Early Elkhart County History

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The first white man who ever saw Elkhart County and afterward became a resident of the county was Colonel John Jackson. In 1812 Colonel Jackson was sent from Fort Wayne with a detachment of Governor Meigs’ troops, to pursue the Indians, who had been committing depredations upon the frontier settlements of northern Indiana. The troops came as far as Elkhart prairie and on the south side of the prairie they found the village of Aubenaubee, from which the Indians had fled upon the approach of the soldiers. The village was destroyed, together with about seventy acres of corn. This village was located upon land which afterward became the Mark B. Thompson farm; from him it passed into the hands of his son, the Honorable John E. Thompson, who lived there until he died in 1915. The land now is owned and occupied by Edward Schlueter.

After destroying the village, Colonel Jackson camped a half mile east of its site. When he arose on the following morning and saw the sun shining over the prairie he thought it was the most beautiful landscape he had ever seen, and he resolved that he would sometime make that place his home. After satisfying himself that he had sufficiently terrified the Indians to prevent further depredations on their part, he returned to Fort Wayne and rejoined that portion of the army which was still there. After the War of 1812 was over he returned to his home in Ross County, Ohio, where he remained fifteen years longer.

During the years 1822-24, the Reverend Isaac McCoy, a Baptist missionary, and his wife, Christiana McCoy, passed through this country several times, traveling from Fort Wayne
to the Carey mission, not far from the present city of Niles. Their route was the old Indian trail which ran in a northwesterly direction from the southeast corner of the county to the northwest corner. The Reverend Mr. McCoy in his History of Baptist Missions mentions one of his trips from Fort Wayne to the mission, which took six weeks. On one of his journeys he discovered Christiana Creek, which he named in honor of his wife.

In 1828 Colonel Jackson learned that the land of northern Indiana had been acquired from the Indians and had been thrown open to settlement. He again visited this section, going as far as the Carey mission, and returned to the prairie and to the spot which sixteen years before he had selected for his home. He returned to Ohio and in the spring of 1829 he came a third time, this time prepared to put out a spring crop. When he reached the spot which he had chosen for himself, he found that Elias Riggs and his son-in-law, William Simpson, had taken possession and built a cabin. The Colonel was greatly disappointed and thought he would be compelled to locate somewhere else. Finally arrangements were made whereby Riggs and Simpson gave up their claim and moved a mile or so northeast, Colonel Jackson paying them $50. It might be added here that Elias Simpson, a son of William Simpson, was the first white child born in Elkhart County. He died at the age of seven years.

Colonel Jackson at once took an active interest in every movement for the welfare of the community. The first school concerning which there is any positive information, was held in his abandoned cabin. He secured the location of the first post-office in the county; the settlers having been compelled for a time to go to Fort Wayne, over fifty miles distant, for their mail. He was one of the county's first justices of the peace and served as a member of the board of justices in 1830. The following year he was elected a member of the first board of county commissioners. In 1842 he was elected as a member of the legislature and served his constituents capably and faithfully. For over forty-four years he was one of the foremost citizens of the county, dying on the 9th of July, 1873, at the ripe age of eighty-three years. The youngest child of Col. Jackson, Mrs. Anna Thompson, is still living.
at the age of 88 years. She is the widow of Hon. John E. Thompson. Although physically quite feeble, her mind is still bright and active. She remembers hearing her father tell where the village of Aubenaubee was located and it was from her that the information concerning its exact location was obtained. She resides in New Paris.

Soon after Colonel Jackson, came Mark B. Thompson, who entered the land upon which the Indian village stood which had been destroyed. About the same time came Major John W. Violett, who settled three miles northwest of them and just north of the present village of Waterford. Others who came to that part of the county in the years 1829 and 1830 were the families of Cripes and Weybrights, Oliver Crane, James Frier, Azel Sparklin, William Latta and Balser Hess. There were a number of others, making quite a little settlement on the prairie and in the edge of the timber along its west side.

There was also a settlement made about the same time near the junction of the Elkhart and St. Joseph rivers, the site of the present city of Elkhart. Among those who settled there were Chester Sage, George Crawford, Eli and Arminius Penwell, Thomas Thomas, Joseph Coe and Jesse Rush, all of whom were well known in the early days of the county. These two little settlements were soon to have an active part in the affairs of the county.

The legislature of 1829-30 passed an act, which was approved by the governor January 29, 1830, entitled “An act for the formation of the counties of St. Joseph and Elkhart.” That portion of the law relating to Elkhart County provided for the appointment of five commissioners to select a site for the location of a seat of justice for the county. The commissioners named for this purpose were William G. Ewing and Hugh Hanna, of Allen County; John Bishop and Samuel Fleming, of Wayne County, and John Bennett, of Delaware County. They were instructed to meet at the residence of Chester Sage, near the mouth of the Elkhart River, on the fourth Monday in May, 1830, and proceed to the discharge of the duties assigned to them.

