

Annals of Iowa
Volume 1, No. 9 January, 1865

HISTORY OF DAVIS COUNTY, IOWA.

BY CAPT. HOSEA B. HORN, OF BLOOMFIELD

CHAPTER II.

His remains were taken, as was supposed by Mr. Jordan and others, to Alton, Illinois, and placed in the hands of a party there, to be prepared and united for preservation as a skeleton. Black Hawk's sons learning this fact, applied to Governor Lucas, by whose order the skeleton was brought to the city of Burlington, perhaps in the year 1839 or 1840. The old Chief's sons visited Burlington for the purpose of taking possession of their father's remains, but finding them as they said, in a good dry room, they left them. I had not been able to learn what had become of the old Chief's bones until I read Mr. Barrow's account, which tells us "they were placed in the halls of the Historical Society at Burlington, and finally consumed by fire with the rest of the society's valuable collections." The Mound made by the dirt and sod over the grave is still plainly to be seen in the pasture of Mr. Jordan, in the vicinity of which are the graves of several others of the tribe who were buried there after Black Hawk's death—he being the first buried at that place.

FIRST MERCHANTS.

The public lands of our county were first brought into market and offered for sale by proclamation of the President, in May or June, 1816. Previous to that time, the County Court had made arrangements with John Lucas for the loan of two hundred dollars, with which to purchase the town site. Mr. Lucas, having furnished the money, on The 26th day of June, James E. Cowles, then Clerk of the County Court, entered, at the land office at Fairfield, the north-east quarter of section twenty-five, town. 69 north, range 14 west, which had been previously laid out in town lots. The entry was made in his own name, and on the 2d day of July, Mr. Cowles conveyed the same to the Commissioners of the county in their official capacity. Mr. Lucas, from whom the county borrowed the money to purchase the town site, was the first merchant in our county. He came to the county in the year 1844, and purchased the "claim" of Mr. John Bonebrake, adjoining the town plat, and *squatted* in a log-cabin about half a mile north of Bloomfield. Here he "opened up" a stock of goods, which consisted principally of the remnant of a stock of goods which he had brought with him from Fountain County, Indiana, where he had been previously engaged in the business. In this cabin he remained until his family (some seven in number,) and his store, for several months. His business increased, and in order to meet the demands of the community in a growing trade, he built a small frame house in town, on the west side of the Public Square. This "store house" was weather boarded with clapboards, and covered with lapshingles three feet long. During the same year, Samuel Steele & Co., and Carpenter & Davis also commenced business in town. Steele & Co. built a long trade building on the north side of the public Square, still standing, and Carpenter put up a log cabin on the west side of the Square. In these buildings each continued to sell goods for several years. Mr. Lucas' and Mr. Steele's store houses were the only buildings in the town except log cabins, until the summer of 1849. That season, the writer built the first frame dwelling house erected at the county seat.

FIRST LAND SALES.

By virtue of the laws of the territory, by common consent and the regulations of the several neighborhoods, each *squatter* held his claim to three hundred and twenty acres of government land, from the first settlement of the county in 1848, until the time of the sale of the public lands in 1846. In order that full force might be given to the claim laws, and that their provisions should be fully enforced if any violation should be attempted during the sales, every township and neighborhood of our county was represented by a strong delegation of claim holders. The lands were offered by townships, beginning at section one, and the club organizations of Davis appointed one of their number for each township who stood near the crier with the number of each piece of land which his neighbor desired to pay for at that time, and whenever such tract was offered, the select man would announce the name of the claimant to whom it would be stricken off at \$1.25 per acre—many of the settlers purchased by forty acres at the land sale, while others paid for eighty and some for one hundred and sixty. The remainder of the claim, however, was still held by the settler, and by neighborhood regulations, the claimants were protected in their right to hold government land for about three years, after the same became subject to sale by private entry.

SECOND DISTRICT COURT.

The second term of the District Court was held at Bloomfield, commencing on the 18th day of April 1815. Hon. Charles Mason Judge; Fredrick D. Mills, United States Attorney; L. D. Stockton, District Prosecutor; E. Garry Lefler, Deputy Marshal; Stiles S. Carpenter, Clerk, and Samuel Riggs, Sheriff. The following named persons were in attendance as grand jurors, to-wit: Abran Weaver, (foreman,) Thomas Sumerlin, John H. Zimmer, Joseph B. McCoy, Reuben R. Reeves, John A. Allen, George W. Parson, Isaac Riggs, Samuel Starr, Jesse C. Blankenship, Jacob C. Ralls, Ezra M. Kirkham, Riley Macy, Delaney Sweeney, Isaac Fitzgerald, Milton S. French, William D. Evans, Pearsford Robinson, William Williamson, and James Rigsby. The following named persons were petit jurors, to-wit: Jonathan Riggs, Joel Fenton, George W. Crown, Mathias D. Ham, Edward Ellis, Joel C. Wheeler, Aaron Cochran, Josiah Starks, William Lynch, Daniel P. Crumrine, John Denison, Leroy C. Evans, Jefferson Sailing, Calvin Taylor, David Newell, George W. Butt, Wesley Young, James Arnet, Harrison G. Phelps, Joel Stacy, Joseph Armintrout, Benjamin Turnman and William Stricklan.

