their own distant European past or members of races deemed inferior, most notably Africans or Native Americans.⁵⁷¹ The conflation of feud violence with the state’s Republican vote fortified Democratic power within the state and invalidated its native Republican population in the eyes of northern Republicans. With communal violence as evidence, the white male Kentucky mountaineers’ inclusion in a participatory political culture (as demonstrated by their taking part in state and national elections or membership in nationally-recognized political parties) and, by intimation, their very citizenship, could be dismissed or completely ignored. Even when the feud belt’s body politic was acknowledged it was done so often by employing the language of the

care when dealing with violent political conditions since, as Harry Eckstein has remarked, the existence of political cultures suggest a measure of continuity while violence is irrevocably associated with drastic political change” I disagree with this only slightly since Eckstein considers violence only within revolutionary usages without addressing counter-revolutionary state violence. However, the concept’s problematic nature should be noted. “Political culture” is used here only within the precise boundaries in which it was originally formulated: a means of understanding individual or group political actions in atmospheres within which basic understandings of ‘ideology’ are not strictly delineated. Political culture covers the “vaguer and more implicit orientations” of political action that ideology cannot explain. For a full contrast between participatory and parochial political cultures, see Gabriel A. Almond, “Comparative Political Systems,” *Journal of Politics*, Vol. 18, No. 3 (August, 1956): pp. 396-397. For a more recent critique of political culture from which the earlier quotes are taken, see Ronald P. Formisano, “The Concept of Political Culture,” *Journal of Interdisciplinary History*, Vol. 31, No. 3 (Winter, 2001): p. 395. For political culture and violence, see Eckstein, “A Culturalist Theory of Political Change,” *APSR*, Vol. 82, No. 3. (September, 1988): pp. 790-792, 797.

⁵⁷¹Almond and Sidney Verba. *The Civic Culture: Political Attitudes and Democracy in Five Nations*. (Princeton, NJ: Princeton University Press, 1963): pp. 17-20. A later chapter explores the use of feud terminology for the parochialization and depoliticization of violence.

communal. In describing the conditions that had led to nineteenth century feuds, Thomas Clark, Kentucky's most lauded state historian, described county judges (a democratically elected position commonly the product of a participant political culture) as "feudal lords" and "chieftains" titles more associated with parochial politics than with the American Republic.⁵⁷²

Americans who read of troubles in Rowan County, Perry County and (ultimately the most famous "feud" of all, the one that came to define how Americans thought of the very word 'feud') the "Hatfield-McCoy feud" on the Kentucky-West Virginia border, were, by and large, no strangers to the concept of internal violence on their own soil. An adult reading of Kentucky's feuds as late as 1890 was familiar with the American Civil War, white southerners' counterrevolutionary violence against black southerners following the war, the "Indian wars" in the Trans-Mississippian West, and the growing rumblings among the urban working class exemplified most dramatically by Chicago's 1886 Haymarket Riot (which was largely written off as the irrational actions of non-Anglo-Saxon foreigners).⁵⁷³ A large part of the reason that the eastern Kentucky feud phenomenon appeared strange to people outside of its vicinity was that this violence could not be legitimized in terms that late nineteenth century Anglo-Americans could easily understand. White northerners and southerners devised ways of finding legitimacy in the preservation of the American nation and/or white supremacy when dealing with the recent memory of the war. Even northerners who despised white southerners' defiance

⁵⁷²Thomas Clark. *Kentucky, Land of Contrast*. (New York, Harper & Row, 1968): pp. 208-209.

⁵⁷³Carl S. Smith. *Urban Disorder and the Shape of Belief: The Great Chicago Fire, the Haymarket Bomb, and the Model Town of Pullman*. (Chicago: University of Chicago Press, 1995): pp. 86, 90, 163, 172.

during Reconstruction probably understood that the latter were fighting for the preservation of what they considered a political status quo threatened by black citizenship.⁵⁷⁴ And skirmishes with the western Indian nations were widely considered to be an expanding nation's culling of an obstinate, dying race and, therefore, in the United States' best interests.⁵⁷⁵ But factional fighting between white Americans for outwardly obscure reasons in obscure places could not be easily attached to the available legitimacies of furthering white supremacy and nationalism. Outside of these contexts, violence could not be politically motivated but could only be defined as, if not primordial, inexplicable and senseless.⁵⁷⁶

While fighting emerged in the Kentucky mountains, outside observers rarely noted that such conflicts always seemed to remain within county boundaries (the Hatfield-McCoy feud being a notable exception). In the nineteenth century Kentucky counties were the very essence of participatory republics in microcosm, albeit often oligarchic and corrupt ones. The causes of violence in the Kentucky mountains were far more complicated, and far more linked to participatory politics, than Bluegrass Kentuckians

⁵⁷⁴David Blight divides these postwar rationalizations among whites in the North and South as the "reconciliationist" and "white supremacist" visions, both of which worked toward national reconciliation by depoliticizing the Civil War's memory. David Blight. *Race and Reunion: The Civil War in American Memory*. (Cambridge, MA: Harvard University Press, 2002): p. 2.

⁵⁷⁵Heather Cox Richardson. *West from Appomattox: The Reconstruction of America after the Civil War*. (New Haven and London: Yale University Press, 2007): pp. 36-37, 76-77, 116.

⁵⁷⁶Anton Blok has identified the discourse of "senselessness" as a prime source of obfuscation in the interpretation of violent acts. Despite its being a "meaningful social action" laden with interpretive possibilities, violence is often treated as "an unchanging 'natural' fact" that defies characterization or study. By being taken out of the political realm and placed within the context of geographical or racial determinism (i.e., "natural"), feud violence became "senseless" but only in the ways that it was defined by people with no direct experience with it; Anton Blok. *Honour and Violence*. (Cambridge: Polity Press, 2001): pp. 112-113q.

and out-of-state observers preferred to think.⁵⁷⁷ The center of the so-called feud belt, the county for which the blood feud had first become irrevocably attached to the Kentucky mountains, was actually one of the section's few Democratic bastions. Breathitt County, the first locale to inspire the 'feud' terminology's irrevocable association with eastern Kentucky, would ultimately be the last as well, ultimately setting in stone explanations that replaced politics with parochialism, ignorance and primitiveness in place of political considerations.

"...but the crying cause back of all this violence and bloodshed is the want of religion."

In late 1884, the *Louisville Courier-Journal* published an unsigned letter from a Breathitt County citizen urging potential Bluegrass investors to notice "the richest undeveloped timber, coal, and iron district in America," near the planned route of the long-anticipated Kentucky Union Railway, a railroad that would soon make Jackson "a capital city," connecting Kentucky's commercialized center with the Harlan County coalfields and the Cumberland Gap by railway for the first time. After years of eyeing the county, the Kentucky Union guaranteed that a line was to be built soon, and the looming promise of industry had caused a "marked change" in the "minds and purposes of our people..." Citing the chartering of a new school and the growth of Methodist and

⁵⁷⁷The intermingling of feud violence, Republican affiliation and their revelation as flawed assumptions about eastern Kentucky is succinctly illustrated in a 1904 newspaper account of a group of Perry County mountaineers' meeting with New York City mayor George McClellan, Jr. during a trip to testify in a trial involving the timber industry. The reporter asked the men numerous questions about the French-Eversole feud and was surprised to hear all of the men express aloofness toward the conflict rather than partisan passion (one of the party was a former Perry County sheriff who was credited with engineering a truce between the factions). Later on, after all of the visitors expressed fond admiration for Mayor McClellan's father, ("Say, I fit yer father in the war, but I was fer him fer President. Yer father was the best man them Union fellers ever had."), the reporter was disbelieving when told by one member of the group that none of them were Republicans but instead, "Every one of us is a Tom Jefferson Democrat"; *NYT*, 31 January, 1904.

Presbyterian congregations, the writer urged readers to recognize the county's natural wealth despite its checkered past. Even this most booster-minded of communiqués was obliged to mention the county's unfortunate recent past, but was careful to do so in a manner that would encourage the interest of potential investors rather than scare them away.

Our county people are not lacking in the qualities that have made mountain people famous in history, if their bottled-up energies in times past have found vent in partisan faction fights and neighborhood broils. With no communication with the outside world and no other way of working off superfluous steams, they must not be wholly blamed. They have had few opportunities for education of any kind. If their past annals have been more akin to those of the Highland Scotch and the boys of Tipperary, please believe that the days of local warfare are past, and nowhere will you find more quiet, earnest thought as to a great future than among some of the leaders of our county, which may yet pay more taxes into the State treasury than any two of the richest Bluegrass counties.⁵⁷⁸

The letter may not have presaged later referencing of a supposedly Celtic past and seclusion from the “outside world” to explain the Kentucky mountaineers’ peculiarity by very many years, and may have simply repeated postulations by local color writers that had already been published.⁵⁷⁹ In either case, these primordial explanations for violence were no different than those applied to the county from outside. But when economic advancement was at stake, particularly for Breathitt County’s more affluent citizenry, declarations of isolation and ethnic purity were deemed necessary even when speaking of their own locale. The writer’s clear intention was that the “bottled-up energies” and “superfluous steams” of his (or her?) less enlightened neighbors be channeled toward more profitable motives in the near future. With the county’s refractory Red Strings now apparently at bay (the double lynching of Henderson Kilburn and Ben Strong having taken place just seven months earlier), the political origins of recent troubles were left

⁵⁷⁸*LCJ*, 25 December, 1884.

⁵⁷⁹As will be addressed in a later chapter, racial interpretations of feud violence abounded from the 1880s until well into the twentieth century. The widespread belief that the Kentucky mountains maintained a repository of “pure” Anglo-Saxon blood were balanced with other accounts that made mountaineers out to be purely “Celtic.”

unspoken, and for good reason, since potential Bluegrass financiers surely did not need to be reminded of the Civil War. The county's Democratic majority was sound, scarcely challenged and prepared to guide its hilly terrain into commerce and advancement.

The media discourse on violence in Breathitt County had been intertwined with a concurrent discourse of industrial modernization since the county first gained national notice short years earlier. During the trials that followed Judge Burnett's death in 1878, multiple articles stressed the importance of economic development in eastern Kentucky toward ending the area's lawless atmosphere. "The late disturbance in Breathitt county is only another argument in favor of improving the navigation of the Kentucky river," the Bourbon Democratic *Kentucky Yeoman* opined. "If we had good locks and dams, it would be an easy matter to send troops from Lexington or Frankfort to quell any unlawful outbreak in that remote quarter."⁵⁸⁰ And in a later article, the "insurrection against the civil authority" was blamed on "the further want of the civilizing and Christianizing effects of material improvement and development."⁵⁸¹ For sectional and political reasons, the *New York Times* preferred to editorialize on Breathitt County as a place whose problems were symptomatic of Kentucky rather than the Kentucky mountains, but prescribed a similar cure; "...all her best citizens deplore and condemn the violence which has so long disgraced her and made her seem deliberately barbarous. Kentucky is, as everybody knows, a fine State, which needs development..."⁵⁸² Other

⁵⁸⁰WKY, 3 December, 1878.

⁵⁸¹WKY, 17 December, 1878.

⁵⁸²NYT, 26 December, 1878. This article was written before the rash of violence in other parts of Kentucky and the "best citizens" were still considered white southerners rather than innately violent "mountain whites" in the minds of the metropolitan media.

articles, ostensibly about recent crimes, expressed surprise at the wealth of coal seams and virgin timber that they had “discovered.”

The newness of these discoveries may have been exaggerated for the sake of highlighting Breathitt County’s isolation; as mentioned before, the county had been geologically surveyed decades earlier, and the findings had long been a matter of public record. A sample of Breathitt cannel coal mined by a locally-owned mining company had won a gold medal for best in its category at Philadelphia’s Centennial International Exposition in 1876.⁵⁸³ Nevertheless, in terms of placing new attention on the area for other reasons, there is little doubt that reports of the riot that resulted in the death of Judge Burnett and the resultant militia occupation of Jackson accelerated interest in investment toward the future exploitation of Breathitt County’s valuable coal and timber. In 1885 an Ohio land speculator acquired 67,000 acres of timber and coal land and published an account of its potential wealth.⁵⁸⁴ Echoing his report, it was estimated in 1888 that Breathitt County’s untouched cannel coal seams “excel[led] the most celebrated coals of Great Britain” and it was predicted that it would “have a market all over the country when the railways reach it.”⁵⁸⁵ But, a year later, as the “outside world” geared to enter Breathitt County for its untapped wealth, violence returned when hostilities associated with the French-Eversole feud in Perry County spilled over,

⁵⁸³*Executive Documents of the House of Representatives for the Second Session of the Forty-Ninth Congress, 1886-’87.* (Washington DC: Government Printing Office, 1887): pp. 1v, 610.

⁵⁸⁴*Description of a tract of timber, coal, and agricultural land, in Breathitt County, Kentucky, containing 67,000 acres, with reports on the same from the State Geologists of Kentucky, and others, with an abstract of title appended. For sale by J.W. Andrews.* (Urbana, Ohio: James F. Hearn, 1885).

⁵⁸⁵Charles Dudley Warner, “Comments on Kentucky,” *Harper’s New Monthly Magazine*, Vol. 78, Issue 464 (January, 1889): p. 264.

delaying courts for months and allowing murderers to go unpunished.⁵⁸⁶ As Judge H.C. Lilly ineffectually implored Governor Buckner to send troops to his court district, Breathitt County once again experienced the troubles it was already known for, but, this time, not due to its own internal divisions.⁵⁸⁷

Railroads and coal and timber companies could only arrive at a rate that was geographically and economically allowable. The laying of tracks from the Bluegrass to the Cumberland Plateau represented a tremendous expenditure for even the most well-heeled investment firms. Before the railroads could be built there Breathitt County's ill-repute attracted what Appalachian scholars have considered the principal harbinger of industrialization in the region: outside evangelists.⁵⁸⁸ Breathitt County's "native" Christian faith that developed among its earliest white settlers was the "Hardshell" or "Iron Jacket" variety of Antinomian Baptists, strict predestinationists, supposedly not amenable to evangelicals from the "outside world" (a reputation perhaps partly evidenced by the reception given to abolitionist preacher William Lincoln in the 1850s) whose only access to corporate worship were occasional camp meetings organized by itinerant

⁵⁸⁶Lilly to Buckner, *Kentucky Documents, 1889*, Vol. IV, No. 17, p. 64, KDLA.

⁵⁸⁷*Kentucky Documents, 1889*, Vol. IV, No. 17, p. 64; AAC, 1890, p. 474.

⁵⁸⁸Following the research of Henry Shapiro, scholars of Appalachian history have long pointed to the role that evangelical home missions in the southern mountains played in establishing Appalachia as a distinct place and its inhabitants as a "peculiar people." Gilded Age evangelicals tended to conflate Christianity with modernization, thereby ignoring the possibility that much of apparently un-churched Appalachia (particularly underdeveloped "New Appalachia") was lacking in Christian influence. See Deborah V. McCauley. *Appalachian Mountain Religion: A History*. (Urbana: University of Illinois Press, 1995): pp. 9, 392-393; David Whisnant. *All That is Native and Fine: The Politics of Culture in an American Region*. (UNC Press, 1983): pp. 8-10; Klotter, "The Black South and White Appalachia," *JAH*, Vol. 66, No. 2 (March, 1980): pp. 832-849; Henry Shapiro. *Appalachia on Our Mind: The Southern Mountains and Mountaineers in the American Consciousness*. (Chapel Hill: University of North Carolina Press, 1978): ix-xiv.

preachers.⁵⁸⁹ In the early 1840s the Disciples of Christ (also known as the Christian Church or the “Campbellites” after the denomination’s founder John Campbell), a denomination then thriving in the Bluegrass, arrived in the person of travelling preacher “Raccoon John” Smith. Jeremiah South and his family were associated with the Disciples of Christ and the Bluegrass-centered denomination’s arrival paralleled their role in connecting Breathitt County with the other side of the two Kentuckys.⁵⁹⁰ But, lacking church buildings and permanent congregations, the Disciples of Christ were as limited to the occasional camp meeting as were the more decentralized Baptists. When the 1878 Jackson courthouse riot exposed Breathitt County to national scrutiny, its apparent lack of organized Christianity made it one of the earliest inspirations for the Protestant “home missions” movement. In reaction to plans for New York missionary societies to send missions to Breathitt County (they reasoned that southern mountaineers’ prior knowledge of the English language made them better subjects for proselytizing than Africans or Indians) the Republican *Cincinnati Daily Gazette* said that “Free American citizens who break up courts, and shoot Judges, and carve their political opponents, would not be likely to tolerate missionaries.”⁵⁹¹ But urban scoffing could not completely deter the outpouring of interdenominational missionary zeal flowing in all directions in the years following Reconstruction. By the mid 1880s, the eastern Kentucky mountains were

⁵⁸⁹“Heathen in our own Country,” *Christian Reflector*, Vol. 8, No. 31 (31 July, 1845): p. 121; E.L. Noble (Vol. 1), p. 19. “Hardshell” and “Old Regular” Baptists were noted for their strong belief in congregational autonomy but the infrequency of regular church meetings made the mountain denomination appear weak and disorganized. However, the extant records of one Breathitt County congregation reveal detailed record keeping and a more-than-meager tithe collection; Quicksand, Kentucky, Regular Baptist Church records, 1858-1898, microfilm roll 1, KLSCA.

⁵⁹⁰Trimble, p. 3; Scalf, pp. 272-275.

⁵⁹¹*CDG*, 4 December, 1878.

“strongholds of cruelty and oppression” to be “invaded” by Protestant enlightenment. Boasting of his successful conversions in 1886, one home missionary proclaimed that “people who had been kept under the power of darkness for a century past were brought to see the glorious dawn of a better day.”⁵⁹² Throughout, it was agreed that Breathitt County was “a type of all that was darkest and most God forsaken in the mountains of [Kentucky].”⁵⁹³

While Breathitt County caught the eye of northern missionaries Bluegrass evangelists, attracted by the lack of the Gospel evidenced by *feud*, had the most lasting impact upon the county. The “Mountain Evangelist” George Owen Barnes visited shortly after the murder of Judge Burnett. Although he found one local boy to be “a young savage, as ignorant as a Hottentot,” he was impressed by his congregation’s willingness to include negroes in what he called “a better looking crowd than the average of court crowds in the Bluegrass.”⁵⁹⁴ He was succeeded in 1882 by John Jay Dickey, a Methodist minister who had initially passed through out of “curiosity to see the people of Breathitt County because of the feuds” but eventually decided to remain to preach and expand the county’s meager sources of public education.⁵⁹⁵ Finding no church buildings in Jackson, Dickey held services in the courthouse using a pipe organ Barnes had left behind.⁵⁹⁶ With help from the Kentucky Union’s president, Dickey raised money for the

⁵⁹²James L. McKee, “Invading the Kentucky Mountains,” *New York Evangelist*, Vol. 59, Issue. 41 (11 Oct, 1888): p. 2.

⁵⁹³“Editorial Notes,” *The Missionary*, Vol. XXXIII, No. 6 (June, 1890): p. 205.

⁵⁹⁴William T. Price. *Without Scrip or Purse or, “The Mountain Evangelist,” George O. Barnes.* (Louisville: W.T. Price: 1883): pp. 178-268 (quote from 199-200); *JJDD*, reel 1, p. 104; Scalf, pp. 264-272.

⁵⁹⁵*JJDD*, undated entry, reel 1, p. 90.

construction of what was to become the Jackson Academy (later Lees College), Jackson's first attempt at schooling beyond the primary level.⁵⁹⁷

Dickey was followed in 1884 by William Guerrant, a Presbyterian whose last previous visit to the county had been two decades earlier, when he was a Confederate lieutenant pursuing William Strong and the Red Strings. Parlaying local acquaintances from his army days, he established a Presbyterian church soon after his arrival. Guerrant spent the next seven years attempting to wrest control of Breathitt County's religious life away from Dickey (although the latter seemed to be unaware of there being any competition for most of the time) and establish an exclusively Presbyterian presence.⁵⁹⁸ Aside from their respective denominations' doctrinal differences, the contrast between the views and methods of Guerrant and Dickey demonstrates that there was some amount of diversity within the home missions movement, or at least the segments associated with Breathitt County. With his unconcealed prejudice toward mountain society (a prejudice that originated during his Confederate service) Guerrant fit somewhat the mold of the many other missionaries who considered their mission a conflation of spreading the Gospel in tandem with being a "civilizing" force. To explain the violent history that had initially attracted him to Breathitt County, he recorded, "The law is slow and lax in its administration, and so the people take it into their own hands. There is some excuse for this; but the crying cause back of all this violence and bloodshed is the

⁵⁹⁶*JDD*, undated entry, reel 1, p. 104.

⁵⁹⁷*Acts of the General Assembly of the Commonwealth of Kentucky...*, Volume I (Frankfort, KY: M. Major, 1884): pp. 756-758; "Jackson, in the Kentucky Mountains; and its New School Buildings," *Christian Observer*, Vol. 1, No. 41 (13 October, 1897): p. 2.

⁵⁹⁸*HGH*, 8 September, 1886; Congleton, pp. 160-161, 164, 166, 168-170.

want of religion. The want of the Gospel of peace and forgiveness and love.”⁵⁹⁹ His later writings display the common late nineteenth century explanations of Appalachian otherness that combined racial determinism and spacial isolation.

They are today the purest stock of Scotch-Irish and Anglo-Saxon races on the continent. For hundreds of years they have lived isolated from the outside world, with no foreign intermixture. I do not remember seeing a foreigner in the Cumberland mountains.

They are not a degenerate people. They are a brave, independent, high-spirited people, whose poverty and location have isolated them from the advantages of education and religion. They have been simply passed by in the march of progress in this great age, because they were out of the way....⁶⁰⁰

While other evangelists to the Kentucky mountains believed that localities like Breathitt simply suffered from meager church enrollment or uneducated clergy, Guerrant was convinced that many, if not most, Kentucky mountaineers were “as utterly ignorant of the way of salvation as the heathen in China,” and that his ministry was reaching unprecedented territory.⁶⁰¹ While his ideas on racial purity probably generated little controversy among white mountaineers, some publicly took issue with his assumptions of their “want of the Gospel” previous to his arrival.⁶⁰² “We may be mighty ignorant back here,” one of Breathitt County’s “principal men” told another Presbyterian evangelist, “but we’re not such fools as to not know who Jesus Christ is.”⁶⁰³

⁵⁹⁹Guerrant, *The Galax Gatherers: The Gospel among the Highlanders*. (Richmond, VA: Onward Press, 1910): p. 154.

⁶⁰⁰Quoted in James G. McAllister and Grace Owings Guerrant. *Edward O. Guerrant: Apostle to the Southern Highlanders*. (Richmond, VA: Richmond Press, 1950): p. 91. See also Guerrant, *The Galax Gatherers: The Gospel Among the Highlanders*. (University of Tennessee Press, 2005- original published in 1910): pp. 46-48, 98, 152-156, 157-160; David E. Whisnant. *All that is Native and Fine: The Politics of Culture in an American Region*. (Chapel Hill: University of North Carolina Press, 1983): pp. 37-41.

⁶⁰¹Quoted in William A. Link. *The Paradox of Southern Progressivism, 1880-1930*. (Chapel Hill: UNC Press, 1992): p. 84.

⁶⁰²HGH, 7 October, 1885.

⁶⁰³“Editorial Notes,” *The Missionary*, Vol. XXXIII, No. 6 (June, 1890): pp. 205-206.

Dickey did not seem to harbor the same feelings toward his Breathitt County parishioners. He and Guerrant were both Bluegrass natives but, while his competitor portrayed Breathitt County as a far-flung exotic locale, Dickey seemed to feel a kinship to most of the people he met there- they were, after all, fellow white Kentuckians with plans to improve their state. Though he had initially thought Breathitt Countians to be “primitive” before his arrival, he never seemed to have wanted to radically change the environment in which he preached (his connections with the Kentucky Union Railroad notwithstanding). Nor did he patronizingly extol the virtues of his parishioners’ “pure [racial] stock”; as a white Kentuckian himself, Dickey probably considered himself of the same stock and thought it nothing unusual (Guerrant, a white Kentuckian himself, espoused the common belief that the mountains’ “pure stock” was somehow different than his own, if not by nature then by nurture). He conducted numerous interviews in inquiry of local genealogy but did so more for the sake of constructing a local history than attempting to draw an unbroken lineage reaching backward to Albion. Unlike Guerrant and others who considered Breathitt County unchurched before their arrival, Dickey recognized that there were numerous preachers in the vicinity (mostly lay ministers) and gladly entered into ecumenical services with many of them. Over the following years, Dickey not only shepherded the establishment of worship services and public education but also, in 1891, founded the *Jackson Hustler*, Breathitt County’s first newspaper, which swiftly became a Democratic organ. The establishment of religious services in the courthouse strengthened the structure’s centrality in the lives of its citizens, bestowing on its otherwise profane activities an element of the sacred. Rather than attempting to challenge or reform pre-established status quo, Dickey’s activities

increased the administrative and symbolic strength of the Breathitt County court and the men who controlled it. While Guerrant never seemed to have abandoned his image of a homogenous mountain population, Dickey recognized from early on that his adopted community was led by a “better class” of white propertied men, and accordingly fashioned his appeals for help in his enterprises in a way amenable to the Three Forks’ middle class and landed gentry.⁶⁰⁴ When he went to establish a new mission in London, Kentucky in 1895 he left behind a county that had become more interconnected with the urban centers of the Bluegrass while still retaining its internal political autonomy.

“What a mighty revolution!”

Part of the reason for this continuing autonomy in the 1890s came from the relative weakness of the Kentucky Union, the one railroad willing or able to make inroads into Breathitt County in the nineteenth century. By 1884 the company had bought more than 200,000 acres of land in and around Breathitt County in anticipation of eventually connecting its cannel coal fields to the Bluegrass and creating a trans-montane connection to southwestern Virginia.⁶⁰⁵ The Kentucky Union’s promoters predicted that theirs would be the Bluegrass’s first direct overland access to the greatest coalfields on the continent. One Harvard geologist offered his high expectations of the future rail line’s capabilities in a Kentucky Union promotional booklet.

⁶⁰⁴*JJDD*, Entry 9 April, 1884, reel 1, p. 286.

⁶⁰⁵*LCJ*, 25 December, 1884; *The Virginias*, Vol. V, No. 2 (February, 1884): p. 21; Young Ewing Allison. *The City of Louisville and a Glimpse of Kentucky*. (Louisville, KY: Courier-Journal Job Printing Company, 1887): p. 32; Charles Dudley Warner, “Comments on Kentucky,” *Harper’s New Monthly Magazine*, Vol. 78, Issue 464 (January, 1889): p. 263; *Manual of the Railroads of the United States*. (New York: H.V. & H.W. Poor, 1889): p. 670; E.L. Noble (Vol. 1), p. 41.

The line of the Kentucky Union Railway has... certain especial advantages over any other, in that it crosses the coal and iron belt at its widest part, and where there is the heaviest timber... The distance from the eastern coal field to Louisville by this line would be *shorter than by any other*... I believe it to be one of the most important roads for the mineral interests of Kentucky that can possibly be built... The mountains of Kentucky, far from being a barrier to the passage of railways, constitute on the whole, a region more fitted for their passage than the Bluegrass Country...⁶⁰⁶

After nearly three years of laying tracks (an enterprise that was said to have employed more than 2000 men), in 1891 a spur connected northern Breathitt County with Beatyville, the commercially vibrant county seat of Lee County at the confluence of the Kentucky River's three forks.⁶⁰⁷ By this point the more ambitious plan of connecting the Bluegrass to Virginia had been forgotten. Still, the railway connection of Kentucky's "darkest and most God forsaken" county to Lexington was considered an incredible transformation. "What a mighty revolution!" Reverend Dickey proclaimed in his infant newspaper. "Go to Beatyville by rail and steam boat in about two hours where formerly it required a day's hard riding on horse back."⁶⁰⁸ The best was yet to come; two years later the Three Forks region's new connection to American enterprise was commemorated with a display of Breathitt County cannel coal in Chicago's World Exhibition.⁶⁰⁹ But almost immediately afterward, soon after finally reaching Jackson, the Kentucky Union lost backing and fell into receivership.⁶¹⁰ Even after it was reestablished

⁶⁰⁶*The Kentucky Union Railway Company*. (Lexington: Court House Square, Corner Cheapside and Main St., 1883): pp. 4-5.

⁶⁰⁷*Ninth Report of the Railroad Commissioners of Kentucky. For the Year 1888*. (Frankfort, KY: Capital Office, E. Polk Johnson, 1889): p. 27.

⁶⁰⁸*Jackson Hustler*, 3 April, 1891.

⁶⁰⁹Moses P. Handy. *The Official Directory of the World's Columbian Exposition, May 1st to October 30th, 1893*. (Chicago: W.B. Conkey Company, 1893): p. 715.

⁶¹⁰*Columbia Finance & Trust Co. v. Kentucky Union Ry. Co. et al*, Circuit Court of Appeals, Sixth Circuit (5 February, 1894), *Federal Reporter* Vol. 60 (April-May, 1894): pp. 794-803.

as the Lexington & Eastern (L&E) in 1894 the railroad could not afford to extend further. Although the wealth of bituminous and cannel coal was touted over and over again throughout the 1890s, even the ever-growing L&N octopus did not eye the L&E and Breathitt County with any serious consideration until the twentieth century.⁶¹¹ Still, to be connected to the small metropolis of Lexington by any railway was indeed a welcomed “revolution” for Breathitt County. Within two years of the railroad’s arrival Jackson was considered (but eventually rejected) for the site of a new federal district court, a consideration that would have been unimaginable short years earlier.⁶¹²

As the L&E attempted to become a successful railroad, river traffic on the Kentucky River’s north fork continued, but under new conditions. The river was no longer the freely-accessed egalitarian commercial conduit that it had once been. By the mid-1890s, timber companies, some leasing Kentucky Union/L&E land and others buying their own, monopolized river passage, constructing log booms from its banks to control the movement of timber and clogging the north fork with far more logs than it had ever floated before. One journalist noted the organization of the new transportation system.

Cheaper as the boom system is than the rafting, the cost seems a big item when put into figures. The construction of pockets, etc., for a two and one-half mile boom, in Breathitt County, for instance, came to eight thousand dollars recently. Near the pocket ends of the shears and at the openings in the booms, platforms are built on which the ‘sorters’ are stationed, men who, with pike poles, pull in the logs as they float by. The work is sometimes fast and furious, as when logs are going by at the rate of from fifty to ninety a minute. Sometimes the men are obliged to work for two or three days and nights at a time, only the excitement of the work sustaining them. Their

⁶¹¹The L&N eventually purchased the entirety of L&E stock in 1909; Maury Klein. *History of the Louisville and Nashville Railroad*. (New York: MacMillan, 1972): pp. 401-403; Kincaid Herr. *Louisville and Nashville Railroad, 1850-1963*. (Lexington: University Press of Kentucky, 2000): pp. 184-188.

⁶¹²*US Congress*, Serial Set Vol. No. 347, Session Vol. No. 4, 25th Congress, 3rd Session, H.Doc., p. 139.

food during such an ordeal is taken by ‘jerks and snatches,’ and lucky is the ‘sorter’ who is excused for a cat nap.⁶¹³

What had once been the free domain of yeoman and squatters was now the possession of corporations and, for the first time, wage labor was imposed upon a large segment of Breathitt County’s male population. The sorters who now worked for these corporations were probably the sons of men who had cut their own logs short years earlier. The continuance of unauthorized felling of timber showed that older traditions carried on to some extent⁶¹⁴ But, for the most part, the freebooting economy of the “wood denizens” was becoming a thing of the past.

Still, “the civilizing and Christianizing effects of material improvement and development” did not abate the violence the county was known for, and may well have increased its national notoriety as an inherently vicious place. Even as Dickey and Guerrant drew the attention of other missionaries, many considered Breathitt County too dangerous even for the most intrepid. One member of the American Missionary Association warned, “Last fall a friend of ours had occasion to ride through the country; he was assured by the best citizens that it was not safe for a man to be on the [Jackson] streets after dark.” (This was particularly outrageous for a small American community with “no foreign-born residents.”)⁶¹⁵ The county’s enduring disrepute was a subject of enduring consternation and self-consciousness in the county that bled out to its surroundings. Wolfe County’s Democratic *Hazel Green Herald*, the closest newspaper

⁶¹³“The Timber Boom,” *Scientific American*, Vol. LXXII, No. 18 (4 May, 1895): p. 279.

⁶¹⁴*Jackson Hustler*, 3, 24 May, 1891.

⁶¹⁵Mrs. A.A. Myers, “The Mountain Whites of the South—Extracts,” *The American Missionary*, Vol. 39, Issue 1 (January, 1885): p. 19.

before the *Jackson Hustler* was established, exhibited a realization of Breathitt County's pivotal position during the construction of the Kentucky Union line (as well as the manner in which the neighboring county reflected on Hazel Green's image). Citing the recent construction of "two handsome church edifices and an elegant high school building," the *Herald* declared that "Breathitt county is awakening to the fact that she does not deserve the malignant epithets which in the past have so frequently been bandied around and boosted by the press at large."⁶¹⁶ Reporting on a political rally that was said to have numbered between 600 and 800 men, the paper was careful to mention that "everything passed off in the most perfect order."⁶¹⁷ Even after an 1886 Election Day stabbing, the *Herald* insisted that "the fighting [was] not so bad as reported. Bloody Breathitt is not so bad, after all, when she gets justice."⁶¹⁸ When the courthouse mysteriously burned to the ground two months later, a Breathitt County correspondent did not draw what some might have considered obvious correlations with the 1873 courthouse burning, but instead reasoned that the fire had settled the long-debated question over building a new one.⁶¹⁹

Alcohol, a nationally popular scapegoat, was a popular replacement for more troubling primordial explanations for violence. Jackson, Hazel Green, and perhaps other mountain towns quickly growing with the approach of the Kentucky Union played host to a growing number of "blind tigers" for the sale of illicit alcohol.⁶²⁰ This gave the *Herald*

⁶¹⁶*HGH*, 11 March, 1885.

⁶¹⁷*Ibid*, 4 August, 1886.

⁶¹⁸*Ibid*, 18 August, 1886.

⁶¹⁹*Ibid*, 13 October, 1886. See also *JJDD*, Entry 24 October, 1886.

a source of blame for violence that was increasingly popular among investment-minded flatlanders, while also having a reason to praise Jackson's increasingly efficient law enforcement, after the town's incorporation in 1890 necessitated the appointment of a constable and a police judge.⁶²¹ The Democratic paper was torn between defending political allies in the neighboring county and conceding that Breathitt County did indeed seem to be a repository for civil disorder.

But the ambitious townspeople of the less notorious Wolfe County saw that their fortunes would soon be connected to those of their rowdier neighbor, both physically and in portrayal, so ameliorating Breathitt County's image was in everybody's best commercial interest.

But members of the fourth estate with less of a stake in the Three Forks region's fortunes had little reason to worry over nuance. Even after two relatively peaceful decades after the 1878 riot that established "Bloody Breathitt," the national press still retained an interest in reporting any novel accounts that would further contribute to its purported primitiveness, isolation or general strangeness. A drunken shooting in a Jackson blind tiger (a common enough case of manslaughter in an era of high alcohol

⁶²⁰For the local attribution of violence to alcohol consumption, see *HGH*, November 4, 30, 1891; May 14, 21, 1896. In 1873 Breathitt had become the first of many Kentucky counties to enact a "local option" ban on all sales of alcohol, an ordinance that proved ineffectual as it did in many other Kentucky localities; A.J. Jutkins. *Handbook of Prohibition, 1885*. (Chicago: 87 Washington Street, 1885): p. 166; "The Amazing Progress of Temperance in Kentucky," *Harper's Weekly*, Vol. LIL, No. 2672 (7 March, 1908): p. 23.

⁶²¹"The moral and religious atmosphere of Jackson is wonderfully improving, due greatly to the vigilance of the police authorities and the hasty execution of the law against the guilty. The police court is presided over by C. X. Bowling, with Charley T. Byrd, a Wolfe County man, for city prosecutor. The 'blind tiger' cannot thrive here, and other evidences of evil are conspicuously absent." "The late grand jury of Breathitt is also to be commended for the noble week's work it has just recorded in history. One hundred and seventy-five indictments were returned against all offenses known in the calendar of crime, and all indications points to a good omen for Breathitt County.," *HGH*, 19 June, 1899. For Jackson's incorporation, see *Acts of the General Assembly of the Commonwealth of Kentucky...*, Volume I (Frankfort, KY: E. Polk Johnson, 1890): pp. 846-859.

consumption) was selected via wire service by the *Chicago Daily Tribune* which whimsically predicted it to be the beginning of “a new feud.”⁶²² The *New York Times* reported that four men were cut in a Breathitt County dance hall brawl “in addition to the seven lynchings [in Kentucky as a whole] for the week.”⁶²³ Even nonviolent items caught outside attention because of the county’s notoriety; when former county judge Edward C. Strong’s granddaughter attempted to elope with a black man and was pursued and brought home by a posse, the story of what might have otherwise been only a local scandal in a community steeped in white supremacy somehow reached the national wire service. It was suggested that the degeneracy that had led to the county’s brutal history could also somehow produce miscegenation among even the county’s leading families.⁶²⁴

The wording of these nationally published accounts of Breathitt County’s alleged civil insanity from the 1880s to the 1890s provide clues as to why violence in such a place might have seemed strange to the urban reader. With the rise of urban labor unrest and the specter of anarchism creeping into the United States, many were prompted to associate violence with “foreign-born” elements, particularly among the growing influx of immigration from southern and eastern Europe. At the same time, the Kentucky and the rest of the South was at the pinnacle of race-based lynchings.⁶²⁵ Even the first quantitative study of comparative homicide rates in the North and South (a study that demonstrated a higher proclivity toward deadly acts in the latter) concluded that since

⁶²²*CDT*, 14 September, 1890.

⁶²³*NYT*, 28 December, 1896.

⁶²⁴*CDT*, 12 May, 1889. See also *CDT*, 8 April, 1895.

⁶²⁵Between 1890 and 1900, 93 lynchings, both interracial and intraracial, took place in Kentucky; Wright, *Racial Violence in Kentucky...*, pp. 315-320.

“less than three per cent of the population are of foreign birth...[t]he excessive number of homicides in these States is absolutely without excuse.”⁶²⁶ Yet the manner in which white killings were placed specifically in Breathitt County, while the locales of the week’s lynchings were not given, demonstrates that the former was deemed a very different series of events than the latter. As a place with very few African Americans and virtually no foreign elements, any amount of pronounced violence would have seemed aberrant to Americans steeped in a culture of racial determinism (thereby feeding the growth of mountaineers’ Anglo-Saxon and/or Celtic heritage as explanations for Kentucky’s rash of feud violence).⁶²⁷ In an age of Anglo-Saxon nationalism, white Americans were loathe to believe that political differences between white Americans could rise to such levels as would result in killing, and, as a result, well-publicized political causes for violence were ignored or dismissed as narcissisms of small differences. Like places all over the United States with economies becoming more and more dependent upon extractive industries, with the attendant rise in dependence upon wage labor in a place not long before populated chiefly by yeomen, Breathitt County could not escape a certain amount of turmoil. But while internal causes may have been economic in nature, outside observers insisted that they be cultural or racial. The proposed cure for the county’s troubles was much the same as it had been in the 1870s: heightened influence from outside business. Writing as reports of shootings from Breathitt and its southern neighbor Clay County came to national attention, one journalist suggested that the section’s population had simply not yet been transformed into proper

⁶²⁶H.V. Redfield. *Homicide, North and South: being a comparative view of crime against the person in several parts of the United States*. (Philadelphia: J.B. Lippincott, 1880): p. 207.

⁶²⁷Klotter, “The Back South and White Appalachia,” *JAH*, 66.2 (March, 1980): pp. 840-841.

proletarians. “The understanding is that the raw material of humanity in these counties is good, and that the trouble is that it is not properly worked up.”⁶²⁸

By the end of the 1890s, violence was a burden placed upon Breathitt County from outside of its boundaries based upon events both real and imagined (or exaggerated). There was little denying that, as it grew in population, Jackson was becoming a difficult town to tame. Most of the disorder seen after the arrival of the Kentucky Union/L&E was familiar to any extraction-based boom town of the period and quite different from the mass political violence of the 1870s (as well as the lynching of 1884). But since then, the eruption of white intraracial violence in surrounding counties dictated that Bloody Breathitt be considered the center of the “feud belt,” a vague geographical determinism that obscured the internal contingencies that made it seem a violent place. The events that would give the greatest credence to its being inherently violent had not even yet taken place.

“...a sort of feudal hero, exercising over his own neighbors a greater power than ever did landed baron in the days of night-errantry.”

The confusion of property boundaries that had long defined Breathitt County’s existence was still a problem by the 1890s, and new developments complicated it further. Poor surveying and rugged terrain combined to a point at which scarcely any local landowner could make an undoubtedly legitimate claim to ownership. At the same time, with the L&E’s direct line connecting Jackson with Lexington, the promise of future development raised land values considerably. Since Jeremiah South’s death in 1880, the

⁶²⁸E.S. Martin, “This Busy World,” *Harper’s Weekly*, Vol. XLIII, No. 2223 (29 July, 1899): p. 737.

heirs to his enormous Breathitt County property had been in a constant legal imbroglio attempting to claim it.⁶²⁹ Barry South, Jeremiah's son, was forced to contend with other claimants to his father's land, but was also unable to survey the land himself because of the squatter population and their continuing protection from his family's old enemy, William Strong. In order to bring his suit to trial in federal court, South required depositions from the land's illegal occupants, but testified that he was unable to even "invade the neighborhood" for fear of coming to harm from Strong and the "lawless and desperate" Red Strings. Strong was above the law in Breathitt County, since he was so feared that no one could prosecute him. "Strong is a sort of feudal hero," said the South-sympathetic *Hazel Green Herald*, "exercising over his own neighbors a greater power than ever did landed baron in the days of night-errantry." It was claimed during the proceedings (no doubt in the interest of raising the hackles of a federal judge) that he was the guardian of an unknown number of whiskey stills and had supposedly planned to immolate a revenue agent short years earlier.⁶³⁰

Testifying for South's opponent in the case was thirty-five-year-old James Buchanan Marcum, Breathitt County native and William Strong's nephew. Despite his namesake, James Marcum was a rising star in Kentucky's Republican Party, and one who illustrated the changes the party had gone through since his uncle's heyday and the commercial integration with the western half of the two Kentuckys it avowed. Marcum served as a trustee for Lexington's University of Kentucky, and he had been appointed a

⁶²⁹*Miller v. South &c.*, Kentucky Court of Appeals, filed 16 September, 1890, *KLR*, Vol. 12, No. 1 (1 July, 1890): pp. 351-352; *Morse v. South et al*, Circuit Court D. of Kentucky, 15 April, 1897. *The Federal Reporter, Cases Argued and Determined in the Circuit Courts of Appeals and Circuit and District Courts of the United States*. Vol. 80, Permanent Edition, June-July, 1897 (St. Paul: West Publishing Company, 1897): pp. 207-208.

⁶³⁰*HGH*, 10 May, 1894.

U.S. Commissioner by the Benjamin Harrison administration.⁶³¹ There is little doubt that Marcum inherited his Republican affiliation from his elders, whose political socialization had more to do with choosing sides during war than it did economic concerns. But he was not the same variety of Republican “of the war element” as his uncle.⁶³² The closest he came to being involved with “feudists” was acting as counsel for Joseph Eversole’s (a relative and fellow Republican) faction during the trials that followed their feud with B.F. French’s adherents.⁶³³ He had more in common with the pro-business Bluegrass Republicans of his own generation who favored the gold standard and railroad expansion. As a legal representative for the Kentucky Union, and later the L&E, he probably would not have been so quick as his uncle to defend the rights of squatters and farmers with tenuous ownership (for that matter, Marcum also did not seem to have publicly shared his uncle’s interest in supporting local African Americans).⁶³⁴ Yet Marcum was well aware of the tremendous amount of power the Democratic Souths used to exert in Breathitt County and was determined that their reestablishment in the county be delayed or

⁶³¹U.S. Department of Agriculture Office of Experiment Stations. *Organization Lists of the Agricultural Experimental Stations and Institutions with Courses in Agriculture in the United States*. (Washington DC: Government Printing Office, 1897): p. 54; J. Reginald Clements. *History of the First Regiment of Infantry: the Louisville Legion and Other Military Organizations*. (Louisville: Globe Printing Comp., 1907): p. 157.

⁶³²E.L. Noble (Vol. 2), p. 26.

⁶³³*Adkins et al v. Commonwealth*, Court of Appeals of Kentucky, 16 January, 1896. *The Southwestern Reporter, Containing all the Current Decisions of the Supreme Courts of Missouri, Arkansas, and Tennessee, Court of Appeals of Kentucky, and Supreme Court, Court of Criminal Appeals, and Courts of Civil Appeals in Texas* (hereafter *SWR*), Vol. 33 (30 December, 1895-2 March, 1896): pp. 948-953.

⁶³⁴*Kentucky Union Co., &c., v. Lovely, &c.*, 14 March, 1901, *Reports of the Civil and Criminal Cases decided by the Court of Appeals of Kentucky*, Vol. 110 (14 February-24 May, 1901): pp. 295-296; For Marcum’s representation of the L&E, see *Biennial Report of the Bureau of Agriculture, Labor and Statistics of the State of Kentucky, 1900*. (Frankfort, KY: Office of the Bureau, 1900): p. 45; E. Polk Johnson. *A History of Kentucky and Kentuckians: The Leaders and Representative Men in Commerce, Industry and Modern Activities*. (Chicago: Lewis Publishing Company, 1912): p. 1357.

Figure 22: James Buchanan Marcum



prevented. If he was attempting to aid William Strong's cause (doubtful since the L&E was probably equally confounded by squatters), it was of secondary importance to the county's economic growth and the defeat of its Democratic hegemony (although Marcum did later help his uncle secure an immensely valuable tract of land that he had been contesting for years).⁶³⁵ Whatever his kinship or professional affiliations, no one could characterize Marcum as having "feudal" origins in "night-errantry."

Unlike his nephew, William Strong seemed to be fighting a future that was becoming more inevitable every year. During the ongoing litigation for the South land, he became embroiled in an ongoing war of attrition with a renewed Ku Klux Klan allegedly led by the same man who had headed the organization's local chapter in the 1880s. The newer, mysteriously reemerged Klan was said to be primarily peopled by new arrivals resident only "since the advent of the railroad."⁶³⁶ In Strong's view, Edward Callahan, the grandson of Strong's former Red String ally Wilson Callahan, who had remained consistently powerful in the Democratic Party since the 1880s, was its most likely ringleader. Unlike most of William Strong's most relentless enemies, Callahan was not from Jackson or the area around the county seat. He was a native of Crockettville, the town further to the south, that had been less inclined toward

⁶³⁵*Morse v. South et al*, Circuit Court D. of Kentucky, 15 April, 1897. *The Federal Reporter, Cases Argued and Determined in the Circuit Courts of Appeals and Circuit and District Courts of the United States*, Vol. 80. Permanent Edition, June-July, 1897 (St. Paul: West Publishing Company, 1897): pp. 206-218; *LCJ*, 10 May, 1897.

⁶³⁶*LCJ*, 10 May, 1897q; *Cincinnati Commercial-Tribune*, 10 May, 1897; Interview with Harlan Strong, 1978, The Appalachian Oral History Project of Alice Lloyd College, Appalachian State University, Emory and Henry College, and Lees Junior College: No. 279, pp. 20-21. The purported appearance of Klan organizations in conjunction with new railroad construction is consistent with the Ku Klux Klan's growth in the Carolinas during its Reconstruction heyday. As new railroads appeared on the southern landscape klaverns emerged in reaction to the social and political disruptions they brought with them. See Scott Reynolds Nelson. *Iron Confederacies: Southern Railways, Klan Violence and Reconstruction*. (Chapel Hill: UNC Press, 1999).

supporting the Confederacy years before and had served as a Union mustering ground. Callahan was one of the wealthiest men in that less developed area of Breathitt County, was the owner of one of the only mercantile establishments outside of Jackson and, by 1897, had been elected chairman of the county's Democratic Party Central Committee.⁶³⁷ Considerably younger than Strong, Callahan represented an influential Democratic presence in a part of the county that Strong had indirectly controlled during the 1860s and 1870s.

Knowing of Callahan's previous association with the Klan's older incarnation, and fearing a new threat in his area of the county, Strong openly named him as its ringleader (an accusation that Callahan never actually denied). The elderly warlord no longer had the authority he held in the 1860s and 1870s, and his condemnation of Callahan might have been ignored. But he and his associates still drew fire for it. After a number of Strong's cattle were shot, a descendant of a Three Forks Battalion veteran, and probable Red String, was murdered.⁶³⁸ Soon after, in an apparent retaliation, a purported klansman was found shot to death alongside a wagon road.⁶³⁹ Fearing that this pattern of violence was about to escalate, county judge C.B. Day swore out warrants against Callahan and Strong and orchestrated a public peace treaty between them. Perhaps expecting a confrontation in front of the courthouse like the one nearly twenty years before, Callahan and Strong each arrived for Court Day with more than two dozen armed men. But the fight that they each apparently expected did not come to pass. Callahan

⁶³⁷*The Kentucky State Gazetteer and Business Directory for 1879-1880*. Microfilm reel #S92-68, KLSCA: pp. 214-215; *Cincinnati Commercial-Tribune*, 10 May, 1897.

⁶³⁸*Cincinnati Commercial-Tribune*, 10 May, 1897.

⁶³⁹*NYT*, 9 March, 1897; *LCJ*, 10 May, 1897.

Figure 24: Edward Callahan



and Strong peaceably appeared before Judge Day, shook hands and assured the court that they harbored no personal animosities.⁶⁴⁰ Day apparently did not admonish the men for

⁶⁴⁰HGH, 22 April, 1897; *Cincinnati Commercial-Tribune*, 10 May, 1897; (Washington, DC) *Evening Times*, 14 March, 1901.

arriving in the company of small armies; rather than addressing the men's respective Klan and Red String leadership roles, and the larger significance these roles might have reflected upon the county at large, Judge Day accepted their individual assurances of peace and adjourned court. Strong's late conflict with Edward Callahan was considered an elevated personal grievance and so the arranged handshake between the two men was assumed to be the end of the matter. A public display of mass violence was averted but without any acknowledgement of the larger problems that the continuing presence of the Red Strings and the Klan represented. Soon thereafter, Strong told a Cincinnati newspaper correspondent that "he was at peace with all the world, and hoped his declining years would be free from strife."⁶⁴¹

Less than three weeks later Strong was found shot to death under his mule's carcass on a road ten miles south of Jackson. Strong's wounds and evidence found nearby suggested that he had been waylaid by multiple gunmen who had knowledge of his usual travel routes and knew where to find him. After he and his mule were shot from afar, members of the killing party approached his body and shot him several more times to insure that he was dead. His young grandson was found screaming nearby and, out of trauma or lack of recognition, was unable to give the names of any of the gunmen.⁶⁴²

The old man's death did not go unnoticed outside of Breathitt County. In recognition of Strong's controversial role in a nationally-known county, various newspapers recorded the circumstances of his death. A brief negotiation between differing interpretations of William Strong's colorful record ensued. The political lineage

⁶⁴¹*Cincinnati Commercial-Tribune*, 10 May, 1897.

⁶⁴²*LCJ*, 12 May, 1897; Kelly Kash, "Feud Days in Breathitt County," *FCHQ*, Vol. 28, No. 4 (October, 1954): p. 343.

of violence represented by Strong's death was well-known by 1897. Strong's obituary in the *Courier-Journal*, relying upon wire reports from its Jackson correspondent, relayed his war record as a Unionist and Republican as well as his more recent opposition to the Ku Klux Klan and the ensuing trouble he faced against Edward Callahan.

It is true a number of killings which occurred from time to time in Breathitt County were laid at Capt Strong's door by those who were at enmity with him, but there was never enough evidence against the Captain to cause a grand jury to indict him, and he lived in peace for many years until the trouble between him and Callahan broke out two years ago. It seems that shortly after the war, and after Capt Strong had gone to work to pay for his home, the Ku Klux began to terrorize the community. It was generally conceded that the clan was composed chiefly of young men who were not old enough to enter the army at the breaking out of hostilities between the States, but who had grown up with a deep-seated prejudice against the Unionists. Capt. Strong was considered a leader among the ex-Federal soldiers and a strong Republican. He was outspoken against the depredations of the Ku Klux, and is credited with having organized an anti-Ku Klux party, which did much toward putting down the clan.⁶⁴³

But the paper omitted how Strong's role as "strong Republican" had manifested itself in the 1870s, deeds that never involved running for office. His audacious publicized actions, the attempted courthouse capture in 1874 and his defense of young Judge Burnett four years later, the stories that the *Courier-Journal* had reported years before, were left unmentioned. Instead, the "Strong-Amis feud," whereby Strong's former lieutenants had defected to the Democrats around 1870, was given lengthy attention, treated as a strictly property-based conflict and suggested to be the original event that led to his death. Strong's continuing role as a "Red String chieftain," despite its now-obscure associations with the Civil War's memory, was treated as a strictly local curiosity. The association between "Red String" and southern Unionism was not exhumed. Nor did the paper express outrage, surprise or approval that an organization not heard from for years was active in eastern Kentucky. "The leading men of the 'Kuklux,'" while openly admitting

⁶⁴³*LCJ*, 10 May, 1897.

their membership in a once-vilified group, disavowed any knowledge of the slayers' identities.⁶⁴⁴

The *Cincinnati Commercial-Tribune* printed a description of Strong's life and death that differed little from the *Courier-Journal's*, except for a slightly lengthier account of his military service. The Ohio paper told of Strong's service in the 14th Kentucky Cavalry and, later, the Three Forks Battalion, but skirted the fact that this service had involved terrorizing Breathitt County (by this time the myth of eastern Kentucky's exclusively Unionist leanings was well-entrenched). Strong was portrayed as being quite popular among "the most powerful and influential citizens of Breathitt."⁶⁴⁵ The *New York Times* left out any mention of Strong's political affiliations but repeated a prediction that "Strong's friends...will never rest until his murder is avenged," thereby casting his killing as part of an interpersonal feud rather than a factional conflict with origins in wartime politics.⁶⁴⁶ When William Strong captured the Breathitt County courthouse and traded bullets with Confederate veterans on the streets of Jackson these newspapers had been nominally willing, as shown in the preceding chapter, to use him and his actions as grist for their own political ends. But, since the 1870s, the widely-circulated newspapers of cities far from the Three Forks region had abandoned their more obvious sectional and political biases and "claimed to be independent of party dictation."⁶⁴⁷ Had more partisan broadsheets, particularly the persistently party-based

⁶⁴⁴Ibid, 12 May, 1897.

⁶⁴⁵*Cincinnati Commercial-Tribune*, 10 May, 1897.

⁶⁴⁶*NYT*, 10 May, 1897.

⁶⁴⁷Gerald J. Baldasty. *The Commercialization of News in the Nineteenth Century*. (Madison: University of Wisconsin Press, 1992): p. 139.

newspapers then printed in the mountain counties, taken a greater interest, the full implications of his death might have been explored further.⁶⁴⁸

Much of the publicity surrounding Captain William Strong's death acknowledged his bizarre political role in a place where the two-party system had remained somewhat militarized. But Strong was to be remembered more for being a "feudal hero" rather than a "strong Republican." When the newspapers of Louisville, Cincinnati and New York had first taken notice of Strong in the 1870s the memory of the war was pervasive but the idea of the primitive mountain South was in its infancy. Then, *feud* was only a word used to depoliticize white intraracial violence at a time when it was commonplace in the South. Since that time, the "feuds" of Rowan, Perry and other counties had since been established in the public consciousness as horizontal conflicts fueled by the mountain white's barbarism and primordial need for vengeance rather than issues of local state power. The conflation of these trends with mountain Republicanism (compounded with the party's diminished status in the South after the end of Reconstruction) further belittled the role of party politics in these fights. The ensuing attention of evangelists and their bestial portrayals of Kentucky mountaineers encouraged this communal interpretation. Although his own war-making pre-dated this reification of the "two Kentuckys," Strong's memory fell victim to this mass depoliticization, his most overtly political acts of violence forgotten and veiled by his personal and allegedly familial ones.

