

E. J. Melton's History of Cooper County, Missouri

CHAPTER 09

MISSOURI TERRITORY BECOMES A LUSTY STATE

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(Transcribed by Jim Thoma)

Boonville Has Its First July 4 Celebration in 1820 – The First Constitution Is Adopted 15 Days Later, Written by Its Chairman, David Barton, of Cooper County – Barton Is Chosen Unanimously by Acclamation Missouri's First United States Senator – "The Little Red" Fights President Jackson and Is Doomed Politically – Early County Officers, Teachers and Preachers – The Blackhawk, Mormon, and Mexican Wars – Progress Is Made in Civilization.

JAMES BRUFFEE'S homemade cannon of wrought iron boomed salutes early July 4, 1820, as people from far over the Boon's Lick Country converged on Boonville for the big celebration in the new county of Cooper.

The Declaration of Independence was read and Benjamin F. Hickox delivered an oration. A basket dinner was spread where the first courthouse was to be completed three years later.

The communal feast was on cloths that extended many hundreds of feet.

People separated, the elders discussing possibility of early statehood. Young people danced. Children played games.

The festivities continued into the night. It was long remembered, for frontier life and slow transportation made such events few.

JUST 15 days after the celebration in Boonville, Missouri's first Constitution was adopted July 19, 1820, more than a year before admission, for the travail to the Missouri Compromise was long.

A Boonville citizen, David Barton, presided over the territorial convention that framed the Constitution which was quickly adopted. Many sections of the original draft were in his handwriting. He, two of his brothers and Edward Bates and a brother were notable in making Missouri the State.

LONG BEFORE first families in the Boon's Lick Country celebrated July 4 in Boonville, Missouri argued eloquently for a place in the sisterhood of states. In the fall of 1817, petitions were circulated in St. Louis, Franklin, St. Charles, Herculaneum, Ste. Genevieve, Cape Girardeau and other centers asking admission "*on an equal footing with the original states*".

These were presented to Congress by the territorial delegate, John Scott, January 8, 1818, anniversary of the Battle of New Orleans.

MISSOURI waited until March 6, 1820, for the first formal answer to her prayer. In the meantime Illinois and Alabama asked and were granted admission and Arkansas Territory was formed.

Missouri slave owners and abolitionists joined in condemning Congress. The St. Louis grand jury declared:
"The late attempt by the congress of the United States to restrict us in the free exercise of rights in the formation of a constitution and a state government for ourselves is an unconstitutional and unwarrantable usurpation of power over our inalienable rights and privileges as a free people."

A Baptist association in session at *Mount Pleasant* meeting house in *Howard County* adopted the following resolution, heartily concurred in by all ministers present: "We have all the means necessary for a state government and believe that *the question of slavery is one which is exclusively the people's to decide.*"

In December, 1819, the Territory of Maine requested statehood. The senate offered to pair Maine and Missouri, but determination had grown in the house to make Missouri a free state. In March, 1820, *The First Missouri Compromise*, propped by Senator Thomas of Illinois, was reached.

Maine was admitted.

Missouri was allowed to frame a constitution without restricting slavery, provided, however, slavery be forever excluded from all the rest of the Louisiana Purchase north of 36 degrees, 30 minutes latitude, the southern boundary of Missouri.

PRESIDENT MONROE, proclaimed Missouri the twenty-fourth state, August 10, 1821.

Anticipating earlier admission, Missourians elected state and other officials in August, 1820. *Alexander McNair*, a Pennsylvanian with 6,576 votes, was elected governor over General William Clark, territorial governor for the previous eight years, who got 2,656. McNair had been an officer in the War of 1812. *He owned a carriage when there were on 19 in St. Louis.*

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Missouri's first general assembly met in St. Louis, September 18, 1820, and , October 2, elected David Barton of Boonville unanimously and without opposition as Missouri's first United States senator. *His popularity was further attested* by a compliment without precedent.

After a hopeless deadlock for second choice, the legislature asked Barton to name his colleague. He recommended Benton. Both were North Carolinians.

But even with Barton's endorsement, Benton's friends won by only one vote. Daniel Ralls, a legislator ill unto death in the Missouri Hotel where the sessions were held, was carried from his room on a mattress to vote for Benton. It was the last act of his life. He died within the hour.

BARTON was sworn and seated in the senate December 3, 1821; Benton December 6. Records were made to show they were certified November 14 and 18, 1820 respectively, and their pay allowed from those dates.

They drew straws for the six and four-year terms. Benton drew the six and was re-elected four times. He was the first man to serve 30 years in the senate.