This term of the Court was held in the (then) new court house, and remained in session four days. The following cases were disposed of, to-wit: "United States vs. Christopher Parkins, breach of peace." Dismissed at the cost of private prosecutor. "United States vs. Willis and Passel. Appeal." Dismissed at the cost of the county. Frederick Atchison vs. John and Washington Crawford. Replevin.: Dismissed at the cost of the plaintiff. "Benjamin Rucker vs. Banks Winton. Appeal." Jury trial, verdict and judgment for defendant for costs. "Hiram Adams vs. Samuel Grott. Appeal." Judgment for defendant for costs. "John Carnes vs. Hardin D. Paris. Appeal." Judgment for defendant for costs. "Collins & Kellog vs. Stiles S. Carpenter. Assumpsit." Judgment for defendant for costs. "Collins & Kellogg vs. Leven W. Ross. Appeal." Judgment for plaintiffs for \$12.13 and costs. "David Newel vs. Solomon Richards. Appeal." Judgment for plaintiff for \$50 and costs. "United States vs. J. W. Ellis. Appeal." Jury trial, and verdict not guilty. Judgment against the county for costs. "United States vs. John Shawyer. Recognizance." Dismissed at the cost of the county. "United States vs. William W. Rankin. Indictment for misdemeanor in office as Justice of the Peace." Indictment quashed—county pays the costs. "United States vs. William P. Linder. Indictment for false imprisonment." Jury trial, verdict guilty, fine \$25 and cost, and sentenced to serve in the penitentiary ten days. This case is noticed more in detail in another place.

COURT HOUSE.

The Court House, in which Chief Justice of the Territory of Iowa had just held Court, was quite a smart institution for the "Hairy Nation," and was projected, pushed forward and completed by some of the first men of the place, under the immediate eye of the honorable County Court. On the 9th day of July, 1844, say the county records, "the contract for building the Court House, was then offered to the lowest bidder, and taken by J. J. Selman, at one hundred and sixty-four dollars," who entered into bonds for the faithful performance of the work with John Banta, and William J. Hawley, as securities. On the 9th day of October, in the same year, we find the following order, in relation to this structure: "The clerk advertises for sealed proposals to be received on the first Monday, in November next, for furnishing lumber for the floors, windows, stairs and doors of the Court house. Also, for sash, glass and putty for the windows. Also, for framing and casing the windows and doors, and making the doors, and lashing the floors and running the stairs." On the 23rd day of November, the Court "ordered the job of finishing the Court House according to the order of last term, to be let to A Andrew Tryon, for one hundred and seventy-five dollars; and that said Tryon give bond and Security in sum of \$350; conditioned that the job be finished on or before the fifteenth day of March next." Afterwards on the same day, we find the following: "Ordered that the job work on the Court House let to Miles Tatlock, be rescinded, and that he be allowed \$35.10 for work on the same." This building was 22 by 24 feet, made out of hewed logs, one and a half stories high, and covered with joint shingles. The District and other courts were held here from April, 1845, to 1852, when it was abandoned and given up to the sheep of the neighborhood that congregated within our town every evening, to escape the annoyance of the wolves.

WHISKEY TRIAL.

In this odd log house, a trial was had before one of the Justices of the Peace, wherein Hardin D. Paris was defendant, on a charge of selling liquor without a license. The principal witness was singularly obtuse. It was made manifest to the court that the witness had made a purchase of defendant, but he refused to tell what that purchase was. The prosecuting attorney having well exhausted his ingenuity in trying to bring it out, finally asked witness how it tasted. "Do'no," replied witness. The attorney insisted that he should tell how the article tasted. Defendant's counsel objected to the question. The Court decided the question to be improper, and asked the attorney why he put such an interrogatory? "Well, your honor," replied the attorney, "I was unable to make the witness tell what kind of liquor he bought, but I thought if he would tell how it tasted, *the court would be able to determine for itself!*" The gravity of the court, witnesses and by-standers was somewhat disturbed, and the court having scratched its head, reversed the decision, and required the witness to answer the question.

MR. KISTER'S STATEMENT.

In order to furnish a correct account of the way the early pioneers managed in this part of the country, we have taken the liberty to copy from the statement of Israel Kister. He says: "In March, 1843, I settled on the Wycondah, on the disputed territory, and in August, the same year, I moved on Fox river, about one mile and a half northwest of the present county seat. I claimed a portion of Uncle Sam's land south of Fox river, but remained in my cabin on the north side until Spring when it took fire and was destroyed. We lost all except one feather bed and a few bed clothes. Looking on till all was , I tied my bed in a sheet, shouldered it, and in company with my wife started for shelter. We called at the cabin of William T. Johnson, and, were admitted and kindly treated. His cabin was sixteen feet square, and by the time we all got in it was plenty well filled. His family consisted of himself and wife, three children, a hired man, his mother and brother and Mrs. Johnson's sister, and

myself and wife—in all eleven persons. This was a very wet season, the waters were all up, and the bottoms on Fox overflowed until near harvest, so I remained at Johnson's until August.

Wishing to build a house on my prairie, which proved to be adjoining the county seat when located, the settlers turned out and prepared a set of house logs for a house eighteen by twenty feet. But my timber being on the other side of Fox, I was unable to get my logs to my building place. Finally I hauled them to the river on a high bluff, on the one side, and the overflowed bottom on the other. At that time there were neither for nor bridge that could be crossed. Mr. Johnson, James A. Songer and myself then hung our clothes on a tree, each man to a log, rolled it in the river, followed it up swam across behind, pushing the logs before us, over the river and across the bottom, among the bushes and brush, and after several days of hard work, we got the "logs all over."

Mr. Kister further says: "In August we moved into our new cabin, and put up a prairie bedstead, by boring an augur hole in the logs of the house and driving a forked stick in the ground for a post. We had fence rails, and used clapboards for cords. The cabin had a clapboard roof, and a hole cut in the side for a door, but no shutter. About a week before my house was burned, I lost my only horse, and one of my oxen, (I had but one pair) died also. And the last fifty cents I had in the world, was lost in the fire. I was left with one old shirt, and one pair of pants, and no place to buy any nearer than twenty-five miles, and no money to buy with! When we commenced house keeping in our new cabin we borrowed from Mrs. George W. Lester two knives and forks, two or three plates, two cups and saucers, which, together with some pots which did not burn with the house, made up the sum total of our household and kitchen furniture. I had a cow which we milked in a stew kettle, and strained the milk in a skillet! Having got fairly settled in our new home, I set about and chinked and daubed my cabin and built a sod chimney! About this time Edward and John W. Ellis was keeping a "bachelor hall" on their "claim" and were about as scarce of cooking utensils and cupboard ware as we were. Edward proposed that we should splice in the house keeping business, which was agreed to, and it was not long till he arrived at our cabin with his household articles, which matched ours very well, and which added materially to the appearance of things about our new cabin."