But, most of all, William Strong and his embodiment of Bloody Breathitt was propelled into the past. In the interest of demonstrating that feud violence was not a product of Kentucky's present, the recent killing (or its motivations) were placed as far

⁶⁴⁸ Although it had reported his peace treaty with Callahan weeks earlier, Wolfe County's *Hazel Green Herald* did not report his being killed. The *Jackson Hustler* probably did but there are no extant issues from 1897.

back in time as possible by both Breathitt County natives and newspapers from the “outside world.” When he was interviewed in 1898, John Aikman, Strong’s old wartime enemy who was implicated in the murder but never charged, insisted that Strong’s death was a very late retaliation for the circa-1870 dispute between Strong and Wilson Callahan that involved the latter’s defection to the Democratic Party (having no association with these former Unionists, telling this story was probably Aikman’s claim of innocence).⁶⁴⁹ Befitting *feud*’s medieval associations some spoke of Strong in language that sent him back much further. What may have been a misspelling on the part of the *Courier-Journal* is nonetheless telling: ‘clan,’ a word Americans would have associated with extended families and Scottish warlords of past centuries (a decidedly parochial time and place) was used in place of ‘klan,’ which, in contrast, referred directly to a recent crisis of legitimacy in the American South.⁶⁵⁰ Within six years, when violence in Breathitt County had again gained national interest, the events that had led to Strong’s shooting

⁶⁴⁹Aikman: “Ned Callahan and Capt. Strong compromised [reprimed?] their troubles in Jackson and in a few days Strong was killed. Their excuse for that way of doing was that Capt. Strong did the same way with the Amises. He, Al [?] and John Amis and old Wilson Callahan agreed to go home and go to work and he would not trouble them. In two days he had them killed at least it was only a few days. Old Wiley, Tom, Ause and Bob Amis bundled up and left at once. I don’t think any of the Strong men were killed. I do not remember that any besides these were killed on the Amis side. The war lasted over a year. Strong kept his men around him. The others did not have the means to support their men in a body as Strong had”; *JJDD*, Interview with John Aikman, Entry 20 July, 1898, pp. 2412-2413. See also, James Robert Rolff. *Strong Family of Virginia and Other Southern States*. (Oak Forest, IL: James Robert Rolff, 1983): p. 93.

⁶⁵⁰The use of the word ‘clan’ as a reminder of specific historical events safely tucked away in past centuries is not the only way in which the press removed Breathitt County and, by extension, eastern Kentucky, from the present. The allusion to kinship in describing Breathitt County’s violent politics is telling. Kinship, by modern definitions, is a social designator firmly rooted in societies that existed (or exist) in the past since modern society replaces familial bonds with administrative or bureaucratic forms of rationalization. The application of kinship therefore is “fraught with temporal connotations” especially after anthropologists of the nineteenth and twentieth centuries used degrees of kinship to construct “temporal scales” (by which societies could be judged as paradoxically existing in the past or present); Johannes Fabian. *Time and the Other: How Anthropology Makes its Object*. (New York: Columbia University Press, 1983): pp. 75-76.

had become collectively known as the “Strong-Callahan feud.”⁶⁵¹ Similarly, a history of Breathitt County produced by the Works Projects Administration in the 1930s described Callahan’s source of authority as “a paternal rule, in the rustic style of a Scotch clan chieftain.”⁶⁵² The aberrational late post-Reconstruction persistence of the Ku Klux Klan in Breathitt County, their Red String enemies, and the fact that these groups founded during the South’s internecine political wars in the 1860s and 1870s somehow remained in one isolated corner of Kentucky, were all but forgotten. With the passing of a generation, these causes that men had once killed and died for were becoming as distant and archaic as a Scotch clan chieftain.

But William Strong’s death was not simply the outcome of a personal dispute, as would be suggested by its placement within a feud narrative. Even if the “Strong-Callahan feud” was personal it was also political by virtue of the respective past and present roles of the men who took part in it. Strategically, the “bushwhacking” of Strong in 1897 was little different than the double lynching of Henderson Kilburn and Ben Strong thirteen years earlier. By the time of his death Democratic control over the courthouse was in no electoral danger and the old Republican patriarch probably had far less authority as a political arbiter than he had in the 1870s. The county’s African American population had dwindled to an even smaller number than in previous decades and the old man’s former role as “special protector of the colored race in Breathitt” did not garner him even a small measure of local support.⁶⁵³ What little political legitimacy

⁶⁵¹*LCJ*, 5 May, 1903; Clements, pp. 148-149.

⁶⁵²WPA, *In the Land of Breathitt*, p. 71.

⁶⁵³During the 1890s Strong’s ties to Breathitt County’s African American population seemed to have diminished. A possible reason for this is that, after 1870, the already tiny segment of the population

he might have once held, gained by his fighting for Unionism and the county's poor, was gone. However, even if Strong had ceased his belligerence he and the Red Strings represented the county's past, a past that stood in the way of its continuing economic development as well as its abandonment of a parochial political culture. The pocket of defiance he had established as a guerilla officer during the Civil War could not be tolerated as Breathitt County became a more influential part of Kentucky and the New South. His death was the demarcation between a dark past and a progressive present. Even if William Strong's murder was not considered a clear victory for the Democratic Party it did mean the elimination of their most consistent antagonist. Moreover, William Strong was not to be remembered as a kind of political leader but rather a pre-modern curiosity. Feudal chieftains had to be a thing of a distant history, in fact as well as name. With Strong dead, the use of mass violence as had been employed by the Red Strings and the Ku Klux Klan in past years was no longer necessary. After 1897 the former apparently dissipated; in turn, groups of men that openly went by the latter's name were no longer heard from.⁶⁵⁴ The internal crisis of legitimacy that they represented had been resolved for the time being. Violence in Breathitt County had not come to an end but it would no longer be dressed loudly in emblems of the past.

Strong had enough enemies for Edward Callahan to avoid being directly implicated. But, given their history of political differences combined with mutual

had shrunk steadily. Hiram Freeman and his family had left Breathitt County sometime in the 1880s and, by the late 1890s, the Red Strings had apparently become an exclusively white group; Ernest Collins, p. 10.

⁶⁵⁴This does not include the twentieth century manifestation of the Ku Klux Klan, an organizational flowering that was inspired by the Klan of the past but with no direct lineage of membership. If the organization re-founded in Georgia by William J. Simmons in 1915 eventually included a local klavern in Breathitt County, it is very possible that it may have had a greater measure continuance from the nineteenth century than almost any other klan-hosting locality due to the latter's phenomenal longevity. For historical comparisons and contrasts between the two versions of the organization, see Wyn Craig Wade. *The Fiery Cross: The Ku Klux Klan in America*. (New York: Simon and Schuster, 1987).

antagonisms, Callahan was believed to be the one who had dispatched the last remaining threat to the age-old Democratic rule in the county, and this reputation added to his political stock considerably.⁶⁵⁵ Strong's violent demise meant the end of future challenges for Callahan, at least challenges that drew their power from the barrel of a gun.⁶⁵⁶ The next threat to Callahan's power came from the ballot box and ballot box rather than backwoods ambush. And even if Strong had not been so great a threat to Callahan in those later years, the former's death had a symbolic significance, a demarcation between Bloody Breathitt's dark feudal past and its bright future in the New South that also worked to Callahan's and other Democrats' favor. When James B. Marcum publicly accused the ascendant Democrat of complicity in his uncle's death a few years later, Callahan could have vowed vengeance for the sullyng of his honor and reputation, a likely response from a "feudist." Instead, he simply upbraided Marcum for "keeping up the old trouble."⁶⁵⁷ But the county's next political debacle, one that placed the county under the greatest national scrutiny and censure in its history, produced a new turn toward violence that could not be tucked so neatly into the past.

⁶⁵⁵"Begley v. Commonwealth," Court of Appeals of Kentucky, 19 February, 1901, *SWR*, Vol. 60 (21 January-18 March, 1901): p. 847-849.

⁶⁵⁶Aside from John Aikman, all of the men that Strong's family suspected of being his slayer, Abner Backer, Asbury Spicer and John Smith, were Edward Callahan's employees or Democratic associates (and possibly klan members). John Smith would later be implicated in another murderous scheme involving Callahan; Strong Family Papers, pp. 93-94, BCPL; *LCJ*, 10 May, 1897; *Cincinnati Commercial Tribune*, 10 May, 1897; *NYT*, 12 January, 1907; "Begley v. Commonwealth," Court of Appeals of Kentucky, 19 February, 1901, *SWR*, Vol. 60 (21 January-18 March, 1901): p. 848.

⁶⁵⁷*Lexington Leader*, 12 November, 1902.

CHAPTER VI

“THERE HAS ALWAYS BEEN THE BITTEREST POLITICAL FEELING IN THE COUNTY.”: THE COURTHOUSE RING AND THE AGE OF ASSASSINATION

By the fall of 1897 it seemed that the age-old Democratic control over Breathitt County was more secure than ever. Since the end of the Civil War there had been scarcely any legitimate challenges to the party's rule. And the only consistent illegitimate challenger, William Strong, who had never forgiven the county's Democrats for opposing the Union, was now dead. By being one of a very few Democratic islands in heavily Republican eastern Kentucky, Breathitt County's statewide political capital was on the rise as well. During the last few years Breathitt County had become famous for breeding violence while simultaneously amassing fame for its largely untouched hoard of timber and cannel coal. This had brought the L&E railroad to the county as well as heightened attention from the cities of the Bluegrass and America at large. Only short months after the death of his old enemy, the politically ambitious merchant Edward Callahan entered into a career as a legitimate politician, rising in the county's Democratic ranks and eventually becoming sheriff. Along with his partner, county judge James Hargis, Callahan formed a political machine whose power and influence throughout the state reflected his county's new importance. The isolation and degeneracy associated with the nickname "Bloody Breathitt" was a thing of the past and the history of violence that had inspired it could have been assumed to be a thing of the past as well.

But Breathitt County had yet to experience what would become its most famous murders, murders that would seal an already-established reputation as the center of the

“feud country.” Almost exactly six years after Strong was killed, his nephew, James B. Marcum, lawyer, US Commissioner and a prominent figure in Republican politics, was gunned down in front of the Breathitt County courthouse after challenging Democratic party bosses Callahan Hargis. His death came in the wake of the fatal shooting of Governor William Goebel short years earlier, an event that revealed the stark divisions in Kentucky politics, as well as the newly *au courant* form of political violence: public assassination. Goebel’s legislative attempts to reform state elections divided his own party, as did his antagonism of the powerful Louisville & Nashville Railroad (L&N). His contested election in 1899 led to his death and a new period of political acrimony in Kentucky. With the new courthouse ring’s political fortunes connected to Goebel, the conflict he generated was recreated in miniature. Assassination, a form of political violence inherent to the turn of the nineteenth and twentieth centuries, supplanted older varieties of violence experienced in Breathitt County in the past. What followed was a prolonged scandal that laid bare the corruption that Breathitt County’s most powerful men had long depended upon to maintain control, followed by a reawakening of violence in the county that seemed to confirm popular theories regarding Kentucky mountaineers’ preternatural propensity for taking lives. By the time of James Marcum’s death in 1903 eastern Kentucky had been viewed as a space of irregular violence for more than a decade. On a national scale this image of mountain otherness was based primarily on geographical isolation, poverty and racial (i.e. Anglo-Saxon or Celtic) vestigiality, all of which established an extrapolitical existence rife with horizontal kinship-based conflicts. Marcum’s death caught national attention as a reawakening of “feuding” in the region, contributing further to the association between eastern Kentucky and communal violence.

The political motivations for Marcum's death were concealed and, as was the case many times before, the county's violence was depoliticized.

This chapter examines the crisis of legitimacy that followed the career and death of William Goebel and its impact on Breathitt County. As had been the case during the 1870s, the language of *feud*, with its implications of antiquity and kinship, was a popular tool in forming a usable explanation for white intraracial violence that would not present too great a challenge to New South progress. With *feud* established as a widely-acknowledged social phenomenon with unquestionable connections to eastern Kentucky, descriptions of political violence were confounded by an ever-present impulse to define Breathitt County's problems instead as cases of communal violence.

“He apparently desired the world to surrender on its knees”

Eager to abandon any remaining legacies of the Civil War and embrace industry and reform, Kentuckians resolved to write a new state constitution in 1890, the first in forty-one years. Kentucky was the only former slave state to leave its antebellum constitution unrevised during the Reconstruction years. But few white northerners still pointed to Kentucky as a relic of Old South white supremacy (after all, white intraracial violence had overshadowed interracial atrocities since the 1880s), instead criticizing its lack of governmental efficiency and preparedness for industrialization, both embodied by its abundance of tiny, impoverished, corruption-ridden “pauper counties.” One delegate to the constitutional convention, incensed by the carelessness with which counties had been continuously carved out for decades, insisted that a minority of “fifteen or thirty or forty people” had been empowered by new county creation in order to create legislation

“not for the benefit of the people at large, but only for the benefit of people who were to be enriched by them.”⁶⁵⁸ It is impossible to know if the delegate had Breathitt County’s “father” Jeremiah South (by this time ten years deceased) in mind when he made this allegation; however, it was clear that the propagation of counties subdivided into such small units that their respective tax bases came closer and closer to nil as years progressed (to say nothing of the impunity of pro-Confederate county courts during the war), had convinced many Kentuckians that 119 counties was a good number to cease upon. Among the new constitution’s reforms were provisions to make the formation of new counties difficult.⁶⁵⁹ The new state constitution represented a common hope of breaking, yet again, from the state’s difficult past and producing a new, profitable future. The new constitution was a largely bipartisan affair. Unlike most southern states, where post-Reconstruction “redemption” virtually eliminated all challenges to the Democratic Party after 1877, Kentucky remained a “genuine” two-party state, albeit one with a consistent Democratic majority for most of those years.⁶⁶⁰ However, the 1890s was a time of unprecedented triumphs for Kentucky Republicans, triumphs helped along by the Democratic Party’s internal divisions on both the state and national levels. The 1888

⁶⁵⁸Kentucky, Constitutional Convention, *Official Report of the Proceedings and Debates in the Convention: Assembled at Frankfort, on the Eighth Day of September, 1890, to Adopt, Amend, or Change the Constitution of the State of Kentucky*, (Frankfort: E. Polk Johnson, 1890): p. 395. I am grateful to John R. Burch for directing me to this quote. For further convention debates on county government, also see pp. 328-329, 333, 358, 368-369, 391, 399, 403-404.

⁶⁵⁹The new rule was tested in 1904 when the legislature voted to form a new county, Beckham County (after the names ‘Hardscrabble’ and ‘Goebel’ were rejected), but a lawsuit charging that the county was too small for the parameters drawn out by the constitution prompted the new county to be dissolved. It was not until 1912 that another county, McCreary County, was formed to become the state’s 120th, and last, county; Ireland, *Little Kingdoms*, p. ; Martha J. Birchfield, “Beckham County: A Political Folly,” *FCHQ*, Vol. 64, No. 1 (Winter, 1990): pp. 60-70.

⁶⁶⁰Thomas Louis Owen, “The Formative Years of Kentucky’s Republican Party, 1864-1871,” (unpublished dissertation, University of Kentucky, 1981): p. 165.

death of *vive voce* had stifled the power of Democratic county regimes all over the state and allowed some Republicans to coast into local offices via the secret ballot.⁶⁶¹

Democrats were weakened by internal divisions over the Free Silver issue and lost votes to the Populist insurgency, especially in the western counties' black leaf tobacco belt.⁶⁶²

The state's agrarians had initially expected the Democrats to conform to their needs but, after a dissatisfying term of office under Governor John Young Brown, the strongest advocates of silver coinage and legislation that stifled the power of railroads began to look elsewhere.⁶⁶³ Kentucky Populism had been defined by a strong spirit and weak flesh. Just as it had been caught uncomfortably between North and South during the 1860s and 1870s, Kentucky was again wedged between oppositional forces, this time being the state's agrarian past and industrial future. Agrarian organization and protest against the ascendancy of corporations had emerged just as divisions between Bourbons and New Departure Democrats were beginning to heal in the late 1870s.⁶⁶⁴ The growth of the L&N Railroad and the monopoly power of tobacco trusts were enough to fuel some interest in the party. Sympathy for its causes ran high in the state, but the party confronted two major parties that remained strong enough to ignore any of their third party competitor's entreaties to bargain.⁶⁶⁵ As they and the Democrats floundered, the

⁶⁶¹While the new constitution reaffirmed ballot voting, a law had already been two years before the convention eliminating *vive voce* in elections for state office; *LCJ*, 14 January, 1888.

⁶⁶²Elizabeth Shelby Kinkead. *A History of Kentucky*. (New York et al: American Book Company, 1915): pp. 216-218.

⁶⁶³Jewell and Cunningham, pp. 10-12; Lowell Harrison, *Kentucky's Governors*. Lexington, Kentucky: The University Press of Kentucky, 2004): pp. 103-106.

⁶⁶⁴Klotter, William Goebel: *The Politics of Wrath*. (Lexington: University Press of Kentucky, 1977): pp. 11-12.

Republican vote increased steadily over the course of the 1890s, resulting in the election of William O. Bradley, Kentucky's first Republican governor, in 1895 (as well as a Republican majority in the state house of representatives).⁶⁶⁶ William McKinley's narrow majority over William Jennings Bryan in the following year's presidential election, coupled with the election of the state's first Republican U.S. senator, cemented the party's new clout.⁶⁶⁷ Throughout, these new electoral successes depended upon the consistent support of mountain Republicans and, for the first time, men from the eastern half of the two Kentuckys rose to statewide offices. Eastern Kentucky, in concurrence with its economic importance granted by coal and lumber, had become politically important as well.

The loss of the governor's mansion to a Republican was simply unacceptable to many Democrats, especially considering that Governor Bradley was interested in effecting actual change in the state. While much of the Republicans' national success had come from their abandonment of the war's partisan legacy in favor of "the old Whig conservatism," Bradley attempted racial reforms at a time when most of the white South was circling the wagons of Jim Crow.⁶⁶⁸ His plea to repeal the state's "separate coach law" was met with bipartisan white jeers, and his calling out of the militia during a prolonged legislative conflict between Gold Democrats and Silverites angered both

⁶⁶⁵Gaye Bland, "Populism in Kentucky, 1887-1896," (unpublished dissertation, University of Kentucky, 1979): p. 140.

⁶⁶⁶Kinkead, pp. 216-217.

⁶⁶⁷*TAPR*, 1896, p. 238; 1897, p. 241. Kentucky's first Republican US senator was elected in 1897; McKinney, *Southern Mountain Republicans*, p. 198; *Kentucky's Governors...*, p. 108.

⁶⁶⁸Woodward, *Origins of the New South...*, p. 29.

factions.⁶⁶⁹ To those who wanted to maintain racial segregation, and those who feared martial law, Bradley seemed an unwelcome authoritarian. Although a vigorous two-party competition had been established under relatively honest means, Kentucky Democrats were incensed by Bradley's attempts at reform and increasingly refused to recognize Republican legitimacy. As suspicions of corporate influence in his administration grew, the latter half of the Bradley administration marked the beginning of the most intense political confrontation to come out of the 1890s' array of southern reform movements. Concern over the L&N's growing influence in government (and increasing freight prices for farmers) resulted in continuous unsuccessful calls for heightened regulation.⁶⁷⁰ The L&N railroad, with mileage in Kentucky and further south constantly expanding, promised to be an interstate "Railway Emperor" and soon came to have what many felt was undue influence in state government.⁶⁷¹

The growing distrust toward the railroad fueled the political career of one of the South's most unlikely political figures, Pennsylvania native and firebrand Democrat William Goebel. His opposition to the L&N, paired with political acumen in dealing with more traditional courthouse Democrats, increased his popularity among a large

⁶⁶⁹Bland, p. 109; Klotter and Tapp, p. 369; Lowell Harrison, *Kentucky's Governors*, pp. 168-179.

⁶⁷⁰This began in earnest in 1893; *KSJ*, 1893 (Vol. III), pp. 3909, 3929, 3949; Thomas D. Clark, "The People, William Goebel, and the Kentucky Railroads," *JSH*, Vol. 5, No. 1 (February, 1939): p. 48.

⁶⁷¹Suspicion toward the L&N began in 1887 when the railroad unsuccessfully lobbied for the abolition of Kentucky's regulatory railroad commission, a lobbying effort accompanied by a well-known measure of bribery. Although the L&N's proposal was passed by the Kentucky House, it was defeated in the Senate. However, anti-L&N Kentuckians, including Goebel, did not consider this a permanent victory and continued to attack the railroad as a conspirator in statewide graft; Gary Robert Matthews and James A. Ramage. *Basil Wilson Duke, CSA: The Right Man in the Right Place*. (Lexington: University Press of Kentucky, 2005): p. 265; *LCJ*, 19 January, 1888 quoted in Woodward, *Origins of the New South*, p. 7; Bland, p. 4.

number of discontented Democrats and some Populists in the latter half of the 1890s.⁶⁷² In the process Goebel became the most controversial political figure to emerge in Kentucky since the flamboyant abolitionist Cassius M. Clay, upsetting conservative members of his own party and producing fears among Republicans that a new era of demagoguery had arrived. As the son of immigrants and a watchmaker by trade, Goebel had far more in common with Kentucky's urban minority than with its rural majority. As a Pennsylvanian by birth (and the son of a German-born Union veteran to boot) he did not fit the mold of a Kentucky Democrat imagined by party members who still retained sympathy for the Lost Cause.⁶⁷³ But he did master Kentucky's vaunted art of killing. In 1895 Goebel was confronted by an armed Republican banker for an unflattering article the former had written, to which Goebel swiftly responded with a bullet to the banker's head. Since both men were armed, many accounts of the shooting interpreted it as a traditional southern duel. However, there was no previous planning for the encounter and Goebel probably dispatched his target before the banker had pulled his own gun, a scenario that hardly qualified as the traditional (and, by this time, sharply declining) white southern ritual.⁶⁷⁴ Goebel was acquitted on grounds of self-defense, but his public

⁶⁷²Even though the earlier respective popularities of the Greenback Party, Grange, Farmer's Alliance, Colored Farmer's Alliance and Agricultural Wheel resulted in enthusiasm for Populism in the state (especially the tobacco-growing west), the history of Kentucky's People's Party was relatively brief. The Republicans' 1895 gubernatorial victory alarmed Kentucky Democrats enough to follow the national trend in absorbing the Populist platform, after which "the People's Party itself wither[ed] away." However, under Goebel's leadership, "Populism became more than a party in Kentucky; it became a style."; Conti, pp. 185-186; quotes from Thomas J. Brown, "The Roots of Bluegrass Insurgency: An Analysis of the Populist Movement in Kentucky," *RKHS*, Vol. 78, No. 3 (Summer, 1980): p. 241.

⁶⁷³This was exacerbated by his rivalry with fellow Democrat "blue-blooded, ex-Confederate soldier" W.J. Stone. To add further weight to the war memory's contribution to the controversy, Goebel's two primary Democratic detractors were two of the state's most highly-regarded Confederate veterans: W.C.P Breckinridge and Henry Watterson (although the latter eventually cautiously endorsed him); Clark, "The People, William Goebel, and the Kentucky Railroads," p. 37; Klotter, *William Goebel...*, pp. 47-49.

killing of a prominent financier was only the beginning of the controversy that surrounded him for the rest of his short life. When banditry broke out in the Bluegrass to protest toll road fees and the fencing of hunting land, the young state senator expressed sympathy for the protestors, prompting conservative legislators of both parties to associate him with lawlessness.⁶⁷⁵

Goebel's defense of free land access and his attacks on railroad-influence in government were in keeping with a political culture that was expanding throughout the South and West during the 1890s, one that, in states other than Kentucky, Populists were able to exploit for sizable political gain.⁶⁷⁶ But the call for railroad regulation shared by many other southern politicians paled in comparison to his drafting of a bill that was meant to revolutionize Kentucky's electoral process. Bradley's win in 1895 had radicalized the General Assembly's Democrats, who refused to accept a revival of two-party competition as anything more than conspiracy. They began insisting with an even more unified voice that the state's Republican Party was nothing more than the L&N's fraudulent tool, winning allies for the young firebrand. But Goebel (who was by this time Senate President Pro Tem) proposed a bill to centralize the management of elections, a measure that would theoretically strengthen Democrats. Republicans considered the bill a disenfranchisement measure every bit as egregious as other states' poll taxes, but

⁶⁷⁴*NYT*, 12, 13 April, 1895; "Kentucky's Political Anarchy," *Harper's Weekly*, 10 February, 1900, p. 126. The manner in which Goebel dispatched his street-side antagonist adds credence to C. Vann Woodward's contention that the public "shooting on sight" had supplanted the traditional duel as the primary method of white intra-racial violence after Reconstruction, especially since Goebel apparently did not respond to a "customary challenge to a duel" by the L&N's lobbyist Basil Duke short years later; Gary Matthews. *Basil Wilson Duke: The Right Man in the Right Place*. (Lexington: University Press of Kentucky, 2005): p. 277; Woodward, *Origins of the New South...*, pp. 158, 160, 378.

⁶⁷⁵Klotter, *William Goebel...*, p. 22; AAC, 1896, p. 375; 1897, p. 437; 1898, p. 356.

⁶⁷⁶Hahn, *The Roots of Southern Populism...*, pp. 176-182, 279-287

the bill passed over Bradley's veto.⁶⁷⁷ While what became known as the "Goebel Election Law" may have increased the power of the General Assembly in manipulating elections, thereby increasing Democratic power, it diminished the ability of local courts, many of whom, though Democratic, disliked the loss of decentralization from which they had initially gained. To compound further divisions within his party, Goebel also began to run afoul of its silver faction by negotiating with pro-Gold Bourbons, betraying his former inroads with populists.⁶⁷⁸ By 1898 Goebel seemed to be riding upon an angry Jacobin minority's support while alienating the majority on his left and right flanks. But, even after he alienated many fellow Democrats, his political capital never sunk so low to prevent his running for higher office, and a run for governor began in 1899.

Goebel's summer, 1899 victory in the race for the Democratic nomination was widely attributed to the selection of his friend and former Senate bench-mate, "ardent Democrat of the Jeffersonian school" and Breathitt Countian, Circuit Judge David B. Redwine, as convention chair.⁶⁷⁹ To an outside observer, Goebel's selection might have

⁶⁷⁷As a product of Kentucky's ancient inclination toward county autonomy election officers were chosen by county courts, meaning that ballot boxes were subject to the whims and wishes of county judges, clerks and sheriffs. If multiple parties were to be represented in the boxes' management, it was solely up to local courts to do so. Goebel's bill took this authority away from local officials and placed it in the hands of a commission chosen by the General Assembly. Succinctly, the directors of local elections would be chosen without the permission of the local court, a potentially problematic situation in cases in which county courts were under the control of a different party then happened to currently hold the majority in the General Assembly. While the most immediate effect of this law was to place elections in all counties (including those controlled by Republicans) under the management of the then Democratically-controlled legislature, Goebel insisted that his election bill was a remedy for the alleged corruption that resulted in William Bradley's election and the continuing influence of the L&N; *KSJ*, 1898, pp. 1022, 1145; *AAC*, 1899, p. 356; *Hartford Republican*, 5 October, 1900; Klotter, *William Goebel...*, pp. 46-47.

⁶⁷⁸Henry Loomis Nelson, "The Kentucky 'Boss's' Desperate Campaign," *Harper's Weekly*, 23 October, 1899: p. 1083.

⁶⁷⁹*Chicago Tribune*, 4 December, 1899; R.E. Hughes, F.W. Shaefer and E.L. Williams. *The Kentucky Campaign; or the Law, the Ballot and the People in the Goebel-Taylor Contest*. (Cincinnati: R. Clark Company, 1900): pp. 16-42; H. Levin (ed.). *The Lawyers and Lawmakers of Kentucky*. (Chicago: The Lewis Publishing Company, 1897): p. 556q; Nelson, p. 1084; Klotter, *William Goebel...*, p. 57.

seemed improbable. Judge Redwine's court circuit included some of the poorest and most isolated territories in eastern Kentucky. He was not a member of one of the state's great dynastic political families like the Clays or the Breckenridges and had relatively obscure origins even within his own section of the state. There, he had been accused of accepting "boodle" and assisting in local election-fixing since early in his judicial career.⁶⁸⁰ Perhaps most importantly, his residency in Breathitt County brought with it a certain amount of pariah status; anyone outside of eastern Kentucky who had heard of it since 1878 associated it with nothing more than the irrational violence and depravity implied by *feud*. The first book-length account of the Goebel affair (written from a Goebel-friendly perspective at that) published within less than a year of Goebel's death introduced Redwine as being from Breathitt County with no need for a fuller explanation.⁶⁸¹ As the political drama was recounted over the following years, particularly from Republican memory, the young judge was better remembered as being from "'bloody' Breathitt."⁶⁸²

But it was for these very reasons that the selection of Redwine was masterful. As a dark horse of the mountains, Redwine had fewer relationships with powerful Democrats and was conceivably less easily swayed by their influence. More importantly, he was from one of the few Democratic stalwarts in a section of the state that had remained heavily Republican and had managed to be elected judge in a circuit district that rarely

⁶⁸⁰HGH, 10 November, 1886.

⁶⁸¹Hughes et al, p. 34.

⁶⁸²For instance, Caleb Powers. *My Own Story: an account of the conditions in Kentucky leading to the assassination of William Goebel, who was declared governor of the state, and my indictment and conviction on the charge of complicity in his murder*. (Indianapolis, The Bobbs-Merrill Company, 1905): p. 86.

elected Democrats.⁶⁸³ The selection of an easterner diminished the possibility of sectional prejudice being thrown against Goebel. It was also fancifully suggested that a convention chairman from bloody Breathitt was the only selection intrepid enough to stare down a hostile convention hall.

Somehow, with or without the benefit of his home county's reputation, Redwine did manage to bring the infamous Louisville "Music Hall Convention" under control, but not in a manner that satisfied the mass of Kentuckians. Once it began, the June convention was nationally known as a meeting of the worst dregs of Kentucky society brought to act as delegates. Louisville's waterfront roustabouts and gamblers mingled with policemen and firemen summoned to vote their respective ward bosses' wishes.⁶⁸⁴ The entire proceedings were defined by incessant brass band music, raucousness and a constant threat of riot. A disgruntled Republican memoirist later recalled that Redwine was somehow able to take absolute mastery over the rowdy convention with no respect for parliamentary procedures. "He apparently desired the world to surrender on its knees. Parliamentary usages formed no part of his code. He was not there for the convention to direct, but to direct the convention. There was but one man he obeyed, but one man he served, and that man was William Goebel. Him he served with all the fidelity with which a slave serves his master."⁶⁸⁵

⁶⁸³Levin, p. 556; McKinney, *Southern Mountain Republicans*, p. 195.

⁶⁸⁴Hughes et al, pp. 46-48; Klotter and Tapp, pp. 418-422.

⁶⁸⁵Powers, p. 80.

In actuality, the lack of parliamentary procedure could just as easily be blamed upon the entire room of delegates. Redwine somehow managed to maintain the convention in the direction of a Goebel nomination (despite physical threats from hostile delegates) by insisting on a dizzying flurry of roll call votes, accompanied by his own refusals to adjourn until Goebel's other conventioners could negotiate a firm majority. He managed enough aplomb to remain onstage to beat time with his walking stick to some angry delegates' impromptu rendition of "We'll Hang Jeff Davis from a Sour Apple Tree" with his own name substituted for Davis'.⁶⁸⁶ Throughout the proceedings, Breathitt County's James "Big Jim" Hargis was working behind the scenes as "one of the main manipulators," quietly cajoling delegates and supposedly threatening Redwine with bodily harm when he considered leaving the lectern for fear of his own safety.⁶⁸⁷ The twenty-sixth ballot produced a nomination for Goebel and a nationwide outrage from Goebel's left and right flanks; Republicans saw correlations between Goebel and the specter of anarchy, while some Democrats reproved the Goebel election law as an oligarchical attack on "home rule."⁶⁸⁸ The reputations of David B. Redwine and, to a somewhat lesser extent, that of the enigmatic Judge Hargis, were indelibly connected to Goebel's contentious nomination. Among Republicans and anti-Goebel Democrats, the name 'Redwine' was anathema for years. For a shorter amount of time, the remainder of William Goebel's life, the Democratic Party was fragmented.

⁶⁸⁶Hughes et al, p. 34; Powers, p. 86.

⁶⁸⁷Quote from Clark, *Kentucky: Land of Contrast*, p. 209; *Lexington Leader*, 14 November, 1902; *LCJ*, 6 February, 1908.

⁶⁸⁸*Louisville Dispatch*, 27 August, 1899. See also John H. Fenton. *Politics in the Border States*. (New Orleans: Hauser Press, 1957): pp. 41-44.

As his campaign began, Goebel continued his standard tack of demonizing the L&N and going so far as to suggest that any other candidacy represented the railroad's executive domination. His Republican opponent, Attorney General William S. Taylor, was scarcely mentioned by name in Goebel's fiery speeches. "There are only two candidates for governor of Kentucky," he announced a month before the election. "There are more than that number who pretend to be candidates, but the only real candidates are the Louisville Company (i.e., the L&N) and the person who addresses you."⁶⁸⁹ In response, much of the bile spilled against Goebel did indeed involve the L&N and its presumed influence in the legislature. But his election bill, by far his most outrageous legacy, was considerably more complex and problematic than his attacks on the railroad. By the time he ran for governor, even anti-Goebel Democrats favored railroad regulation, especially regarding the prevention of extortion. The only difference between the platform of these "Honest-election" Democrats (who nominated former governor John Y. Brown as their candidate) and that of the pro-Goebel faction was Goebel's election bill.⁶⁹⁰ Even with the support of William Jennings Bryan, and a reluctant late endorsement from the authoritative *Louisville Courier-Journal*, Goebel's lack of support within his own party (as well as the persistence of the Populists who pilloried his election law and ultimately robbed him of crucial votes in Kentucky's western tobacco belt counties) ended in his apparent narrow defeat.⁶⁹¹ For their part, Republicans had taken advantage of Democratic furor over Goebel and concentrated solely on state issues (this

⁶⁸⁹*LCJ*, 17 October, 1899.

⁶⁹⁰*NYT*, 24 June, 1899; *AAC*, 1899: p. 409.

⁶⁹¹Tracy Campbell. *The Politics of Despair: Power and Resistance in the Tobacco Wars*. (Lexington: University Press of Kentucky, 2005): pp. 33-36; Powers, pp. 56, 58-59, 89-97, 120-123.

at a time when Republicans elsewhere were winning elections by touting issues of national and international reach).⁶⁹² The review board created by Goebel's own notorious election bill surprised everyone by finding in William Taylor's favor.⁶⁹³

Although Goebel personally conceded defeat shortly before Taylor's December 12 inauguration, Democrats decried the Republican ticket and the L&N for corrupting the election by using fraudulent ballots and by intimidating railroad workers at the polls.⁶⁹⁴ Invigorated by this newfound support, Goebel rescinded the previous month's concession and returned to the General Assembly in January, 1900 with accusations against the election returns from more than a third of the state's counties. The apparent Taylor win had brought with it few gains in the legislature, and the Democratic majority selected a committee made up of nine fellow party members (including James Hargis), one Republican and one Populist to review the evidence of fraud.⁶⁹⁵ Armed Democrats patrolled the streets of Frankfort in anticipation of a Republican attempt to confound the review process. In retaliation, Republicans summoned more than 1000 militiamen from the eastern "Whig Gibraltar" counties (which the Democratic press dubbed the "bloody Eleventh" since most of them came from the mountainous eleventh congressional district), the state's most heavily Republican section, to Frankfort with the dual purpose of guaranteeing fair proceedings and intimidating the Democrats.⁶⁹⁶ The L&N openly

⁶⁹²*NYT*, 15 October, 1899.

⁶⁹³Lowell Harrison, "Taylor, William Sylvester," in Clark, Harrison and Klotter (eds.) *The Kentucky Encyclopedia*. (Lexington: The University Press of Kentucky, 1992): p. 870.

⁶⁹⁴*KHJ*, 1900, pp. 46-52; *KSJ*, 1900, pp. 60-66.

⁶⁹⁵Hughes et al, p. 145; Clements, p. 119; Klotter, *William Goebel...*, p. 95.

volunteered its rolling stock to transport the armed Republicans from the foothill and mountain counties without charge except for (according to one horrified Democrat) an alleged “pistol to get a free pass.”⁶⁹⁷ Throughout January, Frankfort was occupied by a seething armed crowd whose tenuous claim to militia status was legitimized only by its attachment to the Republican Party. As members of both parties awaited the committee’s findings, Democrats in the pro-Goebel and anti-Goebel camps united to protest the group’s presence, while Republicans defended the freedom-loving mountaineers as a peaceful assembly gathered to “protect their liberties.”⁶⁹⁸

On the morning of January 30th, while accompanied by two Democratic friends, Goebel was shot by a hidden rifleman while walking by the state house to the senate chamber. Soon after he was carried back to his hotel, rumors spread that he was killed, and the capitol was surrounded by armed men who, hours later, prevented the entrance of the election committee. Probably knowing as little as most of Frankfort’s populace as to Goebel’s condition, the committee soon announced a party-line decision that Goebel had received the largest number of votes (but without giving the exact numbers of the returns). Governor Taylor took this as an act of sedition and dismissed the General Assembly with instructions to reassemble in the “bloody eleventh” congressional district’s Laurel County, the point of origin for many of the Republican militiamen. Only the Republican legislators complied, while the others assembled in the hotel where Goebel lay dying in order to ratify the election committee’s decision. While being fed oysters and

⁶⁹⁶*LCJ*, 26 January, 1900; “Caleb Powers, Appt., v. Commonwealth of Kentucky,” Kentucky Court of Appeals, Burdett A. Rich and Henry P. Farnham (eds.), *The Lawyers’ Reports Annotated* (hereafter *LRA*), Book LIII (Rochester, NY: The Lawyers’ Co-operative Publishing Company, 1912): pp. 258-260.

⁶⁹⁷*LCJ*, 26 January, 1900.

⁶⁹⁸*Lexington Herald*, 26 January, 1900.

succumbing to a fatal case of pneumonia, Goebel twice took the oath of office from two friendly Democratic judges.⁶⁹⁹ Even while Governor Taylor presided over a reassembled General Assembly in the Kentucky mountains, Democrats declared his recumbent opponent the state's thirty-fourth governor.

His death three days later did not settle matters for either party, since Democrats had become incensed with the possibility that Governor-elect Taylor had directed Goebel's assassination. After sixteen initial indictments, eastern Kentucky native Caleb Powers, Republican secretary of state and the primary assembler of the mountain militiamen, was convicted for planning Goebel's murder.⁷⁰⁰ He was joined by two fellow Republicans, one of whom, Jim Howard, was also an eastern mountaineer with a well-known past as an enforcer for Clay County party leaders.⁷⁰¹ Caleb Powers was sentenced to life imprisonment by a jury "made up entirely of Democrats," but ensuing appeals brought about years of politically-charged trials and the eventual pardoning of all three men (Powers and Howard were both pardoned by the state's next Republican governor, Augustus Wilson).⁷⁰² Taylor fled to Indiana, where the Republican-dominated government refused to extradite him back across the Ohio River, even after testimony was delivered that directly implicated him in the conspiracy. After a long series of court

⁶⁹⁹*William S. Taylor and John Marshall, Plffs. In Err. V. J.C.W. Beckham, Drt. Err.*, United States Supreme Court (Argued 30 April and 1 May 1900), *Supreme Court Reporter, Cases Argued and Determined in the United States Supreme Court, October Term, 1899*, Vol. 20 (November, 1899-July, 1900): p. 895; Klotter and Tapp, p. 450.

⁷⁰⁰Powers, pp. 122-123.

⁷⁰¹"Howard v. Commonwealth," *Kentucky Reports: Reports of Civil and Criminal Cases Decided by the Court of Appeals* (hereafter *KR*), Vol. 18, Part 1 (April, 1904): pp. 2-18.

⁷⁰²AAC, 1899: p. 409; *Berea Citizen*, 29 April, 1909.

battles (during which the US Supreme Court demurred from hearing the case), J.C.W. Beckham, Goebel's running mate for lieutenant governor, ended up as governor.⁷⁰³

Goebel's impact on Kentucky politics lasted years after his violent death. In the minds of many Kentuckians of both major parties, Goebel's election law had produced nothing but "hopelessness and chaos." During the campaigns for the November, 1900 special gubernatorial election, Republicans demanded its repeal, alleging that "whole counties [were] deliberately disfranchised" (the Kentucky Populist Party also denounced the statute). Pro-Goebel Democrats countered with accusations that, for bringing the troop of mountain Republicans to Frankfort a year earlier, the Republicans depended upon "the mob and the assassin" for their successes.⁷⁰⁴ The next Republican gubernatorial victory, Augustus Wilson's win in 1907, could have been counted as the party's vindication and redemption, but, haunted by memories of January, 1900, was instead mired in a "slimy trail."⁷⁰⁵ After his controversial pardons of the supposed conspirators, Governor Wilson's term in office was spoiled by Goebel's memory becoming "the bloody shirt of Kentucky politics" and an obfuscation of unrelated issues in the General Assembly.⁷⁰⁶ The name 'Goebel' was both cursed and glorified in Kentucky's Democratic Party for nearly a decade after the assassination, although his being killed at an early age helped his memory more than it hurt it. When Beckham ran

⁷⁰³ *William S. Taylor and John Marshall, Pliffs. In Err. V. J.C.W. Beckham, Drt. Err.*, United States Supreme Court (Argued 30 April and 1 May 1900), *Supreme Court Reporter, Cases Argued and Determined in the United States Supreme Court, October Term, 1899*, Vol. 20 (November, 1899-July, 1900): pp. 1187-1212.

⁷⁰⁴ ACC, 1900: p. 329.

⁷⁰⁵ *Berea Citizen*, 29 April, 1909.

⁷⁰⁶ Harrison, p. 120.

for reelection in 1903, even Democrats who had once hated Goebel frequently conjured up his “martyrdom” for the party.⁷⁰⁷

But because his revolutionary policies were paired with implications of his attendant hypocrisy (his election review bill), the “bloody shirt” of Goebel’s assassination could never become morally instrumental for Kentucky progressives. The introduction of stark class and interest differences within Kentucky’s Democratic Party; the inordinate lobbying power of one expanding corporation within state government; the passage of a controversial bill that favored the interest of one party in statewide elections; the virtual establishment of martial law on Election Day; the refusal of both parties to recognize the legality of a gubernatorial election; the assassination of a (debatable) Governor-elect; an internal insurrection of government by the establishment of a second General Assembly outside of the capital; and the politicization of trials for Goebel’s accused killers: this series of events created a crisis of legitimacy never before experienced within an American state, almost “plunging a state into civil war.”⁷⁰⁸ Yet, unlike the civil war that took place earlier in the state’s history, the alignments of opposition were not clearly drawn. Goebel’s categorization as a Populist and Progressive ran counter to his dependence upon machine tactics and undemocratic courthouse rings in many parts of the state. One of the foremost Kentucky historians of recent decades characterized the Goebel campaign as the “breaking down” of “old political alliances” that had existed since 1865.⁷⁰⁹ But, while he attempted to make clear who Kentuckians’ economic

⁷⁰⁷Klotter, *Kentucky: Portrait in Paradox, 1900-1950*. (Frankfort: Kentucky Historical Society, 1996): p. 206.

⁷⁰⁸Woodward, *Origins of the New South...*, p. 377. A contemporary accusation of Goebel’s campaign “precipitating civil war” appeared in *Louisville Dispatch*, 10 November, 1899.

enemies were, he never developed a critique of the state's political process. He was too dependent upon the capricious support of conservative Democrats to truly revolutionize the party. His inability to negotiate differing strains within his own party prevented the class-based suppression of corporate interests that Goebel had hoped for. His successor and protégé, Governor Beckham, eventually became a firm friend of the L&N.

But the Goebel campaign also displayed a newer division that had taken place in Kentucky since the end of the Reconstruction period: a sectional delineation by which the state's eastern third had come to appear peculiar to central and western Kentuckians, as well as the United States as a whole. Since the Civil War this area of the state had been politically different in that it served as a Republican enclave within a predominantly Democratic state. But eastern Kentucky had also achieved a not-undeserved reputation for internal violence as well. When the state's principal Democratic newspaper called the Republican-assembled militiamen milling about in Frankfort at the time of Goebel's assassination "the roughest crowd ever gotten together in the mountains" it was meant to be taken as a telling hyperbole regarding eastern Kentucky's innate meanness (as well as an indictment of the railroad and political party that had brought them).⁷¹⁰ The supposed gunman in the Goebel killing, Jim Howard, was said to have agreed to act as sniper in exchange for a pardon for a feud-related murder which he expected to be convicted in the near future.⁷¹¹ But Goebel's Democratic nomination, perhaps a greater feat than an unquestioned election as governor might have been, had, by many accounts, also depended upon the assistance of his personal friend, Breathitt County's Judge David

⁷⁰⁹Klotter & Tapp, p. 453.

⁷¹⁰*LCJ*, 26 January, 1900.

⁷¹¹Billings and Blee, *The Road to Poverty*, pp. 291-292.

Redwine. There was little doubt that the successes, failure and eventual tragedy experienced by William Goebel in his doomed campaign for governor could all be traced to the Kentucky mountains.

If viewed from outside Kentucky, Goebel's assassination may have come as little surprise to many. No other nationally-known candidate for public office, save perhaps Eugene V. Debs, had used such language against enemies both real and imagined, let alone enjoyed some broad measure of support in doing so. But the apparent involvement of a militant troop of "ignorant and uncouth" "Republican mountaineers," a population maligned for over a decade, resonated with other implications for turn-of-the-century newspaper readers.⁷¹² In hindsight, Goebel's death was the product of the class tensions and political partisanship endemic to the 1890s on a national scale. However, during the month of January, 1900 the mass of armed eastern Kentuckians was looked upon by Kentucky Democrats as an ersatz peacetime military occupation not only by Republicans but by an unambiguously primitive population. The convictions of Jim Howard and Caleb Powers, both natives of the mountain counties, only bore this conflation of party animosities and sectional prejudices out.

Aside from providing the Kentucky Republican Party's militant backbone, these mountaineers were the source of fear for other reasons, since their section had become known as a space of constant internal violence. The apparent proliferation of "feuds" between families, factions or (as the media tended to imprecisely term them for rhetorical effect) "clans" in the 1880s had established eastern Kentucky as a place radically apart from the economically thriving Bluegrass and populated by a population unrepentantly

⁷¹²*Adair County News* (hereafter *ACN*), 14 February, 1900.

uneducated and innately prone to violence. Consequently, the utilization of their numbers by the L&N and the Republican Party during the Goebel affair brought with it an air of danger that required little exposition beyond their eastern (or “mountain”) origins. Furthermore, for Kentucky Democrats, it lent to Goebel’s resultant death implications far more ominous than the simple product of a fierce party war; a day after his shooting the state’s leading newspaper, already assured that the culprits were among the “army of mountaineers,” announced that he had been shot with the “mountain method of ambush”⁷¹³ But the army of mountaineers was not an assemblage of political actors, but rather (according to the same paper) a primal phalanx used by the state’s Republican elites. Days before Goebel was shot, Democratic spokesmen had issued a warning that “if a single Democrat is harmed the guilt will be upon the Republican leaders and not the ignorant men” that the party had “corralled in this little city.”⁷¹⁴ Another Democrat condemned the Republican-arranged “invasion of hill billies from the Eleventh district” and hoped that they would disperse with the unusually cold January weather.⁷¹⁵ During the trial of Caleb Powers the role of “feudists” in peopling the Republican militia was announced by the prosecution.⁷¹⁶ As they had done during the worst years of “feud” violence in the 1880s, Democrats depoliticized mountaineers by imbuing their violent reputation and actions with communal, rather than political, significance. Had it not been for the already-established association between Republican eastern Kentucky and *feud*,

⁷¹³*LCJ*, 31 January, 1900.

⁷¹⁴*LCJ*, 26 January, 1900.

⁷¹⁵*Hopkinsville Kentuckian*, 30 January, 1900.

⁷¹⁶“Powers v. Commonwealth,” *LRA*, Book III, p. 264.

the prosecution of Powers and his alleged conspirators might not have been as successful as it was.

The memory of Goebel and the supposed dangers posed by Kentucky mountaineers were entwined for years afterward and provided a means for Kentuckians and other Americans to reconcile (or confuse) political and communal uses of violence and draw boundaries between the two Kentuckys. In John Fox, Jr.'s fictionalized account of Frankfort in January, 1900, published more than ten years later, Goebel's death provided an ironic twist in the plot of an imaginary feud between the "Hawns and Honeycutts" in an unidentified eastern county. The threat posed by "the autocrat" (an unnamed fictionalized Goebel) necessitated the two families' swearing "that they had buried the feud for a while and that they would fight like brothers for their rights..." Soon after, a member of each "clan" is implicated in the governor-elect's murder.⁷¹⁷ In the account, the feud between the Hawns and Honeycutts had begun over small differences of a strictly personal nature; politics, the cause of the real-life ruptures that had been labeled as "feuds" years before, was instead treated as the force through which warring clans could be united against a common enemy worthier of their heretofore misplaced wrath. The communal conflict that had led to their initial division was subsumed by the political conflict that not only united them, but prompted the Hawns and Honeycutts to engage the more modern world of the Bluegrass in a manner that bettered them with exposure to the "outside world" without stripping them of their native nobility and egalitarianism. The ability of the Kentucky mountaineer to accept the progress of the

⁷¹⁷John Fox, Jr. *The Heart of the Hills*. (New York: A.L. Burt and Company, 1912): pp. 207. Fox was inspired to include a Goebel-like character in the novel after attending the governor-elect's funeral; Bill York. *John Fox, Jr.: Appalachian Author*. (Jefferson, NC: McFarland & Company, 2003): pp. 165-166.

“outside world,” rejecting communal violence while maintaining his nobler qualities, was a typical theme of Fox’s portrayals of the region.⁷¹⁸ The use of a Goebel figure as the unseen antagonist in a Fox novel reflected the danger that mountain Republicans saw in his candidacy but, as a literary device, represented the overly bureaucratized republic’s loss of democracy that only the re-involvement of the “pure” Anglo-Saxon yeoman could heal. In Fox’s (albeit patronizing) portrayal published years after Goebel’s death, the “ignorant men” who occupied Frankfort in the winter of 1900 could be heroes.

If eastern Kentucky’s “bloody Eleventh” congressional district (so named the day after the L&N’s delivery of many of its armed constituents in Frankfort) was the danger that Democrats said it was, it was largely a danger of their own making.⁷¹⁹ Kentucky Democrats were not above “corralling” mountain Republicans themselves; in 1880 the Democrat-controlled General Assembly gerrymandered a new district between the Three Forks region and the Bluegrass in an attempt to contain the overwhelming bulk of Republican votes within the area and weaken the party’s influence in the rest of the state.⁷²⁰ The concentration of Republican votes into one discreet area of the state only ended in creating a unified electoral (and, as seen in Frankfort in January, 1900, paramilitary) force opposed to the perceived dangers represented by Goebel’s reforms. But while the massively Republican “bloody eleventh” congressional district gained notoriety in the Goebel affair, it was a traditionally Democratic county in the neighboring

⁷¹⁸Darlene Wilson, “A Judicious Combination of Incident and Psychology: John Fox, Jr. and the Southern Mountaineer Motif,” in *Backtalk from Appalachia...*, pp. 111-115; Marilyn DeEulis, “Primitivism and Exoticism in John Fox’s Early Work,” *Appalachian Journal*, Vol. 4, No. 2 (Spring, 1977): pp. 133-143; Batteau, *The Invention of Appalachia*, pp. 64-74; Shapiro, pp. 210-214.

⁷¹⁹*LCJ*, 26 January, 1900.

⁷²⁰McKinney, *Southern Mountain Republicans*, p. 119.

tenth district that was not only to continue the political battle based upon loss of legitimacy started by Goebel, but also seal eastern Kentucky's renown for communal *feud* violence.

“...Breathitt's debut into political circles in her long robes of state.”

A few months after his nemesis William Strong's death in May, 1897, Edward Callahan, chairman of the county's Democratic Party, was involved in a scheme that would have ended his political career in many other places. During the August primaries Callahan came to odds with another merchant and newer arrival to Breathitt County politics, James Hargis, over Democratic nominees for county school superintendent. Callahan's favorite seemed to win by a mere six votes in the initial canvass, but Hargis somehow managed to have his man nominated when the count came to the party committee. Still comfortable in using force of arms to meet his ends, Callahan led an armed party into the courthouse in Jackson, captured the ballot box, and re-canvassed the returns, not surprisingly finding in favor of his own candidate. Hargis recognized that he was in no position to directly confront Callahan and, instead of challenging him through force of arms as would have been done short years before, sent word to the chairman of the state party organization and was promptly recognized as the new county party chairman (a position that would soon place him in good stead during the Goebel race). Hargis had seemingly led a coup by responding to the threat of violence with an appeal to higher authorities, a clear indication that bureaucratic modernity was surmounting Breathitt County's history of “rifle rule.”⁷²¹

⁷²¹NYT, 15 September, 1897.

To turn-of-the-century local color writers, the growing intra-party dispute between the Hargis and Callahan factions could have been interpreted as the flowering of conflict between two of Breathitt County's oldest "clans." Callahan was the descendant of the Three Forks region's oldest white settlers and was related by blood or marriage to many of the "first families" in the Three Forks region. Hargis was the great-nephew of John Hargis, one of the Bluegrass Democrats who had helped engineer the creation of the county in 1839. Had the potential dispute over local party nominations come to blows (as was probably expected) it could well have been framed as the scion of a pioneer family fighting off the "usurper" descended from Bluegrass interlopers. Callahan's history as a "feudist," a label that brought with it a small measure of antediluvian honor, would have served to veil his old association with the comparatively cosmopolitan Ku Klux Klan.

But this was not to be the case. By 1899 Callahan and Hargis (along with David B. Redwine, who had been elected circuit court judge in the same election that had created the initial rift between Callahan and Hargis) had entered into a political partnership based upon their shared interests as merchants (Hargis in Jackson, Callahan in Crockettville) and a desire to see that Breathitt County's Democratic Party remain paramount.⁷²² Their respective relationships to Breathitt County and its history was the key to their alliance's success. Aside from his familial primacy, Callahan bridged the gap between the practice of subaltern mass violence after the war and legitimate political action. Hargis's first cousin was former state Court of Appeals judge Thomas F. Hargis, one of the state's most influential career politicians.⁷²³ Hargis and Callahan had little

⁷²²McKinney, *Southern Mountain Republicans*, p. 195.

interest in exhuming the county's old mayhem. Both had been small children during the Civil War, and as a result had no direct exposure to the ensuing troubles. Although Callahan clearly had the inclination to continue being a "feudist," with William Strong dead he had no real enemies of any great influence or authority. Most importantly, Callahan, Hargis and Redwine were all fellow Democrats. With a Republican in the governor's mansion, thanks largely to the votes of other mountain counties, their Democratic home county's political stock was at its zenith. Having proven his acumen at the party's state convention in 1899, Hargis quietly became the first Breathitt County resident to be appointed to his party's state central committee, a position that gave him patronage privileges over his entire congressional district and a voice in the party's highest statewide echelons.⁷²⁴ Hargis endeavored to guide the Democratic Party from the shadows, as he had done on the floor at the Music Hall Convention that summer, and went so far as to forbid any photographs be taken of him so that his face would be virtually unknown outside of his home environs.⁷²⁵ Suddenly, men from Kentucky's most nationally embarrassing locality were wielding authority throughout the state. More than three decades, later a local historian proclaimed the Hargis-Callahan partnership (with Redwine as a fellow traveler) "Breathitt's debut into political circles in her long robes of state."⁷²⁶

⁷²³John J. McAfee. *Kentucky Politicians: Sketches of Representative Corn-Crackers and Other Miscellany*. (Louisville, KY: Courier-Journal Job Printing Company, 1886): pp. 73-76.

⁷²⁴*LCJ*, 6 February, 1908.

⁷²⁵Edward S. Linner, "The Human Side of Jim Hargis," *Harper's Weekly* (29 February, 1908): p. 21.

⁷²⁶E.L. Noble (Vol. 1), p. 106.

