

Collection #  
BV2570

## INDIANA CONSTITUTION, 1816

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Processed by

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### COLLECTION INFORMATION

VOLUME OF  
COLLECTION: 1 bound volume

COLLECTION  
DATES: 1816

PROVENANCE: Forrest H. Sweet (dealer), Battle Creek, Michigan, for Frank J. Prince (seller) and Willoughby G. Walling (additional grantor), September 1932 - January 1933

RESTRICTIONS: None

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ALTERNATE FORMATS:

RELATED HOLDINGS:

ACCESSION NUMBER: 1932.1101

NOTES:

## HISTORICAL SKETCH

Soon after the United States Congress passed an act that enabled the Indiana Territory to adopt a constitution and form a state government there was a convention in Corydon. The convention was attended by 43 delegates from the thirteen existing counties. It lasted 19 days, mainly because other state constitutions were used as a basis for the Indiana document. On the 29<sup>th</sup> of June 1816 the convention ended and the Constitution of the state of Indiana was decided upon and adopted.

The Constitution consists of a Preamble and twelve Articles which include a Bill of Rights; information about the distribution of power between Legislative, Executive, and Judicial Branches; and information about education, banking, militia, and slavery among other things.

From the little bit of information that exists about the reception of the Constitution it seems that it was generally accepted with satisfaction. However, there were some specific provisions that instigated some criticism. This had to do with the site of the capital in Corydon; the inability to amend or revise the Constitution until a period of 12 years was up; and other issues involving elective positions in government.

The 1816 Constitution was replaced in 1851 by a new state Constitution. This new document is still in place today with subsequent amendments by the state legislature.

Sources:

*Archives Current*, The Newsletter of the [Friends of the Indiana State Archives., Inc.](http://www.in.gov/icpr/2776.htm), Vol. 1, No. 2, Winter 1996. Accessed from <<http://www.in.gov/icpr/2776.htm>>

Coleman, Christopher B., "The Discovery and identification of an Original Copy of the Constitution of 1816," *Indiana Magazine of History*, Vol. 30 (1934).

"Full Text of the 1816 Constitution," from the Indiana State Government website.  
<<http://www.in.gov/icpr/2778.htm>>

Kettleborough, Charles, *Constitution Making in Indiana*. (Indianapolis: Indiana Historical Commission, 1916)

Ruegamer, Lana, *A history of the Indiana Historical Society, 1830-1980* (Indianapolis: The Indiana Historical Society, 1980)

“1816-Creation,” from the Indiana State Government website.

< <http://www.in.gov/icpr/2773.htm>.>

## SCOPE AND CONTENT NOTE

The delegates to the Indiana Constitution convention allowed that “there shall be two complete copies of the constitution of Indiana, one of which shall be lodged with the president of the convention, to be kept by him until the meeting of the first general assembly, at which time the constitution shall be laid before them, and to be disposed of in such manner as they direct.” The “one” copy mentioned was presented as the official government copy to the first session and then turned over to the Secretary of State, in whose possession it remained until 1934, when it was transferred to the Indiana State Library and then later to the Indiana State Archives.

The second autographed draft copy did not contain a provision for its disposal. It was temporarily kept in the Secretary of State’s office (which office also had both copies bound) until 1827 and for a time thereafter, perhaps for use in printing other copies. This “copy” was eventually discarded and became a private manuscript in the papers of William H. English well before the end of the 19<sup>th</sup> century (English was active in the 1850 constitutional convention and an Indiana historian; see also M0098 for English Papers collection guide).

Although originally willed to the Indiana Historical Society along with other material from the English estate, many of the items (including this manuscript) were put up for sale by an out of state dealer. In order to prevent their impending sale and dispersal to out of state parties, the Society acted decisively to recover these manuscripts in 1932-1933 by purchasing them, the economic hardships of the Great Depression notwithstanding. This September 1932 through January 1933 transaction was finalized with Forrest H. Sweet of Battle Creek , Michigan, a dealer representing the estate of Mrs. William H. English (seller given as Frank J. Prince, who had an interest in the English estate). Willoughby G. Walling, who also held an interest in the English estate, was an additional grantor of this and related items to the Society.

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## CATALOGING INFORMATION

For additional information on this collection, including a list of subject headings that may lead you to related materials:

1. Go to the Indiana Historical Society's online catalog: <http://opac.indianahistory.org/>
2. Click on the "Basic Search" icon.
3. Select "Call Number" from the "Search In:" box.
4. Search for the collection by its basic call number (in this case, ).
5. When you find the collection, go to the "Full Record" screen for a list of headings that can be searched for related materials.