

Old Pulaski: A Lumbering and Rafting Legacy

Part II

by Lynn Morrow

This is the second part of a series of vignettes on the legendary “golden age” of sawmilling and rafting along the Big Piney before the Civil War. This part features epic legal battles between lumbermen, the perils of doing business in a barter and credit economy, travelers’ views of the pineries, and the development of settlements in Old Pulaski. Part I is available in the Old Settlers Gazette Archives at www.oldstagecoachstop.org.

Combat at Burnett Spring

Vigorous commerce by its very nature generates disputes over ownership, profits, blame for loss and theft. It was no different in the pineries. Almost anyone who dealt in long distance trade appeared in court several times. Integral to the trade are the webs of social, commercial, and familial relationships that brought relatives together in court. Lumbermen filed increasing

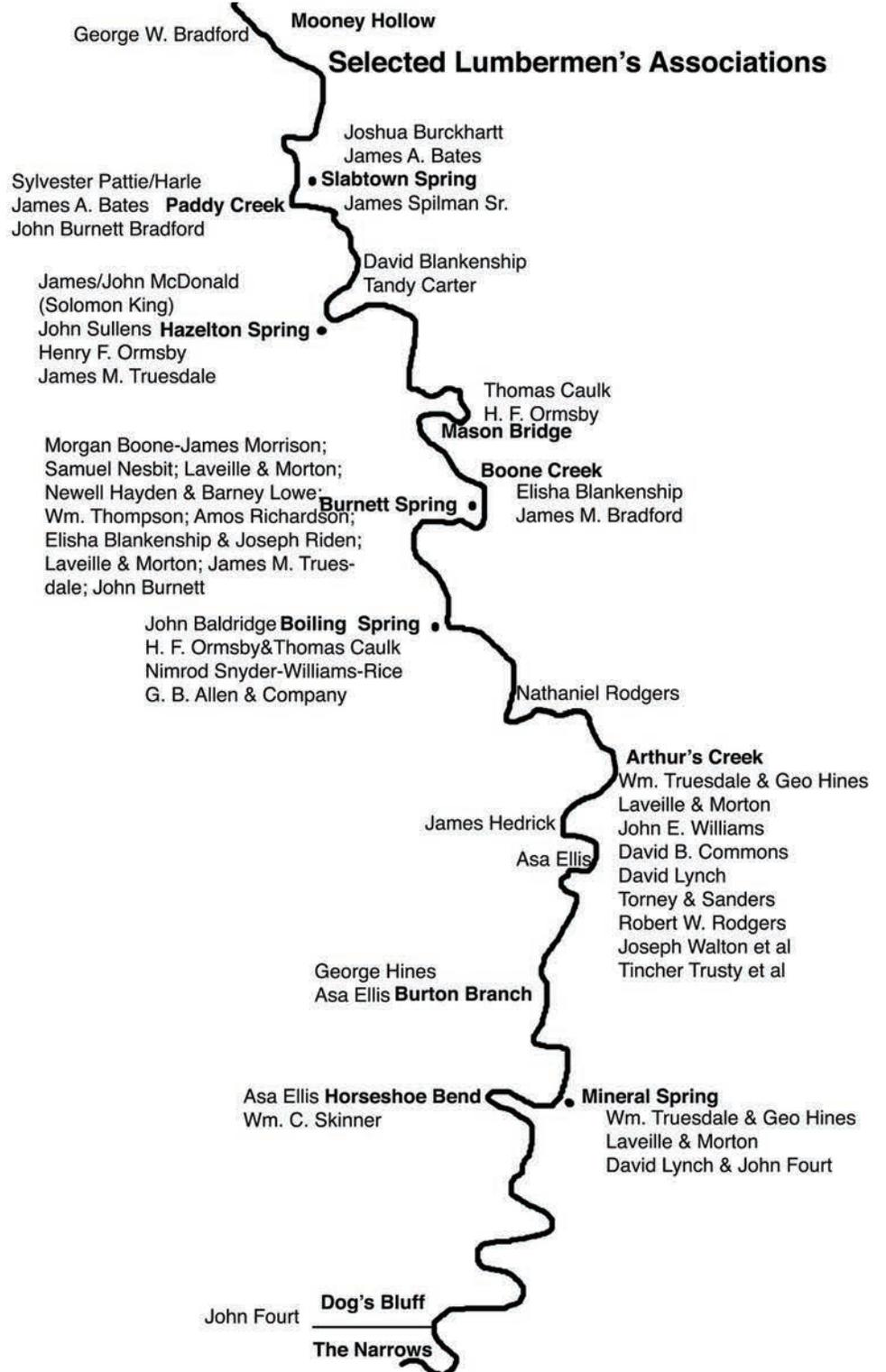
numbers of complaints because their long-distance trade to the Missouri and Mississippi Rivers was profitable and the courthouse was much closer. By 1829, filing complaints at James Harrison’s tavern on Little Piney Creek was easier and less expensive than previous travel downriver to court at Newport, let alone courts at St. Charles or St. Louis. Judicial controversies provide a window to community entertainment much lauded in Ozarks folklore and history.

Although their dollar figures in civil court seem minor to us today, litigants had significant economic reasons to dispute claims. Federal census records in 1850 indicate that hired day labor with board earned 50 cents per day, a long time nine-

teenth-century standard, and farm workers earned \$12 per month with board [\$280 value in 1840], thus, a few dollars missing from one’s income was plenty to argue about. Skilled labor, such as blacksmiths, gunsmiths, carpenters, sawyers, saw and grist millers, etc. earned more. The preservation of

the Missouri Supreme Court case files at the State Archives allows us to present a cameo of a rare vignette that provides social texture to the beginnings of permanent settlement in the Northern Ozarks piney woods.

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Sawmills and some of the attendant lumbermen on the upper Big Piney during the 1840s and 1850s are located on the above map.

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rived from Big Piney mills, became embroiled in a milestone lawsuit at Daniel Morgan Boone's former mill seat at Burnett Spring, the first property to be claimed by pre-emption (1831) in modern Texas County. The site had two claimants and a marketing agreement with an absentee merchant in St. Louis, which made for a lengthy and historically valuable record. The complexities of the litigation reveal a cultural landscape long since past.

Court depositions included a "who's who" of lumbermen from John Baldridge, James A. Bates, Joshua H. Burckhardt, Thomas Caulk, Archibald McDonald, Henry F. Ormsby, Reuben Sullens, William Truesdale, and several laborers and raftsmen. Aspects of the struggle exemplify complications in long-distance trade and they mirror the changing relationships in capital risk-taking on Big Piney. The case shows the initial influence of new judicial authority and the necessity of deep pockets of non-residents to employ it. Often, contemporary documents, if any, were held privately among the citizens and were not deposited in a government repository, such as a courthouse office. Litigation forced concerned parties to submit their records and find appropriate witnesses for the Old Pulaski County court, then to a change of venue in Crawford County, later to justices

in Franklin and Washington Counties, and finally to superior court in St. Louis.

Morgan Boone, and partner James Morrison, in June 1825, sold their Burnett Spring mill on credit to Samuel Nesbit for delivery of 125,000' of plank. Plank on the river at the mill was worth \$1.00 per hundred feet, so Nesbit paid at least \$1,250 [\$25,800]; but, the value was higher upon delivery to Morrison in St. Charles. Nesbit sawed, rafted, and in November 1826, mortgaged the mill to Laveille and Morton, who assumed Nesbit's notes to Boone and Morrison. William Thompson succeeded Nesbit at the saw mill when he leased the "farm, house, and saw mill on Big Piney, Boone township," on August 7, 1828. Nesbit went further upriver and established a gin mill (distillery) north of Houston. Kentucky brothers-in-law, David Lynch and John Fourt, purchased the distillery in the 1830s.

Thompson and his workers manufactured lumber for one year. Then, Thompson gave up his lease with Laveille and Morton in summer 1829, and transferred the mill agreement to Amos Richardson, who with veteran rafter and miller, Newell Hayden, operated the saw mill. Hayden had earlier defaulted in 1826 on a saw and grist mill at Paydown to Daniel Waldo, one of seven brothers in the log and

lumber trade on the lower Gasconade. Hayden was still a bachelor and lived in his own cabin at Burnett Spring. Richardson had a family and a two-acre plot of land that he and Hayden cultivated for a garden, "immediately above the spring that affords water for the mill." Rafter Samuel Denny testified that Hayden assisted in the garden and in the mill work.

Richardson purchased the lease from Thompson, but in spring 1830, sold the mill improvement to Barney Lowe, who announced his own preemption right to it. Newell Hayden and Horace Will offered to purchase one-third of the Richardson lease and "cut Lowe out of his preemption right." Richardson declined the offer, and Lowe moved his family to the Burnett Spring saw mill. Lowe hired Daniel Watkins to manage the mill, while Newell Hayden (who had not agreed to surrender his share of the former lease to Lowe) continued as a clerk at the mill, measuring plank, as he had done with Richardson.

Alexander Kinney, a surveyor, trader, was one of the most influential men in what became Warren County, where he was also one of the largest land and slave owners. He dealt in many items, including yellow pine lumber delivered to landings near Pinckney and Marthasville. His brother-in-law Elijah Bryan moved to the Big Piney in

1829, settling near Burnett Spring. Bryan worked as a lumberman for two years, and testified to "seeing Hayden at work at Nesbit Mill, formerly owned by Daniel Morgan Boone." At the time, the "valuable saw mill" and improvement lay on the un-named spring branch, 60-80 yards "west of the bank" on Big Piney. Witnesses testified that there were no other improvements within a half mile of the mill. A Mr. McNeely was the closest neighbor.

When Barney Lowe bought the improvement in 1830, he was irritated that Newell Hayden would not sell his share of the rights to it. Lowe told Elijah Bryan to keep the knowledge of Lowe's purchase quiet for "Hayden was of no account and we will throw him overboard." Sure enough, Lowe and his supporters "drove Hayden off the property" in 1830. Deponent, William Dougherty, who hired out to Samuel Nesbit in 1825 to work at the mill, and who had continued with Richardson and Hayden until June 1829 when they "settled off with me for my labor at the mill," confirmed Bryan's testimony. The dispute intensified and led litigants to seek justices-of-the-peace for depositions that began to stack up for arguments in circuit court.

Warm weather arrived in April 1831, and the Jackson GLO office announced public land in the area for sale. The dispossessed Newell Hayden journeyed to Jackson to



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file a \$195 [\$4,300] cash claim at the standard \$1.25 per acre price for the 156-acre property. Federal land receiver, John Hays, issued a patent certificate under the preemption land law to Hayden. Hayden, in debt to Laveille and Morton for defaulting on delivery of pine plank, assigned his receipt for the deed for \$500 [\$11,000] to the St. Louisans the following month, May 1831, and the St. Louis recorder logged it in the courthouse records. Laveille and Morton now owned the mill production although Hayden was not there manufacturing plank.

Action shifted to Burnett Spring that same month. On May 30, 1831, rafters and lumbermen, Joseph Riden and Elisha Blankenship, "with force of arms," ejected Barney Lowe from the saw mill, and assumed the marketing of \$1,500 [\$33,000] in annual profits in plank, but the sawyers chose destinations other than Laveille and Morton. Meanwhile, Lowe, contemplating his response to the rough treatment from Riden and Blankenship at the mill, traveled to Jackson and entered his preemption claim to the 156-acre property in June 1831.

All the while, contract surveyors continued to run section lines across the local congressional township. Lowe suddenly realized that his June claim for the property now mistakenly fell into

section 7, so in October, he filed a new preemption claim in Jackson to change his first filing to section 18, and received a second patent certificate. The ongoing disturbance among locals at the mill kept Laveille and Morton from receiving 100% of the plank. Finally, in fall 1834, George Morton filed suit in Crawford County circuit court, at James Harrison's tavern, against Riden and Blankenship for \$4,000 [\$88,000] in damages and to gain possession and management of their agreement for plank manufactured at Burnett Spring.

The first issue was who held legal property title to the mill, given that both Hayden and Lowe had filed preemption rights to it in 1831. The case was further com-

plicated by the evolving federal statutes concerning preemption regulations that governed when one could ask for revisions to original filings. Lowe erred in placing his first preemption in section 7, but based on the final section line survey in 1831, the land commissioner changed Lowe's entry to section 18 that October. Hence, like the famous Kentucky "shingled" or overlapping land claims that so embroiled settlers such as Daniel Boone in court, now the former site of Morgan Boone's mill was the focus of a similar debate among lumbermen. The issue percolated up to the Supreme Court. Lawyers and justices-of-the-peace acquired depositions from persons on Big Piney, federal bureaucrats in Jack-

son, witnesses in Franklin County, and in St. Louis.

