

county should be authorized to employ a brainier one to defeat him. It is certainly to be hoped that the next legislature may take some action looking to the preservation of our beautiful Iowa lakes.—*Daily Capital*, Des Moines, January 30th, 1895.

EARLY RECOLLECTIONS OF KEOKUK COUNTY.

BY J. D. HAWORTH.

Historians of states and countries, as well as of wars and peoples, seldom pick up the little events—the warp and woof of the lives of the men and women who make and mold the history that is read with so much eagerness in the years that follow. The little things are skipped, the common people are in a great degree overlooked, yet it is from and by these that others become great and of historical renown. Many things of small account at the time they transpire, of so little consequence that they are scarcely noticed, yet in after years their value becomes in many cases almost priceless, and large sums of money would be given for facts, stated by an eye-witness. Could we at this late day resurrect the thousand and one small facts that transpired during the days of the first settlement of the eastern States by our forefathers, what would we not give? Four hundred years and more have elapsed since this country was discovered, yet how short a time is that compared with the great space that has been drawn out since history first began. We have our histories of the early days of this country, yet how meager is that history—a mere outline! Nothing to tell us of the thousand small things that went to make up the lives, the joys or the sorrows of the people, who

paved the way for the present great empire that we enjoy. Not that what we may say in this article will be of consequence in shaping history, but we would, widow-like, throw in our mite, that others may be stimulated to do likewise; thus, on the whole, much may be preserved that is so rapidly passing away.

The east tier of townships of this—Keokuk county—was included in the first or Black Hawk purchase. Where we now write was within three miles of the western line of that purchase, and the writer was at that time an inhabitant thereof, though small, yet old enough to distinctly remember many things and incidents that occurred in that early day. The first settlement was made in 1839, yet a few of the early pioneers are remembered by the writer, most of whom have long since passed to the great beyond. William Bristow, who is still living on the farm that he took as a claim in the spring of 1839, though old and feeble, yet remembers well many of the events of that period. Henry Hardin, Aaron Miller, James M. Smith, Prior Woodward, William Searcy and a few others, whose names have slipped my memory, were of the 1839 period, but have long since passed away. These were men of energy and vigor, and not only able but willing to breast the wintry blasts of the early Iowa climate, that they might pave the way for what is now one of the foremost states of our Union, and make homes for themselves and their posterity. Then, is it not fitting that their names be kept sacred in history as in memory?

This township (Richland) was the first settled in the county, while the townships to the north of it were settled later. To the early settlers the reason was plain. There was plenty of timber along the Skunk (Chatauqua) as it was then called, as also along Richland (then called Thunder) creek, which attracted the attention of the early pioneers, and which was thought indispensable.

A township organization was early effected, with all

of the proper officers to execute the laws, then territorial, and of little force. For all judicial purposes the eastern tier of townships was attached to Washington county, which had just been organized. Statutory laws were enforced when they fitted a case, but when they did not satisfy justice, as viewed by these hardy pioneers, a more rigid code was enforced, to the dismay of evil doers. One of the most serious infractions of justice, to which statutory law did not reach, was "jumping claims"—that is, to move on and take possession of some earlier pioneer's rights. In this kind of violation of law, punishment was sure and severe. Club law was resorted to, and its decree was inexorable. It was as unalterable as the laws of the Medes and Persians. The punishment was, on conviction a coat of tar and feathers, with as many stripes as was adjudged proper by an improvised jury of his peers, selected from the adjacent neighborhood. These laws continued for several years after the first settlement, as will be remembered by those who lived on the frontier.

To give a clearer idea to our young people of how severe the penalty was for violating this code of laws, we will give an instance. The lands had been sectionized by government surveyors and platted, that they might be put on the market, so that the settlers could buy their homes, thus securing what they had risked so much to obtain. Here is where the "club law" came in such good play, and was so rigidly enforced. The land was thrown upon the market. Any man who had \$100 could go to the land office and enter (buy of the government) any eighty acres he might find still vacant, without asking any questions, and get a certificate of purchase from the government. There was no pre-emption or homestead law in those days. You could get land only by buying of the government at the small price of \$1.25 per acre, and then only in forty, eighty, 160 acres, or a multiple of the same. Many, in fact nearly all, of the earliest pioneers were poor in purse, but

