

Settlement of New Albany

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Throughout most of the nineteenth century there was only one major obstruction to navigation on the Ohio River from Pittsburgh to Cairo. This was the series of rapids, known as the "Falls," located a little more than half way along the course of the normally peaceful stream. The obstacle caused much inconvenience to river captains who wished to get their cargo as speedily and safely as possible to its destination. To others who saw their fortunes in the role of middle men, the hazard offered a natural site for a commercial entrepot.

As early as 1780, the potential worth of the area was sufficiently appreciated for a settlement to cluster on the southern side of the river at the head of the Falls. This was the town of Louisville, whose establishment resulted from the activities of the Revolutionary warrior George Rogers Clark. On the north, or what was to be the Indiana side of the river, two other settlements formed a few years later: one was Jeffersonville, at the head of the Falls; the other, Clarksville, lying along part of the two and a half mile stretch of rapids. Below the Falls there was only the tiny village of Shippingport on the Kentucky side, and almost an unbroken forest on the northern bank. This latter, or northwest corner of the square formed around the Falls, became the site of New Albany.

By 1813, the year New Albany was founded, the role which the Ohio was to play in the scheme of western transportation and expansion was still largely in the blueprint stage. Already the river served as a vital connecting link to the area farther west, having been traveled for many years by canoes, keelboats, barges, and flatboats. But its true value was not to be realized until there was something besides the port of New Orleans for the East to be connected to. And building a town anywhere along the six hundred fifty-mile stretch was something of a gamble. As a terminus the new town might "boom," then be passed by as a mere way station when a more suitable point down the line became favored.

The first settlers around the Falls concerned themselves very little with the unwritten laws that governed the rise and

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decline of frontier towns. They were aware that so long as boatmen had to pause and find a way to grapple with this natural hazard to their shipping the residents of the area were likely to profit in some way from the inconvenience. When New Albany's founders, the Scribner brothers, floated down the Ohio in search of a site for a new town, they readily perceived the advantages of the area. Settlements already having been established on all the other key points around the Falls, their eyes were attracted to the one remaining spot on the Indiana shore at the lower end of the rapids.

The Scribners were not the first to see that this section of the northern bank was valuable. They learned that the land nearest the termination of the Falls—and more nearly opposite Louisville on the Kentucky side—had been taken up by men who did not choose to sell. In 1784, the Commonwealth of Virginia had given the entire region on the northern side along the Falls to General Clark as a reward for his military services.¹ This grant, totaling one hundred fifty thousand acres, had in turn been divided among his followers. The spot which the Scribners coveted was within the grant and belonged to two of the veterans, Epaphras Jones and a Mr. Whitehill. Failing to purchase this, the next choice of the Scribners was the parcel of land just outside the grant belonging to Colonel John Paul of Madison. Colonel Paul had purchased his plot in 1808, probably more for the purpose of speculation than for development.² The Scribners succeeded in buying from him an area amounting to 826½ acres. The purchase price was eight thousand dollars.³

The Scribners were urban people, not frontiersmen in the tradition of Daniel Boone and Davy Crockett. From the first they had the idea of laying out a town.⁴ The three brothers deservedly accredited with founding the town—Joel, Abner, and Nathaniel—stemmed from a family of eastern mercantile people. They were restless “get-ahead folks,” moving from place to place in New York and New England, pinning their hopes on the grocery business one time, the milling business

¹ Henry A. and Kate Ford, *History of the Ohio Falls Cities and Their Counties* (2 vols., Cleveland, 1882), II, 139.

² William A. Scribner, *Early Days in New Albany*, 216-17. Manuscript in the Floyd County Historical Collection, New Albany Public Library, 1862. There were a few scattered settlers in this area, including a ferryboatman.

³ Ford, *History of the Ohio Falls Cities*, II, 139, 141.

