

The
PALIMPSEST
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THE PURPOSE OF THIS MAGAZINE

THE PALIMPSEST, issued monthly by the State Historical Society of Iowa, is devoted to the dissemination of Iowa History. Supplementing the other publications of this Society, it aims to present the materials of Iowa History in a form that is attractive and a style that is popular in the best sense—to the end that the story of our Commonwealth may be more widely read and cherished.

BENJ. F. SHAMBAUGH

Superintendent

THE MEANING OF PALIMPSESTS

In early times palimpsests were parchments or other materials from which one or more writings had been erased to give room for later records. But the erasures were not always complete; and so it became the fascinating task of scholars not only to translate the later records but also to reconstruct the original writings by deciphering the dim fragments of letters partly erased and partly covered by subsequent texts.

The history of Iowa may be likened to a palimpsest which holds the records of successive generations. To decipher these records of the past, reconstruct them, and tell the stories which they contain is the task of those who write history.

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GEORGE W. MATSELL

THE PALIMPSEST

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George W. Matsell

All sorts of people have invested in Iowa land. In the early days most of the claims were purchased by settlers, though there were many avowed speculators and some honest promoters. Among the men who bought land in the new State of Iowa was George W. Matsell who, for a generation or more, was one of the leading characters in New York City and a person who, on account of his large acquaintance and the position he held, influenced many people to locate in Iowa.

His father was George Matsell who emigrated to America from England in 1784. After a short time he returned to England, married Elizabeth Constable, and returned with his wife to New York. On October 25, 1806, George W. Matsell was born in New York City. He attended the public schools, was employed for a while in a dye house on Long Island, and worked in a book store on Pearl Street.

At an early age he became interested in politics, and having affiliated with Tammany he occupied many public offices, especially in connection with the police department. When the noted banker and sugar manufacturer, W. F. Havemeyer, was elected mayor he appointed Matsell Chief of Police in 1845, in which capacity he served until 1857, a most trying period in the history of New York City. He was instrumental in quelling the Astor riots and other disturbances. During his régime he made the New York police system one of the most efficient in the United States. He also edited and published a journal devoted to the improvement of police methods and the establishment of a system of coöperation for the apprehension of criminals and the better enforcement of the laws. In July, 1862, when he was spending a summer in Iowa and was no longer connected with the New York police, the authorities telegraphed for their former chief and provided a special train in order that he might return post-haste and stop the draft riots which the military officials had failed to do. As late as 1872, when W. F. Havemeyer was again elected mayor of New York City on a reform ticket, he persuaded his former Chief of Police, then sixty-six years of age, to undertake the reorganization of the police system along the lines laid down when the two men were in office together years before.

The biography of George W. Matsell would be a history of politics in New York City for more than a

generation. He became a leader in the Tammany organization, and was for many years a close associate of Samuel J. Tilden. Remarkable as it may seem, he was also a member of the Committee of Seventy which brought about the conviction of W. M. Tweed and his gang of ringsters.

This story of Chief Matsell, however, should relate to his life and that of his family in Iowa, and not to what he did in New York. The records of Linn County show that George W. Matsell obtained land in Iowa as early as April 12, 1853. At one time he and his family owned three thousand acres, lying north of the Wapsipinicon River, near Viola. Nearly all of it was obtained prior to 1862.

The question of how Mr. Matsell became interested in Iowa has often been asked and has been variously answered. Irving P. Bowdish, an old neighbor, states that Mr. Matsell once told him that he became acquainted with a Jesuit priest, who directed him to invest in Iowa lands because nothing would enhance in value like the lands of the newly developed State where people were rushing in, obtaining government warrants, and establishing homesteads. Moreover, he had always wished to obtain an estate such as the English people retire to when they give up business, and for that reason he invested in this Iowa real estate.

Another story related by the old settlers and also by members of the family is to the effect that a party of Indians who had been on a mission to Washington

stopped in New York City on their way home and were placed in a small, stifling hotel room on a hot summer night. This did not appeal to the Indians. The heat was so unbearable that they were unable to sleep, so they took their blankets and sought the night breezes on the roof of the hotel, much to the annoyance of the hotel proprietor who notified the police department. Chief Matsell heard the Indians' version and at once dismissed the charge of disturbing the peace. Later he showed the tribesmen the interesting sights of the city, and they in turn invited the Big Chief to their wigwams in Iowa, where they insisted that the air was cool and refreshing and where they would show him good hunting and provide him with venison, hominy, and corn on the cob, a delicacy unknown to the New Yorker. This, Matsell used to relate to the members of his family, was the first time his attention had been called to Iowa and he seriously began to consider investing in the virgin soil which lay unclaimed west of the Mississippi River.

