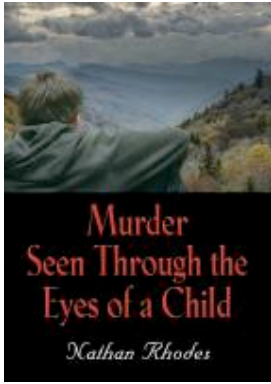




Murder
Seen Through the
Eyes of a Child

Nathan Rhodes



Murder Seen through the Eyes of a Child is a story about three young boys growing up, and getting into all kinds of mischief as they watch and witness a terrible tragedy unfold. They live in a time period when corruption is rampant in law enforcement and corporations. These individuals will resort to almost anything to fatten their banks accounts even if that means destroying people and the land they own to achieve their goals.

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Murder Seen Through the Eyes of a Child

Nathan Rhodes

Illustrations by David Wright

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Table of Contents

FOREWORD	5
CHAPTER #1: THE FISHING TRIP	7
CHAPTER #2: THE FERGUSONS.....	18
CHAPTER #3: THE BICYCLE RACE	30
CHAPTER #4: TROUBLE AT THE FERGUSONS.....	39
CHAPTER #5: DROPPING THE POCKETBOOK	42
CHAPTER #6: TROUBLE ON THE FERGUSON PROPERTY.....	49
CHAPTER #7: FERGUSONS ON THE RUN	61
CHAPTER #8: GUN FIGHT, DEPUTIES SHOT	72
CHAPTER #9: PULLING CABLE.....	80
CHAPTER #10: THE SCHOOL YARD	91
CHAPTER #11: DEPUTY HURT	100
CHAPTER #12: A TRAGEDY	110
CHAPTER #13: THE CAP PEN.....	121
CHAPTER #14: MINING THE FERGUSON PROPERTY	127
EPILOGUE	137
FAMILY MEMBER WANTS ANSWERS	137

Foreword

This story unfolds in the Appalachian Mountains during the 1960s. It is fiction but based on actual events that occurred in the lives of three young boys. The mountains during this time period are still very picturesque and teeming with wildlife. The trees are big and strong, towering over the ground as their tops reach for the sky with beauty and vigor.

Clear water carves its way down the mountainside between the ridges, clean, cold and refreshing. It is good and safe to drink.

Pollution is non-existent here because strip mining, or mining of any type, has not been allowed anywhere in this area. Later, in the 1970s and 1980s, strip-mining operations will dominate the region.

The lives that our story touches, and the people who live here, are honest and hardworking folk. They cherish the land, treating it as the precious gift it is. One of those families, the Fergusons, still enjoys a simple way of life in these mountains, reminiscent of the traditions passed

down to them from generation to generation – from grandparents to parents – over the years.

Three members of this family play a critical role here. They are Denny, Jake and Ty Ferguson, a trio of unforgettable characters who live off the land in this part of the country.

Their home is deep in a place called Middle Branch. The Ferguson men are humble and generous individuals, and perfect examples of a clan that still looks and dresses like mountain families from a bygone era.

Little do these men realize, though, that their land is rich in coal reserves and other minerals that greedy corporations and corrupt people will go to almost any length to possess.

At the same time, this tale also catalogues the lives and adventures of three young boys who witness a tragedy: Joe, (me), Travis and Billy. Still, while terrible events explode all around them, these boys will find ways to get into some very entertaining mischief.

“Murder Seen through the Eyes of a Child” is their story.

Chapter #1

The Fishing Trip

My friend Billy pedaled up to my house on his bike early on a beautiful August morning, screeching to a halt right in the front yard.

Then, he cupped his hands around his mouth and hollered as loud as he could, as if I couldn't hear him: "Hey Joe, would you like to go fishing today?"

Billy was one of the closest friends I'd ever had. He lived up the road a little ways and like me, he came from a large family. And, like most of the boys my age who lived in our area, he was skinny as a broom pole for 12 and still growing straight up.

We all could spot Billy coming for quite a ways off because his curly brown hair was kinky and crazy and stood straight up most of the time.

