

A First Chapter in the History of Daviess County

By Lucius P. Little



**A First Chapter in the History of Daviess County,
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by Lucius P. Little, written during 1893-1895:**

Not long anterior to A. D. 1810, Bill Smothers, the first settler, had bid a last adieu to his humble home on the banks of the broad and beautiful Ohio, and sadly turned his pilgrim face toward the setting sun. Long before his departure, passing boatman had suggestively christened the crumbling clay shore where he dwelt – the "Yellow Banks."

Others soon took his place in the forest and canebrake and a small cluster of cabins by and by arose, and increased in numbers and importance, as the adventurous years went by. Yellow Banks amounted to something even as a mere landing place where passing water craft stopped for necessary supplies. Keelboats propelled by oars down stream, brought goods shipped over the mountains, and cordelled up sugar, coffee and molasses from Orleans. Storehouses were in time established in part for local trade and in part; for goods transported thence on pack horses, and hauled on small primitive sleds to Hartford. Before 1810, the small, round-logged earthen-floored, windowless dwelling, with its stick chimney, was being supplanted by a larger one of hewed logs, puncheon floors, small glass windows, and chimneys of stone or brick. The emigrant Virginians with slaves and luxurious tastes accounted for this amelioration. As John Thompson once naively wrote, "the puncheon floors were much more decent for dancing." With all its progress in arts, however, Yellow Banks still compared but illy with Hartford, only thirty miles away. The latter was no mushroom--springing up in a night. It was founded in 1782, when Indians were plentiful in the neighborhood, and became the seat of justice of Ohio county sixteen years later, when the war whoop of the retreating savage had hardly ceased its blood-curdling echoes. About the latter date, Ben Hardin, then a boy, (afterwards a great lawyer) was there as pupil of Daniel Barry, a high bred Irishman and an accomplished teacher. It had its resident lawyers of note, and also its widely known physicians. McCreery and Lockhart, (in high repute,) were called in serious cases for thirty miles around. Capt. Robert Moseley maintained a reputable tavern, where only gentlemen were welcome, but very welcome to the contents of his well stocked larder and barroom. The Bairds, the Barnetts, the Mortons, the Taylors and others, made up an eminently respectable society. The Methodist and Baptist churches had vigorous organizations, and monopolized the religious field Camp meetings that had originated about 1800, were doubly attractive from novelty--but no such aid was needed when the eloquent William McKendree, afterwards the great pioneer Methodist bishop, proclaimed, as he often did, the word of life to Hartford congregations.

While there were some refined families at Yellow Banks, yet things generally were new, social lines dim and unsettled, a religious organization unknown, and the preaching of the gospel rarely heard. The Husks, the Smothers's, the Pottses, the Leamans, the Rogerses, the Galloways, the Tarletons, the Atterburys &c., were plain, honest, hospitable folks, typical pioneers, caring little for outward show, or what other folks thought Of them.

Between 1810 and 1814 such was in part the attitude of affairs in this region. In that period the establishment of a new county with a boundary substantially that afterwards known as Daviess was agitated. It was proposed to be taken exclusively from territory then embraced in Ohio county.

There was natural opposition in some quarters to its creation. Ohio with its long frontage on the river, for which it was named, by the proposed scheme would become an inland county. In years to come it was said people would ask why the county was so named when it did not touch the river, and it was predicted that in the future insinuations would be indulged that it might as well have been called "Potomac" county or "Mississippi" county.

It was also objected that there were all ready fifty-six counties in the State, quite enough for the public needs, and a greater number than existed in some of the older States; that it was chiefly a scheme to provide offices for aspiring men with more ambition than qualifications.

Some recklessly asserted that the proposed new county would not embrace above 1500 white population, or exceeding 300 legal voters. This, however, was denounced as an exaggeration as it was confidently estimated there were at least 2000 white population and quite 400 voters.

At a batallion muster at Col. Aquila Field's in the spring of 1813, it was gravely stated by Joe Barnett, an intelligent and influential citizen, that owing to the great quantity of flat, wet and untillable land, and also land subject to overflow in the bounds of the proposed new county, there was not enough high land left to more than barely support the settlers already there.