Another reason for investing in Iowa land may have been that he was tiring of politics, that he had a family to provide for, and that he longed to retire to some landed estate according to the English custom. The idea of possessing a country residence seems to have influenced his selection of a tract, for if he had intended to use his land merely for farming he could have purchased prairie land at the same price.

George W. Matsell was married in 1834 to Ellen Barrett, the daughter of a dye maker on Long Island and the descendant of an old colonial family, well known during Revolutionary times. Their children were named George W. Matsell, Jr., Harry C. Matsell, Augustus Barrett Matsell, and Susan Jones Matsell. All were well educated and highly cultured. Strict discipline was maintained at home, and the children were taught the art of being well bred. They were devout Episcopalians and attended the Episcopal church services regularly.

George E. Finn relates that his father, Matthew D. Finn, a nephew of Matsell, accompanied the Chief on his first trip to Iowa early in the spring of 1856, and used to tell how they crossed the Mississippi on a ferry at Davenport amid ice floes and made their way to the farm by way of Wilton Junction, when there were no roads and scarcely any settlers along the way. They located the land which had been previously purchased and found a number of Indian tepees near the Sweet Water Spring, so called by the Indians, where Matsell began to erect the first buildings with the assistance of Mr. Finn who was a carpenter. These buildings were completed between 1856 and 1862 and are still standing, now unpainted and more or less dilapidated. When first erected, however, they constituted one of the show places in the State.

The house, built to accommodate visitors as well as the members of the family, consisted of twenty-five

rooms. There was also a road house erected for the use of the hired help who were not quartered in the big house. The other buildings consisted of cow barns, horse barns, corn-cribs, an ice house, an office building, a summer house, and even a theater, called Oak Hall Theater, where a number of plays were produced by actors of note who were invited to spend their vacations on this estate. A small printing office was also erected and a paper, *The Wapsie Ranger*, was published and circulated among friends, neighbors, and acquaintances. A large wine cellar, built of solid native stone, was well stored with vintages of all ages. Many a bottle of fine imported wine was opened when visitors from the East came for rest or recreation. A boat house was also erected by the river, where boating during the summer was one of the joys of the visitors from afar.

As soon as the buildings were completed, members of the family remained on the farm, though Mr. and Mrs. Matsell and their daughter spent only the summers in Iowa. Much money was expended in attempting to build up a typical old English estate. Trappers and hunters were prevented from trespassing. It was a decidedly picturesque place with plenty of timber and a running spring of fine, cool water. Now and then the Indians would come and linger for weeks at a time in the timber along the river. They were always welcome visitors. In a conversation with the old Indian chief at the Tama Reservation many years ago he began to tell the

writer about his hunting and fishing trips along the streams in eastern Iowa. He did not seem to have any idea of county boundaries, but he knew the names of the streams and mentioned the Iowa, the Cedar, Indian Creek, the Big Slough, the Wapsie, and the Buffalo rivers. He also mentioned the Matsell place, saying, "Heap big man. Good man. He not cut down trees and plow land. He let it lay. He good friend of Indian." Thus, after a period of nearly half a century, the name of the elder Matsell was still remembered. He must have left a vivid impression upon the mind of the Red Man.

"In the fall of 1858, while a student at Cornell College," says Milo P. Smith of Cedar Rapids, a former judge of the District Court, "I drove a New York visitor from Mount Vernon to the Matsell place. This man was interested in farms and seemed to know who were the owners of land and who were tenants by the manner in which the places were kept up. Near the top of the watershed toward the Wapsie, we stopped to take an inventory of the surroundings. The woods were painted in all the gorgeous dyes of autumn. There was a sullen repose on the hills across the slowly flowing river. It was the haze of the Indian summer, which I was familiar with, but a scene entirely new to the eastern visitor, and the effect of this scenery on him also took hold of me. We heard the creaking of an ox cart and the rattling of an empty wagon in the far distance, but this did not in the least disturb the spell of the land-

scape. The prairie chickens whirred past, the turtle doves cooed in their melancholy way, millions of blackbirds swarmed by, and we remained as if entranced by the magic of the scene. The stranger felt as if he were transferred to world of make believe.

“When we arrived at the Matsell house, we found it filled with skins of various kinds, with paintings, armor, swords, guns, rifles, saddles, bridles, fishing rods, and everything that a young man would want. The boys were out hunting in the timber. Far in the distance the deep barking of the hounds could be heard. At that time I would have forsaken my books and slate and would have given up my future course in life for that of a trapper and hunter, provided I could have joined the Matsell boys in their glory amid the hills and glens of the classic Wapsie. It was a wonderful scene and left a deep impression on me — one which I have never forgotten.”

J. W. Bowdish, a member of the Finance Committee of the State Board of Education, relates that his father, Bailey Bowdish, emigrated from New York with his family in 1854, and two years later located on some land near the Matsell place. As he had a large family and was unable to get his house finished for want of carpenters, Mr. Matsell sent his own carpenters over to complete his neighbor's home, saying, “They need a house more than I do.”

