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## "Indiana Territory and Early Statehood, 1800-1825"

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## Chapter 8: Indiana Territory and Early Statehood, 1800-1825

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*To the teacher: Rapid settlement and growth of the territory of the Old Northwest causes problems for the new federal government.*

### Corollary to U.S. History

- The new federal government takes shape under George Washington's leadership
- Federalists and Republicans (Hamilton and Jefferson)
- The French Revolution, 1789 and increased problems with other foreign powers
- Thomas Jefferson, the Louisiana Purchase and continued foreign troubles
- The War of 1812 (Mr. Madison's War)

### GENERAL COMMENTS

Indiana Territory was the second territory within the Old Northwest, and Indiana was the second state carved from the region. Although most of the Old Northwest was included in the new Indiana Territory in 1800, the territory did not reach its maximum size until the addition of eastern Michigan and the Gore in 1803, when Ohio became a state. When Indiana voters expressed a preference for the second or representative stage of territorial government late in 1804, residents of the subsequent states of Michigan and Illinois sought separation and continuation of the first stage for their areas. The establishment of the Michigan Territory in 1805 meant that Michigan never became a part of Indiana's second stage; but Illinois, against the wishes of some residents, remained with second-stage Indiana until 1809.

Indiana Territory created as second territory in the Old Northwest

During both its first and second stages, Indiana territorial government was based on the stages for statehood outlined in the Ordinance of 1787. According to the Act of 1800, which established the territory, Indiana could enter the second stage whenever a majority of her qualified voters so desired. Moreover, once this stage was achieved

Indiana grows toward statehood

there was a considerable growth in political democracy. These changes, the decision against slavery, and land legislation which made it possible for numerous settlers to buy land, made pioneer Indiana more democratic than Kentucky and Tennessee.

During the period 1800-1825, Indiana was a part of the rapidly developing Ohio Valley frontier. The settlement of Indiana was a continuation of the settlement of the Ohio Valley which had been in process, though slowly at first, since about the 1750s. The Ohio River was a superwaterway for travel and transportation up and down the valley. This increased contacts between settlements and promoted considerable unity of interests and views among settlers throughout the valley. Viewing Indiana as a part of the expanding Ohio Valley frontier during the first quarter of the nineteenth century helps explain why the large majority of Indiana pioneers first lived in southern Indiana. Within Indiana the frontier of settlement moved principally from south to north, with the result that northwestern Indiana became "Indiana's last frontier."

Importance of the Ohio River waterway system

The revival of conflict with the Indians at the Battle of Tippecanoe in 1811, and the ensuing War of 1812, at first threatened and then confirmed American occupation of the Old Northwest. Despite some severe military reverses during 1812 and 1813, the Old Northwest was more strongly under American control at the end of the war than it had ever been. The British were aware of this increased American hold on the region. Moreover, the War of 1812 ended the long series of Indian wars which had been fought intermittently in the Ohio Valley since about 1750. In 1815, the Indians who had sided with the English generally realized that both they and the British had been successfully repulsed and that the American tide was waxing as the British tide waned. In other words, by 1815 the United States had made good its title to the Old Northwest and was now prepared to expand settlements throughout the Ohio Valley and even into portions of the Old Northwest within the Great Lakes-St. Lawrence drainage basin.

War of 1812 extends to the Old Northwest

Indiana's admission as the nineteenth state of the United States in 1816 was generally favored by its citizens. Although Indiana ceased to be a territory, in various ways she remained dependent upon the United States. In 1816, the Indians still held about two-thirds of the state land. The termination of these holdings, their survey and sale, and the removal of the Indians were functions performed by the federal government. Because transportation was inadequate, Washington made grants of land as well as some money to build roads and canals.

Indiana admitted as the 19th state in 1816

## POINTS TO EMPHASIZE

In 1800, Congress created the Indiana Territory by dividing the Old Northwest into two territories. The area east of a line from the junction of the Kentucky River with the Ohio, northeast to Fort Recovery, and due north to Canada remained as the Northwest Territory. It included almost all of Ohio, a slice from eastern Indiana known as the Gore, and approximately the eastern half of Michigan. The area west of this line became the Indiana Territory; it included nearly all of present-day Indiana, approximately the western half of Michigan, Illinois, Wisconsin, and much of Minnesota. When Ohio became a state in 1803, the eastern half of Michigan and the Gore were added to Indiana Territory, making it of immense size; however, its extent was soon decreased by the separation of Michigan Territory (1805) and Illinois Territory (1809). Except for minor changes, Indiana's present boundaries were established in 1816 when statehood was achieved.

