JONCE SMILEY

THE BOY WHO HAD NO FRIENDS

A NEW ENGLAND TALE.

By the Author of "Sundries."

CHAPTER VII.

Men are somewhat like trees—not only will they endure transplanting, but they profit by it. Particularly is this the case when the removal takes place before they have grown too old to learn new habits, and to accommodate themselves to new associations and circumstances. Now our hero's escape from his unpropitious surroundings at Hardscrabble took place precisely at the age when he was best fit to go into training as a pioneer in the wilderness, and inasmuch as he left behind him nothing, the surrender of which he could be supposed very bitterly to regret, he entered upon his new life with a zest unalloyed. He loved "the grand old woods;" his spirit was elevated by the freedom of untrammelled nature, and the outgushings of his unsophisticated wonder were not cramped and terrified into silence by petty individual tyranny, or that worst and most despotic of all slavery, the crushing contempt of his fellows. He had trials and hardships, it is true; but they were manly ones, and in the true equality of a new settlement they elevated him to a common consequence with the men who shared the privations and dangers of pioneer life in the woods. Every one on the border counts one, women and children even have their important posts to occupy; and a stalwart young chap like Jonce Smiley, no longer cowed, abashed and spirit-broken, but confident, ingenious, and elastic, had of course a prominent importance in the village of Berrysville, so denominated from our emigrant friend, who was the first individual who, in that vicinity, "stuck an axe in a tree."

Long before Berrysville rejoiced in that title, it boasted the more euphonious one Berry's Squat. Start not at its inelegance, for according to the transcendental idea of poetry the word squat is exceedingly poetical, as regular a tinkle from the rill of Helicon as ever babbled on poet's tongue. Ralph Waldo Emerson says that the first man who called another an ass was a poet; and hence it is evident that the man who dubs a fellow-man by that complimentary title is merely quoting poetry. If Emerson is right, if there is anything in pithiness of language, in appositeness of figure, and in pregnant meaning in one simple word, "squat," as applied to those who sit down uninvited upon Uncle Sam's land, is certainly poetry. The word is already the parent of others, and may be yet of many more. Besides the obvious "squatter," which is rendered "one who squats," we have "absquatulate," from the Latin particle "ab" from, or out of, and "squat," before discussed, meaning, to relinquish a squat, or get out of another's squat or your own as soon as possible, and perchance as covertly as may be. Absquatulate has been a new coinage as much in favor with defaulters, as the coinage of the U. S. Mint—and indeed affection for the one would appear naturally to be connected with a predilection for the other.

To return to our friends. Mr Berry was most certainly a squatter, and so was his wife, and Jonce and the children all were squatters. In that respect the eastern population has the advantage of the western only in the fact that our ancestors, or those under whose title we in the east live, did our squatting for us, a couple of hundred years ago, more or less; while the fathers of recent western settlers having neglected to do this good turn for their children, the children are compelled to do it for themselves. Squatting, in the abstract, is only improving a tract which might else remain unimproved, with the understanding that whenever the tract does come into the market, the squatter has a prescriptive right to buy at the government price, whether there be a pre'emption law or not, applicable to the case. If there be a pre-emption law, all is well and good, if not, the common law of the border, which supplies statute deficiencies, settles the case. We allude to the code generally spoken of as the Code Lynch; infinitely more simple than the Code Napoleon, though the little Corsican made simplicity the proudest feature of his famous body of statutes. And the Code Lynch has another recommendation which is peculiar to itself, as belonging to no other. Not only does it supply the deficiencies of the common and statute law, but it supplies the fact of officers of the laws of the land, where those laws are supposed to be in force. This unwritten law has been fearfully abused; but with all the enormities committed in its name, it is a fact unquestionable that more mischief would have been done in its absence.

A "squat" becomes, after the cabin is erected, a recognized property by the customs of the "squatters," and there are even nice rules which distinguish whether a man's squat covers a whole, a half, or a quarter section. Brother squatters never interfere with the claims of brothers, and when Uncle Sam puts a tract in the market, it is a thing understood on the tract, if nowhere else, that the "squatted" sections have already a purchaser, who is not to be compelled by any competitor to pay a premium upon the land; the eligibility of which, by "squatting" thereon, he has made apparent. Consequently, many speculators who travel West under the delusion that they can take immediate advantage of the explorations of the squatters, are shortly undeceived upon their arrival, for an attempt to buy over one squatter's head is pretty sure to make the whole community rather troublesome neighbors, if, indeed, it does not procure from them a ride—not in the easiest method of movement known in these days of progress. The only way of proceeding, if you find a man on the land you wish to purchase is, first, to ask him "What will you take for your squat?" and if the bargain between you and the settler can be sealed, his claim becomes your claim, his former defenders are your defenders, and he "totes his plunder off," and "bodyaciously absquatulates" himself, to go and squat elsewhere, and create a new claim, for some one else to buy.

