

physical harm, had absconded in the night, and abandoned his claim and nursery, and had left some of his clothing. The Hamlins had no knowledge whatever of his intention to leave or where he had gone. But finding him missing, they had appropriated his clothing and made some demonstration towards taking his claim.

No one could account for the confession of the murder by the Hamlins, and especially by the one in jail. Those out of jail did not retract their confession to me, as their counsel, till several days after first seeing them. Had the grand jury system been abolished, and these men hastily tried on the evidence of their own confessions, they would all have been punished for the murder. These confessions were somewhat of a kin to the Salem witchcraft confessions — those who made them could not account for doing it.

In conclusion, I may as well here add, that the Hamlins afterwards cheated me out of my fees. The *moral* to this is, that when a lawyer has a chance to *secure* a good fee from a slippery client, *his better way is to do it at once*, and work up his case afterwards.

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## RECOLLECTIONS OF THE EARLY SETTLEMENT OF NORTH- WESTERN IOWA.

BY N. LEVERING, GREENWOOD, MO.

(Continued from page 523.)

ON the 13th day of October, 1856, I. T. Martin, Braden Videto, J. McGill, and others, from Harbor Creek, Pa., arrived at Sioux City. They were all active, energetic, and intelligent young men, who came to the north-west to seek homes and carve out fortunes. They remained in Sioux City during the winter. While there, Mr. Martin and C. Throop erected a store house in Pacific City, a town on the Nebraska

side of the river, and in close proximity to Covington, heretofore spoken of. This town was laid out by Dr. Hunt and J. Holman, of Sioux City, Dr. Gray, of St. Joseph, Mo., and others. The store house referred to was the first building of the kind erected in the town.

Notwithstanding the severity of the weather and intensity of the cold, these hardy young men, with many others of Sioux City, labored all winter in cutting cord-wood and saw-logs on the Nebraska side of the Missouri river, where for thirty consecutive days, according to a register of the temperature of the weather, kept by Mr. Martin, the mercury stood  $30^{\circ}$  below zero at sunset, and on one day it ran down as low as  $40^{\circ}$ .

In the spring following, I. T. Martin, B. Videto, J. McGill, and John Hipkins and family commenced a settlement in Big Sioux valley, in Plymouth county, Iowa. They erected two houses — one for Hipkins and family and one for the young men, who kept "bachelors' hall." About the first of July following they laid out a portion of their land into a town, calling it "Westfield," which they regarded as the future metropolis of the Big Sioux valley; but in this we think they have been disappointed.

On the last day of the same month (July), Martin, Videto, McGill, Moody, with five others, started on an exploring expedition to the "Black Hills." They proceeded as far as the "Kehopa," a small tributary of the "Running Water" river, when Moody accidentally shot himself through the arm, causing a very dangerous and serious wound. There being no surgeon in the company, and none nearer than Ft. Randal, a distance of about eighty miles, the weather being extremely warm, they determined to make all possible haste to Ft. Randal with their wounded comrade. Binding up his wounds in the best manner their circumstances would permit, they set out for the fort, traveling night and day, only halting for a short time for their jaded team to recruit their failing strength. Arriving at the fort, Moody was placed in the hands of the surgeons at that post, who were Drs. Magruder (brother of rebel Gen. Magruder) and Madison, who at once dressed his

wounds, rendering him every attention in their power. The party now abandoned their journey and returned home, leaving their wounded comrade at the fort, where he remained in charge of the surgeons for two years, less twenty-one days, when he returned to the house of Martin & Co., on the Big Sioux river. He had not fully recovered, as he was yet lame; he was also penniless, and an object of charity. Martin received him very cordially and made him quite welcome to the hospitalities of "Bachelors' Hall." Moody remained there during the fall and winter, at the expense of Martin. On the 14th of February, 1860, Martin left for Des Moines as a delegate to the Douglas state convention, leaving Moody in charge of all his effects, as Videto and McGill had returned to Harbor Creek, Pa. After the adjournment of the convention Martin continued his journey to Pennsylvania on a visit to his friends. Soon after arriving there he was taken ill, which detained him for some months.

Now for a piece of base and cold-hearted ingratitude, as the sequel will show. In the latter part of the spring following Moody sold a quantity of grain, household furniture, &c., belonging to Martin; and feeling disgusted, no doubt, with a life of celibacy, and feeling fully competent to support a wife, he resolved to take to his bosom a companion, and as "men were plenty and women skerse," he determined to purchase the heart and hand of one of the dark-eyed maidens of the forest, whose appreciation of the matrimonial state, or an alliance, was about commensurate with his own. Accordingly, he went to the Yankton Sioux agency, in Dakotah territory, where he purchased a squaw wife. Their honeymoon did not wax, but waned, for, after he had lived with her a short time, he became anxious to see more of the far west, and, yielding to the spirit of emigration that had seized upon him, he took Martin's team (one yoke of oxen), wagon, ropes, chains, bedding, provisions, proceeds of property sold (not invested in squaw), and \$40 township funds, drawn on account of Martin as township clerk, with many other goods not here mentioned, and bidding his dusky dulcinea adieu, he left for "Pike's Peak."