In fact, the first thing anyone saw as Billy approached was his hair flapping in the wind and then there was no question for anyone that it was him. He was also the tallest of any of my friends at that time, coming in at a pure five-

feet, one-inch tall. On top of that, Billy was always ready for adventure and at the drop of a hat he would be off to find it.

I was so excited about the possibility of going fishing. I loved our fishing hole which was in a beautiful, isolated area in the very head of Middle Branch.

There, the water was so clean and clear you could count endless varieties of fish swimming in schools and by themselves in more than 20 feet of water.

We have fished in a lot of places in our lives – pulling out catfish and crappies and largemouth bass -- but of all those fishing holes in all the locations we found on our beautiful mountain as time went on -- this one was doubly blessed as the best all-around place to swim, too.

It rested on the top of the highest mountain peak in Middle Branch, reachable only after a strenuous 2-mile hike through a breath-taking, but treacherous, mountainous pass.

The sweat would drip off us as we climbed higher, but we were joyful at the natural beauty around us -- the signature of this leg of the Appalachians, a 480-million-year-old system, spanning east to west across the country.

The mountains were steaming with wildlife and each time we hiked them to reach our fishing hole it was like a

Murder Seen Through The Eyes of a Child

symphony of songs and sounds of birds and other creatures filled the air. We watched and witnessed deer, wild boar, bear, squirrels, rabbits and many smaller animals feeding and interacting in the verdant, green habitat of ridges and valleys, many within arms' length as they played and slept. When it came to some of the bigger wild life that we could hear crashing through the more ominous ground cover, well, we knew to keep a good distance for all of the obvious reasons.

We would get tired and stop to rest from time to time as we made our way on, but the long hike was well worth it. I cannot recollect a time when we didn't catch a lot of fish once we had arrived and gotten ourselves settled.

So it didn't take a second thought for me to respond to Billy and I hollered back, just as excitedly: "Sure I'd love to go!"

And that was an understatement.

"What do you think, should we go by Travis's house and get him to go with us?" he yelled back.

"That sounds good to me," I replied, as I ran out to meet him. I was excited.

"Let's go get him then," Billy suggested.

Travis was one of our closest friends. The three of us did everything together and it was rare to see us apart. We were a tight little threesome and Travis loved the fishing hole as much as Billy and I did. So we jumped on our bikes and headed to his house.

Travis didn't live too far away, just up the road. Unlike us, he was reserved and didn't believe in taking chances, but we managed to pull him into about everything we did whether it was good or bad.

Travis was short and stocky and heavily built for all four-feet eight-inches of him. Needless to say, he was the strong one of our little group, which came in handy.

Me, I was the bean pole, so skinny that Mom and Dad had a hard time finding a belt for me. They would usually buy one as close to my size as they could find and cut it off. Then, they would take a nail, heat it up over a hot stove, and burn new holes in the leather so it would fit me.

Whenever I didn't have a belt I would use a piece of grass rope from a bale of hay to keep my britches up so I wouldn't find them around my ankles. I stood tall at a proud four feet 10-inches tall.

We made quite a pack, we three. Each of us individually was scared to death of his own shadow, but

Murder Seen Through The Eyes of a Child

together we thought we were invincible. There was no way we were going to back down from anything.

Once at Travis's house, Billy, Travis and I rode off toward Fog Hollow to start the long journey up through the mountains to our favorite fishing hole. We arrived at the old, rutted dirt wagon road that leads to Fog Hollow, a path that was smooth in spots while other places were so bumpy it would bend the rims on our bikes if we hit them too hard.

We could go fast on the smooth places and make good time. And we did, right past the bootlegger's house at the end of the road in the head of Fog Hollow. The sun was hardly up that day and no one was stirring as we zipped by. The bootleggers were a family that sold moonshine, whiskey and homebrew to all the locals. They were called bootleggers because we lived in a dry county where the selling of alcohol was prohibited.

