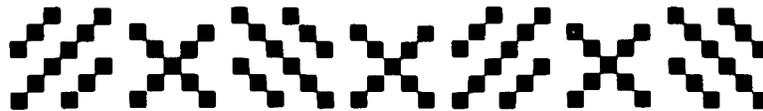


Indiana and the Swamp Lands Act: A Study in State Administration

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The history of the public domain in the United States has been marked by a struggle for control between state and federal governments. The ambiguities inherent in the division of sovereignty between the two levels of government created the preconditions for conflict over ultimate administrative authority regarding public land. An examination of one episode in this continuing squabble, Indiana's fulfillment of the provisions of the congressional enactment of 1850 which granted to the states jurisdiction over swamp lands within their boundaries, highlights some of the complexities implicit in this problem.

The swamp lands of greatest interest in Indiana were those in the flat, marshy northwestern corner of the state, parts of which were often flooded by the meandering Kankakee River. Until the mid-1840s this region had been shunned by immigrants.¹ To government surveyor Jeremiah Smith the area encompassing Jasper, Newton, Fulton, Pulaski, St. Joseph, and Porter counties was "rather uninviting to the capitalist and land speculator."² The prominent Protestant minister, Henry Ward Beecher, thought the area resembled the Pontine marshes.³

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¹ The population statistics from some of the swamp land counties in 1850 indicated the sparseness of settlement: Jasper (and Newton), 3,540; Fulton, 5,982; Pulaski, 2,595; St. Joseph, 10,954; Porter, 5,234. U.S., *Seventh Census, 1850* (Washington, 1852), 755-56.

² "Indiana, Surveyors' Notes," Surveyor-General of the North and West, Record 9, p. 263, Record Group 49 (National Archives, Washington, D.C.).

³ Richard L. Power, *Planting Corn Belt Culture (Indiana Historical Society Publications, Vol. XVIII, No. 1; Indianapolis, 1953), 65-66.*

In contrast to these pessimistic assessments, Solon Robinson, the noted agricultural editor, believed that much of the swamp timber was valuable and that the area contained some tracts that could be cultivated.⁴ Surveyor Smith confirmed the opinion that selective farming and grazing could furnish an adequate income for squatters. Noting that cattle could forage on the lush plant life, Smith pointed out that "south of the Yellow River, there is as rich a pasturage as is to be found anywhere. The grass is thickly set and looks like an oat field before it heads. In it a few Indian ponies are keeping fat in nature's choicest luxuries."⁵ The removal of the excess water, however, was a prerequisite for profitable farming in the region. Without a drainage system the area would remain "a most dreadful swamp."⁶ Nevertheless, the *Indiana Farmer and Gardener* editorially predicted in 1845 that prospects for any such ambitious project appeared bleak:

We do not suppose that the time has come in Indiana for the general introduction of a system of Draining, although there is not, perhaps, another State where so much first rate land might be redeemed by it. Before many years there will be thousands of acres pierced with drains. But the inducements to it which make it wise in England and New England do not yet generally, exist in Indiana . . . Many farmers have already more arable land than they can till to advantage. Land redeemed from a slough would not pay for itself in many years.⁷

Following the splurge in land speculation during the 1830s, the opportunity of acquiring the remaining portions of the public domain at reduced costs rekindled interest in swamp lands. Recognizing this interest, the federal commissioner of the General Land Office, James Shields, in his 1845 report proposed the transfer of unsaleable lands to the states. Shields predicted: "It will be the policy of the States, in some instances, even to give bounties to settlers to drain swamps and marshes and reclaim barren wastes, in order to render the lands salubrious and capable of contributing to the support of local government."⁸

In 1849 Congress enacted a statute which granted Louisiana all the swamp and overflow land located within its

⁴ Herbert H. Keller, ed., *Solon Robinson: Pioneer and Agriculturalist* (2 vols., *Indiana Historical Collections*, Vols. XXI, XXII; Indianapolis, 1936), I, 59-61.

⁵ "Indiana, Surveyors' Notes," Record 9, pp. 262-63, Record Group 49.

⁶ *Ibid.*, Record 10, pp. 235-37.

⁷ "Draining Wet Lands," *Indiana Farmer and Gardener*, I (February 8, 1845), 24.