The judicial dockets moved the case along for two years. Laveille and Morton discussed the overlapping boundary claim and in April 1836 they prepared their evidence. They hired saw miller William Truesdale to engage the Pulaski County surveyor, Joshua H. Burckhartt, to perform a court-approved survey. The educated Burckhartt was one of the earliest Piney saw mill investors and lived downriver from the disputed property at Burckhartt's Mill, Slabtown Spring. The objective was to run a line from "an established corner marking at Range 9 West, Township 32 North, section 18, and after running first south, and then east, from said corner far enough to ascertain to a certainty that the northwest quarter of section 18 will include a certain mill and part of an improvement claimed by Joseph Riden." The goal of the new survey was to absolutely determine whether or not the saw mill was north or south of the east-west section line that separated sections 7 and 18.

Following the survey, Laveille and Morton increased their demand for damages in a new Pulaski County court petition to \$5,000 [\$106,000] and court clerk, Edwin Swink, notified litigants to meet in July 1836 at the house of Waynesville merchant James



James Harrison's landmark log home/tavern near present-day Jerome, although in modern Phelps County, was the first courthouse for Old Pulaski. Courtesy of The State Historical Society of Missouri.

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A. Bates. Counter motions led to a change of venue to Steelville in Crawford County, where its court had just opened. Once there, a jury of twelve men ruled against the out-of-town St. Louisans in favor of their peers, Joseph Riden and Elisha Blankenship. Locals held rivermen Riden and Blankenship in esteem, as Blankenship was township constable in 1836, and Riden began one of his justice terms the following year.

Laveille and Morton, angered, but possessed with deep financial pockets, took their case to the Supreme Court. The superior court concluded that both the federal government land office in Jackson had violated due process in the preemption statutes and that the Crawford County circuit court in Steelville erred in its judgments at law. The judges referred to the real estate as a "tract of land at the Gasconade saw mills," using the

elastic vernacular term that placed all Big Piney saw mills at "Gasconade mills." The court pointed out that, under the prevailing federal law at the time, Newell Hayden had "the best evidence" to ensure his constitutional rights to the property. Barney Lowe had failed to file for a correction in his land entry within six months of his first one, thus his legal claim expired.

Laveille and Morton's attorney characterized the six-month window of legal option for their opponent as "Lowe slept upon his right and thereby lost it." Or, as we say, ignorance of the law is no excuse. Moreover, their attorney said, "the law speaks of every settler or occupant in possession and cultivating any part thereof in 1829," which Hayden did at the mill's garden plot. The Missouri judges declared the federal land commissioner was "governed by caprice and not by any fixed rules of con-

struction of the law" in allowing Lowe's claim, as the preemption law that governed Lowe's claim had expired; the court instead exonerated Hayden's claim to it. Blankenship and Riden gave up possession to Laveille and Morton, who then leased the mill to an unknown Piney agent, to someone with milling experience, perhaps to Blankenship himself. Years later, Blankenship did file a clear patent on nearby Boone Creek land in 1841.

The protracted legal ruckus at Burnett Spring paralleled the initial land entries for major Big Piney mill seats in 1831. In the wake of the dispute, lumbermen who had other preemption claims in the heart of commercial pine country acted upon them and headed for Jackson. Suddenly, affluent lumbermen in Old Pulaski became taxpayers for new county government. These included John

Baldrige, Thomas Caulk, George Hines, William Truesdale, Henry Ormsby, and Joshua H. Burckhartt (John McDonald's brother-in-law) all received solid patent receipts and awaited for their final certificates to arrive in the mail. All lumbermen on the Piney would have known about the "Morgan Boone" mill site case. It likely served as an encouragement to others to file proper claims as soon as possible and to keep their documents safe and in order.

Kentuckian John Burnett, the namesake of the spring, arrived about 1840. George Morton continued to lease the famed mill seat and the affluent Burnett began investing in lumbering and agriculture. During the 1840s Burnett had various partnerships or agreements with kinsmen, James A. Bates and Easton Yowell, and veteran Piney businessmen, John E. Williams and James M. Trues-

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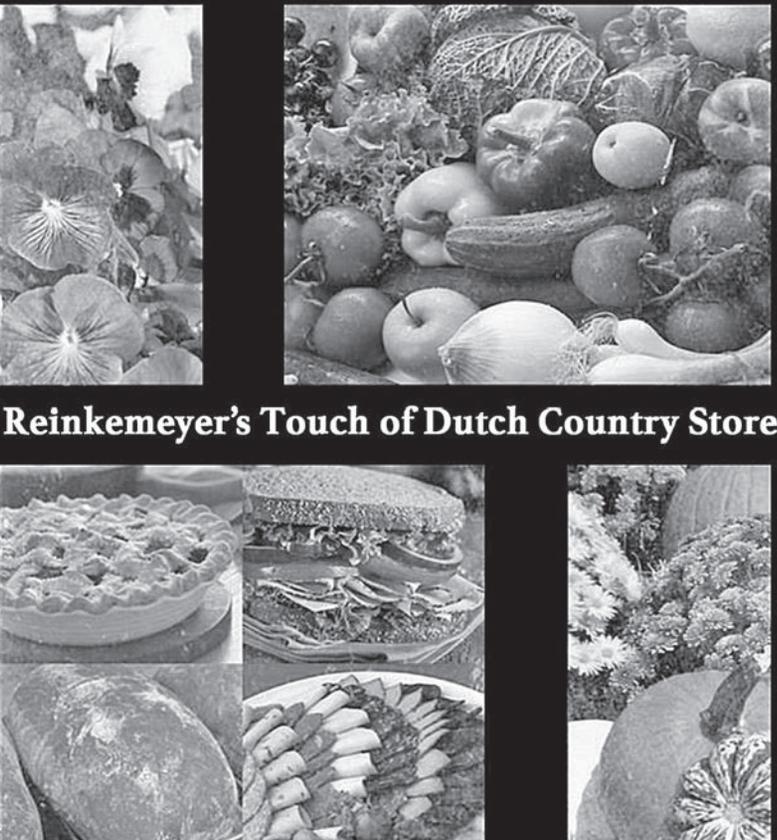
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dale. The influential Bates signed significant security bonds for Burnett in his contracts with the latter two, as Williams was also a merchant and lumberman and boarded a millwright. Burnett became a local election judge at Ellsworth by 1848, a service he performed for a decade.

In 1849, Burnett's partner, James M. Truesdale, suddenly died. Truesdale had contracted with George Morton for tens of thousands of board feet of plank and joists that were secured by his land in notes payable at the end of spring and fall rafting seasons, and he owed 7,486' of plank to Burnett, but Truesdale's estate could not pay the indebtedness. So, Burnett paid Morton for Truesdale's debts, as the two balanced the accounts with cash adjustments and a claim by a third-party St. Louis lumberyard. Suddenly, Burnett became the fee simple owner of Burnett Spring in November 1849. Morton signed a quit claim deed, "the same tract entered to Newell Hayden's 156 acres," to Truesdale's heirs, who signed it over to Burnett. Widow, Nancy Truesdale, was left with agricultural provisions and hiring out her "Negro boy Morris."

But, the commercial entanglements included Burnett's partner, John E. Williams. Resolution of them was not easy. The circuit court in Houston decided to

appoint a commission as arbiters, as it commonly did in the antebellum Ozarks – better to have neighbors sort the difficulties to render binding judgments when so few records detailed the agreements. The court commanded a three-man commission to "meet at Bates upper mill [on Paddy Creek] on July 3, 1851, and continue from day to day such examination until they shall make a decision;" James A. Bates was one of the commissioners who was joined by Nimrod Snyder and Bartholomew Rice (St. Louisans saw milling at Boiling Spring), Joseph Riden, Burnett, Williams, and attorney C. H. Frost. The lumbermen did resolve their difficulties. Burnett continued partnering with Bates and they sawed millions of board feet of plank for the St. Louis market.

Unfortunately, John Burnett met an untimely death in fall 1858. The census taker had recorded that Burnett and Bates had the highest valued property in the river valley. Burnett, like other lenders, supported agricultural contracts with farmers. He secured land, agricultural equipment, saddle bags, and notes in return for timber that a settler cleared from his farm. For a number of years, kinsman James Bradford, who had invested in nearby Boone's Creek timberland, leased Burnett's saw mill for the Burnett estate, sold Burnett land to Gabriel M. Pike, rented out

Burnett's farm on the east side of Big Piney, and administered the overcommitted estate for widow Mary Yowell Burnett and her eight children. Mary continued to live in the two-story, double-end chimney house until she died on the farm in 1882.

A Boiling Spring Spat

There are tantalizing issues in court cases that cannot be resolved by us, as the remanded circuit court cases to Pulaski and Crawford Counties do not exist. But, Supreme Court cases do offer explanatory windows into any survey of Big Piney lumbering. They showcase the knotty judicial problems brought by plaintiffs to new local governments in the Ozarks, and these cases helped establish case law precedent in Missouri. Many reflect the inherent conflict among the illiterate, judicially-unschooled, and literate frontier participants in government and business.

Sawyers had ethnic company in the pineries. African-American slaves were one cohort and depositions confirm that hired slaves rafted plank down Big Piney. Ozarks folklore and local history along Big Piney transmit echoes of trading with Indians in the 1830s. Small hunting parties of Shawnees and Delawares still roamed the interior Ozarks before finally locating in Kansas or drifting into eastern Oklahoma; some traveled the White River Trace to Boiling

Spring. Others, a Capt. Peter Hildebrand contingent of 1,500 Cherokees passed by in early 1839. A dispute at John Baldrige's Boiling Spring mill confirms that millers occasionally sold liquor to the migrant Indians, who traded skins and pelts to the millers. Although neither slaves nor Indians ever amounted to large numbers in the pineries, their presence add ethnic color to an otherwise homogenous population, one that is seldom documented.

Mill clerk, Elijah Bryan, and John Baldrige argued for months about their mutual accounting at Baldrige's mill. Finally, in May 1832, Bryan filed a petition in Crawford County circuit court at James Harrison's tavern. Baldrige had hired Bryan to manage his thriving business that included limited consumer goods at his saw mill.

Baldrige and Bryan families had known each other prior to the Louisiana Purchase. John Baldrige and his brother Alexander had partnered during the 1820s on Big Piney. But, in 1831, John and Alexander, veterans of the war and chainmen of the famed 5th principal meridian survey, came to disagreements that discontinued their mill partnership resulting in Alexander's move back to the Baldrige clan in western St. Charles County. Baldrige was a long-time asso-

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ciate of Daniel Morgan Boone, working with him in the startup of Boone's Lick salt works, marching as sergeant with Nathan Boone to establish Ft. Osage, serving under Morgan Boone in the War of 1812, rafting pine plank for Morgan Boone prior to the establishment of his own Baldrige saw mill at Boiling Spring, and part of John Baldrige's success lay in marketing to familiar families in St. Charles County. Before and after Alexander's exit from the lumber business, John needed a manager and turned to a member of the extended Boone family on Missouri River to hire Morgan Boone's cousin, Elijah Bryan, who worked for the wealthy Alexander McKinney near Marthasville. Bryan, who first worked for Baldrige in spring 1829, unexpectedly returned to Montgomery County (Warren formed in 1833) because of family sickness that fall, but returned in spring 1831 to, once again, become Baldrige's business associate.

Elijah Bryan, during his first stay at the mill in 1829, "sold and delivered" 100 pair of shoes, 500 gallons of whiskey, and 100 gallons of brandy to Baldrige for \$1,200 [\$26,300]; he later brought suit against Baldrige for payment on his share of the sales. Additionally, Bryan claimed that Baldrige owed \$1,000 [\$22,000] to him for the recent hiring of five slaves, the property of Alexander McKinney,

for "labor performed." (Normal male slave hires at this time varied from \$80-120 annually. Bryan's claim implies that he added "damages" to reach \$1,000.) Five bonded men assigned to Boiling Spring mill is the largest number of slave hires at one mill uncovered by this inquiry. McKinney's agreement to rent slaves to Baldrige was made easier knowing that brother-in-law Bryan would be near them to oversee their treatment. Slave tasks, in addition to lumbering, were endless, depending on circumstances, from tending a garden, feeding animals, to stacking firewood. The lack of a written agreement submitted to the court that outlined the Bryan-Baldrige-McKinney understanding of work and sales management at the mill suggests that their business rested upon verbal agreements with a "hand shake" for a short-term partnership.

Baldrige had a noteworthy line of credit with McKinney to hire five slaves and purchase liquor on a signature. Witness Harrison Vaughn, "at John Baldrige's mill on the Piney Fork of the Gasconade" in fall 1830 named four of the industrial slaves. They included Landon, Samuel, Stephen, and Wilson. Baldrige decided that he did not want to hire them for another year "that he preferred white labor." Slave Landon, at least, had served as a rafter of plank. Unlike

most domestic slaves, Baldrige worked the slaves frequently on Sunday. Most Missouri slaveholders did not assign Sunday labor to bondsmen, so perhaps Baldrige tried to maximize profits and the slaves reacted negatively, as they did elsewhere when worked on Sunday. Bryan finally calculated the slave hiring and whiskey sales' damages at \$2,000 [\$48,300]. In December 1833, a Crawford County jury awarded only \$230 [\$5,560] to Bryan and assessed all court costs to Baldrige. The illiterate Baldrige, using "his mark," an "x," appealed to the Supreme Court.