Mr. Bowdish visited the Matsells many times and recalls that the house was filled with books, furni-

ture, paintings, china, upholstered settees and lounges, magnificent silver service, and drinking glasses such as he had never seen before in any other home in the West. He also relates that he and his brother one day accompanied R. D. Stephens with his aged father, a citizen of western New York, to spend a day with George W. Matsell. After walking about among the trees and enjoying the scenery, they were invited to the house. Following a short rest, Mr. Matsell said to his son George, "We have visitors from a distance to-day. I want my choicest. Bring it up." George obeyed and returned with some wine. With extreme courtesy the guests were invited to partake, but the elder Stephens declined to take the glass offered him.

Then, in a most impressive manner, Chief Matsell turned to him and said in substance, "Sir, you should not refuse this offering. Permit me to explain my pressure upon you to partake and your corresponding duty. I know your motives are of the highest and I doubt not your patriotism. I could not seek to turn you from what you believe are motives of right or question your loyalty. The substance in your glass was taken from a British man-of-war by an American vessel in a naval engagement during the War of 1812. I offer this to my guests only on rare occasions, for the wine is rare that I present to you. I offer it only to those of your high character and intense love of country—in brief, my choice friends in whom I have faith. This

is an opportunity of rare occurrence. Your patriotism calls upon you to partake in honor and in commemoration of your country's victory. As an expression of your patriotism, I invite you to drink." The earnest appeal touched the elder Stephens and slowly he raised the glass to his lips.

C. F. Butler of Springville relates that in company with his father, Joseph Butler, he was a frequent visitor in the Matsell home and was on friendly and intimate terms with the boys. He remembers particularly the immense stature of father Matsell, who must have weighed three hundred pounds. He always rode in the back seat of a carriage built especially for his use. In the early days the Big Woods south of the Wapsie was infested with horse thieves and outlaws, but when G. W. Matsell began to spend much of his time in that vicinity they removed to a safer region.

"Many years ago," relates Judge F. O. Ellison of Anamosa, "I took my family and a few friends up the Wapsie in a launch. On our return we were entertained royally by the Matsells. The meal was most elaborate. We were served with food which could only be obtained in the larger cities, and the table was supplied with the choicest wines. The serving was perfect and the gracious manner of Susie Matsell made a lasting impression on me. The furniture was exquisite, the buildings were unique, and the method of operating the farm was far different from what we were accustomed to in the West."

After the death of Mr. Matsell on July 25, 1877, the family all remained in Iowa, where the mother died in 1897. The children never married. Rumor had it that Susan was engaged to a well known New York gentleman who was strongly attached to her, but she felt that her duty was to her mother and brothers first. There was, so gossip states, a long struggle between love for the young man and duty to her family. Duty won. The family never disclosed to strangers the name of the man who loved her. She was especially attached to her brother George, who was an associate of Theodore Roosevelt and a friend of Grover Cleveland.

When Susan died some nine years ago, George took her remains to the old Trinity Cemetery in New York City, and on that long, cold, winter journey in December, 1915, he caught a severe cold and followed her to the grave within a few weeks. Only one of the family still lives. Augustus B. Matsell, now in his eighty-fourth year, is making his home with a relative, George E. Finn, on the old Finn homestead near the Matsell place. Anton Meyer now owns most of the old Matsell estate.

George W. Matsell was an imposing personality, one who possessed the ability of a born leader of men. At one time he was rated as being very wealthy, but his means were partially dissipated in the ups and downs of New York politics. For a time he financed the police department largely out of his own resources. Probably he lost some money

during a flurry on the New York Stock Exchange. These financial difficulties, however, did not in any way alter his mode of living or his genial disposition.

He loved Iowa and its broad acres, and used to tell his friends and associates that nowhere in America could he feel more free and content than in Iowa, where the grass looked a little greener, where the birds sang so cheerfully, and where the air was most bracing. Had he devoted as much time to his Iowa investments and to local politics as he did to his native city and State, he might have become an important figure in Iowa political history. True, he was a Democrat of the old school and a close associate of such leaders of the party in his native State as Horatio Seymour, Samuel J. Tilden, and Martin Van Buren. He was a man admired by the masses, and in this new country he could have exerted a powerful influence.

Though George W. Matsell did not devote all his energy to his interests in Iowa, he did show many others the way. His long and strenuous life is an index to the force of his character and a measure of his ability. He stood for whatever seemed best for the individual and the community, and his example was an inspiration to friends and neighbors.

B. L. WICK

In Quest of a Prairie Home

On a day in June, 1837, a weary caravan of nine covered wagons, followed by a drove of tired and foot-sore cattle, arrived in Henry County, Iowa, in the neighborhood of what is now the quaint old Quaker town of Salem. Having left their homes in the well-settled regions of northern Indiana, this band of Quaker emigrants had crossed the Mississippi and entered the Iowa country — the “most magnificent dwelling place prepared by God for the abode of man”.

