

# "CLAIM-JUMPERS"

Historic Iowa Incident from "Vandemark's Folly"



Picture by N.C. WYETH



FOR good Americans there is no more interesting period in United States history than that which covers the settling and early development of the Upper Mississippi valley states which covers the third quarter of the past century. The immigration into Iowa is typical of that into other states at about the same period, and a paragraph from "Vandemark's Folly," by Herbert Quick, adequately describes the scenes of that time. He says of that tremendous trek:

Here we went, oxen, cows, mules, horses, coaches, carriages; blue jeans, corduroys; rags, fatigues, silks, satins, caps, tall hats, poverty, riches; criminals escaping from justice; couples fleeing from the law; gold-seekers bearing southwest to the Overland Trail; politicians looking for places in which to win fame and fortune; adventurers on their way to everywhere; Abolitionists going to the Border War; innocent-looking outfits carrying fugitive slaves; and, most numerous of all, homeseekers "hunting country"—a nation on wheels, an empire in the commotion and pangs of birth.

There were many, very many, interesting incidents that went to make up the history of these pioneer days in Iowa that are covered by Mr. Quick in "Vandemark's Folly," but one of the most interesting is that dealing with the treatment of "claim-jumpers." The local newspaper, in an effort to secure an advantage for its political clique had in those early days referred to "Cow" Vandemark as a man with a "criminal record," and in later days in refuting the statement he tells the story of the "claim-jumpers" as follows, in part:

The story grew out of my joining the Settlers' club in 1856. The rage for land speculation was sweeping over Iowa like a prairie fire, getting things ready for the great panic of 1857 that I have read of since, but of which I never heard until long after it was over. All I knew was that there was a great fever for buying and selling land and laying out and booming town-sites—the sites, not the towns—and that afterward times were very hard. The speculators had bought up a good part of Monterey county by the end of 1856, and had run the price up as high as three dollars and a half an acre.

This made it hard for men who came in expecting to get it for a dollar and a quarter, and a number of settlers in the township, as they did all over the state, went on their land relying on the right to buy it when they could get the money—what was called the pre-emption right. I could see the houses of William Trickey, Ebenezer Junkins and Absalom Frost from my house; and I knew that Peter and Amos Bemisdarfer and Flavius Bohn, Dunkards from Pennsylvania, had located farther south. All these settlers were located south of Hell Slew, which was coming to be known now, and was afterward put down on the map, as "Vandemark's Folly Marsh."

And now there came into the county and state a class of men called "claim-jumpers" who pushed in on the claims of the first comers, and stood ready to buy their new homes right out from under them. It was pretty hard on us who had pushed on ahead of the railways, and soaked in the rain and frozen in the blizzards, and lived on moldy bacon and hulled corn, to lose our chance to get title to the lands we had broken up and built on.

My land was paid for, such as it was; but when the people who, like me, had trailed out across the prairies with the last year's rush, came and asked me to join the Settlers' club to run these intruders off, it appeared to me that it was only a man's part in me to stand to it and take hold and do.

I did not look forward to all the dolags of the Settlers' club, but I joined it, and I have never been ashamed of it, even when Dick McGill was slangwhanging me about what we did. I never knew, and I don't know now, just what the law was, but I thought then, and I think now, that the Settlers' club had the right of it. I thought so the night we went over to run the claim-jumper off Absalom Frost's land, within a week of my joining.

It was over on Section Twenty-seven, that the claim-jumper had built a hut about where the schoolhouse now is, with a stable in the end of it, and a den in which to live in the other. He was a young man, with no dependents, and we felt no compunctions of conscience, that dark night, when two wagon-loads of us, one of which came from the direction of Monterey Center, drove quietly up and knocked at the door.

"Who's there?" he said, with a quiver in his voice.



HERBERT QUICK AUTHOR



"Open up, and find out!" said a man in the Monterey Center crowd, who seemed to take command as a matter of course. "Kick the door open, Dutely!"

As he said this he stepped aside, and pushed me up to the door. I gave it a push with my knee, and the leader jerked me aside, just in time to let a charge of shot pass my head.

"It's only a single-barrel gun," said he. "Grab him!"

I was scared by the report of the gun, scared and mad, too, as I clinched with the fellow, and threw him; then I pitched him out of the door, when the rest of them threw him down and began stripping him. At the same time, some one kindled a fire under a kettle filled with tar, and in a few minutes, they were smearing him with it. This looked like going too far, to me, and I stepped back—I couldn't stand it to see the tar smeared over his face, even if it did look like a map of the devil's wild land, as he kicked and scratched and tried to bite, swearing all the time like a pirate. It seemed a degrading kind of thing to defile a human being in that way. The leader came up to me and said, "That was good work, Dutchy. Lucky I was right about his being a single-barrel, ain't it? Help get his team hitched up. We want to see him well started."