Curiously, as the case proceeded in the lower court, depositions were read into evidence, but later, circuit court judge, C. H. Allen, submitted testimony that they "were clandestinely taken from my office." Frontier security of public records was not what it is today. Bryan's counsel had generated three depositions in St. Charles County, including one with Anderson Vaughn about the shoes. Also stolen was Alexander McKinney's deposition taken in neighboring Montgomery County. Then four more depositions of Missouri River deponents turned up missing for a total of eight. Baldrige's attorney gleefully told the jury that all missing depositions were from witnesses who lived more than sixty miles from "Harrison's courthouse" on

Little Piney and moved that their testimony should be excluded — to the astonishment of Elijah Bryan, Judge Allen agreed. Thus, Bryan's investment in attorney fees for time spent on the Missouri River was wasted.

Then residents along Big Piney gave their sworn testimony. In March 1831, Bryan had returned to the Boiling Spring mill, and one month later, conflict between Bryan and Baldrige erupted. In April, both he and Baldrige asked fellow lumbermen Washington G. Walton and Eli G. Halbert for advice "to aid them in making a settlement of their accounts." The Walton and Halbert testimonies, and that of several others, leveraged a number of stories about transactions involving Elijah Bryan, "superintendent of Baldriges' sawmill," and his irritated employer, John Baldrige.

First, they claimed that Bryan and Baldrige had made a financial settlement and that Bryan owed \$8.00 to Baldrige, "according to the books." The mediators said Baldrige gave money to Bryan to purchase potatoes and that shoes "and other money" were included in a Bryan-Baldrige settlement. As an example of trade at the mill, John McElroy stated that he "frequently wrote orders for Baldrige to Bryan for whiskey, [and] got five gallons of whiskey and a number of shoes from

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Baldrige.”

The whiskey became a hotly contested matter. William Sampson testified that he “sent 10 barrels of whiskey to the Gasconade Mills, Mr. Baldrige’s, to the care of Elijah Bryan.” Thomas Myers, another Baldrige clerk at the mill, said Sampson (whose deposition was stolen) shipped whiskey by wagon to the mill, but Baldrige refused to accept it, as Bryan “had given too much for it.” Instead, Bryan directed Myers to keep accounts of the sales and sold whiskey to Baldrige’s hired hands, but gave it to John Baldrige “without charge.” The mill hands charged whiskey on credit to Baldrige’s account, and “Baldrige frequently sent his negro boy to get whiskey of which no charge was made and no account kept of quantity.” Myers claimed the liquor was worth \$1.00 to \$1.50 per gallon. He further added that he sold a lot of the “Sampson whiskey” and gave the money to Baldrige.

John Baldrige refused to pay for the Sampson whiskey because he had directed Bryan not to purchase it in the first place. Bryan ignored Baldrige’s request and sold it to the hands anyway, and expanded his sales by selling a barrel of whiskey to Indians who came to the mill for trade. Mill clerk, Thomas Myers, addressed the court that Bryan told him that he and Baldrige would eventual-

ly settle about the whiskey proceeds, as Bryan stored the booze at the mill. Chansey Shepperd, for example, said that he purchased whiskey from Bryan at the mill, because Bryan said it was his, and he “had liberty to sell it at Baldrige’s mill.” Then the court heard testimony on the other retail product — shoes. In March 1831, the month when Bryan had returned to the mill, Baldrige accepted a purchase of “52 or 53 pairs of shoes at \$1.52 per pair,” about an \$80 [\$1,750] order, delivered to the mill. Baldrige sold the shoes for \$2.50 a pair.

Lumberman Joseph Walton, an uncle to Baldrige’s wife Mary, said he had delivered seven barrels of whiskey to Baldrige who paid him for it. Walton observed during his time at Baldrige’s house that Baldrige had a barrel of “good old whiskey about forty gallons, which Baldrige had [earlier] sent for from Walton [for] his own use.” Walton’s shipment to Boiling Spring suggests that unless the Waltons had a distillery near their mill on Arthur’s Creek that Walton purchased the whiskey upriver from Samuel Nesbit, who had earlier purchased Morgan Boone’s mill at Burnett Spring, but sold it to move upriver to manufacture and distribute commercial liquor.

Testimony about Baldrige’s drinking got worse. On Little Piney, James Harrison stated that

when he visited with Elijah that “Bryan was living with and doing business for Baldrige, and Bryan said that it was a pity that Baldrige drank so much spirits and done business so loosely that he Bryan had the entire care of all of Baldrige’s business.” James’ son, Robert Harrison, who owed money to Baldrige, paid it to Bryan who repeated the same observation about Baldrige’s excessive drinking and that Bryan “had with him in his possession between three and four hundred dollars of Baldrige’s money,” a lot of cash [\$7,000-9,400] to be walking around with in the Ozarks back-country.

In June 1834, the Supreme Court in St. Louis heard Baldrige’s appeal concerning his \$230 debt to Bryan. The judges complained about the incomplete record keeping and judicial technicalities that transpired at Harrison’s tavern. In one example given by the justices, the lower court jury had “charged Baldrige for his grog bill in the sum of \$150,” [\$3,500] a handsome liquor bill. What exactly happened to Sampson’s ten barrels and Walton’s seven barrels of whiskey was not recorded. The superior court remanded the case for a new trial on Little Piney Creek. Regrettably, we do not have the case, but Baldrige continued sawing. He did mortgage his land patent at Lick Settlement to Laveille and

Morton to acquire capital for his ongoing business, capital that he repaid, but due to lazy record-keeping, his probate administrator had to acquire a quit claim deed from the St. Louisans to process his estate in 1841.

We can, however, see a dynamic cultural arena that allowed multiple stories to abound around Boiling Spring. Litigants in the thin institutional hinterland were not above stealing public records in the course of litigation and a contemporary judge did not consider them mandatory to proceed to judgment. In this case, the extant public records tease us with examples of lifestyles and business practices at the dawn of permanent settlement in the Big Piney River Valley.

Lumbering through the Supreme Court

The commerce of the pineries to northern markets developed legal disputes that ensnared rafters, saw millers, storekeepers, and financial backers. The following anecdotes illustrate how long distance trade brought friends and foes into the state’s highest court. A March 1832 justice-of-the-peace case mired by poor record-keeping and deficient legal training show that documentary evidence, although not mandatory, could be essential in court. At James Harrison’s tavern, Justice William Bradford of Skaggs

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Township heard a Crawford County complaint lodged by kinsman Adam Bradford. In those times it was not unusual on the frontier for justices to be related to litigants. So it was for the Bradfords in this case.

Adam Bradford sued George Hines over an 1829 promissory note for \$70.00 [\$1,650] by Hines, who was then a partner with William Truesdale in an Arthur's Creek saw mill and company store. By 1832 he had filed on land at Miller Spring, just across Democrat Ridge from his creditor and foe in court, Adam Bradford, who sued when Hines delayed payment on his promissory note. A six-man jury at Harrison's deliberated until 10 p.m. before upholding Bradford's claim for \$70.00. Afterwards, the litigants stayed overnight together at Harrison's, a practice common at taverns rented for public business that seems unusual to us now.

The next morning to Bradford's dismay, Hines asked for an appeal to the verdict. He had affluent Piney backers in his dispute with Bradford, including David Lenox and upriver lumbermen, Henry F. Ormsby and Thomas Caulk, who signed a security bond for Hines' appeal to go forward. Bradford and his attorney noted that "not one appeal in 1,000 is taken up after the trial day" and asked for a dismissal, which the Crawford

County circuit court refused. Bradford's attorney took the case to the December 1832 term of the Supreme Court held at Fayette, where the \$70.00 awarded to Bradford was confirmed.

By this time, Hines was embroiled in another case involving ownership of a raft of Big Piney plank that he had brought downriver to Harrison's Landing. Hines maintained that it was George Morton's plank and claimed authority to sell it, but Alexander McKinney, then building a federal style brick house north of Marthasville, alleged that the raft was destined to dock riverside at Marthasville for his use and that Hines had stolen his plank. When a township constable levied upon (seized) the plank at Harrison's Landing, it was left to the justice court to determine its ownership from overlapping promissory notes assigned from one lumberman to another. The Little Piney constable attempted to settle the disagreement through "arbitration," but a higher court ruled later that "constables and jury men are generally unlearned in the law & therefore such consequence ought not to follow."

Also at issue was the value of the plank. It had appreciated in value as it floated from "Gasconade Mills" to Harrison's Landing, the question was how much. As to ownership, John G. McCutcheon

(McKinney's agent and rafter) had received the majority of the plank in a raft from David Blankenship and "took it out of the [lumber] yard," at Little Piney. David Reed, a rafter, had accepted a note from Blankenship for part of the plank, thus, satisfying the obligation to McKinney, at least in Blankenship's estimation. For the courts, the muddy trail of conflicting claims, assigned notes, and multiple buyers of cribs from the raft made it impossible to determine who owned what lumber.

Exasperated superior court judges at Fayette criticized documents submitted in the case, the way in which the Crawford County court ruled on evidence, and instructions to the jury. The witnesses back in Crawford County with "the look, the backwardness or willingness, with which the witness swears the explanations he gives, the gestures he makes, are all matters from which a jury may & do infer much, these things this court cannot see. Therefore as this [Supreme] court cannot see all the evidence and the instruction is very liable to misconstruction by the jury & may have had an improper influence upon their minds & swayed their decision this court ought to reverse for cause." The Supreme Court sent the case back to Crawford County circuit court for a new trial at James Harrison's tavern.

Renewed litigation resulted

in another Supreme Court case. Arguments began again "at James Harrison's house" where more details emerged about the trouble between Hines and McKinney. David Blankenship, a rafter and miller, working near Hazleton Spring, was indebted by an 1830 promissory note for 15,000 board feet of pine plank "payable on the Piney Fork of the Gasconade" to John G. McCutcheon who assigned the note to his employer Alexander McKinney. McKinney authorized David Lynch to collect it for him. Blankenship gave 5,000' of plank to Lynch, who then turned the rest of the job over to John McCutcheon, who acquired the rest of the 10,000' balance of plank from Blankenship and started rafting towards the Gasconade River. Thus, Blankenship tore up his note to McKinney, as his debt was satisfied.

John McCutcheon and his raft arrived at Harrison's Landing. George Hines was already there and asked for a constable's inquest to attach the raft as Hines' property over a dispute that the raft was actually David Reed's property who owed a promissory note to Hines. Hines claimed the raft should be destined for Laveille and Morton who "owned" the 15,000' raft (valued at \$1.00 per hundred feet on the river, or \$150.00 [\$3,300]). Hines claimed the right to sell the raft on the river

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in the name of Laveille and Morton, and the constable agreed.

McKinney, who expected to receive the raft from his employee, McCutcheon, did not agree, and took his argument for \$750 [\$17,500] damages to the Crawford County circuit court. The litigants argued in James Harrison's tavern before a jury of river men that included Joshua H. Burckhardt, John Cornelius, John and John, Jr., Duncan, John B. Harrison, James Lynch, and others. The jury agreed with McKinney and awarded \$160.25 [\$3,700] to him that represented the standard rate of \$1.00 per hundred feet for the plank. Hines, of course, disagreed. David Lenox acted as Hines' agent in court, and armed with a security bond given by William Truesdale and William Lenox, they took the case to the Supreme Court in St. Louis in December 1834. George Hines subsequently lost his appeal in the city and McKinney received judgment for the \$160.25.

Irrefutable details are obscure, but this case and other court battles in the hinterland present recognizable "sides to the cases" in both plaintiff and defendant groups and maybe that is as it should be. In the above case, those on the losing side included St. Louis-connected investors – Laveille and Morton, George Hines and William Truesdale. The winning litigant's witnesses – David Blankenship, David Lynch, John McCutcheon, David Reed, Samuel Ward – were well-known river men, who began lumbering by the late-1820s and who had developed a relationship with Alexander McKinney, one of Montgomery County's most influential men. McKinney, an economic player in the pineries, was substantial legal competition for Laveille and Morton. McKinney died in 1840, owner of a \$100,000 estate [\$2,337,000]. He owned 8,000 acres, held \$61,000

in notes due him, owned his own saw mill "that supplied 2" thick plank for the Tuque Creek bridge east of Marthasville," and Reed, McCutcheon, and especially Big Piney lumberman and kinsman Elijah Bryan – witness and party to several Big Piney lawsuits – owed significant money to McKinney.