Barton was re-elected, quarreled with General Andrew Jackson and , as with most who crossed "Old Hickory", it ended him politically.

Barton was a ranger in the War of 1812, and a colorful fighter in the field and on the legislative floor. In a fiery condemnation of Jacksonian policies, among the greatest speeches ever heard in the senate, he greatly excited his audience. A Missouri in the galleries shouted: "Hurrah for the Little Red!" And again and again.

When he became calm he explained the original Little Red was a fighting cock that could whip anything wearing spurs. When he heard Barton bringing down the Jackson crowd every flutter, he was reminded of his game rooster. The newspapers played it. The appellation stuck. Barton became *Little Red*.

SENATOR BARTON, a bachelor, drafted a form for marriage ceremonies to be performed by circuit judges. Noted for brevity, it was:

The judge: John Doe, do you take Mary Smith to be your wife?

The man: I do.

The judge: Mary Smith, do you take John Doe to be your husband?

The woman: I do.

The judge: The contract is complete. I pronounce you man and wife.

Barton's law office was razed on Morgan street in Boonville in 1934. With the setting of his political star a habit of inebriety grew and he died demented in the home of William Gibson near Boonville. His grave in Walnut Grove Cemetery, Boonville, is marked by an impressive monument voted by the legislature and paid for by the state.

AFTER election, Governor McNair appointed several officials for Cooper County, including James Bruffee, James Miller and Archibald Kavanaugh as justices of the county court. Robert P. Clark Clerk, William Curtiss sheriff, George Crawford assessor and Andrew Briscoe collector.

At a session of the County Court, April 9, 1821, George C. Harte was commissioned to survey a dividing line between Cooper and Cole, then being organized as a county and named in honor of Cooper County's first settlers.

The following township constables also were appointed: John Potter for Boonville, Bryant T. Nolan for Lamine, Martin Jennings for Moniteau, and James C. Berry for Clear Creek.

Cooper County's first courthouse was not completed until two years after this session, held at Bartlett's boarding house.

THE FIRST COURTHOUSE was a two-story brick on the site of the present or third courthouse. The second was built in 1840, just east of the location of the first. Like the original it was of brick, but larger, yet small compared to the present stone edifice.

As the area filled up, churches and schools developed. Among early teachers were William Anderson, who conducted a subscription school in 1817, near Concord Church. Andrew Reavis, who operated east of Boonville in 1818. James Donaldson in the southeast part of the county, L. C. Stephens at Old Nebo Church. William Moore in Palestine township, and by a Mr. Rollins near Big Lick in Saline township.

Classes were taught in log houses with earth and wealth, academies began to be formed in the '20s. They were modeled after aristocratic private schools in Virginia and Kentucky. Cooper County became an early center of culture.

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CONCORD BAPTIST CHURCH was established in 1817, about six miles south of Boonville. From it the present Concord Baptist Association, comprising several counties south of the Missouri river, gets its name. Luke Williams was its first regular preacher.

It is claimed Concord was the first church in Missouri outside St. Louis and Ste. Genevieve

Old Nebo church was built one-half mile north of the site of Bunceton in 1820. It also was Baptist. Among its first pastors were Peter Woods, William Jennings, Jacob Chism, Luke Williams and John B. Longan.

THE REVEREND MR. LONGAN was a great-uncle of George W. Longan, now president of THE KANSAS CITY STAR Company. Two Longan brothers from Virginia located in Cooper County. The descendants of one gravitated eastward into Moniteau while the progeny of the other trended westward into Pettis. Both families have furnished many leaders in central and western Missouri.

Old Nebo church waxed until 1826, when it divided over paying ministers and supporting missionaries. Reverend Longan favored compensating pastors and maintaining missionaries. He drew off a large majority and built New Nebo Church. The opposition continued at Old Nebo.

A sharp line existed between exponents of culture, learning and religion as against the world, the flesh and the devil.

SCHOOLS maintained straight-laced restrictions. There was no co-education. Female academies developed somewhat later.

The following regulations were typical in a boys' school: "No student shall get drunk or be permitted to play at cards or other games of hazard. No student shall use profane, irreverent or obscene language or be guilty of conduct tending thereunto . . . No student shall attend a horse race, a ball or other frolicking assembly . . . No student shall be guilty of fighting."

After Indian fights during the second war with England there were other calls to arms. The Blackhawk War was in 1832.