The partners' shared foray into county politics coincided with the rise of William Goebel, and all were instrumental in supporting his nomination and election. Aside from Redwine's and Hargis's direction of the Music Hall Convention (which Goebel gratefully acknowledged in a campaign appearance in Jackson), Callahan saw to it that Breathitt County would be fully behind Goebel the following November.⁷²⁷ A party mass meeting held earlier in the summer produced a "a healthy rebuke to McKinleyism, Hannaism [in allusion to William McKinley's campaign manager Mark Hanna], and the Phillipineism" in the following year's presidential race, as well as a supposedly unanimous show of support for Goebel.⁷²⁸ The eventual entrance of John Y. Brown as a more conservative Democratic option was an enticement for some, even those who may have supported Goebel at the mass meeting. Repeating a smaller version of the gambit he had tried two years earlier, during the November polling, Callahan hired men to guard the ballot boxes in the county's most heavily Republican precinct (probably his own Crockettville precinct) and repel Republican election inspectors under threat of physical harm. A similar guard was placed at one other precinct. When the final count was to be held in Jackson's courthouse, an armed gang of "Goebel desperadoes" entered and fired pistols in the air, driving all of the Republicans from the room and securing the ballot box. Supposedly, according to the state Republican campaign chairman's accusations, 400 votes were secured fraudulently. Even in the precincts where Republicans were allowed to remain as inspectors, all of the accompanying Democrats were in favor of Goebel, with none present for Brown, who, in such a heavily Democratic county, may well have been the heavier threat to Goebel. Partly due to "bulldozing never seen in Breathitt County

⁷²⁷Hughes et al, p. 108.

⁷²⁸HGH, 19 June, 1899.

before,” Goebel won the county with 756 votes.⁷²⁹ After the election the only other counties that reported similarly “severe” illegal tactics to secure the Goebel vote were those with large cities.⁷³⁰

“Bulldozing never seen in Breathitt County before” rightfully suggested that the methods of intimidation used by the new Democratic party leaders had reached a new height and had been met with far less resistance than in the past. The 1899 gubernatorial election marked the first major vote since the Civil War without an organized arrangement of minority dissent. With William Strong, the county’s “strong Republican,” dead for nearly three years, there was no individual available to aggressively resist or repel the extralegal electioneering techniques that had been employed numerous times for decades. Breathitt County’s Republican Party had only been established due to an appeal for Unionism during the war and, with the war becoming a more distant memory as years went by, had since failed to generate a significant rationale for attracting voters. The voter intimidation displayed during the November, 1899 elections was decried by Republicans but was a far cry from the deadly engagements that had prompted the two interventions of the state militia in the 1870s, both of which had taken place at the request of a Republican circuit judge. As had been the case under the 1849 constitution, governors were still required to await the request of a circuit judge for the militia to be summoned; even if Governor Bradley saw fit to do so, Judge Redwine was hardly inclined to make the petition, since the “bulldozing” benefitted his gubernatorial endorsee. Even with the communication enhancements since provided by the arrivals of the

⁷²⁹*NYTq*, 12 November, 1899; *Hartford Republican*, 27 November, 1903.

⁷³⁰These were Lexington (Fayette County), Louisville (Jefferson County) and Goebel’s hometown of Covington (Kenton County); Hughes et al, p. 191.

telegraph and railroad, whatever embarrassment that reports of Breathitt County's persistence of violence might have caused Bluegrass Democrats was outweighed by the advantage of having a Democratic bastion in the mountains. If the county's violent past and present provided Republicans with grist for propaganda, it was severely stifled after Goebel fell to what was apparently their own party's utilization of "the mountain style of ambush" early the following year. As before, Breathitt County was left to its own devices.

And, ultimately, the use of violence was, at least for a time, no longer the primary issue. Having themselves been accused of employing methods of intimidation and fraud in the 1899 elections, Kentucky Republicans did not consider Breathitt an especially egregious case, except for its standing out as an island of support amongst counties that had gone heavily for Taylor. It only stood out as the most overtly forceful example of "the Goebel methods," and was acknowledged as such again a year later during the special election that secured the governor's office for J.C.W. Beckham.⁷³¹ Breathitt County, long known for its singular record of violence, had become simply another piece of evidence for the crisis of governmental legitimacy suffered throughout the entire state.

Callahan and Hargis's reasoning for supporting the Goebel candidacy is difficult to ascertain precisely. But the Goebel platform potentially benefitted the Breathitt County courthouse ring for both economic and political reasons. In Jackson, James Hargis had only one other mercantile competitor, while Callahan's store in Crockettville was in one of the most isolated parts of the county and had virtually no direct competition for providing common finished goods. Both men had investments in numerous coal and timber interests that could only be helped by strengthened transportation networks. The

⁷³¹*NYT*, 10 November, 1900.

L&E railroad, the very thing that had made Jackson an increasingly important town, was similarly vital to both men's personal interests and respective zones of influence. And the L&E was a significantly small railroad, one that had not yet been absorbed by the ever-growing L&N. After its period of receivership in the early 1890s, the railroad had begun to thrive, but on a modest level that did not threaten to dictate terms to Breathitt County's merchants and farmers. Consequently, Goebel's attacks upon the L&N probably appealed to Hargis and Callahan (and very possibly the vast majority of Breathitt County voters as well), since any reduction or regulation of the larger railroad kept their own native line at a manageable size. The influence the L&N exhibited during the 1899 gubernatorial election and its aftermath, using employees to bully voters and shipping trainloads of mountain Republicans to the streets of Frankfort, no doubt confirmed their justification for wanting to keep what was becoming a regional monopoly out of their county.

It was the Goebel Election Law, however, that may have been the primary enticement. The law established a state board of commissioners for the regulation of elections as well as a corresponding board in each county. With a Democratic majority in the General Assembly, and the consequent Democratic control over the majority of county election boards, Callahan and Hargis could conceivably maintain their party's power within Breathitt County indefinitely. In 1901 Hargis and Callahan were elected county judge and sheriff respectively, cementing the hold on Breathitt County's government that they had already established as heads of the Democratic Party. Their connections to William Goebel, and the methods that had been used to win the county for him, dictated that a perpetual air of controversy would follow them both. Even during

Jeremiah South's lifetime so much authority had not been contained into so few hands in Breathitt County. Although their party had been a majority force for six decades, this was the first effective "courthouse ring" in the county's history. As in the past, a dissenting minority emerged to challenge it.

"There is no politics in the law."

Hargis's and Callahan's capture of the Breathitt County courthouse was little different than political maneuverings elsewhere in the South, a region-wide effort that established Democratic machines in many states. The blatant armed seizure of ballot boxes was only one of many counter-revolutionary measures employed by southern Democrats after federal oversight of elections had become a thing of the past.⁷³² What Breathitt County's Democratic elites lacked was the ability to justify themselves with the "shibboleths of party" based primarily upon "white unity, and deliverance from the 'horrors' of black rule."⁷³³ This popular Democratic device was practically useless in and around Breathitt. In his bid for circuit court judge in 1897 David Redwine entered into an agreement with Wolfe County's *Hazel Green Herald* for the latter to run a series of race-baiting cartoons depicting his Republican opponent as an advocate of social equality for black Kentuckians. Such a threat was apparently lost on many of the judicial district's voters, however, and Redwine decided to abort the scheme without paying the

⁷³²Mark Wahlgren Summers, "Party Games: The Art of Stealing Elections in the Late-Nineteenth-Century United States," *JAH*, Vol. 8, No. 2 (September, 2001): pp. 424-426,

⁷³³Paul D. Escott. *Many Excellent People: Power and Privilege in North Carolina, 1850-1900*. (Chapel Hill and London: The University of North Carolina Press, 1985): p. 171.

Herald, thereby prompting the paper to astonishingly give his opponent an eleventh hour endorsement.⁷³⁴

Ideologically, he, Callahan, and Hargis had little to offer voters as incentive against party-bolting, and relied instead on patronage (particularly in the hiring of sheriff's deputies), the electorate's customary loyalty to their party, and intimidation. With the two highest county offices under their control, and a solid ally in the circuit court, Callahan and Hargis collectively constituted what political scientist Charles Tilly has labeled a "low-capacity democratic" state, a condition given to relatively high levels of political participation and vigorous party mobilization but with pronounced "involvement of semi-legal and illegal actors in public politics, and substantially higher levels of lethal violence."⁷³⁵ However, even in a county with consistent one-party loyalty extending back to the Jacksonian period, their courthouse ring was unable to prevent oppositional party activity. Although the days of Red String Republicanism were at an end, Breathitt County had developed in its place a "modern" Republican Party that reflected its new economic progress. The arrival of the L&E in the early 1890s increased employment opportunities in Breathitt County to a higher level than in many surrounding counties, most of which were traditionally Republican. In-migration consequently increased the Republican vote, though without effectively challenging Democrats in most elections. But despite their strength in the ballot box Callahan and Hargis were still intent upon using extralegal tactics to preserve the power of their party. Their importance, and the new electoral importance of Breathitt County to the state Democratic Party after

⁷³⁴Levin, p. 556; McKinney, *Southern Mountain Republicans*, pp. 194-195.

⁷³⁵Charles Tilly. *The Politics of Collective Violence*. (Cambridge University Press, 2003): pp. 20, 92-93.

the Goebel fiasco, gave the courthouse ring the ability to use questionable methods without fear of reprisal from higher authorities. Having direct or indirect influence over “at least one-half the business interest of Breathitt county,” in combination with their control over the courthouse, they were said to have “entire control of the juries of Breathitt county, and [could] convict or acquit a person charged with crime at their pleasure.”⁷³⁶ In juxtaposition, Democrats indicted in criminal cases, even on the federal level, could go un-arrested and allowed to appear in court at their leisure.⁷³⁷ Even though they controlled what amounted to a very small portion of one of the South’s only two-party states, the two politicians had formed a semblance of one-party hegemony similar to most of the rest of the section in 1900.⁷³⁸

But their respective roles in forming this hegemony were different.⁷³⁹ As the more locally controversial of the two, Edward Callahan’s legitimacy was more questionable than Hargis’s, who, even after helping to engineer the Music Hall Convention, was still considered a political newcomer. As popular as he was with many local Democrats, Callahan had a difficult time escaping his past reputation as a “feudist,” and his narrow election as sheriff in 1901 brought with it controversies other than his and Hargis’s

⁷³⁶Hargis’s and Callahan’s hegemony was proven to a man convicted of manslaughter in 1902 who believed that he had gotten an unfair trial after he “incurred their prejudice” by opposing them in an election; *Bohannon v. Commonwealth*, 3 March, 1903, *Kentucky Law Reporter* (hereafter *KLR*), Volume XXIV—Part II (1 January, 1903 to 15 June, 1903): p. 1815.

⁷³⁷*Hopkinsville Kentuckian*, 25 January, 1901.

⁷³⁸Ayers, *The Promise of the New South...*, pp. 48-54; Michael Perman. *The Road to Redemption: Southern Politics, 1869-1879*. Chapel Hill: University of North Carolina Press, 1984): pp. 269-275; J. Morgan Kousser. *The Shaping of Southern Politics: Suffrage Restriction and the Establishment of the One-Party South, 1880-1910*. (New Haven: Yale University Press, 1974); ;V.O Key. *Southern Politics in State and Nation*. (Knoxville: University of Tennessee Press, 1949); ;

⁷³⁹“Hargis still sat high in the councils of his party, while Callahan, always the lesser light, kept his fingers gripped upon county affairs.” Harold Coates. *Stories of Kentucky Feuds*. (Knoxville: Holmes-Durst Coal Corporation, 1942): p. 3.

connections to Goebel. After he had won the office by a mere sixteen votes in a ballot said to be fraudulent on both sides, Callahan's opponent contested the outcome, prompting Judge Redwine to declare the election void.⁷⁴⁰ In his capacity as county judge, James Hargis appointed Callahan as acting sheriff until a new election could be held, creating an uproar in both parties. His right to retain the office was challenged in the Kentucky State Court of Appeals (which sustained Hargis's and Redwine's decisions) but, by the time the case could be heard by the higher court in 1903, Callahan had been serving as sheriff for nearly two years.⁷⁴¹ Hargis's appointment of Callahan in lieu of a neutral party further proved their collusion.

Later in 1901, dissident Democrats resorted to a fusionist strategy similar to those devised by various states' contemporary Populists against an ascendant Democratic Party. In many parts of the South in the last years of the nineteenth century, party fusions among Republicans, Populists and unhappy Democrats were last ditch interracial efforts against all-white Democratic juggernauts, often resulting in counter-insurrectionary violence from the latter.⁷⁴² Breathitt County's fusionists were not only using the same

⁷⁴⁰*HGH*, 28 November, 1901; Burdett A. Rich and Henry P. Farnham (eds.), *LRA*, New Series, Book 37 (Rochester, NY: The Lawyers' Co-operative Publishing Company, 1912): pp. 886-889; *LEP*, 19 May, 1903.

⁷⁴¹*KLR*, Vol. XXIV—Part II (1 January, 1903, to 15 June, 1903). (Frankfort, KY: Geo. A. Lewis, 1903): pp. 2498-2500; *Mt. Sterling Advocate*, 17 December, 1902; *LEP*, 19 May, 1903; *Breathitt County News* (hereafter *BCN*), 23 October, 1903.

⁷⁴²Connie L. Lester. *Up From the Mudsills of Hell: The Farmers' Alliance, Populism, and Progressive Agriculture in Tennessee, 1870-1915*. (Athens and London: University of Georgia Press, 2006); Hyde, pp. 244-254; Robert C. McMath. *American Populism: A Social History, 1877-1898*. (New York: Hill and Wang, 1993): pp. 197, 203-206; Ayers, *The Promise of the New South...*, pp. 42-46, 290-305; Phillip D. Uzee, "The Republican Party in the Louisiana Election of 1896," *Louisiana History* (Vol. 2, No. 3, 1961): Vincent P. de Santis, "Republican Efforts to 'Crack the Democratic South,'" *The Review of Politics*, Vol. 14, No. 2 (April, 1952): pp. 332-344; Albert D. Kirwan. *Revolt of the Rednecks: Mississippi Politics, 1876-1925*. (Lexington: University of Kentucky Press, 1951): pp. 99-100; Helen G. Edmonds. *The Negro and Fusion Politics in North Carolina, 1894-1901*. (Chapel Hill: UNC Press, 1951); Munroe Smith, "Record of Political Events," *Political Science Quarterly*, Vol. 14, No. 2 (June, 1899): p. 370;

tactic employed by Populists a few years before, but were doing so out of a similar impulse. Before it became a national movement with far-away northern plutocrats as targets, Populism's political manifestation had its beginnings in small farmers' disgust with local courthouse elites.⁷⁴³

The strategy of fusionism itself presented a feasible precedent even in Jackson. The fusion was organized by Democrat Jim Cockrell, Jackson's town marshal, and attorney James Marcum, Breathitt County's most influential Republican, who had represented Callahan's opponent in the election for sheriff.⁷⁴⁴ Neither man could be accused of "carpet bagging"; both were descended from the county's first families. Most importantly, in terms of familial local ties, Marcum was the nephew of the late William Strong, and carried with him all of the loyalties or discord that his late uncle had earned. Since his uncle's death, Marcum had risen through Kentucky's Republican ranks, and by 1903 was the state party chair. His challenge to Breathitt County's courthouse ring constituted the beginnings of a fight between two of the most powerful members of the two parties in Kentucky (James Hargis being the other) in a county that, short years earlier, had been a sparsely-populated backwater ignored by most of the rest of the state—save for its nationally-known proclivity for violence.

Due to the Breathitt County Democracy's longstanding influence throughout the county's general populace, the fusionist campaign was almost an abortive effort from the beginning. The only hope that Marcum and Cockrell had was to raise ire against the

Frederick Emory Haynes, "The New Sectionalism," *The Quarterly Journal of Economics*, Vol. 10, No. 3 (April, 1896): p. 275.

⁷⁴³James Turner, "Understanding the Populists," *JAH*, Vol. 67, No. 2 (September, 1980): pp. 367-368.

⁷⁴⁴*LRA*, New Series, Book 37, (Rochester, NY: Lawyers' Co-operative Publishing Company, 1912): pp. 886-888.

individuals in the courthouse rather than the party itself. Repudiations of the Democratic Party would not work, and denouncement of the local party leaders could only do so much. Their first flawed sortie came from their ally, former Democratic county judge and aspiring newspaperman J. Wise Hagins.⁷⁴⁵ When he released an anti-Hargis circular in 1901, the only criticisms of Hargis that Hagins could muster was to preposterously accuse Hargis of supporting Republican candidates for the past two decades, jibes that Hargis was able to easily dismiss by invoking the names of Goebel and William Jennings Bryan.⁷⁴⁶ In a sharp rebuttal, Hargis accused Hagins of approving of the Goebel assassination, implying that not only was Hagins not of good moral character but, perhaps more importantly, he was not the “right kind” of Democrat if he was indeed a true Democrat at all. Hagin’s bolting from Democratic orthodoxy earned him comparisons to Judas Iscariot and Benedict Arnold in the Hargis-friendly *Hazel Green Herald*.⁷⁴⁷ Political attacks in the guise of personal vilification could only validate views that the growing intra-party conflict constituted an interpersonal “feud.”

After the war of words initiated by Hagins, confrontation between the two factions emerged in public settings corresponding to Breathitt County’s governmental and non-governmental public spheres. Although James Marcum led the fusionist opposition to Callahan and Hargis, the courthouse retained his law partner O.H. Pollard, a Democrat, which brought about conflict within Marcum’s own place of business.⁷⁴⁸

⁷⁴⁵Merton Coulter and William Elsey Connelley. *History of Kentucky* (Vol. III). (Chicago and New York, 1922): p. 611.

⁷⁴⁶Handbill: “Answer to Judge Hagins’ Circular” Assorted Documents, Breathitt County Museum, Jackson, KY (hereafter BCM).

⁷⁴⁷HGH, 17 October 1901.

Sometime in early 1902, a verbal altercation in their law office led to drawn pistols between the four men, and a warrant was issued for all of them by the police judge (an unstated supporter of the fusionists). Hargis refused to appear in the police court and instead surrendered to a county magistrate, whom he considered a political collaborator.⁷⁴⁹ In order to allay any future confrontations, Marcum moved for the case against Hargis to be dismissed, but not before Jim Cockrell and his brother Tom Cockrell (whom he had enlisted as deputy marshal) attempted to serve warrants to Hargis in the courthouse, leading to another incidence of un-holstered pistols.

Within the walls of judge's chambers and law offices, the mutual threat of violence was sufficient to maintain an uneasy stalemate, albeit a stalemate that did not stifle Hargis's and Callahan's power. However, subsequent incidents outside of these jurisprudential spaces were not subject to the same level of self-restraint. A few weeks afterward, in February, 1902, Tom Cockrell confronted Hargis's younger brother Ben in a Jackson blind tiger. Both young men threw down and each was seriously injured by four bullets fired by Hargis and others in the room. Cockrell was taken to the home of his "guardian" (the Cockrells were both young men in their twenties and orphans) Dr. Braxton D. Cox and recovered under the physician's care. But the more severely injured Ben Hargis died in Judge Hargis's home the following day.⁷⁵⁰

Within the context of its time and place, Ben Hargis's death was nothing unusual. An intensely masculine environment in a place in which violence had been common for

⁷⁴⁸Pollard was often counsel for the Breathitt County court in higher courts; *KLR*, Vol. XXIV—Part II (1 January, 1903, to 15 June, 1903). (Frankfort, KY: Geo. A. Lewis, 1903): p. 1406.

⁷⁴⁹*LCJ*, May, 1903.

⁷⁵⁰Kelly Kash, "Feud Days in Breathitt County," *FCHQ*, Vol. 28, No. 4 (October, 1954): p. 344. Kash was personally acquainted with the Hargis brothers, Cox, Marcum and most of the men involved in the conflicts of 1902 in Jackson.

decades, fueled by readily available supplies of whiskey, combined to form situations in which violent acts like Hargis's death were almost inevitable.⁷⁵¹ As mentioned in the previous chapter, violence in Breathitt County's blind tigers was rampant and had been for years, a trend that had augmented the county's *feud* reputation. The sale of illicit alcohol and the inability of local authorities to stymie its production, distribution and consumption was a widely accepted cause of violence all over the South at the turn of the century, irrespective of the reasons given for barroom fights.⁷⁵² Isolated unto itself, Hargis's end was a symptom of the various social ills, ranging from lax law enforcement to the semi-legal sale of whiskey, touted by early twentieth century progressives.

But the manner in which Ben Hargis's death was framed and presented to the "outside world," primarily by his brother, dictated that it be interpreted as part of a much longer series of events and a wrong that could justifiably be avenged in the minds of many Americans. Utilizing Breathitt County's past and its association with *feud*, Judge Hargis portrayed his brother's death as part of a long history of communal violence, rather than the outcome of a recent spate of political violence. In the 1890s James and Ben Hargis's other brother, John, became unruly in a passenger car and was shot and killed by an L&E railroad detective. The detective, Jerry Cardwell, was convicted of murder, but was summarily pardoned by Governor William Bradley.⁷⁵³ Cardwell's shooting of John Hargis had no connection to later events other than his kinship to men that Judge Hargis currently considered enemies (Cardwell's brother was the police judge

⁷⁵¹David T. Courtwright. *Violent Land: Single Men and Social Disorder from the Frontier to the Inner City*. (Cambridge: Harvard University Press, 1996): p. 170.

⁷⁵²Ayers, *The Promise of the new South...*, pp. 256-257.

⁷⁵³*NYT*, 3 July, 1904.

before whom Hargis had refused to appear earlier in the year, while Dr. Cox was married to Cardwell's sister). James Hargis, still angered by his brother's death at the hand of the brother of a sworn political enemy, was able, years later, place the killing within the larger narrative of a "family feud," a narrative with which few would argue, considering that this type of conflict had been considered endemic to eastern Kentucky since the 1880s.

Even though Breathitt County had a far more violent history than the state's other "feud" locales, kinship had never seemed to play an explicit role in factional fighting in the past. What had become known as the "Strong-Amis feud" of the late 1860s and early 1870s had taken place between former home guard allies related by marriage but nevertheless carried out over the allocation of livestock from mutual political and military enemies. The "Little-Burnett Feud," the name given to the events leading to the death of Judge Burnett in 1878, centered around the election of a bachelor with no relatives in Breathitt County. More recently, the ambush of William Strong in 1897 did not seem to have any familial significance but was in apparent reaction to Strong's unrelenting antagonism toward political enemies. But Judge Hargis's insistence that 1902's events be spoken of in familial language (an insistence that much of the Kentucky press chose not to dispute) was corroborated by assumptions that Bluegrass Kentuckians and Americans in general had accepted about Kentucky mountaineers, and these assumptions could work to Hargis's political advantage by taking the story of violence in Breathitt County out of the political realm and placing it in the familial. Hargis's obfuscation of these events proved effective in posterity; future popular accounts of the events of 1902 placed the death of John Hargis within that year rather than in the previous century,

exacerbating the view that the roiling “feud” had begun with a concerted assault on the Hargis family.⁷⁵⁴ By establishing that his family was under attack, Judge Hargis justified any future violence directed at his enemies as retribution, while simultaneously obscuring its political import. Even though he might be ridiculed as a “feudist” like so many of Kentucky’s local politicians had before him, Hargis would still retain power.

The shooting and subsequent death of Dr. Braxton Cox on the night of April 13, 1902 seemed to bear out the claims that a state of mutual antagonism that could constitute a “feud” now existed.⁷⁵⁵ Cox was killed after receiving a telephone call requesting a medical visit. The call had proven to be false, and Cox was on his way home when he was riddled with buckshot.⁷⁵⁶ Although no one was ever willing to come forward as a witness to his slaying, it was rumored that the fatal shots had come from either the courthouse or the livery stables co-owned by Judge Hargis. Cox’s eighty-year old mother-in-law, aloof from the political arguments that led to his death by virtue of her age and sex, was the only Jackson resident willing to publicly accuse Judge Hargis of his death. His wife’s death from a fever later in the year lent his death an air of Victorian romance.⁷⁵⁷

James Cockrell was shot and killed within yards of Cox’s place of death the following July, a deadly act that attracted far more statewide attention than his guardian’s.⁷⁵⁸ This time the shooting took place in the middle of the day, and it was

⁷⁵⁴(Stanford, Kentucky) *Semi-Weekly Interior Journal*, 12 May, 1903.

⁷⁵⁵*HGH*, 17 April, 1902; *Lexington Leader*, 21 July, 1902; *LCJ*, 6 February, 1908.

⁷⁵⁶Clements, p. 151.

⁷⁵⁷Kash, pp. 344-345.

widely acknowledged that the rifle shots had come from an upper window in the courthouse. Cockrell was trundled onto a railroad car and transported to a hospital in

Figure 25: Dr. Braxton Cox



⁷⁵⁸*CDT*, 22 July, 1902; *Mount Vernon Signal*, 25 July, 1902; *Hartford Republican*, 25 July, 1902; *Adair County News* (hereafter *ACN*), 30 July, 1902; *Louisville Evening Post* (hereafter *LEP*), 4 May, 1903.

Lexington, where he died the next day.⁷⁵⁹ His emergency arrival was telegraphed ahead of the northbound L&E locomotive, catching the attention of Lexington newspapers and broadcasting the news of the ongoing feud to readers all over the state. Before his expiration from internal bleeding, the press had already placed his impending death within a feud narrative that swapped facts for conformity to a prearranged plot; as he lay dying, one Lexington paper announced the young town marshal as the latest victim of the “Breathitt County feuds” and faintly praised him as “superior in every way to Thomas Cockrell, his brother,” whose killing of Ben Hargis was implicitly blamed for beginning the chain of events that had led to the older Cockrell’s imminent demise. The jumbled evening edition announcement called Ben Hargis the son and the brother of Judge Hargis at different places in the article, foreshadowing future media errors in the reporting of Breathitt County’s violence.⁷⁶⁰

Even though it was clear to many that Cox’s and Cockrell’s assassinations were both the work of the courthouse ring (or according to its will), the motivations were not entirely clear. Both deaths could conceivably be interpreted as either feudal acts of revenge for past wrongs or acts of violence carried out for the purpose of eliminating political opponents. Initially, the revenge motif seemed more likely, especially in light of the fact that an armed altercation between a Cockrell and a Hargis had preceded another Cockrell’s murder. The Republican *Lexington Leader*, the paper that had produced the stirring account of Cockrell’s death the day before, expressed confusion regarding any clear political basis for the feud. “One of the strangest features in connection with the

⁷⁵⁹“Hargis et al v. Parker, Judge, et al,” Court of Appeals of Kentucky, March 10, 1905, *SWR*, Vol. 85 (15 March -19 April, 1905), (St. Paul: West Publishing Company, 1905): p. 705.

⁷⁶⁰*Lexington Leader*, 21 July, 1902; *LEP*, 4 May, 1903.

feud is that while it originated in a political contest, and was increased by the killing of Ben Hargis by Tom Cockrell, both factions are Democrats, so that whatever political feeling exists in the feud it is all on one side and in one party.” Instead it was suggested that James Cockrell had been disposed of so that his brother, awaiting trial in another county, would be utterly defenseless in his imminent trial for murder. While the Cockrells had been successful in securing a change of venue, Governor J.C.W. Beckham had assigned Judge Hargis’s Bluegrass cousin and fellow Democratic State Committee member, Thomas Hargis, as special judge.⁷⁶¹ Thomas Cockrell, the *Leader* predicted, was “to be left to the tender mercies of his enemies who are now said to be in control of the legal machinery of the county.” As in past interpretations of feud violence in eastern Kentucky, Cockrell’s death was headlined as only “Another Dark Chapter Added to Bloody Breathitt’s Terrible Record that Savors of Middle Age Barbarism.”⁷⁶²

Wolfe County’s Democratic *Hazel Green Herald*’s reportage of its troubled neighbor’s trials and tribulations addressed the heightened attention on the Three Forks region with a typical combination of local defensiveness and regional solidarity coupled with attempts to keep Breathitt County at arm’s length. During the weeks leading up to Thomas Cockrell’s trial, it criticized other printed accounts of “the Hargis-Cockrell feud in Breathitt” for factual errors, most notably those regarding familial relations.⁷⁶³ Shortly

⁷⁶¹*Lexington Leader*, 24 July, 1902; *CDT*, 30 July, 1902.

⁷⁶²*Lexington Leader*, 22 July, 1902.

⁷⁶³For instance, the *Herald* admonished the *Sunny South* not to “prevaricate about the people of the mountains” and “stick to the truth” after it erroneously called Ben Hargis Judge Hargis’s son rather than his brother; *HGH*, 17 July, 1902. In 1902 and for years afterward, the “Hargis-Cockrell feud” was only the most common descriptive for these events. Other variations included the “Hargis-Callahan feud,” the “Hargis-Marcum feud,” the Hargis-Cockrell-Marcum feud, the Hargis-Callahan feud” and the “Curtis-Jett feud”; see Isaac F. Marcossou, “The South in Fiction,” *The Bookman: a Review of Books and Life*, Vol. 32,

after James Cockrell was killed, the paper criticized the *Leader's* (and that of all other "outsiders") sudden interest in Jackson's internal affairs. The people of Breathitt County were having "a hell of their own," and "people outside the immediate trouble do not know the cause of any of the parties involved, save as retailed to them, and are apt, therefore, to misjudge." Without explicitly announcing a "feud" between the Hargises and Cockrells, the *Herald* assured readers that the troubles were strictly part of a "family affair."⁷⁶⁴ Weeks later, when Hazel Green was selected as a change of venue for Tom Cockrell's murder trial, the *Herald* editor crowed that a trial "out of the range of the 'feud belt'" would put an end to the sordid series of events.⁷⁶⁵ But while the reciprocity of violence that defined a feud was acknowledged, Judge Hargis was not implicated personally. No doubt noting that heightened exposure of Breathitt County would probably be damaging to his administration, he stated that he and his adherents "were never in any feud" and elected to abort his pursuance of a murder conviction for Tom Cockrell a month after James Cockrell's unsolved murder.⁷⁶⁶

The judge's use of *feud* to depoliticize recent events was not entirely successful. The existence, or denial, of an ongoing "family feud" would have been an effective device for depoliticizing James Cockrell's death had some of the individuals involved, namely Hargis and his ally David Redwine, not attained such high profiles in Kentucky politics. As circuit judge, Redwine might have remained aloof from what had become known as the "Hargis-Cockrell feud" had he not denied Tom Cockrell's first petition for

No. 4 (December, 1910): p. 366; *The Bookman*, Vol. 32 (1910-1911): p. 366; *American Mercury*, p. 177; Harold Everett Green. *Towering Pines: The Life of John Fox, Jr.* (Boston: Meador, 1943): p. 91.

⁷⁶⁴*HGH*, 31 July, 1902.

⁷⁶⁵*Ibid*, 28 August, 1902.

⁷⁶⁶*Ibid*, 28 August, 1902.

a change of venue.⁷⁶⁷ Redwine was still a pariah among Republicans for his role in the Music Hall Convention, and many still considered him the prime mover in initiating the Goebel disaster. Extant hatred toward him motivated many to blame him, at least indirectly, for deaths in the streets of Jackson as well. Months after Judge Hargis seemingly ended the feud by withdrawing from Tom Cockrell's prosecution (which ended in acquittal), the *Lexington Leader* kept up its printed assault on the Breathitt County court, using William Goebel's memory as a rhetorical weapon.⁷⁶⁸ "There never would have been an hour during the entire trouble when the Circuit Court could not have controlled the situation absolutely, if [Redwine] had injected into it one-hundredth part of the zeal shown on the occasion of the foul assassination of Mr. Goebel at Frankfort when the state was taxed \$100,000 and every piece of its constabulary was set in motion to run down the assassins," the *Leader* accused.⁷⁶⁹ A few months later the paper again exhumed Goebel in connection to Redwine and Hargis: "Breathitt county is today the political stink hole of Kentucky, and elections there are nothing more than licensed orgies of brutality and crime. Judge Redwine was the chairman of Goebel's Music Hall Convention and Judge Hargis was one of the master spirits of the Goebelites on the floor and, under their absolute sway Breathitt County is today the best exemplification of the horrors of Goebelism to be found in the Commonwealth of Kentucky."⁷⁷⁰ With the exception of the *Louisville Courier Journal*, a paper that had long attempted to find an

⁷⁶⁷*Lexington Leader*, 9 November, 1902.

⁷⁶⁸Hargis attempted to have the case against Cockrell completely dismissed but, it being a criminal case, the specially appointed judge deemed a dismissal impossible; *ACN*, 3 September, 1902.

⁷⁶⁹*Lexington Leader*, 27 August, 1902.

⁷⁷⁰*Ibid*, 14 November, 1902.

ever-vanishing middle ground in Kentucky politics, the only newspapers that took special notice of the killings did so out of recognition for Breathitt County's connections to the state's recent tumult. The *Courier-Journal*, whose editorial helm had only grudgingly accepted Goebel's candidacy, was joined in calling for further investigation of Cox's and Cockrell's murders (both of which had gone uninvestigated) only by newspapers who had bitterly opposed Goebel three years earlier.⁷⁷¹ Even if many believed that Breathitt County's feud was a kinship-based conflict in a county widely notorious for directionless violence, the fracture of legitimacy created by Goebel dictated that unproven malfeasances committed or abetted by the men who helped to elect him be broadcast as politically motivated.

After James Marcum alerted the newspaper that he had been receiving death threats since the death of Dr. Cox, the *Leader* enhanced its attack, printing letters from Marcum, Hargis and Callahan but allowing Marcum the larger share of column space. The Republican newspaper accepted Marcum's claims whole cloth, and they were reprinted throughout the state, but primarily in other party papers.⁷⁷² He produced an affidavit signed by Mose Feltner, one of his clients in a criminal case, claiming that Judge Hargis and Sheriff Callahan had offered the latter money for killing Marcum months earlier.⁷⁷³ Hargis and Callahan both responded bitterly, claiming that Marcum had lied for reasons that they could not comprehend. Hargis cited his own record of shutting

⁷⁷¹These papers were the Republican *Louisville Evening Post* and *Lexington Leader* and the Democratic *Lexington Herald*, Goebel's most vocal enemy within his own party; Kash, p. 345.

⁷⁷²*Lancaster Central Record*, 14 November, 1902; *Berea Citizen*, 27 November, 1902.

⁷⁷³*HGH*, 13 November, 1902; *Lexington Leader*, 14 November, 1902.

down blind tigers as evidence for his county's lack of troubles.⁷⁷⁴ Callahan was more candid, acknowledging that Marcum might have reason to be alarmed since "two prominent men" had been killed in Jackson in recent months. As sheriff, Callahan had to own up to the civil disorder that the county was suffering, but he was quick to deny that it was anything but undirected disorder rather than a "conspiracy."⁷⁷⁵ Marcum responded by denying Hargis's ignorance of a conspiracy, openly naming Callahan's deputies, Curtis Jett and Tom White, as part of a conspiracy to kill him, but did not go so far as to unequivocally repeat his implication of the judge and the sheriff, except to say that they would all rejoice at his leaving Jackson (he did, as mentioned in the previous chapter, accuse Callahan of involvement in the murder of his uncle, William Strong, in 1897).⁷⁷⁶ Marcum's most damning accusation, echoed by his friends at the *Leader*, was that his county's courthouse ring was being protected by Democrats all over the state. "[Hargis and Callahan] have men employed, newspaper correspondents, to misrepresent the facts," Marcum asserted, "and Hargis is now trying to arouse political prejudices in order to secure the sympathy of the Democratic press. There is no politics in the law. It was made for all parties and should be obeyed by all, even the 'leading Democrats in Eastern Kentucky.'"⁷⁷⁷ Hargis directed Breathitt County's grand jury to indict Marcum for

⁷⁷⁴(Paris, Kentucky) *Bourbon News*, 14 November, 1902.

⁷⁷⁵*Lexington Leader*, 15 November, 1902.

⁷⁷⁶*Ibid*, 16 November, 1902. According to later court testimony, Marcum expressed the same speculations to his wife's sister; "White v. Commonwealth," Court of Appeals of Kentucky, March 17, 1905 *SWR*, Vol. 85 (15 March-19 April, 1905), (St. Paul: West Publishing Company, 1905): p. 755.

⁷⁷⁷*Lexington Leader*, 16 November, 1902.

criminal libel, stifling Marcum's ability to make more public accusations for the next seven months (the charges were eventually dismissed).⁷⁷⁸

Figure 23: Curtis Jett, late 1890s



⁷⁷⁸*Lancaster Central Record*, 27 November, 1902.

In May, 1903 Marcum was shot and killed in a manner almost identical to the previous year's publicized killings, again within sight of the courthouse (this time in its doorway) and very near to where Cox and Cockrell had also been killed.⁷⁷⁹ Marcum's claims that he had received death threats were borne out by his behavior in the weeks leading up to his death. During the winter and spring of 1903 he had rarely left his home and, when he did venture past the courthouse to his office on Jackson's main street, it was always in the company of women, or while carrying his infant son. This strategy of remaining in the company of non-political innocents for safety seems to have been effective; on the day he died, it was supposedly his first attempt in 1903 to walk in front of the courthouse in the company of other adult men.⁷⁸⁰ By dying violently after publicly announcing threats against his life and implicating the courthouse ring, Marcum succeeded in his goal from the previous year, exposing the questionable actions of Breathitt County's government and demonstrating that what the United States knew as the Hargis-Cockrell feud was not a horizontal "family affair" but instead the outgrowth of a statewide struggle for legitimacy that Kentucky had dealt with for years. The violent death of such a prominent figure, carried out in the middle of the day in the presence of Jackson's citizenry, proved to be the beginning of the end for Jackson's courthouse ring.

⁷⁷⁹*LEP*, 4 May, 1903; *LCJ*, 5 May, 1903; *HGH*, 7 May, 1903; *NYT*, 10 May, 1903; *NYT*, 5, 10, 12, 25, 31 May, 5, 16, 18, 20, 28, 30 June, 1903.

⁷⁸⁰Mose Feltner, Marcum's client and a suspect in an unrelated murder, said that, after being hired by Judge Hargis to kill Marcum, he had a clear opportunity to dispatch his target but hesitated because "the women were around him" and "he had his little baby in his arms."; *Washington Post*, 29 May, 1904. See also *LCJ*, 4, 6 May, 1903.

“...this is only one of many similar feuds which have disgraced the State...”

James Marcums' was the most widely-publicized and commented-upon "feudal" death to occur in Kentucky since feuds had apparently begun to run rampant in the mountains thirty years before. Marcum was one of the state's most high-ranking Republicans, a US Commissioner and corporate attorney of some importance and, perhaps most importantly, a symbol of eastern Kentucky's future potential for success through economic and political integration with the "outside world." The murder of such a well-known individual was more newsworthy than the bushwhacking and street homicides of county politicians and their underlings that had comprised the French-Eversole feud and the Rowan County War or, for that matter, the deaths of Judge Burnett in 1878 and William Strong in 1897. James Marcum's homicide presented a conundrum for Bluegrass Kentuckians who had previously interpreted the eastern third's feud phenomenon as a *sui generis* product of isolation or racial (Anglo-Saxon or Celtic) peculiarity. His seemingly accidental involvement in a drama that was supposed to involve only disreputable men was confirmed by Tom Cockrell's assertion that Marcum "was never implicated in any feud."⁷⁸¹ An editorial in the *Louisville Courier-Journal* printed soon after his death illustrates the turn in interpretation of what many Kentuckians considered a familiar occurrence presented by the Hargis-Cockrell feud's latest death.

The feud which took Mr. Marcum's life has caused, it is said, no less than forty deaths in the last two years. This would be an astounding statement to any one who was a stranger to these mountain vendettas. But this is only one of many similar feuds which have disgraced the State and will continue to disgrace it until the State shows a more resolute purpose and power to uphold the law.

These feuds have too often been looked upon as romantic episodes of primitive life in our backwoods. That is entirely too charitable a view to take of them. There is nothing romantic or

⁷⁸¹*LEP*, 8 May, 1903.

manly about them. Originating in some trivial quarrel, they continue for generations of cowardice, treachery and assassination. The murders which are their outcome are not even committed man to man, in the open, but almost invariably are perpetrated after patient lying-in-wait and ambush extending over months and years.⁷⁸²

The editorial provided a succinct description of Kentucky's endemic feud violence as it was understood nationally: series of violent acts employing ambush-style homicides (as the same paper had described the death of William Goebel) taking place deep in the mountains, caused by disagreements of an unknown or unimportant nature, producing an undetermined number of deaths and lasting over the course of generations by a mutual motivation of vengeance (the editorial notably omitted the family or "clan" as the basis for feud factionalism). But the ways in which the Hargis-Cockrell feud did not fit into this previously formed mold, namely its chronological brevity and fairly clear political motivations, were generally ignored. Only the *Lexington Leader*, virtually the only member of the press eager to examine the killings of 1902 through a political lens, placed Marcum's death within the lineage of Cox's and Cockrell's, referencing Marcum's accusations from the previous November.⁷⁸³ The vast majority of Kentucky newspapers, most of them Democratic (and more openly partisan than the *Courier-Journal*), preferred instead that Breathitt County's killings be considered the product of extra-political "lawlessness."⁷⁸⁴ "Officers of the law and courts of justice" did not direct the actions of "assassins and anarchists" in this interpretation of events, but were instead cowed by

⁷⁸²*LCJ*, 6 May, 1903.

⁷⁸³*Lexington Leader*, 5 May, 1903.

⁷⁸⁴Instead of suggesting violence acted out for or against the legitimacy of state power, "lawlessness" denoted "a Hobbesian state in which the relations between individuals or small groups are like those between sovereign powers," a description of pre-modern societies most likely to experience or produce "feud" or "vendetta" related acts of violence; Vahabi, pp. 103-105.

them.⁷⁸⁵ When the *Courier-Journal* did eventually censure Hargis and Callahan for protecting Marcum's accused killers, they were identified as "law officers" of "the so-called county of Breathitt," suggesting that the very county itself, not just its officeholders, a place that the paper and its readers were well aware of, was bereft of legitimacy.⁷⁸⁶ Well aware of the ever-present danger of libel charges, most newspapers throughout Kentucky were careful to treat Breathitt County's violence as a sin of the local authority's omission rather than violence directed with political certainty.

Even though Marcum's murder could not successfully challenge the flawed feud explanation for violence in the highlands, it did call into question, at least temporarily, the assumption that eastern Kentucky was a "barbarians' world beyond the polis."⁷⁸⁷ Throughout the coverage of Breathitt County that spanned the summer of 1903 after Marcum's death, the press displayed an internal tension, a tension between blaming certain individuals and blaming some unknowable quality in and about the mountain county that made it inherently violent. The latter explanation seemed to be the preference of the largely Democratic press, since blaming specific people, namely James Hargis, David Redwine or Edward Callahan, would confirm the partisan accusations made by the *Lexington Leader* and delegitimize their party and the gains it had made in the wake of the Goebel affair. Hargis's best tactic was a continuation of feud-related rhetoric with himself cast as indignant victim. The previous year he had cast the death of James Cockrell within a larger feud narrative that acknowledged enmity between his family (but

⁷⁸⁵*LCJ*, 6 May, 1903.

⁷⁸⁶*Ibid*, 17 June, 1903.

⁷⁸⁷John Keane. *Violence and Democracy*. Cambridge and New York: Cambridge University Press, 2004): p. 39.

not necessarily himself) and the Cockrells, one that had nothing to do with politics. Now, however, Hargis acknowledged Marcum as one of a number of “[R]epublican leaders” who had “endeavored to run [Hargis] out of the county.” But Hargis still insisted that this was a conflict of a communal sort and determined by family and old, bitter memory, not current party matters. More than six years dead, William Strong’s memory was exhumed to put a finer point on the feud issue. When Hargis was a boy, Strong had raided his family’s farm and left him hungry and shoeless.⁷⁸⁸ Curtis Jett’s mother had rescued him. Marcum, he said, had been “reared in an atmosphere of feuds” and that there was “not a *family* in Breathitt county some one of whose members has not been slain by Marcum *blood*,” (my italics) an indictment that doubtlessly referred to Marcum’s notorious relative.⁷⁸⁹ Breathitt County’s violent past, cast in communal terms and intermingled with the *feud* theme established in other parts of eastern Kentucky, was putty in Hargis’s hands.

An insistence upon the determinism of kinship as a source of violence disguised political motives- except when it was advantageous to announce political prejudice under the banner of William Goebel’s memory. Even Democratic papers that had no interest in using the language of feuding insisted on at least acknowledging that, since “murder is murder” regardless of politics, Marcum’s slaying “was as bad as the murder of Goebel,” while another praised Breathitt County’s “Democratic officials” for “using every effort to bring the guilty to justice” unlike when Goebel “was assassinated on the capital grounds

⁷⁸⁸R.L. McClure, “The Mazes of a Kentucky Feud,” *The Independent*, Vol. 5, (17 September, 1903): p. 2220.

⁷⁸⁹(Stanford, Kentucky) *Semi-Weekly Interior Journal*, 12 May, 1903.

under Republican rule...⁷⁹⁰ While Republicans had hindered Powers' and Howard's prosecutions, the Democratic press, in contrast, could now claim to be "on the forefront" of nonpartisan justice in avenging "the Republican son of Breathitt."⁷⁹¹

In the first few weeks after James Marcum's death, the only person in Breathitt County willing to publicly suggest a courthouse ring conspiracy was his widow Abrelia Hurst Marcum. During May, 1903, it was often said that the identities of Marcum's (and Cox's and Cockrell's) killer(s) were widely known and that fears of reprisals kept most of the populace silent. But as a woman, Abrelia Marcum was immune from the kind of violence that had been used to repress dissent in Jackson. As a woman and mother, Abrelia Marcum represented to the men of Breathitt County home and family, communal institutions that had not often been violated by the county's decades-old cycle of violence since the Civil War. Brutality toward women, especially spousal abuse, was not unheard of in Breathitt County any more than it was anywhere else in the United States (after all, a wife murder had been a factor in the confrontation that led to the death of Judge Burnett in 1878). But deadly violence that had such clearly political purposes could not be directed at women, since they were not recognized as political actors. James Marcum's tactic of shielding himself with women and children in the weeks before his assassination demonstrated the sacredness with which the "separate sphere" was regarded and the determination of even the most ruthless men to keep violence, perhaps especially politically motivated violence, as far from women as possible.⁷⁹² Just as Braxton Cox's

⁷⁹⁰*Clay City Times*, 28 May, 1903; *ACN*, 29 July, 1903.

⁷⁹¹*Larue County Herald* quoted in *ACN*, 10 June, 1903. For Republican comparisons between the investigations of Goebel's and Marcum's respective deaths, see *Hartford Republican*, 21 August 1903; *BCN*, 15 March, 1907.

elderly mother-in-law felt free to speak out against the courthouse ring because of her status, Abrelia Marcum was able to do the same. Far from acting as a motivation for violence, as *feud* suggested, *family*, represented by women and children, was instead an obstruction to violence.

Abrelia Marcum not only implicated Hargis's "clan" with her husband's homicide, but broadly blamed "the administration of Judge Hargis" for leading to a general atmosphere of lawlessness. As was the case with contemporary critiques of Breathitt County from within Kentucky, she indiscriminately blamed the courthouse ring for both committing crime and failing to prosecute it. Her accusation regarding her husband's murder was fortified by a broader proclamation of the Hargis courthouse's illegitimacy as a keeper of the peace:

Judge Hargis and the whole state knows that there have been thirty-eight homicides in Breathitt county during his administration as county judge. What attempt has been made by him as the highest official in the county to have the laws enforced? When he became county judge about two years ago there was no more peaceful county in Kentucky. Our people walked the streets at night in the pursuit of their vocations with absolute safety and no thought of danger.

Today business men who can are leaving. Our citizens do not dare to express their opinion for fear of assassination. Citizens dare not leave their homes at night for fear of being the mark of men who are immune from punishment. Every man whose life's blood has stained the soil of Breathitt county during Judge Hargis's administration of law has bit the dust at the hands of some adherent of their clan, or his identity remains unknown and no strenuous effort has been made to find him.⁷⁹³

Although Marcum interchangeably blamed Hargis for crimes of malice as well as negligence, she notably blamed the entirety of Breathitt County's violence on him with

⁷⁹²As the nineteenth century drew on, the family as an institution was figured as existing, by natural decree, beyond the commodity market, beyond politics, and beyond history proper. The family thus became, at one and the same time, both the organizing figure for natural *history*, as well as its *antithesis* (McClintock's italics)."; Anne McClintock, "Family Feuds: Gender, Nationalism and the Family," *Feminist Review*, No. 44 (Summer, 1993): pp. 63-64. See also, Alison Piepmeier. *Out in Public: Configurations of Women's Bodies in Nineteenth Century America*. (Chapel Hill: University of North Carolina Press, 2004); Edward Said, "Secular Criticism," in Moustafa Bayoumi and Andrew Rubin (eds.), *The Edward Said Reader*, (New York: Vintage Books, 2000): pp. 231-232; Leonore Davidoff and Catherine Hall. *Family Fortunes: Men and Women of the English Working Class, 1780-1850*. (London: Hutchison, 1987).

⁷⁹³CDT, 25 May, 1903.

no reference to past troubles. If Breathitt County was presently a place where violence was tolerated, it was because of individuals currently in positions of power, not because of the brutal state of being suggested by the decades-old nickname “Bloody Breathitt.” Even though she made reference to the Hargis administration’s “clan,” her attack made no reference to the existence of “feuds” past or present. In fact, the very existence of a “clan” in and around the courthouse was an indictment of corruption in and of itself.

Initially, Mrs. Marcum’s accusations had little effect on the courthouse ring. Soon after Governor Beckham offered a \$200 reward for James Marcum’s murderer, deputy sheriff Curtis Jett was accused and indicted.⁷⁹⁴ Jett’s being a direct subordinate of the courthouse was not forgotten but was minimized somewhat by the rumor that he and James Marcum had “quarreled” publicly shortly before the latter’s death, a rumor that emphasized personal enmity over political calculation.⁷⁹⁵ Jett hired James Marcum’s old rival B.F. French as his attorney, and went to lengths to see that he was tried in Breathitt County (soon after, deputy Tom White was indicted as well).⁷⁹⁶ Suspecting that Jett’s trial would prove to be politically charged, and chagrined by growing criticism of his relationship with the Hargis courthouse, Governor Beckham issued an executive order sending the state militia to Jackson.⁷⁹⁷ During the peaceful atmosphere that pervaded Jett’s and White’s trial, Beckham announced that the “situation” in Jackson “has been

⁷⁹⁴Commonwealth of Ky. vs. Curt Jett & c.,” 28 May-19 June, 1903, *Breathitt County Criminal Order Books and Indexes*, KDLA. “Jett v. Commonwealth,” 25 March, 1905, *SWR*, Vol. 85 (15 March -19 April, 1905), (St. Paul: West Publishing Company, 1905): pp. 1179-1182.

⁷⁹⁵ *LCJ*, 10 May, 1903; *LEP*, 10 May, 1903; *CDT*, 7, 11 May 1903.

⁷⁹⁶*CDT*, 11, 25 May 1903.

⁷⁹⁷*The (Earlington, Kentucky) Bee*, 28 May, 1903; *Annual Reports of the War Department for the Fiscal Year ending June 30, 1903: Vol. I, Reports of the Secretary of War, Chief of Staff, Adjutant-General, Inspector-General, and Judge-Advocate-General*. (Washington DC: Government Printing Office, 1903): p. 330; Clements, p. 158.

exaggerated” and was hesitant to send more members of the militia to fortify the ones already sent (less than four weeks later, the militia unit was ordered back to the Bluegrass to prevent a potential lynching during a highly publicized murder trial of three black men).⁷⁹⁸ Ed Callahan recused himself from his role in summoning witnesses for the trial, and he and Hargis took a very public role in supporting Jett’s and White’s defense.⁷⁹⁹ The public role that they and French, all well-known political enemies of James Marcum, took in defending the deputies prompted many to suspect that there was a large-scale effort to prevent Jett and White from eventually plea bargaining and implicating them all in a larger conspiracy. The northern Republican *Harper’s Weekly* attacked Breathitt County as only an example of a larger problem endemic to Kentucky as a whole. “These assassinations in Kentucky are attributed by some observers to the system of county politics in Kentucky,” it announced. “The struggle for the county offices is so intense that rival politicians and their partisans are led to murder to attain their ends, and assassination is further fostered by the spirit of the vendetta which prevails in the mountainous regions of the State.”⁸⁰⁰ A fire that destroyed a hotel belonging to a witness for the prosecution during the trial prompted many members of both political parties to concur with the magazine’s assessment.⁸⁰¹ Yet Circuit Court Judge Redwine, a firm ally of the house of Hargis and Callahan, managed to remain personally aloof from most criticisms. When the trial in Jackson ended with a hung jury rather than an acquittal (with Redwine on the bench), the *Hazel Green Herald* sardonically surmised it could

⁷⁹⁸Clements, p. 164.

⁷⁹⁹*CDT*, 17, 19 June, 1903.

⁸⁰⁰“Comment,” *Harper’s Weekly*, 27 June, 1903, p. 1086.

⁸⁰¹*CDT*, 15 June, 1903; *Bourbon News*, 28 July, 1903.

only mean an end to the “holy alliance of Hargis & Redwine.”⁸⁰² A change of venue to what was considered a neutral county eventually resulted in life sentences for Jett and White.⁸⁰³

Throughout the trial Hargis’s position in the state Democratic organization remained fairly untarnished. He retained his place in the central committee and was honored with a dinner arranged by Lexington Democrats shortly after Jett’s and White’s change of venue.⁸⁰⁴ But on higher, more publicly visible levels of party and government, embarrassment was harder to hide. Smarting from continued accusations of his complicity in Breathitt County’s record of violence, and the inordinate number of pardons he had issued there, Governor Beckham was forced to address the matter of the unhappy county at the beginning of his campaign for reelection. With manifold references to William Goebel’s death at Republican hands, Beckham countered that far more pardons had been issued in Breathitt County by Republican Governor Bradley, and bandied the name of accused conspirator James Howard (Howard released an angry reply from his cell accusing Beckham of using Howard’s name to “distract the public gaze from [Beckham’s] conduct, his political pardons, his trades and unholy alliances...”).⁸⁰⁵ Beckham also parried with northern critics over the quantity of violence in his state as a whole, a quantity he contended was not on scale with much of the North. “The calling into service of the entire national guard of one of the northern states to suppress a strike,

⁸⁰²*HGH*, 25 June, 1903.

⁸⁰³*CDT*, 20 June, 16 August, 6 May, 1904; . Jett was later implicated in the killing of Cockrell as well; *Jett v. Commonwealth (filed March 25, 1905)*, *KLR*, Vol. 27 (February-September, 1905): pp. 603-607.

⁸⁰⁴*BCN*, 29 May, 1903; *NYT*, 21 June, 1903.

⁸⁰⁵*Hartford Republican*, 3 July, 1903.

where hundreds may be slain, does not attract one-half the notice as does the use of one company of Kentucky militia in aiding some Circuit court in trial of a criminal.”⁸⁰⁶

As the summer months of his campaign passed, the issue of Breathitt County did not go away, and Beckham was obliged to address it even in front of an exclusively Democratic assemblage. At the official opening of the Democratic state campaign, he declared, “that the Democratic officials have done everything in their power to put an end to the troubles in Breathitt County no one disputes. They were purely local, and not half as serious as the feudal outbreak in Clay County during the last [Bradley] administration. If the Republicans had shown the same desire to punish the assassins of William Goebel that the Democrats did to punish Marcum’s assassins, both crimes would now be avenged. Let the past be forgotten, and let us stand together henceforth shoulder to shoulder as Democrats, with our hearts full of devotion for the welfare of our State and Nation.”⁸⁰⁷ Beckham’s address to the party had multiple implications. Even many members of his own party may not have been convinced that Breathitt County’s killings were rooted only in local conflicts. Breathitt County’s violence had to be, as had always been the case in other eastern locales (especially one ruled by Republicans), purely internal and without any greater significance or implication. In addition, his reference to an analogous “feud” situation in a Republican county during a Republican administration negated whatever attempts Republicans might make to pillory his party for sanctioning violence.

⁸⁰⁶*CDT*, 27 June, 1903. For a similar Beckham rebuke toward northern Republicans, see *Earlington (Kentucky) Bee*, 14 May, 1903.

