Kentucky In and After The War Between the States

One hundred and fifty years ago, this year, the War Between the States (or "Civil War," as Yankees call it) began, with cannon shots from the shore line of Charleston, SC. What were they trying to hit? Fort Sumter, which more or less blocks the entrance to Charleston Harbor. The attack left the Union officers and men in a bad way. They were running out of food, ammunition, and other necessities. Their refusal to go back North had brought all that about. From their point of view, they were just defending what they had always defended. Doubtless, it was difficult to believe that, just overnight, Charleston had become part of another country, and enemy territory.

When the Maryland legislature tried to meet, to hold a vote to determine whether or not Maryland should secede, Yankees came and stopped them. The problem for Maryland was, the Union Army had already occupied the legislative chamber, and refused to allow Maryland's legislature to vote. So much for democracy.

In 1861, John Milton Elliott was expelled from the Kentucky legislature, because of his outspoken support for the Confederate States. He was later to become, by one account, a member of the House of Representatives of the Confederate States of America, meeting in Richmond, VA. According to another account, he was a "Senator" for Kentucky, in the Congress of the CSA. Though Kentucky never seceded from the Union, that was principally because, like Maryland, the Kentucky Legislature was prevented from holding a vote on secession. As some wag, in our day, said: "Kentucky waited until after the War to secede."

In my home county (Carter Co.), the Yankees came almost immediately. Unfortunately, some Carter County hothead opened fire on a contingent of Union soldiers. From ambush, he killed one of them. The commander of that group of Union soldiers took out ten men and boys (the youngest Elijah Horton, was 17) and hanged most of them, on the spot. We would call that a "crime against humanity," or at least an atrocity. But, that was then. No such concept as a "crime against humanity" existed. Interestingly enough, prior to that atrocity, Carter Co. had received the news of the oncoming war with indifference. The majority evidently had not taken sides----until the atrocity.

Three of the ten men, who were not hanged, were taken to Frankfort, tied to chairs, to be shot to death. I suppose that is not so ghastly as hanging. And, it is said that one of the men to be shot escaped. My old friend George H. Wolfford, a columnist/editor for The Ashland Daily Independent, says he always hoped that the person who escaped was Elijah. Maybe. I know of no source which reveals the name of the one who got away. The two who were shot are buried in the State Cemetery, in Frankfort. So is John Milton Elliott.

After the War, because John Milton Elliott was judged to have been guilty of "treason," by reason of taking part in a government opposed to the United States. For supporting that foreign power, Elliott was disenfranchised. After the War, the North ("generously," in its own mind) offered forgiveness, if Southerners would just ask the pardon of the Government of the United States. Some would; many wouldn't. There's a song from the day, which expresses the feelings of those who would not ask pardon. This is that lyric:

"I am a good ole Rebel, and that's just what I am.

And for this Land of Freedom, I do not give a damn.

I'm glad I fought against 'em, I only wish we'd won.

And I ain't asking pardon, for anything I done."

Doubtless, after cleaning up the grammar, the sentiment would suit the refuseniks just fine. Of course, those who refused were not allowed to vote. The former legislator for the United States House of Representatives (for three terms, 1853-1859), John Milton Elliott, who served Kentucky in the Confederate Congress, just sat out the years between the end of the War (1865) and the General Amnesty signed by President Andrew Johnson (1868). Politics had been his life. It must have been a form of death for him to be removed from even the right to vote, much less to run for office.

Obviously, either he was disqualified from voting, because he refused to plead guilty of treason, by asking pardon for helping to form the Confederate Government, or: It may be that he, as a member of the Confederate Government was not offered the opportunity to ask pardon. Such a plea was, after all, undignified. It was to be treated as though one were a child. No legislator could accept that and feel comfortable. When my son was a college student, he served as an intern with the Ohio Legislature, from that experience, he opined that "some of them seem to believe they have been elected God." There has been no little of that, in politics, the world over.

It would be hard for anyone, especially someone who had served the Kentucky in the US House of Representatives, as chairman of the House Ways and Means Committee, to admit that he had been mistaken to have taken the path he took, in 1861. In a sense, that path was imposed upon him. He had been expelled from the Kentucky Legislature, by Judge Bland Ballard, for being too cozy with the Confederate cause. If he was to stay in politics, there was nothing else he could do, but publicly embrace the Confederate side.

Following the War, had he disavowed his work in the Confederate Congress, there might not be a county named "Elliott," in Eastern Kentucky. (There is a dispute about whether Elliott County was named for John Milton Elliott, or to honor his father. I have always opted for John Milton.)

