

(Question: "What do you think of the State College of Agriculture?") The State College of Agriculture is one of the best things that has ever been supported by the farmers. Every farmer ought to take advantage of it. I think it is a grand thing for the community. I have never come into contact with the institution, but I know men who have attended it. The State College of Iowa engaged a man whose specialty was corn, Professor Holden. The railroad put a car at his disposal and he travelled around, demonstrating the modern method of testing seed corn, and giving lectures on seed selection. He increased the yield of the state by 10 per cent.

**THE FORT DODGE CLAIM CLUB,
1855-1856**

**RECOLLECTIONS OF
CHARLES B. RICHARDS**

**Edited with an Introduction
By Robert B. Swierenga**

The claim club or squatter's association has long been Exhibit A for those who believe that American democracy germinated on the frontier. Pioneer settlers in the Middle West supposedly banded together in these extra-legal vigilante groups to protect the homesites they had staked out on the frontier from claim jumping by unscrupulous speculators. This was a classic example of voluntary action and cooperation in the absence of legal remedies. Squatters victimized by ill-advised land laws simply modified the system to suit frontier conditions. Benjamin F. Shambaugh, professor of history in the State University of Iowa at the turn of the century, popularized Iowa claim clubs as a democratic symbol by publishing the constitution and records of the Johnson County Claim Association and the by-laws of the Ft. Dodge Club.

Shambaugh estimated that over 100 such clubs operated in territorial Iowa and served as the nucleus of local political institutions.¹

The traditional idyllic picture of pioneer claim clubs survived virtually intact until 1958 when Allan G. Bogue, also professor of history in the University of Iowa at the time, retraced Shambaugh's footsteps and separated substance from symbol.² Bogue could substantiate the existence of only 26 claim clubs in frontier Iowa. More important, these clubs served as vehicles for land speculation rather than a safeguard for squatters. Prof. Bogue discovered this startling fact by checking county land records on a man-by-man basis against the transactions recorded in the three surviving club registers—those of Ft. Dodge, Johnson County, and Poweshiek County. The tedious research showed that members claimed more land than the quarter section (160 acres) allowed by federal law, bought and sold claims with reckless abandon, and seldom "proved up" their entries when the government land office opened. On occasion the members mobilized on behalf of club speculators to prevent farmers from filing on vacant land. In short, Bogue concluded that claim speculators often used the clubs to extort tribute from late-comers to the community rather than prevent jumping of legitimate claims.³

The following reminiscence of Charles B. Richards concerning the activities of the Ft. Dodge Club—recently uncovered among the holdings of the Iowa State Department of History and Archives—confirms the findings of Prof. Bogue.

¹Benjamin F. Shambaugh (ed.), *Constitution and Records of the Claim Association of Johnson County, Iowa* (Iowa City, 1894); Shambaugh, "Frontier Land Clubs or Claim Associations," *American Historical Association, Annual Report*, 1900 (2 vols., Wash., 1901), I, 67-85. See also Jesse Macy, *Institutional Beginnings in a Western State [Iowa]* (Johns Hopkins University Studies in Historical and Political Science, Series II, no. 7 [Baltimore, 1884]); and Roscoe F. Lokken, *Iowa Public Land Disposal* (Iowa City, 1942), 67-75.

²"The Iowa Claim Clubs: Symbol and Substance," *Mississippi Valley Historical Review*, XLV (Sept., 1958), 231-253.

³For additional analysis of claim club speculation in frontier Iowa, see Robert P. Swierenga, *Pioneers and Profits; Land Speculation on the Iowa Frontier* (Ames, 1968), 11-17, 212.

The Ft. Dodge club operated for nearly two years prior to the initial government land sales, from July, 1854, through June, 1856, in the upper Des Moines River region of Webster and Humboldt Counties. The land register of the club, likewise preserved at the state archives in Des Moines, lists 255 members who recorded claims totaling over 83,000 acres or an average of 320 acres per member—the maximum allowed in the club's by-laws. Minor improvements on each claim amounting to no less than \$10.00 per month were required but residence was not compulsory. Consequently, claims were not infrequently filed for nonresidents by local land agents. Luther L. Pease acted as the agent for R. P. Spear, a Cedar Falls realtor, and two other nonresidents;⁴ E. W. Hulbert another resident, filed claims for six different individuals. The practice apparently reached such proportions that the club felt compelled to act. On April 19, 1856, the minutes contain the following resolution, written by the hand of the unlettered club secretary:

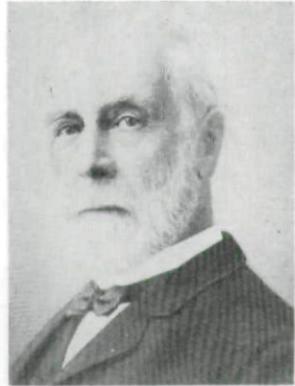
all persons holding clames and not living in this nighbourhood but having thare clames attended to by Agents Must bee hare in person by the 15th of June next or thare Clames will be Struck from this clame book.