⁸ U.S., *Senate Document No. 16*, 29 Cong., 1 Sess. (U.S. Serial Set 472), 12.

borders in order to aid the state's extensive reclamation effort in flood control.⁹ A year later, in legislation generally known as the Swamp Lands Act, the federal government extended the purview of the Louisiana measure to include all states with public lands.¹⁰

In the process of transferring the swamp lands to the states, federal land office registers were expected to abstract evidence from surveyors' notes, taken during the initial government surveys, pertaining to the condition of the land. The states, however, were allowed the option of employing their own personnel if they objected to the registers' classification as to which lands were swampy.¹¹ In accordance with federal directions the state auditors were to submit a list of townships encompassed by the act that might have been omitted from the federal lists.¹² Once the designations were forwarded to the General Land Office in Washington, comparisons revealed discrepancies. Acting upon information received from the land office registers at Winamac and Vincennes, for example, Leander Chapman, surveyor-general of Michigan and Indiana, rejected the state lists from Knox and Benton counties as erroneous.¹³ The classification of other acreage throughout the state as swamp lands also remained in question for a number of years.

By 1854 the federal government had approved the designation of 9,811,682 acres as "wet" lands eligible for cession to Indiana but had rejected an additional 283,315 acres sought by the state.¹⁴ Acting on information supplied by the state auditor, John P. Dunn, Governor Joseph A. Wright in 1853 had requested that Indiana be compensated by the federal government for any swamp land that had already passed into private hands.¹⁵ In reply Commissioner John Wilson had expressed his concern for "speedy and satisfactory" adjustment of these "perplexing claims" but had admitted that new con-

⁹ *United States Statutes at Large*, IX, 352-53.

¹⁰ *Ibid.*, 519-20.

¹¹ Benjamin H. Hibbard, *A History of the Public Land Policies* (New York, 1939), 273.

¹² John Wilson to Registers and Receivers, April 3, 1853, Swamp Lands Correspondence, Box III, Record Group 49.

¹³ Leander Chapman to John Wilson, February 2, 1853, *ibid.*

¹⁴ William R. Nofsinger to Joseph A. Wright, February 26, 1853, Joseph A. Wright Papers (Archives Division, Indiana State Library, Indianapolis).

¹⁵ Joseph A. Wright to John Wilson, April 15, June 6, 1853, *ibid.*

gressional legislation would be necessary to accommodate the state's demand.¹⁶

Postponement of the final settlement of swamp lands selections soon resulted in additional complications which involved the influx of settlers into the disputed areas. Entry-men often filed claims on federal lands in the proposed swamp lands grant area oblivious to the threat of state ownership. Unfortunately for them, the courts had already ruled that the congressional statute ceding the lands to the states meant "a plain recognition of the prior right of the state within her limits"; therefore, if challenged, the settlers who entered land might have their titles declared invalid. Since the "swamp lands act operated as a present grant to the subsequent determination of the true nature of the terrain," the state's legal position was extraordinarily strong. As long as Indiana held "an inchoate title," only evidence of fraud could prevent transfer of ownership.¹⁷

At first the Hoosier legislature sought to remove this source of discontent by declaring valid all patents that had been filed prior to the passage of an act in 1852 regulating the sale of swamp lands in the state. After 1852 settlers living on lands designated as swamp lands would presumably be adjudged trespassers, and their only recourse would be to importune the General Land Office to reject the state designation.¹⁸ If the government accepted the settler's petition as worthy of consideration, a hearing would take place at one of the local land offices after claimants had been given six months to gather evidence. In the presence of the register and receiver, the two federally appointed local land officials, the petitioner had to attest to the fact that at least half the forty acre tract was "under cultivation without artificial drainage or embankment" and that it was "free from either regular or periodic overflows at planting, growing, or harvesting season." To bolster his case the claimant had to furnish

¹⁶ John Wilson to Joseph A. Wright, June 20, 1853, Swamp Lands Correspondence, Box III, Record Group 49.

¹⁷ U.S., *Opinions of the Attorney General*, IX (Washington, 1904), 467.