Blackhawk originally lived in the present Cooper and Moniteau counties and hunted with Samuel Cole immediately after settlement of Boonville. In 1832, he proved a national thorn in the flesh. Abraham Lincoln and Jefferson Davis were among the volunteers who fought in that widespread conflict with the Indians incited by Blackhawk.

The Mormon War in 1838, and the Mexican War in 1846, caused flurries.

THE BLACKHAWK WAR found many Central Missourians in military service. General John B. Clark of Fayette briefly described the campaign

"In 1832, the Blackhawk War broke out. The governor ordered me to take a regiment of mounted men and go under General Scott. We were out three months and must have had 40 battles. Scott was fighting Blackhawk and his forces in Illinois. I was ordered to keep along the west bank of the Mississippi to prevent the Iowas and other tribes from crossing to join Blackhawk. They kept trying and we were in for a fight almost every day I received a bullet in the foot, a wound in the head and a broken leg before I saw the end of it."

At that time there were no Indian residents in Central Missouri. Most had been moved to Grand river and Indian Territory, with some still living in southwest Missouri. Yet fear of raids was real.

In 1832, a report spread like wildfire that Indians were attacking communities in Pettis County and in parts of Cooper and Saline, slaying men, women and children.

COOPER COUNTIANS rushed to arms, assembled at Woolrey's Mill on Petite Saline creek, elected officers and headed for the seat of war. Arriving, they found it a false alarm. Few would admit participation in the expedition.

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The rumor grew from a practical joke. Men painted and wearing feathers approached a cornfield, let out warwhoops and discharged guns. The workers fled. Their alarm, inflamed by imagination, grew like a prairie fire. Many ludicrous incidents of people fleeing after burying valuables were told and denied.

IN 1838, A STANDING COMPANY in Boonville, organized under Missouri law and known as *the Boonville Guards*, and volunteer companies, recruited from Boonville and Palestine marched twice toward the seat of *the Mormon War*.

Officers of the Boonville volunteer company were: Captain, *Jessie J. Turley*; first lieutenant, *Marcus Williams, Jr.*; and second lieutenant, *J. Logan Forsythe*.

Officers over the three companies of Cooper Countians were: Brigadier general, *Joel E. Woodward*; inspector general, *Joseph Megguier*; and aide de camp to General Henry W. Crowther, *Benjamin E. Ferry*. The county troops never encountered the Mormons. Incensed over polygamy, Jackson Countians drove out the Mormons who then moved to Caldwell County.

But Caldwell Countians became bitter, too.

GOVERNOR LILBURN W. BOGGS, a former resident of Franklin, issued a call for 7,000 volunteers to help drive the Mormons from the state.

Cooper County's companies first marched to Jonesborough, Saline County, and then were ordered home, as there were sufficient troops at the scene to handle the situation.

Later the companies again were called, marched to Lexington, crossed the Missouri and camped two days on the prairie two miles north of the river.

In the meantime the Mormons surrendered to General John B. Clark, Sr., and the Cooper County volunteers were returned home and mustered out.

THE MORMONS moved to Nauvoo, Illinois. Later they clashed with Illinois authorities and, after their prophet, Joseph Smith, was assassinated, they started their long trek to Great Salt Lake.

Excitement incident to the Mormon War in Missouri was heightened by capture of eight Mormon prisoners who later broke jail at Liberty, escaped and never were tried.

IN MAY, 1846, Cooper County was asked to raise one company of troops for service in the Mexican War. On May 21, a bulletin announced a company had been recruited with 43 volunteers from Boonville and 18 from Palestine.

Joseph L. Stephens was elected captain without opposition. His son, Lon V. Stephens, later became governor. Other officers of the company: First lieutenant, Newton Williams; second lieutenant, H. C. Levens; sergeants: John D. Stephens, William T. Cole, Richard Norris and James S. Hughes; corporals: Tipton Prior, A. B. Cole, Wesley Amick and A. G. Baber.

BEFORE the company boarded the Steamer L. F. Linn for St. Louis, there were additional volunteers. The roster of privates: Thomas Bacon, Samuel D. Burnett, Jacob Duvall, Charles Salsman, Ewing E. Woolery, Heil Cook, Joel Coffee, Joel, Jesse and Hiram Epperson, John McDowell, J. R. P. Wilcoxon, T. T. Bowler, William Sullans, Horatio Bruce, William J. Jeffreys, James M. Jeffreys, Hiram Burnam, Edward S. D. Miller, John Whitley, Benjamin P. Ford, Phillip Summers, George W. Campbell, Samuel R. Lemons, John R. Johnson, Thompson Seivers, Charles F. Kine, Jesse Nelson, John Colbert, Robert Rhea, Edmond G. Cook, John B. Bruce, James P. Lewis, Benjamin C. Lampton, Oliver G. Ford, U. E. Rubey, W. B. Rubey, W. H. Stephens, John M. Kelly, George Mock, Samuel Elliott, Alpheus D. Hickerson, Edmond Euband, Henderson C. Martin, Sprague White, William Woolsey, Martin Allison, Henry Francis, Robert H. Bowles, Justinian McFarland, Nathaniel T. Ford, James H. Jones, James C. Ross and Richard Hulett.

