

Old O'Brien

Charles R. Tuttle once predicted that Old O'Brien, the first county seat of O'Brien County, would someday become a beautiful, prosperous city. Situated on a high plateau enclosed by the Little Sioux River as in a horseshoe, the town looked out upon the only landscape in the county which varied from the dead-level stretches of the prairie. The fertile land extending in every direction afforded abundant resources for a metropolis. Only shipping facilities were lacking.

In the spring of 1856, when eastern Iowa was discussing railroad terminals and the location of the State capital, and Sioux City, on the Missouri, had a little land office and a population of two hundred, O'Brien County was without a settler. Its level acres had not been touched by cultivation, Indians roamed the prairie, and game was abundant. Wild flowers, woven in colored patterns, lifted up their faces to the sun unnoticed, while the east wind, outstripping the ponderous settlers, made a grassy sea of the land and then swept on.

In the month of July, 1856, Hannibal H. Waterman, with his wife and one child, Emily, arrived in O'Brien County. Attracted by the timber in the southeastern part of the county, he squatted on a quarter section in what is now Waterman Township.

At that time covered wagons were crossing central Iowa in veritable caravans and a few ventured northwest. Land sharks and swindlers from Fort Dodge and Sioux City darted out, like spiders from their web, and fell upon these slow-moving, easily trapped victims that crawled across the prairie. Many were diverted from their course and their destinies were shaped to fatten the purse of the swindler.

Encouraged by these successes and the trusting reputation of the settlers, a band of unscrupulous men, headed by James W. Bosler, came from Sioux City in December, 1859, to organize O'Brien County, which had been established nearly nine years before but attached to Woodbury County awaiting settlement. They conferred with Waterman on the subject but he told them that he was there to farm and knew nothing of organization. He was then offered a choice of county offices and was told it would be well to make no objections. They secured his signature to a petition signed also by seven non-resident organizers. This petition, requesting that an election be authorized for the purpose of choosing county officers, was presented to the court of Woodbury County. The county judge thereupon appointed I. C. Furber as organizing sheriff and on February 6, 1860, when there was but one bona fide settler in the county an election was held at the Waterman log cabin and the host was elected to the offices of treasurer, recorder, and superintendent of

schools. Close beside the Waterman cabin J. W. Bosler contracted to build a log courthouse, "not more than eighteen feet square" according to the terms of the contract, and the plunder of the county began.

The organizers were mistaken when they thought that Waterman would become their ally. He asserted his ideas of honesty and the grafters regretted the power they had given him. Tranquillity was maintained, however, until the following summer when the gang from Fort Dodge arrived. This party of twelve men, led by John H. Cofer, had heard of the booty in the new counties and had come to share the spoils. Waterman heartily welcomed this crowd, as they cleverly conveyed the idea of being real settlers. A feud immediately sprang up between the two factions and for awhile they threatened physical combat but a compromise was made, Waterman's claim was jumped, and he was told that he would get his land back if he resigned his offices, which he did gladly. At the regular election in November, 1860, Henry C. Tiffey was elected clerk, I. C. Furber, treasurer and recorder, Archibald Murray, county judge, and Sam H. Morrow, surveyor — all vitally interested in the promotion of county organization.

With united power, the ring continued to "organize" the county. They wished to purchase forty acres of land from Waterman for the purpose of laying out a town, but he refused to sell. The tract

was eventually obtained from H. C. Tiffey, one of the gang, for the sum of two thousand dollars, though the land was not worth five dollars an acre. Thus Old O'Brien, the county seat, was born.

A public square was marked off with cottonwood trees and the old log courthouse was moved into the center. Never was court held within the walls of this temple of justice. A hotel, a store, and dwelling houses were built and Old O'Brien took on the appearance of a frontier town.

The seat of government was inhabited exclusively by ingenious men whose principal occupation was the conversion of public funds into private resources. As honest Fred Feldman described the situation, "I am der peoples. Der rest all be officers. Don't it?" Practically the only county records were warrant books and the business of the officials was to detach the drafts upon the treasury.