Several years' culture had made "Berry's Squat" a beautiful clearing, and its situation on the bank of one of the great tributaries of a great river in the West caused our friend's estate to be regarded as one of the very best in the Territory. The political managers, moved upon by the fact that many of them were directly interested, no less than by the natural advantages of the place, determined that the country-town should include our friend's squat; but as a preliminary, and before they let this intention be public, the attempt was made to buy out Berry's claim. But they had happened upon the wrong customer.

In the first place, Berry himself was not one of those who squat "as a profession," and preferring wild adventure and border life to the approach of civilization, are ever ready to sell out when a fair offer is made. He had set up his family altar in the wilderness, and made it blossom about him as the rose. Successive comfort after necessity, convenience after comfort, and luxury after convenience, had been added to the homestead. His children had grown up there about him, and already, in his mind's eye, he had portioned them off upon the liberal tract which, after the usage of the country, he had appropriated, and for which, thanks to his frugality and industry, and with the proceeds of certain "village lots" which he proposed to sell, he would now be ready to pay Uncle Sam.

And in the next place first indeed in Berry's thoughts—it would have broken his old wife's heart to part with a home which, at first the scene of privation, inconvenience and sorrow had now become the home of comfort, peace, and plenty. Everything about her had a history and an interest this as the memento of their home in the East, and of their wanderings on the road, that as the creation of necessity to supply some remembered convenience in her father's house. Every smoked timber of the little cabin seemed to have a history; every tree seen from the door had its associations, the very moon which shone upon their summer evenings appeared to the little family to be the moon peculiar of Berry's Squat, and a different luminary from the one which shines on other places.

And our old friend Jonce at the opening of this story a boy who had no friends, now a stout young woodsman who asked no friendship except a "fair field and no favor"—he to leave Berry's Squat! He to leave Little Muddy Creek, where in boyhood he had trapped musquash, and Big Muddy River, which he had forded, on necessity, at the very most perilous point of the spring freshets! He to quit the vicinity of this spot where he shot the great "b'ar," and that where he treed the "painter!" He to leave the yellow corn to be harvested by others in the clearings where his own right arm had levelled the forest trees! He to abdicate the second home, where the sagacity of Berry had indued him to "squat" over land enough for them both! Never, till death bade him relinquish all earthly possessions would Jonathan Smiley surrender what he considered his absolute property—as absolute as if the formality of taking out Uncle Sam's patent had already been performed.

But the tract was declared in market by advertisement; the Land Office was opened, and eastern and other speculators had already marked the Berry Squat. Jonathan accompanied his old master and present equal to the sale; and other squatters, both from the vicinity of Berry's Squat, and from all the country for many miles about the office "were along." Berry's tract, as the most eligible, was first pounced upon, and the strangers, who had in vain attempted to induce the holder to sell his squat, came prepared to buy and re-sell it over his head. The bargain was all but consummated, poor Berry having maintained an irresolute silence, while the terms of sale were carried above his reach. The principal agent in the business was just ready to receive his completed papers. He was a young lawyer from the far East; and was flush with the then current and undisputed bank notes. He had observed that the squatters had one by one disappeared, all save Berry, who leaned disconsolate against the door as if about to lose his all; and Jonathan Smiley, who paced rapidly before the house, as if he thought that by so doing he might arrest the cruel escheat of possessions, by all backwood usage honestly theirs, upon payment to the government of the standard price. The young lawyer, with an indefinite feelin, half fear, half bravado, was hesitatingly hurrying the government official. A sudden and terrific war-hoop rung in his ears, and starting to the door, he saw there assembled what at first seemed a party of bona fide Indians. Even his unpractised eye was not long in discovering that they were amateurs; and their true character the absence of the squatters who were present in the early part of day, left him at no loss to divine. And now, while the stranger watched, commenced a very amusing and significant little drama—a drama which appeared less to interest Jonathan Smiley, than did the varying expressions of the speculator's countenance. The principal chief declared that one of the subordinates had driven another Indian from his wigwam, and turned his squaw and little ones into the woods shelterless; that he had gathered and burned his brother's standing corn, and pulled up his fish snares; and asked what should be done to the false brother with a snake's heart? And thereupon the brother aforesaid against whom all these terrible charges were made was fallen upon in make-believe punishment, which would have been anything but make-believe to anybody but an iron-framed squat—tut—we mean Indian. His heart was supposed to be cut out—and his scalp to be cut off, and divers other pleasant divertisements were enacted upon his supposed-to-be suffering body.

