



13.1992.1 Leavenworth  
Crawford County  
Marker Text Review Report  
2011

## Marker Text

Founded 1818 by Seth and Zebulon Leavenworth. Ohio River port for keelboats, flatboats, packets. Shipped pork, spirits, produce, corn, lumber, etc. Manufactured skiffs, flatboats, pearl buttons. Crawford County seat, 1843-c. 1895, when "stolen" by town of English. Town relocated to present site after 1937 flood.

## Report

Though the text of this marker is relatively accurate, some errors exist and the information given leaves the reader with many questions. The "theft" of the county seat, for instance, is not an isolated Crawford County incident—conflict over the locations of county seats were a significant trend in early Indiana local politics. Further, little is done to underscore the local impact and national notoriety of the 1937 Ohio River flood.

The town of Leavenworth was founded by Seth M. and Zebulon Leavenworth. The text of the marker dates the founding to 1818, and does not offer any additional details about the founders or the area. The plat for the town of Leavenworth was filed on July 14, 1819,<sup>1</sup> so the two men almost certainly settled and surveyed the area earlier, but we might more accurately date the founding to this official date. The Leavenworth cousins were active in the local economy and in state government. Collectively, the pair owned 87 lots in the town of Leavenworth and gave the public square to the town. Zebulon and his wife Margaret owned over 150 lots in Leavenworth's Cedar Hill Cemetery,<sup>2</sup> and the Seth owned land elsewhere in the county<sup>3</sup> at Corydon and Milltown.<sup>4</sup> Seth Leavenworth served on the General Assembly 1826-1829,<sup>5</sup> actively lobbying for railroad-building in southern Indiana.<sup>6</sup> Zebulon served on the same in 1830, 1832, and 1833,<sup>7</sup> and served in local government as well.<sup>8</sup> Seth remained in the county until at least 1850,<sup>9</sup> but relocated to St. Louis, MO, where he died in 1853.<sup>10</sup> Zebulon remained in Leavenworth until his death in 1872<sup>11</sup> and is buried in the aforementioned Cedar Hill Cemetery.<sup>12</sup>

Leavenworth was, at its founding, situated on the Ohio River in Harrison County (later Crawford County)<sup>13</sup> and advertisements in newspapers from the area confirm that city did function as a port, with a button factory, boat manufacturers, and shipping, as stated on the marker.<sup>14</sup> The regional significance of Leavenworth's port to the economy of Indiana and Kentucky, as compared to and in concert with other Ohio River ports, is a subject worthy of further research, but beyond the scope of this review.

Current guidelines for Indiana Historical Markers include a requirement of state significance and the current marker text stops short of interpreting Leavenworth's significance as an extreme example of the widespread "county seat wars,"<sup>15</sup> that took place in the state. Crawford County was formed in 1818 with its county seat at Mt. Sterling.<sup>16</sup> The seat was moved to Fredonia in 1827, and "two legislative acts dealt with a possible relocation of the county seat [to Leavenworth] but no change was made."<sup>17</sup> The seat was moved to Leavenworth in 1843.<sup>18</sup> H.H. Pleasant, county historian, suggests that plans to move



the seat from Leavenworth could have been underway as early as 1858, when Zebulon Leavenworth “went over to Scott township in Harrison County and secured the signatures of seventy two real estate owners,” in an effort to annex the “heavily Democratic” township for Crawford County, lessening the Republican majority. He argues that “Leavenworth would not have lost the seat of justice [in 1896] if that territory had been part of Crawford County.”<sup>19</sup>

Many Crawford County newspapers were referenced in the secondary literature and by contemporary newspaper editors, but pertinent issues were unavailable in print or microfilm as of the date of this review. Crawford County periodicals from the first two phases in the Crawford County seat war would provide greater understanding of the motives and tactics used by Crawford County towns in relocation attempts more generally.<sup>20</sup> A look at periodicals dealing with the marker’s claim that the seat was “stolen” from Leavenworth did yield contemporary accounts that may be representative of those earlier fights.