When we got to the spot we hid our bikes out of sight and followed a small stream into the woods. We picked up the trail that leads to our fishing hole and started walking, deep into the mountains. A soft breeze caressed our skin, moving the branches in the early morning air. They swayed gently back and forth in the sunlight, a prism exploding in blinding color through the leaves. It was fall, and the hint of orange on the tips of green from the temperatures

beginning to cool at night just magnified the glorious panorama around us.

The path that led up the mountain is worn down by centuries of travelers. Cut into the earth, parts of it now resemble a set of stairs that fit our feet thanks to the water that has steadily dripped down, year after year. It follows the formations of each rock outcropping now protruding up and out of the earth.

We had to be careful on some parts of the trail, especially those spots where the spring had found its way up and out, trickling across the rocky steps and then down the mountain side. One wrong step, one slip, and you were gone.

As we climbed, we heard the swoosh of gray squirrels bouncing and swinging off tree limbs in the distance. Then the sudden rustle in the brush as a deer ran up the ridge, its white cottontail swaying from side to side. The animal stopped at the peak, turned its head back toward us, ears perked high, before it strutted proudly -- head in the air -- out of sight over the top. It had succeeded in getting away from us.

The silence was mystical as we peered up and into the huge towering canopy of oak, hickory, walnut and beech trees resting against the skyline. These huge trees comprised a virgin forest whose tops reached for the sky

Murder Seen Through The Eyes of a Child

during their long lives with arms outstretched in an embrace. A woodpecker broke the silence as it pounded its beak with impunity on a nearby tree, searching for food. Other birds chirped, stealing our attention as they filled the air, and our ears, with their songs.

My mind filtered such incredible sights and sounds, a tranquil symphony that echoed throughout the mountains filling my soul. Even though I'd heard and seen it before, I never tired of the beauty, and how it made me feel.

Finally, after a nice, long two-mile hike, we came upon our favorite fishing hole, a pond about five acres or more in size that twisted, wound and cut its way through the top of the mountain between the ridges.

The best part about the pond is where it was located, right between the top of the two highest ridges in the very head of Middle Branch. As we approached, we could see the mist of a morning fog slowly rising from the water and disappearing before it met the sky. Smiles crept across all three of our eager, young beaming faces as we imagined the fish that would be jumping up out of the water as the mist disappeared and more of the pond came into view.

There, the water is so clean and clear you can see the bottom easily. Cattails are scattered along the edge on one end of the bank. As they sway back and forth in the morning breeze, humming birds and insects are by their

sides, eager to grab an early morning meal at the cattail buffet.

Portions of an old fence still stand along one side of the pond, part of a long and winding wooden barrier that encircled the orchards that the Ferguson family had planted and cared for on the property they owned on the mountain top. It was just a short distance from the pond, whose back side had a backdrop of rock outcroppings that rise about 20 feet above the water.

We used those rocks as a diving platform in the summer months when we went swimming there. Parked upon the bank on the right side near the back of the pond was an old boat that the Ferguson family had made.

Rumor had it that Denny Ferguson built the boat so he could use it as part of his ploy when he courted Betty Lou, a clerk at the local country store who he often brought up here on picnics.

In the morning, the pond is very still and doesn't have a ripple even though wild black ducks are silently cutting through the water on the other side. It is quiet and peaceful and even the crows heard in the distance with their famous calling sound are a welcome comfort.

We all hurried to our favorite spots along the bank of the pond to get our poles in the water as soon as possible.

Murder Seen Through The Eyes of a Child

But as we started to cast, the piercing sound of a gunshot deafened us. It bounced from one ridge to another throughout the mountains, straight to our eardrums, breaking the golden silence that early morning. It scared me so badly I thought I was going to jump out of my skin.

The shot came from just behind the pond and the three of us, all at about the same time, raised our eyes from the water and looked toward the direction of where it had come.

We spotted Jake and Denny Ferguson walking toward us carrying their rifles and what appeared to be a big red fox. They had just shot it and had pulled it from one of their traps. The fox was lifeless, its body limp as it hung down toward the ground from Denny's arm.