In accordance with the provisions of this act, the commissioners met on May 24, 1830, at the place designated. After
making an inspection of several sites, they met again, May 26, to make a report of their proceedings. As there was at that time no organized county government and no county officers to receive their report, they adjourned to meet again July 12. In the interval steps had been taken toward organizing the county and establishing a local government. The act already referred to, which authorized the formation of a county, also provided for holding an election of county officers and for electing three justices of the peace who should have general supervision of the county business. An election was held, but the records do not seem to show the date. The three justices elected at that time, upon whom devolved the responsibility of organizing the county government, were James Mather, Arminius C. Penwell and John Jackson. By another provision of the act of the legislature the residence of Chester Sage was designated as the place for them to meet. The justices met June 28, 1830, and organized themselves into a board as the law provided, electing James Mather president of the board. After transacting the business that came before it, the board adjourned to meet in special session July 13, following.

Each of the two groups of settlers already mentioned had used its influence to secure the location of the county seat. The prairie group desired that it be located near the center of the county, and the group at “the forks” of the two rivers wished it to be located there. At the special meeting of the board of justices July 13, 1830, the commissioners reported that they had inspected the several sites proposed for a county seat, but did not choose either of the sites here mentioned. Instead, they selected a site approximately half-way between the two, it being a part of the southwest quarter of section 24, in Township 37 north, Range 5 east. The place selected is on the north side of the Elkhart River, west of the present Sugar Grove schoolhouse in Concord Township. In an early day the land was purchased by Daniel Spohn, Sr., and was the boyhood home of Ex-Mayor Samuel F. Spohn, of Goshen, and Dr. George W. Spohn, of Elkhart (now of California), two of Elkhart County’s most prominent citizens.

Colonel Jackson expressed the opinion, which was also held by a number of other settlers who were familiar with the
transactions of the commissioners, that they were influenced in
their choice by W. G. Ewing, one of their number. Ewing
was a standing candidate for the legislature and did not wish
to offend either group of settlers. This county was at that
time a part of the Fort Wayne legislative district.

The location selected displeased everybody but one man,
John Andrews, who shortly afterward erected a brewery in
that vicinity. Both groups of settlers decided to petition for
a relocation of the county seat and their petition was granted.
About that time it was learned that a similar situation existed
in St. Joseph County. The county seat of that county had
been located about six miles below the present city of South
Bend, which also led to a petition for a relocation. The
prairie settlers in this county ascertained by some means or
other that they could secure an advantage by uniting with
those at South Bend. A petition was presented to cut off a
strip three miles wide from the west side of Elkhart County
and attach it to St. Joseph County. The petition was granted.
This brought the site of the prairie settlers very near the
exact geographical center of Elkhart County and it also
brought the South Bend site nearer the center of St. Joseph
County. The prairie settlers had another advantage. Their
site was on government land, which, by virtue of a law passed
by Congress in 1824, was subject to preemption for county
seat purposes. The other site was on an Indian reservation
which belonged to a Frenchman, Pierre Moran, who had mar-
rried an Indian squaw. Moran had sold the site to a man
named Godfrey, but had not given a good title to it, and the
matter was then in litigation.

After granting the petition for a relocation, the legislature
of 1830-31 passed an act, approved February 10, 1831, entitled
"An act for the relocation of the county seat of Elkhart
County." Another set of commissioners was named. These
were to examine the site which had been previously selected
and also such other sites as might be considered eligible for a
county seat and decide whether or not the public interest de-
manded a relocation. The commissioners appointed were L.
G. Thompson and Anthony L. Davis, of Allen County; Hiram
Todd and Walter Wilson, of Cass County, and David Miller,
of St. Joseph County. They were instructed to meet at the
mouth of the Elkhart River on the third Monday in March, 1831, and to proceed immediately to the discharge of their duties. The records of the board of justices shows that but three of the commissioners were present. These were Anthony L. Davis, L. G. Thompson and David Miller. As they constituted a quorum, they proceeded to view the several sites and make a selection.

By this time the prairie settlement had grown to be stronger in numbers than the other, and they determined to make every effort to secure the location of their choice. It had been arranged that all who were interested should be on hand at the appointed time. Several of them had become acquainted with Mr. Thompson and Mr. Davis and were to use whatever influence they could with those two. Mr. Miller, the third commissioner, was a member of the Dunkard church, as were Messrs. Weybright and Cripe, and they were to use their influence with him.

