

Genesis and Early History of the Indianapolis Fund, 1816-1826

DONALD F. CARMONY

Indianapolis, which became the permanent capital of the Hoosier state in 1825, was one of the best planned cities of the American Middle Western wilderness. This was due to the location of the capital in the unsettled part of the state, to the grant of four sections of land by the federal government, to the plans evolved by the men employed to lay out and survey the site, and to the accomplishment of these ends in advance of the actual rise of the city. The origin and location of the federal land grant and the revenues arising therefrom during the first decade of statehood made possible the expenditures necessary to the achievement of this early instance of state planning. The record of this development is an interesting and important part of the history of Indianapolis and of the state.¹

When the last territorial Assembly, in December of 1815, petitioned Congress for admission into the Union the latter body was requested to grant donations of land to the future state for various purposes. One of these requested donations was for thirty-six sections of land as a site for a permanent seat of government, which would be located near the center of the state following the removal of the Indian title therefrom.² In the Enabling Act Congress offered the embryo state but four sections of land as a capital donation, along with other valuable land grants, subject to Indiana's agreeing that Hoosier land thereafter sold from the public domain would be exempt from all taxation for five years from the date of its sale.³ The Corydon Convention accepted

¹ This paper was read at the Twenty-Second Annual Indiana History Conference, at Indianapolis, December 14, 1940. It is printed here with minor changes in text, plus the addition of footnotes.

² The 1815 petition is in Charles Kettleborough (ed.), *Constitution Making in Indiana* (3 vols., Indiana Historical Collections, I, II, XVII, Indianapolis, 1916, 1930), I, 69-72. The petition read: "As it is deemed good policy that every State should have its seat of government as nearly central as the local situation of the country will permit, and as such site proper for the permanent seat is not at this time at the disposal of this territory or the general government, it is expected that congress will whenever the Indian title shall be extinguished, grant us a township of 6 miles square to be selected by such persons as the future State may appoint."

³ *Ibid.*, 76-77: "That four sections of land be . . . granted to the said State for the purpose of fixing their seat of government thereon;

the donations and their *quid pro quo*.⁴ Indiana was probably the first state to receive a grant of land for a capital site.⁵

Sundry citizens of Harrison County, in an attempt to keep the capital at Corydon as long as possible, promised the constitutional convention money and other considerations if Corydon were retained as the capital.⁶ The details of this offer are not known, but it apparently induced the constitutional provision that "Corydon, in Harrison County shall be the seat of Government of the State of Indiana, until the year eighteen hundred and twenty-five, and until removed by law."⁷ This mandate would probably not have been adopted if its framers had known that the Harrison citizens would fail to fulfill their part of the understanding,⁸ nor if the constitutional fathers could have foreseen the rapidity with which both the Indian and colonizing frontiers of the state would shift northward.

which four sections shall, under the direction of the legislature of said State, be located, at any time, in such township and range as the legislature aforesaid may select, on such lands as may hereafter be acquired by the United States from the Indian tribes within the said Territory: *Provided*, That such locations shall be made prior to the public sales of the lands of the United States surrounding such location. . . ." Both the 1815 petition and the Enabling Act assumed that the capital could be located on what was then Indian territory. Note that the grant received was not nearly as liberal as that which was requested.

⁴ *Ibid.*, 81-83, quoted from the *Convention Journal*, 44. This was accepted by a vote of 37 to 4. The state boundaries, defined in the Enabling Act, were included in this acceptance.

⁵ Francis N. Thorpe (ed.), *The Federal and State Constitutions, Colonial Charters, and Other Organic Laws of the States, Territories, and Colonies Now or Heretofore Forming the United States of America* (7 vols., Washington, 1909), III, 1264, 1376-78; V, 2897-99; VI, 3414, 3761, indicated that such a grant was not made in the Louisiana and Ohio Enabling Acts, nor in the acts admitting Vermont, Kentucky, and Tennessee.

⁶ *Report of the Sixteenth Annual Meeting of the State Bar Association of Indiana . . .* (Indianapolis, 1912), 229-30, quoting *Journal of the Convention of the Indiana Territory*: "Resolved, That it be recommended to the General Assembly of the State of Indiana, to appropriate the money voluntarily given by the citizens of Harrison County to the State, to the purchase of books for a library for the use of the Legislature and other officers of government; and that the said General Assembly will, from time to time, make such other appropriations for the increase of said library, as they may deem necessary."

⁷ Kettleborough, *Constitution Making in Indiana*, I, 118. Article XI, sec. 11.