The brothers gazed over our way and saw the three of us fishing. They changed direction immediately and headed over to us and stopped. They were older, with Denny about 30, and Jake a little younger, at 27.

"How's the fishing going, boys?" Jake asked.

Denny looked unusually eager as he asked, "Catching any good fish today?"

Billy was trying not to appear as terrified as he was but I could tell his knees were shaking.

"We were just getting started when we heard your gunshot," he said.

"Well, I hope we didn't scare away your fish," Denny replied.

As a big smile spread across his face, he said, "I'll tell you what, here is some licorice you boys can split."

Then, after chuckling to himself slightly, Denny added strangely, with a big, wide-eyed grin, "If you run out of bait, maybe you could put some of the licorice on your hook. You never know, the fish just might bite it."

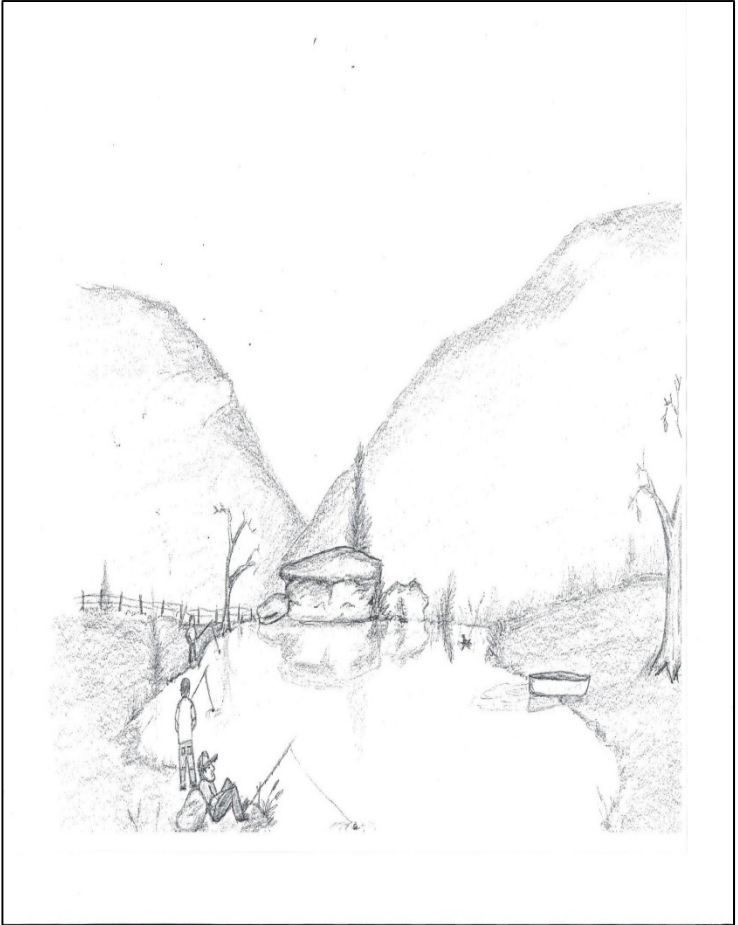
We didn't know what to think. After they wished us a lot of luck with our fishing, they walked away along the path that led back down the mountain.

After covering about 100 feet, Jake turned around and looked back and said jokingly, "You boys leave a few fish in the pond for us now."

We all seemed to exhale at about the same time as they finally walked out of sight. What was going on?

At this time, what the three of us didn't realize was this would be the last time that any of us would ever see Jake and Denny alive again.

Murder Seen Through The Eyes of a Child



Chapter #2

The Fergusons

Denny, Jake and Ty Ferguson -- and their families -- lived off the land.

Denny was about six-feet, two-inches tall. He smoked a pipe and wore a round-rimmed hat along with a full beard. He had started smoking the pipe when he first overheard down at C & H Country Store that Betty Lou, the cashier down there, was overheard talking about how she thought that a man smoking a pipe was irresistible.

Denny had always had a crush on Betty Lou and what she said mattered.

Denny was easily identified because he wore a coat all year long. In fact, the only way that you could tell what season it was, was how he wore the coat. If it was buttoned, it was winter. If it was unbuttoned, it was summer -- plain and simple.