⁴ Scribner, *Early Days in New Albany*, 16-17.

the next. Just prior to their moving westward the three were merchants in New York City, Joel having had a "family grocery and feed store" at Broadway and Spring Street.⁵

In 1811, Joel had formed a partnership with his brother-in-law, William Waring, with whom he planned to establish a leather business in the new town of Cincinnati. The two men piled their families and belongings in their "Yankee" and "Jersey" wagons and headed for the promising West. Except for an argument between Joel and Waring as to whether they should travel on the Sabbath, the trip was made as uneventfully as trips could be made in those days.⁶ Shortly after their arrival in crowded Cincinnati, Waring went off to fight in the War of 1812, and the partnership was dissolved. Joel decided that his best chance to earn a living lay still farther west. Joined by his brothers, Abner and Nathaniel, he started down the river to find a suitable place to support his family and pursue his mercantile ambitions. The search had ended some hundred miles down the stream when the brothers sighted the prosperous village of Louisville and visualized an equally prosperous village on the Indiana shore.

The ground purchased by the Scribners for their town was bounded on the south by the river, and on the north and west by a range of hills known as the "Knobs," or "Silver Hills."⁷ The Scribners had looked to the Falls, three miles above, as a source of water power for industrial purposes; but when they were forced to establish the town considerably below the immediate Falls area, they had to settle for what other compensations there were in the bargain. As it turned out, the purchased land met the immediate requirements very well: there were plenty of fresh water springs; a hilly landscape free of the usual "disease infested" lowlands; an abundance of building timber; and at least one small stream, Falling Run Creek, that would serve amply for the scale of milling operations with which they were prepared to begin. The site had its

⁵ Mary S. D. Collins, "New Albany, With a Short Sketch of the Scribner Family," *Indiana Magazine of History* (Bloomington, 1905-), XVII (1921), 211-13.

⁶ Scribner, *Early Days in New Albany*, 6.

⁷ The *New Albany Ledger* of August 3, 1885, gave this information on these hills: "This range was always known to the Indians as the Silver Hills, and the name 'Knobs,' substituted by some of the ignorant North Carolinians and Kentuckians of the pioneer days, has been taken up by their successors. . . . The significance of the Indian name is the belt of light haze that nearly always hangs along the sides of these magnificent hills and in the sunshine has the appearance of a thin belt of silver."

aesthetic attractions too: when Joel's son, William, viewed the valley and winding river from atop Cane Knob, he initiated a pastime that generations of later New Albanians have delighted in continuing.

Greenbriers, poplars, birches, and silver maples steadily gave way to the axes of the Scribners until the core of New Albany began to take form. The first tree fell on March 2, 1813, and just two months later Joel had a large double log cabin ready for his family to move into. A surveyor by the name of John Graham wandered in with his family, and he received the distinction of platting the town. Others attracted to the settlement pitched in to cut trees, pile brush, and build cabins. The Scribners shortly began to devote most of their time and energy to the setting up of a steam sawmill.⁸

Details of the original platting of the town reveal the business-like manner of the Scribners, as well as their New England cultural roots. They were careful to guarantee to "the proprietors, their heirs, and assigns forever" the exclusive right of ferrying from the town. They laid aside a share of the town plat for the support of a school. The four corners of what was to be one of the major intersections of the town they reserved for public buildings. And they designated a full block for "the Public Promenade and Parade Ground."⁹

The principal business and residential street running east and west, High Street, or later Main, was platted along high ground over six hundred feet up from the lower bank of the river. It was paralleled on the north by Market, Spring, Elm, and Oak streets. Running east and west along the river was Water Street, designed as the natural avenue for river front activity. Running north and south the principal street was State. It was to serve as the meridian between the "upper" and "lower" sections of the town. The widths of the streets varied according to their expected importance: Water Street was the widest, being one hundred feet; High, Market, and Spring were all eighty feet, while Elm was sixty, and Oak, its significance diminished because of its distance from the river, only thirty feet.¹⁰

⁸ Scribner, *Early Days in New Albany*, 18.

