

# KENTUCKY OUTLAW DISAPPOINTS COURT

Instead of Shooting Up Everybody, Old George Underwood Behaved Real Peaceable.

## ARRAIGNED IN BACK YARD

Faced Judge with Rifle in Hand, Told Story, and Then Left with Friends.

To the Editor of The New York Times:

The recent shooting up of officials in the Court House at Hillsville, Va., reminds me of an occasion when something of the same sort was expected in an Eastern Kentucky court, but fortunately it was the unexpected that happened. It occurred during July or August of 1877 at Olive Hill, in Carter County, which, though contiguous to the feud belt of Kentucky, was never notoriously bloody as the counties in the belt were, and what feuds did prevail were in the remoter portions of the county, and comparatively mild.

Carter was only one county back from the Ohio River, which from the earliest settlements had been the passageway of civilization from the East, and it had railway connection with the outside world as long ago as thirty-five years. The Little Sandy River also ran through the county, and the farms along its valleys were sufficiently productive to make slave owners of the farmers, and they did not eat cornbread, hog, and hominy as a steady diet, as did their less fortunate neighbors further in toward the mountains.

I have never heard a foodologist's opinion of the prevailing Appalachian Mountain feed, but, as a layman, I believe that a steady diet of cornbread, hog, and hominy will produce a race of feudists. I know that three months of it will make an outsider desperate enough to want to destroy the corn crop and kill anything in sight except a hog, and even a hog if he were sure he wouldn't have to eat it later.

Olive Hill, now quite a sprightly town, was not more than a dozen houses large then, and old George Underwood, a man of prominence in his neighborhood, chief in the "Underwood war," as the frequent troubles were called, and who had the usual excess of notches reported on his gun stock, was to have a trial before a magistrate on some minor charge incidental to the general disturbance. Details I do not recall, but it is enough to know that old George had been asked to appear for trial, and he had not only accepted the invitation, but would be there in person.

This was enough to stir the community to its depths, for the Underwood gang was notorious, and ordinarily such an interesting occasion in court would have drawn a bigger crowd than a circus, but this time it did not. Olive Hill was not the county seat, and did not have the dignitaries of the law to back it by their immediate presence, and there was a prevailing feeling among all classes that somebody would be "bad shot up" before the day was over. Even in feud districts the average person prefers not to be shot up, and the result was that the attendance was small, and most of what was present carried guns.

I was there representing the Ashland Weekly Review, of which I was also editor, reporter, business manager, advertising solicitor, subscription canvasser, mailing clerk, owner and devil. Ashland was in the adjoining county of Boyd, on the river, and it was feudless because for one reason the soil was too poor to raise hog and hominy. We raised coal and iron, however, and had millionaires in the town. Just the same in the thirty or more counties between the Ohio River and the Tennessee line, with a population of more than a quarter of a million, there was but one other local newspaper and that in the only other river county. Did I have a circulation of 50,000? I did, lacking 49,000. The press gets none of its power from cornbread, hog and hominy.

The day was warm and I had to ride ten miles from a rough section over rough roads on a rough horse with the pleasing parting injunction in my ears to watch the thickets by the roadside and be ready to dodge. As I had been a journalist for less than half a year then, I gave undue attention to rumors and parting injunctions, so that by the time I reached Olive Hill I was ready to resign my job. However, there was no one to accept my resignation and I had to stick.

I put my horse up and hung around the two small stores and listened to vague whispers by the unarmed every time a long, lank, home-spun attired clansman in a hat slouching down over his eyes came by with a gun over his shoulder. With more experience I might have interviewed some of the warrior worthies, but it did not look safe then and I never said a word. Indeed, I didn't tell anybody I was there to write up whatever might happen. I didn't mention it because if the expected happened I wasn't going to be there if I could help it. It gives one rather a curious feeling to move about as I did that day among a lot of men hanging around silent and sinister and ready to start the shooting works as soon as they received the signal. And the sun shining and the flowers blooming just the same.

After dinner, and it was a dinner so bad that even hog and hominy declined to be part of it, court was called in the back yard of the eating house, under a shade tree. The Judge and the prisoner had the only two chairs the landlady could spare, and a drygoods box served for a table. The press had a seat on the grass behind the Judge, where he was busy part of the time shooting away a lot of curious chickens that wanted to see what was going on. Everybody else might have sat down, because the grass was plenty, but everybody chose to stand up, part of the crowd to be ready for business if need were, the others to be ready to make a quick get-away if need were. If any of the officials had guns they were not visible.

But the interesting figure was the man on trial, Old George Underwood, and I sat within six feet of him and stared at him in a kind of fascination, as a boy might look at some wonderful pirate chief who had stepped out of the bloody stories about him and stood before the reader. He was 70 years of age, they said, over six feet tall, straight as an Indian and as active, lean as a side of leather, with thin long hair and sandy, firm set, unwhiskered jaws, shaggy eyebrows, a great forehead, and a grim personality that dominated everything and everybody about him.

There was a bandage about a bullet wound in his head, and another around his wrist, and though he sat in the presence of the Court with his hat off, he carried a gun across his arm. He told with never a smile or a lighting of his stern face whatever story he had to tell; I have forgotten what it was, but whatever it was, nobody had anything to say in rebuttal, and Old George strode in stately silence out of that backyard courtroom unscathed of the law, on that occasion at least. His friends went with him, and with no thanks to anybody and their guns still loaded, they mounted their horses and rode away to the hills where their homes, their hog and their hominy were.

Then everybody breathed easier, people began to talk in their natural voices, business once more resumed its normal condition, and as soon as I could get my horse I, too, rode away—in the opposite direction.

W. J. LAMPTON.

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