Taxes were enormous, yet bonds were issued and sold in eastern markets. The greater part of the county debt was created by bridge swindles, swamp land enterprises, soldiers' bounties, and all manner of pseudo services rendered to the county. The county officers entered into solemn contracts with the county and collected their profits.

When the county was only nineteen months old and before there was any considerable revenue in the treasury the supervisors allowed bills totalling \$17,500. Of this amount I. C. Furber received \$950, J. H. Cofer drew \$650, and J. W. Bosler got \$450 for

such items as firewood, books, and salary. Archibald Murray was allowed \$2000 for building the old log courthouse and \$300 for office rent, while H. C. Tiffey was voted \$2000 for his forty acres of land, \$300 for transcribing records, \$150 for making out a tax list, \$300 for office rent, and \$500 salary. The largest sum was \$8000 awarded to John S. Jenkins for building bridges.

None of these bridges were ever seen, or heard of afterward. One of the grafters explained the bridge building enterprise much as Raws Upright in *The Hawkeye* boasted of the good house and equally good barn he had acquired from the county contracts. "We built a bridge," said the O'Brien County organizer, "and then made an elaborate report. Then we drew our county warrant. Then we tore down that bridge and built the same bridge — excuse me, another bridge — in another prairie slough, and drew another warrant. Why shouldn't we tear it down? Nobody ever crossed on it, no road was there even. And finally, with due regard to the comfort, happiness, and general welfare of my dear family, I tore down the bridge and built for myself a home, sweet home." Tradition has it that on one occasion planks were simply laid upon the ice and a bridge was reported built. Indeed, it was not necessary to actually perform a job in order to collect payment, for many bills were allowed with the explanation, "Being satisfied that said work will be done, the warrant is ordered issued."

The sloughs or swamp lands of O'Brien County, about two hundred and forty acres in all, were also grist for the grafters' mill. The county ring made a contract with James W. Bosler to build a bridge, valued at five hundred dollars, and for the same deeded to him fifty thousand acres of what "were or might be swamp lands". Bosler immediately deeded part of this land to his colleagues. They drew up legal-looking abstracts of title to this fake swamp land and Bosler went east where he sold these claims, giving a deed with the county seal attached. In the meantime actual settlers occupied the land. Taxes were collected from the bogus owner in the east and the honest owner in O'Brien County. One payment was entered in the records and the other was pocketed by the grafters. Later on, the United States issued patents to the rightful homesteaders and the eastern owners perforce gave up their claims. Even to-day many of the abstracts of title to land in O'Brien County continue to show these bogus deeds and often hamper present owners in trying to sell or to secure loans thereon.

Another fraud was perpetrated at a session of the board of supervisors on January 2, 1865. During the dark period of the Civil War when President Lincoln called for volunteers, bounties to encourage enlistments were offered by individuals, towns, and counties. The O'Brien County organizers generously asked the board of supervisors, which consisted of themselves, to vote a bounty as a

commendable duty of their county. The board magnanimously authorized a bond issue of \$17,500 and engaged an agent at a salary of \$1000 to go east and sell the bonds. He sold them several months after the war had ended for twenty cents on the dollar which produced \$3,500. This "patriotic pot" was divided in three equal shares among Archibald Murray, William Payne, and I. C. Furber, who, the record recites, were credited to O'Brien County as soldiers. Yet while these men posed as soldiers they were also drawing salaries as county officials.

Prairie schooners were now rolling into northwestern Iowa. They passed through Old O'Brien singly and in groups, their gray tops moving evenly like sails on the green prairie sea. The voices of the adventurers and the laughter of children were carried into the air with the smoke of the evening camp fire. The treeless prairie was being settled: the western part of the county had broken sod. With the advent of the real makers of the county the organizers departed.

The heritage of the Bosler-Cofer organization was not only a public debt far in excess of the constitutional limit but all of the attendant evils. All possibility of borrowing for legitimate improvements was precluded. For nineteen years county warrants were discounted at less than half of their face value. Defalcations were numerous. In 1869, when John W. Kelly, Obadiah Higbee, and Hannibal H.