⁸⁰⁷*NYT*, 6 September, 1903.

Breathitt County's recent assassinations and the "Clay County War" were, by virtue of their placement in the state's (supposedly Republican) primitive mountains, cut from the same cloth, even if they had grown from two separate conflicts and under different regimes.⁸⁰⁸ Even if local party affiliations were the origin of violence, they were based upon small differences between decidedly local politicians and their henchmen, with no relation to larger issues faced by the state or national parties. Implicitly, this suggested that these feuds were hardly political at all, but rather primeval products of their mountain environment and far into "the past" which was better "forgotten." Beckham echoed the tone taken by the *Courier-Journal* in portraying Breathitt County after the riot of 1878. Against the threat of northern/Republican censure it was to be carefully defended. But, when addressing the issue to an audience within the state, it was more advantageous to rhetorically place the mountains outside of Kentucky and outside of the present. "Purely local" "feudal outbreak[s]" could be easily dismissed, especially when individuals with direct connections to the governor's office were left unmentioned. Beckham's November victory indicated that sacrificing the reputation of eastern Kentucky (at least when done to a Kentucky audience) was an effective Democratic tool. In his annual address the following January Beckham repeated these claims, but, safely back in office, used language that restored the highlands back into the state at large while repeating his earlier critique of the North's urban crime. "[I]rresponsible romances" had inflated Breathitt County's conditions. "It is not an exaggeration to say that there was not a day during the past year that human life was not safe in Kentucky, even in Breathitt County, than it is any night upon the streets of

⁸⁰⁸Because of widely publicized accounts of violence in Clay County, Bradley did eventually send the militia there; *LCJ*, 13 June, 1898.

Chicago or New York, from the sanguinary columns of whose voracious journals the people have been told day after day of the awful condition of lawlessness and crime in Kentucky.’’⁸⁰⁹

The conviction of Jett and White revealed a small chink in the courthouse ring’s armor, especially after the county had experienced more scrutiny “than any other section of the world” over the summer.⁸¹⁰ Watterson’s *Courier-Journal* declared what many already believed, that Jett and White were simply “pawns” under the sway of higher authorities, and that Hargis, Callahan and Redwine were expected to be directly implicated in the future (although, at the time, Watterson refrained from naming names).⁸¹¹ J. Wise Hagins, now almost alone in his concerted effort to fight the courthouse ring, nevertheless felt safe to publish an anti-Hargis Democratic paper, endorsing a Republican for sheriff rather than Hargis’s and Callahan’s “Midnight Ticket,” so-named because of their nomination by a six-man Democratic committee “in a lonely hall, long after honest yeomanry of the county had retired, and, in the company of the bats, owls and midnight marauders...”⁸¹² Within Jackson, the sheriff and judges could do little more than show up for Salvation Army street services to reaffirm their respective upstanding roles in the community (Hargis and Callahan had previously been known for usually remaining behind closed doors).⁸¹³ But events in late 1903 and early 1904 suggest that Hargis’s and Callahan’s positions within the county and state party apparatus

⁸⁰⁹*NYT*, 6 January, 1904.

⁸¹⁰*Washington Post* quoted in *Lexington Leader*, 2 August, 1903.

⁸¹¹*LCJ*, 3 October, 1903.

⁸¹²*BCN*, 23 October, 1903.

⁸¹³*NYT*, 19 September, 1903; Sallie Chesham. *Born to Battle: The Salvation Army in America*. (Chicago: Rand-McNally, 1965): p. 116.

was not irrevocably damaged. Despite Hagins' continuing attacks on his legitimacy as a candidate, Callahan was reelected sheriff in November against the Republicans' "Law and Order Ticket." Hagins accused members of the state militia of fixing the election for Callahan, an accusation that was never proven and did little to help Hagins' case.⁸¹⁴ If the militia's tampering was the sole cause of Callahan's victory, it revealed unspoken support from state authorities, namely the militia's commander-in-chief, Governor Beckham. If Hagins' accusations were false, it meant that Callahan's reelection was the will of Breathitt County's white male majority and, therefore, legitimate. By the end of 1903 it appeared that the Marcum murder had far less of an impact on Breathitt County's political status quo than many had suspected months earlier. The "Hargis-Cockrell feud" that spawned it was all but forgotten for the time being.

James Hargis's restored, or perhaps undamaged, position in the Kentucky Democratic Party was revealed in the passage of what came to be known as the "Day Law," one of the most far-reaching pieces of Jim Crow legislation in American history.⁸¹⁵ In January, 1904, Breathitt County's state representative, Carl Day proposed a bill to effectively prohibit integrated educational facilities for all private institutions (Kentucky's public education system was constitutionally segregated), a bill whose sole target was Berea College, virtually the only integrated school south of the Ohio River.⁸¹⁶

⁸¹⁴*BCN*, 6, 13 November, 1903.

⁸¹⁵George C. Wright. *A History of Blacks in Kentucky, Volume II: In Pursuit of Equality*. (Lexington: University Press of Kentucky, 1992): pp. 136-148; "The Founding of Lincoln Institute," *FCHQ*, Vol. 49, No. 1 (January, 1975): pp. 57-70; Klotter & Tapp, pp. 396-400, 418-425; Paul David Nelson, "Experiment in Interracial Education at Berea College, 1858-1908," *The Journal of Negro History*, Vol. 59, No. 1 (January, 1974), pp. 13-27; Betty Jean Hall and Richard Allen Heckman, "Berea College and the Day Law," *RKHS*, Vol. 66, No. 1 (January, 1968): pp. 35-52. All of these secondary source accounts of the Day Law have far more to say about its effects than its legislative origins.

With no fear for the negative publicity their presence might bring, Judges Hargis and Redwine attended the state house's educational committee closed session (representatives from Berea College were excluded) to express their support, as well as that of their "section." Although his name had become synonymous with "feudism" during the past year, the press did not portray Judge Hargis's presence at the capitol as peculiar or deleterious to the bill's potential passage.⁸¹⁷ The popularity of Day's House Bill No. 25 among white Kentuckians was confirmed not only by its 73-5 passage in the House but also by its five dissenters' (all from eastern Kentucky districts) respective failures to get reelected the following November.⁸¹⁸ After only five senators also voted against it, Day's bill became law the following summer. In October, 1904 Berea College was found to be in violation, thus beginning a four-year legal battle that concluded with the Supreme Court's upholding the Day Law.⁸¹⁹ The original bill's provenance in the mountains, and persistent rumors that Day and Berea president William G. Frost had collaborated in the bill's drafting, may well have fed this suspicion and helped prevent an arrangement that never came to be: a Republican alliance between blacks and mountaineers in Kentucky (this irrespective of the fact that Day was a Democrat).

⁸¹⁶*KHJ*, 1904, p. 73; *Richmond (Kentucky) Climax*, 3 February, 1904; *BCN*, 15 April, 1904; Wright, pp. 144-145.

⁸¹⁷*LCJ*, 2 February, 1904; *Berea Citizen*, 4 February, 1904.

⁸¹⁸*The Nation*, Vol. 78, No. 2017 (25 February, 1904): p. 141; Klotter, *Kentucky: Portrait in Paradox...*, pp. 152-153. Since Day died very shortly after it passed the Kentucky house, he did not live to see his bill made into law; *Clay City Times*, 14 April, 1904; *BCN*, 15 April, 1904; *Acts of the General Assembly of the Commonwealth of Kentucky*, Special Session, 1905. (Louisville: George G. Fetter Company, 1905): pp. 14-15.

⁸¹⁹Many black Kentuckians blamed William Frost, Berea's president, more than they did the state's Democrats since his intensified interest in educating "mountain whites" to their own detriment appeared as tacit approval of the law, as did his relatively lax defense of the college against it. *The Nation*, Vol. 87, No. 2264 (19 November, 1908): pp. 480-481; Nelson, pp. 24-27.

Liberal northern indignation against the Day Law was aimed at both the general and the particular, targeting Breathitt County, the state of Kentucky and the South as a whole. One ingenuous author, apparently ignorant of Carl Day's mountain roots, decried "the other two thirds of the State" for imposing upon eastern Kentucky a needless inoculation against race-mixing and even favorably compared Berea to Breathitt County's own Jackson Academy.⁸²⁰ Since he still needed whatever support he could get in eastern Kentucky and the Bluegrass, Frost himself did not explicitly blame Day or even race prejudice itself, but spread, the blame broadly across the "Bourbon movement which had extended over the whole South" propelled by Democratic one-party rule. "To understand the South," Frost wrote to northern benefactors, "we must remember that the Southern States have never had a really democratic government and that the majority of the people of the South have no comprehension of what fairness, equality, and republican institutions really are."⁸²¹ Northerners, however, were far more eager to place fault more precisely. One member of Berea's board of trustees blamed the "notorious" Breathitt County itself while another attacked Day as "that polished and cultured statesman from Breathitt County-Bloody Breathitt-who is not sure whether Shakespeare was the discoverer of America or the inventor of a new kind of breakfast food."⁸²² Breathitt County was sure to be the root cause of Kentucky's moral backsliding due to its general

⁸²⁰Located in the foothills of Madison County, Berea College could have just as easily been termed a Bluegrass institution, but most Americans who were familiar with it placed it in the mountains, particularly because of William Frost's famous interest in the welfare of the "mountain white" as well as the large number of young mountaineers who made up its student body; "The Attack Upon Berea College," *The Nation*, Vol. 78, No. 2015 (11 February, 1904): pp. 102-103.

⁸²¹William G. Frost, "Berea College" in Robert C. Ogden et al (eds.) *From Servitude to Service: Being the Old South Lectures on the History and Work of Southern Institutions for the Education of the Negro*. (Boston: American Unitarian Association, 1905): pp. 63-64.

⁸²²Hall and Heckman, p. 38.

ignorance, if not its politics. The imprecise attribution of the county's violence to "ignorance" worked equally well for its apparent production of state-mandated race hatred but failed to acknowledge the Day Law's overwhelming popularity among other white Kentuckians.

In the years after the Day Law's June, 1904 passage, various commentators blamed its unprecedented enforcement of segregation on Carl Day's egregious personal racism or a personal vendetta toward Berea College.⁸²³ But by ignoring the "notorious" mountain county's politics, and the men who directed it, the complex relationship between the seemingly all-white county and the passage of the maligned statute was lost. Day's proposal to legislatively prevent "the contamination of the white children of Kentucky," and Hargis's and Redwine's public endorsement, was undoubtedly a product of an enduring popular belief in white supremacy even in place with a miniscule black population.⁸²⁴ Their espousal of forced segregation reflected the conservative Democratic regime that had officially controlled the county since the Civil War. But it was a means to a more tactical end as well. The Hargis courthouse's role in introducing the bill was every bit as utilitarian as it was ideological. The killing of James Marcum, and its fallout, was potentially the Kentucky Democratic Party's greatest embarrassment since William Goebel's election law. The Day Law was a way of re-ingratiating Breathitt County's Democrats to the rest of the state by appealing to the popular Democratic current of legislated racism. It demonstrated that, though Hargis had been the

⁸²³Most notably Clark, *My Century in History: Memoirs*. (University Press of Kentucky, 2006): p. 245.

⁸²⁴*LCJ*, 2 February, 1904; Betty Hall and Richard Heckman, "Berea College and the Day Law," *RKHS*, Vol. 66, No. 1 (January, 1968): pp. 35-52.

source of scandal for employing well-publicized assassinations to consolidate his power, he was nevertheless loyal to, and a white supremacist exemplar of, the state party at large. The Day Law established Breathitt County's place in the sectional and party-based in-state division established by the Goebel assassination. One defender of Berea's co-racial education avowed that, aside from its being "evidence of the negrophobia which is sweeping over the South," Day's bill was just as likely "a political move [on the part of Hargis and Day] to win the favor of those who desire to keep the colored people in subjection, and also of those who dislike Berea's work for the education of mountain Republicans."⁸²⁵ It represented Breathitt County's continuing importance to the party as a bulwark of Democracy within the Republican mountains, an importance that was perhaps not as damaged by the Marcum assassination as some may have assumed. While it may have redeemed the Hargis courthouse in the eyes of his fellow party members, it may have instead demonstrated that it was never in need of redemption.

Embittered by the wound sustained by its home town institution, the Republican *Berea Citizen* grouched that the formation of a new mountain judicial district "for the sake of enthroning the famous Judge Hargis" was next on the General Assembly's agenda.⁸²⁶ Four days later, a redistricting that made Breathitt part of a theoretically Democrat-majority district was passed.⁸²⁷

⁸²⁵Delevan L. Pierson, "Berea College and its Mission," *Missionary Review of the World*, Vol. 24, No. 2 (June, 1904): p. 418.

⁸²⁶*Berea Citizen*, 17 March, 1904.

⁸²⁷*Acts of the General Assembly of the Commonwealth of Kentucky, 1904*. (Louisville: Geo. G. Fetter Co., 1904): pp. 126-127.

“Every Goebel Democrat in this county is hot for us.”

The ease with which Hargis, Redwine and Callahan moved within Democratic circles outside of their home county after the Marcum murder suggests that the man’s death was not generally viewed as an embarrassment to the party, and very well may have been looked upon with approval by some. The Goebel affair had radicalized both Democrats and Republicans in Kentucky, and politically-motivated assassination was considered less odious than at other times in the state’s history. Still, early twentieth century-Kentucky was, as always, concerned with its image to outsiders, and the problems associated with Breathitt County had to be addressed more fully than could be achieved by the conviction of the two deputies. The *Courier-Journal*’s assertion that Jett and White had been “pawns” had to be balanced with Hargis’s barely-damaged statewide political clout. Just as Hargis’s strategy of placing the deaths of Cox and Cockrell within a larger and more nebulous feud narrative served his needs in 1902, the same sort of contextualization suited the state as a whole. Breathitt County was best treated as a pit of inherent communal violence rather than a place where discernible individuals had committed violent acts. Within short years of the Marcum murder, the events that comprised the “Hargis-Cockrell feud” were almost completely depoliticized in public memory.

But Hargis could still use his role as a politician to parry his next challenge. Soon after Hargis’s Frankfort appearance in support of Day’s segregation bill, Abrelia Marcum sued Hargis, along with Edward Callahan, B.F. French and his brother and business partner Alexander Hargis, for \$100,000.⁸²⁸ Marcum was quite aware that the labyrinthine

⁸²⁸*Mrs. J.B. Marcum agst. James Hargis, February, 1904-1905*, Clark County Circuit Court Case Files, KDLA; *CDT*, 28 February, 1904; “*Marcum et al. v. Hargis et al.*,” Court of Appeals of Kentucky, 16

details surrounding her husband's death were not going to be delved into at any great length after Jett's and White's conviction, and did not expect justice from the state. By attacking Hargis Et al in a civil case, Marcum hoped to avoid the politically-concerned jury situation that Hargis and Callahan had used to their collective advantage in the past (she also filed the lawsuit outside of Breathitt County). In contrast to his earlier attempts to make the Cockrell killing appear to be the outcome of an ancient, ongoing familial battle, Hargis used his party affiliation in defense. He delayed proceedings by branding the trial judge as an old intra-party political enemy and therefore subject to bias. Hargis admitted that, "as leader of the Democratic forces of Breathitt County," he had earned the judge's potential wrath by openly denouncing his campaign for the state court of appeals bench years earlier. An "existing and continued state of hostile feeling" between judge and defendant was, according to Hargis, grounds for dismissal.⁸²⁹ Hargis's motion was denied, and he and Callahan were eventually found to be culpable for James Marcum's death. However, the jury only awarded Marcum \$8,000, while the plaintiff was unable to connect French and Alexander Hargis to the crime (although both were charged with contempt of court for arranging to bribe witnesses for the prosecution and spirit at least one out of state).⁸³⁰ Abrelia Marcum's tort strategy was an alloyed success but still did little immediate damage to her targets' power. During the trial Sheriff Callahan was

October, 1907, *SWR*, Vol. 104 (28 August-27 November, 1907): pp. 693-695; *Earlington Bee*, 3 March, 1904; (Barbourville, Kentucky) *Mountain Advocate*, 4 March, 1904; *LCJ*, 3 June, 1904; *ACN*, 21 December, 1904; *HGH*, 22, 29 December, 1904; Coulter and Connelley, p. 186.

⁸²⁹"Notes on Important Decisions," *Central Law Journal*, Vol. 65, Issue 7 (16 August, 1907): pp. 118-119.

⁸³⁰*Hopkinsville Kentuckian*, 12 January, 1905; "Marcum et al. v. Hargis et al.," Court of Appeals of Kentucky, 16 October, 1907, *SWR*, Vol. 104 (28 August-27 November, 1907): p. 694; "French v. Commonwealth," Court of Appeals of Kentucky, 21 November, 1906, *SWR*, Vol. 97 (28 November, 1906-2 January, 1907): pp. 427-433; "Herald Publishing Company, et al. v. Feltner" (Decided 17 March, 1914), *KR*, Vol. 158 (13 March-14 May, 1914): pp. 35-44.

unanimously re-nominated as chairman of Breathitt County's Democratic central committee. A fellow Democrat praised Callahan's prior record and attributed his reappointment to his "executive ability and services to the party."⁸³¹

The civil suit brought the details of the Jackson killings of 1902 and 1903 directly to a Bluegrass audience, and the following month Hargis, Callahan and a number of confederates were indicted for the murder of Jim Cockrell in Lexington, on the grounds that he had died within its judicial jurisdiction.⁸³² Wise Hargins's anti-Hargis *Breathitt County News* announced the indictment as "a revelation to the outside world" of what residents of Jackson had known for years.⁸³³ Although less than three years earlier many Lexingtonians volunteered for "arbitration in the Breathitt county feud," the possibility that the killings had been acts of mutual reciprocity was now proven false; there was sufficient evidence that the murders of 1902 and 1903 had been carried out at the behest of powerful individuals. Fayette County's circuit court judge proclaimed that the trial of Hargis and the others was really based upon "the serious charges made against the civil government of Breathitt county" rather than the accused individuals.⁸³⁴ But the criminal trial for Cockrell's murder, and those for Cox's and Marcum's murders that followed, which lasted collectively for more than two years, did not prove Hargis's guilt or that of any one of his compatriots. With a massive number of testimonies against him, Hargis managed a hung jury and then an acquittal for the Cockrell murder by using a defense based upon Kentucky's age-old belief in county sovereignty-he challenged the Fayette

⁸³¹*BCN*, 11 November, 1904; *HGHq*, 8 December, 1904.

⁸³²*BCN*, 27 January, 1905; 17 February, 24 March, 1905; *LCJ*, 5 May, 1912.

⁸³³*Ibid*, 17 February, 1905.

⁸³⁴*Ibid*, 31 March, 1905.

County court's right to try him for a crime committed in another county.⁸³⁵ After Hargis's acquittal in Lexington, his trial in Lee County for the Marcum murder was an even greater disaster for the prosecution. Even though he had previously signed an affidavit that implicated Hargis and Callahan, Curtis Jett refused to testify that he had been hired to murder Marcum. Instead, he attributed his actions to his own drunkenness (this he did while appearing on the witness stand inebriated according to one newspaper account) and swore to the jury (said to be packed with Democrats) that Marcum had been his personal "bitter enemy," a testimony that fit neatly into the general conception of *feud* behavior that trumped political conspiracy.⁸³⁶ Hargis and Callahan were again acquitted, and this time in less than a week.⁸³⁷ Finally, the trial for the murder of Braxton Cox, held in northeast Kentucky's tiny, mountainous and isolated (as well as heavily Democratic) Elliott County, was dismissed before it had even commenced, due to the prosecution's failure to produce key witnesses.⁸³⁸

⁸³⁵Without attempting to absolve Hargis et al of guilt, the defense suggested that, even though Cockrell had died in Lexington, the fact that he had sustained his fatal injury in Breathitt County meant that Fayette County's bench had no jurisdiction in prosecuting the crime; *BCN*, 27 January, 1905; *NYT*, 28 March, 1905; *HGH*, 8 June, 1905; *CDT*, 24 May, 1907; *Hargis, &c. v. Parker, Judge, &c.* (filed 10 March, 1905), *KLR*, Vol. 27 (February-September, 1905): pp. 441-448; "Hargis et al v. Parker, Judge, et al," Court of Appeals of Kentucky, 10 March, 1905, *SWR*, Vol. 85 (15 March-19 April, 1905), (St. Paul: West Publishing Company, 1905): pp. 704-709.

⁸³⁶*CDT*, 12 July, 1906; *BCN*, 20 July, 1906. It was widely believed that key witnesses like Jett remained loyal to Hargis since "he could get any man in the penitentiary pardoned" by Governor Beckham. But, although Jett was eventually paroled from prison, he was not the recipient of a pardon; *Louisville Herald*, 8 June, 1908.

⁸³⁷*NYT*, 18 July, 1906; *CDT*, 18 July, 1906; *BCN*, 20 July, 1906.

⁸³⁸*NYT*, 20, 21 July, 1907; J.A.C. Chandler et al. *The South in the Building of the Nation: A History of the Southern States designed to Record the South's Part in the Making of the American Nation; to Portray the Character and Genius, to Chronicle the Achievements and Progress and to Illustrate the Life and Traditions of the Southern People*, Volume I. (Richmond, VA: The Southern Historical Publication Society, 1909): p. 322.

The acquittals of Hargis, Callahan, and their various other indicted confederates can be attributed to the factors that made murder convictions difficult in the early twentieth century, not the least of which being the wealth of the men involved. Hargis's and Callahan's wealth made them "the uncrowned Czars of Eastern Kentucky" charged a *New York Times* correspondent, "enable[ing] them to maintain an army of retainers and dependents, as did the great feudal lords of the middle ages."⁸³⁹ This sort of personal and pecuniary influence could not be ruled out, especially in light of Curtis Jett's change of testimony. But party affiliation, membership in the continuously militant Kentucky Democratic Party, brought with it a privileged position as well. The judge specially appointed by Governor Beckham to try Hargis, Callahan, French, John Abner and John Smith in the criminal trial for Marcum's murder was known for his "unwavering allegiance to the Democratic Party."⁸⁴⁰ The trial for Braxton Cox's murder had taken place in one of the most intensely Democratic counties in the state, where Judge Hargis was allowed to spend most of his time awaiting trial outside of the jailhouse shooting marbles with locals, and had concluded more quickly than the two before it.⁸⁴¹

While he and Hargis were incarcerated in Lexington during the trial for Jim Cockrell's murder, a Democratic merchant treated Edward Callahan to "50 quarts of whisky and about 50 boxes of cigars a two bushel tub of apples and case of beer all free"

⁸³⁹*NYT*, 30 June, 1904.

⁸⁴⁰E. Polk Johnson. *A History of Kentucky and Kentuckians; the Leaders and Representative Men in Commerce, Industry and Modern Activities* (Vol. II). (Chicago and New York: Lewis Publishing Company, 1912): p. 639.

⁸⁴¹*CDT*, 30 May, 1907. Elliott County proves to be an even more dramatic deviation from the general trend of Kentucky mountain Republicanism than did Breathitt County. The county was said to have not even a telegraph connection to the "outside world" as late as 1907. Between its creation and 1907, its largest Republican vote in a presidential election was 34 percent; Shannon & McQuown, pp. 47, 50, 55, 58, 61, 66, 72, 76, 80.

for him to serve to the “at least 3000” visitors to his cell. Callahan assured one of his tenants of the local support he, Hargis and the others enjoyed while on trial in Lexington. “The Fayette County Democrats are Red hot for us they want to fight for us too. Every Goebel Democrat in this county is hot for us.”⁸⁴² Callahan’s linkage between his and Hargis’s recent trials and the Goebel legacy at such a late date indicate that he, and perhaps Hargis, since he had a far more direct role in the Goebel campaign, justified his actions as part of an ongoing continuation of the Goebel faction. Even before he was elected sheriff, Callahan had for decades displayed a willingness to employ violence to ensure Democratic victories in his own county. With William Goebel’s assassination and would-be administration still a subject of radical dissension among Kentucky Democrats, the support shown to Callahan during his incarceration in Lexington vindicated his actions and placed him on a higher pedestal than “mountain feudist.” His actions, even if they were not the execution of the will of the party, were nonetheless carried out in the party’s interest. Still disheartened more than five years after his death, urban Democrats who had supported Goebel recognized the contributions Callahan had made to Goebel’s campaign and sympathized with the brutal methods that Breathitt County Democrats had employed to bolster one-party rule. In less than three years Breathitt County’s old status as “the best exemplification of the horrors of Goebelism” had been roundly forgotten in the press.⁸⁴³ But, having been at the center of it all, Callahan had not forgotten.

⁸⁴²Edward Callahan to J.L. “Dutch” Burton, 19 April, 1905, Assorted Documents, BCM. Callahan’s claims of his popularity in Lexington and the throngs of Democratic visitors are corroborated in *Hopkinsville Kentuckian*, 21 March, 1905.

⁸⁴³*Lexington Leader*, 14 November, 1902.

Despite Callahan's popularity among Bluegrass Democrats, the murder trials proved to be the beginning of the end of his and Hargis's political careers. While Hargis was still awaiting trial for the Cox murder, he and Callahan were defeated in a county-wide Republican/fusionist landslide, a telling contrast to the considerable Democratic gains in local and district elections in most of the state.⁸⁴⁴ The negative attention attracted to Breathitt County by its executives caused voters to flee from supporting the courthouse ring. Hargis's statewide power began to crumble soon afterward. In October, 1906, six men elected to the Democratic state central committee from various counties produced a petition stating that Hargis had arbitrarily deprived them of committee membership for unstated reasons.⁸⁴⁵ The authority that Hargis had wielded among Kentucky Democrats had come into question for the very first time since his involvement in the Goebel campaign. With the faithfulness of its most Democratic county so weakened, Kentucky's Tenth Congressional District elected its first Republican U.S. House representative since the 1890s the following month.⁸⁴⁶

After overseeing a remarkable Democratic ascendancy throughout the state, J.C.W. Beckham was implicated by proxy for the crimes committed in faraway Jackson. Although Beckham had made enemies within his own party with his support of statewide prohibition, it was also broadly suspected that his complicity with Breathitt County's Hargis courthouse had seriously damaged his political future as well.⁸⁴⁷ Republicans

⁸⁴⁴*NYT*, 8 November, 1905, 3 January, 1906; "Cope v. Cardwell," May 1, 1906, Court of Appeals of Kentucky, *SWR*, Vol. 93 (27 June-25 July, 1906): pp. 3-4; *LCJ*, 6 February, 1908.

⁸⁴⁵*LCJ*, 10 October, 1906; *BCN*, 12 October, 1906.

⁸⁴⁶*Official Congressional Directory, 61st Congress 2nd Session, for the Use of the United States Congress.* (Washington DC: Government Printing Office, 1910): pp. 39-40.

charged the governor with being an ally to “assassination chiefs,” and personally embodying all of the corruption associated with “Gobelism, Redwineism and Hargisism” that had been the basis for his initial victory in 1900.⁸⁴⁸ He was branded with imposing “many indignities on Breathitt County’s peaceful majority” through his mishandling of the Hargis trials.⁸⁴⁹ Hargis’s boast that he could get anyone pardoned was enough to make many Kentuckians suspect direct connections between Beckham and he, and created fodder for the Republican press. Beckham’s pardoning of Tom White seemed to confirm this suspicion, as did the fact that Curtis Jett, although never pardoned for his conviction for murdering James Marcum, had previously been pardoned by Beckham for an unrelated crime.⁸⁵⁰ Statewide Republican victories in 1907 narrowed Democratic control of the General Assembly to a slim majority.⁸⁵¹ When Beckham attempted to run

⁸⁴⁷John Corrigan, “The Prohibition Wave in the South,” *American Review of Reviews*, Vol. XXXVI (July-December, 1907): p. 334.

⁸⁴⁸*Lexington Leader* quoted in *BCN*, 2 November, 1906.

⁸⁴⁹*BCN*, quoted in *Hartford Republican*, 18 January, 1907.

⁸⁵⁰(Paris, Kentucky) *Bourbon News*, 5 June, 1903; *Hartford Republican*, 28 August, 1903; McClure, pp. 2223-2224; Clipping, *St. Louis Daily Globe-Democrat*, October 27, 1916. Appalachian Feuds Collection, Box 1, Series VI, Southern Appalachian Archives, BCLSP. A survey of pardons issued during Beckham’s administration show a certain amount of political interest, if not prejudice. One Shepherdsville, Kentucky “Democratic barber” received a pardon since his conviction for concealment of a deadly weapon (his straight razor) was allegedly “persecution by the Republicans instead of prosecution.” However, most of these pardons made no explicit mention of political affiliation. What is indicated instead is a proliferation of pardon requests and pardon contestations originating mostly in eastern Kentucky. Of the fifty-four extant petitions sent to Governor J.C.W. Beckham in order to protest requests for pardon (with the vast majority being in reference to murder or manslaughter) twenty-nine were in regard to crimes committed east of the Bluegrass. This indicates that such crimes were well-publicized and committed in a way that aroused entire communities against the accused. Many simply reflected the atmosphere of crime that had developed there during the early twentieth century. In one, a young man convicted for carrying a concealed weapon (probably one of the most common convictions in Kentucky jurisprudence between 1870 and 1910) claimed that he did so only because he was visiting an area of Knox County “known and regarded as a community in which the disregard for law prevails to such an extent that it has been thought foolish in him who ventured therein unarmed...” Tom White’s pardon can be interpreted either way; Herbert Glenn to Gov. Beckham” (undated) and “Chadwell Hall to Governor J.C.W. Beckham” (undated), Governor’s Correspondence-Contested Pardons, *Papers of J.C.W. Beckham*, KDLA.

⁸⁵¹*CDT*, 6 November, 1907; Klotter, *Kentucky: Portrait in Paradox...*, pp. 210-212.

for US Senate in 1908, four Democrats bolted from the party line, sending former governor William O. Bradley to Washington D.C. as Kentucky's first Republican U.S. senator in a victory over Beckham.⁸⁵²

Tiny, reviled and isolated, Breathitt County and its crimes had directed the South's last two-party state, but had done so in far too ostentatious a manner to go unnoticed. The assassinations of white officeholders stood in stark contrast to the untold number of African Americans targeted by political violence during the same years in Kentucky and further south and, consequently, produced far more outrage. In possibly the most dramatic display of the injury done to the Democratic Party by the accusations against Hargis and Callahan, William Jennings Bryan was edged out by William Howard Taft in Breathitt County's ballot box in 1908, the only time between 1840 and 2008 the county was ever carried by a Republican presidential candidate.⁸⁵³

The "Hargis-Cockrell feud" had the potential to challenge most Kentuckians' preconceptions regarding their mountainous section's apparent penchant for feud violence, as well as the preconceptions many Americans had toward Kentucky. During Jett's and White's trials, a Louisvillian distressed over the state of Breathitt County's media coverage insisted to a New York newspaper that there was "no family feud in Breathitt" but instead "one powerful, bold, bad man, served by minions and ruffians among them officers of the law, who lords it over his neighbors in the fashion of a mediaeval baron (even though the epistler insisted that Jackson did not have a feud situation, he used sixteenth century Sicily, a well-known setting for vendetta violence, as

⁸⁵²*NYT*, 29 February, 1908, 7 November, 1909.

⁸⁵³Breathitt County's Republican majority in this election was particularly phenomenal considering that Bryan carried the state as a whole in 1908; Shannon & McQuown, p. 80.

a useful analogy in illustrating his point).⁸⁵⁴ In its extended coverage of Abrelia Marcum's lawsuit in 1904, the *Courier-Journal* wrote detailed local genealogy describing the manner in which almost everyone involved in the Hargis-Cockrell feud was related by blood or by marriage. The reporter concluded that, if familial relations were not the central cause of the recent assassinations, he would nonetheless refuse to rule them out as a causal factor. "Factional strife in Breathitt County is equivalent to family dissension. Internal warfare is waged not against aliens, but against one's own flesh and blood. The kinship of the people whose names have been prominently mentioned in connection with the troubles here is very close in instances, and it appears links of blood relation ought to tend to bind them together."⁸⁵⁵ The article made note of the web of intermarriages among the Marcums, Hargises, Callahans and Stronges, thereby suggesting a clear kinship-based narrative going back to James Marcum's semi-famous uncle's first forays into feudalism. The following month the same paper printed what amounted to a concession to its familial explanation, although it did not phrase it as such, acknowledging what Republican newspapers had long insisted upon: a definitive political element to the county's troubles based upon its peculiarly Democratic voting history. "As a rule, the Kentucky mountain counties are Republican, but Breathitt is unique in that, almost without exception, it has ever been found in the Democratic column. There has always been the bitterest political feeling in the county, and politics has been more or less directly responsible for every one of the feuds, and is to-day the cause of the terrible state

⁸⁵⁴*New York Tribune*, 31 July, 1903.

⁸⁵⁵*LCJ*, 3 June, 1904.

of affairs there.”⁸⁵⁶ Owing as always to its policy of New Departure moderation, Watterson’s flagship could admit both pre-modern “feudal” behavior and the political motives that were quite clear to many Kentuckians as equal dynamics in the disreputable county.

But what might have been the most summative and accurate media statement about Bloody Breathitt was lost in a barrage of more flamboyant interpretations that consistently evoked *feud*. By including the events amassed into the Hargis-Cockrell feud into the longer lineage of “feuding” in the county, the origins of the most recent troubles in Bloody Breathitt were completely forgotten. Assassinations that encapsulated the statewide furor over William Goebel were ultimately nothing more than “the human nature’s daily feud.”⁸⁵⁷ Accordingly, any and all news from Breathitt County was related in some way to the existence of an extant feud; relying on wire reports, the *Chicago Daily Tribune* reported a random knifing at a fiddle show outside of Jackson as “feud” related.⁸⁵⁸ When Judge Hargis’s nephew Matt Crawford, who had no prior involvement in his uncle’s political wranglings, was killed near his illegal whiskey still in 1910, it was blithely recounted as part of “a feud which has long been carried on in Breathitt County.”⁸⁵⁹ Perhaps the most dramatic explication of the familial concealing the political appeared in a 1917 law review article in which James Marcum was characterized as a

⁸⁵⁶*LCJ*, 3 July, 1904.

⁸⁵⁷*CDT*, 10 May, 1903.

⁸⁵⁸*Ibid*, 5 June, 1905.

⁸⁵⁹Frank Moore Colby (ed.) *The New International Year Book: A Compendium of the World’s Progress for the Year 1910*. (New York: Dodd, Mead and Company, 1911): p. 401.

family rather than an individual in order to fit into the “family feud” mold.⁸⁶⁰ Whatever its purposes, the feud narrative required kinship and historical longevity as its driving forces even if these themes were not complemented by facts. Even though the murders James Hargis directed eventually cost him his political office (the prize that had motivated murder in the first place), his strategy of casting the deaths of Cox and Cockrell within the context of an ongoing family feud was an overwhelming success. “The Hargis-Cockrell feud was like nearly all the other mountain feuds,” Lewis Franklin Johnson wrote in one of the first book-length efforts at cataloging Kentucky’s mountain feud phenomenon, “it was a family difficulty.”⁸⁶¹

Ensuing events went even further to provide suggestions that, even if there was no ongoing feud in Breathitt County by the first decade of the twentieth century, the place nevertheless seemed to be fraught with a preternatural penchant for violence, and not always violent acts performed in the carrying out of a “feud” or political scheme. During Judge Hargis’s trials, his oldest son Beech entered into a profligate spree, and his father’s agents had to retrieve him from Lexington brothels multiple times. After one incident in February, 1908 the disgraced former judge beat his son almost to the point of unconsciousness. A few days later Beech shot his father to death in the latter’s general store and later attempted suicide by swallowing morphine. Although it had nothing directly to do with past factionalism, the in-family homicide appeared to be a “natural

⁸⁶⁰Although she was one of very few to announce her husband’s death as a premeditated act carried out as part of a political conspiracy rather than a “feudal” action, Abrelia Marcum’s litigation probably exacerbated the events false familial significance. “Notes on Important Decisions,” *CLJ*, Vol. 65, Issue 7 (16 August, 1907): pp. 118-119.

⁸⁶¹Lewis Franklin Johnson. *Famous Kentucky Feuds Tragedies and Trials*. (Cleveland: Baldwin Law Book Co., 1916): p. 331.

sequel” to recent events.⁸⁶² Although his father’s old ally David Redwine was Beech’s chief counsel in the following murder trial, he was also represented by a less obvious choice of representation, newly elected Senator Bradley. The legal team complicated the trial by charging the Republican judge with political prejudice, and the young man was eventually acquitted on a plea of self-defense. Beech Hargis lived in Jackson for years afterward, but with the onset of World War I left to join the Canadian army and was never heard from again in Kentucky.⁸⁶³

After the death of his former partner, Edward Callahan gradually withdrew from politics, but not without first being implicated in causing Breathitt County’s worst election-related riot since 1878, to which Republican governor Augustus E. Wilson responded (less reluctantly than his Democratic predecessors) with militia occupation.⁸⁶⁴ Afterward, Callahan grew increasingly paranoid, avoiding Jackson and building a protective bunker around his home in Crockettville. On the seventh anniversary of James Marcum’s May 3, 1903 assassination, an unknown rifleman fired at Callahan as he stood at a window in his house, wounding him in the groin. When John Fox, Jr. visited him forty days later, the author found him in comfortable convalescence, wearing the same bullet-punctured trousers he had been wearing when he was attacked. Asked if he should leave Crockettville, he insisted that “they would say I was a coward” were he to leave his home and business interests.⁸⁶⁵ Exactly two years later, a rifle shot fired in the

⁸⁶²*L CJ*, 6, 8 February, 1908; *NYT*, February 16, 1908; *CDTq*, 7 February 1908; *ACN*, 19 February, 1908; Linner, p. 21.

⁸⁶³*CDT*, 26 August, 1908; *Mount Vernon Signal*, 4 September, 1908; *Winchester News*, 14 December, 1908; Kash, p. 352.

⁸⁶⁴*NYT*, 7 November, 1909.

exact same manner killed Callahan just as he was concluding a telephone conversation with his old adversary J. Wise Hagins. While the timing of Callahan's murder suggested a motive of revenge for Marcum's death, the "noted feudist" had amassed too many enemies, both personal and political, for there to have been a definite suspect.⁸⁶⁶ The same could be said for others as well. Mose Feltner, James Marcum's legal client who was the first male to explicitly implicate Hargis and Callahan in the deaths of Braxton Cox and James Cockrell, was killed by a federal revenue officer. Even though his only role in the Hargis-Cockrell feud had been trying to prevent further killing by announcing Judge Hargis's culpability, he was eulogized in the press primarily as a "noted feudist."⁸⁶⁷ Only Judge David Redwine, the only major political figure who had always managed to remain only on the periphery of controversy in Jackson, managed a peaceful passing and a posthumous reputation untarnished by *feud*.⁸⁶⁸

The gunshots that killed Hargis, Callahan and Feltner were the effect of any number of factors that helped to portray Breathitt County and eastern Kentucky (and, again by extension, the mountain South in its entirety) as an environment of directionless "lawlessness." In the course of a history of extra-political lawlessness, the huge amount of support from Kentucky Democrats for the Hargis courthouse was conveniently forgotten. Even John Fox, Jr., who contributed to eastern Kentucky's renown for familial

⁸⁶⁵Fox, "On the Road to Hell-fer-Sartain," *Scribner's*, Vol. XLVIII, No. 3 (September, 1910): pp. 353-355.

⁸⁶⁶*LCJ*, 4, 5 May, 1912; *NYT*, 5 May, 1912; *The American Library Annual*, 1913. (New York: Office of the Publisher's Weekly, 1913): p. 15.

⁸⁶⁷*NYT*, 19 September, 1916; Clipping, *St. Louis Daily Globe-Democrat*, 22 October, 1916. Appalachian Feuds Collection, Box 1, Series VI, Southern Appalachian Archives, BCLSP.

⁸⁶⁸*Law Notes*, Vol. 16 (April, 1913): p. 17; William M. McKinney and H. Noyes Greene (eds.), *Annotated Cases, American and English*. (San Francisco: Bancroft-Whitney Company, 1917): pp. 59-64.

vengeance more than virtually any writer of fiction or nonfiction, was obliged to recognize a broader (but still quite parochial) political motif at the heart of Breathitt County's ill-gotten fame.

The outside world couldn't very well omit Breathitt when it made law, and Breathitt accepted the gift with gratitude so far at least as it should serve the personal purpose of the man who held the law in the hollow of his hand. Not that there are not bitter complaints of lawlessness in Breathitt, and stern upholders of the law. There are: but I observed that the bitterest and the sternest were not allied with the party that happens just now to be in power.⁸⁶⁹

With the possible exception of Callahan's ambush (carried out in a fashion strikingly reminiscent of William Strong's end that Callahan was suspected to have directed fifteen years earlier) their deaths were not directly related to the "feud" that caused the three most famous murders of 1902 and 1903. At the time of James Marcum's killing, however, the violent deaths of his political enemies were far in the future and many observers within and outside of Jackson's civic borders saw a more calculated source for recent violence, one that challenged the very idea of the "feud" scenario. Late in 1903, during the brief lull in public interest in Breathitt County that followed the convictions of Curtis Jett and Tom White, one of the bluntest, most unalloyed accounts of recent troubles was composed, but may never have seen print.

For several months the gaze of the public press had been turned almost daily upon the little mountain town of Jackson, Kentucky, the county seat of 'Bloody Breathitt' County the scene during the previous year of three assassinations of increasing boldness and atrocity, and occurring within a [sic] 100 steps of the business centre of the town. In the many newspaper accounts of the tragedies the word "feud" has been almost universally employed to denote the state of affairs in Jackson. "Feud" is a choice word for picturesque, romantic, and unique effects. It has a pleasant medieval sound, a distinct flavor of the antique, but in this instance it is misleading. An acquaintance of several years with the town and the people, including all these prominently connected with recent events in Jackson, leads me to think it necessary to look for other motives than those usually supposed to actuate participants in a family feud.

The three men who were assassinated were, it is true, in certain legal and business relationships to one another; but there was not among them any tie of blood so close as that subsisting between one of the victims of assassination and the man who according to the testimony of an eyewitness

⁸⁶⁹Fox, "On the Road to Hell-fer-Sartain," p. 350. For Fox's role in publicizing and interpreting feud violence, see Waller, "Feuding in Appalachia..." pp. 362-363, 367-369.

shot him deliberately from a well-selected hiding place. Personal feeling entered into the situation, as it must, but as will appear in the sequel political motives have been to all appearance at least as strong in their influence. And the so-called "other side" has not, so far as I am informed, fired a shot or attempted to fire a shot. If such a state of affairs constitutes a "feud," it is, as regards active participation, a solitaire game.

The author concluded that, instead of a feud proper (if such a thing existed), the deaths of the three men were the outcome of "a conspiracy on the part of those in official power to accomplish criminal ends."⁸⁷⁰ In this, it was not rare or unprecedented; other observations on the deaths of Cox, Cockrell and Marcum, especially those of the *Lexington Leader*, had expanded upon the political motivations surrounding their deaths and had tended to agree that the deaths on Jackson's streets were indeed a non-horizontal "solitary game" carried out by men in power and unanswered by those they wished to eliminate. However, it was the only account that questioned the appropriateness of using *feud* to describe Breathitt County's troubles. The author fully acknowledged that the "family feud" was an existent social phenomenon and probably would not have denied that Breathitt County had experienced feuds proper in the past. But the murders of 1902 and 1903, it seemed, were something different. The clear irrelevance of kinship in the affair removed the vital element of this form of institutionalized violence. Perhaps most importantly, the newly vital commercial center was only "90 miles by rail from the center of the 'Bluegrass,'" an observation that reflected Breathitt County's loss of isolation. Feuds were an antiquated occurrence with no place in thriving Jackson, a town "by no means wholly outside the pale of civilization and progress."⁸⁷¹ This recent rash of killings, with clear political motivations, was a product of newer trends and a variety of violence

⁸⁷⁰William Dinwiddie (?), Untitled Manuscript, Personal Collection of Charles Hayes, Jackson, KY.

⁸⁷¹Ibid.

that seemed more at home in such a progressive, modern setting. *Assassination*, it seemed, was a different animal than *feuding*.

“...it is rare indeed, that one of these assassins and anarchists is brought to punishment.”

In February, 1900 the *New York Journal* printed a quatrain penned by Ambrose Bierce, alluding to William Goebel’s recent demise, while also proving prophetic for another well-known office holder of the day.

"The bullet that pierced Goebel's breast
Can not be found in all the West;
Good reason, it is speeding here
To stretch McKinley on his bier."

The *Journal* was the property of William Randolph Hearst, one of President William McKinley’s most flagrant journalistic detractors. When McKinley was killed by self-professed anarchist Leon Czolgosz nineteen months later, rumors flew that a clipping of Bierce’s poem had been found in the assassin’s pocket after his arrest. Bierce swore that he had never meant for his stanzas to be taken as a veiled threat against the president, but that it was to alert readers of the dangers posed by the growing population of “foreign elements” who espoused anarchism.⁸⁷² A broad swath of Americans had feared the vaguely-defined philosophy since a bomb thrown in Chicago’s Haymarket Square in 1886 killed seven. For the rest of the nineteenth century, men who espoused Georges Sorel’s “propaganda of the deed” attempted to turn political luminaries into “an

⁸⁷²Ralph Frasca. *The Rise and Fall of the Saturday Globe*. (Selinsgrove, PA: Susquehanna University Press, 1992): pp. 120-121; Margaret A. Blanchard. *Revolutionary Sparks: Freedom of Expression in Modern America*. (New York and Oxford: Oxford University Press, 1992): pp. 40-41.

endangered species.”⁸⁷³ In Italy, France and Spain the public deaths of a king, an empress and two presidents between 1894 and 1898 (and, in short years, the U.S.’s McKinley) revealed the emergence of a new style of political violence reflective of the industrial era disillusionment that French sociologist Emile Durkheim labeled *anomie*.⁸⁷⁴ This new method of violent death, no longer exclusive to Europe, appeared to be the American Republic’s greatest threat at the time of Bierce’s writing, not only for its causing death and destruction, but also for its origins among the throngs of non-Anglo-Saxon immigrants. When the president was killed, Bierce’s point was apparently substantiated. But before that, his poem placed Goebel’s assassination within an international milieu much larger than the vagaries of one southern state’s governmental discord, much less the decidedly non-foreign “mountain method of ambush.” Assassination, with the onset of anarchism, had become *de rigeur* even in the most provincial places.

‘Anarchist’ was already a widely-used epithet by the Goebel campaign’s beginning, and the term was frequently used during and after his death to describe both him and his eventual slayers. In light of his anti-corporate stance, Goebel was condemned for turning the Democratic Party over to “Anarchists, Socialists and

⁸⁷³Jacques Barzun. *From Dawn to Decadence: 500 Years of Western Cultural Life, 1500 to the Present*. (New York: Harper-Collins, 2001): p. 695q.

⁸⁷⁴Olivier Hubac-Occhipinti, “Anarchist Terrorists of the Nineteenth Century,” in Gerard Chaliand and Arnaud Blin (eds.) *The History of Terrorism from Antiquity to Al Qaeda* (translated by Edward Schneider, Kathryn Pulver and Jesse Browner). (Berkeley: University of California Press, 2007): pp. 117-118.): p. 695. For the relationship between *anomie* and assassination, see Jeffrey C. Alexander. *The Cambridge Companion to Durkheim*. (Cambridge and New York: Cambridge University Press, 2005): pp. 311-312; Elwin H. Powell. *The Designs of Discord: Studies in Anomie*. (New Brunswick and London: Transaction Publishers, 1988): pp. 72-73, 152-153, 165; Goran Therborn, “‘Europe’ as Issues of Sociology,” in Thomas P. Boje, Bart van Steenberg and Sylvia Walby (eds.), *European Societies: Fusion or Fission?* (New York and London: Routledge, 1999): pp. 22-23; Nieburg, pp. 118-121.

Populiste.”⁸⁷⁵ Later, a San Francisco anarchist used the Kentucky Republicans’ purported guilt for killing Goebel to defend his party from persecution after McKinley’s death.⁸⁷⁶ But his point was made in vain; although some of its members were clearly implicated in doing away with Goebel, Republicans firmly entrenched within the two-party system were beyond the same type of popular reproach reserved for anarchists. Violence was allowed, or stripped of, legitimacy according to the politics of the groups or individuals that wielded it. Nevertheless, when Bluegrass Kentuckians were alarmed by James Marcum’s murder in the streets of Jackson, similarities with this new, insidiously foreign method of political violence were already widely recognized. Within days of Marcum’s death the *Louisville Courier-Journal* bemoaned the “cowardice” with which men had been murdered in the state’s mountains, but did so using words that would never have been applied to eastern Kentucky short years earlier. “It is by stealthy methods and implacable spirit that they intimidate whole communities, including the officers of the law and the courts of justice,” the paper accused, “the result being that it is rare indeed, that one of these assassins and anarchists is brought to punishment.”⁸⁷⁷

The conspirators behind William Goebel’s death, as well as that of James Hargis, Edward Callahan, Curtis Jett and other accused conspirators in Breathitt County’s assassinations of 1902 and 1903, were, to a man, probably unaware of continental

⁸⁷⁵*TAPR*, 1900, p. 82q. For other characterizations of William Goebel as an anarchist, see also *Hartford Republican*, 5 October, 1900; Klotter, *William Goebel...*, p. 68.

⁸⁷⁶“Was any political party ever held accountable for a political murder such as the murder of Governor Goebel of Kentucky by the conspiracy of Republican politicians, or any religion held accountable for a religious murder such as the murder of President Garfield by a Christian enthusiast (Or a fanatic if you please)? Why, then, should anarchists be held accountable for the first murder by an anarchist in the United States?”; D.I. Sturber. *The Anarchist Constitution*. (San Francisco: Radical Publishing Company, 1903): p. 4.

⁸⁷⁷*LCJ*, 6 May, 1903.

anarchism's ideological underpinnings. But the murders they coordinated utilized "the propaganda of the deed" in a manner unprecedented in Kentucky's violent history but imitative of more recent trends. Guerilla warfare during the Civil War was carried out throughout the state with no measure of uniformity and often according to the whims of local military leaders with tenuous ties to the Union and Confederate causes. It was based upon material wartime goals, the weakening of the local state, the punishment of civilians with oppositional loyalties and whatever other meaning it had come about inadvertently. The mass violence of the Reconstruction years, and the intraracial feuds of the 1880s, were, with the exception of the symbolically-charged act of lynching, without elaborate orchestration. Furthermore, these parochial acts of violence were generally aimed at victims whose political or social significance was, outside of their immediate communities, obscure. They were acted out between intimates.

In contrast, assassination as it was used in Frankfort in 1900, or Breathitt County in 1902 and 1903, had broader implications in both means and ends. It replaced the violent intimacy of the Civil War and Reconstruction years with violent anonymity. As mentioned before, William Goebel's assassination in January, 1900 was initially attributed to the "mountain method of ambush," the surreptitious "bushwhacker" style of sniper-killing devised during the Civil War and used afterward to slay such famous feudists as William Strong.⁸⁷⁸ But the *mise en scène* of Goebel's death belied the circumstances suggested by the name "mountain method." The latter was best suited to the unpopulated quiet of isolated wagon roads and footpaths found throughout a chiefly rural state but found in the greatest conditions of isolation in the mountains. Goebel was killed in the morning while walking through Kentucky's capitol grounds, as befitted his

⁸⁷⁸LCJ, 31 January, 1900.

position in government. The rifleman's identity was concealed, but the building from which he fired was not, nor was the firing of the gun from this locale. While the true identity of his assassin was never completely determined to the satisfaction of historians, if not prosecutors (proving the importance of anonymity), it was widely known that the rifle shot came from the second story window of the State House next to the capitol, a building "tenanted by Republicans exclusively."⁸⁷⁹ Even if the assassination was not sanctioned by Secretary of State Caleb Powers as was charged, the conditions through which Goebel came to an end were meant to publicly demonstrate his illegitimacy as (had he ever had the chance to assume the office) governor-elect.⁸⁸⁰ Even with Frankfort's streets teeming with "dangerous mountaineers," no one attempted to dispute that the killing shot had come from within a state building, a placement that may have been more intentional than many Kentuckians might have assumed. It was orchestrated so that it appeared to be the will of the state, even though it was evidently only that of one political party's leaders. Had Jackson been as hidden from the "outside world" as it had once been, the ploy may have worked, at least locally.

The murders of Braxton Cox, James Cockrell and James Marcum took place under very similar circumstances. Dr. Cox was killed in the dead of night with a shotgun blast in an area of Jackson's main thoroughfare close to both the courthouse and James

⁸⁷⁹*Hartford Republican*, 2 February, 1900q; Alfred S. Johnson (ed.). *Cyclopedic Review of Current History*. Vol. 10 (1900): pp. 83-84; "Powers v. Commonwealth," Kentucky Court of Appeals, *LRA*, Book LIII (1902): p. 260.

⁸⁸⁰Since Goebel's position as governor-elect was not roundly recognized, his assassination can be interpreted as either "assassination by one political elite to replace another" or "assassination by the government in power to suppress political challenge," two very different motives for political murder; James F. Kirkham, Sheldon G. Levy, and William J. Crotty. *Assassination and Political Violence: A Report to the National Commission on the Causes and Prevention of Violence*. (New York: Praeger Publishers, 1970): pp. 3, 6.

Hargis's commercial property (one newspaper account erroneously said that Cox was leaving a church service when he was shot).⁸⁸¹ With the cover of darkness available, the assailant was able to use a weapon that was effective only at close range. Cockrell and Marcum were more directly linked to the ensuing political conflict, so their respective assassinations were more public and flamboyant than Cox's. They were killed by gunshots aimed from the Breathitt County courthouse in broad daylight with numerous potential witnesses present (Judge Hargis and Sheriff Callahan were in the general proximity).⁸⁸² The killings, all within a small physical space, confirmed the courthouse square as "the assassination center of Jackson."⁸⁸³ Even though Judge James Hargis grouped at least two of the deaths (Cockrell's and Marcum's) within ongoing kin-based feud narratives, the manner in which these deaths were spatially arranged confirmed that they were the will of the local powers that be, even if men in their employ were accused individually.

The new role of anonymity also set the assassination stage of violence in Breathitt County apart from past incidents. In the 1870s most public acts of political violence were performed openly, with the assailants and victims unconcealed. When Marcum's uncle, William Strong, attacked his neighbors during the Civil War, he did so under the authority of the Union Army, but he was at no more of an advantage than his Confederate enemies since so many locals had decided to renounce the Union's local legitimacy.

⁸⁸¹(Lexington) *Blue-grass Blade*, 27 April, 1902; *New York Tribune*, 3 April, 1905.

⁸⁸²*Hartford Republican*, 25 July, 1902; McClure, pp. 2219-2220; "Jett v. Commonwealth," 25 March, 1905, *SWR*, Vol. 85 (15 March-19 April, 1905), (St. Paul: West Publishing Company, 1905): p. 1179, 1181; *KLR*, Vol. XXVII (Frankfort, KY: Geo. A. Lewis, Publishing House, 1905): p. 605.

⁸⁸³William Dinwiddie (?), Untitled Manuscript, Personal Collection of Charles Hayes, Jackson, KY.

When he captured the courthouse on the same street in 1874, or when he faced down former Confederates to defend the newly elected county judge in 1878, the “ownership” of this symbol and repository of the local state was under dispute. The violence employed to “capture” it reflected this crisis of legitimacy. But as political life in Breathitt County became more complex and less parochialized (with transportation and political alliances strengthening local elites’ relationship with the Bluegrass), a greater measure of surreptitiousness was deemed necessary. Curtis Jett and the other assassins employed by the courthouse ring carried out their appointments from hidden places within buildings rather than (as was the case in 1878) meeting their potential victims openly on the street.