Such was the shameful ingratitude that Martin received from one whom he for months had nursed and cared for in adversity, want, and distress. Well might we liken the base ingratitude of many heartless men unto the deadly poisonous serpent who was found by a kind-hearted man in his wanderings, chilled and nearly frozen to death, who took it up, carried it home, and laid it upon his hearth, and when warmed into life it plunged its deadly fangs into the very hand that saved it.

In the fall of 1858 Plymouth county was organized. The election, or organization, was held in Sioux City. Vanolinda was elected judge, I. T. Martin, treasurer and recorder, and Mr. Mills, sheriff. Judge Vanolinda held his office on the Floyd river, in the middle or eastern part of the county, while Martin and Mills held theirs in the Big Sioux river valley, in the extreme western portion of the county. The same fall a township election was held at Westfield, when I. T. Martin was chosen township clerk. There were sixteen votes cast at that election, more than for a number of years after.

Westfield was abandoned in the spring of 1860, soon after Martin's return from the east, chiefly on account of large selections or entries of lands made in that vicinity by half-breed Indians, with half-breed script, which greatly retarded the settlement. Mr. Hipkins and family soon after returned to Sioux City. Mr. Martin now resides in Davenport, Iowa, and is the state agent of the well known and popular Northwestern life insurance company of Milwaukee, Wisconsin.

It was in the fall of 1859 (if I mistake not) that Barney Roney, an Irishman, and family, from Sioux City, who had settled at a point in the Sioux valley, a few miles south of Westfield, the previous year, got into a difficulty with one Brookins, an old sailor, who had taken a claim near Roney's, and at the time was assisting Roney in cleaning some wheat. Both of them had been drinking freely, when an altercation arose between them about the division of some wheat, which finally resulted in blows, when Brookins stabbed Roney with a pocket-knife, if I mistake not, which soon resulted in the

death of Roney. Brookins was at once arrested. There being no jail in Plymouth county, he was brought to Sioux City jail, where he remained for some time before his case came up for trial. Both of these men were kind-hearted and clever men when sober, but when under the influence of liquor were rather boisterous. Brookins's case came up at the fall term of court for trial. The prosecution was conducted by How, of Dickinson county, the state's attorney, assisted by some able counsel, and the defense by W. W. Brookins (now one of the associate judges of the United States court of Dakota territory), brother of the prisoner. The case was tried at Sioux City, Judge Hubbard, presiding. The trial excited much interest. When the case was submitted to the jury, they were out about twenty-four hours before they could agree upon a verdict. They finally agreed upon a verdict of manslaughter. The prisoner's counsel made a motion for a new trial, but the motion was not sustained by the court. The prisoner was sentenced by the court to ten years (I think) hard labor in the state's prison. Soon after the adjournment of court, the authorities of Plymouth county employed one G. W. F. Sherwin, of Cherokee county, to take the prisoner to Fort Madison and deliver him into the hands of the warden of the state's prison, for which service he was to receive \$100. He, however, managed to get his pay in advance. Taking his prisoner he set out on his journey, going up the Floyd river some eight or ten miles to the house of A. C. Sheats, where he stopped for the night. The prisoner was unshackled, and free to walk about the house at pleasure. Sherwin manifested, by his actions, great confidence in the prisoner's willingness to accompany him to the gloomy walls of the prison. Accordingly, he walked with Mr. Sheats to the barn, leaving Brookins seated at a table writing a letter. Soon after Sherwin and Sheats had left the house, the prisoner got up, walked to the door, looked out, walked back again, and resumed his writing, while Mrs. Sheats set about getting supper,—when all of a sudden the prisoner concluded to travel alone, and set out on a long and lonely race, leaving Sherwin to care for himself

and without even leaving his card or place of destination. When Sherwin returned to the house and found the prisoner missing, he blustered about for a short time in search, apparently, of him. The search was soon abandoned, and Brooks left to go his way rejoicing in his liberty, and no doubt feeling grateful toward his custodian for the glorious privilege of once more enjoying the fresh air of heaven. He did not report himself to the warden of the state's prison, or his whereabouts to the authorities of Plymouth county, so far as known, but it is presumed he is again a jolly tar on the high seas. His *faithful* custodian resumed his journey the next morning, with the consolation that he at least had made one soul happy. Sherwin continued his journey east to Harbor Creek, Penn., where he has since remained, and leaving the public impression behind him that he had premeditatedly planned the escape of the prisoner after securing his pay from the county.