Wealthy businessmen, whether McKinney on the Missouri River, or Laveille and Morton in St. Louis, offered credits and markets and provided labor to the Big Piney lumber industry and they brought deep resources to fight for their profits. The ubiquitous assignment of promissory notes that passed from debtors to creditors substituted for money several times before they were satisfied and the notorious lack of record keeping kept country lawyers at work mediating debt. This complicated network of credit and exchange was central to the era in what historians refer to as a market revolution in America.

James Harrison's merchant domicile was the scene of a classic debt case in 1833 when Harrison kinsman John B. Duncan, Jr. sued tradesman Samuel Travis for a \$93.00 [\$2,250] debt incurred in June 1829. Justice William Coppedge took testimony from witnesses in front of a jury that included Henson, Lindsey and Alexander Coppedge, Isaac Brown, Humphrey Yowell, and others — all kinsmen and Little Piney neighbors of Justice Coppedge.

Once again, the lack of proper recordkeeping pitched opponents against one another. The Little Piney jury convicted Travis, who could not pay the debt, whereupon Coppedge directed constable, Matthew Bates (grandfather to lumberman J. A. Bates) to commit Travis "to the common jail ... safely kept until the said debt and costs be fully paid." The public jail must have been near Harrison's. A person jailed for debt had to rely upon his

friends to pay it or give a security bond for release (Missouri was one of the last states to outlaw debtor's prison in 1845). Travis offered as security one man whom the court considered insolvent, and another, "a single man and a stranger to me [said Duncan's attorney] who was only employed as a bar keeper for another man." The Little Piney neighborhood of Coppedges and Duncans had Travis where they wanted him.

But Travis had friends, too. Saw millers and lumbermen, Joshua H. Burckhardt, John Baldrige, Tandy Carter, William and John Cornelius, and others signed a \$200 security bond to free Travis for an appeal. The context suggests that Travis worked in the timber, or on the river, for kinsmen Burckhardt and Baldrige, who lived far up-river from Little Piney.

The appeal went forward in August 1833, while kinsmen, William Coppedge and James A. Bates

(1793-1837 & father to lumberman J. A. Bates) and another man supported a \$300 bond for creditor and plaintiff, John Duncan, Jr. The Crawford County circuit court and a new jury ruled for Duncan, whom Travis had paid about one-third of his account prior to trial. Duncan, Jr., not satisfied, appealed the case that went to the Supreme Court in St. Louis in 1834. By now, court costs escalated as the court allowed witnesses to collect a dollar per diem plus five cents per mile for travel. John Duncan's appearance in St. Louis, for example, returned a hefty \$17.50 [\$425] cash payment to him for a 330-mile round trip (apparently, Duncan traveled, perhaps rafted, by water to the city and returned by land).

Duncan, Jr., had hired Samuel Travis to harvest cedar posts and do other work, and Duncan also credited Travis with partial payment for supplies. Items that Duncan credited to Travis during

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a summer season included: "500 pounds of bacon; 8 gallons of honey; 30 bushels of corn meal and 60 bushels of bulk corn; boarding for laborers Jacob Cobb, Thomas Harwell, Travis himself, and one horse; wintering one oxen; labor cutting cedar and 'work you done in the shop.'" The credit allowed to Travis concluded with labor for blacksmith work and to make a "boring machine," a metal augur bit or cutting tool, to bore cedar posts. By this time, a boring machine that held a bit made mortising to connect timber corners easier and faster. As likely, it bored holes in lumber to receive wooden pegs, fasteners, or binders in assembling rafts at Harrison Landing. Travis probably acquired the metal at Maramec Iron Works.

Defendant Travis disagreed with Duncan's alleged numbers for bushels, pounds, gallons, and days of labor. Moreover, Travis had allowed a number of services to John Duncan, Jr. He gave \$4.00 to "old Jack Duncan [John's father]," six dollars to John Duncan, Jr.; labor for two hands, cart, and oxen for one day; two yearling calves; 456 pounds of salt; 26 pounds of coffee, same amount of sugar; 25 yards of factory cloth; a hired hand and canoe for transport to the mill for three days (did blacksmiths Duncan and/or Harrison have an animal-powered mill?); and divers manufactured goods. The line item

for hundreds of pounds of salt indicates that Travis, or his helper, transported Boone's Lick salt from Jefferson City to Little Piney, just as teamsters did for settlers around Waynesville. Other items, such as coffee, sugar, cloth, etc., likely came from the same river levee. The Supreme Court, in June 1836, awarded to John Duncan all of his court costs of \$75.43 [\$1,600], but provided instructions for a retrial and remanded the case back to the lower court, suggesting that Travis and Duncan still had accounting to do that was better decided by a local jury. Unfortunately, the lower court case was destroyed.

James Harrison's tavern in 1832 was the setting to mediate more work and marketing entanglements. One began at justice Green Williams' house in December 1831, but moved northeast in Old Pulaske to Harrison's court venue. Piney neighbors heard an argument with several issues that concerned the value of pine rafts in economic exchange, a preemption claim, swapping labor and services, and records for assets that resulted in maddened participants who escalated assertions that propelled the debate to the Supreme Court.

David Blankenship held a preemption claim on Big Piney public land, probably north of Hazelton, where he operated a saw mill. In March 1831, he sold it to Tandy Carter for the delivery of four

pine rafts, valued at \$1.00 per hundred feet at the mill, or rafts of 10,000' each for \$100 per raft [\$2,200]. Since the late 1820s, the experienced Carter, and his several Carter kinsmen, had worked seasonally at Maramec Iron Works as blacksmiths and agricultural vendors. Tandy was drawn to river lumbering. Blankenship agreed to take one horse in lieu of one raft. Carter was to deliver two rafts in June 1831 and two more in August 1831. Carter defaulted and Blankenship sued for \$600 in damages.

David Fulbright, Crawford County justice, heard the arguments in November 1832. Blankenship alleged that Carter was about to leave the state, so Fulbright ordered the sheriff to seize Carter's six yoke of oxen and four horses. As the dispute heated and headed for appeal, lumbermen Thomas Caulk signed an \$800 security bond for Carter that rose to \$1,000 when Henry F. Ormsby joined Caulk to support Tandy Carter. Caulk and Ormsby probably employed Carter as a logger and rafter.

Blankenship acknowledged that on December 25, 1831, Carter did deliver \$170 "in timber sufficient to saw plank at one dollar per hundred delivered on the log way" at Blankenship's mill and "ready for the saw." Then Blankenship "bargained with Carter" to credit or sell to him his labor on public land

in delivering four rafts to Blankenship to complete a \$400 sale [\$9,000] for the preemption improvement to Carter. Time passed. Then, frustrated litigants increased their claims against each other.

Carter and Blankenship worked at the same mill in an undefined partnership. Carter, a contributor to the improvement, charged that Blankenship owed \$800 to him for the use of his "dwelling house, other buildings, land & appurtenances." Blankenship countered in August 1832 that Tandy owed \$800 to him for "divers goods, wares and merchandise," and "\$100 for work and labor around the mill and \$400 other money that Tandy owes." In April 1833, the jury heard Blankenship up the ante, again, alleging that Carter owed \$3,000 [\$74,000] to him for "use & occupation" of the dwelling house, buildings, land, and for labor. By then, each litigant had retained three lawyers each, who submitted their clients' records to the court — written accounts of who owed what.

We do not have a complete list of their assets and liabilities, but the evidence in court revealed the established barter economy in a cash-scarce Ozarks. Pioneers conducted trade among themselves and within their families on mutually-agreed upon value for services and products. Few people carried any cash upon their



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person. During spring 1831, Blankenship credited Carter for \$400 worth of work on his preemption claim. In doing so, Carter accepted a number of services from Blankenship. They included stacks of fodder [for animal feed], bushels of corn meal and unprocessed corn, pounds of bacon, pounds of flour, small amounts of labor from Blankenship's hands, and a piece of cast steel for blacksmithing, likely obtained at Maramec Iron Works. Any piece of bar iron or scrap metal were valuable assets at workmen's shops.

In turn, Carter delivered valued property to Blankenship. It included a cow and calf, bushels of corn, beef, a hammer, a shovel, a pair of drawing chains (for oxen), work in harvesting, 400 saw logs at \$1.00 each, and 130 more in early 1832, hauling and floating logs, and "plank measure out of my logs" that represented Blankenship's share of the saw logs. The combined worth of the Blankenship and Carter assets was \$1,076 [\$25,100]. In the end, the twelve-man jury, in spring 1833, decided that Blankenship owed \$32.75 [\$790], plus court costs to Carter.

Carter, unhappy that the award was not larger, acquired a new security bond from lumbermen Joseph Walton and William Cornelius, and appealed the Pulaski County case to the Supreme Court for its September 1834 docket

[county boundaries changed while this case proceeded]. The superior court agreed with the lower court jury award of \$32.75. Legal proceeding ended, but David Blankenship and Tandy Carter, both skilled frontiersmen, continued working in the region for years to come.

The trade in promissory notes and pine plank as mediums of exchange kept residents on Big Piney and in the Missouri River Valley connected for decades. John Sullens, who donated land and promoted the 1820s Newport county seat in Franklin County, had long been interested in the pine trade. In the late 1820s, he purchased John McDonald's saw mill at Hazleton Spring on credit, but defaulted. Sullens later recovered financially and did purchase the mill. Meanwhile, Henry F. Ormsby, patented land at Hazleton in September 1831. Prior to Ormsby's purchase, however, he and John Sullens made agreements in financing Big Piney plank for the Missouri River market. Sullens continued to live in Newport and did not move to the Ozarks, although his kin did.

In February 1830 Sullens accepted a two-year promissory note from Ormsby. Ormsby agreed to pay 42,333' of 1 1/4" pine plank to Sullens in March 1832, plank valued at 75 cents per 100 board feet or about \$318.00 [\$7,000] at the mill. Before the note matured,

Sullens died in January 1832, so his kinsman and estate administrator, Abraham Bailey, sued Ormsby for debt. Ormsby, however, claimed in Pulaski County circuit court that he had purchased several of Sullens' notes to various individuals for \$300-\$350 [\$6,500-7,700] and had previously presented them for credit to Sullens. Moreover, claimed Ormsby, he had paid Sullens' notes by delivering 30,000 board feet of plank to his creditors.

When a subpoena arrived that scheduled the court hearing, Ormsby responded that he lived forty miles from court (James Harrison's house) and his only child was very sick, thus, he could not attend, which moved the taking of depositions to June 1834. Once a jury began to hear testimony, a Franklin County witness testified that he was present at Sullens' house when Ormsby made a settlement with Sullens prior to his death. He stated that Sullens sold a saw mill (at Hazleton Spring) to Ormsby on credit for notes held by Sullens at his Franklin County house and that Ormsby paid \$300-\$350 on those notes. The witness continued that Ormsby satisfied the due date of the March 1831 note, and only the last two were outstanding. It was those two notes that Ormsby claimed were paid off by his delivery of 30,000' of pine plank to Sullens' creditors. The Pulaski County jury

at Harrison's courthouse included veteran lumbermen Joseph Walton, David Blankenship, and Big Piney settlers. They calculated the arithmetic and concluded that Ormsby owed a balance of \$42.88 [\$940] plus court costs.

Abraham Bailey disputed the value of the notes collected by Ormsby for his debt to Sullens and appealed the case to the Supreme Court. In October 1834, the court found errors in the circuit court's procedure and remanded the case for a new trial. As the case is not available, we are left unsatisfied. Based on comparisons to other cases of the era, this one, too, has the appearance of Piney lumbermen siding with one of their own against an outsider on the Missouri River.

The missing conclusion is additionally vexing for us. The case pertains to a founding site of the Piney lumber trade in 1816 by James and John McDonald at Hazleton Spring that was transferred to Sullens and later Ormsby. It's also the earliest anecdote for the career of Henry F. Ormsby, a successful and longest-tenured Big Piney lumberman at multiple mill seats during antebellum Old Pulaski. In the early 1840s, Kentuckian Ormsby introduced the first steam mill to Big Piney, briefly owned more bonded labor – seven slaves – than anyone else in the pineries, had the title of "Colonel" (perhaps

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honorific, as a local militia leader, but certainly enhanced by his service in the Mexican War), served as Ellsworth postmaster (1847-50), and Ormsby sat as one of the first Texas County judges. Ormsby purchased a new store building in 1846, constructed the year before that sat on the south side of Ellsworth, paying the owners 25,000 board feet of plank for it. Ormsby's commercial success allowed him to purchase bonded labor and assign slaves to profitable lumbering, merchandising, agriculture, and domestic work.

Another defendant, who found himself in a debatable situation, was James Bates, the early 1830s Crawford County sheriff (and father of future lumberman J. A. Bates). In January 1831, Clayton Hinton sold three slaves to Bates for a series of bonds or notes, all due in one year. As usual in such sales, slaveholder Hinton claimed that he owned the slaves as his property for life. Three of Bates' bonds were for \$88 and one for \$86 for a total of \$350 [\$7,700]. The following year, Hinton unexpectedly died, and Bates refused to honor the debt. Widow, Mary Hinton, sued Bates in Pulaski County circuit court in 1833, but a jury heard the case at justice Green Williams' house in Crawford County. Bates, unsatisfied with the results, appealed on legal technicalities to the Crawford County circuit court.