This strategy reflected Judge Hargis’s modus operandi in state politics. Even though he was heavily interested in the affairs of the statewide Democratic Party, Judge Hargis attempted to maintain a semblance of the isolation that had benefitted Breathitt County Democrats in the past. Hargis himself employed a measure of anonymity in furthering his influence in the Democratic Party. Since the Music Hall Convention, Hargis’s statewide political strength had been bolstered by a healthy measure of stealth. At least after the initiation of the Hargis-Cockrell feud, Hargis tended to avoid public settings, even in Jackson.⁸⁸⁴ For this reason he had attempted to discourage interviews with members of the press from outside his area. In 1902 Hargis had a Louisville reporter threatened by “toughs” and, a few years later, threatened a visiting playwright who planned to write a dramatic account of Jackson’s 1902-1903 assassinations. Before his first indictment in 1904 he had long avoided having his photograph taken for newspapers and, during one of the ensuing trials, even entered the camera-free safety of

⁸⁸⁴*NYT*, 19 September, 1903.

the courtroom with a quilt over his head (he later reluctantly relented to having a photograph taken).⁸⁸⁵ Being the faceless judge of the mysterious Bloody Breathitt, a place that had only become more mysterious and exotic through the propagation of newspaper descriptions, brought with it a measure of power. It was not the use of directed violence itself that brought about Hargis's downfall, but rather the unwanted, and unexpected, publicity attracted by the deaths of Cox, Cockrell and (to the greatest extent) Marcum.

As the fallout from these killings gained national attention, other violent deaths were overshadowed in the process. During the proceedings of Abrelia Marcum's lawsuit against Hargis and his conspirators, Breathitt County experienced one of the most vicious acts of violence in its history, but one that, nevertheless, went relatively unnoticed. A white man living in Frozen Creek, a community nine miles from Jackson, invited a group of negroes to his home with the promise of free liquor. When the party arrived at his door, the host opened fire on the group in an apparent attempt to exterminate the lot, killing one of them.⁸⁸⁶ The crime was reported in only two local papers, neither of which attempted to contextualize the racially-motivated killing within a larger narrative of lawlessness or white supremacy. The press' lack of interest in another killing in Breathitt County, an erstwhile popular subject, indicates that violence that fell outside the parameters of either political assassination or communal feuding when it happened there was deemed of little consequence. A story of interracial mass murder did not support the larger description of a place dominated by inherent white intra-racial violence and

⁸⁸⁵Linner, p. 21.

⁸⁸⁶*Jackson Hustler* reprinted in *HGH*, 17 November, 1904.

challenged the delineation that Bluegrass elites, Democratic or Republican, preferred to have drawn between their own section and the mountains (white violence against black Kentuckians was still a common occurrence in 1904).⁸⁸⁷ Consequently, the story was unnoticed or discarded. Whether members of the press endorsed or opposed the Hargis courthouse, violence that did not support their argument was unimportant.

Breathitt County's assassinations, and the ensuing trials of the accused assailants, were known to have broader connections to the "outside world" when they took place. But the Cox, Cockrell and Marcum homicides were often included within the older narrative of violence that had earned the nickname "Bloody Breathitt" years before, a cycle of convincingly inherent violence. The political significance of violence in the county was recognized as well, and emphasized most broadly by the Republicans who despised the island of mountain Democracy and its continuity with the hated Goebel legacy. But *feud* endured as the dominant descriptor, again encouraging interpretations that accentuated the prevalence of communal violence with purely insular, local causes. This was not only because of the influence of Democratic elites outside of the county, elites who, like their brethren further south, profited from the use of parochial violence yet strived to distance themselves from it. Breathitt County's violence was depoliticized also by an American culture that interpreted or legitimized violent acts according to parameters of race, class, geography and history, parameters that could not easily include eastern Kentucky. Even with the political violence of the early twentieth century a recent memory, the prevalence of *feud* in explaining white intraracial violence determined how

⁸⁸⁷Between the respective deaths of William Strong and James Marcum, at least twenty nine men were lynched in Kentucky; Wright, *Racial Violence in Kentucky...*, p. 327.

Breathitt County was to be interpreted by its own citizens and others from the “outside world.”

CHAPTER VII

“THE FEUDAL WARS OF EASTERN KENTUCKY WILL NO DOUBT BE UTILIZED IN COMING YEARS BY WRITERS OF FICTION.”: READING AND WRITING BLOODY BREATHITT

“When the legend becomes fact, print the legend!”

—Maxwell Scott, character in *The Man Who Shot Liberty Valance* (1962)

In an 1898 interview with Reverend James Dickey, former county judge Edward Strong declared the early nineteenth century’s “Clay Cattle County war,” fought by his and William Strong’s grandfather, and Edward Callahan’s great-grandfather, had not only led to the Strong-Amis feud of the early 1870s, but also that “the effects of the [cattle] war have not ceased to this day.”⁸⁸⁸ Dickey’s other interviews among Breathitt County’s older citizens suggested similar views, but none thoroughly explained explicitly the continuity between the cattle war and more recent troubles. Between 1805 and 1861 the territory that became Breathitt County did not experience any sort of recorded local strife that resulted in multiple deaths or paramilitary factionalism (or, for that matter, familial feuds). The purported lineage between the Clay County Cattle War and the disintegration of postwar Union alliances that constituted the Strong-Amis feud was similarly questionable. Even though Strongs and Amises had opposed one another sixty years before, their descendants had found a common cause fighting against Confederate interests during the war and had not fallen out against each other until 1873. Even then,

⁸⁸⁸Interview with Edward C. Strong, July 21, 1898, *JJDD*, reel 3, p. 2424. See also, Billings and Blee, *The Road to Poverty*, p. 375; John Ed Pierce. *Days of Darkness: The Feuds of Eastern Kentucky*. (Lexington: University Press of Kentucky, 1994): p. 124. Billings, Blee and Pierce do not question the causal relationship between the cattle war and the so-called Strong-Amis feud.

it had more to do with conflicts over the spoils of war (livestock, a coincidence that further encouraged the drawing of lineages back to the cattle war) and political defection than it did loyalties based upon kinship. If the old judge believed that anything that had happened since was the progeny of a conflict from nearly a century earlier, namely his first cousin William's death the previous year, he did not elaborate.

Whatever his purposes, Edward Strong preferred to think of the strife that he had witnessed in his home county not as events that were contingent upon contemporary factors (e.g., war or postwar crises of governmental legitimacy) but rather only a segment of a much longer continuity. If Breathitt County was an inherently violent place, the premise required that it have a suitably antediluvian heritage, one that could be remembered by the county's earliest settlers and interpreted by them as well. But, if the Clay County Cattle War of circa 1805 was to be the creation myth of choice, it was an inherency scarcely supported by history. And yet, events that were still in the future when Strong gave his interview would give further credence to the theory of inherency and continuity. Strong had no direct personal reason to dissociate himself from the county's troubles. His infamous cousin was now dead and Strong had always managed to stand apart from the more violent events he had witnessed in his lifetime. With a surname that he probably knew would always be associated with "feudalism," but a relatively unblemished personal reputation, Edward Strong had good reason to portray "Bloody Breathitt" as a much longer saga than one with origins in his own adulthood. Admittedly, this attribution of ancient continuity may also be an aged mountaineer's desire for something unchanging in an otherwise rapidly shifting environment. Dickey may have encouraged him to identify a starting point; many of the oral histories that

Dickey recorded during his time in Breathitt County were done “in an effort to determine why [people in Breathitt County] were always fighting each other.”⁸⁸⁹

Whatever his reasons, Strong’s interpretation of his home county’s history was a political act whether he meant it to be or not. By extending the provenance of Breathitt County’s troubles backward in time to the years long before the Civil War belied the war’s role in generating conflict and encouraging the use of violence. It also diminished the importance of the postwar political divide around the time of Strong’s own judgeship. Furthermore, it indirectly cast William Strong’s 1897 death as the end result of a primordial conflict rather than his own years of agitation against the local powers that be. The cattle war was an interpersonal dispute over property with no material significance beyond the direct experience of its participants, and no direct effect on Breathitt County’s later combatants other than perhaps memory, a memory they never invoked as just cause for their actions. For someone who wished to depoliticize the county’s record of death and destruction, it could be pointed out as the origins of an inherently violent “Bloody Breathitt.” Strong was simply applying the most basic elements of the *feud* upon his home county, a county that had already been named “the storm centre of the feud troubles of the State...”⁸⁹⁰

This chapter describes the discourses of kinship, primitivism, isolation, medievalism and racial determinism that comprised *feud* as a descriptor of violent acts in the nineteenth and twentieth centuries and their relationships to the memory of “Bloody Breathitt.” Many of these discourses pre-dated national interest in Breathitt County as

⁸⁸⁹Strong Family Papers, p. 106, BCPL.

⁸⁹⁰Frank Moore Colby and Allen Churchill (eds.) *The New International Year Book: a Compendium of the World’s Progress for the year 1909*. (New York: Dodd, Mead and Company, 1910): p. 406.

the center point of feud violence. The feud, as an actual event or a literary subject, was familiar to nineteenth-century Americans before the Civil War because of the novels they read or because of their own history. Familial feuds were said to be widely practiced by the planter aristocracy of the lowland South (although the evidence that would suggest institutionalized feuds is scanty). But, as Altina Waller has shown, the locus of feuds was moved from there to eastern Kentucky (and, by extension, the southern highlands en toto) during the 1880s.⁸⁹¹ Invariably, they represented something archaic, irrevocably rooted in the past and only accidentally thrust upon the present. As the past three chapters have shown, events in Breathitt County between the Civil War and the turn of the century were recognized by contemporary observers, both internal and external, were recognized as politically motivated acts of brutality based upon a struggle to usurp or maintain local power. But soon after violence in the county had subsided, accounts from within and without began to show preference for cultural, geographical and even biological reasons for the county's violence, reinforcing the county's place in the pre-established "feud belt." By doing so, the contingencies of modern life could be exonerated from being blamed for violence, with an unfortunate inherency accused instead, an inherency that could be either eventually overcome by the march of social and economic progress, or dismissed as an unfortunate but natural failing of the mountain white. Discussions of Breathitt County's *feud* or *feudal* history diminished discussions of the crises of legitimacy and struggles for power that pervaded the county's history. "Bloody Breathitt," an enclosure of space and time, was a reification of communal violence. But it was also a memory that could be used by both citizens of the county as well as outsiders.

⁸⁹¹Waller, "Feuding in Appalachia..." pp. 355-356, 373n.

“...a feud among families or factions of the peculiar southern type...”

In accordance with the thin line between legend and fact that attends the events that it describes, *feud* “made a comparatively late appearance and [is] of unsolved etymology” within the English lexicon.⁸⁹² The *Oxford English Dictionary* records the appearance of the word in relation to enmity and violence (as opposed to the word’s relation to property because of its root relating to *feudal*) no earlier than the thirteenth century.⁸⁹³ In the nineteenth century feud motifs were popularized by Sir Walter Scott’s romantic novels about late medieval Scotland, and other literary sources that skirted the boundary between romance and political history.⁸⁹⁴ At least by mid-century, the Mediterranean island of Corsica became equally well known for revenge-based reciprocal violence in the present day. “Vendetta,” a more recent import to English and one more explicitly revenge-based, became almost synonymous with *feud*.⁸⁹⁵ Via popular fiction,

⁸⁹²E.J. Dobson, “The Word *Feud*,” *The Review of English Studies*, Vol. 7, No. 25 (January, 1956): p. 52.

⁸⁹³J.A. Simpson and E.S.C. Weiner (eds.), *The Oxford English Dictionary, Second Edition*. (Oxford: Clarendon Press, 1989): p. 860. The anthropologist Christopher Boehm defines the blood feud as “a pattern of homicidal conflict that simultaneously involves the ideas of scorekeeping and alternating retaliation and that is theoretically interminable but generally is pacifiable through the payment of compensation for blood.”; Christopher Boehm. *Blood Revenge: The Anthropology of Feuding in Montenegro and Other Tribal Societies*. (Lawrence, KS: University Press of Kansas, 1984): p. 222.

⁸⁹⁴Williams, *Appalachia: A History*, p. . Although the highland feud was an institution that often bled over into political struggle with England, it was understood to have generally originated “in some quarrel of little importance...”; Sir Walter Scott, Bart. *Tales of a Grandfather* (Edinburgh: Adam & Charles Black, 1868): p. 45. See also William Frasier, “The Book of Carloverock,” *Blackwood’s Edinburgh Magazine*, Vol. CXV (January-June, 1874): pp. 194-200. I am grateful to John A. Williams for encouraging me to look into Sir Walter Scott’s significance in the construction of *feud*.

⁸⁹⁵A large part of Corsica’s popularity as a literary subject among English readers was Alexander Dumas’ *The Count of Monte Cristo* in which Corsican bandits figure prominently. See also, Robert Pierce Gillies. *Palmario; or, The Merchant of Genoa*. (London: T. & W. Boone, 1839); Honore de Balzac, “La Vendetta, or, the Feud,” (translated by Mrs. F.A. Butler),” *United States Democratic Review*, Vol. 17, Issue 89 (November, 1845): pp. 364-378; “The Family Feud - A French Story,” *Harper’s New Monthly Magazine*, Volume 6, Issue 36 (May, 1853): p. 796; E. Cobham Brewer. *The Historical Notebook with an Appendix of Battles*. (London: Smith, Elder, & Co., 1891): p. 997; Jens Iverson Westengard (with Joseph H. Beale, Porter E. Sargent, a Siamese Student and John Raeburn Green), “International Tribunals in the Light of the History of the Law,” *Harvard Law Review*, Vol. XXXII (1918-1919): p. 833.

and Americans' knowledge of societies that practiced blood feuds in places with weak state power, feud violence was understood to take place within the confines of relatively strict parameters. Proper feuds contained abrupt, impetuous acts of brutality, products of hot blood and passion, not circuitous schemes devised by politicians and carried out by paid henchmen. As the opening scene of *Romeo and Juliet* demonstrates, underlings could act as violent proxies for their masters but did so for the same purposes of honor-defense rather than over issues of state power. Blood feuds, particularly their tendency toward reciprocity for wrongs done to an individual or group, were carried out in the conservative interest of maintaining a mutually accommodating status quo.⁸⁹⁶ Neither insurrectionary nor counter-insurrectionary, blood feuds were motivated by "strong feelings of justice and moral order" that traversed the possibility of chaos presented by a weak state.⁸⁹⁷ For that reason, when the idea of feud violence came to be applied within the confines of the United States became a clear reality, it was to describe events that never fit perfectly within the parameters set by British or European analogs. The interpretation of feud violence among American scholars and lay readers suffered from a persistent conflation of history, current events and fiction. If non-fictional feuds took place in America, they did so in a new, strange manner. Still, somehow the word persisted.⁸⁹⁸

⁸⁹⁶Stephen Wilson. *Feuding, Conflict and Banditry* (Cambridge University Press, 1988): pp. 306-334.

⁸⁹⁷Jonas Grutzpalk, "Blood Feud and Modernity: Max Weber's and Emile Durkheim's Theories," *Journal of Classical Sociology*, Vol. 2, No. 2 (2002): p. 130.

⁸⁹⁸Jeffrey Guy Johnson writes: "No coherent and comprehensive history of American feuds is likely to be written because the American feud was not a discrete social practice with an accepted form, defined historical origins, or customary rules. Application of the term 'feud' itself to events in the United States must be fluid because no simple criteria fit every case. 'Feud' and related labels like 'vendetta' have been used for a variety of historical conflicts that entangled personal revenge and family rivalries with

As either a literary subject or a historical event, the blood feud was deemed a social mechanism carried out through pathos but motivated by a universally-accepted (at least within the society in which it took place) ethos. The interest in historical blood feuds that three late nineteenth century European scholars, Emile Durkheim, Friedrich Nietzsche and Max Weber, shared reflects this paradox. As modernists, Durkheim and Weber each recognized the blood feud as a phenomenon exclusive to less-developed societies. But Durkheim did not give violence as much credit for sustaining social order as did Weber. For Weber the need for some societies to employ blood feud represented a prototypical state; Durkheim cast the blood feud in a condition of statelessness.⁸⁹⁹ Nietzsche did not place the same positive value on the modern state (let alone its monopolization of legitimate violence as Weber described it), but admired the Corsican practice of vendetta as a subversion of mass society's suppressive moralization of the individual.⁹⁰⁰ Despite their three divergent interpretations of feud, there was a clear consensus regarding its relationship to the state: feuding was a specific kind of violence

material interests. As studies of particular feuds in their local contexts are beginning to show, feuds in the United State were more irregular, more complicated, and more comprehensible than traditional portrayals would indicate. Each feud arose from its own concrete sources in political, social, and economic turmoil.”; Jeffrey Guy Johnson, p. 4.

Although he recognizes to inability for *feud* to be applied to the U.S. as easily as in other locales, Johnson does not suggest that the word necessarily loses validity or believability in an American context due to its being overly subjective. I submit that the word is problematic when applied uncritically to *any* historical or geographic context. *Feud* has too often been used by exogenous observers (anthropologists and journalists or, as shown in earlier chapters, missionaries and politicians) in order to fulfill the observers' expectations or goals rather than to express the actual viewpoints of “feudal” participants who may or may not consider their own use of violence (or victimhood from someone else's) to be part of a custom or institution. *Feud* is more likely a rhetorical device to make violence appear strange or illegitimate to a cosmopolitan audience or a “dominant culture” or, as demonstrated in chapter five, to meet the needs of a dominant faction wishing to disguise their counterrevolutionary use of violence as a reciprocal response to an opponent of equal means. See Kalyvas, *The Logic of Violence in Civil War*, p. 39 and Waller, “Feuding in Appalachia...” p. 370q.

⁸⁹⁹Jonas Grutzpalk, “Blood Feud and Modernity: Max Weber’s and Emile Durkheim’s Theories,” *Journal of Classical Sociology*, Vol. 2, No. 2 (2002): pp. 124-131 (Grutzpalk uses “blood feud,” “blood vengeance,” and “vendetta” interchangeably).

⁹⁰⁰Johnson, p. 22n.

that was performed in retribution for wrongs committed, had no direct relationship to the state (except, perhaps, in the case of Weber's proto-state) and was only acceptable (if at all) in societies that had not achieved the level of social and political development reached by most of the occidental world. But the possibility remained open for violent incidents that did indeed involve local state powers for reasons other than revenge (for instance, allocation or reallocation of power) to be interpreted as feud or vendetta-based if western observers had other reasons to not include the society being observed within the realm of western progress (i.e., "beyond the polis").⁹⁰¹ *Feud* was every bit as polemic as it was descriptive, and perhaps more so.

Literary critic Jeffrey Guy Johnson has asserted that the "feud narrative" served as an allegory for war and reunion in the years following Appomattox. A familial feud was an "ideology-free conflict between evenly matched families," a perfect allegory to white northerners and southerners bent upon reuniting the nation without dealing with the political issues (race and slavery) that had led to the war.⁹⁰² But even before the novels

⁹⁰¹Even though very recent scholarship on violence still draws a sharp distinction between "the feudistic and the political," empirical data on feud and vendetta (particularly in the Mediterranean but NOT in the United States) demonstrates a clear overlap between violence traditionally thought of as feud-based and conflicts over political power, sometimes very associated with class conflict and often within the boundaries of "strong" states. The distinctions between the seemingly mutually exclusive categories of feud, warfare and revolution are not always so well-defined as some scholars have assumed. However, this has not led any of them to question the very descriptive validity of *feud* as a descriptor for the events to which it has been applied; Kalyvas, *The Logic of Violence in Civil War...*, pp. 21- 25, 99, 343-346, 367q, 379-381; Milton Finley. *The Most Monstrous of Wars: The Napoleonic Guerilla War in Southern Italy, 1806-1811*. (Columbia: University of South Carolina Press, 1994): p. 29; Wilson, *Feuding, Conflict and Banditry...*; Christopher Boehm. *Blood Revenge: The Anthropology of Feuding in Montenegro and Other Tribal Societies*. (Lawrence, KS: University Press of Kansas, 1984); Eric Hobsbawm. *Primitive Rebels: Studies in Archaic Forms of Social Movement in the 19th and 20th Centuries*. (New York: W.W. Norton & Company, 1959): p. 4. For works that draw a much stricter delineation between *feud* and more political forms of conflict, see Warren Brown and Piotr Górecki. *Conflict in Medieval Europe: Changing Perspectives on Society and Culture*. (Burlington, VT: Ashgate, 2003): p. 334; Andrew Strathern and Pamela J. Stewart. *Arrow Talk: Transaction, Transition, and Contradiction in New Guinea Highlands History*. (Kent, OH: Kent State University Press, 2000): pp. 115-127; Keith Otterbein. *Feuding and Warfare : Selected Works of Keith F. Otterbein*. (Langhorne, PA: Gordon and Breach, 1994): p. 160; Blok, pp. 96-100; Oscar Lewis. *Tepoztlán, Village in Mexico*. (New York: Holt, 1960): p. 46.

that fixed *feud* indelibly on the American scene (Mark Twain's *Huckleberry Finn* and George Washington Cable's *The Grandissimes: A Story of Creole Life*) were published in the 1880s, the language of *feud* had already entered into the debate over Reconstruction. During the war of words between northern and southern newspapers (including the aforementioned printed rows over Breathitt County in 1874 and 1878) *feud* took on an unprecedented hyperbolic dimension. To southerners, particularly conservatives, placing local violence within the frame of a feud left it bereft of any racial (therefore political) significance. *Feud* also denoted endogenous causes for violence, suggesting that the North would be appreciated to mind its own business.⁹⁰³ The North, on the other hand, could use a southern feud to exemplify not only white southerners' irredeemable affinity for needless violence, but also the region's continuing sustenance of a useless, pre-modern aristocracy fed upon the labor of others and, consequently, self-destructive.⁹⁰⁴ The word was putty in the hands of either section. However, while the South and the West were popularly identified as feud settings, the idea of a native northern feud was too preposterous to ever be conceived of.

Even though feud violence (or violence referred to as feuds) in the United States was supposedly "virtually non-existent" before the Civil War, it would seem that the possibility, or the reality, of a domestic feud was familiar enough to postwar Americans,

⁹⁰²Jeffrey Guy Johnson, "Feud, Society, Family: Feud Narratives in the United States, 1865-1910," (Unpublished dissertation, Harvard University, 2001): p. 52q.

⁹⁰³Just as homicide in the South provided a subject for the northern press to use as a basis for regional reproach, southern newspapers used the same subjects to defend their inimitable honor-based society; Randall Hall Hamm. *Murder, Honor, and Law: Four Virginia Homicides from Reconstruction to the Great Depression*. (Charlottesville and London: University of Virginia Press, 2003): pp. 48-57, 92-96.

⁹⁰⁴The same lesson taught in Ludwig Harder's *A Family Feud* (translated by Mrs. A.L. Wister). (Philadelphia: J.B. Lippincott & Co., 1877). The novel, set in Bavaria, portrays a peasantry abused by the ramifications of a baronic family's internal battles.

particularly in the South.⁹⁰⁵ Antebellum southerners were “resigned to [violence’s] necessity” because of “strong doubts about human nature” and doubts regarding the innate goodness of humanity.⁹⁰⁶ Feuds between individuals or families were not unheard of, but were strongly frowned upon in contrast to the also controversial, but far more ordered, practice of dueling.⁹⁰⁷ But one of the first uses of *feud* to describe deadly violence in the South, perhaps the first, did not correspond well to the practice’s correlation with “Anglo-Saxonism” that would be popularized years later. Shortly after the removal of the Cherokee nation to west of the Mississippi, the federal government became alarmed by what appeared to be the continuation of blood feud among a native population thought to be pacified and “civilized.”⁹⁰⁸ Reports of blood feuds among the relocated Cherokees provided a precursor to the strange fusion of racial determinism and southernness that would be used to explain feuds among the “pure” Anglo-Saxon/Celtic mountain whites decades later, and inspired the same debates over “native” populations’ innate depravity versus ability to assimilate.⁹⁰⁹

⁹⁰⁵Richard Maxwell Brown. “Historical Patterns of Violence in America,” in Hugh D. Graham and Gurr (eds.) *Violence in America: Historical and Comparative Perspectives*. (New York: Bantam Books, 1969): p. 45.

⁹⁰⁶Dickson Bruce, p. 240.

⁹⁰⁷Wyatt-Brown, pp.350-361; for the strict regimentation optimally used in a duel, see John Lyde Wilson. *The Code of Honor, or, Rules for the Government of Principals and Seconds in Duelling*. (Charleston: J. Phinney, 1858).

⁹⁰⁸*Message of the President of the United States Relative to the Internal Feuds among the Cherokees, April 13, 1846*. (Washington, DC: Government Printing Office, 1846). 29th Congress, 1st Session, Senate, p. 298. Cratis D. Williams Appalachian Collection, Carol Grotnes Belk Library & Information Commons, Appalachian State University, Boone, NC (hereafter CDWAC).

⁹⁰⁹Michelle Daniel, “From Blood Feud to Jury System: The Metamorphosis of Cherokee Law from 1750 to 1840,” *American Indian Quarterly*, Vol. 11, No. 2 (Spring, 1987), pp. 97-125.

Antebellum feuds of a Caucasian profile did not attract the same interest from the North and existed in a realm somewhere between anecdote and legend.⁹¹⁰ When reported, they were invariably said to originate over difficulties of minimal importance and escalate over unanswered grievances and the participation of friends, relatives or underlings, although a prolonged dispute between individuals was also sometimes termed as a “feud,” especially when it ended in violence. An 1827 political nomination race between two “feuding” candidates for the Alabama state legislature ended in a deadly duel but was a strictly personal dispute, since neither candidate had employed allies, and neither used anything more than vitriolic stump speeches until one demanded satisfaction (with bloody results).⁹¹¹

But feuds, real, imagined or both, were generally defined by the overarching significance of family (i.e., a “family feud”). Vengeance, or many other motivations for violence, had to be related to the southern family, not so much because of the family’s own overarching importance, but because of a lack of “strong extra-familial institutions,” there was nothing else to supplant it.⁹¹² Events comprising a violent family feud could be

⁹¹⁰Most accounts of Old South feuds, in fiction or nonfiction, were published some time after the Civil War; John William DeForest. *Kate Beaumont*. (Boston: James R. Osgood and Comp., 1872); Alfred Ludlow White, “A Provincial Family Feud,” *Short Stories: A Magazine of Select Fiction*, Vol. 9 (January-April, 1892): p. 1; Marion Clifford Harrison, “Social Types in Southern Prose Fiction,” (unpublished dissertation, University of Virginia, 1921): p. 31; Thomas F. Gossett. *Race: The History of an Idea in the Making*. (Dallas: Southern Methodist University Press, 1963): p. 362; Harry James Carman. *Social and Economic History of the United States*. (New York: Johnson Reprint Corp., 1968): p.440; Francis B. Simkins and Charles Roland. *A History of the South* (fourth edition). (New York: Knopf, 1972): p. 397; William Rogers and Erica Clark. *The Croom Family and Goodwood Plantation: Land, Litigation and Southern Lives*. (Athens: University of Georgia Press, 1999): p. 84; William Tynes Cowan. *The Slave in the Swamp: Disrupting the Planter Narrative*. (New York: Routledge, 2005): p. 196; U.B. Phillips. *Life and Labor in the Old South*. (1929, reprinted, Columbia: University of South Carolina Press, 2007): p. xxxix.

⁹¹¹Daniel Dupre, “Barbecues and Pledges: Electioneering and the Rise of Democratic Politics in Antebellum Alabama,” *JSH*, Vol. 60, Issue 3 (August, 1994): p. 488. In this case, “feud” may have only been Dupre’s choice of words.

interfamilial (between either fictive or biological family groups) or intra-familial (within one family; as Bertram Wyatt-Brown mentions, it was popular for the latter sort to be portrayed as being between brothers).⁹¹³ An ongoing conflict between an individual and a group of male members of one nuclear or extended family could also qualify; William C. Falkner, novelist William Faulkner's great-grandfather, began a personal vendetta against an entire family in 1849 by stabbing a man, and shooting another shortly afterward, after Falkner was refused membership in a local temperance society.⁹¹⁴ But most southern feuds were understood to be mutual family affairs and, through fact or embellishment, followed the European model of ordered reciprocity between equals. Even conflicts that were clearly rooted in provincial southern locations were described according to European standards. It was also important in feud accounts that the original subject of conflict be obscure or of miniscule importance and involve no transcendent issues of ideology or world view. In 1863 a Union soldier observed an old "family feud...quite 'Corsican' in its character" being fought between neighboring families near Chattanooga, Tennessee over a paltry, apolitical matter, while the western theatre's battles were fought around them.⁹¹⁵ The "actual" Darnell-Watson feud reported by Mark

⁹¹²Richard H. King. *A Southern Renaissance: The Cultural Awakening of the American South, 1930-1955*. (Oxford and New York: Oxford University Press, 1980): p. 27.

⁹¹³Wyatt-Brown, *Southern Honor*, p. 383.

⁹¹⁴Falkner's feud with this Hindman family of Tippah County, Mississippi seemed to be an outgrowth of status anxiety on his part as he rose through the ranks of local society with the other family opposing his "membership" at every turn. The "feuds" in which he took part were probably not ritualized and given to codes of behavior but qualified as such perhaps only because of the length of time Falkner dedicated to his fracasas with other families. After becoming "one of the richest men in his county" he was eventually killed by a former business partner in 1889; Donald Phillip Duclos. *Son of Sorrow: 1825-1889*. (San Francisco and London: International Scholars Publications, 1998): pp. 53-66; Thomas Felix Hickerson. *The Falkner Feuds: The Fatal Feuds of W.C. Falkner*. (Chapel Hill: Colonial Press, 1964): pp. 12-18; Woodward, *The Burden of Southern History* (third edition). (Baton Rouge and London: LSU Press, 1993): pp. 271-272.

Twain in his travelogue *Life on the Mississippi* (and, later, the basis for the feud between the Grangerfords and Shepherdons in *Huckleberry Finn*) was said to have begun at an undisclosed time over “a horse or a cow” between two well-fixed families on the Kentucky-Tennessee border near the Mississippi River. Recalling in 1883 his hearing of the feud before the war (by which time the media had already established “feuding” in eastern Kentucky as an institution) Twain proclaimed that “no part of the South has the vendetta flourished more briskly, or held out longer between warring families” than in that area.⁹¹⁶ The end of a twenty-one year “domestic war” on the opposite end of Tennessee in Carter County, begun “about a very trifling affair,” was reported in 1867, when the last male members of the respective families shot each other to death on the streets of the county seat.⁹¹⁷

As long as feuds seemed to be a habit of the white southern gentry, purely communal and fought over personal or local trivialities, strictly horizontal (as well as inherent to a society given to honor-based violence) and not concentrated in one discreet area of the region, hardly any criticism was directed in their direction. Southern feuds were apparently rare enough to be thought of more as quaint than threatening, as indicated by the *New York Times*' 1872 prediction of an oncoming “good old fashioned southern feud,” even while southern violence was taking on a more sinister guise because of Reconstruction.⁹¹⁸ In 1883, radical Republican newspaper editor Carl Schurz included “family feuds” among the categories of directionless violence he knew to be rampant

⁹¹⁵Alfred Burnett. *Incidents of the War: Humorous, Pathetic, and Descriptive*. (Cincinnati: Rickey & Carroll, 1863): pp. 243-244.

⁹¹⁶Mark Twain. *Life on the Mississippi*. (New York: Penguin Classics, 1984): p. 194.

⁹¹⁷*NYT*, 19 January, 1867.

⁹¹⁸*NYT*, 14 October, 1872, quoted in Waller, “Feuding in Appalachia...,” p. 352.

after Reconstruction had officially ended.⁹¹⁹ Schurz was only echoing a book, published three years earlier, that firmly established the former Confederacy as a space of inveterate violence. In 1880 Cincinnati journalist Horace V. Redfield published *Homicide, North and South*, a quantitative comparison of violent deaths in the northern and southern states. Redfield demonstrated that many of the southern states each numbered the same total of killings as up to eight northern states in a year, and asserted that murder was less likely to be punished there as well.⁹²⁰ This did not mean that conditions in the southern states were to blame, Redfield surmised, but rather that something was ingrained within the white population, as proven its continued practice by expatriated southerners living in the North. A “bad condition of affairs” in Williamson County, Illinois resulting in “half a dozen homicides in a year” was characterized as “a feud among families or factions of the peculiar southern type” and was explained as being carried out “by population from the old slave States” and “originat[ing] among the [white] population of Southern antecedents, and was carried on in the Southern shot-gun style.” The only difference between it and a similar feud that might have taken place in the “old slave States” was that, it being a northern state, “the ‘feud’ was suppressed, murder was punished, and Williamson is to-day as quiet and orderly as any county in Illinois.”⁹²¹

Redfield was keenly aware of the difference between political and extrapolitical violence and was insistent that the latter defined the white South more than the former. He insisted that, while South Carolina’s Red Shirts and Louisiana’s White League (as

⁹¹⁹*Savannah News*, 30 January, 1883, quoted in Johnson, p. 70.

⁹²⁰Horace V. Redfield. *Homicide, North and South: Being a Comparative View of Crime Against the Person in Several Parts of the United States*. (Philadelphia: J.B. Lippincott & Co., 1880): p. 12.

⁹²¹*Ibid*, p. 112.

well as the countless Ku Klux Klan blocs across the southern states) blatantly political hostilities seemed to have supplanted the older style of communal violence, the latter variety still seethed beneath national attention. “Although there have been many political murders in the Southern States, yet the great majority of homicides, and the class dealt with in this book, have no more connection with politics than has petit larceny in New York.”⁹²² In examining South Carolina’s recent bloody history, he was sure to leave out 1876 and its “great political excitement” but still charged the state with an egregious (but firmly apolitical) record.⁹²³ One 1872 testimony to a joint congressional committee illustrates the clear extrapolitical value of *feud* and one example of its being used to make the political appear communal. A congressman asked a resident of Cleveland County, North Carolina to explain a series of affrays between two planter brothers he had witnessed in recent months. The witness answered that, even though one brother was a Republican and one a Democrat and that their enmity began with the close of the war, it was impossible to determine whether their rupture was related to the local “bad feeling” between the parties or “merely a family feud” (the witness indicated that he preferred the latter to be more likely). It was admitted that the Republican brother had been attacked by a body of men in a clear attempt to dispatch a dissident scalawag, but the witness repeated his invocation of “family feud” twice more.⁹²⁴ Even if it was an unsuccessful rhetorical gambit (and in this case it was not; the witness was unable to convince the

⁹²²Ibid, p. 5.

⁹²³Ibid, p. 18.

⁹²⁴*Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States: North Carolina.* (Washington: Government Printing Office, 1872): pp. 306-307.

committee that white Republicans in Cleveland County were not being persecuted), *feud* could tell a good yarn but it also always served to depoliticize violence.

In contrast to the legitimacy of state-sponsored war, even a civil war legitimized only in memory, the taking up of arms over personal or familial rifts appeared at best archaic and, at worst, degenerate. Before 1865 a family feud taking place in the United States, the South or otherwise, was a tribute to the centuries-long continuity of Anglo-Saxon/Celtic (or Norman) blood (ergo, by extension in mid-nineteenth-century America, whiteness) and, therefore, somehow defensible.⁹²⁵ But after the war, even murders that were part of an ancient racial tradition were now within the rubric of crime. The existence of a blood feud was no excuse to an observer like Horace Redfield, who saw (or, at least, portrayed) only a series of homicides unbestowed with the legitimacy of the state. After a war, provincial armed conflict among whites was no longer excusable. And, by the end of Reconstruction, it seemed clear that the *feud* had found a special preserve in Kentucky.

“Actually, they are all one feud...”

Since it contained both the quasi-planter society of the Bluegrass and the sparsely populated frontier-like mountains of the Cumberland Plateau, the “two Kentuckys” concept acted as the feud’s almost seamless conveyance from one southern setting to another, from that of the decadent antebellum planter to that of the primitive mountain

⁹²⁵Burton, Richard, “Journey to Medina, with Route from Tambu,” *Journal of the Royal Geographic Society*, Vol. 24, (1854): p. 220; Klotter, “The Black South and White Appalachia...,” pp. 838-839; Marc Pachter (ed.), *Abroad in America: Visitors to the New Nation, 1776-1914*. (Reading, MA: Addison-Wesley, 1976): p. 75; Ritchie D. Watson. *Normans and Saxons: Southern Race Mythology and the Intellectual History of the American Civil War*. (Baton Rouge: LSU Press, 2008).

white.⁹²⁶ But the state's two guises were not based only upon geography and white southern culture. It was also a literary device, one that reinforced the Bluegrass' image as the state's "polis" and the mountains as its "barbarian world."⁹²⁷ It was established not only by the journalists and anthropologists who flocked to the Cumberland Plateau beginning in the 1880s, but also by novels that drew a distinct contrast between the "two exact opposites" comprised by "the cultured lowlander of [novelist] James Lane Allen" and "the rough-hewn highland feudist of John Fox, Jr."⁹²⁸

The most thorough survey of feud violence's historical geography observes that the phenomenon became firmly associated with eastern Kentucky in the mid 1880s during the *New York Times*' coverage of the Rowan County War.⁹²⁹ Even longer ago

⁹²⁶Shapiro, pp. 29-31. Books that collected the stories of multiple feuds into one volume tended to emphasize the "mountainness" of feuds in their retelling. However, 'Kentucky' was in almost every book's title showing that either the state had not been completely eclipsed by its one troublesome region, or that, by some point in the early twentieth century, the one region had come to define Kentucky as a whole despite its remaining "the Bluegrass State.;" see "Kentucky's Feuds," *Public Opinion*, (29 June, 1899): p. 259- ; J. Stoddard Johnston, "Romance and Tragedy of Kentucky Feuds, as Seen by a Writer More Than Half Century Ago," *Cosmopolitan*, Vol. XXVII (September, 1899); John R. Spears, "The Story of a Kentucky Feud," *Munsey's Magazine*, Vol. 24 (June, 1901): pp. 494-509; S.S. MacClintock, "The Kentucky Mountains and their Feuds: I. The People and Their Country," *American Journal of Sociology*, Vol. 7, No. 1 (July, 1901): pp. 1-28; "The Kentucky Mountains and Their Feuds: II. The Causes of Feuds," *American Journal of Sociology*, Vol. 7, No. 2 (September, 1901): pp. 171-187; E. Carl Litsey, "Kentucky Feuds and their Causes," *Frank Leslie's Popular Monthly*, Vol. LIII, No. 3 (January, 1902); McClure; Davis Hartley and Clifford Smyth, "The Land of Feuds: A Region of the United States in Which Bloodshed is a Pastime and Cruel and Cowardly Murder Goes Unpunished-The Terrible Story of the Seven Great Kentucky Feuds," *Munsey's Magazine*, Vol. 30 (November, 1903): pp. 494-509; O.O. Howard, "The Feuds in the Cumberland Mountains," Vol. 56 (7 April, 1904): pp. 783-788; Lewis Franklin Johnson. *Famous Kentucky Tragedies and Trials*. (Louisville, KY: Baldwin Law Book Company, Inc., 1916); Charles Gustavus Mutzenburg. *Kentucky's Famous Feuds and Tragedies; Authentic History of the World Renowned Vendettas of the Dark and Bloody Ground*. (New York: R.F. Fenno and Company, 1917); James Anderson Burns. *The Crucible: A Tale of the Kentucky Feuds*. (Oneida, KY: Oneida Institute, 1928); Coates; Meriel Daniel Harris, "Two Famous Kentucky Feuds," (unpublished master's thesis, 1940); Bernice Calmes Caudill. *Pioneers of Eastern Kentucky; Their Feuds and Settlements*. (Danville, KY: Bluegrass Print Co., 1969); Jess Wilson. *A Latter Day Look at Kentucky Feuds*. (Manchester, KY: Possum Trot University Press, 1999); Pierce.

⁹²⁷John Keane, p. 39.

⁹²⁸Isaac F. Marcossou, "The South in Fiction," *The Bookman: a Review of Books and Life*, Vol. 32, No. 4 (December, 1910): p. 366.

there had been a time when a true family feud was something many would have associated with the entire state rather than one benighted section. The beginning of Kentucky's special reputation for armed interfamilial antagonism can be traced back to 1854, when a roguish young Mississippi planter's son published a florid account of his cousin Dr. Hezekiah Evans' decades-long feud with his neighbors, the Hill family (one of whom was a rival physician) in the Bluegrass' Garrard County. The middling planter Evans came into conflict with a neighbor over the former's mistreatment of a leased slave in 1829. Years later, the neighbor's son, Dr. Oliver Perry Hill, publicly criticized him for being a subpar "steam doctor" (as opposed to one with an actual medical degree like himself), and a series of confrontations between Evans, Hill's yeoman cousins and the "rabble" economically attached to both families cost nine lives.⁹³⁰ The conflict demonstrated simmering class tensions among Bluegrass whites (Oliver Hill supposedly turned down Evans' challenge to a duel, and Evans considered the other Hills too far beneath his ken to invite into the ritual) as well as a conflict over the nineteenth century's trend of medical professionalization. Other than the sycophantic author's praising Evans as "a genuine son of Erin," the feudists' ethnicity was not made an issue.⁹³¹ Yet the manner in which it was originally recorded for a reading public demonstrates familiar elements, namely the author's self-conscious attempt to frame the story within the

⁹²⁹Waller, "Feuding in Appalachia..." pp. 355-356, 373n. This may qualify as irony since Rowan County was more a foothill county than a mountain locale and far more accessible to the "outside world" than Breathitt County where violence that earned the *feud* label had already been reported in the national press a few years earlier. For a discussion of feuds as being both a product of the mountains and the state of Kentucky, see Williams, *Appalachia: A History*, p. 192.

⁹³⁰T.R.C. Hutton, "The Hill-Evans Feud: Extralegal Violence in Antebellum Kentucky," (unpublished master's thesis, Appalachian State University, 2002); Waller, "Feuding in Appalachia..." pp. 351-352.

⁹³¹James Jeffries Thompson. *A Kentucky Tragedy: A History of the Feud Between the Hill and Evans Parties of Garrard County, Kentucky. The Most Exciting Tragedy Ever Enacted on the Bloody Grounds of Kentucky.* (Cincinnati: U.P. James, 1854): p. xi (CDWAC).

auspices of a European past. The book's ostensible purpose was supposed to be Evans's vindication. But, in order to demonstrate his knowledge of his favorite language, the Mississippian originally wanted to write it as a "Spanish romance" (Evans, whose reputation meant more to him than his young cousin's linguistic skills, insisted that it be written in English).⁹³² Even in a nonfiction format that described real, recent events in an American/southern setting, the blood feud was still a product of the Old World.

Once the feud was transferred from the white South at large to eastern Kentucky, continuity with a European past had become more regression than romance.⁹³³ Still, while the transference of feud violence's attribution from the lowland aristocracy to the mountain white may seem somewhat of a historical rupture, the two can also be seen as segments in a longer continuity as well. It was only because of the war's ruptures that *feud* took on a new purpose, the depoliticization of violence. Just as the North Carolinian's testimony attempted to use it to disguise political violence against Republicans in his own state, the violence of "family feuds" in Kentucky were said (by one northern missionary) to be "mistakenly attributed to the Ku Klux," a decidedly political organization.⁹³⁴

⁹³²J.J. Thompson, pp. iii, xii. The author went on to have a violent end of his own back in Mississippi. After returning from a stint in the Peruvian navy in 1862, Thompson wounded his father and shot his sister, brother and step-mother to death after failing to cajole his father into giving him the family's cotton crop for an attempted blockade run to Liverpool. After he was found guilty of murder, he was lynched, but only after being given the chance to verbally repent his lust for "money, whisky and revenge."; Frank Triplett. *History, Romance and Philosophy of Great American Crimes and Criminals (with personal portraits, biographical sketches, legal notes of celebrated trials, and philosophical disquisition concerning the causes, prevalence and prevention of crime)*. (New York, St. Louis: N.D. Thompson & Co., 1884): pp. 540-544.

⁹³³Klotter, "The Black South and White Appalachia," pp. 837-838.

⁹³⁴R. Wheatley, "Correspondence: Religious and Civil Matters in Kentucky," *Zion's Herald*, Vol. 52, No. 4 (28 January, 1875): p. 26.

By the 1880s, comparisons with Corsica, still the feud country *du jour* by the end of the 1870s and for years afterward, were still inspired by American writers.⁹³⁵ The Corsican analog is telling for reasons that involved culture and race, as well as politics. After the Civil War the white South, lowland or highland, was viewed by the North as civilization's outskirts, just as the island of Corsica was to Europe. The description of violence as *feud* brought with it natural associations with a European past as well as an ever-present connection to kinship. Comparisons to non-white populations and their forms of violence were surprisingly rare, since it would have been generally unacceptable to compare white Americans of any region to peoples of non-European extraction. The inhabitants of Corsica were undoubtedly white but given to a "primitive character" that had "survived so many obsolete institutions" of government imposed by other nations over the centuries.⁹³⁶ Furthermore, Corsica had formed a republic in the mid-eighteenth century but was then bloodlessly absorbed by France.⁹³⁷ This provided a historical correlation with eastern Kentucky that was probably not lost on hopeful industrialists: mountain feudists were a fiercely democratic people that could be easily integrated into a larger economy. But most, if not all, accounts of Corsican or southern feuds failed to delve into the material causes of conflict, demonstrating a preference for them to be shrouded in obscurity rather than be brought to the light of day. Still, there was

⁹³⁵Jens Iverson Westengard (with Joseph H. Beale, Porter E. Sargent, a Siamese Student and John Raeburn Green), "International Tribunals in the Light of the History of the Law," *Harvard Law Review*, Vol. XXXII (1918-1919): p. 833; George Frank Lydston. *The Diseases of Society (The Vice and Crime Problem)*. (Philadelphia and London: J.B. Lippincott Company, 1904): p. 234; *NYT*, 26 December, 1878.

⁹³⁶"Corsican Bandits, and Others," *The Living Age*, Sixth Series, Vol. XV (July-September, 1897): 273.

⁹³⁷Len Scales and Oliver Zimmer. *Power and Nation in European History*. (Cambridge: Cambridge University Press, 2005): p. 289.

sufficient evidence to show that these feuds did not involve only kinship, a concession that observers made very reluctantly. When the 1878 courthouse riot on the streets of Jackson, Kentucky prompted the *New York Times* to proclaim Kentucky “the Corsica of America,” the editorial growled that “the Kentucky vendetta is worse than that of Corsica, since it includes not near relatives merely, but remote kindred and friends of the parties involved, and is carried on more openly and defiantly.”⁹³⁸ The differences between Kentucky and Corsica could not make the two different, but instead only make the former “worse.”

This is partly the urban outsider’s common “frontier” experience of being unable to perceive familiar points of context when observing violence. When unfamiliar with, or only vaguely familiar with, the initial point of departure that leads to political violence, visitors to a war zone are likely to “explain violence as a product of marginality and relative deprivation, or even [evoke] simple theories of violence as a phenomenon of the frontier.”⁹³⁹ But the refusal of writers to strive to find the origins of feud violence is also a tool for delegitimizing the violence’s usage, as is the primeval social atmosphere suggested by kinship. Kinship remained the *raison d’être* once *feud* was decided to be a fixture of the Kentucky mountains rather than the lowland plantation, but with a significant change in syntax. As mentioned before, the old variety of “family feud” could be interfamilial (between either fictive or biological family groups) or intra-familial. In contrast, Kentucky mountain feuds were only understood to be ultra-factional with very

⁹³⁸*NYT*, 26 December, 1878.

⁹³⁹Malcolm Deas, “Violent Exchanges: Reflections on Political Violence in Colombia,” in David Apter (ed.) *The Legitimization of Violence* (Chipenham and Wiltshire: Antony Rowe, Ltd., 1997): pp. 351-353; Kalyvas, *The Logic of Violence in Civil War...*, p. 39.

clear kin-based delineations, taking place between two familial groups who might be related by marriage but suffer no identity crisis as to which side they are on.⁹⁴⁰ This made kinship an even greater motivational factor for killing. Presumably, this may also have diminished the relationship between violence and personal honor; killing became more about eliminating an enemy than about preserving one's honor, thereby allowing the anonymous "mountain method of ambush" to replace the more decorous and publicly-consented use of dueling. But, most importantly, the alleged predilection with kinship placed mountaineers on a lower rung of a "temporal hierarchy" than the mass of Anglo-America.⁹⁴¹ It was this conceptual turn that helped to validate William Frost's otherwise oxymoronic "contemporary ancestors" title for Kentucky mountaineers.⁹⁴²

Their differences in appearance notwithstanding, Frost's semi-famous quote highlights the very important trait the lowland feudist and the mountain feudist did share, and the primary quality that justified the continuance of the "feud" label: whiteness. The myth of absolute whiteness among feudists was imperative to the construction of *feud* as a fundamentally horizontal relationship within a racially homogenous population. With the advent of scientific racism and the "cult of Anglo-Saxonism," elaborations of

⁹⁴⁰Waller counts among the many misconceptions regarding the Hatfield-McCoy feud the assumption that Hatfields and McCoys were only combatants against each other while, as her research has demonstrated, men with both surnames (as well as various other surnames) took divergent sides according to their economic relationships and personal wishes rather than family loyalties. But in retrospect, many later used familial associations to explain their participation in violence; Waller, *Feud*, pp.

⁹⁴¹"Kinship, on the surface one of the most innocent descriptive terms one could imagine, is fraught with temporal connotations. From the early debates on 'classificatory' kinship systems to current studies of its continued importance in western society, kinship connoted 'primordial' ties and origins, hence the special strength, persistence, and meaning attributed to this type of social relation. Views of kinship relations can easily serve to measure degrees of advancement or modernization. By comparing the relative importance of kinship bonds in different societies or groups one can construct developmental, i.e., temporal scales."; Fabian, pp. 75-76. See also, Patrick Brantlinger. *Dark Vanishings: Discourse on the Extinction of Primitive Races*. (Ithaca and London: Cornell University Press, 2003): pp. 1-16, particularly p. 2.

⁹⁴²William Frost, p. 311.

whiteness in the late nineteenth and early twentieth centuries relied upon a combination of biology, anthropology and history about which much revisionist ink has been spilled in the last four decades.⁹⁴³ In a society bent upon white supremacy and pervaded by interracial violence against non-white minorities, whiteness made these conflicts appear fundamentally horizontal and communal. The constant paeans to southern mountaineers' pure bloodlines gave their communal existence a measure of scientific authority.

But there was not a perfect consensus on mountain Anglo-Saxonism, at least as race was understood at the time. From the 1870s until well into the twentieth century, literary discussions of feuding in the Kentucky mountains included constant citation of the continuity of Anglo-Saxon bloodlines or culture (the two were scarcely distinguished from each other), insistence upon preservation of old behaviors through this continuity and frequent medieval analogies. But the types of behavior that made it possible for the greatest of the Nordic races to fill the earth and subdue it could not include violence that subverted state authority and its attendant western conceptions of progress. "The point of honor, as something to fight about, has pretty well disappeared in Anglo-Saxon countries," observed a 1919 *Harvard Law Review* article on international law.⁹⁴⁴ Consequently, Anglo-Saxonism could not tell the whole story, and so not all racial explanations of feud behavior were the same. Anthropologist Emma Connelly's aforementioned imagining of

⁹⁴³Anthony Harkins. *Hillbilly: A Cultural History of an American Icon*. (New York: Oxford University Press, 2005): pp. 40-45; Silber, pp 136-158; Gail Bederman. *Manliness and Civilization: A Cultural History of Gender and Race in the United State, 1880-1917*. (Chicago: University of Chicago Press, 1995); Stuart Anderson. *Race and Rapprochement: Anglo-Saxonism and Anglo-American Relations*. (East Brunswick, NJ, 1981): pp. 17q-25; Batteau, *The Invention of Appalachia*, pp. 15, 57-63, 77, 81-85; Whisnant, *All That is Native and Fine...*, pp. 87-92.

⁹⁴⁴Jens Iverson Westengard (with Joseph H. Beale, Porter E. Sargent, a Siamese Student and John Raeburn Green), "International Tribunals in the Light of the History of the Law," *Harvard Law Review*, Vol. XXXII (1918-1919): p. 833.

“a sallow, gypsy-like people... ‘far more incorrigible’ than either the Indian or the negro” (a population whose existence was very difficult to prove) living next door to the “purest Anglo-Saxon stock in all the United States” (which was, in contrast, impossible to disprove) was not popular, but it demonstrates Connelly’s own difficulty reconciling the orthodoxy of Anglo-Saxon ascendancy with the mountain whites’ wartime bushwhacking and feuding that followed.⁹⁴⁵ Sometimes semblances of political/contingency elucidations of mountain life provided a modest challenge to the communal/inherency/racial ones. Interpretations of feud violence could not be fully explained by race, even by an observing literate public that was thoroughly interested in race as a transcendent determinant of human affairs. Shortly before Connelly called the purity of the entire mountain population into question, a travel writer suggested that the origins of the “race of American mountaineers occupying the country from western North Carolina to eastern Kentucky” was “in doubt” and that their “lawlessness” was nothing inherent to their make-up but just a “relic of the disorganization during the war” (but even if the war started troubles the writer was fairly sure that “politics has little or nothing to do with them now”).⁹⁴⁶

Even if associations between Anglo-Saxon heritage and feud violence were inconsistent and troubling, this did not mean an end to racial primordialism. The language of Anglo-Saxonism was supplemented by an association between mountain whites and the Celtic “race” or, more specifically, a Scottish past, a discourse more

⁹⁴⁵Emma Connelly, pp. 266-267.

⁹⁴⁶Charles Dudley Warner, “Comments on Kentucky,” *Harper’s New Monthly Magazine*, Vol. 78, Issue 464 (January, 1889): p. 263; E.L. Noble (Vol. 1), pp. 270-271.

conducive to explaining feuding as a form of communal violence.⁹⁴⁷ Applying “pure” Celtic rather than Anglo-Saxon ancestry to the mountain feudist could set the unevolved mountain white apart from the mass of the Anglo-Saxon race but without forgetting his undeniable whiteness. Even if Anglo-Saxon Americans of the New England variety had given up old forms of violence, nineteenth century feuds had a famous precursor among the Scottish highlanders of centuries past (the likelihood that most residents of the Kentucky mountains were probably descendants of Scottish lowlanders was a minor enough detail to ignore).⁹⁴⁸ Scottish associations were not purely dependent upon race but upon history as well. Feuding, rather than being a peculiar phenomenon brought about by racial factors, could also be interpreted as a custom that “survived to the present day” rather than appeared recently.⁹⁴⁹ Language that nineteenth-century Americans associated with Sir Walter Scott’s highlands, such as the aforementioned ‘clan,’ was often accompanied by exaggerations of recent feuds’ historical lengths and obfuscations of their origins, suggesting that the practice continued “transplanted” from Old World to New.⁹⁵⁰ The politicians of Rowan and Breathitt County were remembered by Kentucky historians as “chieftains” and “feudal lords,” terms that placed them in a past pre-dating constitutionally ordained positions as judge and sheriff.⁹⁵¹ “The feud is an inheritance,”

⁹⁴⁷Richard Blaustein. *The Thistle and the Brier: Historical Links and Cultural Parallels Between Scotland and Appalachia*. (Jefferson, NC: McFarland Press, 2003); James Craighead. *Scotch and Irish Seeds in American Soil: The Early History of the Scotch and Irish Churches, and their Relations to the Presbyterian Church of America*. (Philadelphia: Presbyterian Board of Publication, 1878).

⁹⁴⁸Shapiro, pp. 107-112; Whisnant, *All That is Native and Fine...*, pp. 258-259.

⁹⁴⁹*New International Encyclopaedia*, Second Edition, Vol. VIII. (New York: Dodd, Mead and Company, 1930): p. 500.

⁹⁵⁰Mutzenburg, p. 26.

wrote one journalist in 1901. “There were feuds before the war and it is not a wild fancy that the Kentucky mountain feud takes root in Scotland...”⁹⁵² Allusions to medieval Scotland were not only a racially specific historical explanation of feuds but also an allegorical disciplining of the feud phenomenon. Without noting that the recent decades’ rash of feud violence was largely contained within one state, a magazine of Scottish culture claimed that “Actually, they are all one feud, and all are products of the old Highland clan spirit...”⁹⁵³ One southern commentator reasoned that, since “feudal troubles...of the Scotch type involved but little loss of life and less of property,” they were relatively harmless and, most importantly, cast no reflection on statewide, regional or national political conditions.⁹⁵⁴ The only time it had been otherwise, in John Fox Jr.’s novelized retelling of the mountain Republicans’ 1900 occupation of Frankfort, was the “invasion from those black hills led by the spirit of the Picts and Scots of old, and aided by and abetted by the head, hand, and tongue of the best element of the Blue-grass.”⁹⁵⁵ The primal essence of the race could, in one exception, get involved in such matters as long as it had proper guidance from Kentucky’s polis.