⁸ *Journal of the House of Representatives of Indiana*, 1816-1817, pp. 57-58; *ibid.*, 1817-1818, pp. 66, 94, 115, 153; Richmond, Indiana, *Public Ledger*, April 24 and May 1, 1824, quoting the house committee of ways and means of the session of 1823-1824; Jacob P. Dunn, *Indiana and Indianans* (5 vols., Chicago, 1919), I, 308-09.

When Indiana was admitted into the Union the Indian title had not yet been extinguished from the northern and central parts of the state,⁹ while the territorial census of 1815 had reported a population of less than 64,000.¹⁰ Following the War of 1812 a flood of immigrants swarmed into Indiana and neighboring states so that the Hoosiers numbered nearly 148,000 in 1820.¹¹ By 1830, despite the depression, debts and diseases of the twenties, the total jumped to approximately 345,000 or between five and six times the 1815 count.¹² Under these circumstances the Indian frontier was rapidly pushed northward. The New Purchase Treaty of 1818 cleared the Indian title from nearly all of Indiana south of the Wabash, as well as to some land along the west bank of the same. This cession made it possible for the state Assembly to ponder about the location of the capital, although the Indians were allowed three years to move from the ceded area.¹³

Governor Jonathan Jennings, one of the three commissioners who negotiated the New Purchase Treaty, advised the 1818-1819 Assembly that it would not be possible to secure the full benefit from the expenditures of the three per cent or internal improvements fund until the new capital was situated.¹⁴ Apparently it was realized that many of the main roads should converge at the capital. Early in 1820 the Assembly appointed ten commissioners to select and locate

⁹ Logan Esarey, *History of Indiana* (2 vols., Indianapolis, 1915, 1918), I, 259. See also *ibid.*, 272, for E. V. Shockley's map of Indiana Indian Cessions.

¹⁰ Kettleborough, *Constitution Making in Indiana*, I, 68-69, quoting from *Annals*, 14 Cong., 1 Sess., 460, gave the total population as 63,897. Clarence E. Carter (ed.), *Territorial Papers of the United States*, VIII, (Washington, 1939), 364, indicated a total population of 63,609. Adding to the confusion, Carter indicated, in brackets, that the figure should be 63,809. The Kettleborough statement is based upon a certified statement of William Hendricks, Clerk of the Indiana House of Representatives, while that in Carter is based upon a certified statement of Dennis Pennington, speaker of the Indiana House. Both figures are in substantial agreement, although the returns for individual counties have considerable variation. When statehood was achieved Indiana's population was probably approximately 75,000.

¹¹ *Fifteenth Census of the United States, 1930*, I, *Population*, 329.

¹² *Ibid.*

¹³ Treaty with the Potawatomi Indians, *United States Statutes at Large*, VII, 185-86. See *ibid.*, 186-92, for related treaties with the Wea, Delaware, and Miami Indians. Also see Esarey, *History of Indiana*, I, 272, for Shockley's map of Indiana Indian cessions.

¹⁴ *Journal of the House of Representatives of Indiana, 1818-1819*, p. 22. The 1821 appropriation of \$100,000 from the three per cent fund was not made until after the permanent seat of government had been selected.

a site for the new seat of government.¹⁵ The commission performed its task in May and June following and Jennings, although not a member of the commission, accompanied the commissioners in their travels. The site approved was at the junction of Fall Creek with the West Fork of White River.¹⁶

There were various factors which contributed to the selection of this particular spot. It was reasonably near the geographical center of the state; here the West Fork of White River had elevated banks, 'an advantage which the commission reported could not be found at a less distance than thirty miles southward; the public land of the surrounding area had not yet been opened to sale; and it was hoped that this place could subsequently be made a point on the National Road. Perhaps the committee was also influenced by a belief that White River would be a navigable stream.¹⁷

Incidentally, about the time the capital was being located another commission was busy in Monroe County selecting an eminence on which there was a spring of water as a suitable place for the location of what soon became the state university.¹⁸

Early in 1821 the Assembly approved the location recommended by the commission and decided that the new capital "shall be called and known by the name of Indianapolis."¹⁹ Tradition has it that some of the old Indian fighters preferred the name "Tecumseh" in honor of the red warrior who died while fighting with the British against the Americans.²⁰ The choice of the legislature was much ridiculed by a Vincennes newspaper which commented:

¹⁵ *Laws of the State of Indiana*, 1819-1820, ch. X. Section one named the following commissioners: George Hunt of Wayne County, Stephen Ludlow of Dearborn, John Gilliland of Switzerland, John Conner of Fayette, Joseph Bartholomew of Clark, John Tipton of Harrison, Jesse B. Durham of Jackson, Frederick Rapp of Posey, William Prince of Gibson, and Thomas Emmerson of Knox County.