Indiana  
Territory  
created

The "Gore"  
See map  
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William Henry Harrison was appointed governor of the new territory. John Gibson, Indian trader and veteran of the American Revolution, was appointed territorial secretary. Three judges were also appointed. They served as the highest court within the territory. These three judges and the governor adopted laws for the territory from various states. During this stage there was no representative government. This non-representative stage was recognized as a temporary expediency. In 1804, a vote was taken and a majority of those who participated in this referendum voted in favor of a change to the second or representative stage of territorial government.

First stage  
1800-1805  
under Governor  
William Henry  
Harrison

During this stage the governor, secretary, and judges remained in office; however, the judges and governor lost their power to adopt laws. The General Assembly elected a territorial delegate to be a speaking but non-voting member of Congress. In the General Assembly, members of the House were elected by voters who met certain property qualifications, while members of the Council (later called Senate) were appointed by the President from nominations made by the House. The General Assembly levied taxes, created new counties, established courts, and defined their functions. The territorial capital was established at Vincennes in 1800. In 1813, a law became effective which moved the territorial capital from Vincennes to Corydon, where it remained until 1825. Indianapolis became the permanent state capital in 1825.

Second stage  
1805-1816

Three important changes increased political democracy during the second stage: (1) The election of the territorial delegate was taken from the General Assembly and given to the voters; (2) Members of the Council were made subject to popular election rather than appointment by the President; (3) Suffrage was extended to include adult white

Political  
democracy  
increased

males who met a property qualification or paid territorial tax. Since nearly every adult white male met this test, the substance of universal suffrage was achieved for this group. Such democratic gains had not been achieved during the second stage in the Northwest Territory (1798-1803), and they were considered advanced for that day.

The Ordinance of 1787 prohibited slavery in the Old Northwest during its territorial period, and required that states carved from the region must exclude slavery. Some of the French in the area held slaves, and the courts decided that such persons could continue to own them. In 1802, a convention of citizens at Vincennes asked Congress to allow the introduction of additional slaves into Indiana, but Congress rejected this request. The following year the governor and judges adopted a law from Virginia which authorized life contracts for indentured servants. Under this law, a small number of Negroes were brought into Indiana, but they were more appropriately called slaves than indentured servants. Similar legislation was continued by the General Assembly in 1805, but was repealed in 1810. Indiana's Constitution of 1816 definitely excluded slavery. Though slavery existed in early Indiana, it never became a significant factor among Hoosiers. Indiana doubtless became a free state more because of local opposition to slavery than because of the prohibition against it in the Ordinance of 1787. Within Indiana, numerous Quakers, notably in the Whitewater Valley, opposed slavery during territorial days. The absence of slavery discouraged establishment of the plantation economy found in parts of Kentucky and Tennessee.

Slavery in the  
Indiana  
Territory

In 1800, the year Indiana became a territory, Congress passed a land law known as the Harrison Land Law. According to this law, 320 acres (a half section) was the minimum amount which could be purchased at a minimum price of \$2 per acre. The purchaser was allowed to make a small down payment to be followed by four yearly payments with a one year extension if needed. In 1804, Congress reduced the minimum amount to 160 acres (a quarter section). Although the minimum price was higher than in the Land Ordinance of 1785, the availability of smaller tracts and of credit made the new legislation attractive to settlers. Many settlers, however, were too optimistic about their ability to make annual payments and a majority of them were unable to complete their payments on time. Various laws allowed extensions of time for payments, but delinquencies increased. They became such a problem—especially with the beginning of the depression in 1819—that Congress passed a law in 1820 which reduced the minimum amount which could be purchased to 80 acres (one-eighth of a section) and set the minimum price per acre at \$1.25, but payment thereafter was to be strictly cash. It took more than a decade, and various laws, to make adjustments and settlements for persons who had bought land on credit in the period 1800-1820. Millions of acres of land, located mainly in southern Indiana, were sold under this credit plan.

Land Laws  
1800-1820

William Henry Harrison and Jonathan Jennings were the two most important political leaders in Indiana during 1800-1825. Harrison was from a prominent Virginia family. His father had signed the Declaration of Independence and had served as governor of Virginia. Harrison had planned to be a doctor but entered military service, serving with Wayne at the Battle of Fallen Timbers in 1794. He soon became secretary of the Northwest Territory and then its first territorial delegate to Congress. Harrison was the governor of Indiana Territory from 1800 to 1812, though at various times, John Gibson served in his place. Harrison resigned because of his participation in the War of 1812, following which he became a resident of Ohio. Elected president of the United States in 1840, he died after only one month in office.

Harrison and Jennings, rival political leaders

Jennings, a native of New Jersey, arrived at Vincennes in 1806. He soon moved to Jeffersonville and almost immediately became a rival of Harrison's. Jennings was elected territorial delegate in 1809, when this office was first filled by popular vote, and re-elected at each succeeding election. In 1816, he was president of the Corydon Convention which wrote Indiana's first Constitution. He was elected governor in 1816 and again in 1819. During the 1820s, he served several years in Congress.