Mrs. Mary Hinton had six children at home and the minors did not have an inheritance for their future, although Mary had a will that stated she inherited her husband's property at his death. Bates claimed that the slaves had not ever been the property of Clayton Hinton and moved that Mrs. Hinton did not have a claim on him, therefore her husband's will did not give her ownership of the slaves or bonds. Moreover, Bates claimed that Clayton Hinton owed \$600 [\$14,500] to him and that

Clayton had given the bonds to Bates as part of the sale of slaves to him. The Pulaski County jury (that included justices Green Williams, Daniel Fulbright, and others) gave a judgment of \$206 and \$48.86 in damages [\$6,200 total] for Mrs. Hinton. Bates, however, withheld payment, signed a bond to guarantee future court expenses, and appealed to the Supreme Court in 1834.

Once again, it became a question of "the record." James Bates' claim did not include a signed affidavit before a local government official that substantiated his ownership of title to the slaves – state government had invoked this legal requirement in an effort to identify and control the movement of slaves. The court did have Clayton Hinton's will, Mary Hinton's testimony that the slaves "were absolutely hers," and Bates' testimony that he possessed the slaves due to a transaction unknown to Mary Hinton. The judges outlined several technicalities in the process of the suit that needed to be addressed and remanded it to the lower court for further proceedings (we do not have the case file). Even in the Ozarks backcountry "all's fair in love and war," as demonstrated by Bates' argument.

Today, it seems unlikely, in the second round of a circuit court hearing, that Bates could prove his alleged \$600 claim against Clayton Hinton, but we don't know. Nevertheless, the case presents either the sheriff, James A. Bates, purchasing slaves in January 1831, suggesting that the Bates family arrived in Old Pulaski with the Coppedges, with resources and credit. They were probably already involved in merchandising with their Coppedge relatives on Little Piney Creek. In 1834, at the end of the suit, James A. Bates became a Pulaski County justice at his store and domicile on Roubidoux Creek, as the new Old Pulaski county government

began in his house. He did become a minor slaveholder, and, his son, James A. Bates, achieved considerable success lumbering and merchandising on Big Piney River.

Ormsby's New Steam Boiler

It is no surprise that Henry Ormsby looked to increase lumber production in the 1840s. By 1841, small steamboats met rafts at the mouth of the Gasconade to haul lumber to Jefferson City. Larger boats soon expanded the trade further up the Missouri. Boat-building itself increased demand for lightweight pine for upperworks and finishing, doubling the price paid by boatwrights. By the 1850s, the lucrative trade led Charles Eitzen at Hermann, already an agent for Maramec Iron Works, to become a broker of yellow pine exports to Arrow Rock, Glasgow, Lexington, and Brunswick.

Ormsby's interest in the trade led to the introduction of the first steam boiler in the lumber industry along Big Piney. Portable boilers freed lumbermen from permanently-fixed water-powered saw mill sites, but the new technology could not cut through legal disputes arising from the old ways of doing business. Teamsters and laborers continued to exchange promissory notes, labor, the work of draft animals, and speculation on future earnings to gain credit in lieu of cash. The complexities of promises and barter came to involve Ormsby and his boiler litigation that began in 1841 and continued until conclusion by the Supreme Court in 1849.

Nimrod Snyder, who produced in excess of one million board feet annually at Boiling Spring, was in effect the court's expert witness. His testimony helped explain the complicated case, which began in 1841 when Burrows Williams and Craven White purchased four yoke of oxen at \$35-40 per yoke [\$910] from a Mr. Miller. Days later, Wil-

liams and White sold the oxen to Henry Leonard and a Mr. Hoover on a twelve-month promissory note. The term passed without payment, so, in 1842 Williams and White took back the animals. Williams sold his interest to White, whereupon White sold the oxen to Henry Leonard. Henry Ormsby signed as security on Leonard's note to White.

White never received payment from Leonard so he appealed to Ormsby for the money or his oxen. Ormsby agreed that White should have them back. Then Leonard, who may have been renting the oxen to farmers breaking new ground, promised payment if White would let him use the oxen to haul logs to Ormsby's mill, where the steam boiler had been installed during the winter of 1841-42. Its higher capacity called for more and more logs, and, thus, more teamsters. White agreed to extend credit and the use of the animals, but when the time expired, Leonard "took the team out of the county" and sold one of the animals, leaving three teams and a single steer in his possession.

Leonard returned to the mill where Ormsby wanted him to haul logs. Mill laborer and witness William Thornton testified that Col. Ormsby had asked him to mediate the dispute between Leonard and Craven White. By then the court had already placed a lien on the oxen, but not on Leonard's wagon. It was the single most valuable item of his personal property, estimated to be worth \$200 [\$4,850] with chains, rigging and the team. White complained to Thornton that Leonard had already sold one of the oxen but had not paid any money on his note. Anxious to be paid, White offered to sell his claim on Leonard to Ormsby, but the colonel declined.

Leonard, meanwhile, had rented the mortgaged animals to James Mooney for hauling logs. Mooney

agreed to pay \$25.00 monthly to Leonard. Still unpaid, White convinced the township constable, who happened to be James Mooney, to execute a writ of replevin on the animals in July 1842. Leonard was working the unpaid-for oxen in the woods when Mooney seized them. The constable also took Leonard's wagon, an item of personal property purchased and paid for in a separate transaction with Nimrod Snyder and John E. Williams, "for \$125 to \$150" [\$3,000-3,650]. Mooney took the animals and wagon to his home where an angry Leonard found the property and drove it off into the timber. Mooney later reacquired the oxen and wagon and deposited them at Ormsby's saw mill, whereupon Leonard sued Ormsby and Craven White for his assets in the new Texas County circuit court.

Testimony in the lower court revealed more on the subsequent fate of the wagon. White lived at Ormsby's mill, where he worked the oxen and wagon. He authorized Ormsby to sell some of the oxen, which he did, but Ormsby also invested in the wagon by having a blacksmith maintain and repair the rigging and wheels. Ready to try the new technology at the mill, he sent Craven White with his team and the wagon to St. Louis to haul a new steam boiler to his mill near Mason Ford.

The rigorous trek from St. Louis left the wagon worse for wear. It was so damaged, said one deponent, that it remained at Ormsby's "loaned by White to anybody that wanted it until finally it broke down entirely and the bones thereof are now lying up and down the river from Ormsby's and some of the team are now scattered about the country." Thomas Matthews, who worked off and on at Ormsby's, testified that the team and wagon were still occasionally in use in 1846.

The St. Louis trip severely compromised the value of Leonard's wagon. Regardless of his debt on the oxen, his wagon was now nearly worthless due to the sad state of its rigging, wagon bed and hardware. Leonard's appeal to the courts was wise. In 1849, the Supreme Court ultimately ruled that Ormsby and White had no legal standing to Leonard's wagon, and confirmed damages of \$180 [\$5,050] earlier awarded to Leonard. Ormsby and White must have paid Leonard as no liens were filed against them. Presumably they kept the oxen. Henry Leonard prospered and by the 1850s had become a minor slaveholder.

But, there's more about the innovative technology. Ormsby purchased his steam mill on credit from the Steam Mill Company, four St. Louis couples (Olley Williams, two sons and son-in-law, Nimrod Synder). Ormsby committed to deliver 400,000' of 1 ¼ inch plank to the "steam mill plank yard," a bank of Big Piney on the west side of the river near Boiling Spring. The "steam mill and appurtenances" gave impetus to name Steam Mill Hollow to the south. At the usual \$1.00 per hundred feet of plank at mill site, Ormsby paid \$4,000 [\$93,000]. The deal included 143 acres of land, then in Wright County.

Ormsby sold the steam mill four years later. In August 1845, three St. Louisans purchased the same assets "with machinery and all houses attached to said steam mill" for the same \$4,000 price, signing four notes at ten percent interest. The buyers, styled as G. B. Allen and Company, promised to deliver 100,000' of plank every six months to complete the deal. Perhaps Ormsby was involved in the arrangements for rafting to St. Louis, as the notes were "payable in St. Louis." In October 1847, Ormsby gave a quit claim deed "to the steam mill property" to G. B.

Allen and his partners; the partners sold the mill in March 1849 to St. Louisans Robert Torney and Harvey Hawes.

While the steam mill produced, Ormsby continued making deals. His associate, James Addison Bates at Slabtown served as Ormsby's confidant. In October 1846, Bates acted as a trustee for Ormsby and indebted Robert W. Rodgers and his partner to Ormsby for 150,000' of plank. Rodgers supplied security in real estate on the east side of Big Piney about half way between Boiling Spring and the mouth of Arthur's Creek. Rodgers had to deliver two shipments of plank to Ormsby at Boiling Spring, one by March 21, 1847 and the other one-year later. Both sides realized contingencies might arise. Bates contract' with Rodgers allowed "in case of destruction by fire or high waters," that Rodgers had three months grace to repair his saw mill and 30 days to commence delivering plank. In case of default, Bates would sell Rodgers' mill and riverside real estate to the highest bidder in Houston. Rodgers made good on his contract and became one of the largest landowners around the Arthur's Creek timber lands.

Unlike most contracts discovered in this inquiry, the Torney and Hawes' payment for the steam mill was based entirely on the milling and rafting of joists for floors and ceilings to supply the booming market in timber frame construction at St. Louis. Torney and Hawes agreed to deliver 200,000' of pine joists at the St. Louis landing. Joists were to be 2x6, 2x8 and 2x10, stacked twelve feet from the water. The composition of the rafts was carefully spelled out. There were to be five rafts of different dimensions, one containing joists of 12 and 14 feet long, and the others composed of joists as long as 22 feet. Delivery was expected in two installments six months apart,

in May and October 1850. Torney and Hawes fulfilled the contract. Torney continued sawmilling on Big Piney until his death in the mid-1850s.

"Plain, Honest but Awkward Men"

During Henry Leonard's long struggle to regain his wagon, constable James Mooney began his own long-running suit. In 1845 he sued Andrew Williams, his hired hand, in a Texas County justice court. Williams had boarded with Mooney for eight months at \$1.00 per week, and while employed by Mooney had "kept and fed one horse called Wild Jim" for twelve months at \$1.00 per week; hired blacksmiths to shoe Wild Jim and the brood horse during the season of 1845, and bought horse shoes on credit from saw millers James A. Bates and John Burnett at their blacksmith shop. Mooney had paid Andrew Williams' taxes and given him cash. Each man rendered minor economic courtesies to the other, but Williams remained in Mooney's debt. The first decision by the justice court shortchanged Mooney, who appealed the case to circuit court at Houston, one of the first proceedings to be held there. In 1852 the case headed to the Supreme Court.

As so often happened, the superior court judges became dismayed when they reviewed the evidence. Judge John Ryland penned the high court's decision, singling out a trivial, but legally technical point: "The [lower] court erred in not permitting him [Mooney] to prove his account irrespective of the date February 1, 1845, at the head [of his paperwork] – such a rigid construction of the accounts of illiterate men would tend to obstruct justice. Plain, honest but awkward men are not skilled in making out accounts ... in proceedings in cases arising before justices-of-the-peace, much liber-

ality is allowed in constructing the acts of the parties, as well as the parties themselves." The generous statement by Judge Ryland demonstrated that he fully understood the "thin" institutional and educational culture in the Ozarks backwoods. Unwilling to prevent anyone from receiving fair justice, the Supreme Court justices reversed judgment and remanded the case for retrial in circuit court. Their opinion contained specific directions to the lower court. Basically, the high court wanted a review of the fiscal accounting after February 1, 1845. The lower court had ruled against the later accounts as no other dates for expenses had appeared on the paperwork that included Mooney's billing to Williams. The circuit court in Houston then appointed a six-member commission to arbitrate the disagreement. Lumbermen James A. Bates, Henry F. Ormsby, John Burnett, Joseph Riden and two others served. The upshot was a decision for Mooney and public sale of Williams' horse at Houston to satisfy Mooney's claim.

This 1845 case occurred as the first generation of full-time settlement in the pineries was ending and as politicians assembled in Jefferson City to update the Missouri constitution. Legislators approved a new Ashley County in 1843, but the national interest in Texas soon led to a change of name. Local citizens had intended to develop a county seat at Ellsworth, the county's "first town." The lively market hamlet, an extension of a Pulaski County post office founded in 1840, was located near a concentration of saw mill commerce and situated at the junction of roads between Hartville and Licking, and from Waynesville to Pilot Knob. "Plain, honest, but awkward men," like James Mooney and Andrew Williams, continued their

business on Big Piney River, while their elected leaders chose Texas as a new name for the county and Houston, nine miles south of Ellsworth, as the new county seat.