¹⁶ For the report of the commissioners see *Journal of the House of Representatives of Indiana*, 1820-1821, pp. 24-26. The report was dated June 7, 1820. Commissioner John Tipton kept a journal of the labors of the commission, for which see *Indiana Magazine of History*, I, 9-15, 74-79. B. J. Blythe, clerk to the commission, kept a journal, but it has not been found.

¹⁷ *Ibid.*

¹⁸ *Journal of the House*, 1820-1821, pp. 105-07.

¹⁹ *Laws of the State of Indiana*, 1820-1821, ch. XVIII, sec. 21.

²⁰ Dunn, *Indiana and Indianans*, I, 363-64; Esarey, *History of Indiana*, I, 271. According to Dunn: "Gen. Marston G. Clark had proposed 'Tecumseh,' before the legislature met, and it had been advocated by some of the newspapers; but this and several other names

One of the most ludicrous acts, however, of the sojourners at Corydon, was their naming of the new seat of state government. Such a name, kind readers, you would never find by searching from Dan to Beersheba; nor in all the libraries, museums, and patent-offices in the world. It is like nothing in heaven nor on earth. It is not a name for man, woman, or child; for empire, city, mountain or morass; for bird, beast, fish, nor creeping thing; and nothing mortal or immortal could have thought of it, except the wise men of the East who were congregated at Corydon. It is composed of the following letters:—

I-N-D-I-A-N-A-P-O-L-I-S!

Pronounce it as you please, gentle readers—you can do it as you wish—there is no danger of violating any system or rule, either in accent, cadence, or emphasis—suit your own convenience, and be thankful you are enabled to do it, by this rare scholastic genius of the age. For this title your future capital will be greatly indebted, either to some learned *Hebraist*, some venerable *Grecian*, some sage and sentimental *Brahmin*, or some profound and academic *Pauttowat-timie*.²¹

The statute which named the capital also appointed Christopher Harrison, first lieutenant governor of the state, and two others a committee to lay out the donation having “specially in view the health, utility and beauty of the place.”²² Alexander Ralston and Elias P. Fordham were engaged to survey the donation. Ralston had previously aided in platting the federal capital at Washington City, while Fordham was an Englishman from Birbeck’s Illinois colony. The design followed was probably suggested by Ralston, per-

were rejected by the House, and ‘Indianapolis’ was adopted.” Esarey wrote: “Nothing came up during that session of the General Assembly that provoked such acrimonious debate and such merriment as naming the new capital. A strong effort was made to name the new town Tecumseh. Some of the old Indian fighters, as Marston Clark of Salem, urged that name. The name ‘Indianapolis’ is said to have been suggested by Jeremiah Sullivan of Madison, and accepted as a compromise.” Neither Esarey nor Dunn make any citations to supporting references. The name Tecumseh does not appear to have been voted on by either house of the Assembly; see *Journal of the House*, 1820-1821, and the *Journal of the Senate of Indiana*, 1820-1821. The writer has gone through the files of several early Indiana newspapers, but has not found any paper which discussed the name Tecumseh. The Tecumseh tradition, however, may have a factual basis.

²¹ Vincennes, *Indiana Centinel & Public Advertiser*, January 13, 1821.

²² *Journal of the House*, 1820-1821, pp. 282-83. The other men were James Jones and Samuel Booker. The following references support the thesis that Harrison was the only active member of the commission: Esarey, *History of Indiana*, I, 270; Dunn, *Indiana and Indianans*, I, 363; *The Indiana Gazetteer* (Indianapolis, 1849), 254; John H. B. Nowland, *Sketches of Prominent Citizens of 1876, With a Few of the City and County Who Have Passed Away* (Indianapolis, 1877), 16. Also see *Laws of the State of Indiana*, 1821-1822, ch. XII, for an act legalizing Harrison’s work the same as if it had been done by a majority of the commission.