Both Harrison and Jennings claimed to be Jeffersonian Republicans. Harrison represented a southern style of Republicanism that was more respectful of social status and more tolerant of slavery; Jennings represented a western style that was more egalitarian in spirit and quite opposed to slavery. Harrison enjoyed support in the older settled areas of the Southeast. Each faction exaggerated the views, and shortcomings, of the other. Harrison's appointive powers as governor gave him the ascendancy in the early territorial days, while Jennings' greater appeal to small farmers had shifted power to him by the time of statehood.

Between 1800 and 1809, Governor Harrison and his associates secured millions of acres of land from various Indian tribes for the United States. Within Indiana these cessions were mainly located in southern Indiana, though they included considerable land in central Indiana on its eastern and western borders. An even larger area was secured from the Indians within what is now southern and central Illinois. These cessions disturbed many Indians. The visible and effective Indian opponents of Harrison's were two Shawnees—the Prophet and his half-brother, Tecumseh. The Prophet advocated abandoning the religion and material culture of white people and returning to Indian beliefs and practices. In 1808, he established Prophet's Town on the Tippecanoe River and, by persuasion and occasional force, sought to rally a multi-tribal following. Tecumseh, an able diplomat and orator, joined in these efforts, gaining converts as Harrison gained cessions

Cession of land obtained from the Indians

from other Indian leaders. Twice Tecumseh visited Harrison at Vincennes to indicate his opposition to further cessions of land. In 1811, Tecumseh went south, presumably to enlist support from southern Indians. While he was away, Harrison led some 1,000 men up the Wabash from Vincennes toward the Indian area. Fort Harrison was built near present-day Terre Haute, and from there the army proceeded up the valley to a spot north of present Lafayette. Here it camped for the night, perhaps expecting negotiations with the Indians the next day. Near daybreak the Indians attacked and there were heavy losses on both sides. Harrison and his friends regarded this battle near the Tippecanoe River as a victory. The growing Indian conflict soon merged into the War of 1812.

The War of 1812—fought during 1812, 1813, and 1814—came toward the later part of Indiana's territorial era. Several factors pointed toward war: (1) conflicting views between the United States and England over the rights of Americans as neutrals in the prolonged warfare between France and England which involved various other countries; (2) English impressment of American seamen into British naval service, a question made thorny because both England and the United States often claimed the same persons as citizens; (3) American interest in possible territorial changes—some Americans thought war might result in the addition of at least part of Canada or perhaps Florida to the United States; and (4) American resentment at continued English encouragement to the Indians to delay cessions and retard the advance of the American frontier in the Old Northwest.

War of 1812  
produces  
Indian defeat

At first, the War of 1812 was disastrous to the Americans in the Old Northwest. Detroit fell to the English, the garrison at Fort Dearborn (Chicago) was massacred as it attempted to withdraw, Forts Wayne and Harrison were attacked, and Indian raids extended even into established settlements as is illustrated by the Pigeon Roost Massacre in Clark County. In 1813, the Americans successfully counterattacked. Oliver Hazard Perry's naval victory at Put-in-Bay on Lake Erie, and Harrison's victory over the British and Indians at Moraviantown on the River Thames in Canada (where Tecumseh was slain), ended any serious threats to the Old Northwest. No territorial changes resulted from the War of 1812; however, the Indians were thoroughly defeated, and many made peace even before the British.

American control over the West was much more solid and secure in 1815 than it had been in the uncertain 1780s. No Indian warfare thereafter occurred in Indiana. This war promoted a spirit of nationalism and encouraged the statehood movement which soon made Indiana the 19th state.

Five successive steps were involved as Indiana made the change from a territory to a state. First was the petition to Congress from the General Assembly asking that Congress authorize Indiana to frame a constitution and organize a state government. Following the Battle of Tippecanoe, the General Assembly in 1811 petitioned for statehood, but Congress regarded this as premature. Later, in 1815, a successful petition was made. Second came an enabling act by Congress in 1816 approving the calling of a convention to draft a constitution. The third step was the convention at Corydon which drafted a constitution for the new state. The fourth step was the election of various state officials and the actual organization of a state government. These steps were completed December 11, 1816 and resulted in the fifth step, which was the formal admission by the federal Congress.

Indiana  
becomes a  
state in 1816

Indiana's new constitution was concise. It provided universal suffrage for white males, excluded slavery, and set a very high goal for public education. Under this constitution, the General Assembly had much power and met annually for as long as members thought desirable. At the end of 1816, when Indiana entered the Union, there were only 15 counties in the state. By 1825, the total was near 50. County government was an extremely important unit of government in pioneer days which had become far more important than the civil township government. As a result, in many counties, rivalry over the site for a county seat was at times long and vigorous.

First  
Constitution  
written