⁹ Ford, *History of the Ohio Falls Cities*, II, 149. As the center of activity pulled away from this immediate neighborhood, the park was used more for pasturing than for parading.

¹⁰ *Ibid.*, 149.

This advertisement, which was given circulation at least as far east as Cincinnati, is the best evidence of what the town was like in 1813, and what the Scribners wished it to become: "This town [New Albany] is just laid out, with spacious streets, public squares, markets, etc. It is situated on the bank of the Ohio river, at the crossing place from Louisville to Vincennes, about two miles below the Falls, in the Indiana Territory, and affords a beautiful and commodious harbor. The beauty of the prospect is not surpassed by any in the western country. The bank adjoining the river is high, and not subject to inundations. At the distance of six hundred and sixty feet back from the bank is a second rise of about twenty feet, from which there is an extensive view up and down the river. There is a sufficient number of excellent and never-failing springs for the supplying of any number of inhabitants.

"These advantages, together with that of the country around being dry and clear of any stagnant waters, being a sufficient distance below the Falls to avoid the fogs and any noxious exhalation arising therefrom in the warm season, and the winds generally blowing up the river at that time, are a sufficient reason to induce a belief of the healthfulness of the situation.

"The advantages New Albany has in point of trade are perhaps unrivaled by any town on the Ohio, as it is immediately below all the dangers which boats and ships are subject to in passing over the Falls, and is the only eligible situation for a depot for all the exports and imports of a great part of the territory, and may export and import while the river is low and the market good, as well as when the river is high.

"From the vast quantity of excellent ship-timber, the great abundance of iron ore within a few miles, and the facility with which hemp is raised, it is presumed this will be one of the best ports in the United States for the building of vessels as well as the loading of them. The erection of a saw-mill to go by steam is contemplated this fall, and a grist- and flour-mill next summer."¹¹

A notable feature of New Albany's early economic development is how closely it followed this pattern outlined by the Scribners. These men might have missed the mark in predicting the degree of prosperity which would eventually befall

¹¹ *Ibid.*, 144. One place the advertisement appeared was in the Cincinnati *Liberty Hall*.

their town—this was a common failing among town boosters. But their minute planning and efficient organizing during the first critical years were to be reflected in the town for many years to come. When discussing the achievements of pioneers, it is easy to fall into eulogy; but the Scribners were among those worthy of eulogy. Personal faults and failures have been completely forgotten in the presence of their very tangible achievement—a well-established river settlement.

Until his death in 1823, Joel Scribner served as the clerk of the newly formed Floyd County,¹² but no member of the Scribner family took a positive role in the governing of the community after the initial few years. As others came to figure more prominently, the Scribners became noticeably less influential in the activities of the town. Partly from chance accidents, and partly from the competition of more enterprising newcomers, their several milling projects never quite worked out. And despite the large quantity of land they sold to incoming settlers, the town project did not prove to be a successful financial investment for them. Nathaniel's property was sold by his heirs in 1821 for what little it would bring,¹³ and three years later Joel's was sold to satisfy his creditors after his estate had been declared insolvent.¹⁴ It was as though the founders had served their primary purpose and then conveniently moved from the stage to make way for a totally new set of actors.

New settlers did not rush into the young village, but a fair number of those who made up the great growing migration westward stopped to make New Albany their home. Henry M'Murtrie, an early historian of Louisville, whose 1819 account of the Falls area is a priceless asset to chroniclers of this barren period, was among those who thought that New Albany was making out very well. "For some time after it was laid out, New Albany, like other places in the neighbourhood, increased but slowly, conflicting opinions and clashing interests retarding its growth. The many natural advantages it possesses, however, have at length surmounted every difficulty, and its progress of late has been unequalled by any town on the Ohio, of so modern a date."¹⁵

¹² Several years of the old county records are in his handwriting.

¹³ *New Albany Chronicle*, March 17, 1821.