Collecting all of the reported Kentucky county wars into “one (racially determined) feud” took each out of its respective context and generally belied the various local cleavages that had motivated men to take up arms. Though flawed, the theory of

⁹⁵¹Horace Kephart. *Our Southern Highlanders*. (New York: Outing Publishing Company, 1913): p. 345; John C. Campbell. *The Southern Highlander and his Homeland*. (New York: Russell Sage Foundation, 1921): p. 114; Clark, *Kentucky, Land of Contrasts*, pp. 208-209.

⁹⁵²The assertion that “there were feuds *before* the war” in the Kentucky mountains is not supported with substantial evidence; *Scribner’s Magazine*, Vol. 29 (1901): p. 563.

⁹⁵³*The Caledonian*, Vol. 13, No. (1914): p. 67.

⁹⁵⁴J.A.C. Chandler et al, p. 302.

⁹⁵⁵Fox, *The Heart of the Hills*, p. 169.

Scottish inherency was successful in stripping these conflicts of whatever political import they might have otherwise been believed to possess in their respective localities had specific facts been publicized. Even though evidence that “the family feuds of Kentucky...seem[ed] peculiar to families bearing Scottish names” was limited, at best, to anecdote, it proved believable and an effective means of depoliticizing the *feud*.⁹⁵⁶ Ethnicity or race were not only ends but also means to providing a place of detachment between eastern Kentucky’s “survival of Elizabethan days” and Bluegrass Kentuckians, or between the former and the mass of Anglo-Americans.⁹⁵⁷ But it was not a perfect means, since no anthropologists, especially those who were white Kentuckians and southerners, really wanted to be less racially pure than their more rustic neighbors. For that concern, a discourse of frontier and isolation was needed. “[L]ess than a hundred miles” admittedly “divide[d] the *habitat* [original italics] of these wildly different types. Their origin was the same, for their forefathers came West over the Wilderness Road,” wrote one feud chronicler.⁹⁵⁸ “The slipping of a linch pin in the mountains kept here and there a family up among the crags, and they remained there nursing their primitive superstitions and hatreds. Their brothers moved on down to the blue grass, became educated and wore broadcloth.”⁹⁵⁹ As shown in chapter two, eastern Kentucky was part of “New Appalachia” in that it was settled relatively late, particularly after the Bluegrass

⁹⁵⁶*The World To-Day: A Monthly Record of Human Progress*, Vol. V (1903): p. 966.

⁹⁵⁷*The South in the Building of the Nation: A History of the Southern States designed to Record the South’s Part in the Making of the American Nation; to Portray the Character and Genius, to Chronicle the Achievements and Progress and to Illustrate the Life and Traditions of the Southern People*, Volume I. (Richmond, VA: The Southern Historical Publication Society, 1909): p. 322.

⁹⁵⁸Marcosson, p. 366.

⁹⁵⁹*Ibid*, p. 366.

had become saturated, prompting mountaineers to refer to the Bluegrass as their state's "old settlements."⁹⁶⁰ But for the *feud* to be properly distanced historically, this fact had to be obscured or ignored. It took a British historical journal in 1952, distant itself in space and time, to finally proclaim that "the figure of the feuding hillman, crouched in the laurels with his long 'human' gun (he called it so to distinguish from his squirrel gun), is a phenomenon of modern America rather than of pioneer times." But considering that the article was subtitled "...the scene of family feuds as fierce as any fought, before the Union of the Crowns, on the Anglo-Scottish border," the tone of temporal confusion was still present as it had been decades before among the American accounts.⁹⁶¹ And this was only briefly after another Briton, Arnold Toynbee, had declared that Kentucky's "mountain people...acquired civilization and then lost it," a viewpoint that avoided the issue of temporal hierarchies altogether while nevertheless echoing the same implications.⁹⁶²

Picts and Scots aside, John Fox, Jr. did not always think of the Kentucky feud phenomenon as something wedged in a frozen past, but instead recognized it as a relatively new, albeit not especially politically significant, development. In *Bluegrass and Rhododendron; Outdoors in Old Kentucky* (1901), Fox recorded one firsthand testimonial that, in the past, Kentucky mountaineers in one locale would have been "druv outen the country" for drawing knives and guns in public, the more public manifestation

⁹⁶⁰Davis, William and Meredith Swentnor (eds.), *Bluegrass Confederate: The Headquarters Diary of Edward O. Guerrant*. Baton Rouge: Louisiana State University Press, 1999): p. 251.

⁹⁶¹A.L. Lloyd, "A Background to Feuding," *History Today*, Vol. II, No. 7 (July, 1952): pp. 451-452.

⁹⁶²Arnold Toynbee. *A Study of History* (Abridgement of Vols. 1-6 by D.C. Somervell). (New York: Oxford University Press, 1947): p. 149.

of what was considered feud-like violence. By the present however, “now hit’s dirk an Winchester all the time,” a change attributed to the Civil War’s introduction of easy killing.⁹⁶³ Years later in *The Heart of the Hills* (1912), Fox suggested that historical change, mainly for the worse, could take place within a feud’s boundaries of conduct. What had once been an honor-based family affair, the Hawn-Honeycutt feud, eventually took on the taint of politics after both families began to see better days financially.

As old Jason Hawn and old Aaron Honeycutt had retired from the leadership, and little Jason and little Aaron had been out of the hills, leadership naturally was assumed by these two business rivals, who revived the old hostility between the factions, but gave vent to it in a secret, underhanded way that disgusted not only old Jason but even old Aaron as well. For now and then a hired Hawn would drop a Honeycutt from the bushes and a hired Honeycutt would drop a Hawn. There was, said old Jason with an oath of contempt, no manhood left in the feud. No principal went gunning for a principal- no hired assassin for another of his kind.⁹⁶⁴

The egalitarian “manhood” that had once defined the ritualized feud had been replaced by the use of hired underlings, thus the creation of an unprecedented inequality. As detailed in chapter six, the fictional Hawn-Honeycutt feud had been hiatused during their alliance against a thinly veiled William Goebel-based character. Politics, and the violence that it involved, supplanted the communal conflict that the two families had kept going in their locale until forced to deal with the “outside world.” Now that the feud had resumed, however, it had lost its “manhood” by taking on hierarchies (i.e., politics) on each side. Not only was the original Hahn-Honeycutt feud apolitical but, in its “purest” form, it was antithetical to politics.

⁹⁶³Fox, Jr., *Blue-grass and Rhododendron; Outdoors in old Kentucky*. (New York: Charles Scribner’s Sons, 1901): p. 45.

⁹⁶⁴Fox, Jr., *The Heart of the Hills*. (New York: A.L. Burt and Company, 1912): pp. 312-313. Fox had meant for *The Heart of the Hills* to serve as a penance to eastern Kentucky for the damage, physical and in image, he and others had inflicted on the place. To his regret, sales and reviews for the novel were not as good as for his past novels and short stories; York, pp. 244, 257

“Manhood,” the primal force that gave the mountain whites their native animus, and motivated their supposed need for violence, had been polluted by a less valorous form of combat that involved the employment of lesser men rather than family. Later in the novel Fox returned to “manhood” in a soliloquy spoken by Colonel Pendleton, an elderly Bluegrass *patrón* who acts as a mentor to a young member of one of the families who attended stately Centre College. On his deathbed he confesses Kentucky’s sins committed from the 1860s to the 1910s:

‘The war started us downhill, but we might have done better- I know I might. The earth was too rich- it made life too easy. The horse, the bottle of whiskey, and the plug of tobacco were all too easily the best- and the pistol all too ready. We’ve been cartooned for the world with a fearsome, half-contemptuous slap on the back. Our living has been made out of luxuries. Agriculturally, socially, politically, we have gone wrong, and but for the American sense of humor the State would be in a just, nation-wide contempt. The Ku-Klux, the burning of toll-gates, the Goebel troubles, and the night-rider are all links in the same chain of lawlessness, and but for the first others might not have been. But we are, in spite of all this, a law-abiding people, and the old manhood of the State is still here. Don’t forget that- *the old manhood is here* [Fox’s italics].’⁹⁶⁵

Fox temporarily sets the “two Kentuckys” motif aside and suggests that all of the ugly incidents and typologies of violence witnessed in the state since before feuding was in flower developed from the same decadent source. But the images conjured were related more to the antebellum Bluegrass, and Colonel Pendleton noticeably left feuding off of his list, even though his young charge was a member of a feuding family. This was purposeful, because these other forms of violence mentioned were openly insurrectionary or (in the case of the Ku Klux Klan) politically-motivated vigilantism. The *feud* and its “manhood,” Fox seemed to imply, was apolitically horizontal and, accordingly, a vestige of a Kentucky *before* it went “downhill,” a vestige that hearkened back to the old undivided consensus of white Kentuckians (and perhaps all white southerners).

⁹⁶⁵Fox, Jr., *The Heart of the Hills*. (New York: A.L. Burt and Company, 1912): p. 349. This was the only part of the book in which William Goebel was explicitly named rather than being called “the autocrat.”

Charles Mutzenburg, a journalist who was probably second only to Fox as an influential interpreter of eastern Kentucky feud violence, used the same anecdotes from Kentucky's recent history to protect the mountaineers from others' self-righteous condemnation.

We believe it germane to the matter under discussion to add that not only feuds, but mobs and the like, are, and ever have been, the direct outgrowth of a lack of confidence of the people in their courts. The shameful nightrider outrages in the western part of Kentucky a few years ago, in a section which had boasted of a civilization superior by far to that of the mountaineers, where schools and churches are to be met with at every corner, were the outcome, so it is claimed, of the failure of the law to deal sternly with the lawless tobacco trust, the 'original wrongdoer' in the noted tobacco war. If this were true, if this justified the destruction by incendiaries of millions of dollars' worth of property, brutal whippings, the indiscriminate slaughter of entire families without regard to age or sex, the butchery of little children (for aiding the tobacco trust, no doubt) then, indeed, is the mountaineer feudist also innocent of wrongdoing; more so, for he, at least, never made war upon suckling infants, nor have women suffered harm, except in one or two instances. Nor is the cultured Blue Grass citizen free to censure him, when he calls to mind the outrages of the toll-gate raids, or takes into account the numerous lynching bees, proceedings from which the mountaineers have always been *practically* (my italics) free.⁹⁶⁶

All of the violent embarrassments suffered by Kentucky, in Mutzenburg's view, were from the same source; the "lack of confidence of the people in their courts" conveyed a public atmosphere still suffering from the crisis of legitimacy of past years. However, violence that was seen as "feudal" did not affect women and children or challenge commerce as did those who attacked the Bluegrass toll-gates or the western Black Patch nightriders.⁹⁶⁷ Compared to the hateful political violence that eventually emerged, communal feudists were relatively benign, since they did not upset the status quo beyond their wooded environs. The fact that the last major event to be named a feud in Kentucky involved the assassination of a political figure known throughout the state was left unmentioned. *Feud* needed to remain unsullied by politics and, consequently, two Kentuckys' existence went only mildly challenged.

⁹⁶⁶Mutzenburg, pp. 26-27.

⁹⁶⁷See also, *NYT*, 13 Feb, 1908; "Kentucky Tobacco War," *Christian Observer*, Vol. 96, No. 8 (19 February, 1908): p. 3.

The primary means of forming a disciplined feud phenomenology came from the newspapers, in which eastern Kentucky's feud was reported to a broader public than the readers of anthropology or even novels. Kentucky papers, especially those circulated in smaller markets, were willing to display their party stripes from the Civil War until well into the twentieth century, and, as revealed in preceding chapters, their interpretations of commotions in the eastern third of the state was guided by their respective loyalties. But strict party devotion among large-circulation newspapers was a dying trend in the days when the Kentucky feud was becoming a subject of national interest. The growth of national newspaper conglomerates too big to allow all of their papers to keep their firm political stances fostered a journalistic culture that favored human interest and sensationalism over the toeing of party lines. By the middle of the 1890s the scandalous and the grotesque had become more worthy currency for widely-read papers and magazines and many publications divested themselves of their old party identities.⁹⁶⁸ As a result, the party associations that made up most Kentucky feuds were scarcely addressed in the nationally-read media. "Political rivalry," parochial as it supposedly was, could be casually included within a list of trivial causes of quarrels, including "a horse trade, a gate left open and trespassing cattle, the shooting of a dog...or a difficulty over a boundary fence," according to Ellen Semple.⁹⁶⁹ Journalists joined scholars like Semple and William G. Frost in favoring explanations of feuds that dealt with race and spatial isolation. When journalists bothered to get personal testimonials from locals, the latter

⁹⁶⁸Summers, *The Press Gang: Newspapers and Politics, 1865-1878*. (Chapel Hill: UNC Press, 1994): pp. 59-75, 308-313; Baldasty, 139-148.

⁹⁶⁹Ellen Semple, "The Anglo-Saxons of the Kentucky Mountains: A Study in Anthropogeography," *The Geographical Journal*, Vol. 17, No. 6 (June, 1901): p. 618.

tended to speak of local disharmony in familial terms.⁹⁷⁰ By the beginning of the twentieth century the Kentucky feudist was considered a social type invariably formed by a combination of geography, breeding and unexplainable medieval qualities, particularly the obsession with honor attributed to lowland planters decades earlier.

...in the mountain counties of [Kentucky's] eastern border, where the rugged and untaught minds are dominated by a crude and savage idea of the meaning of honor, the deadly vendetta still rages, and no one can say when it will cease. So long as the mountain defiles remain uninvaded by the emigrant; so long as their mountain sides intimidate the prospective railroad line; and above all, so long as their wild, barbaric blood remains uncrossed by a gentler strain-just so long will their internecine wars prevail. For here men are governed by a medieval idea of right and wrong, and each man's mind is his own court and judge. He acknowledges no other, and by it are his actions governed. And when it has led him to wanton slaughter, as it often does, the endless stretches of forest-clad mountains afford a refuge which it is impossible to lay bare. But it is a rare thing that the slayer of his kind seeks the shelter of the hills. When his enemy is done to death, the victor goes home and tells his friends, and the clansmen gather on either side, as they did in the days of Roderick Dhu.⁹⁷¹

Though Bluegrass optimists had once expected that the civilizing influence of church, dam, bank and steel track would bring peace to Kentucky's more restless counties, since then "men had fallen dead by feudists' bullets on the doorsteps of the churches" and the arrival of railroads had not ceased killings.⁹⁷² The mountain whites' feudal habits were beginning to appear something irredeemably inherent. In what could have been one of the most open admissions that feud violence might have some internal political import, activist John C. Campbell wrote that the "name commonly applied to the feud in Kentucky is 'war,' and the principle upon which it was carried out was the principle of warfare- to do as much harm to the enemy as possible while incurring the least risk

⁹⁷⁰Waller, *Feud*..., pp. 81-85.

⁹⁷¹Litsey, p. 287 (Roderick Dhu was a character from Sir Walter Scott's six-canto narrative poem "The Lady of the Lake"). Litsey mostly used information from the "Clay County War," a scenario that fit into the feud narrative in that it did seem to be a truly horizontal conflict between elite families owing to political and economic competition allegedly spanning six decades. Still, a thorough examination of the "Baker-White" feud suggests that isolation and Scottish lineages had less to do with the origins of violence than Litsey suggested; see Billings and Blee, *The Road to Poverty*..., pp. 306-315.

⁹⁷²McClure, p. 2217.

oneself.”⁹⁷³ This description was a far cry from the ritualistic practice of the classical *feud*. But instead of crafting a commentary on how *feud* had been applied to eastern Kentucky arbitrarily by exogenous observers, Campbell intended for the war analogy to be only an illustration of the mountain feudist’s ruthlessness as well as his arrogance in applying the air of legitimacy attendant to *war* onto his own personal vendettas.

Amid this interpretational atmosphere, the “Hatfield-McCoy” feud began to “fire the public imagination” in the 1880s and continued to do so for decades afterward.⁹⁷⁴ In a series of election-day confrontations, ambushes and an arson between 1878 and 1888, ten men and two children were killed in the Tug River Valley community straddling the Kentucky-West Virginia border. The feud’s most widely publicized deaths coincided with the French-Eversole feud and the Rowan County War, and might have been lost among eastern Kentucky’s 1880s feud propagation had it not been for a New York reporter who chose the Hatfield-McCoy feud as the newly discovered mountain phenomenon’s semi-factual epitome. In choosing this particular atrocity, T.C. Crawford permanently established how Americans defined *feud*.⁹⁷⁵ Crawford’s rendering was popular as a broad illumination of white intra-racial violence in the United States, as were versions of the Hatfield-McCoy Feud that followed in print and, eventually, on film.⁹⁷⁶

⁹⁷³John C. Campbell. *The Southern Highlander and his Homeland*. (New York: Russel Sage Foundation, 1921): p. 113.

⁹⁷⁴Harkins, p. 36.

⁹⁷⁵T.C. Crawford. *An American Vendetta: A Story of Barbarism in the United States*. (New York: Bedford, Clarke and Company, 1889). Waller, *Feud...*, pp. 222-228.

⁹⁷⁶Buster Keaton’s *Our Hospitality* (1923) based loosely off of the Hatfield-McCoy feud, provides an example of a conflation of the southern feud and the mountain feud or perhaps evidence of the continuity, rather than rupture, between the two in the public imagination. The “Canfields” and “McKays” live deep within the mountains but, rather than being poor corn hoers, they are big-housed planters with close access to the railroad and huge gun collections. The origins of the feud are suitably obscured,

The story had charisma that other Kentucky incidents at the time lacked. Its origins were murky enough (originally reported as one white family's attempt to enslave another, it was eventually reported as beginning after a lawsuit filed over a stolen sow) that it was commonly believed that the feud lasted generations rather than a modest twelve years; the entirety of the violence took place in one of the most remote areas of the Cumberland Plateau; and, in the style of *Romeo & Juliet*, it ended with a supposedly forbidden marriage between the combatants' children.⁹⁷⁷ The events that came to comprise the "Hatfield-McCoy feud" had far more appeal to American readers than the "Rowan County War" or the "French-Eversole" feud, because it combined elements of Old World romanticism with elements of the American frontier in an aesthetically satisfying manner.

But, perhaps most importantly, the Hatfields' conflict with the McCoys, in its factual and fictional versions, was less offensive than others because of its communal appearance. The homicides that took place were committed either as impulse or in revenge, as befitted the Corsican vendetta. Long after the Progressive era's racial determinism had faded, it was still believable that the feud had roots in the British isles; beneath an article commemorating the centennial of the feud's cessation, the county seat newspaper in the Hatfields' and McCoys' old territory (now Mingo County, West

revenge is the sole motivator and enemy-status is based purely on surname. A wedding uniting the families provides a happy ending. Family is the prime mover in all of the film's action. Perhaps the most remarkable feature of the film is that the plot is placed far back into the 1830s rather than the more accurate 1880s. The railroad, which serves as an important plot device, anachronistically reaches a setting that would not have had access to it in the time it took place; J.W. Williamson. *Hillbillyland: What the Movies did to the Mountains & What the Mountains Did to the Movies*. (Chapel Hill and London: UNC Press, 1995): p. 270; Anthony Harkins. *Hillbilly: A Cultural History of an American Icon*. (New York: Oxford University Press, 2004): p. 152.

⁹⁷⁷Altina Waller shows, however, that these beginnings and endings were only peripheral to larger issues that produced the feud; Waller, *Feud...*, pp.

Virginia) expressively printed images of both families' supposed coats of arms.⁹⁷⁸ The feud was between families and factions of modest means and did not indict men in high places (even after an extradition conflict between West Virginia and Kentucky, no politicians were unduly embarrassed by the whole thing).⁹⁷⁹ It was unmistakably horizontal and devoid of class significance, thus sustaining the popular notion of the egalitarian mountain white. It had no direct connection to intimate hostilities created by the war, and therefore did not challenge the promise of a national reunion based upon whiteness. It could easily be written off as the product of a strange aboriginal culture rather than an outgrowth of the affairs of state. The Hatfield-McCoy feud was the reported feud least embarrassing to the parties and political elites of its respective states. In comparison to the recent Rowan County War, it was almost devoid of party politics, at least from an outside viewpoint. As close as it was in time and space to Bloody Breathitt, it was everything that Breathitt was not, thus making it far more popular and almost inspiring. "Hatfields and McCoys" had lasting power as an American idiom, even though eastern Kentucky's most demoralizing episodes of feud violence, the Clay County War and the Hargis-Cockrell feud, were yet to come and would eventually be forgotten on a national scale. In American memory it was the extrapolitical apotheosis of *feud*.

This feud's fame came almost exclusively from what was said of it by people from the "outside world." The Hatfields, McCoys and the people of other surnames who

⁹⁷⁸Williamson (West Virginia) *Daily News*, 2 August, 1982. Appalachian Feuds Collection, Box 1, Series VI, Southern Appalachian Archives, BCLSP.

⁹⁷⁹Kentucky's Governor Simon Buckner and West Virginia's E. Willis Wilson came to legal blows over the extradition of members of the Hatfield family/faction to the former's state. However, since both were Democrats from different states, their conflict did not constitute a crisis of state sovereignty or intra-party conflict. Furthermore, it was Kentucky's only widely reported feud event in the 1880s that did not sanction a militia visit; Waller, *Feud...*, pp. 207-219.

were directly involved in their conflict hardly got the opportunity to tell their own story but were reticent when they did. The majority of interpretations of Kentucky's feud violence between the 1870s and 1900s did indeed come from the city-dwelling journalists and industrialists who were products of Altina Waller's "dominant culture."⁹⁸⁰ The mythological arrangement of the Hatfield-McCoy feud was, fundamentally, a hegemonic device to make way for economic exploitation. By contrast, Breathitt County, the place that John Fox, Jr. (himself both a writer AND an industrialist who turned T.C. Crawford's journalistic subject matter into very popular fiction) considered the alpha and omega of this type of feud violence, was not interpreted exclusively by the "outside world."⁹⁸¹ "Bloody Breathitt" was recorded and created according to a combination of the wants and needs of outsiders and those of the county's own inhabitants. But the end results were analogous to that of the Hatfield-McCoy feud. In due course it was decided to be in virtually everyone's interests for the causality of political divisions to be subordinated to the language of *feud*.

"...a killing in Breathitt always seems to be big news..."

In Jackson the news of peace between the Hatfields and McCoy's was received almost exactly as it was anywhere else: a wire service half-column printed in the local newspaper with references to the middle ages, gross exaggerations of the feud's length and death toll, and a general oversimplification of the facts.

The Hatfield-McCoy feud which has lasted nearly twenty years, and caused the death of 100 persons [in] Logan county W. Va., and Pike county Ky., has at last ended. Like the "War of the Roses" it was terminated by a marriage. A truce was proclaimed, a Hatfield married a Miss McCoy, a peace congress was call [sic] and terms amicable to both parties were agreed upon.

⁹⁸⁰Waller, "Feuding in Appalachia...", p. 370.

⁹⁸¹Fox called Breathitt County the "alpha and omega" of the mountain feud phenomenon; Fox, Jr. "On the Road to Hell-fer-Sartain," *Scribner's*, Vol. XLVIII, No. 3 (September, 1910): pp. 353-355.

Thus ends one of the most bloody feudal wars of modern times not equaled in ferocity and fatality, perhaps, by the wars of the Scottish Highlanders.

Jackson Hustler editor J.J. Dickey received the news with a bit of foreboding. Noting the recent heightened national attention on eastern Kentucky as a whole, Dickey dourly predicted that fact and fancy would soon become intermingled in regard to his adopted section's "feuds." "The feudal wars of Eastern Kentucky will no doubt be utilized in coming years by writers of fiction. It is in this form, perhaps, they will go down to posterity as no historian feels like chronicling the naked facts, and incorporating them into local history. Already two novels have been written to celebrate the deeds of the Hatfields and McCoys."⁹⁸²

The missionary editor's concern for future fiction reflected a passion for accuracy in historical record that shone through in the longhand oral histories that filled hundreds of pages in his immense diary. But it also revealed his apprehension as to how "Bloody Breathitt" would be remembered. Breathitt County was not the home of one iconic famous feud but of a series of marginally well-known feuds and general sporadic lawlessness dating back to the war, a fact that would make the truthful recording of its past complicated and perhaps even impossible. Dickey had tried to be fair to Breathitt County in his own recording of its "naked facts" and he was concerned that other writers would not.

The end of the Hatfield-McCoy feud coincided with the Kentucky Union Railroad's arrival in Breathitt County. The railroad's eminence in the lives of Jackson's residents (if not the citizens outside of the county seat's boundaries) represented an opportunity not afforded to the residents of the more isolated Tug River Valley to the

⁹⁸²*Jackson Hustler*, 3 April, 1891.

northeast. It offered Bloody Breathitt's opportunity to divest itself of its image that dated back to the 1870s, an image that it had imposed upon it from the "outside world." If white intra-racial violence was a product of isolation and "family feuds," as had been said for years, the Kentucky Union was a sure cure. But just over a decade later, when James Marcum's death reoriented national attention toward the county again, this assumption was disproven. "The Breathitt County feuds," wrote the *Courier-Journal* soon after Marcum's murder, "furnish a contradiction to the old adage that wherever newspapers, railroads, and colleges penetrate feuds are vanquished."⁹⁸³

The same newspaper had begun the process of defining Bloody Breathitt more than twenty-four years before, when the Kentucky militia's occupation of Jackson gained national press attention. In 1874, after William Strong's capture of the courthouse first caught the Louisville paper's attention, Watterson's column space was spent more on terror further to the South (most notably the White League riots in Louisiana) and news from Breathitt County was relatively picayune.⁹⁸⁴ But the 1878 street fight that killed Judge Burnett and others happened in an otherwise more peaceful time (shortly after Reconstruction's end), and Breathitt County's violence thus appeared more sinister. In its earlier stories in December, 1878, the *Courier-Journal* took an openly partisan stance, defending Breathitt County against northern Republicans' hypocritical jabs of "race prejudice" and ku kluxing and blaming the county's "Loyal" (i.e., formerly Unionist)

⁹⁸³*LCJ*, 8 May, 1903.

⁹⁸⁴Strong's local rebellion coincided with one of the most notorious riots of the Reconstruction years, the attempt of white Louisiana Democrats to forcibly wrest control of the state government away from northern Republican Governor William Kellogg; see Gilles Vandal. *Rethinking Southern Violence: Homicides in Post-Civil War Louisiana, 1866-1884*. (Columbus: Ohio State University Press, 2000): pp. 84-85.

minority for causing trouble.⁹⁸⁵ “Neither the state nor the United States have done anything for Breathitt,” the paper intoned in a statement that defended the county while simultaneously dissociating it from the rest of Kentucky, “and, in turn, Breathitt has ‘done nothing for nobody.’”⁹⁸⁶ Still, the same correspondent concluded that he would “sooner live on the western plains and take the chance of being scalped by Sitting Bull, than to live in Breathitt County at the present time.”⁹⁸⁷

As coverage by other newspapers trailed off in early 1879 during the rioters’ trials, the *Courier-Journal* began to sound less sympathetic toward Breathitt County while retaining a portrayal of the community as a country as foreign from the Bluegrass as possible. Rather than rising against the *New York Times*’ contention that the Ku Klux Klan “were gentle citizens compared with the desperadoes who infest the ravines and hills of Breathitt”⁹⁸⁸ The *Courier-Journal* also began to describe Breathitt County as a savage environment with “meadows that were stripped of all pastoral suggestions” and “a land which did not overflow with honey and where civilization was but a puling strangled infant.”⁹⁸⁹ Shortly before this description was printed, the paper interviewed the “King

⁹⁸⁵*Cincinnati Commercial*, 18 December, 1878; *CDG*, 2 December, 1878; *LCJ*, 3 5 8 December, 1878; *NYT*, 7 December, 1878.

⁹⁸⁶The same article highlighted the county’s poverty: “...the worldly goods of these five or six thousand people do not much exceed in value those of so many Indians on a government reservation. Under such a state of life society must approximate a primitive condition, and if the Bluegrass counties are inclined to turn up their noses at it we beg them to count up their own killings and remember that none of us are any better than we ought to be. I am informed that a baker’s dozen will cover the number of men killed in personal difficulties in this county since the war and many a more favored county can discount that with a single year’s crop, and get ahead of Breathitt as much in ‘stiffs’ as they do in cereals”; *LCJ*, December 5, 1878.

⁹⁸⁷*LCJ*, 24 December, 1878.

⁹⁸⁸*NYT*, 26 January, 1879.

⁹⁸⁹*LCJ*, 26 January, 1879.

Bee,” William Strong, and exonerated him as having acted in a purely defensive manner during the riot.⁹⁹⁰ But by doing so, the paper belied the political and sectional stance it had taken toward the situation just short weeks earlier. The “King Bee” of Breathitt County was no longer a radical Unionist but a quasi-Scots “chieftain,” but with American Indian likenesses.

He came to my room this evening; just before the winter sun sank to rest beyond the western hills, sans horns, war paint and other paraphernalia. Instead of looking fierce as the lion in his native jungle, or the tiger in defense of her cub, his face was as calm as the surface of a sleeping lake and reminded me no more of war than do the innocent flowers of May. I felt considerably relieved when I shook hands with him and beheld that springtime smile upon his face, for my memory was just then quite vivid with recollection of the adverse criticisms I had indulged in toward the mountain Captain, and the smile dispelled the thought that he had come to chaw me up.⁹⁹¹

Even if Strong was not the monster the correspondent had originally believed him to be (no doubt because of local Democrats’ whispers) his image had gone from the most ruthless Union home guard in Kentucky to an exotic. Although he retained the title of “mountain captain,” the event that had led to his captain’s commission in the previous decade was beginning to fade.

But this was long before Bloody Breathitt became familiar to Americans outside of Kentucky. The mountain Kentuckians’ alleged need for civilizing in the winter of 1879 established what would become the feud belt’s essential premise. When Breathitt County once again received widespread media scrutiny, the mold for its interpretation had already been set in other eastern Kentucky counties. Because of the feuds of the 1880s and the Clay County War of the 1890s, it was arguable that Breathitt’s experience was an example of a greater whole. But the construction of Bloody Breathitt came about

⁹⁹⁰Ibid, 16 January, 1879.

⁹⁹¹Ibid, 6 January, 1879. A more conservative newspaper complained that the *Courier-Journal* had handled Strong too “delicately”; *KTWY*, 18 January, 1879.

with contributions from a diverse, often conflicting, array of forces, not all of whom agreed upon how the strange county should be defined. To an observer from the “outside world” with no prior knowledge of the county’s history or politics, it was an eastern Kentucky county little different than most others, beset by a racial or cultural tendency toward communal violence irrespective of county boundaries. After the Hargis-Cockrell feud, the international comparisons used to describe American family feuds of old continued to be used. The latest feud rivaled “the worst stories that have come out of Corsica and Sicily.”⁹⁹² The large families of Breathitt presented such a great numerical fight against “race suicide,” the *Courier-Journal* snarked in 1904, that “President Roosevelt’s [a well-known proponent of Anglo-Saxon monumentalism] heart would be gladdened by a sight of Jackson.”⁹⁹³ “The feuds of Breathitt County and of the mountains,” concluded one activist, grew out of the “code of morals which belong to the old Scotch Highlanders.”⁹⁹⁴ Sources that acknowledged political impetus used temporal exaggerations to make the feud’s electoral origins seem more distant in time than they actually were. Even when the “official position and political influence” of modern politicians was recognized, they were still only considered aggravating factors in “feud wars” that had “raged since the Kentucky mountains were first settled by white men” or at least were “older than [the] War.”⁹⁹⁵ A children’s novel published less than six years

⁹⁹²*CDT*, 7 February, 1908.

⁹⁹³*LCJ*, 3 June, 1904.

⁹⁹⁴*Proceedings of the Eighth Annual Conference for Education in the South, Columbia, South Carolina, April 26-28, 1905*. (Atlanta: Massey Reporting Comp., 1905): p. 106.

⁹⁹⁵*Washington Post*, 29 May, 1904; *CDT*, 7 June, 1903 (perhaps erroneous in many other ways as well, the *Tribune*’s account of a generations-old feud in Breathitt was notably wrong in mentioning the violent death of young bachelor Judge Burnett’s imaginary wife as among the atrocities of 1878).

after James Hargis' death (and a year before Sheriff Callahan's) recounted the feud lasting "for generations" after "some election for a county judge."⁹⁹⁶ Republican Kentucky newspapers, usually less willing to separate Bloody Breathitt from the state's political present than the Democratic opposition, still could not resist comparing the Hargis courthouse's corruption to the conditions of the "the middle ages."⁹⁹⁷

But at the same time, there was also an impulse to make Breathitt seem strange even among its neighbors and within the feud mythos, a viewpoint more likely to be espoused by the mountain white's self-proclaimed defenders. Whenever the "outbreak of another feud in 'bloody Breathitt'" was reported, "the world infer[ed] that battle, murder, and sudden death are commonplaces in Appalachia."⁹⁹⁸ But Bloody Breathitt's inherent violence did not encourage greater attention to be paid to possible political causes. The conception of "Bloody Breathitt" was very different than the Hatfield-McCoy feud or any of the other feuds or "wars" that were reported in other eastern Kentucky counties. A feud was an event, or a series of events, with a beginning (albeit an often obscure or unimportant one) and an ending. To a degree, it was determined by clear contingency. But for there to be a series of relatively self-contained feuds within the confines of one county, as was the case with Breathitt, violence would have to be a permanent product of the terrain rather than of human agency, and therefore inherent in the culture for reasons beyond direct comprehension.⁹⁹⁹ This was why the persistence of the Hargis-Cockrell

⁹⁹⁶Francis Rolt-Wheeler. *The Boy with the U.S. Census*. (Boston: Lothrop, Lee & Shepard Co 1911): p. 29.

⁹⁹⁷*Hartford Republican*, 25 July, 1902; *Lexington Leader*, 14 November, 1902.

⁹⁹⁸Kephart, p. 12.

feud was exaggerated and said to continue “despite the fact that most of its actors have been laid low by bullets.”¹⁰⁰⁰ By suggesting that the late feud lasted past the deaths of most of the political actors who acted as instigators or victims, *feud* was suggested to be a localized ontology of violence rather than a historically finite event or series of events. Whether part of the feud belt, or singularly perverse, Breathitt County’s violent history was decidedly inherent, irrespective of what went on in the “outside world.”

After 1903, ‘Breathitt,’ bloody or unmodified, became a glib metaphor for descriptions of violent conditions from the Balkans to the similarly mythologized American West. A Chicago newspaperman compared Serbian King Peter I’s chances of assassination to that of a Breathitt County prosecuting attorney.¹⁰⁰¹ In the nationally-read humor magazine *Puck*, a grizzled westerner named “Tarantula Tom” told a “commercial traveler” to fictional “Crimson Gulch” that the rowdy mining camp had been pacified after “a feller come along from Breathitt county, Kentucky, an’ we felt so much like amateurs that the boys all quit tryin’ to show off.”¹⁰⁰² Seven years later the same magazine expressed hope that “some beneficent, heedless, rakehelly, irresponsible, light-hearted cyclone, earthquake, avalanche, conflagration, tidal wave, comet, pestilence, or plague would arise and smite, overwhelm, wipe out, submerge, consume, chew-up-and-spit-out, devour, emasculate, or destroy” Breathitt County and other recent trouble

⁹⁹⁹The renaming of Harlan County, Kentucky as “bloody Harlan” during the coal strike violence of the 1930s was a product of an analogous rhetorical turn; *Proceedings of the Twenty-Fifth Constitutional Convention of the United Mine Workers*. Vol. I (1909): pp. 92, 169; “Kentucky Feudalism,” *Time*, Vol. XXIX, No. 18 (3 May, 1937): pp. 13-14.

¹⁰⁰⁰Marcosson, p. 366.

¹⁰⁰¹*CDT*, 23 June, 1903.

¹⁰⁰²“Discouraged,” *Puck*, Vol. 54, No. 1385 (16 September, 1903): p. 12.

areas.¹⁰⁰³ In a reverse of the old Mediterranean metaphor, a character in an American novel about Sicily exclaimed that the island's vendetta habit was "worse than Breathitt County, Kentucky," with no further explication for the reader apparently needed.¹⁰⁰⁴ When a Virginia courthouse massacre made national news in 1912 one commentator branded it "an echo of the Breathitt County feud"¹⁰⁰⁵

Fictional accounts of mountain feuds in the first decades of the twentieth century also exploited the recent memory of the Hargis-Cockrell feud. A settlement school teacher's fictional memoir used the town of Jackson and Breathitt County as its model and began the storyline briefly after the cessation of a recent prolonged fracas between town politicians.¹⁰⁰⁶ The surnames 'Jett' (i.e., Curtis Jett) and 'Valentine' (the first name of one of the more famous Hatfields) were used as character names in a feud novel set in the story-bound town of Leeston.¹⁰⁰⁷ Fascinated as much by Breathitt County as he was by all of the state's other locales, John Fox, Jr. never used it as a setting for one of his novels (he tended to avoid using explicitly real places for such) but the county was mentioned as a neighboring locale in a novel and two short stories (Fox also used 'Marcum' as one character's name in one novel).¹⁰⁰⁸ Fox's primary concern was

¹⁰⁰³"An Elemental Hint," *Puck*, Vol. 67, No. 1729 (20 April, 1910): p. 5.

¹⁰⁰⁴Rex Beach. *The Net: A Novel*. (New York and London: Harper & Brothers, 1912): p. 33.

¹⁰⁰⁵Elbert Hubbard, *The Fra: for Philistines and Roycrofters*, Vol. 14, Section 2 (1914-1915): p. xxv. The same volume also refers to Kaiser Wilhelm II's pre-World War saber-rattling as "Breathitt County reasoning"; p. xxvii.

¹⁰⁰⁶Lucy Furman. *Mothering on Perilous*. (New York: The Macmillan Company, 1915).

¹⁰⁰⁷Fiswoode Tarleton. *Bloody Ground: A Cycle of the Southern Hills*. (New York: Lincoln Mac Veagh-the Dial Press, 1929). This novel is narrated in the present tense.

establishing feud violence as something innate to the experience of the mountain white, not just a series of events. For that reason, the violent streets of Jackson, and the bushwhacker-rife woods that surrounded it, made for better subject matter than the finite vendettas of other Kentucky counties. In order to be interesting, feuds had to have historical longevity, and even though the longevity of other feuds was exaggerated for dramatic effect, Fox's interest in authenticity led him to what he considered an inherently violent territory rather than simply a place that had played host to a feud. The inherency of violence came to replace the historical facts of feuds in the memory of Bloody Breathitt and the rest of eastern Kentucky. By the 1920s the only nationally-available account of the Hargis-Cockrell feud that announced the facts of the conflict and made explicit use of full names (particularly Judge Hargis's and Sheriff Callahan's role in organizing the death of James Marcum at the hands of Curtis Jett and Tom White) was a folk song of questionable composition.¹⁰⁰⁹

By the high years of the New Deal, it was no longer politically advantageous for Breathitt County to be set off from the rest of the United States, but instead it was brought into the same efforts at incorporation as the rest of the South. In the years that had passed since Edward Callahan's shooting death (often considered the end of the "feudal era") the county had become a target of reform efforts bent upon hookworm

¹⁰⁰⁸Fox, Jr., *A Cumberland Vendetta*. (New York: Grosset & Dunlap, 1900); *Christmas Eve on Lonesome and Other Stories*. (New York: Charles Scribner's Sons, 1904); *A Mountain Europa; A Cumberland Vendetta; The Last Stetson*. (New York: Charles Scribner's Sons, 1912).

¹⁰⁰⁹The song was "recovered" in Texas by a musicologist less than twenty years after Judge Hargis' death. Supposedly the song's source singer asked that the song not be published for a number of years further; Hubert G. Shearin and Joseph Henry Combs. *Syllabus of Kentucky Folk-Songs*. (Lexington, KY: Transylvania Printing Company, 1911): pp. 18-19; Combs, *Folk-songs du Midi des États-Unis*. (Paris: Les Presses Univeritaires de France, 1925): p. 183; Mellinger E. Henry, "Ballads and Songs of the Southern Highlands," *American Folklore*, Vol. 42, No. 165 (July-September, 1929): pp. 296-297; 78 rpm recording, "The Murder of J.B. Markham (traditional)" Lester McFarland and Robert A. Gardner (Brunswick Balke Collender Company), Assorted artifacts, BCM.

eradication and flood prevention.¹⁰¹⁰ These Progressive efforts often restated eastern Kentucky's longstanding reputation for isolation and deprivation, but, as the notorious Breathitt County came to be seen as one mountain county suffering from the same social and infrastructural ills as many others, its individual fame waned. In the 1930s the county was a frequent subject for photographer Marion Post Walcott as she collected visual data for the Farm Security Administration.¹⁰¹¹ Rather than taking pictures of aging feudists, Walcott instead focused upon muddy roads and rain-famished cornfields, images that made Breathitt County part of a larger regional whole rather than singling it out. In 1936 one pair of educators acknowledged the deleterious effects that Breathitt County's being defined by the "outside world" had on its well-being. "...the epithets which role [sic] so easily off the tongue- a 'Kentucky feud,' a 'hillbilly song,' 'poor whites,' and that telltale appellation which so many of the inhabitants would like to live down, 'Bloody Breathitt.' It is through these stock phrases that some of us have come to know this part of the South."¹⁰¹² Given the need for cooperation between local elites and federal arrivals,

¹⁰¹⁰*Flood Control: Hearings before the Committee on Flood Control, House of Representatives, Seventieth Congress, First Session on the Control of the Destructive Flood Waters of the United States, January 5 to January 17, 1928; Part 4: The Mississippi River and its Tributaries.* (Washington DC: Government Printing Office, 1928): pp. 2323-2338; Judge Watson. *Eastern Kentucky, Economic and Cultural, 1900-1962.* (Lakeland, FL: J. Watson, 1993): pp. 147-150; Matt Wray. *Not Quite White: White Trash and the Boundaries of Whiteness.* (Duke and London: Duke University Press, 2006): pp. 96-132.

¹⁰¹¹Stuart Kidd. *Farm Security Administration Photography, the Rural South, and the Dynamics of Image-Making, 1935-1943.* (Lewiston, NY: Edwin Meller Press, 2004). George T. Blakey. *Hard Times and New Deal in Kentucky, 1929-1939.* (Lexington: University Press of Kentucky, 1986): p. 131; Impoverished from the depletion of its timber and coal, Breathitt County was of particular interest to New Deal activists and benefitted from programs like the Works Progress Administration. Still one of the last Democratic bastions in eastern Kentucky, the New Deal caused yet another rupture within the local party, stirring talk of a possible new "feud." See John F. Day. *Bloody Ground.* (New York: Doubleday, Doran and Company, 1941): pp. 108-112, 148-160, 173; Betty and Ernest Lindley. *A New Deal for Youth; the Story of the National Youth Administration.* (New York: Viking Press, 1938): p. 131; Blakey, pp. 64, 68. See also, G. Melvin, Bruce Lee Melvin, John Nye Webb, Carle Clark Zimmerman. *Rural Poor in the Great Depression: Three Studies.* (Salem: Ayer Publishing, 1971): pp. 27, 44, 83-84, 113-114.

politics was not acknowledged as the root cause of the county's past horrors. An indictment of the Democratic Party of the past might have seemed like an indictment of present Democrats, especially considering that, save for a brief period after the Hargis-Callahan regime's end, they had ruled the county perpetually (and, by the 1930s, "controlled everything").¹⁰¹³ And, in any case, a society disadvantaged on "the scale of cultural and social values," (a more advanced sociological version of "contemporary ancestors") could not be blamed, considering that "in these days there is hardly any people competent to judge another..."¹⁰¹⁴ It was now time for the county to reenter the rest of the region, even if it meant being part of what President Franklin Roosevelt would call "the Nation's number one economic problem."¹⁰¹⁵

Feuds were now an event thankfully stuck in the past and absent in a county with access to federal aid and centralized planning. But as the historical home of the "feud" country, Breathitt County's past of factional violence could not be completely forgotten, especially considering that its rate of violent crime was still relatively high as late as 1940. "Even though the county may have one or two well-broadcasted murders every year-for a killing in Breathitt always seems to be big news- educational facilities, better roads, in short, greater contact with modern forces have corroded the feudal spirit," said one 1941 local history published by the Works Progress Administration. Feuds were

¹⁰¹²Wilbur Gooch and Franklin J.Keller, "Breathitt County in the Southern Appalachians: Vocational Guidance in a Social Setting: The People and the Land," *Occupations*, Vol. 14, No. 9 (June, 1936): pp. 1011-1012.

¹⁰¹³Laurel Shakelford and Bill Weinberg (eds.), *Our Appalachia*. (Lexington: University Press of Kentucky, 1988): pp. 41-42.

¹⁰¹⁴Gooch and Keller, pp. 1018.

¹⁰¹⁵Salstrom, *Appalachia's Path to Dependency*, pp. 94-121. Even though New Deal programs that targeted Appalachia specifically were carried out in the interest of alleviating unemployment, Salstrom sees most of these programs as ultimately harmful, considering that they created a dependency upon monetary incomes.

understandable in their day because of environmental factors beyond the control of the mountain pioneer. The “hilly country where ridges and creeks tended to mark off one clan and its supporting faction from another, and where Mother nature was hostile and niggardly” contributed to the development of “feudal ties between men.” To observers from the “outside world,” common criminal violence was even less legitimate than feuds, but recent unnamed troubles, readers were reassured, had “not assumed the proportions of a feud.”¹⁰¹⁶ Even if Breathitt Countians supposedly retained a customarily nonchalant attitude toward murder, “life was cheap” now because “the hills were stripped, the timber business expired, floods washed the topsoil off the farms.”¹⁰¹⁷ Violence in Bloody Breathitt was no longer a product of the residents’ temporal dissonance from the Bluegrass and the rest of the “outside world” but was now the outcome of very current economic problems. But even though crime had supplanted *feud*, violence of either sort was still useful. More than ten years later, the county’s reputation for “unrestrained lawlessness” was admissible evidence in a corporation’s suit against a striking labor union.¹⁰¹⁸

The construction of Bloody Breathitt was largely the creation of outside observers, most of whom were unaware of or unconcerned with the exigencies of life in the county. Breathitt County seemed to be one exemplar of the larger eastern Kentucky feud phenomenon, but, at the same time, seemed to stand out from the others as well. In the 1942 anthology of Cincinnati newspaper editor Harold Coates’ “true and accurate

¹⁰¹⁶*In the Land of Breathitt...*, pp. 54, 76.

¹⁰¹⁷“Bloody Breathitt,” *Time*, (8 April, 1940): p. 19.

¹⁰¹⁸James W. Payne, Jr., “The Hillman Case. An Old Problem Revisited,” *Virginia Law Review*, Vol. 41, No. 8 (December, 1955), pp. 1011-1058: p. 1041.

descriptions of the various Kentucky Feuds” (all of which had been published individually in pamphlet form in the 1920s), three of the twelve feud vignettes were dedicated to the county’s history, from William Strong’s 1874 courthouse capture to the death of Edward Callahan in 1912.¹⁰¹⁹ Rather than presenting a protest, most local descriptions of Breathitt’s violent history avoided discussions of conflicts over power but, instead, tried to place violence as far into the past as possible, using language not unlike the “outside world’s” accounts.

“We know that, from the first, the wilderness was their teacher...”

Judge James Hargis was quite successful in using *feud* to protect himself from criminal conviction. A large part of his success had to do with how ingrained the feud narrative had become in explaining violence in eastern Kentucky, so ingrained that even his greatest detractor, the *Breathitt County News*, casually described “feuds” in other mountain counties while Hargis was still in office. The possibility that a recent deadly scuffle in Huntington, West Virginia “may start a feud” would have been a comfort to any eastern Kentuckian weary of hearing of it only in their section of their own state.¹⁰²⁰ Those from Breathitt County who were able to make their voices heard, mainly Jackson’s commercially-interested elite, had never shied from explaining their county’s own violence in language that echoed that of the “outside world,” and the four-letter-word was not avoided once it was widely popular. Language that employed the racial politics of the day was just as popular in Breathitt County as it was among the anthropologists and local color writers. As mentioned before, the booster who begged for the Bluegrass’s

¹⁰¹⁹Coates, pp. 3-24, 71-116.

¹⁰²⁰*BCN*, 9 September, 1904.

investment in 1884 attributed the violence he or she thought was safely in the past to the Scots and the Irish, years before it was widely popular to do so in exogenous literature.¹⁰²¹ Once word of their unadulterated Anglo-Saxon blood was a widely-known fact, white Kentuckians in and around the county clung fiercely to the racial badge that they probably had never doubted was theirs in the first place, even if it did implicitly suggest an innate tendency toward modern savagery. Upon reading of a lecture that suggested that the “Kentucky mountaineer” was the progeny of Indians and “white slaves” (the lecturer presumably meant seventeenth-century indentured servants), a Perry county resident protested “There is not one family out of a thousand of the present inhabitants of the Cumberlands whose parentage may be traced either to the Indians or to those white slaves who had been freed by the Virginia planters. They are descendants of families who had been prominent in the Revolutionary struggles, and those people have known almost no intermingling of other blood from the time of their immigration to the present. The allegation that these bold, generous, hospitable, strong-minded neighbors about us in Breathitt, Perry and Leslie counties are a new class of humanity and descendants of Indians and white Virginia slaves is a slander which we repel.”¹⁰²² Nearly twenty years later, as the national debate over the teaching of evolution was building steam, the *Breathitt County News*’ editor fired off a similar salvo. ““The professors at the state university [in the Bluegrass] may believe they are descended from apes and baboons, but let it be known that the good people of Breathitt are pure Anglo-Saxon.””¹⁰²³ Racially-

¹⁰²¹*L CJ*, 25 December, 1884.

¹⁰²²*BCN*, 17 February, 1905.

¹⁰²³*Ibid* (date not given), quoted in Arthur M. Miller, “The Vote on the Evolution Bill in the Kentucky State Legislature,” *Science, New Series* Vol. 55, No. 1421 (March, 1922): p. 317.

conscious Breathitt Countians were as aware as other white southerners that whiteness dealt as much, and perhaps more, with material and social attainment as it did with skin color. For a place and a people increasingly economically marginalized, and vilified in the media as something culturally or even biologically different than the regular white southerners they had once been, racial validation was crucial.

Possibly the most all-inclusive apologia for Bloody Breathitt ever produced was journeyman newspaperman Louis Pilcher's *The Story of Jackson City* (1914), the last in a series of promotional publications on various eastern Kentucky towns on the make. Despite being a Lexingtonian, Pilcher "something of a literary free lance" wrote of Jackson as a native and peppered his "brief biographies of prominent citizens" with trivia that linked Jackson's leading names to the Bluegrass in order to advertise the town's hopeful connections to the "outside world."¹⁰²⁴ For Pilcher, the story of "Bloody Breathitt" had already been told in fictional form and, the more fictional it was, the better. "If the reader is seeking any light or information on the feuds of Breathitt County this book will be a disappointment for I want to go back to the 'City of Sudden Death,' and I don't like to write about feuds anyway" because, after all, "feuds and pistol toting are so vulgar and low flung..."¹⁰²⁵ Pilcher expressed hope that the literary interest in Kentucky's feuds would soon die down, so that reading about violence would not pollute young minds. "Just contemplate what a terrible nightmare such a book [collecting all of

¹⁰²⁴*Lexington Leader*, 3 March, 1900 quoted in "Yesterday's News," *RKHS*, Vol. 95, No. 3 (Summer, 1997): p. 236.

¹⁰²⁵Louis Pilcher. *The Story of Jackson City (Breathitt County) the inspiration of the New Kentucky*. (Lexington, KY: Beckner Printing Company, 1914): p. 16. Jaded as he was with feuds, Pilcher once engaged in a bit of gunplay himself when a much larger city marshal attacked him in his own newspaper office. Pilcher fired two shots and forced the marshal to retreat; *Frankfort Roundabout*, 19 May, 1906.

Kentucky's feud stories] would produce on the plastic minds of the youth of Kentucky; a veritable chamber of horrors."¹⁰²⁶ Jackson in 1912 had no more feuds because of solid social engineering that kept violence confined within spatial boundaries and class designators. The absence of licensed saloons helped to keep the peace, and the civically-maintained enclosure of "Snake Valley," the sin district along the river, kept the town quiet enough to require "only one policeman and but little for him to do except collect city taxes and electric light bills."¹⁰²⁷ The "inspiration of the new Kentucky" had eradicated feuds through progressive social engineering and brought Breathitt County into the present.

Even if violence that took the *feud* form was a thing of the past, Pilcher did not attempt to deny eastern Kentucky's violent history and, reaffirming many other observers, explained the region's social problems using racial determinism. Although he shared others' belief in Kentucky's "purest Anglo-Saxon stock," Pilcher put a greater emphasis on the sociology of race than he did cultural and biological explanations, and did so to tout what he considered the less adulterated portion of the "two Kentuckys."¹⁰²⁸ "It is a well-known fact in sociology of Kentucky and the South that the Afro-American race has for long been the 'escape valve' in morality and immorality-there also being another division, unmorality. In certain sections of Kentucky-notably in the eastern part-the absence of Negroes has laid the heavy toll upon the white race, and hence there is more white immorality than in communities where Negroes abound, Central Kentucky and

¹⁰²⁶Louis Pilcher. *The Story of Jackson City (Breathitt County) the inspiration of the New Kentucky*. (Lexington, KY: Beckner Printing Company, 1914): p. 33.

¹⁰²⁷Ibid, p. 49.

¹⁰²⁸Ibid, p. 101.

many Southern States having a greater number of Negroes than Caucasians [sic].”¹⁰²⁹ Even with this being the case, the “purity” of a place like Jackson made it far superior to most of the United States, especially the racially polluted, and over-urbanized North. “We [eastern Kentuckians] will not stand for miscegenation,” wrote Pilcher. “It is said that in Louisville and Indianapolis, Cincinnati and Chicago, that many depraved and degenerate white women have Negro husbands.”¹⁰³⁰ But the massive childbirth rates of pure eastern Kentuckians guaranteed the survival of whiteness without anyone else’s assistance. “When fathers count their progeny from eight to a dozen, race-suicide is out of the question and the crusade for eugenics makes the healthy bucks that snuff the mountain air, smile in derision when the name is defined. It belongs to hot-house civilization and degenerating, neurotic practices.”¹⁰³¹ These “healthy bucks” were natural “fighting men...big, powerful fellows [and] men of courage and fine marksmen; sometimes’ ignorant, wary and good shots,’ like the Boers.”¹⁰³² And entrance into politics was eastern Kentucky’s chief means of harnessing this natural energy and aiming it toward useful purposes. “It is a fact in criminology of the mountains that the ‘tough customers’ are frequently reformed and become good citizens by elevating them to offices, and so there is no end of Deputy Sheriffs and Constables and Deputy Constables in Breathitt, Perry and Letcher Counties. It has had a salutary effect in many instances I hear and frequently Sheriffs, Jailers, County Attorneys and County Judges are ‘reformed’

¹⁰²⁹Ibid, p. 42.

¹⁰³⁰Ibid, p. 44.

¹⁰³¹Ibid, pp. 58-59.

¹⁰³²Ibid, p. 50.

bad men elevated to offices of dignity and power.”¹⁰³³ Even with Judge Hargis and Sheriff Callahan gone, most of the men who had been peripherally involved in their courthouse were still alive, and Pilcher was careful to spin their colorful pasts in as flattering a style as possible. More importantly, however, it was vital that political office be the redemption of “bad men” rather than a reason to kill and a platform for giving fruition to their evil intentions. Problems of the recent past were framed as a social system worthy of envy.

Pilcher’s interpretation of eastern Kentucky’s “fighting spirit,” and by insinuation the history of *feud*, fulfilled popular ideas about masculinity and the environmental construction of American humanity. Life in the Kentucky mountains was a Rooseveltian “strenuous life” all to itself, and combined with its unsullied Anglo-Saxonism, provided a cure for the enervating effects of industrial life and ethnic pollution going on in the urban North (if there was any irony in the fact that Pilcher was simultaneously trying to bring more industry to the mountain towns he touted, in light of this selling point, he did not address it). *Feud*, now that it was a thing of the past, was a usable past, one with its more tragic elements discarded (the widow Marcum, remarried and still living in Jackson, was never mentioned, although Callahan and Hargis were; her husband was erroneously identified as “Judge Marcum”) and its rakish façade remaining. The actual deaths and suffering of the recent past, a “dead load which by itself time will bury in oblivion,” could be forgotten and replaced by a mountain “heritage” which toughened its descendants without causing any real harm.¹⁰³⁴ Pilcher’s employment of *feud* divorced

¹⁰³³Ibid, p. 57.

violence from actual events, making it instead an abstract product of a white mountain *volksgeist*, one that stood as a model for all white Americans. In this regard, *The Story of Jackson City* was little different than the anthropological and fictional portrayals of eastern Kentucky that predated it by decades. But unlike them, this was a native account, told for the benefit of Breathitt County's future by someone who ostensibly spoke for the community.