haps being a modification of the Washington survey.²³ Ralston was reported as saying that, " 'it could make a beautiful city, if it were ever built.' " ²⁴ The circle, near the center of the grant, was reserved as a suitable place for the erection of a house for the chief executive of the state. The present converging avenues of Virginia, Kentucky, Indiana and Massachusetts were laid out and named. Nearly every state, then in the Union, was recognized in the naming of the other principal streets, while the two streets which intersected at the circle were called Market and Meridian. Space was reserved for the subsequent erection of a state capitol, a county courthouse, and other public buildings.²⁵

The lots of the donation were numbered and were rectangular save for the necessary exceptions such as caused by the meandering of Pogue's Run and the irregularities resulting from the four converging avenues. Harrison and the other commissioners were authorized to advertise and sell as many lots as they deemed expedient, "reserving unsold every second odd number." Lots were to be sold at auction to the highest bidder and purchasers were required to pay one-fifth in cash, with the residue payable in four equal annual installments. An eight per cent discount was to be allowed on each yearly payment received on time and six per cent interest was to be collected on all delinquent payments.²⁶

An Indianapolis Agency was organized with an officer in charge who was usually designated as the Indianapolis Agent or the Agent of State for Indianapolis. It was his duty to attend sales of lots, receive revenues of the agency, keep proper records, prosecute those who wasted timber on unsold lots and resell forfeited lots. The agent was to receive an annual salary of \$600, which was more than the compensation then allowed to either the auditor or treasurer

²³ *The Indiana Gazetteer* (Indianapolis, 1849), 254; Dunn, *Indiana and Indianans*, I, 363; Esarey, *History of Indiana*, I, 270; Nowland, *Sketches of Prominent Citizens of 1876*, pp. 12, 16; Berry R. Sulgrove, *History of Indianapolis and Marion County* (Philadelphia, 1884), 25-26.

²⁴ Dunn, *Indiana and Indianans*, I, 262.

²⁵ A photostatic copy of the plat of the original survey, published by H. Platt, Columbus, Ohio, December, 1821, is in the Indiana Division of the State Library. The same is also in Dunn, *Indiana and Indianans*, I, 362.

²⁶ *Laws of the State of Indiana*, 1820-1821, ch. XVIII.

of state.²⁷ Finally, it was stated that, "The monies arising from the sale of lots shall remain in the treasury and constitute a fund for the special purpose of erecting the necessary public buildings of the state."²⁸ Thus arose the first public building fund of the state which was generally called the Indianapolis Fund.

John Carr, an early settler of Jeffersonville who fought with Harrison at Tippecanoe, was elected the first agent.²⁹ He supervised the initial sale of donation lots in October, 1821, at which time three hundred and fourteen lots were sold for a total purchase price of about \$35,500, or at slightly more than \$113 each.³⁰ In 1822, Carr was authorized to lease a ferry across White River, to rent that portion of the donation on the west bank of the same, to lease unsold lots to persons agreeing to clear the timber therefrom and to sell not exceeding two acres to any person or persons who would make brick for the improvement of the town. This legislation also reduced the agent's salary to \$300 yearly.³¹

With a suddenness that is startling Indianapolis became conscious of its claims upon the state for what the pioneers commonly called the loaves and fishes of office. After the August, 1822, election Carr resigned and the recently established *Indianapolis Gazette*, under the heading "*Another insult to the Citizens of Indianapolis*," announced the appointment of James Milroy, of Washington County, as the new agent. In this same issue one who called himself "Mentor" complained:

We learn, by the *Indiana Gazette*, that his Excellency Jonathan Jennings has again shown his cloven foot, and exposed his total

²⁷ *Ibid.*, sec. 20. Both auditor and treasurer then received \$400 yearly. The act organizing the agency required the keeping of certain records by these two officials. Because of this work the treasurer was allowed one per cent of the revenue of the Indianapolis Fund; the auditor one-half of one per cent. These percentages and the pay of the agent were payable from the revenue of the Indianapolis Fund.

²⁸ *Ibid.*, sec. 23.

²⁹ *Journal of the House*, 1820-1821, p. 282. He was elected January 6, 1821.

³⁰ Indianapolis, *Indiana Journal*, February 27, 1827, suggested the date October 10, 1821. This may not have been the exact date; however, the following indicated that the sale took place in October, 1821: *The Indiana Gazetteer* (Indianapolis, 1849), 254-55; Richmond, Indiana, *Public Ledger*, April 24 and May 1, 1824, quoting an annual report of house ways and means committee; *Journal of the Senate of the State of Indiana*, 1825-1826, pp. 55-56, quoting a report of the Indianapolis Agent. The preceding discussion has stated that only one-fifth of the purchase price was due in cash; the ensuing discussion indicated that more than half of the lots were later returned to the state.

