

CHAPTER 06

THE BOON'S LICK COUNTRY BECOMES AN EMPIRE

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(Transcribed by Dorothy Harlan)

Eight Years After 17 Persons in the Two Cole Families Were the Only Whites South of the Missouri and West of the Osage, Franklin Is a Metropolis and Missouri Clamors for Statehood--Tennessee and Kentucky Move Into the Boon's Lick, a Vast Area Extending Into the Present Iowa and Kansas--Howard County Is Formed and Hannah Cole's Fort in Boonville Is Its First Capitol, Then Boonville Is Laid Out and Cooper, Comprising the Present Area of 11 Counties and Parts of Five Others. Is Organized South of the Missouri--Tax and Ferry Rates and Early Courts Reveal Pioneer Conditions and Character--State Rights Gospel--Communities Are Independent and Individual Initiatives Is Rampant--"Show Me" Spirit Is Fostered and Is Destined to Influence the State of the Union in a Future Crisis.

CAPTAIN JOHN NELSON brought the steamboat, *Independence*, the first to navigate the Missouri, to the bank at Franklin, in Howard County, May 28, 1819, and the crew began unloading a cargo of flour, whisky, sugar and iron castings.

It was a momentous event, occurring only two years after the first steamboat arrived in St. Louis. Prosperous and progressive Franklin realized the full import of inauguration of steam navigation, and a great banquet was spread in honor of the occasion. It began at noon and lasted until sundown in that golden, balmy, sweet-scented Missouri May time.

STARTED as a jubilee, it ended an indignation meeting, with criticism of Congress for not admitting Missouri into the Union. *Duff Green*, who later became editor of *The United States Telegraph*, President Jackson's administration organ in Washington, D. C., led off with: "The Union--it is dear to us, but liberty is dearer."

Stephen Rector's toast was: "May Missourians defend their rights, if necessary even at the expense of blood, against the unprecedented restriction attempted by Congress."

Major J. D. Wilcox: "The citizens of Missouri--may they never become a member of the Union under the restriction relative to slavery."

THIS was *only four years after the Cooper and Cole settlements were struggling frontier outposts*, straining every facility to outwit Indians on the warpath. It was only eight years after the only white people west of the Osage river on the south side of the Missouri were the two Cole families numbering 17 persons.

Population increases and development first followed the rivers. Indian outrages during the War of 1812 never quite dammed the westward flow of immigration. But in 1815 the influx overflowed the river settlements and dotted the prairies.

The Reverend Dr. John Mason Peck, who was a part of the movement, wrote:

THE new comers, like a mountain torrent, poured into the country faster than it was possible to provide corn for breadstuff. Some families arrived in the spring of 1815; but in the winter, spring, summer and autumn of 1816 they came like an avalanche. It seemed as though *Kentucky and Tennessee were breaking up and moving to the "Far West."* Caravan after caravan passed over the prairies of Illinois, crossing the great river at St. Louis, all bound to the Boon's Lick.

The stream of immigration had not lessened in 1817. Many families came from *Virginia, the Carolinas, and Georgia*, and not a few from the middle states, while a sprinkling found their way from Yankeedom and Yorkom.

Following in the wake of this exodus to the middle section of Missouri was a terrific excitement about getting land.

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My first visit in 1818 was at the crisis; and I could not call at a cabin in the country without being accosted:

"Got a New Madrid claim?" "Are you one of these land speculators, stranger?"

The New Madrid earthquake occurred December 16, 1811, with recurring shocks of diminishing violence into the following February. The Mississippi and its tributaries in southeast Missouri overflowed vast areas, most of which were to be reclaimed by drainage about a century later.

CONGRESS passed in 1815 an act to relieve sufferers of the New Madrid earthquake. Landowners in the flooded districts could relinquish holdings for certificates good for equal acreages on other public lands.

Immediately thereafter speculators, mostly from St. Louis, invaded the New Madrid district, buying claims from \$40 to \$60. Some claims were for 640 acres. Demand for certificates encouraged dishonest New Madrid settlers to sell their claims over and over to various speculators. It led to endless law suits. Many New Madrid certificates were located in the Boon's Lick Country.

Most of the settlers being of southern origin, Missouri sentiment was pro-slavery. Seven states had been added to the original 13. 11 had attained statehood in December 1818. Her people looked enviously on caravans of southerners with slaves and herds passing through her confines, bound for Missouri.

"It is too bad this is a free state," the rich travelers would confide. "We would like to settle here."

WHILE the national game of politics was being played in Washington, always with a majority of at least one free state, *Missouri was growing more rapidly than any area* in the young, vigorous, expanding republic.