Among these courageous Quaker pioneers were my great-great-great-grandfather, Nathan Cook, and his eldest son, Jonathan. Soon after their arrival in Henry County there came into the home of Jonathan Cook a baby girl who was given the name of Lydia Eleanor. And it was this dainty little Quakeress who some twenty years later took the marriage vows with Milton Y. Moore, a young schoolmaster from Ohio.

In the year 1860 my grandmother, Mary, was born into the family of Lydia Eleanor and Milton Moore as their first child. And this is the story of her early life.

My babyhood was spent in Salem during the troubled days when that little Quaker town was one of

the chief stations on the main line of the Underground Railroad. Indeed, the town of Salem was so near the Missouri boundary, and its inhabitants were so active in the cause of aiding fugitive slaves, that even the little children were disciplined in the solemn business of never asking or answering questions. Grandfather Jonathan Cook disapproved of this secrecy, and was one of a group who withdrew from the Salem Monthly Meeting to form a Meeting of their own called "Abolition Friends".

During the Civil War grandfather Thomas Moore joined the "Graybeard" regiment and saw active service; but father, rejected on account of his health, was not permitted to go. Before the end of the war my father, Milton Moore, equipped a covered wagon and with his family started out on the first of four journeys in quest of a home on the prairies of Iowa. Father was a typical pioneer, ever ready to move on to a new frontier. Mother, too, must have shared with him that restless westward-moving spirit, for father always said that whenever he wanted to move he had only to tell mother of his plans and she was ready and willing to go.

Leaving the Quaker settlement in Henry County, our family journeyed northward to Linn County where we lived for a few years. My memories of Linn County are associated with Springville and later with Viola, where at the age of seven I attended Mrs. Lizzie Leonard's school. During the first week of the term the schoolhouse burned down, and classes

were held in empty box cars until the damage could be repaired.

What it was that led father to equip again a covered wagon and start out with his growing family in search of a new home, I was too young to understand. I only know that our next stopping place was at Hawleyville, about seven miles northeast of Clarinda in Page County.

Hawleyville was the oldest village in Page County, having grown up around James M. Hawley's store — a frontier trading center for a region within a radius of twenty miles. When the railroad finally came, the hopefully platted village of Hawleyville was passed by and what was once a brisk pioneer trading point survived only as a small hamlet on the east bank of the East Nodaway River. It was a lovely spot in those early days; and I can understand how mother, who loved the birds and trees and flowers, must have enjoyed her sojourn in this beautiful valley.

When I was about eleven years old there came another day of great excitement when father announced that he had traded our home in Hawleyville for a quarter-section of raw land in Hancock County, three miles from the town of Britt. An inviting description written by some Hancock County officers was all the information he had concerning his newly acquired land. Lured by the tales of better and newer land, he was ready to set out in quest of the ever-receding paradise of the frontiersman. And

so, for the third time, we embarked in a prairie schooner to cross the great green sea of the Iowa prairie.

Little did we realize, as we journeyed from Henry County to Linn, then from Linn to Page, and finally from Page County to Hancock, that we were reënacting, in the short period of eight years and on the more limited stage of the Iowa prairies, the great drama of the western movement of the American pioneer as he journeyed from the region east of the Alleghenies to western Pennsylvania and Ohio, thence to Indiana and Illinois, and then on again to the Iowa country.

The preparation for this third journey was a time of thrilling anticipation for my two sisters, my brother, and myself. Any kind of a covered wagon was at that time commonly called a "prairie schooner"; but the wagon which carried us from Page to Hancock County was not the Conestoga wagon with its curved-bottom, boat-shaped wagon box. Ours was the more lightly built Yankee wagon — a low, long-coupled, straight-box, two-horse wagon, made roomy and comfortable by an extension of the wagon bed over the wheels.

In the lower part of the wagon were fitted the boxes into which were packed our household goods. I remember that mother's little cane-seated rocker, our family pictures and books, one bureau, and a jar of honey were among the things packed in the wagon. On top of the feed box at the back of the

wagon was hooked a small green table upside down. This table held the cooking utensils, the dinner box, the stove rack used for campfire cooking, and two splint-bottom chairs. We four children rode behind while father and mother occupied a spring seat in the front of the wagon. In the daytime the canvas which covered the wagon was usually rolled up to allow us to see the country through which we passed. Once we stopped at the home of some friends and found them living in a cabin made entirely of prairie sod.

Leaving the fruitful valley of the East Nodaway River, we soon found ourselves out on the open prairie which we learned to love during the weeks we travelled across it. I can see now the two tracks of the road, cut deep by the wagon wheels and washed out by the rains. The passing clouds cast shadows on the tall, wind-blown grass; and the myriads of autumn flowers beckoned to us on every side.