³¹ *Laws of the State of Indiana*, 1821-1822, ch. LXVIII.

disregard to an impartial distribution of the loaves and fishes of office, by appointing a *James Milroy* . . . to reign, as the Agent of Indianapolis. The example of the imposition practiced on us and the state, by having that office filled by a non-resident, a *John Carr* who, during about twenty months tenure of the office, paid us the compliment of two or three visits was no guide to Jonathan.

"Mentor" made specific charges to show how Carr had neglected the duties of his office, stating that the latter had kept his office at Salem, Charlestown, Vincennes or elsewhere in the lower end of the state. It was claimed that Carr had notified Jennings in April that he intended to resign the office because of the salary reduction, and that local residents had offered their services to the governor, who allegedly flattered all with their prospects until after the August election. Then, safely elected to Congress he had appointed his tool Milroy! "Many People" also expressed resentment of the practice of importing officers from other parts of the state and served notice that redress would be demanded at the next legislative session.³² These protests came before the first installment was due on the original purchases of lots!

For some time the *Gazette* kept its readers informed concerning the arrivals and departures of Milroy. He was reported as having arrived in town on October 8, remaining in seclusion at a private house for a few days, and then departing for the south, perhaps because the Indianapolis climate was too cold for his "delicate constitution." The newspaper told of a sick man who was forced to pay a penalty of "*seventy five cents*" because his daughter could not find the agent on time, although she had inquired of his whereabouts at every public house in the town.³³

Agent Milroy was soon succeeded by Bethuel F. Morris who was the first president of the Indiana Temperance Society, a member of the Indiana University Board of Trustees and the first recording secretary of the Indiana Historical Society.³⁴ In 1823 the Assembly authorized the selling of

³² *Indianapolis Gazette*, October 5, 1822. After the August, 1822, election Jennings resigned the governorship to become a member of the lower house of Congress.

³³ *Ibid.*, October 19, 1822; *ibid.*, November 23, 1822.

³⁴ *Ibid.*, January 23, 1823, has a warning against trespassing on donation lots, signed by Agent Morris. Concerning Morris see: Richmond, Indiana, *Weekly Intelligencer*, May 29 and June 19, 1822; *Indianapolis Gazette*, March 29 and May 3, 1823; August 15, 1826; July 10 and 31, 1828; Indianapolis, *Indiana Journal*, November 12 and 29, 1829; December 25, 1830; April 30, 1831; Esarey, *History of Indiana*, I, 325-26.

two additional brick yards, of two acres each; the cutting down of timber on unsold lots, but trees were not to be allowed to remain as obstructions in streets or alleys for longer than ten days; and the renting of improved land on the donation.³⁵ In April the two brick yards were sold for a total purchase price of \$263 or nearly \$65.75 an acre, despite the fact that the most convenient of them was located more than "three fourths of a mile" from the center of the town!³⁶

Two years later, on the same terms as the 1821 auction, fifty-seven additional lots were sold for a total purchase price of nearly \$6,800 or approximately \$120 each.³⁷ No additional lots appear to have been sold until after the end of the period under consideration. In January of 1826, Governor James B. Ray approved an act for the relief of those who had purchased lots before October 31, 1821, and pursuant to this legislation more than half of such lots were relinquished to the state.³⁸

From 1821 to 1826 inclusive, a total revenue of approximately \$22,000 was received at the state treasury from the proceeds of the capital donation. Nearly all of this amount came from the sale of lots and brick yards, although a meagre amount was derived from the collection of rents and perhaps a negligible amount arose from the sale of timber.³⁹ Had there been no Indianapolis Fund, as the revenue of the donation was designated, the state building program would undoubtedly have been much more meagre than it was prior to 1827 for, although the total state expenditures averaged less than \$30,000 annually during the first decade of statehood, the state was never free from a somewhat burdensome public debt.⁴⁰

³⁵ *Laws of the State of Indiana*, 1822-1823, ch. XXXIV and XLII.

³⁶ *Indianapolis Gazette*, April 19, 1823.

³⁷ *Laws of the State of Indiana*, 1825, ch. II; *Journal of the Senate*, 1825-1826, pp. 55-56, for a summary report of Agent Blythe, who succeeded Morris in 1825.

³⁸ *Laws of the State of Indiana*, 1825-1826, ch. XLVII; *Journal of the House of Representatives of Indiana*, 1826-1827, pp. 22-24, and 56; *Journal of the Senate*, 1825-1826, pp. 55-56.