So it was that *more than five years before Missouri was admitted to the Union under the Missouri Compromise, Howard County was organized*. In 1812 when the Territory of Missouri was established, five counties were formed: St. Charles, St. Louis, Ste. Genevieve, Cape Girardeau and New Madrid. In 1813 Washington County was formed from part of Ste. Genevieve, in 1814 the Territory of Arkansas was organized and in 1815 Lawrence County was carved from the west of New Madrid. When formed, Howard not only included the present area of Cooper but extended west and north from the Osage river to approximately what is now the Kansas line. It was organized January 23, 1816, under the territorial laws.

HOWARD COUNTY then included what now comprises 40 entire counties and parts of seven others: *Adair, Audrain, part of Bates, the north part of Benton, Boone, Caldwell, part of Camden, Carroll, Cass, Chariton, Clay, Clinton, Cole, Cooper, Daviess, De Kalb, Gentry, Grundy, Harrison Henry, Jackson, Johnson, Lafayette, Linn, Livingston, Macon, Mercer, the north part of Miller, Moniteau, part of Monroe, Morgan, Pettis, Putnam, Randolph, Ray, the north part of St. Clair, Saline, part of Shelby, Sullivan and Worth.*

Also the following counties in Iowa: *Parts of Taylor and Adams, Union, Ringgold, Clarke, Decatur and Wayne, and probably parts of Lucas, Monroe and Appanoose.*

The first county seat was located by the territorial legislature at Hannah Cole's Fort, now Boonville. There the first court on July 8, 1816, discharged all the duties of circuit, county and probate courts.

The judge was DAVID BARTON, who was to become father of Missouri's constitution and later a distinguished United States senator. He sleeps in Walnut Grove cemetery in Boonville where the State of Missouri erected an impressive monument to his memory.

OTHER OFFICERS of the court were: Clerk, *Gray Braynum*; circuit attorney, *John G. Heath*; sheriff, *Nicholas S. Burkhardt*, all appointed by the territorial governor, as there had been no county election.

Practicing attorneys were Edward Bates, Charles Lucas, Joshua Barton, a distinguished brother of David, and Lucius Easton.

The Barton brothers --David, Joshua and Isaac--were among six sons of a Baptist minister of North Carolina. The three had read common law before coming to Missouri and were acquainted with the English system.

When they arrived in St. Louis they found themselves disqualified to practice under the civil law then in force in the territory. The *Bartons with a half dozen other American lawyers had influence enough to get a territorial legislature to wipe out the old code and to pass an act making English common law the law of the land unless repealed by the statutes of Missouri.*

THIS occurred the same year Howard County was organized by act of the territorial legislature. David and Joshua Barton came to what is now Cooper County very soon after they were ready for clients.

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Joshua Barton later was killed in a duel with Thomas C. Rector of St. Louis in 1823.

HE first court session in Howard County was held within the present limits of Boonville. *It was the first court ever held in all the Boon's Lick Country.* Prior to this the settlers administered justice individually. *They observed the perfect law of liberty.* No man infringed on the rights of another. White men had been as brothers united against the Indians.

Now additional population brought added problems.

Benjamin Estill, David Jones, David Kincaid, William Head and Stephen Cole were appointed commissioners to locate a permanent county seat. They decided on Old Franklin. County records were removed to it in 1817. It remained the county seat until 1823, when Fayette succeeded it.

At the first court session held in Joseph Jolly's home at Hannah Cole's Fort, John Monroe, who was second lieutenant in the company of rangers organized against the Indians in the War of 1812, was appointed county coroner.

MAJOR STEPHEN COLE, *a justice of the peace, was fined for contempt of court* by Judge Barton. That afternoon Cole was holding justice court on a log in front of the fort. Barton, returning from dinner, leaned against a tree, observing and smoking his pipe. Cole fined him \$1 for contempt--smoking in presence of his court. Judge Barton paid, smilingly acknowledging himself beaten at his own game.

Cole was uneducated but keenly intelligent. It is told that once at a legislative session, Governor Alexander McNair tried to separate fighting legislators. Cole pulled the Governor away, saying "*In such a scrimmage a governor is no more than any other man.*"

THE TOWN OF BOONVILLE was laid out more than a year before Cooper was organized as a county. *Asa Morgan and Charles Lucus* platted it, filing the papers August 1, 1817. *William Ross* was the surveyor. However, before the first lots were sold in 1819, Cooper County had been organized.

A settlement of several houses in the flat along Roupe's branch before the town was platted got its name from the first resident, *Gillard Roupe*. His house stood south of what is now Spring street and near the branch. Later he built a ferry house and provided a landing near the mouth of the branch. Hannah Cole's sons operated the first ferry, owned by their mother.

A FRENCHMAN named *Reubedeaux* kept the first store in a cabin. Later he traveled up the Missouri, settling at the site of St. Joseph where today the leading hotel and many other institutions bear his name.

