

### CHAPTER III.

LIST OF 1835 SETTLERS—NAMING OF THE STREAMS—FIRST CORONER'S INQUEST—A LOST MAN—"NEW YORK" SHELBY COUNTY—THE NEW COURTHOUSE—PIONEER MILLS—THE FIRST ROADS—"BEE TRAILS"—SETTLERS IN SHELBY, 1837—THE FIRST BRIDGE—THE FIRST HOMICIDE.

#### LIST OF 1835 SETTLERS.

The lists of early settlers which have been preserved have varied somewhat, but as nearly as can be ascertained the list of voters and heads of families which were here at the organization of the county or in the spring of 1835 follows in alphabetical order: Josiah Abbott, George Anderson, James Y. Anderson, Samuel Bell, James Blackford, Anthony Blackford, Isaac Blackford, Silas Boyce, Thomas J. Bounds, W. B. Broughton, Samuel Buckner, Alexander Buford, William S. Chinn, Thomas H. Clements, Bryant Cochrane, Charles Christian, William H. Davidson, Obadiah Dickerson, Robert Duncan, Levi Dyer, George Eaton, Elisha Eaton, John Eaton, James Foley, Benjamine F. Forman, Julius C. Gartrell, Jesse Gentry, George W. Gentry, James G. Glenn, William D. B. Hill, William J. Holliday, Thompson Holliday, Elias L. Holliday, Thomas Holman, Charles A. Hollyman, Bradford Hunsucker, Julius C. Jackson, Robert Joiner, Ezekiel Kennedy, Isham Kilgore, Charles Kilgore, Robert Lair, Addison Lair, Oliver Latimer, Michael Lee, Peter Looney, William T. Matson, J. C. Mayes, Russell W. Moss, John H. Milton, William Moore, S. W. Miller, John McAfee, Henry Musgrove, Sam-

uel J. Parker, George Parker, W. H. Payne, Elijah Pepper, John Ralls, Robert Reed, Peter Roff, Hiram Rookwood, James Shaw, Cyrus A. Saunders, Henry Saunders, James Swartz, Peter Stice, Montillion H. Smith, Hill Shaw, John Sparrow, William Sparrow, Major Turner, William S. Townsend, John Thomas, Abraham Vandiver, Dr. Adolphus E. Wood, Nicholas Watkins. Soon after the organization of the county, emigrants came in and settled up faster. In the fall of 1835 and in 1836 came John Dunn, James Graham, Alexander Gillaspay, Lewis Gillaspay, Stephen Miller, James L. Peake, Samuel Bell, John Jacobs, Joseph West, James Ford, William Conner, Robert R. Maffitt, William Moffett, Jesse Vanskike, Samuel M. Hewitt, Francis Leflet, Samuel S. Matson, Elisha Moore, J. T. Tingle, G. H. Edmonds, S. O. Vanvactor, M. J. Priest. After the organization of the county, settlers located along the streams, and a good many who wanted to enjoy a little more civilization settled at once in Shelbyville.

#### NAMING OF THE STREAMS

The streams, for the most part, had been named before the real settlers located, but were renamed mostly by

association. Salt river was originally called Auhaha, or Oahalia, but was renamed because of the salt springs which lay near it in Ralls county. The Marion county records talk of Jake's creek, the stream which now bears the name of Black creek. It was originally called Jake's creek from the fact that about the year 1820 a trapper named Jake built a cabin on its banks and trapped and fished there for some time. The surveyors who surveyed that country called it Black creek, because of the blackness of its water when they first saw it. Tiger fork was so named because John Winnegan killed two very large panthers on its banks. The settlers thought they were tigers and called the fork Tiger fork. There was already two Panther creeks in that part of the country, named from animals frequently seen near their territory. North river was formerly spoken of as North Two rivers and South river in Marion county as South Two rivers. These streams unite in Marion county about half a mile from the Mississippi, into which they empty farther downstream, in the eastern part of Marion.

The small streams were often named for men who first located upon them, simply as a way to designate the stream intended.