We would here remark, that in that year (August, 1824,) Mr. Kister was elected Recorder of Deeds; in 1847, was elected Clerk of the Commissioners' Court, and in 1850 State Treasurer. He now resides on the same "claim" he has been speaking of, and the house made of logs floated across the Fox is still standing, and now used by him as part of his present dwelling, but so much changed from what it was twenty years ago, that no one would take it to be the same building.

About the year 1841, Leroy C. Evans, Esq., settled in our County, taking a *claim* about one mile east of Bloomfield, and put in a small patch of corn and garden vegetables the first season. The next autumn his brother Charles came also, and made a "claim," and next spring moved his mother's family on it. The "claim" was on the "Dispute," and he was not, therefore, disturbed by the Dragoons, while the cabin, fencing, &c., of Leroy C. was set on fire by them, and much damage done, and the house entirely destroyed. It seems that Mr. Evans had anticipated something of the kind, for he had already removed a small smoke house from his "claim" above named, to another one south of Brown's line on the disputed territory. When his house was destroyed, he moved into the smoke house, which, though small, was better than none.

A SPREE.

Early in the winter of 1842-3, the news of the ratification of the treaty (by the terms of which the whites were permitted to take possession of this part of the country, in May, 1843,) was received at Eosauqua (that being the nearest post office.) The next day after the receipt of this news Judge Weaver, Col. Carpenter, S. McCrary and another whose name is not recollected, started on foot, for the "purchase" to inform the squatters of the ratification. When they had reached this neighborhood, the party began to whoop and yell at the full capacity of their lungs. Nearing Mr. Evan's house, they

saw him sitting on the top of it, looking out to ascertain, if possible, the character and object of the advancing party, whose screams had attracted his attention and excited his curiosity. The messengers having advanced within a quarter of a mile of the cabin, they were recognized by Mr. Evans as friends from Keosauqua. He was then seen by them to descend from the house top as a bear comes down a tree, immediately returning to the top of the house, swinging his wolf skin cap about his head with one hand, and holding a jug of whiskey in the other, he saluted his friends in true western style. The contents of the jug was immediately tasted by the party, and the welcome news told, after which supper was served up, which consisted of corn dodger, fat pork and dried string beans. After supper, Mr. Evans and his friends repaired to Mr. John Bonebreak, for the double purpose of communicating to him the intelligence of the ratification of the treaty, and to obtain honey with which to sweeten their whiskey. At Mr. Bonebreak's the news was hailed with a shout of triumph, when a dram apiece emptied the jug. One of the party was immediately dispatched to Mr. Joseph Smith's, about one mile distant, who made haste to return with two jugs filled with the ardent. In the absence of glasses and spoons, the contents of one jug was emptied into a large tin basin, until two quarts of honey added. This was well mixed and thoroughly stirred with a stick. The mixture thus prepared, was then dipped from the basin with a tin cup, and the company served—all of whom imbibed freely. By this time several of the party began to feel quite happy, and desired to have a dance, but no music could be obtained. The services of some one were engaged to whistle, however, and the gentlemen began to select partners for the dance. Judge Weaver being a stranger to the ladies, was introduced to Miss Rhoda Bonebreak by Col. Carpenter. Being slightly *fuddled*, in consequence of the mixed content of the aforementioned basin, when in the act of making a bow to the lady, he made an unlucky step, which brought their heads in collision! Seizing one of her hands in both his, *ardently* shaking it at the same time, the Judge exclaimed: "How d'do, Miss Rhoda, glad to "to see you," 'pon my word I am! How's "your family!!"

The party began to dance, but the *puckering strings* of the musician's mouth soon relaxed, and the music ceased.

About this time Mr. Weaver seized a large cat, which had been a quiet and silent spectator up to that moment. Placing his body under his left arm and the end of its tail between his teeth, he used the poker as a bow for his feline instrument. Biting its tail produced a wailing sound—the variations to which were brought about by a light or heavy pressure of the arm on the inflated, enraged and frightened cat, as the occasion required, or as the confused brain of the musician(!) seemed to suggest.

A CLAIM JUMPED.

In the year 1838, Mr. William Hardesty came to this County, and settled on the *Disputed* territory near the line of Van Buren county. He was from Fountain county, Indiana, and came to the territory of Iowa in company with Uriah Biggs, Esq., who had a contract with the United States government for surveying certain public lands of the "Black Hawk purchase." He settled on a small stream called Henry creek, where he lived and died. It has been related to us, and we have no reason to doubt its truth, that during the first four or five months after he arrived here, the only food of the family was wild game, honey and wild fruit. But as soon as sufficient time had elapsed to grow corn, the family of Mr. Hardesty fared better; first having plenty of roasting ears and afterwards hominy. In the autumn of 1840 Mr. Haden Smith and Mr. William F. Johnson came up from Van Buren county, (where they had raised a crop that year,) and selected "claims." Mr. Smith erected a small cabin on his "claim," and returned to Van Buren for his family. While absent, a Mr. Pickens, who alleged that Mr. Smith had "jumped his claim," in company with some friends repaired to Haden's cabin, tore it down, cut the logs to pieces and carried off the clapboards! Upon his return Mr. Smith stored his "goods and chattels" in the cabin of one of his neighbors, procured a jug of whiskey and

with the assistance of Mr. Hardesty, Mr. Johnson and Mr. Elder, soon had another cabin ready for occupancy. Leaving these gentlemen in possession of the building, who promised to protect it from further assaults, Mr. Smith returned to Van Buren for his family whom he did not bring at the first load, but who were safely landed and duly domiciled on the new purchase in the new cabin on the following day. Here he immediately *began to live* as all the early settlers did, but he was lucky in having a few bushels of buck-wheat which he ground from time to time in his coffee mill and made pancakes, which was no uncommon dish in those days of wild game and honey. Soon after this, Mr. Johnson settled on his "claim" having erected a cabin, say two miles from that of Mr. Smith. This was some two years and a half before the whites were permitted by law to settle on the "purchase." Hence those adventurers were surrounded on all sides by the Sac and Fox Indians. They were friendly, however, and assisted the *squatters* to raise their cabins, capture wild game, hunt bees, &c., and many of them took a pride in doing so. Some ten or a dozen Indians were present and assisted Mr. Johnson to raise his cabin. Late in the fall of 1840, a Mr. Culver settled in the timber north of Fox river about five miles east of the center of the county, and in 1841, made a nice crop of corn, beans and other vegetables. Every thing about his began to look cheerful and he was getting fixed, as he thought, to live right. But about the time his crop was coming to maturity, the United States Dragoons came along and burnt his house and its contents, and destroyed all his crop. To use a western phrase, "he pulled up stakes" and went to Monroe county.