In the fall of 1858 the counties of Sioux and O'Brien were organized by a band of schemers from Sioux City, who came west for the purpose of making a raise in some shape. The "*Ne plus ultra*" of these sharpers was one J. W. Bosler, of Carlisle, Pa. In order to effect their object under the semblance or shadow of law, they employed men at twelve dollars per month and board to camp in those counties thirty days, so that they might claim citizenship and elect the sharpers to office. At the expiration of the time an election was held, and officers elected, all of whom, or nearly so, resided in Sioux City. The hired voters were then discharged, and returned to their homes. The election returns were made to the county judge of Woodbury county (who was cognizant of all the facts) and an organization was granted. This being accomplished, a system of plunder was commenced by levying enormous taxes on the lands in the counties, a heavy school and school house tax was levied when there was not a scholar in the county; bridge, road, and court house taxes were levied, when neither were built for years after. This revenue,—all except the state tax,—went into the pockets of these land pi-

rates, and yet it was not sufficient to satiate their morbid thirst for gain. By an act of the legislature, the swamp lands were donated to the counties in which they lay. In the selection of swamp lands, much of the driest and best land in the county was returned as swamp land, and as soon as the counties had secured their title to them, they were thrown upon the market at prices from twenty-five to fifty cents per acre. Some of the party were delegated to go east into Illinois, Indiana, and Ohio, and make sale of these lands at some price — if not for money, goods or trade of some character. The result was, the agents soon returned with many horses, wagons, sewing machines, &c., which they bartered off, pocketing the proceeds. Not yet satisfied with their plunder, they issued several thousand dollars of county bonds, levying a bond tax to meet the payment of these bonds. Some of the band were then delegated to go to Chicago and elsewhere and dispose of the bonds, many of which were sold in Chicago at a small discount, which greatly increased the coffers of these swindlers, who soon made independent fortunes, and, selling out their interest, they went into the banking or some branch of mercantile business, and are now numbered among the heaviest capitalists of the north-west.

This system of swindling was not confined to Sioux and O'Brien counties alone, but it was carried on in nearly all the counties of Northwestern Iowa that were organized prior to the year 1859, as thousands of tax-payers can testify. Suits were instituted in the district court against some of the county officers, but they, having the power to manufacture county warrants, were able to fee the best attorneys in the county, and by their sharp practice the ends of justice were thwarted. An appeal was made to the legislature for redress, and during the session of 1860 a bill was presented, the object of which was to investigate the official acts of some of these newly organized counties; but the majority of the members were of the opinion that they could not investigate the acts of one county without investigating all others. This was the ground assumed — at least by the members from these spuri-

ously organized counties — and the bill was defeated. The days of sharperism in those counties have passed, we trust, and the affairs of these counties are now managed by actual settlers who are honestly chosen by the teeming hundreds of honest citizens who are breaking the virgin soil of the broad and fertile prairies that are yielding, in great abundance, the luxuries of life, and who are not wringing their wealth from the honest tax-payers, but wring it from the rich earth.

[TO BE CONTINUED.]

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### LAW MINISTERS OF THE OLDEN TIME.

BY HAWKINS TAYLOR, WASHINGTON, D. C.

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ON the 4th of July, 1836, the territory of Wisconsin was organized. Henry Dodge was appointed governor; Charles Dunn, chief justice; David Irwin and — —, associate justices; — Slaughter, secretary; W. W. Chapman, district attorney, and Francis Gehm, marshal of the territory. Dodge, Dunn, and Irwin were citizens of that part of the territory east of the Mississippi river, and Chapman and Gehm of what is now Iowa,— Gehm living at Dubuque, and Chapman at Burlington. At the organization of the territory, the only counties west of the Mississippi were Dubuque and Des Moines. At the session of the legislature, held at Belmont that winter, there were created, out of Dubuque, the counties of Jackson, Clinton, Scott, and Cedar; and out of Des Moines, the counties of Lee, Van Buren, Henry, Slaughter (Washington), Louisa, and Muscatine. David Irwin was assigned to that part of the territory, and, in company with Charles Mason, went to Burlington in the spring of 1837, and settled the place now occupied by Judge Mason. Irwin was originally from Virginia, but had been appointed a judge for the territory of Michigan, and presided in that part of the territory now Wisconsin. Judge Irwin was a man of ability, without



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