"Who are these people?" inquired the lawyer.

"Well," answered the land officer, who was not green in the West, "I allow that I don't know—but maybe if you could find some of the squatters who were here to-day, they perhaps might tell you."

"What do they mean by this nonsense?"

"Wall—it does look like nonsense stranger, that's a fact, and here again I must allow I can't say. But if you'l just close this here bargain, I don't know anybody in these diggings who is more likely to find out than you."

"Is there no force here to protect an American citizen?"

"There's a heap of force to Fort Independence, a hundred miles down, but I reckon, stranger, you've an idee of building barracks for them on the Big Muddy, where you are going to buy, and to get them to 'list for life?"

The Indians were by this time seated in a knot, and chattering in a worse than Pottawantamie tongue over a half barrel of whiskey. Two younger ones soon joined them with a split tree trunk, some fifteen feet in length, and the whole group fell to work upon it preparing, with their knives and hatchets, an edge as if to cut cheese. There was an odd twinkle in Jonathan Smiley's eyes as the work proceeded. Mr Berry looked sad, but still said nothing.

"What is that?" inquired the lawyer.

"Why," answered the land officer, "that's what in these diggings they call a rail; you come from the big settlements, and what they call such things thar, I can't say."

And now the culprit Indian was placed astride, and the rail raised upon the shoulders of the others, amid a tremendous whoop, but certainly with rather more gentleness than would have been done in a bona fide transaction. The young speculator's agent waited no longer, but with a very ill grace resigned his bargain.

The tract was entered in the names of Mr Berry and Jonathan Smiley, and the amateur Indians suddenly disappeared.

"Mr Underwood?" said Jonce, coming forward and offering his hand.

Henry Underwood for it was indeed the Deacon's son, feared to do less than take the offered hand, but declared at the same time that he could not recollect our hero.

"Probably not," said Jonce. "It's a long time since we met but perhaps you'll remember Jonce Smiley."

"Perfectly, now," said Underwood, "but it strikes me you are in a lawless business!"

"Silence, stranger, on that just now, and just here. If you'll take a woodman's invite, you'll spend the night with us, and we'll talk it all over at our leisure."

"But my money——"

"Is a great deal safer here than it would be in Philadelphia. I'll answer for that with my life. It isn't a wholesome country for thieves where Indians such as you've seen haunt the woods."

CHAPTER VIII

Our story grows older and so of course do Deacon Abijah Underwood, and Peltiah Perkins, and Peltiah's son John and the Deacon's hand-maiden Margaret. The latter had become sole and sufficient manageress of the Deacon's household, and always once a day, and sometimes twice, at morn and eve, the Deacon, in his fervid and somewhat lengthy prayer, begged that Heaven "would remember in mercy the maiden, who was unto thine unworthy servant even as a daughter." Never was daughter more devoted and grateful, never was father more sincere and pure in his affection than was Deacon Abijah Underwood for our heroine. Perhaps he was the more attached to her because that his son Henry not only "hadn't somehow the faculty to seem to do, and to get along like some folks," but was sadly deficient in respect and kindness for his parent; seeming to regard him rather as a bank, and himself, the son, as a director, who had the privilege of borrowing whenever he could get it, and charging the loan to "sundries."