¹⁸ Indiana, *Revised Statutes* (1852), I, 478-79, 477. See also Indiana, *Documentary Journal* (1854-1855), 63. This provision was later extended to include all persons who had purchased land from the federal government between September 28, 1850, the date of passage of the Swamp Lands Act, and the date when such lands were approved as swamp lands, regardless of when this occurred. *Indiana Laws* (1855-1857), 207.

a witness who "had examined the line of said lands and the marks on corners . . . and knows the greater part of the forty acre tract to be dry and fit for cultivation."¹⁹

The delays implicit in the implementation of this procedure created considerable uncertainty as to the validity of titles. The rejection of state land selections lists and litigation concerning their veracity discouraged large scale utilization of the disputed area. The Fort Wayne *Sentinel* expressed the sentiment of many Hoosiers when it editorially complained: "We should like to be informed what reasons were there that these lands are so long withheld from sale . . . individuals are anxious to buy and settle on them; the settlement and improvement of the state has been retarded by the unaccountable delay in bringing them to market."²⁰

In an attempt to resolve this conflict, Congress in 1855 promised to reimburse the states for any tracts that were taken up by private purchase and subsequently ratified for transfer to the states under the provisions of the Swamp Lands Act. In cases in which the purchaser had paid with scrip rather than cash to secure his entry, the state was authorized to select an alternate tract from the unalienated portion of the public domain within its borders.²¹ Under the provisions of this act Indiana ultimately received \$39,080 and 4,880 acres to satisfy outstanding claims.²²

Finally, in 1857, Congress moved to quiet the entire controversy by granting blanket approval to all selections of swamp and overflow lands.²³ Outraged, Thomas A. Hendricks, a Hoosier who was appointed General Land Office commissioner in 1857, insisted that many claims were not within "the whole spirit of the original grant." Concomitant with this limitation upon the General Land Office's authority to determine which lands were swamp lands, instructions were sent to local officials telling them to discontinue investigations into "wet lands" designations.²⁴ Since the state could now receive reimbursement for any settled land which it claimed

¹⁹ Commissioner of the General Land Office to Registers and Receivers at Indianapolis, June 12, 1860, Swamp Lands Correspondence, Box IV, Record Group 49.

²⁰ Fort Wayne *Sentinel*, April 15, 1854.

²¹ *United States Statutes at Large*, X, 634.

²² Hibbard, *History of the Public Land Policies*, 276.

²³ *United States Statutes at Large*, XI, 291.

²⁴ Thomas Hendricks to Registers and Receivers, May 21, 1857, Swamp Lands Correspondence, Box IX, Record Group 49.

as swamp land, most of Indiana's complaints were satisfied.

Although the final approval of all tracts did not occur until 1857, Indiana had moved at once in 1851 to comply with the provisions of the Swamp Lands Act in order to take advantage of any revenue that might derive from sale of the lands granted by the federal government. Upon receipt of the news of the congressional donation, the Indiana General Assembly had pledged any future monies received from land sales for payment of the public debt.²⁵ This disposition of funds reflected the lingering effect of the state's disastrous experience with the deficit financing of canals during the previous decade. However, allocation of the funds obtained from the sale of wet lands were changed in the new state constitution which went into effect in September, 1851. Under Article VIII, Section 2, dealing with financial support of the educational system, the delegates pledged that "the proceeds of the sale of the swamp lands . . . after deducting the expenses of selecting and drainage of the same," should be given to the Common School Fund.²⁶

From 1851 to 1852 the legislature set about creating an administrative procedure to expedite the handling of the swamp lands donation. Each county was to employ a surveyor charged with selecting the tracts which qualified under the act. The surveyors were to forward their lists of designated tracts to the state auditor for validation. After verification of the lands selected as swamp lands by state and federal officials, sales would commence.²⁷ The state auditor was responsible for ensuring the preparation of maps and plats indicating the location of all swamp lands within each county. After notice of the impending sale had been publicly posted, the county auditor would hold a public auction at the courthouse.²⁸

The legislature passed stringent requirements as to the issuance of titles. The patent would be nonassignable, and a duplicate of the sales receipt would be sent to the state capital to serve as the basis for final papers. The governor and the secretary of state would sign each title. Sales were made

²⁵ Indiana, *General Laws* (1850-1851), 110-14.

²⁶ Charles Kettleborough, *Constitution Making in Indiana* (3 vols., *Indiana Historical Collections*, Vols. I, II, XVII; Indianapolis, 1916, 1930), I, 347.

²⁷ Indiana, *General Laws* (1850-1851), 110-13.