"All right, Mr. McGill," I said; for that was his name, now first told in all the history of the county.

"Shut up!" he said. "My name's Smith, you lunkhead!"

The next and the last stop, was away down on Section Thirty-five—two miles farther. I was feeling rather wamble-trooped, because of the memory of that poor fellow with the tar in his eyes—but I went all the same.

McGill pounded on the door.

"Come out," he shouted. "You've got company!"

There was a scrambling and hustling around in the shanty, and low talking, and some one asked who was there; to which McGill replied for them to come out and see. Pretty soon, a little doddering figure of a man came to the door, pulling on his breeches with trembling hands as he stepped, barefooted, on the bare ground which came right up to the door-sill.

"What's wanted, gentlemen?" he quavered. "I can't ask you to come in—jist yit. What's wanted?"

He had not said two words when I knew him for Old Man Fewkes, whom I had last seen back on the road west of Dyersville, on his way to "Negosha." Where was Ma Fewkes, and where were Celebrate Fourth and Surajah Dowlah? And where, most emphatically, where was Rowena? I stepped forward at McGill's side. Surely, I thought, they were not going to tar and feather these harmless, good-for-nothing waifs of the frontier; and even as I thought it, I saw the glimmering of the fire they were kindling under the tar-kettle.

"We want you, you infernal claim-jumper!" said McGill. "We'll show you that you can't steal the land from us hard-working settlers, you set of sneaks! Take off your clothes, and we'll give you a coat that will make you look more like buzzards than you do now."

"There's some of 'em runnin' away!" yelled one of the crowd. "Catch 'em!"

There was a flight through the grass from the back of the shanty, a rush of pursuit, some feeble yells jerked into bits by rough handling, and presently, Celebrate and Surajah were dragged into the circle of light. Just as poor Ma Fewkes, with her shoulder-blades drawn almost together came forward and tried to tear from her poor old husband's arm the hand of an old neighbor of mine whose name I won't mention even at this late day.

"Say," said a man who had all the time sat in one of the wagons, holding the horses. "You'd better leave out the stripping, boys!"

They began dragging the boys and the old man toward the tar-kettle, and McGill, with his hat drawn down over his eyes, went to the slimy mass and dipped into it a wooden paddle with which they had been stirring it. Taking as much on it as it would carry, he made as if to smear it over the old man's head and beard. I could not stand this—the poor harmless old cot!—and I ran up and struck McGill's arm.

"What in hell," he yelled, for some of the tar went on him, "do you mean?"

"Don't tar and feather 'em," I begged. "I know these folks. They are a poor wandering family, without money enough to buy land away from any one."

"We jist thought we'd kind o' settle down," said Old Man Fewkes whimperingly; "and I've got the money promised me to buy this land. So it's all right and straight!"

The silly old leatherhead didn't know he was doing anything against public sentiment; and told the very thing that made a case against him. I have found out since who the man was that promised him the money and was going to take the land, but that was just one circumstance in the land craze, and the man himself was wounded at Fort Donelson, and died in hospital—so I won't tell his name. The point is, that the old man had turned the jury against me just as I had finished my plea.

"You have got the money promised you, have you?" repeated McGill. "Grab him, boys!"

I clinched with our man, and getting a rolling hiplock on him, I whirled him over my head, as I had done with so many wrestling opponents, and letting him go in mid-air, he went head over heels, and struck ten feet away on the ground. Then I turned on McGill, and with the flat of my hand, I slapped him over against the shanty, with his ears ringing. They were coming at me in an undecided way; for my onset had been both sudden and unexpected; when I saw Rebecca running from the rear with a shotgun in her hand, which she had picked up as it leaned against a wagon wheel where one of our crowd had left it. "Stand back!" she screamed. "Stand back, or I'll blow somebody's head off!"

I heard a chuckling laugh from a man sitting in one of the wagons, and a word or two from him that sounded like, "Good girl!" Our little mob fell back, the man I had thrown limping, and Dick McGill rubbing the side of his head. The dawn was now broadening in the east, and it was getting almost light enough so that faces might be recognized; and one or two of the crowd began to retreat toward the wagons.

"I'll see to it," said I, "that these people will leave this land, and give up their settlement on it."

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