Pollard's branch, in the western part of Black Creek township, was named after Elijah Pollard; Chinn's branch for W. S. Chinn; Hawkins' branch for William Hawkins; Broughton's branch for W. B. Broughton; Payton's branch for John Payton; Bell's branch for Samuel Bell; Parker's branch for George Parker; Holman's branch for Thomas Holman; and others the same.

Clear creek, in the southwestern part of Tiger Fork township and eastward from Shelbyville, was so named because of its very clear water. The stream was fed by springs, beautiful clear cold water. Otter creek, to west and south of Clarence, not only contained many otters but also beavers, the former being in large majority and the stream named therefor. Board branch was so named because it was heavily timbered, and the turning of these to boards was quite an industry and named the stream.

#### FIRST CORONER'S INQUEST.

In the summer of 1837, John Payton, a settler who lived in the western part of the county, on Payton branch, was dashed against a tree while riding horseback and instantly killed. All that portion of the county at that time did its trading at Shelbyville, and Payton, in company with his wife and brother-in-law had been to town, trading, and Payton became intoxicated. When they had gotten about five miles out of Shelbyville, east of Salt river bottom, in the direction of Clarence, Payton became unruly and wanted to return to Shelbyville. His wife and brother-in-law prevailed upon him to keep on his homeward road; and to pass it over and hurry the distance on, the brother-in-law proposed a race with Payton and he accepted the challenge and dashed on ahead. There was a tree leaned over the river road, but a path had been broken around the tree. It was believed that Payton made his outward turn all right, but before reaching the tree the horse made a lunge in and Payton was dashed to pieces in the presence of his wife and brother-in-law. Some thought

perchance in his intoxicated condition he swayed toward the tree and was dashed to pieces.

The first inquest in the county was held over his body and a verdict of accidental death returned. The old black oak tree stood for many years and was a temperance sermon to the youth of the land, and it was always known as Payton's tree.

A little later there was a house-raising west of Shelbyville, and while raising a heavy log it slipped and instantly killed a slave named London. The slave belonged to Capt. James Shaw.

#### A LOST MAN.

In 1839 a small colony of Norwegians wandering about the country decided to settle on the headwaters of North river. One named Peter Galena made a trip into Shelbyville and on his return therefrom lost his bearings. His family became alarmed at his absence and a searching party was formed. They continued their search for a day and a half and he was found wandering on the prairies of the northwestern portion of the county. He had been subjected to inclemency of weather, and encountered many wild animals. Together with the loss of rest, he was half dead and nearly demented from fright and terror. He was taken home to his loved ones, who were also in a fit of nervous prostration from their continued anxieties.

#### "NEW YORK," SHELBY COUNTY.

The fall of 1835 was noted for the founding of New York, Shelby county, the mention of which in her embryonic days would cause much merriment in a crowd of old pioneers. They could see

a joke as quickly as our latter day saints, and perhaps we may term it unprogressive now, but they were not the kind that bit off more than they could chew. In the fall of 1835 a party of speculators, with Col. William Muldrow, of Marion county, at their head, entered about one-third of the land of this county, thousands of acres at a time. Large tracts were also entered in other counties. The money was furnished by capitalists from the East,—Rev. Dr. Ely, John McKee, Allen Gallagher and others, all of Pennsylvania. Dr. Ezra Stiles Ely was a prominent minister of Philadelphia and lost in the enterprise \$100,000.

The company founded the towns of West Ely, Marion College, and Philadelphia, which was named in honor of the "divine's" home burg. They sold thousands of dollars' worth of lots to eastern investors, many of whom were people of moderate circumstances and wished to get a start in the West. If all had come at once things would have seemed prosperous, but a few came at a time and found the cities and towns existed only on paper or in the fancy of optimistic eastern capitalists, and so returned to their homes without repleting their famished conditions.

In 1835 Colonel Muldrow and his associates came over into Shelby county and laid out in the northwest corner the so-called New York. It was located on sections 1, 2, 12 and 13, in township 58, range 11. It was well platted into blocks, streets and lots, and many rare inducements were offered to the public. A few lots were elsewhere disposed of to glibble people, but "nary" a house was ever built in the "city of New York." The company soon came to grief. Other

investments shared as did New York, and they soon found the westerners were wiser "guys" than they had anticipated. However, it is only fair to Muldrow to say he was just forty years ahead of the times. Such investments were pecuniary investments and would have returned many fold to the investors.