In 1816 and 1817, the period when the seat of government was at Hannah Cole's Fort, the settlement on Roupe's branch included a grocery store operated by a man named Nolin and two boarding houses conducted by a Mrs. Reavis and William Bartlett respectively. Thomas Rogers built a house at High and Second streets, using it as a residence, hotel and store. It was not long after this that Asa Morgan built one of the first brick houses in the Boon's Lick country, the building now occupied by the Jenry Taxi Company at 512 East Morgan street.

As the scattered settlement began to grow about Hannah Cole's Fort the south side of the river lost the county seat to the thriving town of Franklin across the river.

But in a little more than a year it was to become a county seat again.

COOPER COUNTY was organized December 17, 1818, and included all of Howard County lying south of the Missouri river. This embraced

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all lands between the Osage and Missouri rivers, west to the territorial line, including the areas of the present counties of *Cooper, Saline, Lafayette, Jackson, Cass, Henry, Johnson, Pettis, Morgan, Moniteau,* and *Cole* and parts of *Bates, St. Clair, Benton, Camden* and *Miller*--11 entire counties and portions of five others.

The territorial legislature appointed Abiel Owens, William Wear, Charles Canale, Luke Williams and Julius Emmons to locate the county seat.

Asa Morgan and Charles Lucus previously had offered to donate 50 acres in Boonville for the seat of government. This offer later was accepted. Part of the land became the site of three successive courthouses. The rest was sold in lots and the proceeds went into the county treasury.

THE first court session for Cooper County was March 1, 1819, at William Bartlett's boarding house. Like the previous sessions for Howard County at Hannah Cole's Fort its duties included those of the county, probate and circuit courts.

David Todd was judge, *R. P. Clark*, clerk, *William McFarland*, sheriff, and *John S. Brickey*, prosecuting attorney, all appointed by the territorial governor.

Grand Jurors reporting were: Samuel Peters, foreman; Muke Rose, John Savage, James Chambers, Britton Williams, John Roberts, Carroll George, John Davis, James Savage, Clayton Hurt, Joseph Smith, William Gibson, Eli N. Henry, Frederick Houx, Thomas Twentymen, William Noland and Delaney Bolin. They were discharged after their deliberations indicated *there was no crime in the county*.

COURT continued the following day, then adjourned until July when a four-day session was held. Another term was held in November and then in March, 1820.

The vast county of Cooper was divided into five townships: *Lamine*, including all of Cooper today; *Moreau, Arrow Rock, Miami* and *Tebo*.

Election judges named for Lamine township were James Bruffee, Robert Wallace and Benjamin Hickox. The polling place for Lamine township was William Bartlett's boarding house.

John Potter was appointed constable for Lamine township.

STEPHEN TURLEY was licensed to operate a ferry across the Lamine river. B. W. Levens, Ward & Parker and George W. Kerr were granted a license for a ferry at Overton.

The court recommended William Ross for surveyor to the governor. The court appointed William Curtis under-sheriff.

James Bruffee, Benjamin F. Hickox and Robert Wallace were appointed commissioners to superintend building of a courthouse.

Two petitions for public roads were filed the first day of court. B. W. Levens presented the first for a route from Boonville to the mouth of Moniteau creek. Anderson Reavis asked for one from the mouth of the Grand Moniteau to the Boonville and Potosi road. Potosi, in Washington County, was one of the nearest important centers and capital of an early French lead and tiff territory.

At the July, 1819, term Asa Morgan was licensed to operate a ferry at Boonville and in November James Williams to operate a ferry across the Osage on the Boonville-Potosi road.

PEYTON R. HAYDEN, Andrew S. McGirk, Abiel Leonard and Hamilton R. Gamble in the order named were enrolled as attorneys between July, 1819, and January, 1821. Others practicing were: George Tompkins, John S. Brickey, Cyrus Edwards, John S. Mitchell, Robert McGavock, John F. Ryland,

Arinstedd A. Grundy, Dabney Carr, William J. Redd and John Payne. Many of them became widely known.

Records show there were six merchants and four peddlers within the then vast area of the county and that *total taxes for 1819 charged on county books were \$488.34.*

WHILE the county was filling up with a preponderance of prosperous southerners, population was sparse and money scarce, compared to today. Robert P. Clark, Boonville's first postmaster, also was circuit and county clerk, county treasurer, school commissioner and executor, administrator and guardian of numerous estates, and a delegate to the first state constitutional convention. All his offices barely supported him and his family.

The new land abounded in undeveloped resources and its settlers possessed qualities to make it great. *It was not a wild and woolly frontier.* Cooper County's first grand jury could find no lawlessness. The second indicted Stanley G. Morgan on a charge of assault and battery, a minor offense. License for a pool table was fixed at \$25 a year. Four gamblers were fined \$5 each July 7, 1819. That was a severe levy, as ready cash was scarce, even with winners.