Denny, Jake and their father Ty were all men of medium build. But Denny wore Big Dee overalls all the time, and the heavy coat, the round-rimmed hat and a full

Murder Seen Through The Eyes of a Child

beard. Ty was also distinct. You could tell it was him walking your way just by observing his big, high steps and how he held himself with pride. He was a happy and content man who had a jolly smile for everyone.

Poor Jake on the other hand, was odd man out. He was a lot shorter than his older brother Denny and his dad and both of his hands were disfigured, something he was terribly self-conscious about. When he was younger, Jake had gotten his hands hung in a bear trap while he was playing with it and he almost lost both of them.

Luckily, he still had good enough use of his hands that he could handle his favorite shotgun, as we saw. Like his big brother Denny, Jake also wore a hat, big beard and a heavy coat year around.

Now the Ferguson family owned thousands of acres of land that had been handed down through their family for many generations. The fox that Denny and Jake had previously trapped and shot was one of many different kinds of animals that they trapped for food and for their hides on the property.

They would then process these animal hides and sell them later at the local market to raise money for themselves and their families.

Denny and Jake also dug and sold wild herbs like Ginseng, Goldenseal and wild ginger from the land. They would clean the roots of the herbs and dry them, and after setting aside some for their personal use, they would sell the remainder down at the local country store. They also had apple, peach and pear orchards on top of many of the ridges in Middle Branch and much of the fruit from these orchards went to the local store and was sold to friends and neighbors.

All of the locals looked forward to getting their fruit from the Ferguson family. So, it was a common sight to see the men hauling burlap bags and coffee sacks full of fruit in late summer and during the fall that they had picked from their orchards.

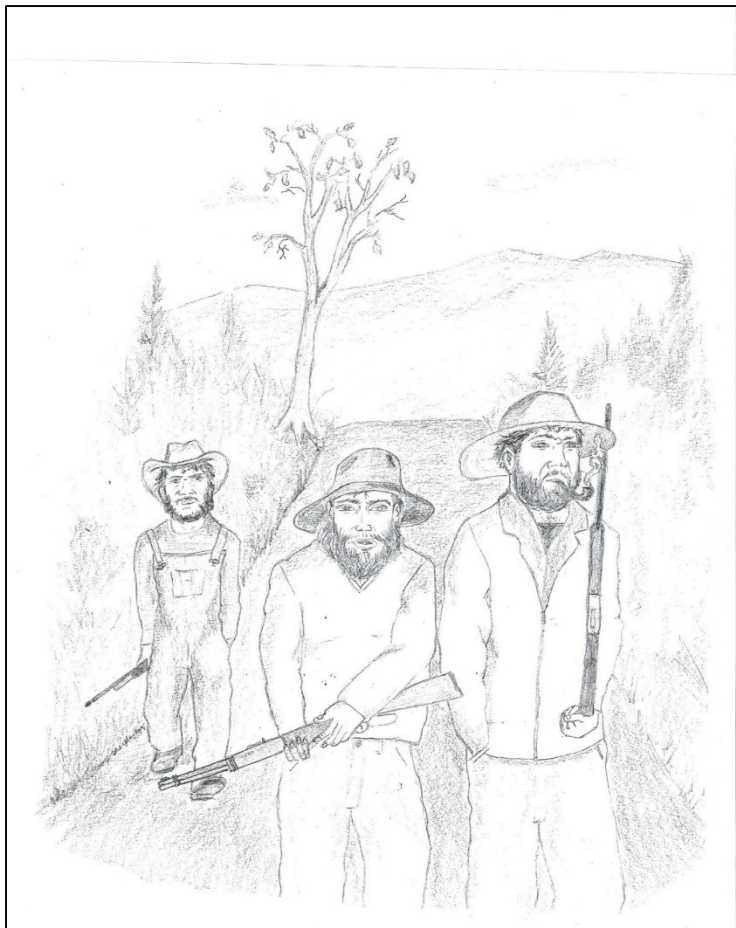
When the Fergusons visited C & H Country Store they always carried their rifles with them. One of them would also be lugging an empty coffee sack to tote back whatever they bought, if they were going after supplies. Most of the time Denny would have a stick similar to a small baseball bat hanging from a loop that was attached to his belt.