MARRIAGE CEREMONY.

At the first election in our county, Mr. Samuel Swearer was elected one of the justices of the peace, and at once became one of the first men of his precinct. He was regarded by the plebeians of his vicinity as the man of the county. He was called upon in his official capacity and as a citizen, to settle all difficulties and disputes that arose within his bailiwick. He uniformly discharged every duty imposed upon, and committed to, him in the best manner and to the entire satisfaction of all connected. "In the course of human events" one Caleb Knowles called on the squire to tie the knot matrimonial. The justice felt that Caleb had done him great honor in giving him this two dollar job, and determined that the business should be "done up in the best style," with dignity, as well as "neatness and dispatch." In order that no mistakes or blunders should occur on his part, to mar the feelings or embarrass any of the wedding party, he reduced the *ceremony* to writing. This he committed to memory, so that, when alone he could repeat every word of it with great ease and much dignity. He was "fully persuaded in his own mind" that this, his first effort in this branch of his official duties would not only be a complete success, but in all probability would eclipse the performance of any other justice in the "Hairy Nation" upon similar occasions. In order that the people might witness the accomplishment of this official act, and thereby become acquainted with his ability to marry folks, the justice invited several of his neighbors to accompany him to the house of the bride on the wedding day. Mr. Joel Staley, (from whom we first heard this anecdote,) was one of the guests by the invitation of the squire. After arriving at the place where the wedding was to be, Mr. Staley noticed that every time the bottle was passed around, (the parties not yet being ready,) the justice would take a *snort*, and then go out around the corner of the cabin. Mr. Stanley being curious to know what caused Mr. Swearer to retire so often, peeped through a crack in the cabin, and discovered the squire reading over his *ceremony*. Having thus retired some four or five times, and taken the document from the pocket of his buckskin pants, and carefully read it over, it was announced that the parties were ready to "stand up." The squire had taken several drams in order to brace up his nerves but when the time arrived requiring nerve and presence of mind, both seemed to forsake him! He became weak at the knee joint, and his memory was woefully at fault. He began: "Do you, Mr. Caleb Knowles, in the presence of these witnesses, take this woman who you hold by the right hand to be your lawful and wedded wife, promising to—to—to —." (Here he was completely stumped, and not being able to recollect the remainder of the ceremony, wound up by saying:) "I pronounce you man and wife, so help you God!" Not being as successful as he had anticipated, he destroyed his written ceremony and concluded to resort to the "Old blue back," (the laws of the territory were thus termed from being bound in bleu pasteboard,) for assistance. He searched through the whole book, but found nothing which approached nearer his ideas of a marriage ceremony than the oath to be administered to a witness on the trial of a cause. It was not long before Mr. Swearer was again called on to unite in holy wedlock willing hearts who had vowed

"—by Cupid's strongest bow.
By his best arrow with the golden head;
"By the simplicity of Venus's doves,"

that naught but death should part them ever. As was the custom in those days, the folks in general, and the Squire in particular, had imbibed pretty freely of the abundance of *skutiappo* (fire water, now called rifle whiskey,) which had been provided for the occasion. The parties being ready, the justice proceeded to tie the hymenial knot: "Do you, sir, in the presence of Almighty God and these witnesses, solemnly swear that you will take this woman to be your lawful and wedded wife, forsaking all others and cleaving to her so long as you both live, so help you God!" The swain answered in the affirmative, and the Justice proceeded to administer a similar oath to the lady, after which, in the name of the territory of Iowa and the United States of America, and by the authority of the "Old Blue Back," he pronounced the twain one flesh. The newly married couple were then happy, but in less than three months they parted, and the husband applied to the justice for the dissolution of the holy bonds. In the capacity of an exmember of the Territorial Legislature, Mr. Swearer drew up a petition asking that what he and God had joined together be put asunder by that body. The Squire being a man of much influence, the prayer of the petition was granted, and the parties duly divorced. It is proper to remark that Mr. Swearer was a man of sterling integrity, generous, hospitable and accommodating; and during the latter part of his life, became strictly temperate, and lived and died an exemplary member of the Baptist Church.

WHERE WE CAME FROM.

Elsewhere I have alluded to that portion of our county lying south of Brown's, and north of Sullivan's line, formerly known as the "disputed territory." It was the manner and custom of the pioneers of the county, who settled on this disputed ground, which gave us the name of the "HAIRY NATION." The people residing in this part of our county were the happy subjects of many peculiar privileges not enjoyed by their less favored neighbors, either in Missouri or Iowa proper, while they were allowed every advantage, and granted every privilege extended to American citizens in any of the States or territories of the United States. Among the greatest *blessings* and highest *privileges* allowed the settlers by both Missouri and Iowa, were their undisputed right to attend at all elections, vote for all officers to be elected, and drink all the whiskey they could get! And although these settlers, or at least the country which they occupied, had in turn been under the jurisdiction and government of various War-Chiefs of the Savages, of Louis XVth. of France, Charles III. of Spain, Napoleon I. of France, the territorial government of Louisiana, Orleans, Missouri, Wisconsin and Iowa, and at times subjects of two of these Governments at one and the same time, it must be acknowledged that they did more governing and were less governed than any people on earth. It is not to be wondered at, therefore, that when the State of Missouri and the Territory of Iowa both began to tax the people of this section, and their cabins became to be searched by the tax gatherers of both governments, that they *bristled* up and began to look *wolfish*.