To say that the town of English “stole” the county seat is a biased oversimplification of a very complex situation. It may be difficult for the modern mind to understand the impetus for a “war” over the seat of government, given the speed with which we may now travel and transact business with companies around the world. In the 19<sup>th</sup> century, to be the seat of government and law was desirable because it brought people to a town, either to settle or to visit—an increase in population resulted in benefits for the local economy. On October 19, 1893 notice was published of a public discussion to be held October 24, regarding what representatives from English called “the injustice and detriment to the prosperity of the county to allow the county seat to remain at Leavenworth.” Relocation advocates cited the county’s high debt and rising taxes as evidence of Leavenworth’s inability to lead and reason for removal of the county seat.<sup>21</sup> The editor of the *Crawford County Democrat*, who reluctantly posted the notice, noted repeated failures on the part of English and offered the same as a rebuttal argument: “Times are so hard and money scarce, taxes are high enough now. If the county seat is ever removed it must be while times are better and the county out of debt.”<sup>22</sup> Many similar meetings preceded this one,<sup>23</sup> but the 1893 meeting resulted in a hotly-contested petition drive, legislative and judicial action, and finally, the removal of the seat.

In November, 1893, the *Democrat* warned citizens that a petition was being circulated for presentation at the “December term”<sup>24</sup> and by the New Year, petitions had been filed,<sup>25</sup> audited,<sup>26</sup> and published: 2,185 names were collected, 300 of which were “illegal entries,” and 330 of which were remonstrators, leaving English approximately 300 names short of the required 1,830 to relocate the county seat.<sup>27</sup> The *Democrat’s* editor<sup>28</sup> insinuates that a few unsavory men spent years rigging the Board of Commissioners. He claims that the petitioners acted in good faith and followed the rules, but goes on to report that the Commissioners ordered citizens out of the public proceeding and voted to relocate the seat to English in spite of the failed petition.<sup>29</sup>



In 1894, the *Democrat's* prediction that “every inch will be contested, fight will surely be taken into the Indiana Supreme Court,”<sup>30</sup> began to ring true when a suit was filed against the decision. In November of that year, a change of venue was granted<sup>31</sup> and in February 1895 it was reported that the county clerk had not yet produced the transcripts of the petitions on which the case hinged. By March, Leavenworth had applied for a new trial and been denied.<sup>32</sup> In June, they took the fight to the Supreme Court, opposing both the decision of the Washington circuit court and the fact that English was building a new courthouse irrespective of the pending appeal. The representatives from Leavenworth requested an injunction to prevent English “expending public money for a purpose which may become fruitless,” expressing a fear that English would remove the county seat to the new courthouse before the case was finally decided.<sup>33</sup> The Supreme Court upheld the lower court decision to relocate the county seat in January of 1896.<sup>34</sup>

In defiance of the ruling, Leavenworth refused to transfer county records to English, preventing the town from operating as the county seat. In April, 500 armed men from English stormed Leavenworth, broke into the Leavenworth courthouse, and seized county records by force.<sup>35</sup> Theft, then, of the county seat is hardly all that transpired. Rather, English won the relocation of the county seat through legislative and legal means, committing a theft in order to act on their responsibility as the legal and governmental center of the county.

The marker text is correct in its final assertion that the “town relocated to present site after 1937 flood.” More could certainly be said to contextualize this fact. The 1937 flood of the Ohio River has been classed by the National Weather Service as the deepest flood of the Ohio ever recorded.<sup>36</sup> “The hardest hit of the larger cities probably was Louisville, Ky., where nearly 70 percent of the city was under water and about 175,000 people were forced to leave their homes. Jeffersonville, Ind., across the river was 90 percent inundated[...].”<sup>37</sup> In Leavenworth, water reached second-story windows<sup>38</sup> and residents were relegated to a tent city for nearly two years<sup>39</sup> while the plans to move the town to higher ground were financed and implemented.<sup>40</sup> The flood is of state and regional significance and the relief efforts in Leavenworth are important to the history of the WPA and the Red Cross.

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<sup>1</sup> *Crawford County General Index of Deeds by Grantee*, [Indiana State Library](#). “Leavenworth Plat” is recorded as granted by “S.M. and Z. Leavenworth. The deed is recorded in Book A of Crawford County Deeds, page 21.

<sup>2</sup> *Crawford County General Index of Deeds by Grantor*, [Indiana State Library](#).

<sup>3</sup> *Deeds by Grantee*.

<sup>4</sup> Also founded by these two and known previously as “Leavenworth’s Mill” according to H.H. Pleasant, “[Crawford County](#),” *Indiana Magazine of History*, Vol. 18 no. 2 (June 1922): 125-65.