Denny used this stick when he was confronted by barking or growling dogs that approached him as he walked down the road. There were plenty of dogs in the area as well as several packs of wild, strays.

Murder Seen Through The Eyes of a Child

When approached by one of them, Denny would hold out the stick and point it toward the dog. If the dog bit the stick he would hit the dog in the head with it. His rationale was that if the dog would bite the stick it would also bite him. He would then take care of the dog.

Nathan Rhodes



Murder Seen Through The Eyes of a Child

If you didn't know these men, because of the way they dressed and looked, you would assume they were scary and dangerous. All of the Fergusons wore coats, hats and heavy denim pants both summer and winter. Their faces carried big unkempt beards. They looked and smelled as if they had never taken a bath and if they had, it was a very long time ago.

But deep at heart the Fergusons were good people. They were humble men and good neighbors to our community. They cared for the land and considered it and everything that was in and on it as a gift from God that was not to be wasted, abused, misused or taken for granted.

After that encounter, we pulled ourselves together and got back to the task at hand: catching fish! And what a good day it was. By the end, the three of us had caught a lot of really nice fish. Billy caught the biggest one that day, a seven-pound Largemouth Bass. All I had was a stringer full of catfish and Travis had a few Smallmouth Bass.

We couldn't wait to get home and show off our big catch. We were proud.

As we headed back down the mountain we came upon a man wearing light brown khaki clothing and carrying a funny looking hammer on his belt. One side of it had a hammer's head and the other had what looked like a

mattock head for digging. After exchanging greetings with the man, Billy couldn't resist but ask about it.

"What kind of hammer is that hanging from your belt?"

"This is a prospecting hammer," the man replied, showing it to him. "I use it for prospecting when I am looking for different types of minerals."

"What kind of minerals are up here," I asked jokingly and then continued on. "We actually have minerals around here?"

"Well," said the man. "I was looking for coal but right now I am looking for fire clay. Whenever you find fire clay you will find coal."

Then he went on to explain.

"After finding the fire clay I can mark that spot on the map to be opened up back to where the coal is located later on when the bull-dozing crew arrives," he said. "I was also hoping to find signs for oil and gas as well."

Everyone in our community knew that Jake and Denny's family owned all of the land that the prospector was prospecting on. It was hard to believe that Denny, Jake and their families would allow him to come on their property and openly prospect on it.

Murder Seen Through The Eyes of a Child

The effects of mining and exploration of any kind would destroy the land. Everyone knew that. Bulldozers would make roads across the property and tear up a lot of the surface. This kind of work would destroy trees, plants, vegetation, and streams.

Most, if not all, of the wildlife in the area would be pushed out or destroyed. So the big questions for us seemed to be, who sent this prospector into the mountains? And, what was the real purpose of his visit upon the Ferguson property?

We couldn't wait to get home so we could tell everyone, not only about our good fishing trip and how we caught all these big fish, but also about the prospector who was searching for coal along with oil and gas on Denny and Jake's family property.

The fish had been biting so well that we had stayed and fished way up into the evening. We stayed a little longer than we should have at our fishing hole, and also in talking to the prospector. Now the sun was setting behind the hills and it was getting dusky dark. And we had quite a trip down ahead of us.

Going through these mountains late in the evening and a little after dark could be really special. The sounds of the nightlife was enchanting as well as a little scary sometimes. As our trail back down the mountain grew

dimmer and dimmer, fire flies started lighting up the path ahead of us. Then the melodies of crickets and katydids filled the night air with soothing music. A whippoorwill's sharp screech blended in with the night sounds in the distance. Not to be outdone, a hoot owl bellowed its call for the first time of the night.

And then a sound we really didn't want to hear. The bone-chilling cry of a coyote lifting its head into the air, for the first time tonight, to howl out an invitation to other coyotes to join in on the melodious song.