#### THE NEW COURT HOUSE.

We have spoken elsewhere of the first steps taken by the county authorities toward the building of a new court house, which was at the November, 1836, term of court. The time had fully come when the settlers realized that their public welfare demanded a good building, that their work might be done properly and with dispatch.

Maj. Obadiah Dickerson was appointed superintendent of public buildings and ordered to prepare and submit a plan with an estimated cost of a court house.

In 1837, at the February term of court, the County court appropriated \$4,000 for the erection of a court house according to certain specifications. It was to be forty by forty feet, built of good brick, laid in cement and lime, with a stone foundation. The first story was to be fourteen feet high, the second eight and one-half feet, with good woodwork and first-class workmanship. The specifications also stipulated that it was to be painted and ornamented, but these provisions were later stricken out on account of the extra cost.

In September, 1837, the contract for the brick work was let to Charles Smith for the sum of \$1,870, and the wood work to Wait Barton for \$2,175. Some advance cash was given to each of the parties upon their giving bond for faith-

ful compliance with the terms of the contract. The building went up slowly. The county was new, with no lumber yards within its confines, and most of the material had to be obtained overland from Palmyra and Hannibal. There was not a brick house near, and the brick was burned for the brick walls. It required more than a year to materialize the building, whereas nowadays it could be built in two months. Smith completed the brick portion in the summer of 1838, and Barton in November following. The County court records contained the following report of Major Dickerson's :

"To the Shelby County Court :

"I, Obadiah Dickerson, appointed by Shelby County court superintendent of the erection of the court house of said county, do certify that I have superintended the performance of the contract of Wait Barton made for the erection of part of said building, and that said Barton has fully completed the work stipulated for on his contract in that behalf, and the work done by him as aforesaid is received and there is now due him the sum of \$215, the painting left out. Given under my hand and seal this 9th day of November, A. D. 1838.

"(L.S.) OBADIAH DICKERSON,  
"Supt. Public Buildings."

The brick of which the court house was constructed was made and burned near town, on the premises of Josiah Bethards. A part of the lumber was sawed at what was known as Gay's mill, on North river, in Marion county, near the present site on which Ebenezer church now stands (section 18—58—8).

And when at last it was completed all

the county "rejoiced as one man," for although very few of the average citizens ever sued, or hoped to be sued, yet **as** the one great conservator of peace, the final arbiter in individual or neighborhood wrangles, the court is distinguished above every other institution of the land, and not only the court docket but the place of convening court is a place of interest to the public-spirited man. Not only so, but the court house was the first public building of consequence, and its uses were general instead of special. Judicial, educational, religious and social purposes kept the latch-string on the outside day and night. It was in that day a public building, and in many of the first court houses school was taught, the gospel power fully preached, and justice meted out to mankind. Here the many travelers often found rest, and the money invested in these old plain buildings brought larger returns than the thousands and millions which are now tied up in the stately piles **of** brick and stone and granite of more recent date.

To these old court houses of the pioneer days came the ministers of the gospel, of the different faiths, each telling the simple story of love which touched the heart and brought the sinner to repentance. Here our fathers and mothers sang with undying fervor the good old songs of Zion. Here the little children drank from their teachers' lips the principles of the three Rs.

The settlers gathered here to discuss their own affairs and to learn from the visitors the news from the outside world lying so remote to the south and east. It was a center to which all classes of people went for the purpose of business,

loafing, gossiping, exchanging of ideas and news.

#### PIONEER MILLS.

Notwithstanding some of the early settlers were ambitious, energetic millwrights in building mills at a few of the many favored spots for mills, which abounded in this county, nevertheless, going to mill in those days, when there were no roads, no bridges, no railways, and ill conveniences for travel, was no small undertaking where so many danger, treacherous, unknown streams, often swollen beyond their banks, were to be encountered, and storms and wild beasts to contend with. But even under such circumstances, the hardy pioneer left comfort and danger in the background and, facing weather and streams, succeeded in his undertaking. At other times the streams and high waters forced him to a retreat until a more favorable season, and he was at the mercy of his good neighbors—yes, those were the days when "what is mine is thine."