The broad expanse of sky was empty save for the flocks of cranes and wild fowl that passed far over our heads. There was the puddling sound of ducks in the marshy places, and the incessant booming of prairie chickens in the grass. Once some prairie chickens settled near-by and I begged mother to let me get out of the wagon to run and spread my dress over one—I was so sure I knew the exact spot where it was hidden.

As night approached we would seek a grove of

sheltering trees and a clear stream. Then father would bring water, build a fire, and take down the little green table and the splint-bottomed chairs from the back of the wagon, while mother prepared the meal. We were at home on the prairie with prairie chicken for supper! As the twilight settled into darkness, the wolves came slinking around the camp; and while they howled we children snuggled closer together in our beds in the wagon box, begging father to build the fire higher.

Sometimes we travelled alone and sometimes with other movers. We were always glad to have company, especially when fording swollen streams, for then we could double up teams and take turns in making the crossing.

It was with the deep thankfulness of true Quakers that we finally reached Concord, the county seat of Hancock County and now included in the town of Garner. There we camped while father went on to find the land where we were to establish our new home. It was a good piece of land but, without schools, neighbors, or roads, it was not suitable for a family of growing children. Learning of a better situated farm for sale about ten miles in another direction, father left us children with some new acquaintances while he and mother made a trip across country to inspect this more promising place. On their return mother carried a bouquet of flowers and when we asked her where she got them, she replied, "At home!"

The new home was a small farm house of one and a half stories, sealed with lumber in the living room and bedroom, but unfinished upstairs except for the floors. There we lived through two winters, with blizzards storming the house at all too frequent intervals. There were days when we could see only a few feet away because of the blinding snow; and often the cold was so intense that people were frozen to death out on the prairie. During such storms men were sometimes lost while going from the house to the barn. When father went to do the chores he would often tie a rope to the house to guide him back in safety.

In those early days there were no churches in northern Iowa. But we had good school laws, and the settlers were willing to pay high taxes themselves in order to collect a similar sum from "speculators", as the nonresident owners of unimproved land were called. The law authorized the establishment of schools wherever there were groups of four or five children of school age. If there was no school building, a room in a private home was often used. During two winters school was conducted in our house; and father taught the school. He was allowed forty dollars a month for teaching, besides rent for the room and fuel for heating.

Since neighbors were few and far away we had very little social life, so that each visitor and every item of news was most welcome. I remember reading from beginning to end every magazine and news-

paper that came to our house. It was always a "red letter day" when the mail arrived.

There was nothing that gave us more joy than the long winter evenings when we would all gather around the fire — mother knitting, father reading aloud, and we children cracking nuts. It seemed a real hardship to be compelled to go to bed early with little sister Beth who was afraid to be alone in the dark.

Life on the prairie farm was busy enough in the summer. The crops consisted chiefly of wheat, oats, and barley. In the early days very little corn was grown in northern Iowa because we thought that the climate was too cold. Since there were no fences, the cattle had to be herded during the summer.

Most dreaded on the frontier were the prairie fires. Once when father was returning from a business trip he saw a great fire sweeping in our direction. Terror-stricken, he rushed on as fast as he could; but it was far into the night before he reached home. There he found mother watching over the family, with all plans made to save the children if the fire should come too close. Luckily it did not reach us, but father spent the following day in plowing furrows around the house and barns and back-firing to prevent such danger in the future.

During the first summer in Hancock County mother had a large flower garden, in which she raised marigolds, hollyhocks, cypress vine, verbenas, and many other old-fashioned flowers. This was a

rare sight in those days, and people came from miles around to see it.

It was during our second summer in Hancock County that mother suffered a serious illness. The doctor had to come fifteen miles every day to see her. When she recovered, father, still in quest of the pioneer's El Dorado, sold his farm in Hancock County and moved to Cerro Gordo County, where he bought a farm just outside the limits of Clear Lake. There he built a fine new house, and there we lived to see thriving towns grow up around us. The quest for a home on the prairie became only a memory.

Such is the story of my grandmother, Mary Moore McLaughlin, as she loves to tell it to her only granddaughter who is never to see the beautiful, flower-starred Iowa prairie; who is never to experience the thrills of a journey in a covered wagon, nor face the hardships of life on a frontier farm. It is a simple story, but it is typical of the lives that make up the history of the beginnings of our Commonwealth.