³⁹ This was estimated from a study of the summary report of Treasurer Samuel Merrill in *Journal of the House of Representatives of Indiana*, 1834-1835, pp. 69-78, Statement 2, B, and from the annual reports of the state treasurer for years 1821 to 1826. The reports of the treasurer may be found in the contemporary house and senate journals.

⁴⁰ Donald F. Carmony, *Indiana Public Finance, 1800-1826* (Ph.D. thesis, Indiana University, Bloomington, Indiana, 1940), 199-251.

In referring to the capital grant Governor Jennings told the 1820-1821 Assembly:

The property thus secured, by timely care and prudent management, will in due time produce ample resources, without resorting to taxation, to meet the expenditures necessary for the erection of all public edifices of state character.⁴¹

A few years later Governor William Hendricks expressed similar views to another Assembly.⁴² During this period the revenue of the Indianapolis Fund was faithfully applied to the purpose for which it was reserved.

The State Prison, at Jeffersonville, was the first public building financed from the proceeds of the Indianapolis Fund. Governor William Henry Harrison had advised the territorial Assembly of the need for a prison and by the early twenties the state prison movement was general.⁴³ In January of 1821, only three days after he had approved a law organizing the Indianapolis Agency, Governor Jennings endorsed an act for the location of the state prison at or near Jeffersonville. The institution was to be supervised by a board of managers, but the convicts were to be under the more immediate care of a prison agent who, with the consent of the managers, was empowered to contract with the directors of the Jeffersonville Ohio Canal Company for the employment of able bodied inmates on the Ohio Falls canal project which was then receiving considerable attention.⁴⁴ A Vincennes newspaper assented to this location with the sarcastic suggestion that "a mill should always be erected where it is most *needed*; in fact any building should be *central, eligible*, and convenient to the purpose for which it is intended"⁴⁵

The prison was financed as a partnership affair between the state and private individuals in which the profits were to be divided in proportion to the amount of stock owned.

⁴¹ *Journal of the House*, 1820-1821, p. 7.

⁴² *Ibid.*, 1823-1824, p. 17.

⁴³ Logan Esarey (ed.), *Messages and Letters of William Henry Harrison* (2 vols., *Indiana Historical Collections*, VII and IX, Indianapolis, 1922), I, 306.

⁴⁴ *Laws of the State of Indiana*, 1820-1821, ch. IX.

⁴⁵ Vincennes, *Indiana Centinel & Public Advertiser*, January 13, 1821. The hope that convict labor might be employed in building a canal at the Falls was an important factor in causing the prison to be located at Jeffersonville. On this point see: *Laws of the State of Indiana*, 1820-1821, ch. IX, sec. 5; *Special Acts of the General Assembly of Indiana*, 1823-1824, ch. LVIII, sec. 9; *The Indiana Gazetteer* (Indianapolis, 1849), 135.

The state appropriated the sum of \$3,000 as its initial contribution, specifying that the profit arising therefrom was to be invested in stock of the Ohio Falls canal enterprise.⁴⁶ It is perhaps needless to add that the prison was a financial liability from the very beginning. On October 2, 1821, the governor proclaimed the prison ready for the reception of inmates and about two months later he advised the Assembly that the prison builders were entitled to further legislative consideration.⁴⁷ Following this the Assembly appropriated an additional \$500 to Reuben H. Murray and Robert Gray, the prison contractors.⁴⁸

About one year later Governor Hendricks told the legislators that another appropriation was necessary for the penitentiary, "not only for its prosperity, but for its existence."⁴⁹ The lawmakers seem to have agreed for they appropriated the sum of \$2,500 for the erection of a prison wall.⁵⁰ In 1824, provision was made for the digging and walling of prison wells, the erection of workshops and other prison needs.⁵¹ At this time the management of the institution was changed and Ira Westover, who later met his death at the Battle of the Alamo, was appointed superintendent.⁵²

An analysis of the annual reports of the state treasurer reveals that a minimum total of about \$10,800 was expended on account of the state prison to the close of the year 1826. Much the greater portion of this total, probably at least four-fifths, was supplied from the Indianapolis Fund, but some of it was provided from tax revenue since some of the expense was for other than building purposes.⁵³

Several months after the initial appropriation had been made for the Jeffersonville prison the Assembly set aside

⁴⁶ *Laws of the State of Indiana*, 1820-1821, ch. IX, sec. 11.