Three Travelers' Views of the Pine Country, 1841-42

The Ozarks attracted tourists long before it had a tourism industry. One group included six young Illinois men who boarded a steamboat at Cincinnati destined for St. Louis in fall 1841. William McNely, a farmer and brick layer, recorded events in his diary. The travelers changed boats to travel up the Missouri River in company with a group of German immigrants headed for the Osage River. The Illinois' travelers disembarked at the mouth of the Gasconade intending to canoe up that rived into the interior Ozarks. They chanced upon Nicholas Hess, a farmer and writer in the neighborhood, who advised them about the interior. Proceeding nine miles upriver near modern-day Fredericksburg, they found a saw mill hamlet, deserted due to sickness, clustered around a burned-down mill. They canoed southward to the settlements "confined entirely to the bottoms" until reaching "a large eddy for boats" at Mt. Sterling, the seat of Gasconade County seat, 1832-42. The sights included the beautiful green and yellow Carolina Parakeet, which by 1900 hunters had exterminated.

The group left the river and walked south through the public lands, meeting up with merchant Larkin Bates on Little Piney Creek. Bates put the travelers up for the night and advised them to see his kinsman, Isaac Bradford. The next day, November 10, 1841, the men walked to Spring Creek and stayed overnight in Bradford's dog-trot house. McNely recorded that Bradford "lived in what may be called in this country "Splendor" having

quite a fine farm well stocked and he is building a mill." The new facility included a saw mill.

The travelers continued south, walking up Spring Creek into the tablelands and to the Big Lick settlement, where John Baldrige had a house. McNely described it as "a fine country of land moderately rolling with much white, black, and post oak timber." The group turned southwest, back into the Big Piney watershed, finding hills "worth little for anything save the timber; on the Piney Fork of the Gasconade there is great quantity of lumber rafted from this place to St. Louis as there is seven or eight mills here which manufactures great quantities of lumber continually, there is very little but government land here [most settlers still squatted or claimed preemption rights]." The next stop was at one of the Big Piney mills, apparently at Mineral Spring, where the Illinoisans procured salt and meal from saw millers and in-laws, David Lynch and John Fourt.

McNely didn't describe much at Mineral Spring. But, Larkin Bates on Little Piney and Isaac Bradford on Spring Creek were memorable waysides for his small group, as was the saw mill north of future Houston that supplied them with merchandise to continue their adventure. The Illinois men learned from the residents that civilization's goods, usually a surplus that could be bargained for, were available at prosperous homesteads and the industrial mills that carried salable inventories and offered services for hard-working men in the woods and for visitors like themselves.

They walked to Elk's Creek, where they met Mr. Potter (surely the namesake for Potter's Creek on south) and remained in the area for several days. They crossed "Brushy, Indian, and Hog Creeks [traveling across modern Houston]

and returned to the main fork of upper Big Piney [Elk Creek] in the evening." The Illinois prairie denizens claimed that "not more than one tenth of the country is fit to be cultivated. The inhabitants generally are very kind to strangers, nevertheless they partake but very little of the sweets of a cultivated life, the children are growing up in the entire state of nature." Their perspective on Ozark folks echoed what Henry R. Schoolcraft wrote two decades earlier. But, this was the kind of backwoods that the Illinois men sought.

The northerners spent a week in Potter's neighborhood trekking around the countryside. They called each high ridge, an "Ozark," their synonym for a noteworthy elevation. The group ended their visitation with Potter and journeyed southeast into the Jack's Fork drainage, where they shot an elk from a herd of fifty, but didn't kill it. The itinerant group walked and camped from December 20 to 29 in Jack's Fork Valley until they reached its junction with Current River. Once there, they did business with a resident gunsmith. The Illinoisans learned that there were a "number of mills on this river [Current] which manufacture a considerable [amount] of lumber which is rafted down to the mouth of Black River" (modern Jacksonport, AR), where steamboats commonly loaded plank for trips further south. The Illinois sportsmen spent days reconnoitering the Jack's Fork and Current Rivers and noticed that there, too, the noise of saw mills in the valley indicated industry and settlers with valuable geographic knowledge for tourists to find their way forward.

Several miles south of Big Spring on Current River, McNely's group passed a house with a glass window, the first they had seen since leaving the Missouri River. McNely's brief diary entry indicates that

the homes of Larkin Bates, Isaac Bradford and other prosperous Big Piney settlers lacked this fragile amenity and probably featured greased hides, shutters or other coverings for windows. Although these lumbermen and other Ozarkers could afford to buy window glass and have the freight shipped to the Maramec Iron Works, they declined to spend money on expensive and fragile glass when they could do without it. However, McNely described most of the dwellings he saw as "huts," a reference to impermanent structures, round logs rather than hewn timber that builders constructed for long term occupancy. The use of glass in windows became common in the national surge of construction after 1843 and slowly became part of vernacular architecture in the interior Ozarks. James A. Bates was a trend-setter on the Piney, installing glass windows in the

new timber-frame house he built at Slabtown for his wife, Sarah Bradford, and their young family (this house was razed long ago).

In March 1842 McNely and his friends traveled out of the Ozarks on a lumber raft. It was a common method of transportation on the region's major rivers. Gert Goebel hitched a ride on a lumber raft on the Missouri River and into the Mississippi in 1834, leaving a remarkable reminiscence of the experience. Many along Big Piney would have made similar journeys. Harvey Woods rode a lumber raft downstream in 1839. The Current River was the exit for the McNely group of adventurers. They floated down the Current into the Black River, then to Jacksonport, AR, the confluence of the Black and White Rivers. Strategically located for lumber rafting, primary overland trails from Cape Girardeau and Potosi to the Southwest crossed here.

McNely's crew went south from Jacksonport, ultimately catching a steamboat headed for Shawneetown, IL, and home.

Four months after McNely's group left Jacksonport, George Yoachum, a well-heeled agriculturalist from southwest Missouri, came with a hired crew to Arkansas to purchase a load of used saw mill machinery including a vertical saw, two circular saws, and a lathe. Yoachum hired a dozen North Fork River boatmen to pole his purchase at Jacksonport up White River to the James River and then to the mouth of Finley Creek, where mechanics installed the machinery. One of the mill buildings was 70' by 20', a size drawn from the same millwright's guidebook by Oliver Evans that Old Pulaski saw millers used. Yoachum spent a small fortune on the mill. The freight alone was \$700 [\$17,000], but it was a profitable investment

which his family leased to other operators until the Civil War. Although we do not have evidence for a trade in used saw mill machinery along the Big Piney Valley, it is difficult to imagine that there was not business in second-hand technology. Blades, hardware and frames no doubt moved up and down the valley — portability was, after all, a distinct advantage of sash mills. One wonders if Morgan Boone and James Morrison built new at Burnett Spring in 1822, or simply moved and reassembled an old mill from Little Piney Creek. John McDonald, Joshua Burckhardt, Henry Ormsby, and James Bates certainly bought and sold mills, but with the exception of the introduction of steam mills, we do not know how upgrades in mill technology spread through the pineries. Likewise, we do not know of Old Pulaskians who, like Yoachum, speculated long-term

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in mill sites by annually leasing to other operators. However, St. Louisans Laveille and Morton did employ this investment strategy at Burnett Spring.

Author John Hodge traveled through the Ozarks in 1842. He wrote mostly about the lead mines, but the piney woods and lumber trade also drew his notice. His comments indicate that the details of the industry on Current were much like those on the Piney. At least fourteen mills operated in Old Ripley County, most sending rafts downriver to Arkansas. The trade attracted ambitious young men such as Harvey Woods at Waynesville, eager to try their hands at speculative capitalism. They purchased rafts at \$1.00 per hundred feet of lumber, guiding them downriver where they sold at \$1.50 and a profit of fifty percent. The Current River rafts were similar in size to those on the Piney and Gasconade, and simi-

larly were reconfigured along the way floating six planks deep in the Ozarks and combining strings into longer rafts. Current River lumbermen paused at Dr. Peyton Pitman's plantation at the Missouri-Arkansas state line (known earlier as Hix Ferry). Pitman's brother, Erasmus, and others sawed and rafted lumber to the plantation, which served as way station similar to James Harrison's landing and tavern for Big Piney-Gasconade rafters. Like Harrison's, Pitman's plantation was a place for replenishing man and beast, swapping the latest news and tall stories, and preparing for the next leg of the downriver journey. Such places were anticipated and counted upon by all overland and river travelers.

Spring Creek Community Exchange

We wish that McNely and his friends had lingered longer at Isaac Bradford's to leave us a lon-

ger description of his Spring Creek neighborhood. They would not have seen a cluster of saw mills, but rather a well-developed valley where the most desirable land was already patented, but the uplands were still open range for livestock and remained so for many years. But the nation and the Ozarks were in an expansive mode after a widespread economic depression ended in 1843. A booming population, new technologies, and investment opportunities again attracted risk-takers. The development of the Spring Creek Valley is an example of a prosperous agricultural community arising from Big Piney lumbering.

Lindsey L. Coppedge moved to Spring Creek with his slaves in 1847. His widowed father William joined him, leaving the Coppedge store at Little Piney in the hands of his newly-married grandson, Easton Yowell. Lindsey had worked in his father's powder

mill in the 1820s and went on to be well-regarded as a mechanic, blacksmith, and carpenter. He was also a progressive agriculturalist known for building a bolting machine (to sift flour). He had built a modest grist mill on Little Piney but sold his half-interest to David Lenox. He became the first postmaster at the Spring Creek hamlet Relfe. The name reflected the Democratic political persuasion of the area's settlers and honored Dr. James H. Relfe of Caledonia, the United States commissioner appointed to sort out colonial and private land claims in Missouri during the mid-1830s. Relfe served as Missouri state representative, 1835-44, and U.S. Congressman, 1843-47. It's no coincidence that Democrat Ridge is due west of Relfe.

Coppedge joined the Bradfords, Kings, Waymans, and others who had developed farms along Spring Creek. Adam Bradford had an ear-



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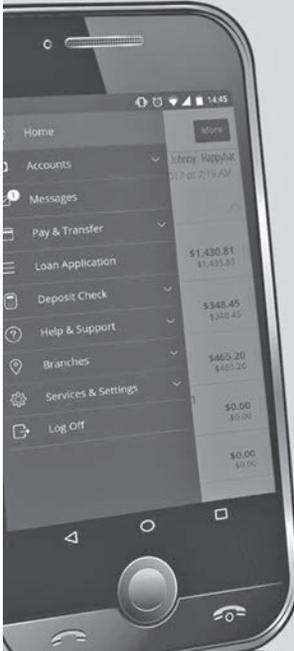
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ly grist mill, and traveler William McNely saw Isaac Bradford building a new mill in 1841. Lindsey Coppedge built a new grist mill and also installed a new technology – a carding machine for wool – that was being implemented by investors nationwide. The business became the single most valuable production site on Spring Creek. Its valuation in 1850 of \$3,000 for the carding and another \$3,000 for grinding meal was comparable to James A. Bates' \$6,000 valuation [\$173,000] at his water-powered saw mill at Slabtown Spring. It is likely that the carding machine was shipped to Maramec Iron Works and partly assembled there, but sources indicate that Lindsey Coppedge was the most highly-skilled tradesman in the area. A look at the carding machine technology preserved today at the Watkins Mill State Park in Clay County leaves no doubt that keep-

ing a carding machine required the services of a master mechanic, and probably the attention of the three young men living in the Coppedge household, including John Duncan Bradford, Lindsey Yowell, and physician Robert Cowan. Although built for Adam Bradford, Coppedge and James A. Bates acquired the "large farm of 430 acres, grist mill and carding machine" in 1847. The new Bates and Coppedge Company offered their services locally and in the upper Big Piney River valley for a generation.

Water-powered machines like Coppedge's were introduced in the Ozarks in the 1830s. They dramatically increased the production of wool much as the introduction of steam power transformed the output at other manufacturing sites. The new technology changed the lives of all workers, but especially the women and children who pre-

viously lavished considerable time tediously washing sheared wool to remove its oils and meticulously carding (combing) out burrs and stray vegetable matter by hand. The carding machine did the same but faster and more efficiently, aligning the fibers in continuous strands wound on spindles into rolls. Owners of carding machinery bought raw wool from the area, processed it into rolls and sold the product to neighborhood spinners or exported the surplus. The machinery was usually housed in a general purpose building that was part of a larger mill complex.

Some families continued to card wool by hand, coloring the yarn with roots and leaves for homemade clothing, but agricultural historian Douglas Hurt found that American farm women preferred machines to "wash, pick, and card" their wool for domestic

manufacture. The product was superior and the time saved could be better spent doing something else. Machine-carded wool helped meet the constant demand for sturdy clothing by woodsmen, rafters and farmers constantly engaged in rough outdoor work and blankets required for trips on lumber rafts. Most rural counties in Missouri at the time supported only a single carding machine. In Old Pulaski County that machine belonged to Lindsey Coppedge.