KATHARINE HORACK

In Retrospect

Thank you for *Hard Times in Iowa*, published in the May PALIMPSEST. I went through much of it as a boy, beginning at Rodman's Point (now South English), in Keokuk County, Iowa, in October, 1854. That winter we lived in a part of a one-room log house, a side building of Rodman's Tavern. Here my father brought to a horse-power portable saw-mill some logs from his timber plot near South English River, prepared the same for siding and for shingles with his own tools, and in the spring of 1855, erected a two-room frame house on his unbroken prairie land for his family. This house was not well constructed for inclement Iowa winters but here we lived in the struggle for self-support previous to the Civil War — a period of continuous hard times that never could be surpassed. He had bought his land by using two forty-acre Mexican War land warrants and he planted corn on a few acres of new sod in the spring of 1855. There was no market, no chance for labor, no opportunity for school as yet, no money, little stores with little stocks of goods, and all of us lived off of the country, depending upon game of all kinds, nuts in the vicinity, wild fruits of great variety, corn meal, lye hominy, sheep sorrel pie, and other local possibilities for tea such as barks. I ate so much venison in

those days that I have never wanted any since. I had so much prairie chicken and wild pigeon and quail that I longed for domestic chicken. Plenty to eat, green wood to burn, and the milk of a \$10.00 cow for support of the family. Going to mill came later when there was a little wheat to grind. The only kind of money we saw was Illinois "Wild Cat" currency that needed a bank note detector to find out its possible status. Barter was the only way to get the few goods wanted and credit was given at the stores for the few things that could be sold, as cash did not exist in the making of changes.

The stagecoach from Iowa City to Sigourney brought mail once a week, distributed by reading every address out loud to deliver it to the settler — who was never absent on such occasions. The winter weather, the blizzards, the snow drifts, the winds, the lack of suitable clothing for protection, all added to the pioneer's woes and independence.

The first schoolhouse was built in 1855, the taxes being levied and collected by the secretary of the new school district (my father). When this schoolhouse was built it became the center of all community life: church service, Sunday schools, spelling schools, singing schools, lyceums — all of which were attended by everybody. The religious denominations were organized with a few members in each division and peace was kept by giving the Campbellites the first Sunday of the month, the Baptists the second Sunday, the Dunkards the third Sunday, and

the Methodists the fourth Sunday. What picnics! Food served on tables in common. What camp meetings! What 4th of July celebrations! What exhibitions of forensics! What round town ball games! What competition in foot races; long jumps; hop, step and jump; bull pen, etc., all games that were famous for the athletes of that day.

Well, we did not know there were hardships, we were a very happy people, we were all well-behaved and of good moral character, and we got ready for college despite our limitations because the preparatory schools in the colleges and universities were not lacking in good teaching; rented a room for \$3.00 a month that would house three boys comfortably, did our own washing, cooked our own meals, and survived on \$150.00 a year, paying for clothing, books, subsistence, and travel. Those were better days than it might seem because everybody learned self-reliance, self-dependence, and self-control without joining the Boy Scouts or the Y. M. C. A.

HOMER H. SEERLEY

The Majors War

Sometime during the year 1844, a family by the name of Majors migrated from the State of Illinois to the western part of Mahaska County, and formed what was known as the "Majors settlement". This family consisted of several brothers, two sisters, and their mother, a widow. One of the sisters was also a widow, and had two sons eligible to secure claims. In all, there were ten persons, each of whom claimed three hundred and twenty acres of land, amounting in the aggregate to five sections.

Having secured their claims, they were among the first to organize a claim club in that settlement, and adopt rules and regulations for the government and protection of claimants. But in 1847, when the land sales opened, one of the brothers, Jacob H. Majors, who seems to have acted as agent for the family, entered all their claims; after which, having abundance of means at his disposal, he proceeded to enter some timber claims belonging to John Gillaspy, Jacob Miller, and Peter Parsons. His plea was that he did not know the tracts were claims; but, after being informed that they were, he still evaded making restitution as required by the claim association.

[This account of the treatment of claim-jumpers is adapted for THE PALIMPSEST from an article by William Donnel published in the *Annals of Iowa* (First Series), Vol. VIII, in April, 1870.—THE EDITOR]

When the report of these transactions spread abroad, it created no little excitement among the settlers who feared a similar fate for all their claims. The Majors were a wealthy family and, if not checked, their example might embolden others to do the same.

In view of this alarming state of affairs, the claim clubs convened, passed resolutions denouncing the conduct of Majors, and decided upon a concerted movement to force him to deed back the claims above mentioned. He was a county commissioner and it was supposed he had many friends who might back him and show some hostility in his defense. This was the cause of the general uprising of the settlers in behalf of their rights. The central committee sent word to the various clubs, requesting them to meet at the residence of Jacob H. Majors, for the purpose of inducing him to make the required settlement. At the time specified a large number of people collected only to find that Majors had gone to Oskaloosa to attend a meeting of the county commissioners.

During the day the crowd was increased by fresh arrivals, and no little excitement prevailed on learning that the offender was absent. In order to induce him to come home a message was sent informing him that if he did not appear before sunrise the next morning his property would be destroyed. When night came without bringing the incorrigible Majors, it seemed evident that something more than gentle coercion would be necessary to bring him to terms.