²⁸ Indiana, *Revised Statutes* (1852), I, 471-72.

with the understanding that Indiana would drain the land at some future date.²⁹

To deal with the problem of reclamation the governor was to appoint a swamp lands commissioner for each county. After consultation with a "practical engineer," the commissioner could accept bids, then proceed with the execution of the drainage work at the lowest possible cost.³⁰ Through such a process it was hoped that a "desolate waste" would be transformed into a "habitat for industrious, healthy and happy people."³¹ Unfortunately, the procedure envisioned by the state proved to be unrealistic, and the shortage of skilled individuals meant a reliance on either inept or unscrupulous men. For example, Albert Davis, who functioned as an engineer, confessed at a subsequent investigation that he had neither the experience nor the abilities to serve in such a capacity but only carried chains, drove stakes, and "occasionally held the rod."³²

In addition to formulating guidelines for implementing the Swamp Lands Act, the legislature also established restrictions on allocations of the expected revenues. As indicated, after payment of expenses incurred in selecting land, the furnishing of money to pay for costs of auctions, and outlays to commissioners and laborers involved in reclamation, the remaining revenue was to become part of the Common School Fund. In consideration of the wide disparity of wet lands existing in each county, a separate account for each county was maintained in Indianapolis.³³ Expectations were that ultimately the northern portion of Indiana would be worth five dollars an acre and support at least sixty thousand people.³⁴

By 1853 auctions were being held at courthouses in counties included in the ceded tracts. Although the paper work became snarled, the initial revenues were sufficiently large to encourage Hoosier officials.³⁵ To spur investment the General Assembly demonstrated its resolve to complete its

²⁹ *Ibid.*, 472-73.

³⁰ *Ibid.*, 474-75.

³¹ Indiana, *Senate Journal* (1853), 615.

³² Indiana, *Documentary Journal* (1863), II, Part 2, pp. 1292, 1322-23.

³³ Indiana, *Revised Statutes* (1852), I, 471-77.

³⁴ Indiana, *Senate Journal* (1853), 615.

³⁵ Indiana, *Documentary Journal* (1854-1855), 53-57.

program of reclamation by authorizing payment of contractors and engineers who had done ditching and draining work whether or not the county swamp land commissioners who had hired them were legally qualified under the law.³⁶

The awarding of contracts attracted considerable comment. The Indianapolis *Indiana Journal* accused the commissioners of favoritism:

Yesterday was the day fixed for the letting of contracts for draining lands in Jasper County. I am informed that there were over one hundred bidders present and more than 180 bids tendered. This looks like there was fair competition and that the work would be let on fair prices. Not so, however. The contract was let on private terms to Austin Puett, the father-in-law of the Swamp Lands Commissioner [Albert] Davis. Puett is the brother-in-law of [Governor] Joseph Wright, and of course, his pious excellency will never know that the school fund is swindled by this transaction out of more than \$10,000. . . . An attempt was made this morning to satisfy some of the principal bidders by offering the subcontracts under Puett at "fair prices."³⁷

The Fort Wayne *Sentinel* voiced a similar complaint that the lowest offers were not chosen.³⁸ The later misadventures of many contractors did indeed indicate their lack of skill or even familiarity with reclamation techniques.

By late 1854 nearly six hundred thousand dollars had been turned in to the state treasury from county sales.³⁹ Believing that receipts would amply repay the cost of projects, the county swamp lands commissioners let out additional contracts. Unknown to the county officers, however, the legislature had expended some of the funds which would be needed to pay contractors for other agencies such as Indiana's benevolent institutions. Moreover, the payment of fees further reduced the amount available to cover the rapidly expanding state liabilities.⁴⁰

By the spring of 1855 it became apparent that the optimistic appraisals of Indiana's ability to finance the proposed drainage projects were incorrect. In view of this knowledge Governor Wright and State Treasurer William R. Nofsinger notified the county authorities that no additional contracts were to be granted until funds were available in the state

³⁶ Indiana, *Laws* (1855), 206.

³⁷ Indianapolis *Indiana Journal*, May 5, 1854.

³⁸ Fort Wayne *Sentinel*, May 21, 1854.

³⁹ Indiana, *Documentary Journal* (1854-1855), 57, 262-63.

⁴⁰ *Ibid.* (1855), 303.

treasury to pay for them.⁴¹ Prospective purchasers of swamp lands apparently felt that this circular was a preliminary to repudiation on the part of the state. The decline in revenue precipitated by the resultant drop in sales necessitated even more drastic action by the governor. Realizing that receipts were insufficient for financing the work, the governor suggested the expedient of trading work performed for land. Wright believed it was essential for the state to demonstrate its good faith. As he informed the swamp lands commissioners, "Many persons have invested money in Swamp Lands under the confident expectation that the work of draining and improvement would be carried on vigorously and promptly, justice to them, and the faith of the State, require that work should be prosecuted by all the means within the reach of the State."⁴²