Our pace quickened with our breath, and our words to each other became fewer and fewer, as we hurried down the trail. We all knew that the bootlegger's house wasn't too much farther and we were all very quiet for the rest of the hike down the trail that ended right behind his house. What a relief! We were now safely out of the woods.

The three of us walked a quick heel-toe to the bootlegger's house, trying to act like we were big boys, afraid of nothing. As we got closer, we saw lights shining from the horse corral behind his house and four or five men gathered around the mules and horses in it. We could hear the men arguing among themselves over who could or couldn't ride the young mule.

We couldn't believe this. Grown men were arguing over who could or could not ride the bootlegger's young

Murder Seen Through The Eyes of a Child

mule, an animal that had never been ridden before? This could not end well. We just had to stop and watch. You have to be pretty stupid to try to ride a young mule sober, never mind drunk as these men appeared to be. The mule was just standing there with his ears pointed backward toward the men as if he was listening in on their conversation. If he could have smiled, he would have. Seriously?

One of the men staggered as he approached the mule, which had no saddle nor blanket on it but only a bridle. Finally, after being egged on by the others, the man grabbed the bridle in his hands and threw himself across the bare-backed young mule. Which then gave about three or four quick kicks with his back legs high into the air. At the last kick, the mule also threw the rider high into the air. And like a sack of potatoes, the poor man flipped over and over before finally crashing with a loud thud upon the ground.

All the other drunken men were dying, bumping into each other as they rolled with laughter. We couldn't stop laughing, either. We moved a little closer to see the drunk get up and check himself to determine if he was OK. As he staggered to his feet, holding his side, I noticed with somewhat of a shock that it was my father, drunk as a skunk, and trying to ride a young stubborn mule.

I knew that I had better get out of there as fast as I could before Dad saw me because I was supposed to be somewhere else at that moment, and it wasn't watching him.

We all ran and got back on our bikes and headed down and out of Fog Hollow and toward Billy's house as fast as we could go. When we arrived, we told Billy's father, Elbert, about the prospector that we had run into while coming back down the mountain from our fishing trip.

"I can't believe that the Fergusons would allow anyone upon their property for prospecting or any type of mining operations," he said, matter-of-factly. "I think something very odd is happening on the Ferguson property."

Looking at the three of us with concern in his eyes, he said, "You boys better look out and be careful if you ever go fishing up there on the mountain again."

Travis's family found the whole story bizarre, especially when we described the prospector. They treated us as if we were making the story up.

When I got home dad was already there and had his shirt off. I noticed that he had a big, wide bandage wrapped around his middle.

"Dad, what happened to your ribs?" I asked.

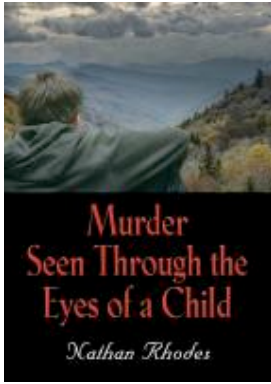
Murder Seen Through The Eyes of a Child

He snapped at me as he winced, swallowing some pills with a glass of water.

“Nothing has happened to my ribs and you need to mind your own business,” he said.

Dad came across like a sore loser from the mule ride but he didn’t know that I had watched his unceremonious crash to the ground. I then proceeded to tell him about what had happened when we came back down the mountain from our fishing trip. I told him about the prospector and what the inspector said he was looking for. Like everyone else, Dad said something didn’t sound right about it.

“There is no way that the Fergusons would allow that prospector or anyone else to come upon their property to prospect it,” he said. “There is no way that they would allow any mining operations on their property. That will never happen.”



Murder Seen through the Eyes of a Child is a story about three young boys growing up, and getting into all kinds of mischief as they watch and witness a terrible tragedy unfold. They live in a time period when corruption is rampant in law enforcement and corporations. These individuals will resort to almost anything to fatten their banks accounts even if that means destroying people and the land they own to achieve their goals.

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