Waterman were elected on the board of supervisors, a new regime began in O'Brien County. Mr. Kelly took up the cudgel of reform and found others ready to work with him. O'Brien County, though with the opposition of the Tax Payers Association which favored repudiation, assumed the fraudulent debt of \$230,000 incurred by the early officials. During the most trying years, when the grasshoppers, hail, and cyclones made hard times the county struggled with its burden of debt. In 1881 the bonds were refunded at a lower rate of interest but it was not until 1908 that the last of the principal was paid — the last penny of tribute exacted by the machinations of the early organizers.

Old O'Brien itself, whose early political history is a blot on the county's record of integrity, was, however, a factor in the settling up of northwestern Iowa. Home seekers, wishing to live near streams and timber, feared the treeless prairie and the Indians farther west. Old O'Brien was the gateway to the unprotected prairie and in its early days showed signs of prosperity. In this humble village the business life of the county had its beginning. Here the O'Brien *Pioneer*, the first newspaper, sent out its weekly chronicle of local events to the few subscribers. Here was a school, a post office, and a blacksmith shop. The Crego hotel, built by C. W. Inman, was a commodious building for its day. In a room upstairs R. G. Allen had a cobbler's bench in one corner while I. R. Pumphrey, as county treas-

urer, controlled finances in another. The hotel was the stopping place of transients and land seekers. The old hotel building is still standing and is being used as a farm house.

Clark Greene's store is remembered by all the old settlers as a rendezvous where members of the county ring sat around on barrels smoking clay pipes while they discussed the nation, the State, and the locality. To this store was brought the news of a new settler, and his experience in crossing Hill's Slough—the twenty-mile slough between Old O'Brien and Fort Dodge.

The old town was transformed into a fort when a band of Indians were reported to have been sighted. Wagons loaded with families and household goods, the horses and oxen urged to top speed, formed an exodus from the prairie to Old O'Brien. The place bristled with shot guns and was filled with warriors. Major D. W. Inman was made commander-in-chief and Greene's store became his headquarters. The commissary provided the army with an abundance of vinegar bitters, and the campaign lasted as long as the bitters did. A few men advanced toward the enemy and found him to be a herd of harmless cattle recently brought into the county.

The first Fourth of July celebration held in the county took place at Old O'Brien. From their claims and homesteads for miles around the settlers came. They sat on rudely constructed benches and listened to the reading of the Declaration of Inde-

pendence. They feasted together, enjoyed the delicacies prepared by the women, and exchanged joys and sorrows. As the afternoon wore away, they lifted tired children into wagons, promised an exchange of visits, and set out across the prairie to take up again their task of home making in a new country.

In June, 1872, the board of supervisors, determined to free the county of every corrupt influence, ordered an election on the question of removing the county capital from Old O'Brien, the seat of all the trouble in the past. The exact center of the county seemed to afford a desirable location, and there the town of Primghar was laid out and named from a combination of the initials of the surnames of the eight men chiefly responsible for its founding. Another consideration in the location of Primghar was the fact that a railroad company had been granted a right-of-way "as near as may be" to the forty-third parallel, only two miles away. At the election in November the forty acres of raw prairie known as Primghar was chosen for the county seat by a vote of three hundred and seven to fifty-three. That election was the doom of Old O'Brien.

To-day, the original town site of Old O'Brien is farmed by Fred Noding who bought it as town lots. Mrs. Noding said that it took them many years to clear away debris and to fill in the cellars. They have succeeded in their efforts for not a piece of crumbled brick or charred log can now be seen. A

slight elevation in the pasture, where sour dock grows plentifully, marks the site of the old brick schoolhouse. On the spot where the log courthouse once stood, grass grows thickly in the shade of sturdy young maples and tall cottonwoods. And the gentle summer wind in the rustling leaves of the old cottonwoods whispers of the struggle, the glory, and the death of the old town.

On the plateau from which Mr. Tuttle envisioned spires and smokestacks, I looked down one day last summer upon the green and gold of an Iowa landscape. I sighted the horseshoe course of the Little Sioux River, by its fringe of soft green, as it still encloses the site of Old O'Brien — the village so favored by nature but forgotten by fate.

JOSEPHINE BARRY DONOVAN