Annals of Iowa

Volume 1, No. 10 April, 1865

HISTORY OF DAVIS COUNTY, IOWA BY CAPT. HOSEA B. HORN, OF BLOOMFIELD.

CHAPTER II

A Dance.

The squatters on this disputed ground as well as the early pioneers of our county, were generous and hospitable to a fault, and the report of their social gatherings none the less keenly relished for springing from the cabins of the west, in an almost unsettled region. And our people were always ready, at any time, to engage in whatever sports were thought best calculated to amuse the neighborhood. Some amusing accounts could be given of the way in which our pioneers conducted their social and public gatherings. An account of a *regular dance*, which took place some twenty years ago at the house of Frederick Atchison, we think will do to record. To Judge McAtee, who was at that time an unmarried man, residing on his claim in this county, we are indebted for the particulars. It seems that all the folks in the settlement had collected at Mr. Atchison's cabin, it being central, for the purpose of having a dance, &c.; and in order that no time should be lost, the evening meal was served at an early hour. All things being in readiness, the evening exercises began, ere the twilight hours had departed. But a few (the Judge among the number) who lived some ten miles distant, arrived just in time to be classed with that ancient gentleman, Mr. Tucker, who stands so prominent in the songs of our country. Musicians were not as numerous perhaps, in those days as at present, so that the services of all whose talent had inclined them toward cat gut and horse hair, was called into requisition. Me, being one of that class of individuals who "hath music in his soul," and who "is moved by a concord of sweet sounds," having bolted a cup of hot coffee, immediately began the task of making "music for the million!" The party went on, and on went the dance for several hours, without intermission, except an occasional halt to consult the contents of an old stone jug, which had lost its handle and which, from its black, greasy appearance, evidently had seen some service. This jug, Mr. Atchison, the host passed around, first serving the ladies and then the gentlemen. For convenience sake, Mr. Atchison passed along with the jug, he also carried a tin can. As he stopped at each guest he placed the jug upon his right knee, and held the cup in his left hand, and in order to pour the whiskey into the cup, he raised the leg upon which the jug was placed. Thus everything went on finely to all outward appearances for several hours, but McAtee who had been laboring hard on his own "claim" all day, and had rode some eight miles to participate in the amusements of the evening began to feel that something more nourishing than the contents of the aforementioned jug would do *that portion* of the party no material injury. He therefore mentioned his wants to some friend who made a promise to supply his wants with *a pie* as soon as the set then on the floor should have completed certain *figures*. Pleased with such a prospect, our musician, with renewed energy brought into requisition his whole musical talent and skill in the production of "a concord of sweet sounds," in the well known song, "When I went down to the kitchen door," &c. and when the *reel* was out, Mr. Samuel Riggs went in search of the promised pie. Mac's already sharpened appetite assumed a keener tone, and his mouth had already begun to water at the prospect before him. No doubt he thought as the poet hath said,

"I am giddy; expectation whirls me round,
The imaginary relish is so sweet,
That it enchants my sense."

But O! horrible! just then friend Riggs appeared with a huge frozen corn *dodger!* and the sad intelligence that he could find nothing else about the premises! The extra tone given to his craving appetite while viewing the promised delicacy through the mind's eye, had so increased his appetite that he made several attempts to *pitch into* the frozen morsel, but with poor success. All his efforts in that direction having proved ineffectual, he applied to a young lady acquaintance, who said she thought there was something to eat under the bed, as she had noticed Mrs. Atchison, the hostess, crawl under it several times during the evening, and get something for the children. "There is no use in having long legs unless you make use of them," thought Mac. He therefore invited the lady to take

a seat with him on the side of the bed and while thus seated, under the similitude of a *western spark*, he poked his long leg under the bed and got the toe of his boot into a box of sweet cakes! He dragged the box forward, and by proper use of a long arm, managed to fill his bosom with its Contents without being detected. Replacing the box, he excused himself to the lady, and having given several of the boys the wink, they retired without the cabin, and in a proper manner disposed of his bounty. Feeling materially refreshed, Mac returned to his instrument, and when the fray of morn began to peep, the light fantastic toe ceased to keep time with the music. The ball now closed. All had enjoyed themselves in a most satisfactory manner. A parting dram from the jug and cup, with a few jokes and quaint remarks on the incidents of the night together with the compliments of the morning, prepared the *squatters* for a separation. When it was fully day light, Mac happened to notice the frozen *pone* he had encountered during the night, and on examination found that, in his efforts to penetrate it, had bruised his gums so much that he had left the marks of blood upon it! The cabin of Mr. Atchison like all others of its time in this meridian had a puncheon floor; and the greatest trouble and annoyance of the party was a narrow puncheon which was put in to fill up a crack in the floor. This puncheon was not as thick as the others and when trod upon gave way, so as to cause the unlucky one to fall! Hence, at a certain stage of the dance, notice was many times given during the evening by the exclamation "Look out for the narrow puncheon!"

HOW THEY FARED.