There is something I should tell you: I am John Milton Elliott's great, great, great, great nephew. My family always told me he was a Senator, in the Confederate Government. One version of the story, posted on the Internet, agrees with the family story. Another version, not the one my family tells, contains what is called "resume creep." It says John was just a member of the CSA House of Representatives. Maybe the family's version is correct? It is certainly more more significant, then, as now, to be a Senator, rather than to be merely a member of the House of Representatives.

Even if Uncle John was only a member of the House of Representatives, from the North's point of view, that was quite bad enough. Enough to be charged with "treason." But, what I cannot understand is why the family has always left out John's three sessions in the Congress of the USA, in the House of Representatives. Were they so "Southern," they denied he ever had any connection with the

accursed Yankees?! It seems unlikely they did not know about the American Congress, and Uncle John's part in it.

John Milton Elliott had been chairman of the House "Ways and Means Committee," that was (and is) no small accomplishment. That committee, after all, holds the purse strings. But, alas, it falls short of the mark, because, well, it was USA, not the CSA. The family seems to suffer from what is called "selective memory."

There was something else the family omitted, something really, truly significant. Uncle John was assassinated. When I was growing up, we never talked about that. It is as though Uncle John had been, somehow, guilty of complicity in the embarrassment of his own murder! I can think of no reason (except that I was a child, who had to be spared the knowledge that there could be such a thing as murder) to omit that particular fact. Why is it, we cannot look upon Uncle as a "martyr"? If he wasn't a martyr (and he wasn't) to the Southern Cause, he was, at least, a martyr to what he believed to be "right".

So, how did John Milton Elliott's ignominious end come upon him? Politics. The very thing he was so delighted to re-enter was what killed him. He had been elected to be a judge on the Kentucky Court of Appeals bench. Some woman had a problem with paying back $20,000 (something of a huge fortune, in those days), and her lands were taken in lieu of the cash. The Court of Appeals agreed that was what should have happened.

On the 26th of March, 1879, another voice was heard. Col. Thomas Buford, a brother of the woman whose appeal was denied, brought a double-barreled shotgun with him, to make that point to The Hon. John Milton Elliott. Colonel Buford, according to his own testimony, had sworn upon his sister's grave, that she would be avenged. In keeping with that oath, Col Buford walked up to Uncle John, outside the Frankfort Hotel dining room (whither, no doubt, John Milton Elliott and Thomas Hines, another judge on the Court of Appeals had stopped for lunch), and asked John: "Do you want to go on a snipe hunt?"

Except for the fact that Buford was carrying a double-barrel shotgun, John would have taken that to be a silly joke. Going on a "snipe hunt" was then, as it is now, seen to be a stupid journey leading to disappointment.

Having asked his silly question, the Colonel fired both barrels, at point blank range, and The Honorable John Milton Elliott was no more. On the day following the assassination, The New York Times (snidely) commented: "That murder could scarcely have taken place in any region calling itself civilized, except Kentucky or some other southern state." (The reader will remember how Teddy Roosevelt came to be president: Via an assassination, in Buffalo, NY!) There seems to be no end to self-delusion, and the need to feel superior to others. It's a form of mental illness.

There was a trial. Col. Buford pleaded "insanity." That plea, it seems to me, is entirely correct, on the one hand, but cowardly on the other. If Col. Buford had the temerity to believe he could act as God and say who lives and who dies, he ought also to have the courage to face his own death (by

hanging). Hanging, after all, was, as the English expression has it: "too good for him!" The Colonel got what he wanted.

After being a hung jury, divided 6 to 6, to hang him, the jury finally came to the conclusion that the Colonel knew whereof he spake. They found him to be criminally insane. He was remanded to the custody of the Central Kentucky Insane Asylum, in Anchorage, Kentucky. He stayed there for three years. Insane or not, he decided he'd had enough of that, and escaped to Indiana, from which he could not be extradited.

Later (in 1884) Colonel Buford voluntarily returned to the "Insane Asylum" (the indelicacy of that term is, in and of itself, offensive), and he died there, on the 12th of Feb., 1885. He, likely, is buried somewhere on the grounds. The Hon. John Milton Elliott was just as dead, one way or the other. As a Court of Appeals judge, he was "laid to rest" (meaning "buried") in the Kentucky State Cemetery, in Frankfort.

Uncle John's wife caused a statue of him to be erected on the grounds of the courthouse for Boyd County, in Catlettsburg, Kentucky. A fitting tribute to a man whose principles brought him down. If my interpretation of Uncle John's actions is correct, he died a martyr to what is "right." But what a wretched way to go: Shot down, on the streets of Frankfort, in the way one might shoot a rabid dog. It is no wonder my family does not discuss that part of it. It is undignified. But, alas, it is also the truth. The truth is often ugly.