Many stories are afloat with regard to the danger, hardship and peril of being forced to go to mill under adverse circumstances, a long distance, which threatened life and limb; but the hardy, valiant heroes of the early days faced many a hardship in their efforts to civilize and establish a higher standard of life. There was the early day when there was not a worked highway in the county, the settlers were far apart! and mills and trading points were in the distance, with primitive modes of travel.

The pioneers of Shelby county were not so badly off as some of their compeers in other counties, who for a long time were compelled to depend on the

hominy block and hand mill. Hand mills came in with the new settlers, and water mills soon followed them.

At the November (1835) term of court Peter Stice asked for a writ of quod damnum in order that there might be determined the propriety of building a water mill on North river (section 33—59—10), the present site of the town of Bethel. Stice built and furnished this mill in 1836, but it was not a success. About this time Asa and Silas Boyce began a mill on Salt river, three and one-half miles southeast of Shelbyville (S. E. N. W. 10—57—10). The mill was completed by Anthony Blackford, Nehemiah Redding and others, and this was a well-known institution throughout the county for years. John Gay, of Marion county, was its well-known and popular millwright, and it enjoyed a large patronage.

The next mill was built by William J. Holliday in 1837 and was located on Black creek, on the west half of the northeast corner of section (27—58—10), about two and one-half miles southeast of Shelbyville. Mr. Holliday obtained his permit in March, 1837. At the same date, T. P. Lair, William H. Claggett and others made application and received a permit, and a mill was built on the South Fabius, where the Newark road crosses that stream (N. W. S. E. 11—59—9), which operated for a while.

Mr. Holliday states that the first mill in Shelby county was built on Black creek (section 6—57—9) near Oak Dale by Julius A. Jackson, in 1835. It was a saw and grist combination and was of inestimable value to the people for some eight or ten years, when it was

destroyed by fire. Some early settlers claim, however, that this mill was not built till the year 1837 or 1838.

In the fall of 1837 Julius A. Jackson commenced a mill known as Dutton's mill, on the north fork of Salt river, three miles southeast of Hager's Grove and ten miles southwest of Shelbyville (N. E. 35—58—12), but before completing it the dam was washed out.

In the spring of 1838 Hill Shaw erected a mill on Black creek, in the southeastern part of the county (N. E. S. E. 29—57—9), two miles north and east of the present site of Lakenan.

In July, 1838, leave was granted Adam and Michael Heckart to build a mill on the north fork of Salt river, five miles southwest of Shelbyville and about three and one-half miles north of where Lentner now stands (N. E. 4—57—11); but it is not remembered that this mill was ever built, as no trace of it can be found at the present time. The Heckarts ran a horse mill for some time in this neighborhood, and later Heckart and Stayer operated the Walker mill at Walkersville.

In the spring of 1839 Samuel Buckner built a mill on North river some two miles below Bethel (N. E. 3—58—10).

In the year 1838 Edwin G. and Warren Pratt built a mill in the northeastern part of the county, on the Little Fabius, near the Knox county line.

The year of 1839 Mr. Williams, of Marion county, contemplated a mill on the eighty-acre tract on which the mill at Walkersville now stands, but he died before his work was accomplished. The land was sold by the administrator, and David O. Walker and George W. Barker

purchased it and built the mill, in 1840, at the present site of Walkersville, which was named after Mr. Walker.

Before the erection of these mills, which dotted the county, settlers were forced to go the long trip to Gatewood's and Massies' mills, near Palmyra, and even to Hickman's mill, at Florida, for their grinding. The most of our home mills, however, were only the ordinary "corn crackers," and neither ground nor bolted wheat; but the corn mills stayed the farmers till a more convenient season, and so were a source of great accommodation.