He further stated that it was next to impossible on account of marshes and creeks, to have roads to Yellow Banks that could he travelled except for a small part of the summer, "and how" said Mr. Barnett "are they ever going to hold courts where the people can't get to the court house?" "Court house!" said he with a smile, "why it will break up the county to build a court house and jail!" "But," he continued, "the legislature is never going to rake a goose of itself by establishing such a needless county."

Another, (whose name need not be given) spoke up and said he had it from Dr. Lockhart, who practiced all over the territory, that milk sick was so common and fatal, that cattle and people were constantly dying, and instead of getting better, the disease grew worse. This same Mr. Free Talker intimated that It would be difficult to find material fit for magistrate in the whole county. A small man with a squeaky voice from the neighborhood Of Vienna, piped out -"Where's Squire Thompson? (Squire Thompson was already a justice or Ohio county.)

"To be sure! there is old Ant'ny," continued the critic, "and a pretty 'Squire he is! Never saw him at Hartford in court time, did ye, with a half dozen jiggers of liquor aboard singing Irish songs in Moseley's barroom? Nice way for a Squire to be doing! And then presented by the grand jury for profanity! He is a pattern for the new county, aint he? He denied it? Oh yes he denied it, but it was proved on him and Judge Broadnax fined him five shillings." The squeaky man tried to explain that if Squire Thompson did use bad words, it was in telling a joke on Joe McFarland and repeating what Joe said, but the crowd incredulously laughed him down.

"There's where you fool yourselves" interposed a tall bronzed faced hunter. "I've been to Orleans and back nine times, and I know something about river towns that you country fellows don't know. Why in a river town every body cusses -- men, women, children and niggers. "Squire Thompson will fit in at Yellow Banks like a spoke in a spinning wheel."

It is sufficient to sun up the sentiment of the crowd at that muster as against the new county. It is due the memory Of Anthony Thompson to say that notwithstanding his convivial proclivities, he possessed sterling sense and a sparkling wit. An Octogenarian who in youth had known him, told the writer that in conversation, Mr. Thompson was the most charming of men.

In the vicinity of Yellow Banks and in the Forks of Painter, (for so Panther creek was then commonly called) the talk was less sentimental and more practical.

It so happened that the chief tavern at Yellow Banks was kept by another Capt. Moseley-- Capt. Thomas Moseley, Sr., a kinsman of the Hartford Boniface. In those days the host not only furnished entertainment for his guests in the way of creature comforts, but he also detailed the current news with proper comments, and had his share in molding public sentiment. The newspaper at that time and place, was unknown either as a necessity or a luxury.

"My stars, gentlemen!" said Capt. Moseley emphatically to a dozen local listeners; gathered in front of the tavern, "My stars it will never do to go on the way we've been going on. Yellow Banks is destined--mark that gentlemen--destined" and the Captain glanced around to see if any one questioned its destiny-"yes I say destined, and when I say that I not only say what I mean, but mean what I say, that Yellow Banks is the rising town on the Ohio, west of Bear Grass. "What's that Captain? Destined did you say? That's right. Not Only destined but predestined, fore ordained, predetermined and forever and eternally fixed and settled In the unchangeable order of future events." If Andy Rowan had been called on earlier in the day, when his potatoes were lighter, he would not have so suddenly wound to a close. If any one knew Walker's dictionary by heart in this end Of the State, it was that same old liquor loving schoolmaster. "How" proceeded Capt. Moseley "is a citizen of Ohio county domiciled and abiding at Yellow Banks to attend court at Hartford?"

"There's North Painter and South Painter can't be forded over three months in the year and if you are over them when you get within a mile of Hartford, there's an impossible gulf-Rough Creek and the flats. I'll never forget the hard time the witnesses had In the Bill Smother's case. It was awful. The fellows that rode were not much better off than those who walked. Some said Col. Daviess walked. But no matter how that was he got there. If we'd had a new county here then, the grand jury would never have indicted Bill Smother's for killing the fellow that insulted his sister." Much more talk to like effect was indulged by the good landlord.

Col. Joe Hamilton Daviess a large land owner and eminent lawyer, was the most popular man in this region while he lived? He was regarded as a hero and a sage, a patriot and the poor man's friend. After he fell fighting the Indians under Harrison, at Tippecanoe, he was well nigh deified about Yellow Banks. By some sort of logic, hard to understand, the friends of the new county project got the impression abroad that proper respect for the memory of Col. Daviess required every one to support the new county scheme. It was assumed that it was what Daviess would have done, had he lived, and his friends resolved his supposed wishes should he regarded now that he was dead.