A country store complemented the Bates-Coppedge mill complex. Young Samuel Ledgerwood, a cooper by trade, conducted business at the mill and store. His account book shows the nature of trade over time with residents of Little Piney Creek, Democrat Ridge, and far up Big Piney River. Among the customers were immediate neighbors, lumbermen, mill owners, and hired laborers. Most of the

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transactions were on credit, with purchasers periodically settling their accounts. In many cases, Isaac Bradford and other neighborhood businessmen settled the store accounts of their hired hands as part of a reciprocal economic arrangement.

Male and female customers settled their accounts largely by barter. The men traded labor at the mill or domestic produce; women worked in the carding house or spun cotton for credit. They traded pine planks, wool, feathers, skins, and pelts, and occasionally cash for retail items including flour, cornmeal, wheat, bacon, beef, tobacco, saddles and shoes. Charges to accounts might also include hauling by a hired teamster or the services of the mill's resident blacksmith for shoeing animals, repairing wagons and mending implements. Oddly enough, Ledgerwood's account book includes no entries for coffee or salt. However other merchants may have been filing those needs, and prosperous farmers also made their own trips to St. Louis to stock up on consumables and imported goods. Still others may have kept specialized inventories to cater to the lumbermen and rafters who were usually patrons of Ledgerwood's store.

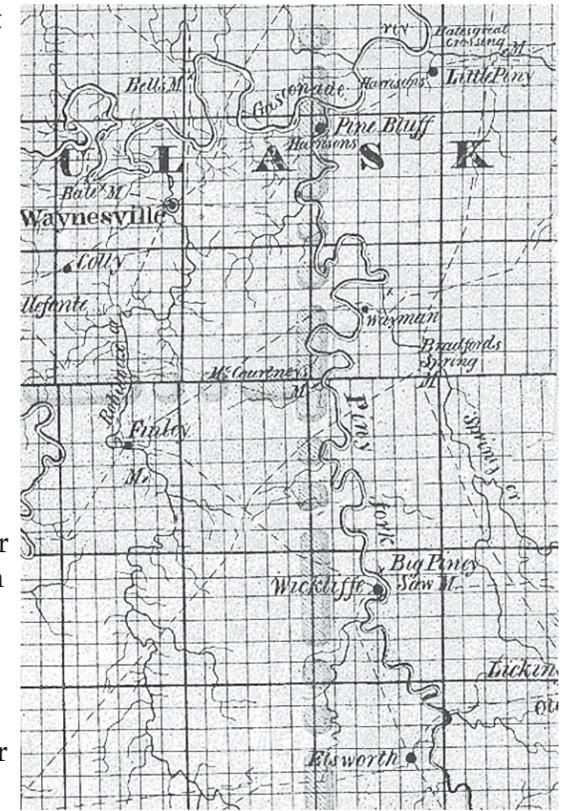
In the fall, lumbermen began to congregate along Spring Creek to prepare for the start of rafting season and the start of the next mar-

keting cycle. Peter Ragan, neighbor of Joseph and William Walton on Arthur's Creek, bought 261 pounds of flour and a bundle of coverlids from Ledgerwood in July 1851. William H. Phillips put 304 pounds of flour on account in July and August. Later, lumberman John D. Bradford settled the flour accounts of Andrew Moreland and William Matthews, hands working for him. The accounts of other men in Ledgerwood's book are marked "transferred," apparently to their employer.

Ledgerwood appears to have organized his accounts by groups of individuals, frequently related by marriage, who lived around Spring Creek and worked on the farms or at the mills upriver on the Big Piney. For example, Ledgerwood kept together the June 1853 entries for wagonmaker James H. Burchard, Lindsey Coppedge and Isaac Bradford, a sign that the craftsman worked for or cooperated closely with the others. The storekeeper grouped Henson Coppedge, James A. Bates, and John Burnett Bradford in a seasonal cycle (spring to autumn) in 1853. A single "settled in full" on their accounts suggests the men worked together that season at Slabtown. In September 1853, John Burnett charged 280 pounds of flour, no doubt for the eight men who boarded and worked at his mill and blacksmith shop at Burnett

Spring. Isaac Bradford brought Burnett's payment on account the following spring. James A. Bates obtained 240 pounds of Ledgerwood's flour in the summer of 1854. The storekeeper's notation again shows Isaac Bradford's involvement in settling up. Widower James A. Bates' interests at Spring Creek included Sarah Newport, daughter of a minister and neighbor of the Coppedges and Bradfords. They wed in 1855.

Ledgerwood credited another neighbor, William Tinsley, with payment on account of fourteen pounds of feathers in the winter of 1854. On the heavier end of the scale during the lumber cycle in July-November 1853, the storekeeper sold 903 pounds of flour to census-taker and early Texas County judge David B. Commons, who boarded lumbermen on the upper Big Piney near his Arthur's Creek saw mill. Isaac Bradford made a cash payment on Commons' account in March 1854. The final page of Ledgerwood's account book shows purchases of wool rolls from the carding machine by a dozen different customers ranging from 2 1/2 to 30 pounds apiece. These mundane entries in Ledgerwood's account book illustrate that after a generation of incremental migration of inter-related Kentuckians, Bates,



Edward Hutawa's map section (1844) locates Bradford's Spring Mill and the Waymans on Spring Creek north to Bates' great crossing & Mill on the Little Piney (upper right corner).

Bradford, Burnett, and Coppedge families had established an economic alliance that required trust, cooperation and credit.

The interconnectedness of the Spring Creek groups confirms observations by cultural geographers of the Ozarks, including Carl Sauer, Harbert Clendenen, and Russell Gerlach. The tenden-



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cy for “whole settlements to be kin-based” was a common feature during the first generation of permanent occupation. James A. Bates is a good example in Old Pulaski. His mother was Elizabeth Coppedge and he married Sarah Ann Bradford in 1835, a daughter of Adam and Frances Neely Bradford. His sister, Mary Polly Bates, married John Burnett Bradford, the son of Adam and Frances Bradford. The Burnett and Bradford families were among the most prominent in the Big Piney timber industry by the 1850s, with saw mills and blacksmith shops at Burnett Spring, near Slabtown, and at Spring Creek. Larkin Bates moved from Little Piney and went on to build Larkin’s Mill (later Bartlett’s Mill) near Waynesville. His nephew, James Addison Bates, left Spring Creek to reside at Slabtown. The Bradfords and Coppedges prospered at Spring Creek, as well. James N. Bradford took up residence near Licking while John Burnett lived above Mason Ford. Upriver from Spring Creek on Big Piney, kin-based alliances included the Baldrige, Bell, Burckhartt, McDonald, and Walton families.

Most prosperous lumbermen and merchants were small slaveholders, usually having one or two African Americans in bonded labor by 1850. Nimrod Synder in Texas County owned a dozen slaves, while Pulaski County Issac

Bradford was the largest slaveholder, with thirteen. Bradford family records list the names and occupations of these extended family members at Spring Creek. A slave named Sam, a talented craftsman, was a blacksmith who worked at the mill repairing wagons and shoeing animals, or in the timber with the “outside slaves” who did the logging. Joe worked with horses and was the Bradford’s buggy driver. He was also a cook whose ginger cakes and sweet cider “had more than local fame” and he was remembered for his barbeque skills. Rose was a mammy for the small children and when that did not keep her busy enough made the candles from animal fats. Hannah made the soap and did the laundry; her son Louis performed domestic service in the house. Hannah prospered after her freedom, purchasing a town lot in Rolla in 1871. Manly spun wool and cotton in the loom building, part of a profitable cottage industry on affluent farms. Sarah, Charity, and Louise were domestics with multiple duties that included “weaving, spinning, knitting, and sewing the year ‘round” for the extended Bradford clan.

Surrounded by slave cabins, outbuildings and agricultural dependencies, including an outside brick oven and orchard, Isaac Bradford’s house was the center of life for both white and black

Bradfords. The house, of course, was filled with native yellow pine – doors, lintels, mantels, wainscoting, and paneling. The Bradford farm was part of a substantial built environment along Spring Creek of well-developed farms spread in linear fashion for the length of the narrow valley. The Spring Creek concentration of commerce, included milling and pools of skilled and unskilled labor, both free and slave. Relfe became the primary hamlet in the valley, with a post office and, later, a private subscription school. Services available at Relfe equaled or surpassed those in villages anywhere else in Pulaski and Texas Counties. Customers had access to millers of corn, wheat and lumber, liquor distillers, wool processors, and buyers and sellers of agricultural surpluses and livestock. Sojourners along the valley passed two substantial brick houses, the first of their kind in the valley and landmarks along the road. Virtually all of the millers and merchants described themselves in censuses as “farmers,” the most numerous and respected of American rural occupations in the nineteenth century, but all participated in multiple economic ventures. In Old Pulaski’s river valleys, the most successful settlers, like Bates, Baldrige, Bradford, Burckhartt, Ormsby, and others built and maintained their prominence with the labor of slaves.

In 1842, families on Spring Creek co-founded the Little Piney Baptist Association. It became an important religious institution sponsoring gatherings of churches of like faith and practice. Annual meetings rotated among member churches with members affluent enough to host delegates from other churches as far away as Camden, Laclede, Osage, Morgan, Cooper, Pettis, and Lafayette Counties. Meetings with exhortations and discussions of church matters lasted for days and ended with a collection taken up for printing the proceedings. By the Civil War the Little Piney Baptist Association was printing and distributing 400 copies of the annual meetings. Leaders such as Issac Bradford and John B. Harrison traveled to Jefferson City and Fulton “to superintend the printing of church minutes.” These visits to distant printing offices served a dual purpose by bringing back the latest statewide news of commerce and politics.

The relative success of the Spring Creek agriculturalists may be judged by comparison with other hamlets in Pulaski County by Montague’s *Illinois and Missouri State Directory* for 1854-55. It is not comprehensive, but it advertised mercantile and professional services of those who had done well and looked to do better. In short, Old Pulaski denizens had the most services at the older business and

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postal centers at Ellsworth, Relfe, Little Piney, and Waynesville. Listings for Houston showed only two general merchants and a single blacksmith. Montague showed that merchant mills – saw and grist with associated blacksmiths – flourished at the four postal hamlets. Relfe had three saw and three grist mills, two private academies, a carding machine, and cotton gin, the latter machine added by Coppedge at the operation of Bates and Coppedge Company. Montague listed six saw mill owners resident at Ellsworth. Four physicians practiced at Ellsworth and Waynesville, outnumbered by five ministers at Waynesville and four at Ellsworth. Save a lone Presbyterian, the clergymen were all Baptist or Methodist. Every hamlet had a carpenter or two, but hotel-keepers were in short supply. The only hotel was J. W. Bryan's Pulaski House in Waynesville, a business whose history is otherwise unknown. Although not shown in Montague's directory, every township had a justice-of-the-peace or two whose homes, like Harrison's tavern, were public spaces for adjusting difficulties by law when neighbors could not agree. Those persons and places would not have been hard to find in Old Pulaski.

Epilogue

Life along the Big Piney was not an uninterrupted trajectory of success. Residents remained subject to the weather, forecasting it by traditional folk methods. Catastrophic floods in the mid-1820s, and in 1844, washed out log dams, wrecked mill frames, broke up rafts heading to market, flattened crops and floated away rail fences, corn cribs and stables, and covered fields with sand. Such inundations, called "freshets" in the Victorian age, necessitated considerable rebuilding. There were other destructive floods that did not exceed

state records but effected damage along the Piney. Just how many of those lesser inundations occurred is not known, but the big losses of Big Piney lumbermen reverberated at the markets in St. Louis.

The 1850s were a prosperous time in Old Pulaski as they were generally throughout the nation, but there were reverses, accounts that found their way into the newspapers. One such account appeared somewhat after the fact in the St. Louis *Missouri Republican* and was also picked up by the *Liberty Weekly Tribune* in May 1853. A spring downpour caused an eighteen-foot rise on the Piney, smashing dams and rolling through the major sawmills. The flood broke up seven of ten rafts about to launch for St. Louis, and floated off 100,000 feet of lumber stacked at Nimrod Synder's steam mill. Log dams suffered greatly. Henry Ormsby's mill nearby was also badly damaged, and he lost 100,000 board feet [\$28,000] of lumber. John Fourt's dam and mill near Houston completely washed out, as did the "Old Mill," the name legal documents used for John Baldridge's mill at Boiling Spring. Only John Burnett's mill fared well, thanks to its location well back and above the river. Whether these severe losses resulted in changes in partnerships or mill ownership is not known, but it is clear that lumbermen cleaned up the mess and resumed sawing.

Relative newcomers may have suffered more, such as Tincher Trusty and his sons Jackson and Thomas. Emigrants from Kentucky, the Trustys had lived in St. Louis County near the Waltons, whose friendship resulted in the Trustys relocating to Big Piney in the 1840s. They worked near other Waltons, lumbering on Arthur's Creek and Stephen Taylor's mill near Licking the rest of their lives. They are buried in Boone Creek

cemetery. They lost their mill dam in the 1853 flood, as did fellow Kentuckian James Hedrick. The urban newspapers stated the obvious: "not much lumber can be expected from that quarter until the mills are rebuilt."