But the biggest pond will after a while run dry, if there is a continual out-going, and no in-running. By his expenses whilst studying law, and his increased expenses while he professed to practise it in a town near Hardscrabble, Henry Underwood reduced his father's capacity to help him, until the old gentleman was hardly able to help himself. The truth was that Henry had a great many expensive amusements. In summer he rode on horseback with the ladies, in winter he got up large sleighing parties. He was ex officio manager of county balls, union balls, civil balls, and military balls, and this, by the way, brings us to the heaviest item of his immoderate expenses. He had taken a fancy that nothing could be cleverer than to be a soldier captain, but as he saw no very sure, short, or direct path to such preferment through any channel then existing, he determined to make a path for himself, to hew out a road to the glory, and walk into it. His hewing, by the way, he did not purpose to do in any bloodthirsty manner, but by the more peaceable mode of erecting a company of fair-weather soldiers from among the rough material existing in the town where his office was situate, and where, by a legal fiction, he was supposed to practise law. As he agreed to become responsible for the equipments of all who could not pay "just then," it did not take long to place him at the head of the Bungtown Jefferson Guards; and now behold Captain Henry Underwood at the very height of his ambition, ordering uniform drills once every week, and quotidian undress exercises. Nothing ever was like it—the Captain was in his glory, and each individual volunteer soldier felt that the whole destinies of the Republic had now indeed begun to press upon his shoulders.

Captain Underwood, with the good of his corps at heart, made frequent visits to the metropolis to learn fencing and tactics, pugilism having been a prior acquirement, and one of his classical studies. While mentioning his accomplishments, it is proper also to say that he was no poor violinist, and that he had also a very fair idea of the accomplishment of wrestling. But neither soldiering, junketing, fencing, wrestling, nor fiddling, made the country people fancy him an exceedingly good lawyer; and when his father did send some cases to him, and the Squire, his father's friend, undertook to throw in the Captain's way a portion of the practice which age induced him to wish to relinquish, that practice fell into hands already filled with swords, scabbards, fencing-foils and fiddle-bows—to say nothing of the milling gloves, and the nine-pin-alley balls. Of course the cases fell through, or went by default, clients fell off, and Captain Henry Underwood, Esq., fell back more frequently than ever, upon what he considered his military chest, his father's strong box.

But, as we said before, the biggest pond, continually lowered without refilling, will run out. The Deacon at last found himself left with but a few hundreds of ready cash in the world; and this, one day, he placed in Henry's hands, saying, "Now Henry, you've got it all—it's the prodigal son's portion, the least and the last. I've told you afore, 'not a cent more do you get,' but while there was anything to take, you've sucked it out of me. Now you've got the whole biling, you needn't come back to the kettle again."

"But, my dear father——"

"Dear your granny—don't try that wheedle, for it's no manner of use, now I tell you."

"You musn't misunderstand me. I don't want to leave you destitute. Surely this farm——"

"Oh, it ain't mortgaged yet; and while I live I don't mean it shall be; and when I die, it depends upon yourself whether you get any of it to raise money on or not. You don't get the whole, any how—just remember that; and two bites to a cherry is quite a small division. You've got your destiny and now I reckon you'll have to try whether you are to be a shiftless lout as long as you live or not!"

Henry saw that his father had told him the truth; and with many protestations of regret, and promises of amendment he departed. His jig was up in that corner of the world, and hence it happened that Jonce and the reader have the pleasure of meeting him at Berrysville. Let us return to Hardscrabble, and to the very time when Henry received his last donation, as above related.

Peltiah Perkins's son John had now grown quite a man in his way. He could cut as big a swathe with his scythe, and drop and cover as many potatoes as any man in the township; and what perhaps contributed as much to his own good opinion of himself as all the rest put together, he could take his morning dram, his eleven-o'clock and his four-o'clock, with a punctuality unexceeded. He was about to enter the Deacon's bar-room to perform one branch of this duty, when he overheard, through an open window, the conversation between farther and son, which we have given. As he stirred up his Santy Croooce, as he called it, he thought to himself, "two bites to a cherry—not a bad nor a blighted one nyther. Wonder if I cant get my teeth in on one side, somehow. Margaret is not bad looking." At that instant she passed, and smiled in astonishment at what Peltiah's hopeful son intended for an affectionate leer, he, of course, mistaking her look for a glance of love reciprocatory. "She looks as if she'd have me—but then again she might not—there's no knowing." And he said aloud, "A leetle drop of Stoughton's bitters in here, Deacon, if you please."

The glass tossed off, Peltiah's son went to meet Peltiah the father. On his way out he met Margaret, and honored her with another look, in addition to which he hazarded the remark, that it was fine "growing weather." "To grown fools!" Margaret was tempted to add, but forbore. The girl had been attacked with attentions by every young man in town, Peltiah excepted, and she perceived from experience in such matters that he was about to try his turn, but what led him to it, she could not imagine, just then. She had uniformly rejected all—not that she was romantic enough to suppose that she was keeping a true heart for Jonce, and that he on his part was preserving a heart to match, for her. She had outgrown such childish nonsense; but although she did not perhaps know it, his ideal did fill her thoughts when she least fancied it, that is the abstract ideal of such a man as Jonce would be likely to make—for her practical memory of him was a boy whom everybody abused, while she, when a child, loved and defended him.