Nonresidents not only controlled land in the Ft. Dodge area through the club but they also purchased the claims of several club members. The club register lists quitclaims to L. S. Coffin of New York, Wm. Frederick Booth and Elliott H. Colburn of Ohio, and Jesse Williams of the Henn, Williams & Company realty in Fairfield, Iowa. Resident members also speculated in claims. Fifty-eight, or more than one in five, sold all or part of their claims before the land sales. At least eight claims were traded from two to four times during the 23 months of the club's activity. As soon as a claim was sold, the grantor generally registered a new claim without delay

⁴This fact was publicized in a Democratic campaign "white paper" of the late 1850's, entitled "A Plain Statement of the Facts." William Williams Papers, Iowa State Department of History and Archives, Des Moines.

in hopes of another chance to capitalized on the golden opportunity at hand. In the end, only 68 of the 255 members actually purchased all or a portion of their claims from the federal government when the Ft. Dodge Land Office opened for business.⁵

Charles Benedict Richards was on the scene at the time. In 1896, on the invitation of his old friend, Charles Aldrich, editor of the *Annals of Iowa*, he jotted down for possible publication his recollections of the local club. (See the letter below from Richards in the *Iowa Historical Record*—earlier, in 1891, Aldrich had published a biographical sketch of Charles Richards in the *Iowa Historical Record* (VII [July, 1891], 97-100). Richards was one of Ft. Dodge's illustrious pioneer sons. He arrived in town in 1856 from his native New York, practiced law, commanded one of the three companies in the Spirit Lake expedition of 1857, organized the First National Bank of Ft. Dodge in 1864, operated a large coal business, and served for two years as Webster County attorney and for eight years as register of the Ft. Dodge Land Office. When his coal venture failed in the late 1870's, Capt. Richards carved out a new career in Colorado mining, becoming a millionaire within a decade. Richards spent his final years in semi-retirement in San Diego, Calif., speculating in town lots and experimenting with grape vineyards.



Charles B. Richards

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⁵This last statistic is in Bogue, "Iowa Claim Clubs," 251. The remaining data in this paragraph were compiled from the manuscript entitled "Fort Dodge Claim Club," Iowa State Department of History and Archives, Des Moines.

work of a decade ago, the Richards' account did not square with the known facts; now it substantiates them. The timely recovery of this manuscript, filed away and forgotten for over a half century, demonstrates anew the extent to which contemporary interests and viewpoints govern decisions of professional historians. Aldrich's dilemma is finally resolved, and after 70 years Charles B. Richards' letter has reached its intended audience through the *Annals of Iowa*. The letter is reprinted in its original spelling and capitalization; punctuation has been altered to assist the reader.

The Charles B. Richards' Letter

San Diego Oct 15th 1896

Hon Charles Aldrich

My Dear Aldrich, Yours recd. Shall not be able to go East this fall but hope to in May or June Next. Will attend to Portrait. I Enclose the Facts as to Claim Club but hardly think it Worth publishing. If you do you Must *Edit* and Correct it as I have just Written from Memory and Such data as I have here. If I had access to the records Could give better accounts—but personally know Every fact Stated. I have Written an account of Frontier Guards Which I will forward Soon. All well and Send kind regards to yourself and Wife

Yours Truly.

Chas B. Richards

Hon Charles Aldrich, as requested by you I have from Memory Written a Short Statement of the doings of the Fort Dodge Claim Club during the Years 1855 & 6. This Club Consisted of Nearly Every resident of Fort Dodge and the very few actual Settlers west and north of that point; The lands West of the Des Moines River not having been offered at public Sale, Were subject to Entry only under the preemption Law, which required actual residence on the Land and was limited to 160 acres, to Each Claimant. Most of the residents of Fort Dodge Were Speculators Land Agents and proffesional Men, Who Were Waiting for the Lands West of Des Moines River to be brought into Market, "which meant that after a public sale" all lands Not Sold for Cash at the Sale Would be Subject

to private Entry for Cash or With Land Warrants, at \$1.25 per acre. To prevent these lands being taken by actual Settlers Who Wanted to improve and live on them the residents of the town formed this Claim Club, and Each Member by their Laws Was allowed to take up 320 acres, Which Was recorded With the Secretary of the Club and all Members Were bound to protect Each other and prevent any one from interference with a claim So recorded. Notice, and a foundation consisting of Four logs being all that was required on the Land, it asserted and advertised that No one would be allowed to take up and Settle on any of the Lands So claimed, and Every New Emigrant and there were Many Seeking homes, Were advised that any one attempting to Settle on any Lands Claimed by any Member of the Club would be dealt With by the Club and his life Would not be Safe in that Community. Many were frightened and Went to other points or took up lands farther back from the [Des Moines] River & the [south and north] Lizards hoping if they done this and joined the Claim Club they Would be able to hold 320 acres filing their preemption on 160 acres, and depending on the Club to keep others from the rest of the Claim.