¹⁴ *New Albany, Microscope and General Advertiser*, December 25, 1824.

¹⁵ Henry M'Murtrie, *Sketches of Louisville and Its Environs* (Louisville, 1819), 166. The "conflicting opinions" mentioned by this writer is

From the handful who were in the vicinity at the time the Scribners came, the number for the county had grown to 2,776 by 1820.¹⁶ Some town antiquarians have been convinced that nineteenth century New Albany was but an offshoot of the northeastern seaboard. Emma Carlton stated that nearly every old family in the city "harks back to ancestors from New York, New Jersey, Pennsylvania and Virginia."¹⁷ Another claimed, "The Scribners, who were educated and came from the land of churches and Puritan ideas, labored hard to fill up their city with emigrants from New England, New Jersey, New York, Pennsylvania, and other Northern States; and their efforts were not without success. Hundreds of Eastern families, imbued with the spirit of freedom and enterprise, came to the new town; in fact, the New England element was continually and largely in the majority, and has always ruled the town and city."¹⁸

Any attempt to trace the former homes of the first settlers is beset with so many difficulties that a workable conclusion cannot be reached. But a sampling taken from obituary notices of persons who moved into the town and county before 1830 does not lend full support to a "New England thesis." Most of the settled regions of the United States had representatives in early New Albany.

There is some significance in the fact that nineteenth century citizens of the town believed that New Albany had its roots in the old Northeast—despite evidence on every hand that their town was bound up with the river and the southern economy it symbolized.

New Albany was formally incorporated as a town on November 13, 1816, shortly before Indiana was admitted as a state. There is practically no information on how the town was governed during the first half decade.¹⁹ Until 1819, it was

the only record of the many controversies that must have accompanied the unfolding of the Scribner plans.

¹⁶ United States, *Census for 1820*, p. 36. The population is given for Floyd County only.

¹⁷ Clipping from the Indianapolis, *Indiana Journal*, November 2, 1901, in the Emma Carlton Scrapbook, Floyd County Historical Society Collection, New Albany Public Library.

¹⁸ Ford, *History of the Ohio Falls Cities*, II, 142-43.

¹⁹ The first extant records of the town government are dated 1825. This thin, hand-written volume of town "Minutes" covers a period of several years, and it shows that the business dealt with by the town officials differed little from that handled by the county commissioners. The burden of governing was the responsibility of the county commissioners, though the same persons shared in both to a considerable extent. The early town records are in the office of the city clerk of New Albany.

located in what was then Clark County, the seat of this county being four miles up the river at Jeffersonville. As a result of agitation on the part of New Albany residents, Floyd County was formed from part of Clark and a small section of Harrison County on the west.

The "Minutes" of the County Council of Floyd are available from 1819 through the next ten years, and the petty details which concerned the county commissioners sufficiently indicate the scale of the early government. The general run of business had to do with the appointing of jurors, overseers of the poor, inspectors for projected roads, and tax collectors; or with the licensing of ferryboatmen and tavern keepers. The men who governed were familiar with the tradition of good government, but not with the administrative details that must be worked out to make it run smoothly. Trial and error was the most popular formula.

Finding a suitable place to hold the meetings of the County Council was in itself a problem; the commissioners met sometimes at Seth Woodruff's tavern, sometimes at the Presbyterian church, and sometimes at Sheriff James Besse's office. A courthouse was planned, the designer having received ten dollars for his share in the project, but it was offered for sale before completion. In 1822, another building was projected at a cost of nine thousand dollars, and the confusion resulting from this project was in part responsible for the threatened removal of the county government from the town of New Albany. The gravity of the situation is manifested in this excerpt from the record. "Whereas the County Commissioners at the present Term, have been sued with a mandamus from the Circuit Court of the County to show cause why they have not instituted suit against those persons who undertook with them & have neglected to build the public buildings for our said County of Floyd in New Albany—Therefore, the Commissioners do hereby constitute and appoint William P. and Joel D. Thompson, attorneys at law, to institute an action either at Law or Chancery. . . . to prosecute in behalf of the County against said undertakers who have failed to comply with their contract for building said public buildings."²⁰

²⁰ Minutes of the Commissioners of Floyd County, February 15, 1820, to February 21, 1821, pp. 58-129. This volume of early county records is in the Floyd County Historical Society Collection. *Ibid.*, February 15, 1820, p. 58; *ibid.*, August 13, 1822, p. 179.