Many days and many weeks indeed passed, during which Peltiah and his son John held frequent conversations on the subject of John's projected attachment. They satisfied themselves of the pecuniary advantages of the scheme, could it but be consummated, and the only study was, how to commence the attack, and whether to make the first demonstration on the Deacon's blind side, or that of his ward Margaret. An accident at length decided the plan of a campaign which had puzzled the two tacticians so severely. Meanwhile John kept up his ogling at Margaret, and his sententious passing remarks, till he brought her fully to the opinion that he was exactly the most disagreeable brute she had ever encountered.

There came to Hardscrabble, in a Boston paper, in the shape of "Extract of a Letter from the West," an account of the frustrated speculation recorded in the preceding chapter. The writer professed to be neutral, while, in fact, he was one of the very speculators foiled by the sturdy squatters. The thing was said to be done under the direction of two desperate men, named Jonathan Smiley, and —— Berry; and the length to which Lynch law was carried were represented to be equal to the length of two ropes, one round the purchaser's neck, the other encircling the carotid of the land officer, accompanied with a threat to run both up, if the sale was not cancelled. The letter ended with an emphatic query, "can our government permit such things?" The reader very well understands that no "such thing" occurred; and as to what did then, and does still happen, the only remedy the government has, is to defend by law the claims which the pioneers of the forest otherwise defend without.

The Deacon's faith in Jonce was considerably shaken by this highly-wrought story; till he consulted Margaret, and she said she should believe nothing until she heard the other side—Captain Underwood's name being, by the way, unmentioned in the letter—rather a sign that he did know who wrote it, or that he did not! But Peltiah Perkins and his son John fattened each an inch on the ribs at the narrative, and the wisdom of father and son decided that here was the very introduction, so long desired, to the siege of Deacon Underwood's Margaret, by Peltiah Perkins's son John.

Accordingly, that very evening, after family prayers at the Deacon's, Margaret was struck aghast by John's apparition. His hair laboriously waxed down, his boots well greased, his Sunday-go-to-meeting-coat on, of a week-day evening, all were signs indubitable of the purpose of his visit. Margaret certainly felt no palpitation of the heart thereat, but she did feel a palpitation of the fingers, for she longed most earnestly to box his ears. The Deacon, a malicious old rogue, sure that he should leave his friend Peltiah's hopeful in good hands, retired that night a full half hour earlier than his wont.

Margaret's blood boiled with indignation while John recapitulated, aggravated, and paraphrased the story of the day. Her thoughts ran back to the time at which Jonce left Hardscrabble years before, and the mean-spirited lie told by this same John on that occasion. She recollected too, how his father, at the occasional good reports which came from Jonce his absence, had striven to contradict and annul them; and while she could not trust her tongue to defend Jonce, had she cared for John's good opinion, she longed to have him open the preliminaries of his business that she might bring his stay and his hopes to a speedy period. But the crafty suitor had no intention to give her that opportunity.

There came, at last, a pause in the conversation, or, rather, in John's malicious volubility, for Margaret had said nothing. She waited till out of all patience for him to say the word—but he wouldn't. "Beautiful roses, them out there," at last he remarked.

"Beautiful," said Margaret. "Why can't you go out and get me one, Mr. Perkins?"

"Now, how kind-a-cold that Mister is," said the lover. "Say John, and I will."

"Do then, John, that's a good fellow!"

The delighted John went out at three bounds, fully determined to venture on a kiss as he presented the flower. He gathered a handful, and snatched a blushing peony by the way, but if he found no thorns on the bush, he found one at the door. It was shut, and fastened, and he on the wrong side, and without his hat. He heard Mag laugh at the open window.

"Now, come, there I say," he said, advancing toward her "this is upwards of considerable too darned bad."

She chucked his hat in his face, and closed the window. A moment after, he saw her light in her chamber. He picked up a stone, but recollecting that there was no Jonce in town to lay the broken glass to, contented himself with accidentally breaking down Margaret's pet Burgundy rose bush with his clumsy heel, and went home with the strings of the bag to hold, and two fleas in each ear.

CHAPTER IX.