But a large Majority of the Claimants Were Speculators and Young Men Who Were acting as Land Agents never Expecting to live on the land but hoping to frighten others through fear of Violence from interfering With their Claims untill the lands Were brought into Market and they Could obtain title by purchase.

In the Spring of 1856 two parties [J. H.] Busey & [S. J.] Carr with their Families and Stock came to town looking for Land to preempt, after looking over the Country and finding the great part of the two Townships along the North & South Lizard and along the Des Moines River vacant—no improvements no actual Settlers on the Lands—Came to My office to Enquire about Land how to obtain Claims and to know if the Claims held by Members of the Claim Club were Legal and what Would be the result if they filed preemptions and Settled on any of the Lands where there were no actual improvements and no persons Living and no preemption Claims filed. I told them what the Law was and What their legal

rights were also that it would be dangerous to go on any land claimed by a Member of the club.

They remained near town Camping in their Wagons looking over the Vacant Lands and Without further consulting Me Settled on the two $\frac{1}{4}$ Sections adjoining the River directly West of town, built their Cabins and attempted to file their preemption in the Local Land Office. The First I knew of their intentions to risk the vengeance of the Claim Club Mr Carr Came to Me to assist him in filing his preemption as the Claim Club through its Attorney John F. Duncombe had attempted to prevent his filing a preemption on this Land. The Register & Receiver W. H. Merritt & Genl [Ver Planck] Van Antwerp Set a day for hearing the Case & Mr. Duncombe for the Club & Myself for Mr. Carr & J R Strame for Mr Busey produced the proof — as to the facts and argued the question as to the Law. The officers decided to allow them to file their preemption Claims. There Were Many threats of Lynching Tar & Feathers &&. and finally a general Meeting of Members of the Club was Called and at this Meeting it Was decided to give them Notice to Leave the Claims relinquish their preemption filings Within a Specified time or Suffer the Consequences. The Notice was Served and Mr Carr brought Me his & Wanted to know what his legal rights were. I told him but also told him there Were two or three hundred Members of the Club Some of them posed as desperate Men and talked Loud What they Would do & that he Must Consider the danger to himself & his Family. He finally asked if he had a right to defend himself and Family and keep them off his Enclosed premises. I told him What his Legal rights Were & Mr Strame advised Mr Busey the Same Way. I heard Nothing More for Some days but Knew the officers of the Club had Notified all Members to Meet in town on a certain day to go and remove Busey & Carr from their claims. When the day came Nearly the Entire club were present and Marched across the River. Not More than twenty Men Were Left in town. What took place I learned from Busey & Carr & from members of the Club who Went With the Crowd but did not approve of What was done after they had arrived at Carrs place — they appointed a Committe to hail Carr first. Saml Robins was Spokesman

— and Went Within Speaking distance to Order Carr to leave at once. Carr had a log Cabin & had a brush fence Some 20 or 30 feet from his house he Stood in his door his Wife by his Side booth With Guns in their hands when the Committee Came to the fence he Called to them to halt and booth he & his Wife brought their Guns to bear. They undertook to talk With him but by advice he Would Not Say a Word Except that he Should defend himself and Family at all hazards and that the first man to come inside his fence he would Shoot. The[y] Spent Some time trying to get him to talk but he would not Speak, they returned to the Main body to report. Robbins reported 'Boys he Will Shoot No doubt about it.' It was then decided to try Busey and instead of Sending a Committe they Surround his Cabin and induced him to talk and by this Means were Enabled to get Close Enough to get hold of him and disarm him tie him up Tar and Feather and Whip him destroying More or less of his improvements and removing his things of the Claim. No one Went Near Carr — the Club returned to town there was much discushan. Many Not approving of the Course pursued and Withdrew from the Club but the Leading ones attempted to prevent them from proving up on their Claims but failed When the Grand Jury Met. I presented the Case, furnished The Evidence, and they found Indictment agst [against] Major [William] Williams, F. J. Duncombe, E. E. Colburn, & J. C. Leemcords. They Were arrested and brought into Court, Judge C[ave] J. McFarland being the Judge. We spent Nearly two days arguing Motions Against the Indictments but the Judge overruled all Motions Sustained the Indictments. They plead not guilty & filed Motion for Change of Venue this was granted and the Case transfered to Hardin County for trial this took the Case from Me & I furnished Huff the prosecuting Att for that Co. with the Necessary Evidence. They Were tried and Convicted but Judge McFarland Merely imposed a Nominal Fine which they paid. This was the End of the Claim Club. Those who intended to live on their Claims at once moved on to their Claims & Made the Necessary improvements. The Carr preemption Was owned by Ex. Gov. C[yrus] C. Carpenter when he died & is now owned by Senator [Jonathan P.] Dolliver.

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