⁴⁷ Logan Esarey (ed.), *Messages and Papers of Jonathan Jennings, Ratliff Boon and William Hendricks* (Indiana Historical Collections, XII, Indianapolis, 1924), 151, contains a copy of the proclamation. See *Journal of the House*, 1821-1822, p. 20, concerning his Assembly message.

⁴⁸ *Laws of the State of Indiana*, 1821-1822, ch. LII.

⁴⁹ *Journal of the House of Representatives of Indiana*, 1822-1823, p. 38.

⁵⁰ *Laws of the State of Indiana*, 1822-1823, ch. XXVII.

⁵¹ *Revised Laws of Indiana*, 1823-1824, ch. CI.

⁵² *Journal of the House of Representatives of Indiana*, 1825, p. 14; Dunn, *Indiana and Indianans*, II, 985.

⁵³ The sum of \$1,000 during the fiscal year 1821-1822; \$4,693.53 during 1822-1823; \$3,614.76 during 1823-1824; \$453.61 during 1825; and \$1,055.28 during 1825-1826. These fiscal reports may be found in *Journal of the Senate of Indiana*, 1822-1823, pp. 32-34; *ibid.*, 1823-1824, pp. 24-26; *Journal of the House*, 1825, pp. 43-46; *ibid.*, 1825-1826, pp. 59-61; *ibid.*, 1826-1827, pp. 66-68.

the sum of eight thousand dollars to finance the building of a Marion County courthouse, which was also to be used as a state capitol.⁵⁴ This appropriation may have caused criticism in other parts of the state for the *Indianapolis Gazette* staunchly defended it, pointing out that other counties had obtained liberal grants of land or money from individuals to aid in the construction of their courthouses, while Indianapolis citizens had paid high prices for their lots.⁵⁵ Another appropriation in 1824 brought the total expenditure on account of the Marion courthouse to approximately \$14,000.⁵⁶ Charles H. Test, a member of the 1826-1827 Assembly, wrote his wife that this capitol was "much the handsomest public building in the state."⁵⁷

An 1824 statute transferred the capital from Corydon to Indianapolis and specified that the next Assembly, which normally would have met in December of 1824, would not convene until the second Monday of January, 1825. This act reserved the use of the Marion courthouse to the state Assembly for a period of fifty years and also reserved the use of the same to the Indiana Supreme Court and the federal courts.⁵⁸ Samuel Merrill, then state treasurer, was appointed to superintend the removal and he was authorized to sell all furniture and other items which he believed could not be advantageously moved.⁵⁹ Pursuant to this legislation Merrill sold goods bringing, all told, \$52.52. The transfer of the remaining goods was reported as costing a total of \$118.07, or only \$65.55 after subtracting the amount received from the proceeds of the Corydon sale.⁶⁰ For some unknown reason the Assembly allowed Merrill but \$60.55 for moving the furniture and other state property, but allowed him \$100 for his personal trouble and expense in making the mid-winter trip from the old to the new capital,⁶¹ and "Though the distance was only 125 miles, such was the state of [the] roads that it required about ten days to perform the jour-

⁵⁴ *Laws of the State of Indiana*, 1821-1822, ch. LXXII, sec. 4.

⁵⁵ *Indianapolis Gazette*, July 22, 1823.

⁵⁶ *Special Acts of Indiana*, 1823-1824, ch. II, appropriating \$5,996. The building was completed in time to be used during the 1825 session of the Assembly, which was the first at Indianapolis.

⁵⁷ Test to his wife, Indianapolis, December 19, 1826, MSS in Indiana University Library.

⁵⁸ *Revised Laws of Indiana*, 1823-1824, ch. XCII.

⁵⁹ *Ibid.*; *Special Acts of Indiana*, 1823-1824, pp. 113-14.

⁶⁰ *Journal of the Senate of Indiana*, 1825, pp. 7-8, has Merrill's report. The same is also in Dunn, *Indiana and Indianans*, I, 370.

⁶¹ *Laws of the State of Indiana*, 1825, ch. VII, sec. 1.

ney. . . ."⁶² According to Merrill's official report only two wagons were required to move the property of the state to the wilderness capital.