Men who had actually participated in violence there did not take the same communitarian tone as Pilcher, but instead personalized their experiences. While serving time in prison, Curtis Jett, by his own admission "as vile a sinner as ever came down the pike," was famously Born Again and (against Abrelia Tucker *née* Marcum's efforts) was able to negotiate an early release with his Christian testimonial, a one-prisoner crusade to have pool tables removed from the state penitentiary, and a new life as an evangelist.¹⁰³⁵ Now happily a Bluegrass resident (he had spent much of his childhood there after his family left Jackson during the troubles of the 1870s), Jett confirmed many of the assumptions held regarding the section of his birth; his upbringing was nominally Christian but "weak along spiritual lines," (the portrayal of mountain religion popularized by William Guarrant decades before) while his own love of "strong drink," "pistol toting," and cigarette smoking were learned from his "typical mountaineer" father and a "drunkard" male neighbor.¹⁰³⁶ Jett employed a pat combination of nature and nurture to

¹⁰³⁴Bat-Ami Bar On. *The Subject of Violence: Arendtian Exercises in Understanding*. (Lanham, Boulder, New York and Oxford: Rowman & Littlefield Publ., 2002): p. 44.

¹⁰³⁵To help "put down Kaiserism," Jett also led an in-prison fundraising effort for the Red Cross after the United States' entrance into World War I; Clipping, *St. Louis Daily Globe-Democrat*, October 27, 1916. Appalachian Feuds Collection, Box 1, Series VI, Southern Appalachian Archives, BCLSP; Curtis Jett. *From Prison to Pulpit: Life of Curtis Jett*. (Louisville: Pentecostal Publishing, 1919): pp. 17-19, 22, 51-52, 68, 75-76.

explain “Bloody Breathitt” and his own role as a “feudist.” During this childhood visits to Breathitt County, he discovered that “every one in that section had an axe to grind” and, as an impressionable adolescent, “we boys were ambitious when we became men to become leaders of such a click [sic], to take our chance in the mountain battles and some day to carry revolvers and Winchesters with notches cut to indicate the number of enemies we had outwitted and gotten the drop on.”¹⁰³⁷ In Jett’s telling, the eastern portion of the “two Kentuckys” was a natural training ground for violence to which he had been an eager pupil.

Jett paid homage to the local political arrangement (one devoid of republican norms of governance and therefore more communal than political) that had given birth to the feuds of his childhood, particularly the beginnings of sporadic fighting between William Strong’s Red Strings and Edward Callahan’s Ku Klux, although he referred to it as the “Strong-Callahan feud” without any Civil-War-era political designators. But, by the end of his incarceration in 1919, he had absorbed enough written and spoken feud lore involving honor and vendetta to make it part of his description.

Many of the leaders of the feuds were men of good circumstances and of fine intelligence. They were kind and courteous to their friends, but they came from a race of people beyond the sea who, for centuries, had not looked to the courts for protection, but had taken their affairs into their own hands. With them it was perfectly honorable to defend themselves and take the life of any they suspected of having ill will toward them.

The leaders of the mountain feuds were something like the old Scottish Chieftains who gathered their class about them and fought their misunderstandings to a finish.¹⁰³⁸

¹⁰³⁶Curtis Jett. *From Prison to Pulpit: Life of Curtis Jett*. (Louisville: Pentecostal Publishing, 1919): pp. 5-8.

¹⁰³⁷*Ibid*, pp. 10, 12.

¹⁰³⁸*Ibid*, pp 11-12.

But his retelling of his own participation in the Hargis-Cockrell feud was circumspectly apolitical, dwelling more on remembrances of his own personal failings than on the circumstances that brought him to be a deputy under Callahan.

There was much animosity and ill feeling which culminated in several deaths on both sides of the feud. So far as any part I may have had in these unfortunate affairs is concerned that has been thoroughly threshed out in the civil and criminal courts of the State, and I could not add anything which would involve anyone who has not already been involved in the courts. I did not participate in these for any price or cause except for the love of my people and the unfortunate spirit of revenge in my own heart. A merciful God has granted my forgiveness which I feel toward all men and believe it would be unwise for me to enter into any further discussion of the matters.¹⁰³⁹

Throughout his book, laden with his poems and his own and others' verifications of his redemption, he never once mentioned James Hargis or the names of the men he was convicted of killing. He did not endow his official role as deputy sheriff with enough legitimacy to allow it a mention. His "love of [his] people" and "unfortunate spirit of revenge" cast a personal and communal basis, and a vendetta-related motivation, for the time when he had been a killer and implicitly placed his own actions within a much longer narrative of inherent violence. His conversion could not have happened had he not been jailed in a prison where he discovered a love of God, patriotism and personal industry (in the capacity of the penitentiary's horticulturalist). But the prison's being in the Bluegrass rather than the mountains was of special importance to the changes he had undergone. The exodus of (in the penitentiary chaplain's words) an "old wild dog of the mountains" from "his former mountain days" was a metaphorical spiritual journey but a geographical journey as well, confirming that Jett's former sinfulness and the eastern Kentucky were firmly entwined.¹⁰⁴⁰ Leaving Bloody Breathitt for the more advanced

¹⁰³⁹Ibid, pp. 15-16.

¹⁰⁴⁰Ibid, pp. 33-34.

Bluegrass was an integral part of Jett's salvation. Appropriately, after his release he attended the Bluegrass seminary founded by William Guerrant in Wilmore, Kentucky.¹⁰⁴¹

Another son of "typical mountaineers" who parlayed his connection to "Bloody Breathitt" into an evangelical style employed *feud* in a way that Jett could not.¹⁰⁴² Wolfe County native Charles "Bulldog Charlie" Wireman, fifteen years Jett's junior, echoed his illustration of a rowdy, undisciplined and armed adolescence. He credited the efforts of Bluegrass Kentuckians with bringing a more enlightened Christianity to the mountains and his own conversion. He referenced the "purest Anglo Saxon blood to be found on the American Continent" located in his home territory.¹⁰⁴³ But Wireman had never taken part in a conflict deemed as organized into a feud proper. Even though he had once served as a deputy sheriff, his career had no discernible connection to political struggles. Yet "Bloody Breathitt" was still available to him as a foil for his own story of redemption although, as of 1950, the Hatfield-McCoy feud was better remembered to Wireman's potential readers, and he began his book with it rather than with anything that had happened to him personally.¹⁰⁴⁴

Feud, as long as it was in a distant enough past, was a useful memory, especially in conversion narratives that depend upon a stark division between a wicked past and a virtuous present. Accounts of Bloody Breathitt written outside of the county were not as consistent in employing this stark division; it depended upon whether or not the storyteller wished to portray a space that was inherently violent or progressively

¹⁰⁴¹Ibid, p. 48.

¹⁰⁴²Charles Little Wireman. *Kentucky Mountain Outlaw Transformed*. (Intercession City, FL: Intercession Press, 1950): p. 2.

¹⁰⁴³Ibid.

¹⁰⁴⁴Ibid.

developed (by the passage of time or the contingency of positive exogenous forces) to a point where violence no longer took place, at least in an archaic “medieval” form like a feud. In contrast, local accounts like those of Pilcher, Jett and Wireman consistently rejected violent inherency reaching to their own present, but for different purposes. However, what they shared was a commitment to sustaining the memory of Bloody Breathitt as the site of an undeniably horizontal dispute or series of disputes, one defined by revenge and lawlessness rather than disputes over public power. For the last generation to have witnessed or taken part in Breathitt County’s feuds, the specifics of the past were best left in the past. This end was best served by maintaining a measure of ambiguity. The details of an event remembered as a feud, the names of the men who were killed and (especially) those of the men who did the killing, were best left unspoken. If a conflict was purely horizontal and there were “deaths on both sides of the feud,” as Jett concluded, than no one was denied justice by this omission. The possibility that this might not be the case was left roundly unconsidered.

Maintaining *feud* as a descriptor of violence served this purpose for others later on. Later generations of people from Breathitt County did not speak of violence in their county in precisely the same way as these forbears, but the general inclination to separate past from present remained consistent. In the 1930s Breathitt County high school students assigned to collect family oral histories displayed an acceptance of their county’s violent past combined with a level of temporal detachment. Two students’ grandfathers, now happy to freely discuss the Hargis-Cockrell feud (and possibly the 1908 election riot that followed the subsequent Republican takeover) openly described the true nature of their political struggle, as well as evidence that the famous courthouse assassinations

were only part of a larger effort on Hargis' and Callahan's part. "I had six brothers until one of my brothers Jim was murdered on the middle fork in the Hargis and Callahan battle," one reported to his grandchild. "I was lucky to get out alive but me and Fletch never was even wounded during the time we were fighting. The Callahans were trying to run the county and who ever tried to get ahead of them they meraly [sic] shot them down and that was all. But they had a job trying to run us out."¹⁰⁴⁵ Another student whose grandfather had died before his or her birth reported that "before [his death] a fuge [sic] came up between several parties and it was over politics."¹⁰⁴⁶ Another elaborated, "It begun in 1902, and lasted until 1907, and after this period Breathitt county, was called bloody Breathitt. We people of Breathitt should be thankful for what our forefathers has done for us."¹⁰⁴⁷

Young people who did not experience the violence of the twentieth century's first decade had no reason to shy away from admitting political causality, since it bore no reflection upon their own lives. To them, electoral politics of an earlier generation was practically as distant as seventeenth-century Scottish chieftains, and there was no need to create a temporal façade or to apply a teenager's ironic detachment. The misspelled "fuge" suggests a relative unfamiliarity with the word. However, another student who was asked to comment on more recent violent crime felt inclined to comment on what he or she considered the county's distant past, particularly a communal state that preceded politics. "We know that, from the first, the wilderness was their teacher and they

¹⁰⁴⁵Gooch and Keller, p. 1015.

¹⁰⁴⁶Ibid, p. 1014.

¹⁰⁴⁷Ibid, p. 1015.

obtained a kind of education which fitted them for a life in the rough, for it was gained through actual experience with their environment.”¹⁰⁴⁸

Even though these high school students were presumably natives of Breathitt County, and only a generation removed from the county’s last nationally reported account of egregious violence, their descriptions of crime and violence within their home territory impose upon it the same language of foreignness used by “outsiders” since the 1870s. To say that “the wilderness was [the students’ forbears’] teacher” denied the historical nearness of violence in Breathitt County, placing it further back in history to a pioneer past (a time that was, historically, far more peaceful than that experienced by these students’ parents). None of the students claimed any direct knowledge or experience in violence of any sort, let alone attempted to defend their home county against the mockery and criticism that it had long endured. With access to the enlightenment of national incorporation provided by New Deal programs, these students were now outside of the experience that had made their home nationally known, and at least one refused to lay claim to it without invoking a nostalgic “wilderness” past.

“The dirty old Breathitt County courthouse still stands, the place where Cockrell and J.B. Marcum were shot down in cold blood...”

In 1978, eighty-one-year-old Breathitt County native Harlan Strong expressed a similar resolve to remember Bloody Breathitt as a past enormously different from the present, and expressed mild reverence for the lost strenuous life of his childhood.

‘The horse and buggy days, they’re past and gone. Now it’s automobile and airplane and stuff like that. The Bible said they’d go weaker and wiser. People are certainly getting wiser but they’re

¹⁰⁴⁸“Breathitt County High School Students Give Their Thoughts about the Local Crime Situation,” *Appalachian Feuds Collection, 1898-1977*, Box 1, Series IV, HLSCA.

weaker. They're weaker in strength and wiser in knowledge. This day and time a kid 15 years old, I'd say twelve years old knows as much as I did when I was 25. That's the truth. They see so much and know so much. That's right. A lot of it is worthless, but still they know it.¹⁰⁴⁹

But the late-nineteenth-century violence that Harlan Strong was aware of, probably from popular rather than personal memory, was far away and factually confused. He knew of the factional alignments designated by the "Red Strings" and "Ku Klux," although he offered no elaboration on the larger Civil War-era contexts of these two names, and erroneously recollected the 1884 lynching of Henderson Kilburn and Ben Strong as having occurred in his lifetime (according to his own disclosure, Harlan Strong would have been born in 1896). He also seemed to recall knowing "Bill Strong," who "belonged to what was called the Rebel and Yankee army," even though the real-life Bill Strong he seemed to remember had been killed in 1897.¹⁰⁵⁰ When asked to explain the origins of Bloody Breathitt, Harlan Strong reaffirmed the primordial foundations of a frontier society that many people both in and outside of the county had summoned up in the twentieth century, but augmented by allusions to prevailing technological change.

'The only difference now than back then is there's just more people now. That's why people can see so much more because they're more people and there's more to talk about. But they did just as bad in the early days when I was raised up as they're doing right now. There just weren't so many people. Mohegan law back in them days. An eye for an eye. A tooth for a tooth. If you shoot me, I'll shoot you. They abide by the law now. Sure do.'¹⁰⁵¹

¹⁰⁴⁹Interview with Harlan Strong, 1978, *The New York Times Oral History Project: The Appalachian Oral History Project of Alice Lloyd College, Appalachian State University, Emory and Henry College, and Lees Junior College*: No. 279: "Feuds in Breathitt County, Kentucky, p. 22.

¹⁰⁵⁰Interview with Harlan Strong, 1978, *The New York Times Oral History Project: The Appalachian Oral History Project of Alice Lloyd College, Appalachian State University, Emory and Henry College, and Lees Junior College*: No. 279: "Feuds in Breathitt County, Kentucky, pp. 13, 18-21.

¹⁰⁵¹Interview with Harlan Strong, 1978, *The New York Times Oral History Project: The Appalachian Oral History Project of Alice Lloyd College, Appalachian State University, Emory and Henry College, and Lees Junior College*: No. 279: "Feuds in Breathitt County, Kentucky, p. 18. Harlan Strong probably confused the deaths of Kilburn and Ben Strong with a much later lynching of a white man in Jackson that was recorded in 1929. His confusion was probably exacerbated by the fact that Chester Fugate, the 1929 lynching's victim, was Henderson Kilburn's grandson; Wright, *Racial Violence in Kentucky*, p. 323; Jean Thomas. *Blue Ridge Country*. (New York: Duell, Sloan and Pearce, 1942): p. 74.

“Mohegan law” explicitly ascribed the past with communal qualities that white Americans of the 1970s associated with Native Americans who, like feudists, were generally tucked safely within a distant earlier period. The death of Native American nations and the *feud* could both be looked back upon as inevitabilities, since those looking back from a modern present could scarcely imagine their being extant.¹⁰⁵² A metaphor involving a savage Indian-related past, coupled with the Biblical analogy of violent reciprocation, confirmed Bloody Breathitt’s persistence as a place and time of communal violence. But Harlan Strong’s “prosthetic memory” of a lynching that took place before his birth, and others, demonstrates a continuity of a vague memory of political conflict as well.¹⁰⁵³ A memory of the Red Strings and Ku Klux Klan confirmed the political foundations for the violence that took place before his childhood. Even the ostensibly nonsensical description of William Strong as belonging to a “Rebel and Yankee army” illustrated the political confusion of the era. Even if this statement suggests instead Harlan Strong’s ignorance of the Civil War, it nevertheless serves as a reminder of the strange and tenuous relationship that wartime Breathitt County’s intimately fought “local cleavage” shared with the larger “master cleavage.”¹⁰⁵⁴ As a member of the Yankee army, William Strong had indeed been a rebel within his own home territory. Long after the events that had created it, Bloody Breathitt was still a usable past, and one that did not require the same level of conscious subterfuge and omission that Louis Pilcher had employed sixty four years before.

¹⁰⁵²Brantlinger, pp. 60-67.

¹⁰⁵³Alison Landsberg. *Prosthetic Memory: The Transformation of American Remembrance in the Age of Mass Culture*. (New York: Columbia University Press, 1994): pp. 3-9.

¹⁰⁵⁴Kalyvas, *The Logic of Violence in Civil War...*, pp. 83, 330-363; Berkeley, p. 151.

Were it not for one oral history project sponsored by the *New York Times* (the northern newspaper that had often seemed reluctant to attribute feud violence to the mountains rather than the state of Kentucky in the nineteenth century), Harlan Strong's individual memory of Bloody Breathitt would have remained unspoken and unrecorded. But in the Bluegrass the county and its place in eastern Kentucky's history were still referred to often as they became part of the national recognition of Appalachian poverty. Just as the existence of the *feud* was explained by the construction of temporal hierarchies decades before, in the late 1950s the same device was used to illustrate the region's underdevelopment.

As always, the Bluegrass took the first turn at defining the other of the "two Kentuckys." In his study of pseudonymous "Beech Creek, Kentucky," University of Kentucky sociologist James S. Brown identified "familialism" as the most persistent impediment to modernization in mountain society.¹⁰⁵⁵ Allusions to Bloody Breathitt also remained a useful tool for placing a region, now unquestionably apart from the greater South, in the past. During congressional hearings for the creation of the Area Redevelopment Administration (ARA), a Louisville paper's 1959 article on Breathitt County and its surroundings was used as evidence for the section's dire need for federal sponsorship.¹⁰⁵⁶

¹⁰⁵⁵James S. Brown. *Beech Creek: A Study of a Kentucky Mountain Neighborhood*. (Berea, KY: Berea College Press, 1988): pp. 69-122.

¹⁰⁵⁶Proposed in the late 1950s, and eventually signed into law by John F. Kennedy in 1961, the ARA created opportunities for federal development initiatives in areas with high levels of poverty and unemployment. As with most other federal programs used in post-World War II Appalachia, large-scale projects were blocked by local politicians and industrialists. Whisnant, *Modernizing the Mountaineer*. (Boone, NC: Appalachian Consortium Press, 1980): pp. 72-91.

This is the land of legends, the mountain country of eastern Kentucky where a century of time is thought to have somehow got lost. Blood feuds, moonshining, child brides, place names like Hell-for-Sartain, Shoulderblade-the stuff for a thousand tales. They were not all fictional. The dirty old Breathitt County courthouse still stands, the place where Cockrell and J.B. Marcum were shot down in cold blood in the incredible Hargis-Cockrell feud that claimed upwards of fifty lives before it ran its course a half century ago. This courthouse was recently condemned, an act that serves as well as a symbol of the gradual passing of the life of the legends. Society is in transition [in Breathitt County], it is desperately trying to catch up with the 20th century.¹⁰⁵⁷

The “stuff for a thousand tales” had been the subject of fiction for so long that, by the 1950s, it was reasonable to assume that the historical existence of eastern Kentucky’s nineteenth century feuds could now be described as “legendary.” Men killing other men for now-murky reasons had been replaced by the more recent memory of the Battle of Blair Mountain and “bloody Harlan,” conflicts that could be more readily understood, regardless of political affiliation, and hardly denied, especially with John Lewis’ then-hearty United Mine Workers of America around as a reminder.¹⁰⁵⁸ Very little existed to prove that the Hatfields and McCoys, the only feudists’ names that most Americans remembered, had fought an internal war somewhere in a mountainous region where battles between coal companies and unions had now overshadowed atrocities that had taken place before. Less iconic stories from the mountains were even more shrouded in doubt. Cockrell and Marcum were names of victims remembered only by a dedicated student of Kentucky history, but they could still be used to prove a point. For a structure associated with one of these medieval feuds, the symbol of local state authority that had been at the center of sporadic killings for years, to still be standing was an affront to

¹⁰⁵⁷Richard Harwood, “East Kentucky’s Mountain-No. 3-Mountain Areas Make Progress in War on Sickness, Poverty, Diet,” *Louisville Times* 18 February, 1959 quoted in *Area Redevelopment Act: Hearings Before a Subcommittee (No. 3) of the Committee on Banking and Currency, United States Senate (Eighty- Sixth Congress, First Session on S. 268, S. 722, and S. 1064)*. (Washington DC: US Government Printing Office, 1959): p. 650.

¹⁰⁵⁸Williams, *Appalachia: A History*, pp. 271-272, 279-281.

progress and proof that Breathitt County and the region needed federal assistance in order to “catch up with the 20th century.” The dilapidated courthouse stood for a time of partisanship, and had no place in an era of consensus and widespread prosperity. It was the only remainder of a past that had mostly passed on to legendary status, an especially ugly reminder in that it connected the *feud* to an emblem of state power. For Breathitt County to achieve the legitimacy of being truly part of Kentucky and the American Republic, the “symbol of the gradual passing of the life of the legends” had to go.

The offensive old building was eventually torn down and replaced by the structure that serves as the court building at this writing (designed, fittingly, by a Lexington architectural firm).¹⁰⁵⁹ But the source of its infamy was not completely erased. In the twenty-first century a marker near the present Breathitt County courthouse in Jackson marks the spot of James Marcum’s “feudal” death. But a larger marker nearby celebrates a far different distinction celebrated in the county: its contribution of military volunteers in time of war. As early as the beginning of World War I in 1914, Jackson’s US Army recruiting station was said to have “more enlistments than at any station south of the Ohio River.”¹⁰⁶⁰ With the United States’ entrance into the war three years later, Breathitt County was widely recognized as the only county in the entire country in which the number of volunteers for service exceeded the local draft board’s quota. As a result, Breathitt County was the only county in the United States in which no draft notices were issued.¹⁰⁶¹ From one perspective, the tremendous outpouring of volunteers reflected the

¹⁰⁵⁹Trailsrus County Courthouses: Courthouses in Kentucky- Breathitt Co. <http://www.trailsrus.com/courthouses/breathitt.html> (viewed 25 July, 2008).

¹⁰⁶⁰Pilcher, p. 50.

political identity of an ever-Democratic county rallying around the idealism of Woodrow Wilson (although the most funding raised for the war per capita was raised in nearby McCreary County, one of the most heavily Republican counties in the old “Bloody Eleventh” congressional district). From another, it was a patriotic motivation rather than a political one, and no other single county in America displayed such fervor for defense of the American Republic among its young male population. From yet another, it was because of the “fighting spirit,” endemic to Kentucky but pronounced in the mountains, that Louis Pilcher had once venerated. Finally, the remarkable record of volunteers may have just as easily revealed a young male population with few local prospects and a collective eagerness to leave home, a familiar supposition that has applied to rural communities in all American wars. In any case, the history of internal intraracial white violence that had segregated Breathitt County from the American nation-state was now balanced by a “sturdy Americanism” that instead incorporated it into the whole, a call to duty from an exogenous source to replace a damaged and unusable endogenous identity.¹⁰⁶² Although this nationalistic distinction was still based in the use of violence, it was a violence whose legitimacy was scarcely disputed.

Because of the supposedly small differences suggested by *feud*, the practice and acceptance of deadly fighting had once demonized Breathitt County. But when practiced

¹⁰⁶¹*Official Proceedings of the St. Louis Railroad Club*, Vols. 30-31, (1925/1927): p. 200; *Flood Control: Hearings before the Committee on Flood Control, House of Representatives, Seventieth Congress, First Session on the Control of the Destructive Flood Waters of the United States, January 5 to January 17, 1928; Part 4: The Mississippi River and its Tributaries*. (Washington DC: Government Printing Office, 1928): p. 2337; Robert Schulman. *John Sherman Cooper: The Global Kentuckian*. (Lexington: University Press of Kentucky, 2004): p. 28; Frederic D. Ogden (ed.), *The Public Papers of Governor Keen Johnson, 1939-1943*. (Lexington: University Press of Kentucky, 1982): p. 416.

¹⁰⁶²*Flood Control: Hearings before the Committee on Flood Control, House of Representatives, Seventieth Congress, First Session on the Control of the Destructive Flood Waters of the United States, January 5 to January 17, 1928; Part 4: The Mississippi River and its Tributaries*. (Washington DC: Government Printing Office, 1928): pp. 2337-2338.

for a larger goal, and attached to the “defense” of a nation-state whose sanctioning of killing remains beyond question in the minds of most Americans, deadly violence could be a source of redemption as well.

BIBLIOGRAPHY

Primary Sources

Archives and Manuscript Collections

The Appalachian Oral History Project of Alice Lloyd College, Appalachian State University, Emory and Henry College, and Lees Junior College.

The New York Times Oral History Project

Breathitt County Museum, Jackson, KY.

Assorted Artifacts

Assorted Documents

Cratis D. Williams Appalachian Collection, Carol Grotnes Belk Library & Information Commons, Appalachian State University, Boone, NC.

First Edition Copy: James Jeffries Thompson. A Kentucky Tragedy: A History of the Feud Between the Hill and Evans Parties of Garrard County, Kentucky. The Most Exciting Tragedy Ever Enacted on the Bloody Grounds of Kentucky. Cincinnati: U.P. James, 1854.

Message of the President of the United States Relative to the Internal Feuds among the Cherokees, April 13, 1846. Washington, DC: Government Printing Office, 1846). 29th Congress, 1st Session, Senate.

Personal Collection of Charles Hayes, Jackson, KY.

William Dinwiddie (?), Untitled Manuscript

Hutchins Library Special Collections & Archives, Berea College, Berea, KY.

Appalachian Feuds Collection, 1898-1977

Founders and Founding Collection

Kentucky Department of Libraries and Archives, Frankfort, KY.

Breathitt County Census Records, 1870

Breathitt County Circuit Court Minutes

Breathitt County Circuit Court Case Records

Breathitt County Criminal Order Books and Indexes

Clark County Circuit Court Case Files

Governor's Letter Box

Papers of Governor J.C.W. Beckham

Papers of Governor William Owsley

Governor's (Owsley's) Letter Box

Kentucky Documents

Records of the Court of Appeals of Kentucky

Breathitt County Public Library, Jackson, KY.

Kilburn and McIntosh Family Files

Strong Family Papers

Margaret I. King Library Special Collections and Archives, University of Kentucky, Lexington, KY.

John Jay Dickey Diary, 1882-1933, Vols. 1-4. microfilm rolls 1-4)

The Kentucky State Gazetteer and Business Directory for 1879-1880. Microfilm reel #S92-68

Letters to the [Mt. Sterling, Kentucky] Sentinel-Democrat pertaining to the Rowan County Feud and other matters, 1885-1886.

Quicksand, Kentucky, Regular Baptist Church records, 1858-1898

Martin F. Schmidt Research Library and Special Collections, Kentucky Historical Society, Frankfort, KY.

Breathitt County Tax Books, 1843, 1861

Breathitt County Slave Schedule, 1841, 1860

Special Collections - Manuscripts & Photographs

Sixth Census of the United States, 1840: Aggregate value, and produce, and number of persons employed in Mines, Agriculture, Commerce, Manufactures, &c., exhibiting a full view of the pursuits, industry, and resources of the country, within the district of Kentucky.

Southern Historical Collection, Wilson Library, University of North Carolina, Chapel Hill, NC.

John Hunt Morgan Papers, 1840-1870; 1890.

Newspapers and Periodicals

Acts of the General Assembly of the Commonwealth of Kentucky

Adair County News

American Journal of Sociology

The American Missionary

American Review of Reviews

Appleton's Annual Cyclopaedia

Arthur's Home Magazine

Atlantic Monthly

The (Earlington, Kentucky) Bee

Berea Citizen

(Lexington) Blue-grass Blade

The Bookman: a Review of Books and Life

(Paris, Kentucky) Bourbon News

Breathitt County News

The Caledonian

Central Law Journal

Chicago Inter Ocean

Chicago (Daily) Tribune

Christian Observer

Christian Reflector

Cincinnati Commercial/Cincinnati Commercial-Tribune

Cincinnati Daily Gazette

Clay City Times

Cleveland Herald

Cyclopedic Review of Current History

Decatur (Illinois) Daily News

(Washington, DC) Evening Times

The Federal Reporter, Cases Argued and Determined in the Circuit Courts of Appeals and Circuit and District Courts of the United States

Frank Leslie's Popular Monthly

Harper's New Monthly Magazine

Harper's Weekly

Hartford Republican

Hazel Green Herald

Hopkinsville Kentuckian

The Independent

Jackson Hustler

Journal of the Royal Geographic Society

Kansas City Journal

Kentucky Law Reporter

Kentucky House Journals

Kentucky Reports: Reports of Civil and Criminal Cases Decided by the Court of Appeals

Kentucky Senate Journals

Kentucky (Tri-Weekly) Yeoman

Lancaster Central Record

Larue County Herald

Law Notes

Lawyers' Reports Annotated

Lexington Herald

Lexington Leader

Lexington Observer and Reporter

Lippincott's Magazine

The Living Age

Louisville Courier Journal

Louisville (Daily) Commercial

Louisville Daily Journal

Louisville Dispatch

Louisville Evening Post

Louisville Herald

Louisville Times

Kansas City Journal

The Missionary

Missionary Review of the World

(Barbourville, Kentucky) *Mountain Advocate*

Mount Vernon Signal

Munsey's Magazine

The Nation

National Geographic

New York Evangelist

New York Herald

New York Times

New York Tribune

Puck

The Quarterly Journal of Economics

Reports of the Civil and Criminal Cases decided by the Court of Appeals of Kentucky

Richmond (Kentucky) Climax

Savannah News

Scientific American

Scribner's

(Mt. Sterling, KY) *Sentinel Democrat*

(Stanford, Kentucky) *Semi-Weekly Interior Journal*

The Southwestern Reporter, Containing all the Current Decisions of the Supreme Courts of Missouri, Arkansas, and Tennessee, Court of Appeals of Kentucky, and Supreme Court, Court of Criminal Appeals, and Courts of Civil Appeals in Texas.
Supreme Court Reporter

St. Louis Daily Globe-Democrat

Supreme Court Reporter, Cases Argued and Determined in the United States Supreme Court

The Tribune Almanac and Political Register

US Congress

Washington Evening Post

Washington Post

Williamson (West Virginia) Daily News

Winchester News

Zion's Herald

Published Primary Sources

Acts of the General Assembly of the Commonwealth of Kentucky: passed at December Session, 1845. Frankfort: A.G. Hodges, State Printer, 1846.

Acts of the General Assembly of the Commonwealth of Kentucky, 1864. Frankfort: Wm. E. Hughes, State Printer, 1864.

Acts of the General Assembly of the Commonwealth of Kentucky, Vol. II, Regular Session, Begun 31 December, 1875. Frankfort: James A. Hodges, Public Printer, 1876.

Allen, James Lane. "Through Cumberland Gap on Horseback," *Harper's Magazine*, 73 (June, 1886): 50-66.

Allen, William B. *Kentucky Officer's Guide and Legal Hand-book : Especially Pointing Out the Powers and Duties of County Judges, County Attorneys, Magistrates.* Louisville, KY, 1860.

Allison, Young Ewing. *The City of Louisville and a Glimpse of Kentucky.* Louisville, KY: Courier-Journal Job Printing Company, 1887.

"The Amazing Progress of Temperance in Kentucky," *Harper's Weekly*, LIL.2672 (7 March, 1908): 23.

The American Library Annual, 1913. New York: Office of the Publisher's Weekly, 1913.

“An Elemental Hint,” *Puck*, 67.1729 (20 April, 1910): 5.

The Annals of the American Academy of Political and Social Science, XXV.1 (January, 1905).

Annual Report of the Auditor of Public Accounts of the State of Kentucky for the Fiscal Year Ending October 10, 1860. Frankfort, KY: Jno. B. Major, State Printer, 1861.

Annual Reports of the War Department for the Fiscal Year ending June 30, 1903: Vol. I, Reports of the Secretary of War, Chief of Staff, Adjutant-General, Inspector-General, and Judge-Advocate-General. Washington DC: Government Printing Office, 1903.

Area Redevelopment Act: Hearings Before a Subcommittee (No. 3) of the Committee on Banking and Currency, United States Senate (Eighty-Sixth Congress, First Session on S. 268, S. 722, and S. 1064). Washington DC: US Government Printing Office, 1959.

de Balzac, Honore, “La Vendetta, or, the Feud,” (translated by Mrs. F.A. Butler),” *United States Democratic Review*, 17.89 (November, 1845): 364-378.

Barton, William E., “The Church Militant in the Feud Belt,” *Century*, 75 (10 October, 1903): 351-352.

Beach, Rex. *The Net: A Novel*. New York and London: Harper & Brothers, 1912.

Biennial Report of the Bureau of Agriculture, Labor and Statistics of the State of Kentucky, 1900. Frankfort, KY: Office of the Bureau, 1900.

“Bloody Breathitt,” *Time*, (8 April, 1940): 19.

Brewer, E. Cobham. *The Historical Notebook with an Appendix of Battles*. London: Smith, Elder, & Co., 1891.

Buck, Charles Neville. *The Call of the Cumberlands*. Middlesex, TW: Echo Library, 2005 (originally published 1916).

Burnett, Alfred. *Incidents of the War: Humorous, Pathetic, and Descriptive*. Cincinnati: Rickey & Carroll, 1863.

Burton, Richard, “Journey to Medina, with Route from Tambu,” *Journal of the Royal Geographic Society*, 24, (1854): 208-225.

The Caledonian, 13. (1914): 67.

“Campaign Sketches No. 3, by an Officer of the US Signal Corps.,” *Arthur’s Home Magazine*, XXV.3 (March, 1865): 176-181.

Chandler, J.A.C. et al. *The South in the Building of the Nation: A History of the Southern States designed to Record the South's Part in the Making of the American Nation; to Portray the Character and Genius, to Chronicle the Achievements and Progress and to Illustrate the Life and Traditions of the Southern People*, Volume I. Richmond, VA: The Southern Historical Publication Society, 1909.

Coates, Harold. *Stories of Kentucky Feuds*. Knoxville: Holmes-Durst Coal Corporation, 1942.

Colby, Frank Moore (ed.), *The New International Year Book: A Compendium of the World's Progress for the Year 1910*. New York: Dodd, Mead and Company, 1911.

Colby, Frank Moore and Allen Churchill (eds.) *The New International Year Book: a Compendium of the World's Progress for the year 1909*. New York: Dodd, Mead and Company, 1910.

Connelly, Emma M. *The Story of Kentucky*. Boston: D. Lothrop Company, 1890.

Corrigan, John, "The Prohibition Wave in the South," *American Review of Reviews*, XXXVI (July-December, 1907): 328-334.

"Corsican Bandits, and Others," *The Living Age*, Sixth Series, Vol. XV (July-September, 1897): 267-273.

Craighead, James. *Scotch and Irish Seeds in American Soil: The Early History of the Scotch and Irish Churches, and their Relations to the Presbyterian Church of America*. Philadelphia: Presbyterian Board of Publication, 1878.

Crawford, T.C. *An American Vendetta: A Story of Barbarism in the United States*. New York: Bedford, Clarke and Company, 1889.

Caudill, Bernice Calmes. *Pioneers of Eastern Kentucky; Their Feuds and Settlements*. Danville, KY: Bluegrass Print Co., 1969.

Dacus, J.A. *Annals of the Great Strikes in the United States: A Reliable History and Graphic Description of the Causes and Thrilling Events of the Labor Strikes and Riots of 1877*. Chicago: L.T. Palmer & Co., 1877.

Davenport, Frederick Morgan. *Primitive Traits in Religious Revivals: A Study in Mental and Social Evolution*. New York: Macmillan, 1917.

Day, John F. *Bloody Ground*. New York: Doubleday, Doran and Company, 1941.

DeForest, John William. *Kate Beaumont*. Boston: James R. Osgood and Comp., 1872.

Description of a tract of timber, coal, and agricultural land, in Breathitt County, Kentucky, containing 67,000 acres, with reports on the same from the State Geologists of Kentucky, and others, with an abstract of title appended. For sale by J.W. Andrews. Urbana, Ohio: James F. Hearn, 1885.

“Discouraged,” *Puck*, 54.1385 (16 September, 1903): 12.

“Editorial Notes,” *The Missionary*, XXXIII.6 (June, 1890): 203-208.

Executive Documents of the House of Representatives for the Second Session of the Forty-Ninth Congress, 1886- '87. Washington DC: Government Printing Office, 1887.

“The Family Feud - A French Story,” *Harper's New Monthly Magazine*, Volume 6.36 (May, 1853): 796.

Fleming, Walter, Lynwood. *Documentary History of Reconstruction: Political, Military, Social, Religious, Educational & Industrial, 1865 to the Present Time*, Vol. II. Cleveland: The Arthur H. Clark Company, 1907.

Flood Control: Hearings before the Committee on Flood Control, House of Representatives, Seventieth Congress, First Session on the Control of the Destructive Flood Waters of the United States, January 5 to January 17, 1928; Part 4: The Mississippi River and its Tributaries. Washington DC: Government Printing Office, 1928.

Fox, Jr., John. *A Cumberland Vendetta.* New York: Grosset & Dunlap, 1900.

_____ *Blue-grass and Rhododendron; Outdoors in old Kentucky.* New York: Charles Scribner's Sons, 1901.

_____ *Christmas Eve on Lonesome and Other Stories.* New York: Charles Scribner's Sons, 1904.

_____ “On the Road to Hell-fer-Sartain,” *Scribner's*, XLVIII.3 (September, 1910): 350-361.

_____ *The Heart of the Hills.* New York: A.L. Burt and Company, 1912.

_____ *A Mountain Europa; A Cumberland Vendetta; The Last Stetson.* New York: Charles Scribner's Sons, 1912.

Frost, William G., “Our Contemporary Ancestors in the Southern Mountains,” *Atlantic Monthly*, 83 (March, 1899): 311-319.

Furman, Lucy. *Mothering on Perilous.* New York: The Macmillan Company, 1915.

- Frasier, William, "The Book of Carloverock," *Blackwood's Edinburgh Magazine*, CXV (January-June, 1874): 194-200.
- Gillies, Robert Pierce. *Palmario; or, The Merchant of Genoa*. London: T. & W. Boone, 1839.
- Gooch, Wilbur and Franklin J. Keller, "Breathitt County in the Southern Appalachians: Vocational Guidance in a Social Setting: The People and the Land," *Occupations*, 14. 9 (June, 1936): 1011-1110.
- Guerrant, William. *The Galax Gatherers: The Gospel among the Highlanders*. Richmond, VA: Onward Press, 1910.
- Haskel, Daniel and J. Calvin Smith. *A Complete Descriptive and Statistical Gazetteer of the United States of America, containing a particular Description of the States, Territories, Counties, Districts, Parishes, Cities, Towns, and Villages- Mountains, Rivers, Lakes, Canals and Railroads; with an abstract of the Census and Statistics for 1840, exhibiting a Complete View of the Agricultural, Commercial, Manufacturing, and Literary Condition and Resources of the Country*. New York: Sherman & Smith, 1843.
- Handy, Moses P. *The Official Directory of the World's Columbian Exposition, May 1st to October 30th, 1893*. Chicago: W.B. Conkey Company, 1893.
- Harder, Ludwig. *A Family Feud* (translated by Mrs. A.L. Wister). Philadelphia: J.B. Lippincott & Co., 1877.
- Harney, Will Wallace, "A Strange Land and a Peculiar People," *Lippincott's Magazine*, 12 (October, 1873): 429-438
- Harris, Meriel Daniel, "Two Famous Kentucky Feuds," (unpublished master's thesis, 1940).
- Hartley, Davis and Clifford Smyth, "The Land of Feuds: A Region of the United States in Which Bloodshed is a Pastime and Cruel and Cowardly Murder Goes Unpunished-The Terrible Story of the Seven Great Kentucky Feuds," *Munsey's Magazine*, 30 (November, 1903): 494-509.
- "Heathens in our own Country," *Christian Reflector*, 8.31 (31 July, 1845): 121.
- Hoffman, Charles Fenno. *A Winter in the West: By a New Yorker, in Two Volumes* (Vol. II). New York: Harper & Brothers, 1835.
- House Executive Document*. 11, 39th Congress, Session 1.
- Howard, O.O., "The Feuds in the Cumberland Mountains," *The Independent*, 56 (7 April, 1904): 783-788.

Hubbard, Elbert, Felix Shay (eds.), East Aurora, Pig-Pen,” *The Fra: for Philistines and Roycrofters*, 14.2 (1914-1915): xxiv-li.

Hughes, R.E., F.W. Shaefer and E.L. Williams. *The Kentucky Campaign; or the Law, the Ballot and the People in the Goebel-Taylor Contest*. Cincinnati: R. Clark Company, 1900.

Hundley, D.R. *Social Relations in Our Southern States*. New York: Henry B. Price, 1860.

“Jackson, in the Kentucky Mountains; and its New School Buildings,” *Christian Observer*, 1.41 (13 October, 1897).

Jett, Curtis. *From Prison to Pulpit: Life of Curtis Jett*. Louisville: Pentecostal Publishing, 1919.

Johnson, Alfred S. (ed.), *Cyclopedic Review of Current History*. 10 (1900).

Johnson, E. Polk. *A History of Kentucky and Kentuckians: The Leaders and Representative Men in Commerce, Industry and Modern Activities*. Chicago: Lewis Publishing Company, 1912.

Johnson, Lewis Franklin. *Famous Kentucky Tragedies and Trials*. Louisville, KY: Baldwin Law Book Company, Inc., 1916.

Johnston, J. Stoddard, “Romance and Tragedy of Kentucky Feuds, as Seen by a Writer More Than Half Century Ago,” *Cosmopolitan*, XXVII (September, 1899).

Jutkins A.J. *Handbook of Prohibition, 1885*. Chicago: 87 Washington Street, 1885.

Kentucky Adjutant General’s Report: Confederate Kentucky Volunteers, 1861-1865. Frankfort, KY: The State Journal Company, 1915.

Kentucky, Constitutional Convention, *Official Report of the Proceedings and Debates in the Convention: Assembled at Frankfort, on the Eighth Day of September, 1890, to Adopt, Amend, or Change the Constitution of the State of Kentucky*, (Frankfort: E. Polk Johnson, 1890).

“Kentucky’s Feuds,” *Public Opinion*, (29 June, 1899): 259.

“Kentucky Feudalism,” *Time*, XXIX.18 (3 May, 1937): 13-14.

“Kentucky’s Political Anarchy,” *Harper’s Weekly*, 10 February, 1900): 126-127.

“Kentucky Tobacco War,” *Christian Observer*, 96.8 (19 February, 1908).

The Kentucky Union Railway Company. Lexington: Court House Square, Corner Cheapside and Main St., 1883.

King, Edward. *The Great South: A Record of Journeys in Louisiana, Texas, the Indian Territory, Missouri, Arkansas, Mississippi, Alabama, Georgia, Florida, South Carolina, North Carolina, Kentucky, Tennessee, Virginia, West Virginia, and Maryland*. American Publishing Comp., 1875.

Levin, H. (ed.), *The Lawyers and Lawmakers of Kentucky*. Chicago: The Lewis Publishing Company, 1897.

Linner, Edward S., "The Human Side of Jim Hargis," *Harper's Weekly* (29 February, 1908): 21.

Lord, Daniel. *The Effect of Secession upon the Commercial Relations between the North and South and upon Each Section*. London: Henry Stevens, 1861.

Lindley, Betty and Ernest Lindley. *A New Deal for Youth; the Story of the National Youth Administration*. New York: Viking Press, 1938.

Litsey, E. Carl, "Kentucky Feuds and their Causes," *Frank Leslie's Popular Monthly*, LIII.3 (January, 1902): 283-292.

Lydston, George Frank. *The Diseases of Society (The Vice and Crime Problem)*. Philadelphia and London: J.B. Lippincott Company, 1904.

Manual of the Railroads of the United States. New York: H.V. & H.W. Poor, 1889.

MacClintock, S.S., "The Kentucky Mountains and their Feuds: I. The People and Their Country," *American Journal of Sociology*, 7.1 (July, 1901): 1-28.

_____ "The Kentucky Mountains and Their Feuds: II. The Causes of Feuds," *American Journal of Sociology*, 7.2 (September, 1901): 171-187.

MacFarlane, James. *Coal-Regions of America: Their Topography, Geology, and Development (with a colored geological map of Pennsylvania, a railroad map of all the coal-regions, and numerous other maps and illustrations)*. New York: D.Appleton and Company, 1875.

Martin, E.S., "This Busy World," *Harper's Weekly*, XLIII.2223 (29 July, 1899): 737-738.

Marcosson, Isaac F., "The South in Fiction," *The Bookman: a Review of Books and Life*, 32.4 (December, 1910): 360-370.

Matthews, Brinsley and William Simpson Pearson. *Mōnon Ou: Or, Well-nigh Reconstructed. A Political Novel*. E.J. Hale and Son, 1882.

- McAfee, John J. *Kentucky Politicians: Sketches of Representative Corn-Crackers and Other Miscellany*. Louisville, KY: Courier-Journal Job Printing Company, 1886.
- McClure, R.L., "The Mazes of a Kentucky Feud," *The Independent*, 5 (17 September, 1903): 316-317.
- McKee, James L., "Invading the Kentucky Mountains," *New York Evangelist*, 59.41 (11 Oct, 1888).
- McKinney, William M. and H. Noyes Greene (eds.) *Annotated Cases, American and English*. (San Francisco: Bancroft-Whitney Company, 1917.
- Miller, Arthur M., "The Vote on the Evolution Bill in the Kentucky State Legislature," *Science, New Series*, 55.1421 (March, 1922): 316-317.
- Moore, Frank and Edward Everett (eds.), *The Rebellion Record: A Diary of American Events, Vol. III*. New York: G.P. Putnam, 1862.
- Mutzenburg, Charles Gustavus. *Kentucky's Famous Feuds and Tragedies; Authentic History of the World Renowned Vendettas of the Dark and Bloody Ground*. New York: R.F. Fenno and Company, 1917.
- Myers, Mrs. A.A., "The Mountain Whites of the South—Extracts," *The American Missionary*, 39. 1 (January, 1885): 18-20.
- National Geographic*, 6, (14 February, 1894): 632.
- Nelson, Henry Loomis, "The Kentucky 'Boss's' Desperate Campaign," *Harper's Weekly*, 23 (October, 1899): 1083.
- Ninth Report of the Railroad Commissioners of Kentucky. For the Year 1888*. Frankfort, KY: Capital Office, E. Polk Johnson, 1889.
- Official Congressional Directory, 61st Congress 2nd Session, for the Use of the United States Congress*. Washington DC: Government Printing Office, 1910.
- Official Proceedings of the St. Louis Railroad Club, Vols. 30-31, (1925/1927)*.
- Ogden, Robert C. et al (eds.) *From Servitude to Service: Being the Old South Lectures on the History and Work of Southern Institutions for the Education of the Negro*. Boston: American Unitarian Association, 1905.
- Owen, David Dale. *Fourth Report of the Kentucky Geological and Louisiana State University Survey in Kentucky made During the Years 1858 and 1859*. Frankfort: J.B. Major, State Printer, 1861.

Payne, Jr., James W., "The Hillman Case. An Old Problem Revisited," *Virginia Law Review*, 41.8 (December, 1955): 1011-1058.

Powers, Caleb. *My Own Story: an account of the conditions in Kentucky leading to the assassination of William Goebel, who was declared governor of the state, and my indictment and conviction on the charge of complicity in his murder.* Indianapolis, The Bobbs-Merrill Company, 1905.

Perrin, William Henry, J. H. Battle, G. C. Kniffin. *Kentucky: A History of the State, Embracing a Concise Account of the Origin and Development of the Virginia Colony; Its Expansion Westward, and the Settlement of the Frontier Beyond the Alleghanies; the Erection of Kentucky as an Independent State, and Its Subsequent Development.* Louisville and Chicago: F.A. Battey and Comp., 1888.

Pierce, John Ed. *Days of Darkness: The Feuds of Eastern Kentucky.* Lexington: University Press of Kentucky, 1994.

Pilcher, Louis. *The Story of Jackson City (Breathitt County) the inspiration of the New Kentucky.* Lexington, KY: Beckner Printing Company, 1914.

Price, William T. *Without Scrip or Purse or, "The Mountain Evangelist," George O. Barnes.* Louisville: W.T. Price: 1883.

Proceedings of the Eighth Annual Conference for Education in the South, Columbia, South Carolina, April 26-28, 1905. Atlanta: Massey Reporting Comp., 1905.

Proceedings of the Twenty-Fifth Constitutional Convention of the United Mine Workers. I (1909).

Redfield, Horace V. *Homicide, North and South: Being a Comparative View of Crime Against the Person in Several Parts of the United States.* Philadelphia: J.B. Lippincott & Co., 1880.

Register of Debates in Congress, First Session, Twenty Fourth Congress, XII (31 March, 1836).

Report of the Debates and Proceedings of the Convention for the Revision of the Constitution of the State of Kentucky, 1849.

Report of the Debates and Proceedings of the Convention for the Revision of the Constitution of the State of Kentucky, 1849. Frankfort, KY: A.G. Hodges & Company, 1849.

Rolt-Wheeler, Francis. *The Boy with the U.S. Census.* Boston: Lothrop, Lee & Shepard Co., 1911.

- Scott, Bart, Sir Walter. *Tales of a Grandfather*. Edinburgh: Adam & Charles Black, 1868.
- Spears, John R., "The Story of a Kentucky Feud," *Munsey's Magazine*, 24 (June, 1901): 494-509.
- Sturber, D.I. *The Anarchist Constitution*. San Francisco: Radical Publishing Company, 1903.
- Sumner, Charles. *Charles Sumner: His Complete Works*. Boston: Lee and Shepard: 1900.
- Tarleton, Fiswoode. *Bloody Ground: A Cycle of the Southern Hills*. New York: Lincoln Mac Veagh-the Dial Press, 1929.
- Testimony Taken by the Joint Select Committee to Inquire into the Condition of Affairs in the Late Insurrectionary States: South Carolina, Vol. II*. Washington DC: Government Printing Office, 1872.
- "The Timber Boom," *Scientific American*, LXXII.18 (4 May, 1895): 33-48.
- Triplett, Frank. *History, Romance and Philosophy of Great American Crimes and Criminals (with personal portraits, biographical sketches, legal notes of celebrated trials, and philosophical disquisition concerning the causes, prevalence and prevention of crime)*. New York, St. Louis: N.D. Thompson & Co., 1884.
- Twain, Mark. *Life on the Mississippi*. New York: Penguin Classics, 1984.
- U.S. Department of Agriculture Office of Experiment Stations. *Organization Lists of the Agricultural Experimental Stations and Institutions with Courses in Agriculture in the United States*. Washington DC: Government Printing Office, 1897.
- U.S. War Department. *Official Army Register of the Volunteer Force of the United States Army for the Years 1861, '62, '63, '64, '65, Part IV*. Washington DC: Government Printing Office, 1865.
- United States Congressional Serial Set*. Washington DC: United States Government Printing Office, 1889.
- Vanatta, Hugh R.V., "On the Trail of a Mystery," *The Argosy*, XXXII.1 (December, 1899): 1-62.
- Vincent, George E., "A Retarded Frontier," *American Journal of Sociology*, 4 (July, 1898): 1-20.

The War of the Rebellion: A Compilation of the Official Records of the Union and Confederate Armies. Washington: Government Printing Office, 1880-1901.

Warner, Charles Dudley, "Comments on Kentucky," *Harper's New Monthly Magazine*, 78.464 (January, 1889): 255-271.

_____. *Studies in the South and West with Comments on Canada.* New York: Harper & Brothers, Franklin Square, 1889.

Wells, Charles C. (ed.), *1890 Special Veterans' Census for Eastern Kentucky* (Baltimore: Gateway Press, 2000).

Westengard, Jens Iverson with Joseph H. Beale, Porter E. Sargent, a Siamese Student and John Raeburn Green, "International Tribunals in the Light of the History of the Law," *Harvard Law Review*, XXXII (1918-1919): 825-834.

Wheatley, R., "Correspondence: Religious and Civil Matters in Kentucky," *Zion's Herald*, 52.4 (28 January, 1875).

White, Alfred Ludlow, "A Provincial Family Feud," *Short Stories: A Magazine of Select Fiction*, 9 (January-April, 1892): 1-6.

Wilson, Jess. *A Latter Day Look at Kentucky Feuds.* Manchester, KY: Possum Trot University Press, 1999.

Wilson, John Lyde. *The Code of Honor, or, Rules for the Government of Principals and Seconds in Duelling.* Charleston: J. Phinney, 1858.

Wireman, Charles L. *Kentucky Mountain Outlaw Transformed.* Intercession City, FL: Intercession Press, 1950.

The World To-Day: A Monthly Record of Human Progress, V (1903): 966.

Wright, Marcus J. *Diary of Brigadier-General Marcus J. Wright, C.S.A.: April 23, 1861 - February 26, 1863.* Chapel Hill, NC: Academic Affairs Library, University of North Carolina at Chapel Hill, 1998.

Secondary Sources

Articles and Presented Research

Almond, Gabriel A. "Comparative Political Systems," *Journal of Politics*, 18.3 (August, 1956): 391-409.

Anglin, Mary K., "A Question of Loyalty: National and Regional Identity in Narratives of Appalachia," *Anthropological Quarterly*, 65.3, Negotiating Identity in Southeastern U.S. Uplands (July, 1992): 105-116.

Aron, Stephen, "Pioneers and Profiteers: Land Speculation and the Homestead Ethic I Frontier Kentucky," *The Western Historical Quarterly*, 23.2 (May, 1992): 179-198.

Arnold, Thomas Clay, "Rethinking Moral Economy," *The American Political Science Review*, 95.1 (March, 2001): 85-95.

Auman, William T. and David D. Scarboro, "The Heroes of America in Civil War North Carolina," *North Carolina Historical Review*, 58 (October, 1981): 327-363.

Banks, Alan, "The Emergence of a Capitalistic Labor Market in Eastern Kentucky" *Appalachian Journal* 7.3 (Spring, 1980): 188-199.

Barnett, Todd H., "Virginians Moving West: The Early Evolution of Slavery in the Bluegrass," *Filson Club Historical Quarterly*, 73.3 (Fall, 1999): 221-248.

Batteau, Alan, "Mosbys and Broomsedge: The Semantics of Class in Appalachian Kinship Systems," *American Ethnologist*, 9.3 (August, 1982): 445-466.

Bearman, Peter S., "Desertion as Localism: Army Unit Solidarity and Group Norms in the U.S. Civil War," *Social Forces*, 70.2 (December, 1991): 321-342.

Birchfield, Martha J., "Beckham County: A Political Folly," *Filson Club Historical Quarterly*, 64.1 (Winter, 1990): 60-70.

Brown, Thomas J., "The Roots of Bluegrass Insurgency: An Analysis of the Populist Movement in Kentucky," *The Register of the Kentucky Historical Society*, 78.3 (Summer, 1980): 219-242.

Bull, Jacqueline, "Writings on Kentucky History, 1958," *The Register of the Kentucky Historical Society*, 58.3 (July, 1960): 224-246.

Clark, Thomas D., "The People, William Goebel, and the Kentucky Railroads," *The Journal of Southern History*, 5.1 (February, 1939): 34-48.

Connelly, Thomas, "Neo-Confederatism or Power Vacuum: Post War Kentucky Politics Reappraised," *The Register of the Kentucky Historical Society*, 64 (October, 1966): 257-269.

Conti, Jr., Eugene A., "The Cultural Role of Local Elites in the Kentucky Mountains: A Retrospective Analysis," *Appalachian Journal*, 7, Nos. 1-2 (Autumn/Winter, 1979-1980): 51-68.

Copeland, James E., "Where Were the Kentucky Unionists and Secessionists?" *The Register of the Kentucky Historical Society*, Volume 71.4 (October, 1973): 344-363.

Cornell, Saul, "Aristocracy Assailed: The Ideology of Backcountry Anti-Federalism," *The Journal of American History* 7.4 (March 1990): 39-73.

Coulter, E. Merton, "Early Frontier Democracy in the First Kentucky Constitution," *Political Science Quarterly*, 39.4 (December, 1924): 665-677.

Crane, J. Michael, "'The Rebels are Bold, Defiant, and Unscrupulous in their Dementions of All Men': Social Violence in Daviess County, Kentucky, 1861-1868," *Ohio Valley History*, 2.1 (Spring, 2002): 17-29.