The disaster at John Fourt's mill, far upriver near Dog's Bluff, was not the only misfortune he would endure. The Kentuckian had migrated to the Missouri River bottom near Marthasville before coming to the Piney. He had done well, helped found the county seat at Houston, and took out a mortgage on his farm near the Narrows. Like other saw millers did every season, he risked the weather, assumed debt, and depended upon seasonal hands. Fourt engaged a group of rafters from St. Louis to bring his lumber to the city's wharf where Fourt would meet them. The rivermen launched the raft and rode it downriver without incident, whereupon they sold the raft and decamped for the West, leaving Fourt "high and dry." He could not make payments on his farm, his lender foreclosed, and Fourt's career as a lumberman was cut short.

A symbolic representative of Old Pulaski survives in the landmark Old Stagecoach Stop in Waynesville. Its origins derive from the extended McDonald family, who began rafting planks on Big Piney in 1817. We do not know what brought young W. W. (William Walton) McDonald to the area, but love and lumbering may have been equal influences. A veteran of the Mexican War, McDonald courted Mary Jane, the daughter of William McCourtney, whose family was part of the Kentucky community at Bonhomme Bottom on the Missouri River. Just when this second generation of McDonalds arrived in Old Pulaski is not known, but W. W. ultimately moved to Miller Spring on Big Piney (labeled

"Roaring Spring" on antebellum maps) and his father James McDonald settled in the Ozarks, too.

James A. McDonald, the father, buried his wife in 1834 and remarried in 1836. By 1850 he was a widower again, and determined to take W. W.'s half-brothers and sisters to join his own brother, John McDonald, and brother-in-law, Joshua H. Burckhardt, in the Roubidoux Valley. We do not know if father James and son W. W. got together then, but given so many kith and kin working in the timber, surely one or both of them had earlier traveled to Old Pulaski. Whatever the case, James purchased Roubidoux Valley land from kinsman James Walton in 1850 and, by September, patented more near the new Liberty Church and School. James McDonald went on to serve as Roubidoux postmaster, 1852-66, Upton township election judge and justice-of-the-peace, and member of the school board. He was a minor slave owner and served as probate administrator of his brother John's estate.

W. W. surely knew of the back-country associations of his McDonald relatives. Cousin Archibald McDonald lived upriver from the McCourtneys, near present-day Ross Bridge. W. W. may have worked briefly around the Roubidoux with cousins Joshua and Selman McDonald or with his uncle, John McDonald. He could have traveled south to the Arthur's Creek operations of other Walton relatives. They might have helped W. W. experience the associated tasks of driving oxen, hauling and sawing logs, and rafting cribs of lumber downstream. It was only a brief exposure, for some time in 1849 W. W. took up residence with William McCourtney. He likely worked for the McCourtneys, as Alexander McCourtney lodged and boarded other young men who worked for him. The 1850

census showed “laborer W. W. McDonald” living next to William R. McCourtney. W. W. was a hired hand.

Whatever his job at the time, arduous work in the timber was not the calling for a man with some education and a pleasant public persona. He married Mary Jane McCourtney in January 1850, with whom he had a daughter. With enough money and optimism “to move to town,” the young family settled in Waynesville where they took up residence on the courthouse square. Fellow citizens recognized W. W.’s ability and elected him circuit clerk/recorder in 1852. He also traded in cattle and general merchandise, was active in politics, and was the town’s postmaster. He occupied a single-story house on the square opposite the courthouse in the 1850s. Coincidentally, Montague’s Missouri directory, as well as land records, indicate that the house had been built and occupied by former postmaster David B. Lawrence prior to McDonald’s residence.

McDonald’s literacy gained him entry to the Pulaski County bar. Tradition relates that he did not litigate but served as a local

agent for collecting debts. McDonald was the keeper of the key to the courthouse which was made available for public events such as church meetings or dances when no legal proceedings were underway. W. W.’s half-brother, James Smith McDonald, may have been a working partner as he was also a Waynesville resident at the time of his death prior to the Civil War. Following the war, W. W. McDonald enlarged his house to its present two-story configuration known as the Old Stagecoach Stop.

Other relics from the glory days of Big Piney lumbering can yet be seen in yellow pine lumber rafted two centuries ago to the St. Louis market. The house and farm buildings of Governor Frederick Bates are open to the public at Faust Park in Chesterfield, fittingly overlooking Bonhomme Bottom where so many Kentuckians prominent in the Big Piney lumbering made their homes. The Bates house is full of yellow pine, but the most dramatic evidence of the lumber trade is in the historic barn. It features a dramatic wall of variable-width boards that were sawed along Big Piney. A heritage tourist can easily imagine them as part

of a crib floated downstream in a lumber raft. Coincidentally, the core of the governor’s house was home to Daniel Morgan Boone’s father-in-law, John B. Lewis. Lewis, too, was a saw miller. Standing in what once was Lewis’s back yard, one can see the Missouri River and bottom where rafts of piney planks were beached. Lewis sold the property to Bates, whose builders remodeled the house into the focal point of a country estate named Thornhill at the dawn of Missouri’s first great lumber industry.

Selected Sources

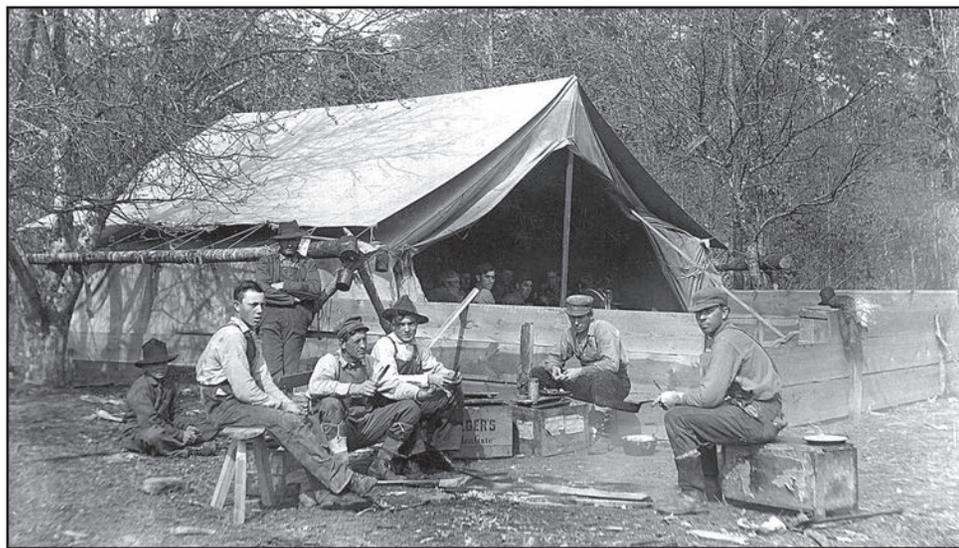
Especially for the earliest periods, anyone looking into local and regional history must consult a wide array of public records at the Missouri State Archives. Research for this essay included examination of Supreme Court, county circuit, and probate case files. Federal censuses – demographic, agricultural, manufacturing and industry, and slave schedules – were indispensable. The Archives’ map collection and ledgers of the GLO Land Sale books are always useful, as is the online federal Bureau of Land Management (BLM). The Texas County Recorder’s office in Houston preserves deeds and land records essential to the history of the lumber industry. The State Historical Society of Missouri’s office at Rolla made available several important collections including the account book of Samuel Ledgerwood, the diary of Dr. W. I. I. Morrow, the Clair V. Mann and Lucy Wortham James Collections, and the Works Progress Administration (WPA) collection for Texas County. Special mention goes to Beth Lane at Rolla for making research there so easy.

Thanks to Dr. Brooks Blevins, Missouri State University, for supplying his notes on William McNely’s diary, 1841-1842, Abraham Lincoln Presidential Library,

and to emeritus professors of geography Walter Schroeder and James Harlan, University of Missouri, for critical insights. Multiple county histories for Crawford, Maries, Phelps, Pulaski, and Texas Counties provided basic details. Dozens of family histories charted the different generations of Pine folk. Vance A. Bradford’s *Bradford Descendants*, the three-volumes of *Texas County Heritage* (1989-1992), and Marsha Hoffman Rising’s four-volume *Opening the Ozarks* are always good places to begin research.

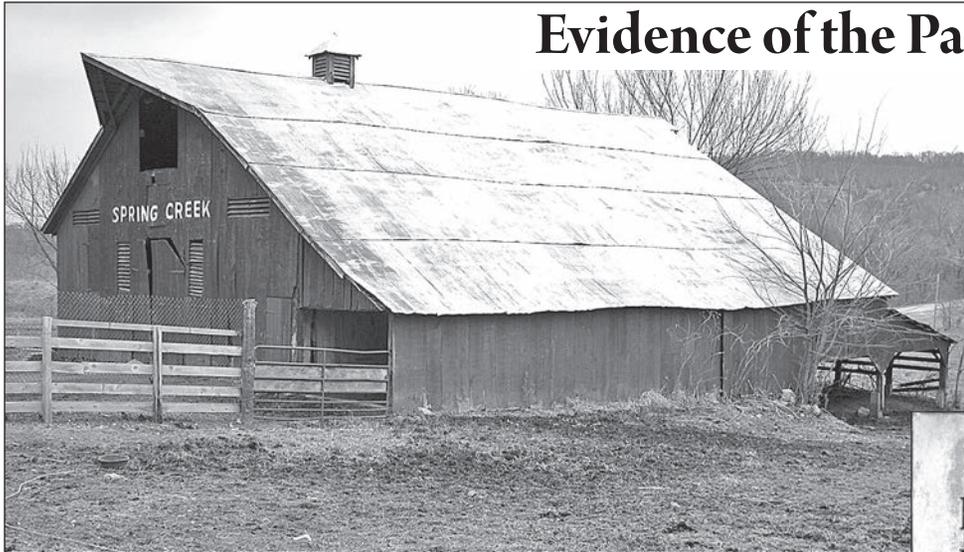
Standard histories of St. Louis offer overviews of the market end of the business, and the classic works of history by Amos Stoddard, Henry R. Schoolcraft, William E. Laas, and Malcolm Rohrbough were especially useful. *The Young Millwright and Miller’s Guide* by Oliver Evans, reprinted many times since its publication in the nineteenth century, is indispensable. There is also a vast online literature on sash mills and early saw mills available on government and private websites. The technology is explained with dozens of drawings, photographs, and documents. There is no substitute for viewing the ground where history happened. Terry Primas and John Bradbury guided our field trips in Old Pulaski and helped us imagine the historic setting in pine country.

Lynn Morrow was Director of the Local Records Preservation Program, Missouri State Archives, Office of the Secretary of State, 1990-2012. He has written widely on the history of Missouri and the Ozark region, and has been a frequent contributor to the *Old Settler’s Gazette* since 2000. His most recent book, *The Ozarks in Missouri History: Discoveries in an American Region*, was published by the University of Missouri Press in 2013.



Company stores at mill complexes sold significant amounts of groceries. Lumbermen boarding crews at sawmills, in the timber and on rafts afloat were the biggest customers. Plenty of food was essential for men doing the heavy, rough work of the lumber industry. Courtesy of John Bradbury.

Evidence of the Past



This mortise and tenon constructed barn, ca. 1835, still stands at the junction of Highway J and CR 6410 near the mouth of Spring Creek. Bricks were manufactured on the north side of the barn for the Wayman houses. This view is from the southwest.



BUILT BY
PLEASANT
WAYMAN
1842

Pleasant Wayman's house was erected on a small rise just east and across the road from the barn. A plaque (inset) was later placed in the front wall. The house burned in 2005. A picket fence marking the home site is still visible. Image above courtesy of The State Historical Society of Missouri. Other photos by Terry Primas.



John Wayman's masonry house still stands and faces the large verdant floodplain of Spring Creek, situated a little bit less than a mile upstream from Pleasant's house.

The vibrant settlement along Spring Creek evolved into two neighborhoods. The Bradfords and Coppedges located near the spring that today gushes forth from the side of the county road, five miles easterly from present Highway J. The spring and community became known as Relfe. Isaac Neely Bradford's large two-story house (1832), a mile downstream from the spring, graced the cover of last year's *Old Settlers Gazette*. The Waymans came to the lower Spring Creek valley at least by 1834, building a barn (upper left), hewn houses, a mill, distillery, and store about a half-mile from the creek mouth.

By 1842 John and Pleasant Wayman occupied two fine brick houses. The store originally set across the road from Pleasant's house. Pleasant served as Spring Creek postmaster, 1834, 1860-1866. A later store (inset) was built and sits today at the junction of Highway J and CR 6410.



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