The pioneers of our county were a hardy, industrious sort of people, most of whom had been raised to labor and industry. The first settlers were from Kentucky, Missouri, Illinois, Ohio and Indiana principally—about one-half of the population, for the first three or four years, being from the slave-holding states. At the present time there are about 3,000 of our population whose place of nativity is south of Mason and Dixon's line. Early impressed with the necessity of earning their bread with their own hands the early settlers were well adapted to the toils and privations incident to the new country they had chosen for their homes. By the terms of a treaty between the United States Government and the Indians, on the first day of May in this year, the "White man" was permitted to enter upon the *Purchase*, as this part of the country was called by the pioneers. Some, however, in violation of the law, had already crossed the forbidden Line and entered upon the Indian territory in order to seek out the most desirable locations for claims. Many were the hardships and privations endured by the early settlers of our county, and many incidents might be related in illustration. Among the first to enter here without permission before time had arrived was Mr. John Lang. He, with others, having taken a tour through the "Purchase," with a view of "staking out claims" whereon to *squat* for a home, the Dragoons were put upon their trail by the Indians—came upon their camp—destroyed it, and pursued the invading pioneers to the brush in that region of our country now known as "Hacklebarney." Here the fleeing adventurers took refuge among the abundance of undergrowth in that locality, and thus escaped an arrest by Uncle Sam's boys. Having remained secreted for several days, they at length came North and made their way to Van Buren County for safety. Others had built cabins, made rails, and other improvements preparatory to bringing their families to the "Purchase" at the earliest possible moment after the first of May, had the same burnt by the Dragoons or Indians, or both.

On first entering the "Purchase" in May, 1843, many of the families of the pioneers camped upon their "claims" without a shelter, other than that made by poles stuck in the ground, with an old quilt stretched over the top, and here remained, in order to hold their "claims" until a cabin could be put up. The cabins built that spring were generally about from 10 by 12, to 12 by 16 feet, low, made of small round logs, and variously covered. Some with clapboards, some with prairie sod, and others with quilts or wagon covers. The manners of the settlers among themselves were affectionate and familiar. The possession of wealth, or even property, was not then as now, evidence of high moral and intellectual capacity, and, therefore, a passport to the confidence and favor of society. There were none of the vexations and heart burnings, generated by rival grades or casts in their small communities; but in their intercourse, sincere friendship and confidence cemented them together as

a true and generous band of brothers. An eloquent writer has said: "No people of any country or age made greater sacrifices for the benefit of their posterity, than those which were made by the first settlers of the western region." What people ever left such noble legacies to posterity as those transmitted by our forefathers to their descendants?

A BEAR HUNT.

Although bears were not numerous in this part of the country at this date, in the winter of 1841-42, Mr. W. T. Johnson discovered that one had been passing, through his premises. He took the track, which led toward the north, in the direction of a very brushy part of the county in which he was not very well acquainted. Not being accustomed to hunting bears, he was not altogether willing to risk himself alone in the pursuit of bruin. He therefore called on Wau-pekeak-ke, (White Hawk,) to accompany him. The Indian, being fond of sport, and especially fond of bear's meat, at once set out with Mr. Johnson, and having traveled some fifteen miles, about dark came upon his bearship about eight miles from home, and in one of the worst thickets of brush on Jaquest. Mr. Johnson remained at the margin of the thicket, to take care of the horses, while Wau-pe-keak-ke followed after the bear. Having shot him with three heavy rifle balls, he succeeded, in capturing him about then o'clock at night. When bruin was dead, Mr. Johnson joined his companion, and the beast being cut in twain each took a half before him on his horse and started homeward. The night drew darker about the time they were ready to return, there were no roads in those days, and the hunters had to pass through a rough country and cross Fox river. Hence they made but slow time, and having encountered many difficulties on the way reached the cabin of Johnson next morning about light. This was Mr. Johnson's first and last hunt, and had it not been for his friend, and companion in this chase, Wau-pe-keak-ke, he would have not succeeded in taking his game. This Indian was quite a favorite in the settlement, and took much delight in hunting with the whites. Like others of his tribe, he would get drunk whenever he could get whiskey, and was, at one time, rescued from death by freezing when intoxicated, by the timely aid of Charles Evans and Shelby Farris.

THEY EAT A COON

In 1841, a Mr. Cornelius, from Boone county, Missouri, made a claim, northeast of where Bloomfield now is, on the farm now owned by Josheph V. Evans. He made things ready for raising a cabin, and invited his neighbors, (none of whom lived nearer than six miles,) to assist him. On the day appointed, six *settlers* repaired to the spot, raised the house and put on the roof. By the time the job was completed it was night, and Mr. Cornelius had nothing to offer his fellow *squatters* to eat. He had a first coon dog, however and all hands turned out, and in less than an hour had taken a very large fat coon. This they carried to the newly raised cabin and roasted without salt or any other seasoning, and had a regular feast! Soon after Mr. Cornelius got into his new house, and about the time the house and property of Mr. Culver was destroyed by the Dragoons, this house was also set on fire. Mr. Cornelius did not like to see his cabin burn, and as soon as the Dragoons had left the house, he tore it down and thus saved it from burning; at the time thinking, no doubt, that he would have it put up again. In a few days, however, he took his family and returned to Missouri. About this time the attention of a good many of the citizens of Van Buren county was attracted in this direction, and Mr. Israel Kister, Mr. Hale and McMains made a tour up this way. They examined the place where Bloomfield now stands, and all the country "round about," and being from a timbered country, concluded that there was not sufficient timber in this neighborhood to support three farms! They "returned home," says Mr. Kister, after laying in Fox bottom, or rather sitting against a large elm tree one night, without any kind of bedding." Their horses tied to trees but sixteen ears of corn to divide between three horses. It snowed all night; and as soon as day peeped, we divided our corn

dodger with our horses and evacuated the new purchase!

THE TREASURER LOVES HIS BOOKS AND PAPERS.

For some time after our county was organized, the county officers did not reside at the county seat, but were ready to transact business at all times—when and wherever called upon. And that they might be unprepared, the books and papers of their respective offices were carried in their hats. Maj. Calvin Taylor, our first Treasurer, during the term of his office, was engaged in the business of breaking prairie, and as the custom is in the evening when oxen were set at liberty to graze during the night, and some times under such circumstances they stray away. Our Treasurer's team having done so upon one occasion, he was in search of them, and while looking after the motive power of his occupation, some where in the brush along Fox river, he had the misfortune to lose all the books and papers belonging to his office, which at the time he was carrying in his hat! He made a diligent search for the lost *Treasure*, and as we learn, found part of it, but we understand that some important papers were never recovered.

FIRST LAWSUIT.