#### THE FIRST ROADS—'BEE TRAILS.'

At the session of the 1836-1837 legislature that body attached to Shelby county, for military and civil purposes, all the territory of ranges 11 and 12 of township 60,—the present territory of Knox county. At that session a road was also established from Paris, Monroe county, to the mouth of the Des Moines river, by way of Shelbyville. The road opened up as far as Shelbyville the same year. Up to this time the only roads running north were the so-called "bee roads." There were only two of these, and they were little better than trails. They ran through the eastern and central portion of the county, taking a general northerly and southerly direction, and were made by the settlers of the older southern counties, who every autumn resorted to this territory, hunting wild honey. We have elaborated on this topic previously, and will only add that the woods abounded with bee trees and every year the honey hunters took home tons of the delicious sweet. Whenever a trail crossed a ford it was called

a "bee ford," and thus there was "Bee-ford" of "Otter creek."

The Callaway hunters named one trail the Callaway trail; as it was the trail frequented by Callaway county bee hunters. It was trailing over the divide between North river and Black creek to a point about four miles north and east of Shelbyville (section 14—58—10), where it left the divide and crossed a branch in the north and west part of that section, where was located plenty of good water, and which the bee hunters made a general retreat and camping place. The branch was called Camp branch by the settlers and hunters who resorted thither.

Then there was the Boone trail, the one frequented by the Boone county hunters. It crossed Salt river above Walkersville and Black creek southwest of Shelbyville, and on up the bluff of prairie on which Shelbyville now stands, on northeast across the divide, joining the Callaway trail south of North river timber, on through the timber, up the headwaters of the Fabius, on into the waters of the Des Moines, Iowa.

A ferry was established in 1836 over the Salt river at "Beeford" by a Mr. Christian. The location was below Warrenford, near the mouth of Watkins's branch. It was a flat-boat navigated by poles.

#### SETTLERS IN SHELBY, 1837.

At this date (1837) the northwestern portion of the county was but sparsely settled, as that territory was not as yet placed on the market, but other portions had been taken up from time to time until there was quite a scattering throughout the other regions. Taking

them by townships and ranges, they were recorded at that early period:

TOWNSHIP 57, RANGE 9.

Gabriel Davis, Harvey Eidson, William B. Broughton, Ramey Dye, Cyrus A. Saunders, Joel Musgrove, Richard Gartrell, two Mr. Hickmans, Peter Rinkston, Randolph Howe, Kennedy Mayes, George P. Mayes, Samuel Blackburn, George Barker, Russell W. Moss, Fontleroy Dye, Elijah Moore, John Thomas, Henry Saunders, Hill Shaw, Robert Duncan, Thomas J. Bounds, Joseph Holman, Thomas H. Clements, David Smallwood, Josiah Abbott, Julius C. Gartrell, Mrs. Desire Gooch, and a few others.

TOWNSHIP 58, RANGE 9.

George W. Gentry, Kindred Feltz, Oliver Latimer, Stephen Gupton, Mrs. Caroline Looney, Mrs. Temperance Gupton, Solomon W. Miller, William Montgomery, Elisha Baldwin, Edward Wilson, Henry Louthan, Robert Lair, Addison Lair, Robert Joiner, Anthony Minter, Alexander Buford, Charles N. Hollyman.

TOWNSHIP 59, RANGE 9.

Caleb Adduddle, Benjamin Jones, Mrs. Morgan, Thomas P. Lear, John Cadle, William White, Kemp N. Glasscock, Benjamin P. Glasscock, Daniel Wolf, Benjamin Talbot, Thomas G. Turner, Perry Forsythe, Mr. Whitelock.

TOWNSHIP 57, RANGE 10.

Samuel Buckner, Anthony Blackford, James Blackford, Isaac Blackford, Dr. Wood, George Eaton, Jefferson Gash, Col. William Lewis, John Eaton, Charles Smith, Samuel J. Smith, Maj. Obadiah

Dickerson, George Anderson, Peter Roff, Samuel C. Smith.

TOWNSHIP 58, RANGE 10.

Albert G. Smith, Samuel Beal, Elijah Pepper, James Swartz, Mrs. Elizabeth Creel, Lewis H. Gillaspay, Alexander Gillaspay, Abraham Vandiver, Montillion H. Smith, Joseph West, Major H. Jones, John Easton, Ezekiel Kennedy, James C. Hawkins, Dr. Hawkins, Elijah Owens, E. L. Holliday, Mrs. Nancy Holliday, John Lemley, Josiah Bethard, Thomas Davis.