Some of the company went home at night, but most of them remained to see what would happen. It is probable that Majors regarded their message as a mere threat, believing that no one would dare to render himself liable to punishment for a crime of such a grave character, and he therefore resolved to risk it.

Early in the morning the log stable was discovered to be in flames, and soon afterward the corn cribs and granaries were consumed with their contents. There was no live stock in the stable, but a number of hogs were either burned or killed by the more violent members of the mob who were not disposed to make idle threats. Majors, hearing that his property was being destroyed, sent word that he would deed the land back to the claimants, and with this promise the settlers dispersed to their homes.

Majors reconsidered the matter, however, and not only failed to fulfill his agreement but had warrants issued for the arrest of some of the more prominent leaders of the mob. Peter Parsons was apprehended and taken to Oskaloosa, and the report went abroad that he was in jail there. It was also rumored that indictments had been filed against about fifty others, among whom were George Gillaspy and John B. Hamilton.

All this was calculated to arouse the indignation of the people to a degree that rendered it unsafe for Majors to remain at home, and he found it prudent to keep out of the way as much as possible. The

settlers called another meeting to rendezvous at Durham's Ford, and from thence to go to Oskaloosa, release the prisoners, and punish Majors. It was late on Saturday when the summons came. The following morning a large number of armed men collected at Knoxville, resolved to stand by the settlers' rights at all hazards. A flag was prepared, showing the "stars and stripes", and inscribed in large letters, "Settlers' Rights".

This company reached the neighborhood of Durham's Ford that day and remained there until Sunday, some camping out and others putting up at the houses in the neighborhood. More settlers arrived from both Mahaska and Marion County, some on horseback and some in wagons, swelling the number to about five hundred. When all were together and organized in a kind of military order with arms, flag, fife, and drum, they presented a rather formidable appearance. To make an impression that would be likely to secure the object of the expedition without serious difficulty, the horsemen were drilled as cavalry.

Thus the army marched into Oskaloosa, reaching that place at about the time the prisoner was to be tried. Arms were deposited in the wagons, under guard, and infantry and cavalry formed in the public square. When this threatening demonstration was observed and its object made known, the trial of Parsons was indefinitely postponed, and he was released without bail.

I. C. Curtis, as spokesman for the settlers, stated the object of the visit, and was answered by R. R. Harbour of Oskaloosa, in behalf of the authorities. Then followed other speeches and replies that consumed the afternoon and were probably intended to kill time rather than to effect any definite compromise, thus giving the excitement a chance to cool.

During all this time Majors was present but not accessible to those who most desired to see him. In the evening he again promised to comply with the demands of the settlers, and the next morning redeemed his pledge by furnishing deeds to the persons whose land he had entered. Whereupon the army disbanded.

This was regarded as a final settlement of the war. It was all that had been contended for. But Majors was not satisfied with such a conclusion. He was in a rage. He considered himself a persecuted man, and the fire of revenge thus kindled in his breast rendered him indifferent to consequences. A mob had followed him, destroyed his property, and forced him to surrender land that he had claimed. The law was evidently in his favor, and to the law he would appeal. His offense was such as to demand redress, and his persistent refusal to make restitution voluntarily rendered coercion the only effective means to that end, yet the uprising was unauthorized by civil law.

Not long after this Majors prepared to bring the matter into court, but his action was so unpopular

that it was found almost impossible to secure the arrest of persons indicted. A friend of Majors had been defeated in an election of sheriff in Mahaska County and the officer who was authorized to make the arrests usually managed to notify the intended prisoners when he should call for them. Consequently, when he did call, they were often absent and their whereabouts unknown.

Majors was repeatedly advised not to prosecute but he persisted in doing so, thereby subjecting himself to the cumulative wrath of his enemies who finally determined to put an end to his legal threats. For this purpose a select company was sent in search of him, with orders to seize him wherever he could be found, and convey him to Knoxville. Majors, conscious of his danger, did not remain at his home, but frequently stayed with a friend who lived a few miles southwest of Oskaloosa. To this place the detachment went, but not finding him there they continued the search until they discovered him in a sawmill near the mouth of Cedar Creek, a little south of Bellefontaine. He was at work in the mill, sawing his own lumber. It was observed that he kept a gun near at hand and carried it with him when he had occasion to leave the mill, if only for a moment. Thus it was evident that great caution was requisite to effect his capture without serious consequences. To this end the men secreted themselves near-by, and sent one of their number, who was an entire stranger to Majors, to decoy him out, if pos-

sible, or throw him off his guard, until the others could steal in and seize him. The plan succeeded. Majors was soon engaged in conversation with his visitor, who had come to inquire after estray horses, and never noticed that the stranger stood between him and his gun.