In describing the transaction, Colonel Jackson says:

At length the time arrived. All were present according to arrangement. Old Father Cripe invited the commissioners to dinner at his home. I also was invited. He brought out a little keg of wine that he had for his own use (being an old man) and treated us all.

George Crawford was our most prominent opponent. After viewing the different sites proposed, as also the site of the first location, and after hearing some loud speeches from the different parties, the commissioners agreed unanimously to relocate and establish the county seat at its present location.

The place had no name, and the next question was, “What should it be called?” Some proposed one name, some another. Major Violett proposed Savannah (synonymous with prairie) which name suited me very well. David Miller, one of the commissioners, proposed Goshen and the county justices, of whom I was one, agreed unanimously to call it by that name in honor of David Miller.

The commissioners did not submit their official report to the board of justices until the 26th of May, 1831. At that time they reported that they had examined the several sites under consideration, including the one previously selected, and recommended that it be vacated and the county seat relocated. The site which they selected was described as the south fraction of the northeast quarter and the north fraction of the northeast quarter of section 6, in Township 36 north, Range 6 east. The record shows further that the com-
missioners recommended Goshen as a suitable name to be given to the town which should be built at the proposed seat of justice. This report was accepted and approved and the name of Goshen was officially given to the site which had been selected. The meeting at which this report was made to the board of justices was held at the residence of Thomas Thomas.

While the county seat had been definitely located, troubles were not all over. The land had to be entered at once, as the land sales were to be held soon and there was danger that somebody might buy the new county seat site. Nobody in the community had any money and the situation was discouraging. Again fortune favored the prairie settlers. Samuel Hanna, who was an opponent of W. G. Ewing for the legislature, when passing from Fort Wayne to South Bend, stopped overnight with Colonel Jackson. The Colonel told him of the situation and he voluntarily offered to lend the necessary sum of money until the town was laid out and enough lots sold to pay it back. Colonel Jackson gave his individual note for the money. The next day he started for Fort Wayne on horseback and entered the land.

Although the county seat was located in 1831, the first courthouse was not completed until 1833. The first session of the circuit court held in the county was held at the residence of Chester Sage, in accordance with a provision of the law which authorized the formation of the new county. That session convened November 30, 1830, and was held by the two newly elected associate judges, William Latta and Peter Diddy. But one session was held at the Chester Sage residence, the court availing itself of the authority granted it to remove to other places for holding its sessions. The second session was held at the residence of Thomas Thomas, the county clerk, about three miles east of the site of the present city of Elkhart, on what is known as Two-Mile Plain. At this session the Honorable Charles H. Test, the president judge, presided, and the two associate judges were also present. The third term was held at the residence of James Frier on Elkhart Prairie, known at that time as Elkhart Plain. This place has been known for three-quarters of a century as the McConaughy farm and is now owned and occupied by Leonard McConaughy, a grandson of Mr. Frier. According to tradi-
The session was held under the trees in front of the log house in which Mr. Frier lived at that time. The fourth term of the court was held at the residence of Henry Dusenberry, located at the northeast corner of Maine and Washington streets in Goshen. The court records do not state where the fifth term was held. The sixth term convened at the home of Henry Dusenberry. Why the sessions were not continued there is explained in the following item copied from the court records:

The court met at the house of Henry Dusenberry May 20, 1833. Present: Hon. Gustavus A. Everts, president judge; William Latta and Peter Diddy, associate judges; Thomas Thomas, clerk; James Beck, sheriff of said county. The sheriff informed the court that a new court house is now in readiness for the reception of the court and thereupon the said court adjourned from the house of Henry Dusenberry to meet and held its session at said court house. And the said court, now, to wit: at the hour of 11 o'clock on the said 20th day of May, 1833, convened in said court house to hold its session. Present: The same judges and officers aforesaid.

There is apparently no record of any contract for the building of the county's first courthouse. The public records from 1831, from the time when the county seat was established, up to the time when the courthouse was ready for occupancy, have been searched diligently and no such record has been found. The late P. M. Henkel, who served as county auditor eight years, in a paper read before the Elkhart County Historical Society in 1905, states that the contract was awarded to Jacob Studebaker, who modeled the building after the court house at Dayton, Ohio. The late Dr. M. M. Latta, several years before his death, which occurred in 1899, made the same statement to the writer of this paper; and he also stated that the Dayton courthouse had been copied after the main building of Princeton University as it was nearly a century and a quarter ago. In the absence of any public record, the words of these men, both of whom were reputed to be men of absolute truthfulness, are the best authority that can be cited concerning this matter. It might be added that Mr. Henkel was a resident of Goshen for fifty years, and Dr. Latta for nearly sixty years, both locating there about 1840.