The company got no nearer the war than St. Louis, where it was mustered into service by General Robert Campbell. The men were quartered in the St. Louis courthouse.

AFTER GENERAL ZACHARY TAYLOR gained a decisive victory, Captain Stephens' company was ordered to report to Adjutant General Parsons at Jefferson City. He ordered a return to Boonville by boat, and discharges. Disappointment was general. Some joined General Doniphan's expedition to Mexico.

Boonville's population in 1840 was 1,666. In 1850 it was 2,800.

The spirit of adventure was keen. There was rapid development and much experimentation. Newspapers were being established

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And each proclaimed its community "The garden spot of the world". Local pride was matched with an optimism claiming almost every possible asset in agriculture, commerce and mining.

There still was much game. In Clark's Fork township Horace Simeon Windsor bought a half section of land in 1838, and with slaves brought from Virginia, began clearing.

He named his home *Deer Park*. A high fence slanting inward surrounded it. Deer could leap the fence to get in but were unable to get out. He could kill bucks on his lawn at will.

GAME made many phases of farming difficult, but wheat had been introduced in sufficient quantities to encourage Alphonso Wetmore to establish a steam mill at New Franklin. However, in 1835, he advertised it for sale.

Steamboats became numerous on the Missouri and the Santa Fe trade aided Boonville.

Many wagon trains started the long overland route from Boonville. They traveled southwest. Pilot Grove got its name from a grove of ancient hickory trees on the high prairie serving as a pilot before trails were well defined and marked.

A bullwhacker driving six yoke of oxen to a creaking prairie schooner had his problems to keep with the train. He must have a balance between lively and lazy steers or oxen. This ideal seldom was completely accomplished. So his urgings included lashing with both whip and tongue.

The bullwhacker is pictured as rough and ready, tough and blasphemous.

Yet in Cooper County, where many wagon trains were outfitted, the law was strict. In March, 1820, eight men were indicted by a grand jury for swearing. The end of the civilized world brooked no rough stuff

A MOCK TRIAL SEEMED ALL TO REAL TO HIM

MUSTER days were gala affairs a century ago, when Missouri was young and Indians were not yet far removed from white settlements.

At a three-day muster of county troops at Old Palestine, in 1841, an inebriated officer quarreled with citizens, and practical jokers thereafter had fun while teaching him a lesson.

A bogus constable with a fake writ arrested the offender who by then was very "tight". The charge was attempting to kill citizens. The "drunk" sobered slightly when arraigned before a make-believe judge for a mock trial. Trembling, he prevailed on a gentleman in court to defend him. The "lawyer" shook his head but agreed to do his best with a hard case.

Witness after witness testified for the State, building up a strong case. The judge personally interrogated some, and on one occasion casually remarked: "If the evidence shows the prisoner threatened to kill innocent citizens I will have him hanged before night."

The "prosecuting attorney" *burned* the prisoner in a fiery speech demanding the death penalty and immediate execution.

When the defense lawyer began his plea, someone under guise of friendship whispered to the prisoner that if he wanted to save his life, he had better make a break for it. He suddenly leaped out of a back window, gained his mount and galloped away, with the crowd yelling after him. Far down the road he still was riding hard.

When teased later, he refused to believe the trial was not real – and he never returned to Old Palestine.

THE FIRST HEARSE THAT CAME TO BOONVILLE

The first hearse and the first bus were brought to Boonville by Alexander Drew Frost, Vermonter. He conducted a livery barn and owned the Henry Robein farm, south of Boonville, when it was called Walnut Grove.

A. B. Frost was the father of Dr. A. W. Frost, Boonville dentist, and of Louis Frost, who was in Boonville High School's first graduating class with Walter Williams.

Louis compounded *Antikamnia*, pain-killer and headache remedy. Louis finished in pharmacy in the same class with William Bolton Kerns, Bunceton druggist. Louis now resides in Springfield Illinois

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