Now was the crisis! Ere the victim was aware of the presence of another person, he felt himself seized by strong hands and carried out of the mill. As speedily as possible his captors tied him upon a horse, and then set out for Knoxville. On their arrival another select committee took charge of the prisoner. They were blacked, so that their identity could not be easily ascertained, and to this day, but few of those familiar with the circumstances can give their names.

By this committee he was taken about a mile north of town near the site of the county fair grounds where a preparation of tar and feathers was in waiting. There they stripped him of all his clothing, and applied a coating of the tar and feathers to his naked body. Over this they drew his clothing, and then completed the job by adding another coating of the same materials, giving to the wearer a very portly appearance. He was then permitted to go his way, with the admonition never to repeat the offense for which he had been thus severely punished.

Far from intimidating Majors this episode only made him the more indefatigable in his efforts to convict the leaders in the various assaults upon him.

The feeling against him as exhibited by the recent occurrence in the vicinity of Knoxville afforded such little prospect of success in Marion County, however, that he resorted to the courts of Mahaska County where he fancied public sentiment was more favorable. After a number of failures, he finally succeeded in obtaining bills of indictment against a number of individuals who had been disturbers of his peace during the claim difficulties.

A young man named Bush was among those indicted. Bush had incautiously allowed himself to be arrested, contrary to a well-understood arrangement, and entered into bonds to appear at the next ensuing term of court at Oskaloosa. Notwithstanding Bush's indiscretion, his friends resolved to stand by him, as they were solemnly pledged to aid and assist their associates in every emergency growing out of the claim war.

Accordingly, they made arrangements for the approaching trial. One of their number, who strongly resembled Bush in personal appearance, was chosen to represent him during the trial of the case. This was a bold step, but they ventured upon it.

At the sitting of the court, Bush and his substitute were surrounded by their friends. When the case was called, the impostor responded, took his seat in the criminal box, and plead "not guilty" to the indictment. In the progress of the suit, however, it became necessary to identify the prisoner at the bar as the real offending Bush. The similarity between

the two individuals was at first embarrassing, then inexplicable, and the court finally lost its temper and dismissed the case. The ruse was so successful that the case was literally laughed out of court, to the utter confusion of Majors and his attorneys, who were unprepared for this sharp practice.

At this turn of affairs when everything had seemed so promising, Majors was chagrined and discouraged. He made no further efforts to prosecute his tormentors, being convinced of the impossibility of securing a conviction in a community where the hand of every man was arrayed against him. Soon afterward he left the country to seek kindred spirits in Missouri.

WILLIAM DONNEL

Comment by the Editor

THE NATURE OF LAW

In social connotation there is no bigger word in the English language than law. Lower forms of life have individual habits; but rules of conduct are at once the prerequisite and the product of human society. Men could not live together without regulating their personal actions, so the group determines the behavior of all.

Law is essentially a system of restraint. "Thou shalt" and "thou shalt not" are alike limitations upon personal freedom: yet liberty — relief from the brutish occupation of self-preservation — is the result of controlling the selfishness of men. While law, in a sense, is repressive, it is also the foundation of liberty and the highway to civilization.

All law must have sanction, and the basis of sanction is common consent. A rule of conduct which no one observes is a contradiction of terms; yet approval is seldom unanimous. Laws require formal enforcement, and for that purpose government flourishes. Support by governmental authority gives legality to law.

Back of the government, back of official enactments, in the social conception of well-being, justice, and order is to be found the origin of law. It is a

growth and not a creation. Through the centuries the needs and ideals of the people have determined the character and content of the law. Time-honored customs and standards have been adapted to the peculiarities of new conditions.

LAW ON THE FRONTIER

When the settlers followed the frontiersmen over the Alleghenies into Ohio, Kentucky, Indiana, Illinois, and eventually into Iowa, they brought with them the methods and traditions of their fathers. Honest, orderly, and independent by nature, they revised and transplanted the institutions and laws that were useful, and the rest they discarded. Though they respected the experience of others, they were not slaves to the past. Freed from the conventions of urbane society and unencumbered with historical dogmas, they did what seemed best at the time. Men of action they were—ever ready to blaze a new trail, whether on the plains or in the law, without losing their bearings. The limitless prairies had a way of broadening a man's horizon.

The pioneers were not interested much in law for its own sake. They desired a square deal and had little regard for the legal means to that end. Take the matter of land claims. The acts of Congress declared that no white man should locate a home in the Iowa country before it was opened for settlement. But the settlers were too intent upon migrating westward to read the United States Statutes

at Large. Contrary to the Federal statutes they "squatted" on the "National commons" and claimed possession of land without any right. Then, to secure their holdings against encroachment by others, they organized claim clubs with constitutions, by-laws, and records. They devised equitable rules for the disposition of the public domain which were afterward legalized. Beyond the pale of legal authority, the settlers of Iowa nevertheless governed themselves according to law.

J. E. B.

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