TOWNSHIP 59, RANGE 10.

James Ford, John Ralls, Samuel Cochran, James G. Glenn, Robert McKitchen, Peter Looney, Joseph Moss, James Turner, Ferdinand Carter, John Moss, Peter Stice, John Serat, Lewis Kincaid, Elijah Hall, Hiram Rookwood, Sanford Pickett, James S. Pickett, William S. Chinn, Nathan Baker.

TOWNSHIP 57, RANGE 11.

David D. Walker, David Wood, Malcolm Wood, William Wood, James Carothers, William Coard, Nicholas Watkins, Perry B. Moore, Isaac W. Moore, Mrs. Mary Wailes, Pettyman Blizzard, James R. Barr, Lacy Morris, Stanford Drain, James Carroll, Barclay Carroll, John B. Lewis, James Parker, George Parker, Capt. B. Melson, Major Taylor, Robert Brewington, Henry Brewington.

TOWNSHIP 58, RANGE 11.

John Thomas, John Dunn, Elijah Pollard, Philip Upton, John T. Victor, William Victor, Aaron B. Glasscock, Martyn Baker, Michael See.

THE FIRST BRIDGE.

Not until 1839 did the first bridge span a stream in Shelby county. It was across Black creek west of Shelbyville. A petition written by Elijah G. Pollard was presented to the County court. It read:

' We, the undersigned petitioners, are subject to many inconveniences for the want of a bridge across Black creek at or near the ford on the road leading from Shelbyville to Holman's cabins on Salt river. We pray the County court to take into consideration the necessity of building a bridge at the above named place, for the benefit of the settlers living west of Shelbyville. We, the undersigned, are willing to pay one-half the amount the bridge may cost, as follows:

|                        |         |
|------------------------|---------|
| Elijah G. Pollard..... | \$10.00 |
| John Dunn.....         | 15.00   |
| A. B. Glasgow.....     | 10.00   |
| Madison J. Priest..... | 10.00   |
| Thomas J. McAfee.....  | 10.00   |
| John McAfee.....       | 10.00   |
| Robert McAfee.....     | 10.00   |
| Major H. Jones.....    | 5.00    |
| William Gooch.....     | 1.00    |

So far as statistics and memory go, it is thought the county turned them down, but the settlers went right ahead and built that bridge. Two long logs were thrown across the stream for stringers, on which strong slabs were laid and pinned. On the ends of the stringers the dirt was thrown and they were securely stayed. The middle of the bridge dipped down until the water stood several feet over it, but the

stringers held it firm for many years, and it was a source of pleasure to the settlers of that locality.

THE FIRST HOMICIDE.

The first homicide that ever occurred in the county was in the year 1839. John Bishop was shot and killed by John L. Faber in the brick tavern on the southwest corner of the public square in Shelbyville, which site of recent years has been used for a hotel. The victim of a mistaken idea, for so it proved, died against the east wall of the tavern.

Faber was a bachelor and a trader of Knox county. It was said of him he would buy everything offered him that he could not trade for, and his home was a museum of rifles, shot pouches, and what not. He bought a horse of Thomas J. McAfee, in this county, which Faber claimed McAfee warranted to work, and when hitched up it would not pull a pound; whereupon Faber said McAfee might just as well steal the money he received for the horse, and was no less thief than if he had done so. McAfee had married a stepdaughter of Maj. Obadiah Dickerson, and the major took his stepson-in-law to task, telling him in a most emphatic manner, "If you do not properly resent this charge and these insults of Faber's, I will disown you, sir, forever." The first time they again met it was in the above tavern, and McAfee assaulted Faber, catching him around the body. The above named Bishop was McAfee's friend and ran in and, catching McAfee around the body, tried to separate the combatants. Faber finding him in McAfee's strong grasp, drew his pistol, passed it around his

antagonist, felt the muzzle come in contact with a body which he supposed was McAfee's, and drew the trigger. The muzzle was, against Bishop's body and killed him in place of McAfee. Faber surrendered and was released on preliminary examination. He was never indicted.