Although Governor Wright remained confident that continued revenue would cover the expenditures, the new plan had already opened up a Pandora's box that would continue to plague the program. The decision to "trade lands for ditching" was to become the basis for financing the drainage projects. "Advance certificates" worth 75 percent of the contractor's outlays were to be used either to purchase tracts or were to be sold to procure funds to pay workers.⁴³ This scrip often passed into the hands of speculators who utilized it to purchase large tracts. In addition, by 1855 Indiana's financial administration of the swamp lands program had become unglued. The central accounting of receipts strained the limited resources of the bookkeeping staff at the capital; therefore, the General Assembly had decided to allow the individual counties to keep the records.⁴⁴ This measure, designed to alleviate the burden of paper work, opened the floodgates of possible corruption even wider. By the fall of 1857 the entire program tottered on the verge of collapse. The state auditor, John Dodd, accused the swamp lands commissioners of allowing the tracts to fall into the hands of speculators who had no intention of fulfilling the terms of the agreement. He suggested that each contract should contain a provision rendering it void if the work was not satisfactorily completed within a reasonable time or by a specified date.⁴⁵

⁴¹ *Ibid.*, 303-304.

⁴² *Ibid.*, 305.

⁴³ *Indiana, Laws* (1857), 113-15.

⁴⁴ *Ibid.* (1855), 204-205.

⁴⁵ *Indiana, Documentary Journal* (1855), 303.

The press attacked many land purchasers. In Newton County, Michael G. Bright, the brother of United States Senator Jesse D. Bright, had acquired a huge amount of land. Implying illegal collusion, one newspaper commented: "This gentleman now owns all the lands surrounding Beaver Lake, which covers 17,000 acres. This land will be drained and Mr. Bright will become owner of lands now submerged."⁴⁶ Both Southey Timmons, who had four thousand acres, and Solomon Slinger, who bought 1,720 acres in White County, were labeled "speculators."⁴⁷ A senate investigating committee accused Ashbel P. Willard, who had become governor in 1856, of having appointed a defaulting county treasurer to the position of a swamp lands commissioner.⁴⁸

In 1859 the Indiana Senate selected a special investigatory committee to examine all phases of the program. The subsequent probe unearthed numerous examples of ineptness and criminality, both on the part of county officials and of state officers. Its report castigated the swamp lands commissioners in general as dishonest and inefficient and labeled their efforts as at least dilatory, at worst fraudulent. The governor's appointments of commissioners and other officials were "in many instances . . . singularly unfortunate" as the men possessed "neither qualifications nor honesty of such a character as to fit them for their responsibilities." The examination unearthed unlawful and wasteful practices honeycombing the entire administrative structure. Since most of the laws relative to the swamp lands were "radically defective," the committee recommended their immediate revision.⁴⁹

In 1861 the General Assembly created a new committee to continue the inquiry. On the basis of "good and reliable information," the Republican Senate believed that "only a portion of the work [of draining swamp lands] has been performed, and in a majority of cases a spade has never broken the sod." The fund, they felt, had been "plundered by the very men who had sworn to protect it."⁵⁰ The committee interrogated individuals involved in the drainage programs and

⁴⁶ Indianapolis *Indiana Journal*, September 20, 1857.

⁴⁷ Wabash *Express*, quoted in Fort Wayne *Sentinel*, December 17, 1857.

⁴⁸ Indiana, *Senate Journal* (1859), 1035-36.

⁴⁹ *Ibid.*, 1030-38. Quotations are from pp. 1036, 1037.

⁵⁰ *Ibid.* (1861), 805-806. See also Indiana, *House Journal* (1861), 705-706.

concluded that only about 10 percent of the contracted projects were completed. In Jasper County, the site of the worst scandal, Indiana might have lost as much as \$118,000, and quite probably more. In Starke County, Charles Tibbits, the swamp lands commissioner, had, by 1861, assets of between fifty and eighty thousand dollars, much of which was apparently acquired as a result of manipulation of the swamp lands fund.⁵¹ In its report to the General Assembly the committee concluded:

The different laws in relation to the expenditures of the swamp lands are . . . imperfect, giving opportunities for dishonest men to prey with impunity . . . It seems that . . . the opportunity to speculate was early discovered by several prominent men and large combinations formed to secure that objective . . . and where a swamp lands commissioner refused to be an instrument in their hands to carry out their means, they were potent in affecting his removal and in securing the appointment of one who would act in accordance with their wishes. The deplorable lack of control . . . has permitted situations in which the estimates were constantly raised in order to maximize profits.⁵²