The first lawsuit in our county was between Joseph Carter, plaintiff, and Aaron Earnest, as defendant, for the price of a "claim." The particulars of the suit, we obtained from Judge McAtee, who was present and acted as one of the arbitrators in settling the case. It was an early day of our history, and before we had any Iowa officers in our county, but the county had been honored with one of those important functionaries called a county justice, who held his office by appointment from the "Governor of Missouri." Reuben Riggs, Esq., was the justice, and when the plaintiff's grievances could no longer be borne, he called at the cabin of the Squire and put in his cause of action, by telling him that he had been badly treated by Earnest, and that he wished the justice "to warrant him." A writing was made out by the justice, called a "summons," which informed the defendant that he had been "warranted," and the cause set for trial on a certain day.

On the day named for investigation the whole neighborhood, as well as the parties of the action, appeared to witness the trial, swap horses, drink whiskey, &c. As the time approached for the trial to begin, the parties became alarmed,—didn't know what might be the result if the matter was once fairly in law, both being disposed to do what was right, a proposition was made and accepted to compromise the matter by leaving it to three of the settlers to say how much, if any thing, the defendant should pay. This mode of settlement was not entirely new, for as long ago as 1748 an order of the Superior council of the ancient territory of Louisiana of which our county formed a part, had been made, declaring that in future whenever there were no officers of justice, two responsible inhabitants should be authorized to draw up the necessary writings, to be attested by two witnesses, and the same should be valid. Whether the pioneers of our county in attendance before the county justice of Missouri in this case had a knowledge of this ancient decree, I am not prepared to say, but upon that principle they acted, and made a selection of three settlers to decide the dispute. The *squatters* designated to settle the case, having canvassed the whole matter, and given it due consideration, decided that the defendant should pay the plaintiff one hundred and fifty dollars in *trade*.

This decision being satisfactory to both parties, and all hands, including the Court, having liquored up, the same arbitrators were called upon to value the property to be received by the plaintiff in payment of the judgment. The property was valued, paid over and the and the judgment satisfied—the plaintiff and defendant both being required to *treat*, which was done, and the parties and settlers all returned to their homes well pleased with the turn the suit had taken. Thus was begun and ended, the first lawsuit within the limits of our county.

SENT TO THE PENITENTIARY.

The first person sent to the State's Prison from our county, was John Wright, a Mormon, who was found guilty of stealing a pair of work cattle, belonging to one Jesse Day. He was arrested by Flemming Mize, John Masters and others, and brought before the writer, then one of the Justices of the Peace, for examination on the charge of Grand Larceny. This was in 1847. Albeit, there was no law authorizing it, in those days it was the custom among the Justices on the trial or investigation of a case of much importance, to call to their aid any other justices in the county to sit and give advice upon matters and things in general. This being a case of some magnitude, we called to our aid John H. Zimmer, one of the justices of the "Hairy Nation" ho, as all the old settlers can bear witness, was fully competent to render material aid in matters of law.

The accused had been prowling through the county for some time, under the names of John Jones and John Smith, as well as John Wright, so that the information on which he was arraigned, charged one John Wright, *alias* Jones, *alias* Smith, with stealing the cattle. The charge having been read to the prisoner, and a plea of "not guilty" put in, we were about to proceed with the investigation, when Justice Zimmer, with anxiety depicted on his countenance, turned to the principal justice, and in a very low tone of voice remarked:

"Squire. Hadn't we better try the *two women* first?"

The principal justice not comprehending what the "Hairy Nation" Justice meant by his remark, hesitated for an instant, when the artisan, perceiving that he was not understood, continued "Have the constable bring in *Alice* Jones, and try her first."

The accused was held to bail, in default of which he was placed in the jail of Van Buren county, for safe keeping until the next term of the Court. Meanwhile he pretended to have become crazed, and when about to be put upon trial, before the District Court, of which Cyrus Olney was Judge, an investigation was had as to the sanity of the prisoner. All the physicians in our county, and some from a distance were subpoenaed to examine the accused, and give testimony. Among the physicians was Dr. John D. Elbert, of Van Buren county, a gentleman of very dark complexion. In giving his opinion of the condition of the prisoner, he referred to the vibrations of the pulse, and said that it would be a difficult matter to arrive at a correct conclusion as to a person's sanity by that means; for, said he, "the pulse of a dark skinned man, like my friend Knapp here, is much slower than one of a fair complexion, like your Honor." Judge Knapp, not being quite as dark as the witness, immediately suggested in an inquiring manner, that perhaps the pulse of the doctor ceased to beat altogether, at times! This being such a capital hit, it was some minutes before an attempt was made to restore order.

About the time of the completion of the new log Court house mentioned in another place, our town consisted of three stores, one grocery, one blacksmith shop, and some eight or ten families. The hotel under the name of the "Bloomfield Hotel" was kept by Lloyd A. Nelson, in a log house, one story and a half high, recently standing on the South side of the Public Square. The grocery was kept by James N. Paris (commonly called "Jimmer,") Hardin D. Paris, (called "hardened sinner,") and Joel G. Paris, in what was called "Jimmer's Rat Row" now no more. The sitting of the District court about this time was reckoned to be one of the most important events that could take place. And in order that the "big bus: from a distance should be well cared for, our hotel accommodations were looked to by our landlord with great care, and extra preparation made in advance of the time. At the second or third session of the court in our county, all things were favorable for a "big time," and hence the hotel was full to overflowing. And as was the custom in those days, the *settlers* were not wanting sports to amuse themselves, and pass off the evenings. The attorneys from all the surrounding counties were in attendance, and by a judicious use of their time during the day, they had a portion towards evening left, which was divided between the Bloomfield House and Jimmer's Rat Row. Jimmer, (as he kept the liquor,) generally claimed their attendance first; hence, by the time the hotel came in for its portion, the guests were in a very proper plight to make each a very full hand.

A HIGH TIME.