Just what issues were involved in the courthouse trouble are not clear, but the state government stepped into the melee with plans to relocate the county seat. "They [a group of citizens from surrounding counties] are hereby appointed commissioners to re-locate the seat of justice of Floyd County. . . . That all grants or donations, which may have been heretofore made, to establish the seat of justice of Floyd County, at the town of New Albany, whether in town lots, land or other property, shall be restored to the grantors or donors thereof. That the contractors and undertakers to build a court house and jail, for said county at New Albany, shall be, and are hereby discharged from any obligation to perform the same."²¹

Greenville, a village twelve miles from New Albany on the Vincennes Road, was the next eligible place for the county seat. This town could boast of almost as large a population as New Albany, and it had the additional advantage of being more centrally located in the county.²²

Asahel Clapp, a prominent citizen and doctor of New Albany who kept a diary during the early years, disclosed that the outside commissioners had some trouble in making up their minds as to whether or not the seat should be moved. A month after the initial controversy he revealed that the New Albany people had managed to raise \$1,454.00 in cash, plus \$1,500.00 in real estate, to swing the decision in favor of New Albany.²³ The investigators were well paid for their decision: instead of the customary one dollar per day paid to officials of the county, they received three dollars per day during their period of "investigation." The first cash raised from the sale of the donated lots went to pay these outsiders who chose in favor of New Albany.²⁴ Thus the county seat was secured for the town,

²¹ *Laws of Indiana, 1822-1823*, pp. 103-5.

²² Ernest V. Shockley, "County Seats and County Seat Wars," *Indiana Magazine of History*, X (1914), 1-46. The *Indiana Gazetteer* for 1826 listed Greenville as the county seat of Floyd County, but there was no evidence in the County Minutes that any session was ever held there. *Indiana Gazetteer, or Topographical Dictionary . . . in the State of Indiana* (Centreville, 1826), 60.

²³ Asahel Clapp, *Diary*, 9. A copy of this diary is in the Floyd County Historical Society Collection, New Albany Public Library. The original diary is in the possession of the Indiana Medical Association. Clapp was the town's leading physician for about three decades. He donated seventy-five dollars in labor and materials to the cause. One account stated that he married a Scribner sister and another, a daughter of Joel.

²⁴ Minutes of the Commissioners of Floyd County, May 13, 1823, p. 220.

and this crisis in its early development was safely bridged.²⁴

The dispute shows that the early county officials, mostly New Albany men, were apathetic in their governing duties and had the tendency to let matters ride until they almost got out of hand. Perhaps the real significance of the dispute lies in the fact that New Albany's river position was not yet sufficiently honored to give it uncontested predominance over the interior towns.

Expenses for running the various governments which held jurisdiction over the settlement at New Albany were not great, but there were taxes and all the problems accompanying their levy and collection. In addition to the poll tax of fifty cents, the assessors levied chiefly on land, chattels, and personal luxuries. In 1819, the state land taxes were "For every one hundred acres of first rate land one dollar, for every one hundred acres of second rate land Eighty seven and a half cents, and for every acre of third rate land Sixty two & a half cents." County taxes at the same time were 50 cents for first rate land, 43¾ cents for second, and 31¼ for third.²⁵ It is conceivable that there were times when owner and assessor differed as to what was first, second, and third rate.