By 1825, when Indianapolis became the permanent capital, the depression clouds were clearing, the price of land was rising, the financial situation of the state treasury was improving, and the flow of immigrants was rapidly increasing.⁶³ Such factors induced agitation for additional public buildings at Indianapolis. Governor Hendricks advised the 1825 Assembly that the buildings to be located on the circle and the statehouse square should be commenced as soon as practicable, claiming that the public faith of the state was pledged to such a policy.⁶⁴ This Assembly appropriated the sum of \$1,000 to build "a substantial brick house for the residence of the treasurer . . . and auditor, and a fireproof vault for the better security of the funds and records of the state. . . ."⁶⁵ No further appropriation seems to have been made from the Indianapolis Fund until after 1826.

The appropriations on account of the Marion County courthouse and the building for the treasurer and auditor totaled nearly \$15,000. Salary allowances to the Indianapolis Agent and percentage allowances to the auditor and treasurer, along with other possible miscellaneous items, raised the total appropriations from the Indianapolis Fund, apart from those on behalf of the state prison, to about \$18,000. The appropriations from the fund were somewhat greater than the receipts of the same prior to 1827. Perhaps some of the appropriations were not paid until after 1826, while transfers may have been made from other sources to the Indianapolis Fund.⁶⁶

When Indiana became a state the site of the future state capital was in the possession of the aborigines. Early in 1827 the *Indianapolis Journal* reviewed the history of the capital village. The *Journal* reported that Indianapolis then had about one thousand "souls," living in twenty-five

⁶² *The Indiana Gazetteer* (Indianapolis, 1849), 125. Merrill aided in the compilation of this gazetteer and the quotation concerning the journey probably came from his pen.

⁶³ The annual messages of the governors touched on these conditions. For example see: *Journal of the House*, 1825, pp. 11-20; *ibid.*, 1825-1826, pp. 11-20; *ibid.*, 1826-1827, pp. 38-64; *ibid.*, 1827-1828, pp. 15-32.

⁶⁴ *Ibid.*, 1825, pp. 19-20.

⁶⁵ *Laws of the State of Indiana*, 1825, ch. VII, sec. 2.

⁶⁶ Concerning these expenditures see the citations listed in footnote 53 *supra*.

brick, sixty frame and about eighty log cabins and houses. Mention was made of the county courthouse, a county jail and of meeting-houses belonging to the Methodist, Presbyterian, and Baptist societies. Although the Presbyterians had a membership of only about thirty they had a "settled" preacher and the three denominations together supported a Sunday School which had about twenty teachers and from one hundred to two hundred scholars. It was stated that there were weekly schools with teachers who would not have been a discredit to their profession anywhere in the United States. Similar praise was bestowed upon members of other learned professions. The town was reported as having a favorable climate and moral advantages. It was also pointed out that Indianapolis was located at the crossroads of the Michigan and National roads. The *Journal's* account manifested a pardonable spirit of pride concerning the growth of its free and self governing city, which had been transformed from a howling wilderness to the capital of a commonwealth in much less than a decade.⁶⁷

The members of the first Indianapolis Assembly, all but one of whom were born outside of Indiana,⁶⁸ realized something of the significance of such achievements, for in inviting the aged General Lafayette to visit the West they said:

They feel persuaded, that he will take a deep interest in this part of our country, which, though not the actual theatre of his generous labors, has emphatically grown out of the glorious results of his revolutionary services. On the west of the Alleghany mountains, our illustrious guest will behold extensive communities of freemen, which within the period of his own recollection, have been substituted for the trackless wilderness. Where, forty years ago, primeval barbarism held undisputed sway over man and nature; civilization, liberty and law, wield the mild sceptre of equal rights; it is here, that our illustrious friend will find his name, his services, and we trust, his principles flourishing in perennial verdure. Here too, may he enjoy the exulting prospect of seeing them, in the language of a favorite son of the West, "transmitted with unabated vigor down the tide of time, to the countless millions of posterity."⁶⁹

⁶⁷ Indianapolis, *Indiana Journal*, February 20, 1827. Late in the same year the Visiting Committee of the Sabbath School Union reported that the capital had a total population of 1,066; consisting of 529 white males, 479 white females, 34 colored males, and 24 colored females. The report of the committee is in *Indianapolis Gazette*, December 4, 1827.

⁶⁸ Richmond, Indiana, *Public Ledger*, January 29, 1825. The *Ledger* stated that the Assembly had 46 members; 10 of whom were born in North Carolina, 8 in Kentucky, 7 in Virginia, 7 in Pennsylvania, 3 in Connecticut, 2 each from Ohio, New York and Massachusetts, and 1 each from South Carolina, Maryland, Tennessee, Ireland, and Indiana.

⁶⁹ *Laws of the State of Indiana*, 1825, ch. LXXXIII.