It is sometimes the case that political machinery once cleverly set a going does more than the movers desire. So fared it in relation to the case of the settlement which we have denominated Berrysville. The knot of speculators, who had decided that Berrysville was to be the place in the county, had procured by "log-rolling" legislative lobby action thereupon, the foundation of the future county-seat, and they had even mapped, lithographed, "located" and "lotted" the important embryo cities upon the banks of the Big Muddy. The papers in the Atlantic cities, editorially and by correspondents, accidentally stumbling upon the Big Muddy, had elevated the region into a perfect elysium, the tract of all tracts in the whole western country. Even the western papers had some of them played upon the same tune, thereunto moved by the wire-pullers, until all the world began very naturally to wonder why this modern Eden was not settled by somebody. Nobody suspected, except those in the secret, that nearly all the requisite preparations had been made to throw the land into the market. We say nearly all, because the little item of purchasing the tract was not quite completed when those in the East who thought they owned the ground were "quite ready" to sell. The reader who has had patience to follow us thus far may imagine what kind of a change came over the spirit of their dream, when the news of the discomfiture of their agent greeted their astonished senses.

In the first place they voted Capt. Henry Underwood, Esq., an inefficient and clumsy business man. That perhaps was quite true enough, but in this particular case he was certainly not to blame, though he felt quite as much mortification as they felt disappointment. Perhaps he felt rather more. The speculators in the next place resolved that Berrysville, or Berry's Squat should not be the county seat; that it was a barren spot, or where it was not barren that its sole products were fever and ague; and altering a name or two on their lithographs, they determined to elevate another district of country, and operate upon that, leaving our hero's location in its primitive obscurity and worthlessness. And all services in the premises from Henry Underwood they most peremptorily and contumeliously declined, notwithstanding that he was upon the spot, and ready to serve. Another and a shrewder agent was sent out, but what he did, as it fell on another tract, it is unnecessary for us to particularize, further than it will incidentally appear in the course of the story.

Pending these events, Henry Underwood remained at Berrysville, the guest, he said, of Mr. Berry, though he was in fact tolerated only as the guest of Jonathan Smiley. His pride, however, would not permit him to acknowledge Jonce at all in that relation, and he worked very hard to obtain a recognition of himself, in the emigrant's family, as Berry's equal and Jonce's superior. In this, however, he could not make much headway, as Berry, now old, looked up (credit it not in Hardscrabble!) to Jonce Smiley, the football of his native town. Jonce was indeed the reigning monarch, and much to our military legal friend's discomfort did this fact force itself upon his perceptions. And further, he made the disagreeable discovery that he was not at all appreciated by Berry and his few neighbors—that his advice was never asked, and given unasked, was not listened to, much less heeded; that his society was never sought, and that, intruded unsought, it met with no more eager reception than his advice. Great cities they say "take the nonsense out of a man." Great forests are no less efficacious as vanity extractors; and Captain Henry Underwood, of the Bungtown Jefferson Guards, and of the Eastern Bar, Esq., was, in the more Jeffersonian western woods, not only tacitly voted as "of no account," but pretty distinctly made to feel "just that way."

One day, Jonathan Smiley, in the goodness of his heart, said to Underwood,—"Tell'ye what, Henry—I'm sorry you were so powerfully disappointed about this land. Here's what I'll do—say you want it, and Berry and I'll squeeze out enough for you any how."

"Mr. Smiley," said the other, "you have formed an exceedingly wild overestimate of this country. I can't buy—it is not worth my while—but I am quite obliged, nevertheless. I shall leave you in a short time, and might be ready to help you to a much better bargain, if you had not chosen to embark all you are worth in this ineligible district."

"Es-hem," thought Jonce — "sour grapes, I do allow." But he said nothing. It however so happened that in a very few days, Jonce and Berry were astonished at Underwood's not only claiming the offer he had once rejected, but showing an earnest desire for much more land, than, under any circumstances, they would have been willing to give him. The matter was taken under advisement; and the answer returned was a sufficient lesson to Underwood, that there is a tide in land purchases, as well as in other affairs of men. He was compelled to take one-half of what he might have had in the first instance, and that also, upon terms not quite as good. Jonce had had, in early youth, thistles enough to chew to cut his eye teeth, and Captain Henry Underwood took the land upon the terms proposed to him. Forthwith the ready assistance of the men in the settlement erected him a cabin—and now happened the establishment of the first lawyer in Berrysville.

[To be continued.]

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