Holders of town lots paid 50 cents on each one hundred dollar valuation, while an owner of a horse paid 37½ cents for this privilege. Tavern keepers received licenses for fifteen or twenty dollars, and ferryboatmen for five to twenty dollars. Servants were strictly luxuries. "For every body servant above the age of twelve years other than an apprentice, three dollars."²⁷

In 1823 and 1824 the county commissioners found new items to tax. "One dollar and twenty five cents on each pleasure carriage of four wheels—One dollar on each pleasure carriage of Two wheels—Fifty cents on each Gold Watch—Twenty five cents on each Silver watch and twenty five cents on each work ox over 3 yr old. . . . On each Brass Clock one Dollar. On each . . . Pinchback watch Twenty five cents."²⁸

²⁴ Jeffersonville, New Albany's sister town up the river, was not so fortunate. The Clark County seat of government was moved from there to the more prosperous interior town of Charlestown, where it remained until September 23, 1873. Shockley, "County Seats and County Seat Wars," *Indiana Magazine of History*, X, 2.

²⁵ Minutes of the Commissioners of Floyd County, May 18, 1819, pp. 24-25.

²⁷ *Ibid.*, May 18, 1819, pp. 24-25, 29.

²⁸ *Ibid.*, May 13, 1823, p. 219; and February 11, 1824, p. 259.

Total county taxes for 1819 amounted to \$803.29, while licenses and fees brought in another \$251.11¼. Many of the citizens were land-poor, for there were forty-three on the 1821 list of delinquent county taxes, and twenty more for town levies. Mistakes in bookkeeping were patiently rectified. When Frederick Leatherman was assessed for a horse he did not own, he protested and was refunded 37½ cents.²⁹

Typical of the men who came to the forefront in the town as the Scribners faded out of the picture were Seth Woodruff and Charles Paxson. Woodruff had the versatility so often associated with leaders in frontier communities. He was a magistrate, tavern keeper, harness seller, bricklayer, and Baptist preacher. His prominence is verified by the number of times his name appears in the county records. He was energetic and economical, and had little appreciation for those who were otherwise. One of his favorite practices was to donate glass for new church windows—if the members of the congregations agreed to give up tobacco for one year. He boasted that he furnished them with all the light they had. Seth was just the sort of fellow to add plenty of zest and occasional turmoil to the newly established community. To his fellow citizens he was customarily known as "Judge." In later years he was revered as "Father Woodruff."³⁰

Charles Paxson, a settler from Philadelphia, was a merchant-miller who succeeded in the very ventures in which the Scribners failed. By 1819 he had his own steamboat, the "Cincinnati," which ran in the Louisville trade. M'Murtrie noted that in New Albany in 1819 the "only public works of any description that are worth notice, is the steam grist and saw mill, belonging to Messrs. Paxton and Smith."³¹ When Thomas Hulme passed through the town about this time, he thought that New Albany and Paxson were almost synonymous: "A Mr. Paxton, I am told, is the proprietor of a great part of the town, and had the grist and sawmills . . . and the ferry across the river."³² In spite of the prestige that must have come with being the most prosperous man in town, Paxson was not too dignified to build a fence around the local dog pound for

²⁹ *Ibid.*, November 10, 1819, pp. 46-48; and March 13, 1821, p. 134.

³⁰ A biographical sketch of this New Jersey settler can be found in the *New Albany Ledger*, November 3, 1852.

³¹ M'Murtrie, *Sketches of Louisville and Its Environs*, 203, 167.

³² Reuben G. Thwaites (ed.), *Early Western Travels, 1748-1846* (32 vols., Cleveland, 1904-1907), X (1904), 44.

twenty dollars.³³ He died in the early 1820's of yellow fever while on a trading mission to New Orleans.³⁴ He was but one of the earlier representatives of that group of enterprising traders who succeeded in giving New Albany prominence as a retail and wholesale trading center in the years to follow.

³³ Minutes of the Commissioners of Floyd County, November 10, 1819, p. 47.

³⁴ Ford, *History of the Ohio Falls Cities*, II, 221.