Many of the contracts outstanding reflected poorly on the caliber of the appointees of the Democratic administration. A county clerk in White County wrote to Governor Willard about one contractor: "I was informed by reliable men that the Democratic candidate for clerk last year lost a large vote in Riley's [the contractor's] neighborhood for the simple reason that Riley was his friend and was seen riding with him . . . Pay him out of the swamp lands fund to leave the county or we will lose the whole floating vote . . . and many regular Democrats."⁵³ A Daviess County official also expressed his anger over the progress on the drainage projects in his locality. In a letter to the governor he wrote: "Good engineers have told me that much of the money expended might as well have been thrown away . . . the ditches were the same depth from the surface uphill, downhill and level ground . . . When he laid out a ditch two miles long to the Prairie creek . . . his level was four inches higher than when he started."⁵⁴

⁵¹ Indiana, *Documentary Journal* (1863), II, Part 2, pp. 1272-74, 1283-86. For the complete report on the 1861 investigation see *ibid.*, 1266-1326.

⁵² *Ibid.*, 1271.

⁵³ John Backus to Ashbel P. Willard, June 15, 1858, Swamp Lands Correspondence, Box I (Archives Division, Indiana State Library).

⁵⁴ Samuel Clark to Ashbel P. Willard, December 11, 1858, *ibid.*

The difficulties with the execution of the grant did not end with the uncovering of the mismanagement of reserves. In 1864 state auditor Arthur Ristine reported that as a result of poor bookkeeping many titles were subject to court contests. His investigations revealed that the records "exhibited much carelessness, omissions, and irregularities."⁵⁵ The litigation continued. In 1875 State Auditor Edward Henderson also pointed out that patents were constantly "being called into question and jeopardizing the interests of innocent persons who are in possession of valuable improved farms which they bought and paid for in good faith, believing that their titles [were] legal and correct."⁵⁶ As late as 1916 hundreds of patents were still in dispute.⁵⁷

In toto, the state selected 1,354,732 acres of swamp lands of which 1,264,833 were granted and 1,257,588 sold. Indiana received an average price of \$1.29 (including devaluated scrip) per acre, totaling \$1,759,752; however, the \$1,674,932 spent on drainage programs and administrative expenses left only \$496,834 for the Common School Fund. Sixteen counties had overspent their credit derived from the revenues.⁵⁸

Many of the choicest locations in northern Indiana were acquired with the assistance of swamp lands scrip. George Clark, a civil engineer from Chicago who specialized in locating sites for possible railroad rights of way, purchased 11,531 acres of swamp lands from the state. This land, in addition to other acres purchased at private and tax sales, today covers the sites of Whiting, East Chicago, and portions of Hammond and Gary. Hoosier speculators such as James Barnett of Fort Wayne and Calvin Fletcher of Indianapolis entered scattered tracts near their other holdings. Ernst W. Hohman bought more than four hundred acres, upon which the city of Hammond was later platted.⁵⁹

Although most of the swamp land passed into private hands by 1860, permanent residents were found in those areas

⁵⁵ Indiana, *Documentary Journal* (1864-1865), Part I, 424.

⁵⁶ *Ibid.* (1875), 46.

⁵⁷ George Pence, "The Swamp Lands Fund Board of Accounts," unpublished manuscript, pp. 6-7 (Archives Division, Indiana State Library).

⁵⁸ William Dehanity, *Report of an Examination of the Swamp Lands Fund* (Indianapolis, 1912), 1.

⁵⁹ Powell Moore, *The Calumet Region: Indiana's Last Frontier* (*Indiana Historical Collections*, Vol. XXXIX; Indianapolis, 1954), 94-95, 142-43.

that suffered floods only during the spring. In many counties wet lands were not farmed until after the Civil War. Not until the establishment of private drainage enterprises such as the Lake County Association in 1865 and the Calumet Valley Drainage Company in 1868 were effective steps at reclamation undertaken.⁶⁰

Indiana's difficulties in administrating an efficient drainage program had retarded the agricultural utilization of its wet lands. Like so many of the congressional enactments dealing with the disposal of the public domain, little consideration was given to the realities of frontier life. Grandiose plans for rapid transformation of the barren wilderness were foiled by the lack of expertise needed to complete such a project. Such failures were to become the hallmarks of state administration in the nineteenth century.

⁶⁰ Alice Demon *et al.*, eds., *History of Lake County* (Gary, Ind., 1934), 68.