Daniel, Michelle, "From Blood Feud to Jury System: The Metamorphosis of Cherokee Law from 1750 to 1840," *American Indian Quarterly*, 11.2 (Spring, 1987): 97-125.

Dobson, E.J., "The Word *Feud*," *The Review of English Studies*, 7.25 (January, 1956): 52-54.

Dupre, Daniel, "Barbecues and Pledges: Electioneering and the Rise of Democratic Politics in Antebellum Alabama," *The Journal of Southern History*, 60.3 (August, 1994): 479-512.

_____, "Ambivalent Capitalists on the Cotton Frontier: Settlement and Development in the Tennessee Valley of Alabama," *The Journal of Southern History*, 56.2 (May, 1990): 215-240.

Durrill, Wayne K., "Political Legitimacy and Local Courts: 'Politicks at such a rage' in a Southern Community during Reconstruction," *Journal of Southern History* 70 (August, 2004): 577-602.

Eckstein, Harry, "A Culturalist Theory of Political Change," *American Political Science Review*, 82.3. (September, 1988): 789-804.

Ellis, William E., "The Bingham Family: From the Old South to the New South and Beyond," *Filson Club Historical Quarterly*, 61.1 (January, 1987): 5-33.

- Foner, Eric, "The Education of Richard Hofstadter." *The Nation*, Volume 254.17 (4 May, 1992): 597-603.
- Ford, Lacy, review of *Feud: Hatfields, McCoys, and Social Change in Appalachia, 1860-1900*, *The Journal of Southern History*, 55.4 (November, 1989): 725-726.
- Formisano, Ronald P., "The Concept of Political Culture," *Journal of Interdisciplinary History*, 31.3 (Winter, 2001): 393-426.
- Gates, Paul W., "Tenants of the Log Cabin," *The Mississippi Valley Historical Quarterly*, 49.1 (June, 1962): 3-31.
- Gorn, Elliot J., "'Gouge and Bite, Pull Hair and Scratch': the Social Significance of Fighting in the Southern Backcountry," *The American Historical Review* 90. 1 (February 1985): 18-32.
- Grutzpalk, Jonas, "Blood Feud and Modernity: Max Weber's and Emile Durkheim's Theories," *Journal of Classical Sociology*, 2.2 (2002): 115-134.
- Gudridge, Patrick O., "Privileges and Permissions: The Civil Rights Act of 1875," *Law and Philosophy*, 8.1, (April, 1989): 83-130.
- Hahn, Steven, "Hunting, Fishing and Foraging: Common Rights and Class Relations in the Postbellum South," *Radical History Review*, 26 (October, 1982): 37-64.
- Hall, Betty and Richard Heckman, "Berea College and the Day Law," *The Register of the Kentucky Historical Society*, 66.1 (January, 1968): 35-52.
- Henry, Mellinger E., "Ballads and Songs of the Southern Highlands," *American Folklore*, 42.165 (July-September, 1929): 254-300.
- Holmes, William F., "Moonshining and Collective Violence, 1889-1895," *Journey of American History*, 67.3 (December, 1980): 589-611.
- Hood, James Larry, "For the Union: Kentucky's Unconditional Unionist Congressmen and the Development of the Republican Party in Kentucky, 1863-1865," *The Register of the Kentucky Historical Society*, 76.3 (July, 1978): 197-215.
- Hower, James C., "'Uncertain and Treacherous': the Cannel Coal Industry in Kentucky," *Nonrenewable Resources*, 4.4 (Winter, 1995): 310-324.
- Ireland, Robert, "The Place of the Justice of the Peace in the Legislature and Party System of Kentucky, 1792-1850," *The American Journal of Legal History*, XIII.3 (1969): 202-222.

_____. "Aristocrats All: The Politics of County Government in Ante-bellum Kentucky," *The Review of Politics*, 32.3 (July, 1970): 365-383.

_____. "Homicide in Nineteenth Century Kentucky," *Register of the Kentucky Historical Society*, 81.2 (Spring, 1983): 134-153.

Kash, Kelly, "Feud Days in Breathitt County," *Filson Club Historical Quarterly*, 28.4 (October, 1954):

Klotter, James C., "Feuds in Appalachia: an Overview," *Filson Club Historical Quarterly*, 56 (July, 1982): 290-317.

_____. "The Back South and White Appalachia," *Journal of American History*, 66.2 (March, 1980): 832-849.

Lloyd, A.L., "A Background to Feuding," *History Today*, II.7 (July, 1952): 451-457.

Mann, Ralph, "Mountain, Land, and Kin Networks: Burkes Garden, Virginia, in the 1840s and 1850s," *The Journal of Southern History*, 58.3 (August, 1992): 411-434.

Mathias, Frank, "Kentucky's Third Constitution: A Restriction of Majority Rule," *The Register of the Kentucky Historical Society* 75.1 (Winter, 1977):

Mathias, Frank F. and Jasper B. Shannon, "Gubernatorial Politics in Kentucky," *The Register of the Kentucky Historical Society*, Volume 88.3 (Summer, 1990): 245-277.

McClintock, Anne, "Family Feuds: Gender, Nationalism and the Family," *Feminist Review* No. 44 (Summer, 1993): 61-79.

McPherson, James M., "Abolitionists and the Civil Rights Act of 1875," *The Journal of American History*, 52.3 (December, 1965): 493-510.

Nelson, Paul David, "Experiment in Interracial Education at Berea College, 1858-1908," *The Journal of Negro History*, 59.1 (January, 1974): 13-27.

Noe, Kenneth W., "Red String Scare: Civil War Southwest Virginia and the Heroes of America," *The North Carolina Historical Review* LXIX (July, 1992): 301-322.

Oliver, Stuart, "The Thames Embankment and the Disciplining of Nature in Modernity," *The Geographical Journal*, 166.3. (September 2000): 227-238.

Otto, John Solomon, "The Decline of Forest Farming in Southern Appalachia," *Journal of Forest History*, 27.1 (January, 1983): pp. 21-22.

Peluso, Nancy Lee and Peter Vandergeest, "Genealogies of the Political Forest and Customary Rights in Indonesia, Malaysia, and Thailand," *The Journal of Asian Studies* 60.3 (August 2001): 761-812.

Picht, Douglas R., "The American Squatter and Federal Land Policy," *Journal of the West*, 14.3 (Summer, 1975): 72-83.

Ramage, James A., "The Green River Pioneers: Squatters, Soldiers, and Speculators," *The Register of the Kentucky Historical Society*, 75.3 (Fall, 1977): 171-190.

Rhyne, J. Michael, "'We are Mobed and Beat': Regulator Violence Against Free Black Households in Kentucky's Bluegrass Region, 1865-1867," *Ohio Valley History*, 2.1 (Spring, 2002): 319-340.

Robbins, Roy M., "Preemption- A Frontier Triumph," *Mississippi Valley Historical Review*, 18.3 (December, 1931): 331-349.

Rockenbach, Stephen, "'The Weeds and the Flowers are Closely Mixed': Allegiance, Law, and White Supremacy in Kentucky's Bluegrass Region, 1861-1865," paper presented at the Southern Historical Association, Atlanta, Georgia, 4 November, 2005.

Scott, James C., "Corruption, Machine Politics and Political Change," *The American Political Science Review*, 63.4 (December, 1969): 1142-1159.

Semple, Ellen Churchill, "The Anglo-Saxons of the Kentucky Mountains: A Study in Anthropogeography," *Bulletin of the American Geographical Society*, 42.8. (August, 1910): 588-623.

Snay, Mitchell, "Freedom and Progress: The Dilemma of Southern Republican Thought during Radical Reconstruction," *American Nineteenth Century History*, 5.1 (Spring, 2004): 100-114.

Stephenson, W.W., "Necrology," *The Register of the Kentucky Historical Society*, 12.34 (January, 1914):

Sprague, Stuart Seely, "The Kentucky Pocket Plantation: Sources and Research Strategies, Mason County as a Case Study," *Filson Club Historical Quarterly*, 71.1 (January, 1997): 69-86.

Storey, Margaret M., "'I'd Rather Go To Hell': White Unionists, Slaves, and Federal Counter-Insurgency in Civil War Alabama," *North & South*, 7.6 (October, 2004): 70-82.

Summers, Mark Wahlgren, "Party Games: The Art of Stealing Elections in the Late-Nineteenth-Century United States," *JAH*, 8.2 (September, 2001): 424-435.

Svensson, Patrick, "Peasants and Entrepreneurship in the Nineteenth-Century Agricultural Transformation of Sweden," *Social Science History*, 30.3 (Fall, 2006): 387-430.

Thompson, E.P., "The Moral Economy of the English Crowd in the Eighteenth Century," *Past and Present* .50 (February, 1971): 76-136.

Turner, Wallace B., "Kentucky Politics in the 1850's," *The Register of the Kentucky Historical Society*, 56.2 (April, 1958):

Waldrep, Christopher, "The Making of a Border State Society: James McGready, the Great Revival, and the Prosecution of Profanity in Kentucky," *The American Historical Review*, 99.3 (June, 1994): 767-784.

_____, "Rank and File Voters and the Coming of the Civil War: Caldwell County, Kentucky as Test Case," *Civil War History*, 35.1 (March, 1989): 59-72.

Waldstreicher, David, "Rites of Rebellion, Rites of Assent: Celebrations, Print Culture, and the Origins of American Nationalism," *Journal of American History* 82.1 (June 1995): 37-61.

Walpole, Matthew, "The Closing of the Open Range in Watauga County, N.C.," *Appalachian Journal* 16.4 (1989): 320-335.

Bill L. Weaver, "Louisville's Labor Disturbance, July, 1877," *Filson Club Historical Quarterly*, 48.2 (April, 1974): 177-186.

Webb, Samuel, "From Independents to Populists to Progressive Republicans: the Case of Chilton County, Alabama, 1880-1920," *The Journal of Southern History*, 59.4 (November, 1993): 707-736.

Wickham-Crowley, Timothy P., "Terror and Guerrilla Warfare in Latin America, 1956-1970," *Comparative Studies in Society and History*, 32.2, (April, 1990): 201-237.

Woodson, Mary Willis, "My Recollections of Frankfort," *The Register of the Kentucky Historical Society*, 61.3 (July, 1963):

Wormald, Jenny, "Bloodfeud, Kindred and Government in Early Modern Scotland," *Past and Present*, 87 (May, 1980): 54-97.

Wyatt-Brown, Bertram, "The Civil Rights Act of 1875," *Western Historical Quarterly*, 18.4 (December, 1965): 763-775.

"Yesterday's News," *The Register of the Kentucky Historical Society*, 95.3 (Summer, 1997): 236.

Books, Dissertations and Theses

- America at the Polls: a Handbook of American Presidential Election Statistics.* Washington, D.C.: Congressional Quarterly, 1920-1956.
- Anderson, Stuart. *Race and Rapprochement: Anglo-Saxonism and Anglo-American Relations.* East Brunswick, NJ, 1981.
- Alexander, Jeffrey C. *The Cambridge Companion to Durkheim.* Cambridge and New York: Cambridge University Press, 2005.
- Almond, Gabriel and Sidney Verba. *The Civic Culture: Political Attitudes and Democracy in Five Nations.* Princeton, NJ: Princeton University Press, 1963.
- Apel, Dora. *Imagery of Lynching: Black Men, White Women and the Mob.* New Brunswick and London: Rutgers University Press, 2004.
- Apter, David (ed.), *The Legitimization of Violence.* (Chipenham and Wiltshire: Antony Rowe, Ltd., 1997.
- Arendt, Hannah. *On Violence.* New York: Harcourt, Brace and World, 1970
- Aron, Stephen. *How the West was Lost: the Transformation of Kentucky from Daniel Boone to Henry Clay.* Baltimore: Johns Hopkins University Press, 1996.
- Ash, Stephen. *When the Yankees Came: Conflict and Chaos in the Occupied South, 1861-1865.* Chapel Hill: University of North Carolina Press, 1995.
- Ayers, Edward. *The Promise of the New South: Life After Reconstruction* (15th Anniversary Edition).Oxford: Oxford University Press, 2007.
- _____. *Vengeance and Justice: Crime and Punishment in the 19th-Century American South.* Oxford: Oxford University Press, 1984.
- Bailey, Rebecca J. *Matewan Before the Massacre: Politics and Coal, the Roots of Conflict in Mingo County, 1793-1920.* Charleston: West Virginia Press, 2008.
- Baird, Nancy Disher. *Luke Pryor Blackburn: Physician, Governor, Reformer.* Lexington: University Press of Kentucky, 1979.
- Baker, Bruce E. *This Mob Will Surely Take My Life: Lynchings in the Carolinas, 1871-1947.* London: Hambledon Continuum, 2009.

Baldasty, Gerald J. *The Commercialization of News in the Nineteenth Century*. Madison: University of Wisconsin Press, 1992.

Bar On, Bat-Ami. *The Subject of Violence: Arendtian Exercises in Understanding*. Lanham, Boulder, New York and Oxford: Rowman & Littlefield Publ., 2002.

Barnes, Kenneth. *Who Killed John Clayton?: Political Violence and the Emergence of the New South, 1861-1893*. Durham and London: Duke University Press, 1998.

Barney, William. *The Road to Secession; A New Perspective on the Old South*. New York: Praeger Press, 1972.

Batteau, Alan. *The Invention of Appalachia*. Tucson: The University of Arizona Press, 1990.

Baudrillard, Jean. *The Transparency of Evil: Essays on Extreme Phenomena* (translated by James Benedict). New York and London: Verso, 1993.

Bayoumi, Moustafa and Andrew Rubin (eds.), *The Edward Said Reader*. New York: Vintage Books, 2000.

Beardsworth, Richard. *Derrida and the Political*. New York: Routledge, 1996.

Bederman, Gail. *Manliness and Civilization: A Cultural History of Gender and Race in the United State, 1880-1917*. Chicago: University of Chicago Press, 1995.

Beeman, Richard, Stephen Botein and Edward C. Carter (eds.) *Beyond Confederation: Origins of the Constitution and American National Identity*. Chapel Hill: University of North Carolina Press, 1987.

Bensel, Richard Frank. *Yankee Leviathan: The Origins of Central State Authority in America, 1859-1877*. Cambridge, UK: Cambridge University Press, 1990.

Berkeley, Bill. *The Graves Are Not Yet Full: Race, Tribe, and Power in the Heart of Africa*. New York: Basic Books, 2001.

Billings, Dwight and Kathleen Blee. *The Road to Poverty: The Making of Wealth and Hardship in Appalachia*. Cambridge: Cambridge University Press, 2000.

Billings, Dwight, Gurney Norman and Katherine Ledford (eds.). *Confronting Appalachian Stereotypes: Backtalk from an American Region*. Lexington: The University Press of Kentucky, 1999.

Blakey, George T. *Hard Times and New Deal in Kentucky, 1929-1939*. Lexington: University Press of Kentucky, 1986.

- Blanchard, Margaret A. *Revolutionary Sparks: Freedom of Expression in Modern America*. New York and Oxford: Oxford University Press, 1992.
- Bland, Gaye, "Populism in Kentucky, 1887-1896," (unpublished dissertation, University of Kentucky, 1979).
- Blaustein, Richard. *The Thistle and the Brier: Historical Links and Cultural Parallels Between Scotland and Appalachia*. Jefferson, NC: McFarland Press, 2003.
- Blight, David. *Race and Reunion: The Civil War in American Memory*. Cambridge, MA: Harvard University Press, 2002.
- Blok, Anton. *Honour and Violence*. Cambridge: Polity Press, 2001.
- Boehm, Christopher. *Blood Revenge: The Anthropology of Feuding in Montenegro and Other Tribal Societies*. Lawrence, KS: University Press of Kansas, 1984.
- Boje, Thomas P., Bart van Steenbergen and Sylvia Walby (eds.), *European Societies: Fusion or Fission?* New York and London: Routledge, 1999.
- Bolton, Charles. *Territorial Ambition: Land and Society in Arkansas, 1800-1840*. Fayetteville: University of Arkansas Press, 1993.
- Brandt, Nat. *The Town that Started the Civil War*. Syracuse, NY: Syracuse University Press, 1990.
- Brantlinger, Patrick. *Dark Vanishings: Discourse on the Extinction of Primitive Races*. Ithaca and London: Cornell University Press, 2003.
- Brown, James S. *Beech Creek: A Study of a Kentucky Mountain Neighborhood*. Berea, KY: Berea College Press, 1988.
- Brown, Richard Maxwell. *Strain of Violence: Historical Studies of American Violence and Vigilantism*. Oxford: Oxford University Press, 1975.
- Brown, Warren and Piotr Górecki. *Conflict in Medieval Europe: Changing Perspectives on Society and Culture*. Burlington, VT: Ashgate, 2003.
- Brundage, W. Fitzhugh. *Lynching in the New South: Georgia and Virginia, 1880-1930*. Urbana: University of Illinois Press, 1993.
- Buck, Pem Davidson. *Worked to the Bone: Race, Class, Power, and Privilege in Kentucky*. New York: Monthly Review Press, 2001.

Burton, Orville Vernon. *In My Father's House are Many Mansions: Family and Community in Edgefield, South Carolina*. Chapel Hill and London: University of North Carolina Press, 1987.

Burton, Orville Vernon and Robert McMath, Jr. (eds.), *Class, Conflict and Consensus: Antebellum Southern Community Studies*. Westport and London: Greenwood Press, 1982.

Campbell, John C. *The Southern Highlander and his Homeland*. New York: Russell Sage Foundation, 1921.

Campbell, Tracy. Tracy Campbell. *The Politics of Despair: Power and Resistance in the Tobacco Wars*. Lexington: University Press of Kentucky, 2005.

_____. *Deliver the Vote: A History of Election Fraud, an American Political Tradition, 1742-2004*. New York: Carroll and Graf Publishers, 2006.

Carman, Harry James. *Social and Economic History of the United States*. (New York: Johnson Reprint Corp., 1968.

Carter, Dan T. *When the War was Over: The Failure of Self-Reconstruction in the South, 1865-1867*. Baton Rouge and London: Louisiana State University Press, 1985

Cash, W.J. *The Mind of the South*. New York: Vintage Books, 1969

Caudill, Harry. *Their's Be the Power: The Moguls of Eastern Kentucky*. University of Illinois Press, 1983.

Chaliand, Gerard and Arnaud Blin (eds.) *The History of Terrorism from Antiquity to Al Qaeda* (translated by Edward Schneider, Kathryn Pulver and Jesse Browner). Berkeley: University of California Press, 2007.

Chapman, Conrad Wise. *Ten Months in the "Orphan Brigade": Conrad Wise Chapman's Civil War Memoir*. Kent, Ohio: Kent State University Press, 1999.

Chesham, Sallie. *Born to Battle: The Salvation Army in America*. Chicago: Rand-McNally, 1965.

Ching, Barbara and Gerald W. Creed, *Knowing Your Place: Rural Identity and Cultural Hierarchy*. New York: Routledge, 1997.

Clark, Thomas. *Kentucky, Land of Contrast*. New York, Harper & Row, 1968.

_____. *My Century in History: Memoirs*. Lexington: University Press of Kentucky, 2006.

Clements, J. Reginald. *History of the First Regiment of Infantry: the Louisville Legion and Other Military Organizations*. Louisville: Globe Printing Comp., 1907.

Cole, Stephanie, Alison Marie Parker, Laura F. Edwards (eds.) *Beyond Black & White: Race, Ethnicity, and Gender in the U.S. South and Southwest*. College Station, TX: Texas A&M Press, 2004.

Collins, Ernest, "Political Behavior in Breathitt, Knott, Perry and Leslie Counties," (unpublished master's thesis, University of Kentucky, 1940).

Combs, Joseph Henry. *Folk-songs du Midi des États-Unis*. Paris: Les Presses Univeritaires de France, 1925.

Combs, Joseph Henry and Hubert G. Shearin. *Syllabus of Kentucky Folk-Songs*. Lexington, KY: Transylvania Printing Company, 1911.

Conti, Jr., Eugene A., "Mountain Metamorphoses: Culture and Development in East Kentucky," (unpublished dissertation, Duke University, 1978).

Coulter, Merton. *The Civil War and Readjustment in Kentucky*. Chapel Hill: University of North Carolina Press, 1926.

Coulter, Merton and William Elsey Connelley. *History of Kentucky* (Vol. II). Chicago and New York, 1922.

Courtwright, David T. *Violent Land: Single Men and Social Disorder from the Frontier to the Inner City*. Cambridge: Harvard University Press, 1996.

Cowan, William Tynes. *The Slave in the Swamp: Disrupting the Planter Narrative*. New York: Routledge, 2005.

Crawford, Beverly and Ronnie D. Lipschutz (eds.), *The Myth of "Ethnic Conflict": Politics, Economics, and "Cultural" Violence*. Berkeley, CA: International and Area Studies, University of California Press, 1998.

Crawford, Martin. *Ashe County's Civil War: Community and Society in the Appalachian South*. Charlottesville: University Press of Virginia, 2001.

Crawford, Robert Gunn, "A History of the Kentucky Penitentiary System, 1865-1937," (unpublished dissertation, University of Kentucky, 1955).

Crofts, Daniel W. *Reluctant Confederates: Upper South Unionists in the Secession Crisis*. Chapel Hill: University of North Carolina Press, 1989.

Current, Richard Nelson. *Lincoln's Loyalists: Union Soldiers from the Confederacy*. Boston: Northeastern University, 1992.

- Curry, Richard O. (ed.), *Radicalism, Racism, and Party Realignment; the Border States during Reconstruction*. Baltimore and London: Johns Hopkins Press, 1969.
- Dallam, Peter Frances (ed.), *A Union Woman in Civil War Kentucky: The Diary of Frances Peter*. Lexington: University Press of Kentucky, 2000.
- Davidoff, Leonore and Catherine Hall. *Family Fortunes: Men and Women of the English Working Class, 1780-1850*. London: Hutchison, 1987.
- Davis, William and Meredith Swentnor (eds.), *Bluegrass Confederate: The Headquarters Diary of Edward O. Guerrant*. Baton Rouge: Louisiana State University Press, 1999.
- Davison, Charlotte. *Davi(d)son: The first ten - the second ten and many allied families*. S.N., 1985.
- Day, John F. *Bloody Ground*. Garden City, NY: Doubleday, Doran and Company, Inc., 1941.
- Drake, Richard B. *A History of Appalachia*. Lexington: University Press of Kentucky, 2001.
- Degler, Carl. *The Other South: Southern Dissenters in the Nineteenth Century*. New York: Harper & Row, 1974.
- DenBoer, Gordon and John H. Long (eds.), *Kentucky: Atlas of Historical County Boundaries*. New York: Charles Scribner's Sons, 1995.
- Drake, Michael S. *Problematics of Military Power: Government, Discipline and the Subject of Violence*. New York: Routledge, 2002.
- Duclos, Donald Phillip. *Son of Sorrow: 1825-1889*. San Francisco and London: International Scholars Publications, 1998.
- Dubois, W.E.B. *Black Reconstruction in America*. New York: S.A. Russell & Comp., 1935.
- Dunaway, Wilma. *The First American Frontier: Transition to Capitalism in Southern Appalachia, 1700-1860*. Chapel Hill: University of North Carolina Press, 1996.
- _____. *Slavery in the American Mountain South* (Cambridge University Press, 2003).
- _____. *The African-American Family in Slavery and Emancipation*. Cambridge University Press, 2003.

- Durrill, Wayne. *War of Another Kind: A Southern Community in the Great Rebellion*. New York and Oxford, 1990.
- Ellis, William E. *The Kentucky River*. Lexington: The University Press of Kentucky, 2000.
- Escott, Paul. *Many Excellent People: Power and Privilege in North Carolina, 1850-1900*. Chapel Hill: University of North Carolina Press, 1984.
- Fabian, Johannes. *Time and the Other: How Anthropology Makes its Object*. New York: Columbia University Press, 1983.
- Fairbank, Calvin. *Rev. Calvin Fairbank During Slavery Times*. Chicago: Patriotic Publishing Comp., 1890.
- Faust, Drew Gilpin. *The Creation of Confederate Nationalism: Ideology and Identity in the Civil War South*. (Baton Rouge: Louisiana State University Press, 1988).
- Feldman, Allen. *Formations of Violence: The Narrative of the Body and Political Terror in Northern Ireland*. Chicago: University of Chicago Press, 1991.
- Fellman, Michael. *Inside War: The Guerrilla Conflict in Missouri During the American Civil War*. Oxford: Oxford University Press, 1989.
- Fenton, John H. *Politics in the Border States*. New Orleans: Hauser Press, 1957.
- Milton Finley. *The Most Monstrous of Wars: The Napoleonic Guerilla War in Southern Italy, 1806-1811*. Columbia: University of South Carolina Press, 1994.
- Fitzgerald, Michael W. *The Union League Movement in the Deep South: Politics and Agricultural Change during Reconstruction*. Baton Rouge: Louisiana State University Press, 1989.
- Foner, Eric. *Reconstruction: America's Unfinished Revolution, 1863-1877*. New York: Harper & Row, 1988.
- Foucault, Michel. *Discipline and Punish: The Birth of the Prison* (translated by Alan Sheridan). New York: Vintage Books, 1977.
- Franklin, John Hope. *The Militant South, 1800-1861* (second edition). Urbana and Chicago: University of Illinois Press, 2002) (originally published in 1956).
- Frasca, Ralph. *The Rise and Fall of the Saturday Globe*. Selinsgrove, PA: Susquehanna University Press, 1992.

Fredrickson, George M. *The Black Image in the White Mind: The Debate on Afro-American Character and Destiny, 1817-1914*. (Middletown, CT: Wesleyan University Press, 1987).

Freehling, William. *The South Vs. the South: How Anti-Confederate Southerners Shaped the Course of the Civil War*. Oxford University Press, 2001.

Friend, Craig Thompson. *Along the Maysville Road: The Early American Republic in the Trans-Appalachian West*. Knoxville: University of Tennessee Press, 2005.

Gerth, H. H. and C. Wright Mills (eds.), *From Max Weber: Essays in Sociology*. New York: Routledge, 2001.

Gordon, Leslie and John Inscoe (eds.), *Inside the Confederate Nation: Essays in Honor of Emory Thomas*. Baton Rouge: Louisiana State University, 2005.

Gosse, Phillip. *The History of Piracy*. New York: Tudor, 1946.

Gossett, Thomas F. *Race: The History of an Idea in the Making*. Dallas: Southern Methodist University Press, 1963.

Graham, Hugh D. and Ted Gurr (eds.) *Violence in America: Historical and Comparative Perspectives*. New York: Bantam Books, 1969.

Gum, Nell Park. *Park of Kentucky, 1747-1929; biographical sketches and genealogy of the descendants of Ebenezer Park, pioneer, of Madison County, Kentucky; with brief notices of the allied families: Benton, Boian, Campbell, Chenault, Clark, Cobb, Covington, Dillingham, Dan, Elliott, Gum, Henderson, Hume, Jacobs, Keller, Kidwell, Rayburn, Scrivner, Wagers, Wilson and others*. Frankfort: Nell P. Gum, 1929.

Hahn, Steven. *The Roots of Southern Populism: Yeoman Farmers and the Transformation of the Georgia Upcountry, 1850-1890*. Oxford and New York: Oxford University Press, 1983.

_____ *A Nation Under Our Feet: Black Political Struggles in the Rural South, from Slavery to the Great Migration*. Cambridge, MA: Belknap Press of Harvard University Press, 2003.

Hall, Jacquelyn Dowd. *Revolt Against Chivalry: Jessie Daniel Ames and the Women's Campaign Against Lynching*. New York: Columbia University Press, 1979.

Harkins, Anthony. *Hillbilly: A Cultural History of an American Icon*. New York: Oxford University Press, 2004.

Harris, Trudier. *Exorcising Blackness: Historical and Literary Lynching and Burning Rituals*. Bloomington: Indiana University Press, 1984.

Harrison, Lowell Hayes. *The Civil War in Kentucky*. Lexington, KY: University Press of Kentucky, 1975.

_____ (ed.), *Kentucky's Governors, 1792-1985*, (Lexington: University Press of Kentucky, 1985).

_____ *Kentucky's Governors*. Lexington, Kentucky: The University Press of Kentucky, 2004.

Harrison, Lowell Hayes and James C. Klotter. *A New History of Kentucky*. Lexington: University Press of Kentucky, 1997.

Harrison, Marion Clifford, "Social Types in Southern Prose Fiction," (unpublished dissertation, University of Virginia, 1921).

Heidbuchel, Esther. *The West Papua Conflict in Indonesia*. Wettenberg: Johannes Herrmann J&J-Verlag, 2007.

Herr, Kincaid. *Louisville and Nashville Railroad, 1850-1963*. Lexington: University Press of Kentucky, 2000.

Hickerson, Thomas Felix. *The Falkner Feuds: The Fatal Feuds of W.C. Falkner*. Chapel Hill: Colonial Press, 1964.

Higginbotham, Aloysius Leon. *Shades of Freedom: Racial Politics and Presumptions of the American Legal Process*. Oxford: Oxford University Press, 1998.

Hinderaker, Eric. *Elusive Empires: Constructing Colonialism in the Ohio Valley, 1673-1800*. Cambridge University Press, 1997.

Hobsbawm, Eric. *Primitive Rebels: Studies in Archaic Forms of Social Movement in the 19th and 20th Centuries*. New York: W.W. Norton & Company, 1959.

Holt, Michael. *The Rise and Fall of the American Whig Party: Jacksonian Politics and the Onset of the Civil War*. New York: Oxford University Press, 1999.

Hubbs, G. Ward. *Guarding Greensboro: A Confederate Company in the Making of a Southern Community*. Athens: University of Georgia Press, 2003

Hutton, T.R.C., "The Hill-Evans Feud: Extralegal Violence in Antebellum Kentucky," (unpublished master's thesis, Appalachian State University, 2002)

Hyde, Jr., Samuel C. *Pistols and Politics: The Dilemma of Democracy in Louisiana's Florida Parishes, 1810-1899*. Baton Rouge and London: Louisiana State University Press, 1996.

Howard, Victor B. *Black Liberation in Kentucky: Emancipation and Freedom, 1862-1884*. Lexington, KY: University Press of Kentucky, 1983.

Hyman, Michael R. *The Anti-Redeemers: Hill-Country Political Dissenters in the Lower South from Redemption to Populism*. Baton Rouge: Louisiana State University Press, 1990.

Ingmire, Francis Terry (ed.). *Breathitt County, Kentucky Death Records, 1852-1858, 1874-1878*. St. Louis: Ingmire Pub., 1983.

Inscoe, John. *Mountain Masters: Slavery Sectional Crisis Western North Carolina*. Knoxville: University of Tennessee, 1989.

_____. *Race, War, and Remembrance in the Appalachian South*. Lexington: The university Press of Kentucky, 2008.

Inscoe, John and Robert Kenzer (eds.), *Enemies of the Country: New Perspectives on Unionists in the Civil War South*. Athens: University of Georgia Press, 2001.

Inscoe, John and Gordon B. McKinney. *The Heart of Confederate Appalachia: Western North Carolina in the Civil War*. Chapel Hill: University of North Carolina Press, 2000.

Ireland, Robert. *Little Kingdoms: The Counties of Kentucky, 1850-1891*. Lexington: University Press of Kentucky, 1977.

_____. (ed.), *The Kentucky State Constitution: A Reference Guide*. Greenwood, CT: Greenwood Publishing, 1999.

Jackman, John S. *Diary of a Confederate Soldier : John S. Jackman of the Orphan Brigade*. Columbia, SC: University of South Carolina Press, 1997.

Jewell, Malcolm E. & Everett W. Cunningham. *Kentucky Politics*. Lexington: University of Kentucky Press, 1968.

Jillson, Willard (ed.), *Old Kentucky Entries and Deeds: A Complete Index to All of the Earliest Land Entries, Military Warrants, Deeds and Wills of the Commonwealth of Kentucky*. Louisville: The Standard Printing Company, 1926.

Johnson, Jeffrey Guy, "Feud, Society, Family: Feud Narratives in the United States, 1865-1910," (Unpublished dissertation, Harvard University, 2001).

Jung, Dietrich (ed.), *Shadow Globalization, Ethnic Conflicts and New Wars: A Political Economy of Intra-state War*. New York: Routledge, 2003.

Kalyvas, Stathis. *The Logic of Violence in Civil War*. Cambridge: Cambridge University Press, 2006.

Keane, John. *Violence and Democracy*. Cambridge and New York: Cambridge University Press, 1994.

Kephart, Horace. *Our Southern Highlanders*. New York: Outing Publishing Company, 1913.

Key, V.O. *Southern Politics in State and Nation*. Knoxville: University of Tennessee Press, 1949.

Kidd, Stuart. *Farm Security Administration Photography, the Rural South, and the Dynamics of Image-Making, 1935-1943*. Lewiston, NY: Edwin Meller Press, 2004.

King, Richard H. *A Southern Renaissance: The Cultural Awakening of the American South, 1930-1955*. Oxford and New York: Oxford University Press, 1980.

Kinkead, Elizabeth Shelby. *A History of Kentucky*. New York et al: American Book Company, 1915.

Kirby, James Patrick. *Selected Articles on Criminal Justice*. New York and London: H.W. Wilson, 1926.

Kirkham, James F. and Sheldon G. Levy, and William J. Crotty. *Assassination and Political Violence: A Report to the National Commission on the Causes and Prevention of Violence*. New York: Praeger Publishers, 1970.

Kirwan, A.D. (ed.), Johnny Green. *Johnny Green of the Orphan Brigade; the Journal of a Confederate Soldier*. (Lexington: University of Kentucky Press, 1956.

Kleber, John E., Thomas Dionysius Clark, Lowell H. Harrison (eds.), *The Kentucky Encyclopedia*. Lexington: University Press of Kentucky, 1992.

Klein, Maury. *History of the Louisville and Nashville Railroad*. New York: MacMillan, 1972.

Klotter, James. *William Goebel: The Politics of Wrath*. Lexington: University Press of Kentucky, 1977.

_____. *Kentucky: Portrait in Paradox, 1900-1950*. Frankfort: Kentucky Historical Society, 1996.

Klotter, James and Hamilton Tapp. *Kentucky: Decades of Discord, 1865-1900*. Frankfort, KY: The Kentucky Historical Society, 1977.

- Koonings, Kees and Dirk Kruijt (eds.) *Armed Actors: Organised Violence and State Failure in Latin America*.
- Kousser, J. Morgan. *The Shaping of Southern Politics: Suffrage Restriction and the Establishment of the One-Party South, 1880-1910*. New Haven: Yale University Press, 1974.
- Landsberg, Alison. *Prosthetic Memory: The Transformation of American Remembrance in the Age of Mass Culture*. New York: Columbia University Press, 1994.
- Lane, Charles. *The Day Freedom Died: The Colfax Massacre, the Supreme Court, and the Betrayal of Reconstruction*. New York: Macmillan, 2008.
- Laver, Harry S. *Citizens More Than Soldiers: the Kentucky Militia and Society in the Early Republic*. Lincoln: University of Nebraska Press, 2007.
- Lemann, Nicholas. *Redemption: The Last Battle of the Civil War*. New York: Farrar, Straus and Giroux, 2006.
- Lewis, John Sherwood, "Becoming Appalachia: the Emergence of an American Subculture, 1840-1860," (unpublished dissertation, University of Kentucky, 2000).
- Lewis, Oscar. *Tepoztlán, Village in Mexico*. New York: Holt, 1960.
- Lewis, Ronald. *Transforming the Appalachian Countryside: Railroads, Deforestation and Social Change in West Virginia, 1880-1920*. Chapel Hill and London: University of North Carolina Press, 1998.
- Link, William A. *The Paradox of Southern Progressivism, 1880-1930*. Chapel Hill: University of North Carolina Press, 1992.
- Lipman, Jonathan Neaman and Steven Harrell (eds.) *Violence in China: Essays in Culture and Counterculture*. Albany: SUNY Press, 1990.
- Lucas, Marion B. *A History of Blacks in Kentucky: Vol. 1, From Slavery to Segregation, 1760-1891*. Frankfort, KY: Kentucky Historical Society, 1992.
- Mackey, Robert. *The Uncivil War: Irregular Warfare in the Upper South, 1861-1865*. University of Oklahoma Press, 2004.
- Mallon, Florencia E., *Peasant and Nation: The Making of Postcolonial Mexico and Peru*. Berkeley: University of California Press, 1995.
- Markovitz, Jonathan. *Legacies of Lynching: Racial Violence and Memory*. Minneapolis: University of Minnesota Press, 2004.

Mathias, Frank F. (ed.), *Incidents & Experiences in the Life of Thomas W. Parsons from 1826 to 1900*. Lexington: University Press of Kentucky, 1975.

Matthews, Gary. *Basil Wilson Duke: The Right Man in the Right Place*. Lexington: University Press of Kentucky, 2005.

McAllister, James G. and Grace Owings Guerrant. *Edward O. Guerrant: Apostle to the Southern Highlanders*. Richmond, VA: Richmond Press, 1950.

McCauley, Deborah V. *Appalachian Mountain Religion: A History*. Urbana: University of Illinois Press, 1995.

McFaul, John. *The Politics of Jacksonian Finance*. Ithaca and London: Cornell University Press, 1972.

McKinney, Gordon. *Southern Mountain Republicans, 1865-1900*. Chapel Hill: University of North Carolina Press, 1979.

McKnight, Brian D. *The Civil War in Appalachian Kentucky and Virginia*. Lexington: The University Press of Kentucky, 2006.

McQuown, Ruth and Jasper B. Shannon. *Presidential Politics in Kentucky, 1824-1948*. Lexington: University of Kentucky Press, 1950.

McPherson, James. *For Cause and Comrades: Why Men Fought in the Civil War*. Oxford: Oxford University Press, 1997.

Menand, Louis. *The Metaphysical Club: A Story of Ideas in America*. New York: Farrar, Strauss and Giroux, 2001.

Melvin, Bruce Lee, John Nye Webb, Carle Clark Zimmerman. *Rural Poor in the Great Depression: Three Studies*. Salem: Ayer Publishing, 1971.

Miller, Penny M. *Kentucky Politics & Government: Do We Stand United?* (Lincoln: University of Nebraska Press, 1994.

Miller, William Ian. *Bloodtaking and Peacemaking: Feud, Law, and Society in Saga Iceland*. Chicago: University of Chicago Press, 1990.

Mitchell, Robert (ed.), *Appalachian Frontiers: Settlement, Society, & Development in the Preindustrial Era*. Lexington: The University Press of Kentucky, 1991.

Moore, Frank, Edward Everett (eds.), *The Rebellion Record: A Diary of American Events, Vol. III*. New York: G.P. Putnam, 1862.

Mosgrove, George Dallas. *Kentucky Cavaliers in Dixie: Reminiscences of a Confederate Cavalryman*. Jackson, TN: McCowart-Mercer Press, 1957.

Mutzenburg, Charles Gustavus. *Kentucky's Famous Feuds and Tragedies; Authentic History of the World Renowned Vendettas of the Dark and Bloody Ground*. New York: R.F. Fenno and Company, 1917.

Owen, Thomas Louis, "The Formative Years of Kentucky's Republican Party, 1864-1871," (unpublished dissertation, University of Kentucky, 1981).

Nelson, Scott Reynolds. *Iron Confederacies: Southern Railways, Klan Violence and Reconstruction*. Chapel Hill: University of North Carolina Press, 1999.

Noble, Elisha Livingston. *Bloody Breathitt*, Volumes 1-2. Jackson, KY: The Jackson Times Printing Company, 1936.

Noble, George Washington. *Behold He Cometh in the Clouds: A Religious Treatise from Inspiration and Illumination with Life and Adventures of the Author*. Hazel Green, KY: Spencer Cooper, printer, 1912.

Noe, Kenneth and Shannon H. Wilson (eds.) *The Civil War in Appalachia: Collected Essays*. Knoxville: University of Tennessee Press, 1997.

Oakes, James. *The Ruling Race: A History of American Slaveholders*. New York: Knopf, 1982.

O'Brien, Sean Michael. *Mountain Partisans: Guerrilla Warfare in the Southern Appalachians, 1861-1865*. Westport and London: Praeger Press, 1999.

Ogden, Frederic D. (ed.), *The Public Papers of Governor Keen Johnson, 1939-1943*. Lexington: University Press of Kentucky, 1982.

Ogletree, Jr., Charles J. and Austin Sarat (eds.) *From Lynch Mob to the Killing State: Race and the Death Penalty in America*. New York: NYU Press, 2006.

Osthaus, Carl R. *Partisans of the Southern Press: Editorial Spokesmen of the Nineteenth Century*. Lexington: The University Press of Kentucky, 1994.

Otterbein, Keith. *Feuding and Warfare: Selected Works of Keith F. Otterbein*. Langhorne, PA: Gordon and Breach, 1994.

Owsley, Frank. *Plain Folk of the Old South*. Baton Rouge: Louisiana State University Press, 1949.

Pachter, Marc (ed.), *Abroad in America: Visitors to the New Nation, 1776-1914*. Reading, MA: Addison-Wesley, 1976.

Pandey, Gyanendra. *Routine Violence: Nations, Fragments, Histories*. Stanford, CA: Stanford University Press, 2006.

Paludan, Phillip. *Victims: A True Story of the Civil War*. Knoxville: University of Tennessee Press, 1981.

Perkins, Elizabeth. *Border Life: Experience and Memory in the Revolutionary Ohio Valley*. Chapel Hill: University of North Carolina Press, 1998.

Perman, Michael. *The Road to Redemption: Southern Politics, 1869-1879*. Chapel Hill: University of North Carolina Press, 1984.

Piepmeyer, Alison. *Out in Public: Configurations of Women's Bodies in Nineteenth Century America*. Chapel Hill: University of North Carolina Press, 2004.

Powell, Elwin H. *The Designs of Discord: Studies in Anomie*. New Brunswick and London: Transaction Publishers, 1988.

Phillips, U.B. *Life and Labor in the Old South*. (reprinted, Columbia: University of South Carolina Press, 2007).

Pudup, Mary Beth, "Land Before Coal: Class and Regional Development in Southeast Kentucky," (unpublished dissertation, UC Berkeley, 1987).

Pudup, Mary Beth, Dwight Billings and Altine Waller (eds.) *Appalachia in the Making: The Mountain South in the Nineteenth Century*. Chapel Hill: University of North Carolina Press, 1995.

Rable, George. *But There Was No Peace: The Role of Violence in the Politics of Reconstruction*. University of Georgia Press, 1984.

Ramsey, Jr., Thomas R. *The Raid: East Tennessee, Western North Carolina, Southwest Virginia*. Kingsport, TN: Kingsport Press, 1973.

Rawlings, Richard (ed.), *Law, Society, and Economy*. Oxford and London: Oxford University Press, 1997.

Richardson, Heather Cox. *West from Appomattox: The Reconstruction of America after the Civil War*. New Haven and London: Yale University Press, 2007.

Rogers, William and Erica Clark. *The Croom Family and Goodwood Plantation: Land, Litigation and Southern Lives*. Athens: University of Georgia Press, 1999.

Robertson, James Rood (ed.), *Petitions of the Early Inhabitants of Kentucky to the General Assembly of Virginia, 1769-1792*. Louisville: John P. Morton & Company, 1914.

Rolff, James Robert. *Strong Family of Virginia and Other Southern States*. Oak Forest, IL: James Robert Rolff, 1983.

Rossiter, Clinton. *Parties and Politics in America*. Ithaca and London: Cornell University Press, 1964.

Salstrom, Paul. *Appalachia's Path to Dependency: Rethinking a Region's Economic History, 1730-1940*. Lexington: University Press of Kentucky, 1997.

Sarris, Jonathan. *A Separate Civil War: Communities in Conflict in the Mountain South*. Charlottesville: University of Virginia Press, 2006.

Scales, Len and Oliver Zimmer. *Power and Nation in European History*. Cambridge: Cambridge University Press, 2005.

Scalf, Henry P. *Kentucky's Last Frontier*. Johnson City, TN: Overmountain Press, 1966.

Schmidt, Stefen W., Laura Guasti, Carl H. Lande and James C. Scott (eds.). *Friends, Followers and Factions: A Reader in Political Clientelism*. Berkeley, Los Angeles and London: University of California Press, 1977.

Schulman, Robert. *John Sherman Cooper: The Global Kentuckian*. Lexington: University Press of Kentucky, 2004.

Schulte-Bockholt, Alfredo. *The Politics of Organized Crime and the Organized Crime of Politics: A Study in Criminal Power*. Oxford: Lexington Press, 2006.

Scott, James C. *Weapons of the Weak: Everyday Forms of Peasant Resistance*. New Haven and London: Yale University Press, 1985.

_____. *Domination and the Arts of Resistance: Hidden Transcripts*. Yale University Press, 1990.

_____. *Seeing Like a State: How Certain Schemes to Improve the Human Condition have Failed*. New Haven, CT: Yale University Press, 1998.

Shaffer, John W. *Clash of Loyalties: A Border County in the Civil War*. Morgantown: West Virginia University Press, 2003.

Shapiro, Henry. *Appalachia on Our Mind: The Southern Mountains and Mountaineers in the American Consciousness*. University of North Carolina Press, 1978.

Shackleford, Laurel and Bill Weinberg (eds.), *Our Appalachia*. Lexington: University Press of Kentucky, 1988.

- Skurski, Julie and Fernando Coronil, (eds.), *States of Violence*. Lansing: University Of Michigan Press, 2006.
- Silber, Nina. *The Romance of Reunion: Northerners and the South, 1865-1900*. Chapel Hill and London, University of North Carolina Press, 1993.
- Simkins, Francis B. and Charles Roland. *A History of the South* (fourth edition). (New York: Knopf, 1972).
- Simpson, J.A. and E.S.C. Weiner (eds.), *The Oxford English Dictionary, Second Edition*. Oxford: Clarendon Press, 1989.
- Smiley, David L. *The Lion of White Hall: The Life of Cassius M. Clay*. Madison: The University of Wisconsin Press, 1962.
- Smith, Carl S. *Urban Disorder and the Shape of Belief: The Great Chicago Fire, the Haymarket Bomb, and the Model Town of Pullman*. Chicago: University of Chicago Press, 1995.
- Smith, Edward C. *The Borderland in the Civil War*. New York: The Macmillan Company, 1927.
- Speed, Thomas. *The Union Cause in Kentucky, 1860-1865*. New York and London: G.P. Putnam and Sons, 1907.
- Spencer, Manual Ray. *The Descendants of Joseph Spencer*. M.R. Spencer, 1996.
- Stokes, Melvyn and Stephen Conway (eds.), *The Market Revolution in America: Social, Political and Religious Expressions, 1800-1880*, (Charlottesville: University of Virginia Press, 1996.
- Stowell, David O. (ed.), *The Great Strikes of 1877*. Champaign: University of Illinois Press, 2008.
- Strathern, Andrew and Pamela J. Stewart. *Arrow Talk: Transaction, Transition, and Contradiction in New Guinea Highlands History*. Kent, OH: Kent State University Press, 2000.
- Straw, Richard and H. Tyler Blethen (eds.), *High Mountains Rising: Appalachia in Time and Place*. Urbana: University of Illinois Press, 2004.
- Summers, Mark Wahlgren. *The Press Gang: Newspapers and Politics, 1865-1878*. Chapel Hill: University of North Carolina Press, 1994.
- Sutherland, Daniel E. (ed.), *Guerrillas, Unionists, and Violence on the Confederate Home Front*. University of Arkansas Press, 1999.

Sydnor, Charles S. *The Development of Southern Sectionalism, 1819-1848*. Baton Rouge: Louisiana State University Press, 1948.

Tapp, Hambleton and James C. Klotter. *Kentucky: Decades of Discord, 1865-1900*. Lexington: University Press of Kentucky, 2001.

Tallant, Harold. *Evil Necessity: Slavery and Political Culture in Antebellum Kentucky*. Lexington: University Press of Kentucky, 2003.

Thomas, Jean. *Blue Ridge Country*. New York: Duell, Sloan and Pearce, 1942.

Thompson, Ed Porter. *History of the Orphan Brigade*. Louisville, KY: Lewis N. Thompson, 1898.

Thompson, E.P. *The Making of the English Working Class*. New York: Vintage Books, 1966.

_____. *Whigs and Hunters: The Origin of the Black Act*. New York: Pantheon Books, 1975.

Thompson, Hunter S. *Hell's Angels: A Strange and Terrible Saga*. New York: Ballantine Books, 1966.

Tallant, Harold D. *Evil Necessity: Slavery and Political Culture in Antebellum Kentucky*. Lexington: The University Press of Kentucky, 2003.

Thelen, David. *Paths of Resistance: Tradition and Dignity in Industrializing Missouri*. Oxford: Oxford University Press, 1986.

Thompson, Lawrence Sidney. *Kentucky Tradition*. North Haven, CT: Shoe String Press, 1956.

Tilly, Charles. *The Politics of Collective Violence*. Cambridge University Press, 2003.

Toynbee, Arnold. *A Study of History* (Abridgement of Vols. 1-6 by D.C. Somervell). New York: Oxford University Press, 1947.

Trelease, Allen W. *White Terror: The Ku Klux Klan Conspiracy and Southern Reconstruction* (Westport, Conn.: Greenwood Press, 1971).

Trimble, James Green. *Recollections of Breathitt*. Jackson, KY: Jackson Times Printer, 1915.

Trotter, William R. *Bushwhackers: The Civil War in North Carolina (The Mountains)*. Winston Salem: J.F. Blair, 1991.

- Turner, Frederick Jackson. *Frontier and Section: Selected Essays of Frederick Jackson Turner*. Englewood Cliffs, NJ, Prentice-Hall, 1961.
- Vahabi, Mehrad. *The Political Economy of Destructive Power*. Northampton and Cheltenham: Edward Elgar, 2004.
- Van Noppen, Ina Woestemeyer. *The South, a Documentary History*. Princeton, NJ: Van Nostrand, 1958.
- Vandal, Gilles. *Rethinking Southern Violence: Homicides in Post-Civil War Louisiana, 1866-1884*. Ohio State University Press, 2000.
- Verhoeff, Mary. *The Kentucky Mountains: Transportation and Commerce, 1750 to 1911; a Study in the Economic History of a Coal Field*. Louisville, KY: John P. Morton & Company, 1911.
- _____. *The Kentucky River Navigation*. Louisville, KY: John P. Morton & Company, 1917.
- Volz, Harry August, "Party, State and Nation: Kentucky and the Coming of the American Civil War," (unpublished dissertation, University of Virginia, 1982).
- Wade, Wyn Craig. *The Fiery Cross: The Ku Klux Klan in America*. (New York: Simon and Schuster, 1987).
- Waller, Altina. *Feud: Hatfields, McCoys, and Social Change in Appalachia, 1860-1900*. Chapel Hill: University of North Carolina Press, 1988.
- Warren, Mervyn A. *King Came Preaching: The Pulpit Power of Martin Luther King, Jr.* Downers Grove, IL: Intervarsity Press, 2001.
- Watlington, Patricia. *The Partisan Spirit: Kentucky Politics, 1779-1792*. New York: Atheneum, 1972.
- Watson, Harry. *Jacksonian Politics and Community Conflict: The Emergence of the Second Party System in Cumberland County, North Carolina*. Chapel Hill: University of North Carolina Press, 1981.
- Watson, Ritchie D. *Normans and Saxons: Southern Race Mythology and the Intellectual History of the American Civil War*. Baton Rouge: Louisiana State University Press, 2008.
- Watson, Judge. *Eastern Kentucky, Economic and Cultural, 1900-1962*. Lakeland, FL: J. Watson, 1993.

- Webb, Ross. *Kentucky in the Reconstruction Era* (Lexington: University Press of Kentucky, 1979).
- Webb, Samuel. *Two-Party Politics in the One-Party South: Alabama's Hill Country, 1874-1920*. Tuscaloosa and London: The University of Alabama Press, 1997.
- Weber, Eugen. *Peasants into Frenchmen: The Modernization of Rural France*. Stanford: Stanford University Press, 1976.
- Wells, Charles C. (ed.), *1890 Special Veterans' Census for Eastern Kentucky* (Baltimore: Gateway Press, 2000).
- Whisnant, David. *Modernizing the Mountaineer*. Boone, NC: Appalachian Consortium Press, 1980.
- _____ *All That is Native and Fine: The Politics of Culture in an American Region*. University of North Carolina Press, 1983.
- Wiebe, Robert. *The Search for Order, 1877-1920*. New York: Hill and Wang, 1967.
- Wiese, Robert. *Grasping at Independence: Debt, Male Authority, and Mineral Rights in Appalachian Kentucky, 1850-1915*. University of Tennessee Press, 2001.
- Williams, John Alexander. *Appalachia: A History*. Chapel Hill and London: University of North Carolina Press, 2002.
- Williamson, J.W. *Hillbillyland: What the Movies did to the Mountains & What the Mountains Did to the Movies*. Chapel Hill and London: University of North Carolina Press, 1995.
- Williamson, Joel W. (ed.), *An Appalachian Symposium*. Boone, NC: Appalachian Consortium Press, 1977.
- Wilson, Jess. *When They Hanged the Fiddler and Other Stories from "It Happened Here": Including Some Unpublished Works by the Author*. Berea, KY: Kentucke Imprints, 1978.
- _____ *The Sugar Pond and the Fritter Tree*. Berea, KY: Kentucke Imprints, 1981.
- Wilson, Stephen. *Feuding, Conflict and Banditry* (Cambridge University Press, 1988)
- Wood, Gordon. *The Creation of the American Republic, 1776-1787*. Chapel Hill: University of North Carolina Press, 1969.
- _____ *The Radicalism of the American Revolution*. New York: A.A. Knopf, 1991.

Woodward, C. Vann. *Origins of the New South, 1877-1913*. Baton Rouge: Louisiana State University Press, 1951.

_____ *The Burden of Southern History* (third edition). Baton Rouge and London: Louisiana State University Press, 1993.

Wooster, Ralph A. *The Secession Conventions of the South*. Princeton, NJ: Princeton University Press, 1962.

_____ *Politicians, Planters and Plain Folk: Courthouse and Statehouse in the Upper South*. (Knoxville: The University of Tennessee Press, 1975.

Workers of the Writers' Program of the Works Projects Administration in the State of Kentucky. *Military History of Kentucky Chronologically Arranged*. Frankfort, KY: State Journal Press, 1939.

_____ *In the Land of Breathitt*. Northport, NY: Bacon, Percy & Daggett, 1941.

Wray, Matt. *Not Quite White: White Trash and the Boundaries of Whiteness*. Durham and London: Duke University Press, 2006.

Wright, George C. *Racial Violence in Kentucky, 1865-1940: Lynchings, Mob Rule, and "Legal Lynchings"*. Baton Rouge: Louisiana State University Press, 1990.

_____ *A History of Blacks in Kentucky, Volume II: In Pursuit of Equality*. Lexington: University Press of Kentucky, 1992.

Wyatt-Brown, Bertram. *Southern Honor: Ethics and Behavior in the Old South*. Oxford University Press, 1982.

Young, Lot D. *Reminiscences of a Soldier of the Orphan Brigade*. Chapel Hill, NC: Academic Affairs Library, University of North Carolina at Chapel Hill, 1998.

Web sites

Breathitt County in the Civil War

<http://www.breathittcountylibrary.com/SDBowling/menofB.html>

<http://www.breathittcountylibrary.com/SDBowling/menofC.html>

<http://www.breathittcountylibrary.com/SDBowling/menofD.html>

<http://www.breathittcountylibrary.com/SDBowling/menofG.html>

<http://www.breathittcountylibrary.com/SDBowling/Others.html>

<http://www.breathittcountylibrary.com/SDBowling/menofK.html>

<http://www.breathittcountylibrary.com/SDBowling/menofE.html>
<http://www.breathittcountylibrary.com/SDBowling/menofG3fk.html>
(viewed 14 March 2004)

Spencer, Herbert W., *Captain Bill's January Raid*. unpublished, 1961) viewed at
<http://www.artontherocks.net/genes/tree/np77.htm> (viewed 11/20/2006)

Interview with William Haddix, 1938, Federal Writers' Project (Interviewer: Margaret Bishop). <http://www.breathittcounty.com/BreathittWeb2/THaddix.html> (viewed 19 December, 2008)

Trailsrus County Courthouses: Courthouses in Kentucky- Breathitt Co.
<http://www.trailsrus.com/courthouses/breathitt.html> (viewed 25 July, 2008)