At this remote period of time it is not possible to refer to all the arguments resorted to for and against the new county. As in all such cases in that day as well as later, the organized friends of the legislative measure had decisive advantage over a larger opposition unorganized.

At the August election 1814, John Hanley defeated his opponent for Senator from the district embracing Ohio county. He resided near Vienna and was brother-in-law of the much traduced Squire Anthony Thompson. There was no doubt of Handley's support of the new county measure. Capt. Johnson, a land surveyor and prominent citizen was chosen member Of the lower House. He resigned however, without taking his seat, and Phil Thompson, a young lawyer of Hartford was without opposition chosen to fill his place. Capt. Johnson's residence was included in the proposed new county, and he was supposed to be its friend. His resignation and the election of Thompson was not regarded as auspicious. But the latter did not owe his election to his views on the new county question. In the campaign conducted by Gov. Shelby In the Northwest In 1813, Ohio county had sent a large military company under the command Of Capt. James Tyler with

little Phil Thompson as first lieutenant, to join the American troops. The company having been assigned to detached guard duty, Thompson, a thirst for glory left it to follow the main army with a musket on his shoulder. He was the only soldier from Ohio county to take active part in the hard fought battle of the Thames. This circumstance gave him, with the hardy western hunters, a pre-emption on any office he wanted or would accept.

Thompson went horseback from Hartford to Frankfort and took his seat in the legislature at the opening. Friends of the proposed new county were early on hand representing and urging its importance. The suggestion that it should be named for Joe Daviess was a happy one. The war feeling was high among the people all over the state and the names of their heroes were good to conjure with. It was known that British troops threatened Orleans and that Gen. Jackson had gone to its defense. On or about the day he was dealing death to Pakenham's army, from his cotton bale breastworks, the Kentucky legislature was honoring the hero of Tippecanoe by establishing a new county, and naming it Daviess. A few days before Allen county had been created and named for Col. John Allen of Shelby, a friend and school mate of Daviess, who fell in battle at the River Raisin. The bill creating Daviess was promptly approved by Shelby, the Governor, Jan. 14, 1815. It was weeks afterwards before news of Jackson's famous victory reached Kentucky. The act by its terms went into effect June 1, following. Benjamin Field, John Daviess, David Glenn, Sr., John McFarland, Edwin Hayden and John Leaman were designated commissioners to fix on a place for the permanent seat of justice. In doing this they were told to "have due regard to public conveniences, of water and situation, as it respects the capacity of the land in said county for sustaining present and future population." Such was the precise language of the act. There were but two places to consider--one was Yellow Banks, the Other Vienna on Green River. The Virginian proprietors of Yellow Banks, as an inducement to locate the seat of justice at that place, offered to donate two acres or ground on Frederica street for a public square, and every alternate lot to be sold to pay for erection of public buildings. This tempting offer was accepted and the seat of justice located accordingly. The subsequent neglect of the proprietors to make proper conveyance of title forced the county into litigation, which, however, after a delay of four or five years terminated in its favor.

There was early discontent on the part of some with the name of Yellow Banks. In the late fall of 1816, a map of it was made and recorded in the Clerk's office, in which it was rechristened "Rossville." But the new name failed to give satisfaction. Ross was a large land owner, but no hero. In 1817, an act of the State legislature was procured incorporating the town as Owensborough in honor of another Tippecanoe soldier who fell in that battle -- Gen. Abraham Owens. But after all it was thirty or forty years before the tongues of the people were weaned from the pioneer name of Yellow Banks.

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[“Full of Interest: Meeting of Investigators With H. K. Cole – Instructive Papers Were Read by Prof. McHenry Rhoads and Judge Little,” Owensboro Messenger, 20 July 1902, p.9: – “The original paper by Judge L. P. Little on 'A Chapter of Daviess County History'" dealt with the period of Smeathers and Jo Daviess and brought out many facts of interest not mentioned in local history volumes.” The correct title of the paper delivered on 18 July 1902 was “A First Chapter in the History of Daviess County.”]