At the time we allude to, Hon George G. Wright, Hon. J. C. Knapp, Hon. A. Hail, deceased, Col. J. W. Minor of Mo., Hon. Chas Negus and many other distinguished attorneys from abroad as well as all the prominent *Settlers* of the "Hairy Nation" were attending court, and stopping at the hotel and grocery. The business of the county for the second or third day having ended, some repaired to the hotel and some to "Jimmer's" (who by the way also entertained strangers.) And when the exercises of the evening had advanced so that night stole in apace, there at the hotel having had their *board*, sought a bed also. By the time the no inconsiderable number that "mine host" had "taken in" were stowed away for the night, every bed in the hotel was occupied, and half a score or upwards safely lodged on the floor both above and below stairs! About the time Morpheus had clasped the greater number of them in his embrace, a platoon from "Jimmer's" arrived, with the late Chief Justice Hall, at the head, who sought to obtain a place whereon "to rest and refresh themselves." Finding further accommodations in that line out of the landlord's power to furnish, they determined to have some sport. Those outside of the pale of sleeping quarters, preceded to disturb the dreams of those within, by taking them by their pedal extremities and dragging them from their sleeping places. In the shortest time imaginable, the hotel presented a scene of greatest confusion. None were so lucky as to escape being hauled out of bed, and when thus ousted, none were noticed whose modesty prevented them taking a hand in the fun (?) Some one of the company was bound up in a sheet, a bed cord attached between the roof and the rafters of the building, and several persons at the end of the rope, going through a *seesaw* motion continued to draw the bound attorney up to the roof, and then let him down again, until at length he was drawn up with so much force that he broke the rope giving him such a fall as almost to make the foundation of the hotel tremble. The beds were all taken to pieces and scattered over the rooms, and several gentlemen were put out of the upper windows and let down to the ground with the bed cords! After the attack was made, no one made a halt to dress himself, but "pitched in" as he was. As confusion reigned nearly all night, of course no one received much rest or sleep, and all were more or less bruised and scratched, but none took offense. At the calling of the court next morning, each man was at his post ready, as good citizens, to discharge the duties imposed upon him by his obligation as a *squatter*, under the rules of court or the provisions of the "Blue Black."

A WEDDING.

In May, 1847, about the time the last of the Mormons were leaving this part of the country, and making their way to Kane (now the city of Council Bluffs) and other points on the Missouri river, an old gentleman and lady by the name of Jolly, residing just on the State line, started to Salt Lake City. They had an only daughter, whose charms had attracted the attention of one John Paris, the susceptibility of whose heart had yielded to cupid's arrows. Indeed, the lovers had oft times, in shady nooks by sparkling water, declared their love to each other, and John had gone so far as to consult "Pa" on the subject of matrimony. But the aged parents could not, for a moment, think of leaving their only child behind among the "Gentiles," while they themselves would join the "saints" in the great Valley. In short, they said that John could not have Lina Maniza.

One fine morning in May, the family (consisting of the old folks, the girl, and a negro boy,) made a start for the west. About ten o'clock in the morning they passed by a field where John was engaged in raking stalks, preparing the ground for the plow. The sight of Lina, coupled with the thought that he might "ne're look upon her like again," was more than he could bear. He, therefore, after they had gone some distance, unharnessed his horse, and barefooted, without coat or vest, with no saddle or blanket, rode on after them. Passing through the county seat, telling his errand to a few friends, he overtook the migrating party where they had encamped for the night, on the banks of the Fox river near town. Here he tarried with Mr. Jolly and family till morning, but failed to obtain the old man's consent to a marriage. About sunrise they parted-Mr. Jolly and family resuming their journey westward, and John returning to Bloomfield. Stopping at "Jimmer's" grocery, he told of his ill success. Someone suggested that a company be raised to follow on and see the girl, and in the event that she wished to marry John, bring her back at all hazards, without regard to what her father

might say. Accordingly some fifteen of our citizensthe high Sheriff among the number-armed with rusty old muskets without locks, brass pistols out of repair, and other weapons of *offense and defense*, started with John in pursuit of the party SaltLake-ward bound. About two miles northwest of town on the divide road, the pursuing party was discovered by Mr. Jolly, who was only some 300 to 400 yards in advance. He halted directly, and John and his friends seeing that he took a seat on the ground, calculated his "voice was not for war," and at once stacked their *arms* in the corner of the fence hard by. They approached Mr. and Mrs. Jolly, and made known the object of their visit. A consultation between the old folks took place. While Mr. and Mrs. Jolly were making up their minds as to the best course for them pursue, John and Lina were also engaged in conversation. The company were all much interested just then, and by putting in a word occasionally, aided materially in bringing matters to a crisis.

Lina's parents having obtained the consent of their own minds to the marriage, with hearts overflowing with love for their daughter, shed many tears of regret and affection. Being asked by Mr. Johnson, if he consented to the marriage, Mr. Jolly replied that he did; provided they were married before he parted with his daughter. The writer was one of the company, and being a Justice of the Peace, was authorized to solemnize the marriage. We had no license, however, but being a friend of the Clerk, and at that time courting one of his girls, (she is now our wife,) we felt safe in taking the responsibility of making a license for the occasion. We therefore seated ourself on the sod, and with pencil in hand wrote a marriage license on the leaf of a pass book. By virtue of the old "Blue black" and by his authority, by the road side on the broad prairie, we united them in holy wedlock. To seal this

"Contract of eternal bounds of love,
Confirmed by mutual joinder of hands,
Attested by the holy close of lips."

Mr. Jolly drew from his wagon a ten-gallon keg of prime *scu-to-appo*, (vulgarly called old Bourbon,) of which all hands partook. John took Lina Maniza on his horse *behind him*, first having bid farewell to Mr. and Mrs. Jolly, and we parted-the Jolly family going toward Salt Lake, the *jolly crowd* toward Bloomfield. Six years after the marriage, Mr. Paris brought me two bushels and a half of Irish potatoes in payment of my *official interference* on this occasion. Mr. and Mrs. Paris are still residing in our county-have a family of several children and are getting along in the world first rate.
[To be Continued]