proud in spirit and resolute in purpose. Hard it was on the man who had the temerity to go to the land office (then in Fairfield) and enter (purchase) the claim of a pioneer who was too poor to buy his claim of the government when it was announced as open for purchase, provided he ever put in an appearance in the neighborhood where the land was situated. One or two instances of such violations of "club law" will suffice to give the reader some idea of the treatment the violators received, and may not be uninteresting. An early pioneer had settled on north Skunk river and commenced to erect a mill, that the new settlers might be able to get a little corn ground into meal. The mill was a very primitive affair, only a dam and a kind of a platform with a small set of burrs, without any cover whatever, but in running condition and grinding corn, which was hailed as a blessing that would save the people from going forty or fifty miles to mill. They watched this primitive plant with a jealous eye. A Mr. Cooley was the proprietor and builder, and he was looked upon as an extraordinary man for his day. He had no money, but by the aid of his neighbors in work and supplies he had erected the mill and it was already running. What a blessing! A fortune was in sight, which excited the avarice of one "Pep" Smith, a whiskey vender, and one Frisbey, who coveted the bonanza that had been set on foot, and would in due time reap the harvest. Seeing this they set about to secure the prize. Accordingly they raised the necessary \$50 to enter the land upon which the mill was situated. Slyly and in the night time they hid themselves away to Fairfield, and finding the land vacant bought it of the government, receiving a certificate of purchase. No one was any the wiser, not even the government people knowing that there was a mill in operation on these premises. The government had the money, Smith and Frisbey held the certificate of purchase, and who could say all was not right? In the course of a few

days the matter leaked out; then there was trouble in the air. Soon a company was gathered and a descent was made upon the homes of the two men who had violated the "club laws of Iowa." Smith and Frisbey were arrested, by what would now be termed a mob—but then considered a legal process—and started toward the mill. They were placed upon horses, and marched in the center of the crowd, nothing being said as to their fate. Having gone some distance one of the guards discovered that Frisbey was wet from some cause. It being in the night the guard could not understand what was the matter. He reported the fact to one of the leaders, a halt was called, a light was made, when it was discovered that what seemed to be water was blood. Upon examination it was found that Frisbey had attempted to commit suicide with a long-bladed knife, by stabbing himself in the breast, in the direction of the heart. In due course of time the party reached the mill, where a halt was called and Frisbey's wound was examined and pronounced by these rough frontiersmen as fatal. Accordingly he was carefully laid on the soft side of a pile of logs near the mill and a guard left to watch over him, while the remainder of the crowd turned their attention to Smith. He was duly tried, found guilty of violating the laws of the pioneers and sentenced to receive a coat of tar and feathers, and to deed by warranty the land he and Frisbey had entered with a return of the fifty dollars they had expended in the purchase of the land, and then leave the country forever. Accordingly a clear warranty deed was made out, presented to the two culprits with the choice of signing the same or being hung to the nearest tree. They were in the hands of determined men and therefore it did not take long for them to make up their minds. They signed the deed in the presence of the magistrate, who was conveniently present, and who took the same to the wives who also signed it. Smith was given a handsome coat of tar and

feathers—a lady who was in the secret of the scheme and was conveniently near, furnished the feathers by ripping open a pillow—while Frisbey was taken to his home where he was left with the thought that it would be impossible for him to recover. The work was done, so far as the pioneers were concerned. Through the aid of his friends, Smith relieved himself of the coat of tar and feathers, while in a few weeks Frisbey recovered sufficiently to travel. Both parties left the state and went to Missouri where they were never heard of more, and the original owner, Mr. Cooley, was left in peaceable possession of the mill to bless the early settlers with many a sack of coarsely ground meal. On another occasion a Rev. F. F. Lyon, an itinerant M. E. minister, who is living yet, had taken a claim of one hundred and sixty acres of Uncle Sam's wild domain, built himself a cabin, and with his family was in legal possession according to the laws of the land, (club law). The land was in the market and open to entry, and yet the reverend gentleman was unable to gather enough money together to pay the government price, therefore the land was subject to be entered by whomsoever might have the money and be so disposed. Avarice did not have to wait long, for soon an old doctor, having the necessary funds, went to Fairfield and duly bought the land, little thinking that in an incredibly short space of time he would be glad to deed the land to the claimant and receive back only the money he had invested. The old Doctor was so proud of his easily acquired farm—for the land was quite well improved—that he was unable to keep his action to himself until such time as it found its way to the public otherwise. He told a friend, the friend told another friend, and so it was very soon public. No sooner had the matter become known than a meeting was quickly announced and a large number of these rough but honest toilers were gathered together for the purpose of redressing the wrongs their neighbor had

suffered from the hands of the spoiler. The Doctor was at once notified of what was expected and what would be the consequence should he refuse to "stand and deliver." It did not take long for the argument to take effect when informed how Smith and Frisbey had suffered. The deed was duly made and the money paid over, when the Doctor remarked that it had been his intention all the time to deed the land back, and that he had only entered it to keep some one else from doing so, to protect the reverend itinerant. How honest he was the reader can judge for himself.