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MISSOURI'S geographical location perhaps contributed even in earliest times to its inhabitants' complacent arrival at opinions with little regard for expediency or for what people of other sections thought. Later it was to be said "*Missourians have to be shown.*"

Cooper County is near the center of the center state. Five commonwealths stretch east of Missouri to the Atlantic and five west to the Pacific. Two lie north to Canada and two south to the Gulf of Mexico.

Neither north nor south, nor east nor west, Missouri was populated mostly with pro-slavery advocates, yet *those southerners in their new environment were to act with great independence in a future crisis,* and their action was to profoundly affect the destinies of the Union. They were to maintain their opinions at a ghastly cost in blood and treasure but they prized that right above all others.

Possessing high degrees of intelligence and ideals, industry and thrift, pioneers early established in Cooper County a settled civilization and a deep-rooted prosperity, supporting schools, churches and other exponents of culture more liberally than most frontier communities. With early wealth also came a fine sense of balance between progress and conservatism that is characteristic of the people today.

IN THIS ATMOSPHERE leadership developed and genius flowered. The Coles left a permanent impress on this section, with Cole County named in their honor. Franklin before it was washed away by the changing course of the Missouri gave to the state and the nation many giants who were to help guide the course of history. Through succeeding generations Cooper County's contributions to leadership in many lines have been astounding.

Finally, it must be remembered in those early days of the new republic, looked on in Europe as a strange innovation, many regarded the states as a union of republics. *Liberty and independence were jealously prized.* Lack of rapid transportation and communication accentuated provincialism. Distant parts were looked on almost as foreign countries. Each state and community worked out their own destinies. Without this spirit the West would not have been won to civilization.

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There was a deep desire for admission into the Union but a pride equally strong expressed belief that the state could remain out if it desired. Individualism was exalted. That stimulating atmosphere encouraged thought and independent action. Today the same basic traits survive in Cooper County people, modified only by changed conditions of civilization.

JOHN ANDREWS HAD SOAP AND CANDLE FACTORY

ONE of Boonville's earliest industries was before oil was taken from Oklahoma and Texas fields. Then kerosene was distilled from coal--and sold for \$2 a gallon. Wood was the universal fuel. Coal was used only by blacksmiths.

John Andrew's soap and candle factory was in deep woods southeast of Boonville, in the vicinity of the present Sixth and Seventh streets. It was a long shed. Wood ashes were dumped into hollow gum stumps, four to nearly six feet tall. Water was carried from the city spring in a ravine just north of the present Locust street and was poured over the ashes.

The lye, formed from the water and ashes, drained down to huge home-made vats encircled by split hickory saplings.

Mr. Andrews obtained tallow on regular rounds of slaughter houses, and hunted bee trees in the woods for wax to harden his candles.

The spring used by Mr. Andrews almost a century ago, was cleaned out by Fred and Guy Hayes. They rigged up a small motor and supplying current from a light socket, pumped through hose water to keep the lawn of their mother, Mrs. B. F. Hayes, on Locust street, green throughout the blistering, drought-stricken summer of 1936. The spring showed no signs of diminished supply. In the old days it was a favorite place for farmers to water horses and stock driven to Boonville.

AH, VANISHED GLORIES OF THE OLD HOMESTEAD!

AFTER the lean, hard years immediately following the Civil War, Cooper County quickly became prosperous and entered a period of plenty.

Money was scarce, but land was cheap and plentiful, as were also game and fish. Families were large. Commodious dwellings in the towns were set in grounds spacious enough for garden, chicken yard, barn, carriage shed, smokehouse and numerous other out-buildings. Often there were a small orchard and vineyard.

IN AUTUMN the cellar was a vast storehouse loaded to the guards with apples and pumpkins gleaming in the dusky light, with squash, potatoes, sweet potatoes, beets, carrots and other root crops. There were heaps of walnuts, butternuts, hazelnuts, pecans and hickory nuts that the children had gathered amid the fading glories of summer.

There was a keg or barrel of sorghum and usually two barrels of cider, one to be drunk sweet and the other hard, and to finally finish as vinegar.

In the smokehouse one gazed through hickory haze at dozens of hams, sides of bacon, strings of sausages and fat jowls hanging from the darkened rafters. There were barrels of salt for preserving pork, and for table use. And at butchering time the tables were laden with spareribs, loin chops, backbone and pigs feet. Crackling bread was enjoyed through most of the winter. Cracklings are the crisp, browned residue from frying lard. The rich, nut flavor lingers, lo, these many years.

MOST FAMILIES kept chickens and a cow. Quantities of fresh eggs, milk, butter and pork made for a rich diet. People lived more in the open and did much heavy labor now performed by machines. They could stand the strong food. Indigestion and gout were rare.

This period of almost uninterrupted peace and unprecedented plenty lasted the half-century between the Civil and World wars. Those who grew up and lived most of their lives during that 50 years were fortunate in many ways.

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