Thus it will be seen that the pioneers had ways that were not dark nor were their tricks vain, for their manner of dealing with men was effective in securing the ends of justice.

Richland was one of the early towns, it having been surveyed and platted in 1843. Prior Woodward, above mentioned, was the proprietor. It is situated in the center of section 27, township 74, range 10, west of the fifth principal meridian. Prior to the survey of the town, and just west of where the residence of Dr. H. A. Swayze now stands, Aaron Miller built his first cabin in 1839, under the shade of a half dozen burr oak trees. At the time, Mr. Miller was a middle aged man, and was the father of quite a large family of both boys and girls, a number of whom, including the parents, long since passed away. The cabin of this pioneer was a hospitable one, and many were the weary western pilgrims who could testify to the host's hospitality. Poor as the accommodations were, they were gladly accepted by the tired hunter or the seeker for a suitable location for a claim upon the wild domain. With this family lived one Peter Perry, a young man, who had come to the new purchase that he too might partake of the benefits of the fertile and virgin soil. Active and full of vigor, he also had located a claim adjacent to that of Mr. Miller. Wm. Searcy, late of this

county, was a son-in-law of Mr. Miller. His cabin also stood near that of his father-in-law, and with him lived a brother, Elijah Searcy, a young man about nineteen years of age, and one who had not been blessed with over-much intelligence. The Miller cabin was the rendezvous of the neighborhood, and when nothing especially was on hand in the way of work, and the weather was fine, it was not an uncommon thing to see a dozen men under the shade of the trees about the cabin. On one of these occasions a number had gathered together and were lounging in the shade in their accustomed manner. Among them were Peter Perry and young Searcy. The latter not being considered very bright was the butt of the jokes of the crowd on this as he had been on other occasions where he happened to be present. At this time Mr. Perry was telling a story on Searcy in which a young lady figured and which reflected on the character of Searcy. Although intended only as a joke, the story so enraged young Searcy, that he grabbed a convenient club and in the twinkling of an eye dashed out the brains of Perry. The victim expired at once without a groan. Realizing what he had done, Searcy fled, while the bystanders were making diligent efforts to bring to life the victim of his own joke. In a very few moments it became evident that there was no hope of resuscitating Mr. Perry, and attention was called to the young man who had committed the crime. On looking about the discovery was made that he had fled and was nowhere to be found. Runners were sent out in all directions who soon spread the news of the murder of Mr. Perry, with instructions to promptly apprehend Searcy as the murderer. In an incredibly short space of time the pioneers were searching the woods as well as the prairies for the escaped criminal, and had he been apprehended at that time his life no doubt would have paid the penalty. Fortunately for him he had escaped and was so well secreted that his hunters

were unable to find a trace of him. The hunt was kept up, but while it was going on the real facts of the murder became known, together with the mental condition of the murderer, which had a tendency to allay the excitement of the people. Those who would have hanged Searcy in the beginning would now have set him free. In the course of a few days, becoming hungry and tired of hiding, the murderer returned to the scene of his crime, more dead than alive from fright at the thought that he had killed Perry, and from starvation while in hiding, although he had not at any time been more than a half mile from where the crime had been committed. He was taken into custody, fed and concealed for a day or two until a convenient time presented itself to take him to Washington where he was confined in a little log jail, from which he was either let out or escaped of his own accord, and was never afterwards heard of. The remains of Perry were prepared for burial, a coffin was improvised from some boxes, as undertaking was an unknown trade in this section at that time. The remains were followed by a few of the great-hearted yet rough backwoodsmen and their families' to a little hill southwest of the Miller residence, where a grave had been dug, and where brief services were conducted by a pioneer minister. A little mound still marks the final resting place of the first victim from the hands of his fellow-man in Keokuk county.

Throughout our State a deep interest is constantly manifested in its history, as well as in that of our towns, counties and public institutions. Every passing week witnesses the publication by Iowa papers of scores of historical articles, read with avidity now, and which will possess untold value in future years.

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