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<sup>5</sup> Dorothy Riker and Gayle Thornbrough, *Indiana Election Returns 1816-1851*, vol. XL in *Indiana Historical Collections* (Indianapolis: Indiana Historical Bureau, 1960), 196, 198, 200, 202. (*Indiana Election Returns* is also available [online](#).)

<sup>6</sup> Text of Leavenworth's speech to the General Assembly may be found in his letter to the editor printed in *Indiana Journal*, March 20, 1827, p. 1-2. *Indiana Journal* is available from the [Indiana State Library](#).

<sup>7</sup> *Indiana Election Returns*, pp. 206, 212, and 216.

<sup>8</sup> Zebulon served as president of the Board of Commissioners for Crawford County, and administrator of the county's "three per cent fund" for building and maintaining roads can be found in *Crawford County Commissioner's Record 1834-1845*, comp. Richard Eastridge (English: Crawford County Historical and Genealogical Society, 2006).

<sup>9</sup> U.S. Bureau of the Census, *Fourth Census of the United States*, 1820. Accessed October 5, 2011, [Ancestry.com](#). U.S. Bureau of the Census, *Fifth Census of the United States*, 1830. Accessed October 5, 2011, [Ancestry.com](#). U.S. Bureau of the Census, *Sixth Census of the United States*, 1840. Accessed October 5, 2011, [Ancestry.com](#). U.S. Bureau of the Census, *Seventh Census of the United States*, 1850. Accessed October 5, 2011, [Ancestry.com](#).

<sup>10</sup> St. Louis Genealogical Society, *Index to Death Records in the City of St. Louis, 1850-1902*, St. Louis, MO: St. Louis Genealogical Society, 1999. Accessed October 5, 2011, [Ancestry.com](#).

<sup>11</sup> Note that Zebulon Leavenworth does not appear by name in the 1820 or 1830 U.S. Census, though he bought and sold land and served in the General Assembly as a representative from the county. 1840 and 1850 Census records confirm his residency.

<sup>12</sup> Memorial of Zebulon Leavenworth, Cedar Hill Cemetery (Photograph), Memorial ID # 13838119. Accessed October 6, 2011, [Find a Grave](#).

<sup>13</sup> Patent, General Land Office Records, Accession # CV-0082-204. Accessed October 6, 2011, [Bureau of Land Management](#). As of 4/7/1825, Julius Woodford and the Leavenworth cousins are recorded as owners of the entirety of Section 6, Township Line 4S, Range Line 2E. Leavenworth encompassed the eastern half of the aforementioned section according to [Plat Books of Indiana Counties vol. 1 \(Lombard, IL: Sidwell Studio\)](#), p. 186. Accessed October 5, 2011, [IUPUI Digital Collections](#).

<sup>14</sup> Generalization based on a survey of the advertisements in each of the Crawford County newspapers referenced in the bibliography.

<sup>15</sup> For an excellent overview of the state's many "wars," see Shockley, Ernest V., "[County Seats and County Seat Wars in Indiana](#)," *Indiana Magazine of History*, Vol. X no. 1 (March 1914): 1-45.

<sup>16</sup> *Laws of Indiana 1817-18*, as quoted in Pence, George and Nellie C. Armstrong. *Indiana Boundaries: Territory, State, and County* (Indianapolis, 1933). (*Indiana Boundaries* is also available [online](#).)

<sup>17</sup> Pence, 294.

<sup>18</sup> *Commissioner's Record*, p. 112.

<sup>19</sup> "Crawford County." *Indiana Magazine of History* 18, no. 2 (June 1922), p. 52-3. Primary documents relating to the annexation of Scott Township were not available for consultation to confirm this claim.

<sup>20</sup> Titles named in reviewed documents: *Leavenworth Arena* (1838), [Leavenworth] *The Crisis* (est. 1839), *Corydon Democrat* (est. 1855), *Corydon Republican* (est. 1868), *Crawford County Republican*, *Crawford County Herald*, *Leavenworth Independent* (est. 1869), and *Marengo Observer*. H.H. Pleasant, county historian, suggests that the fight could have been underway as early as 1858, when Zebulon Leavenworth "went over to Scott township in Harrison County and secured the signatures of seventy two real estate owners," in an effort to annex the "heavily Democratic" township for Crawford County, lessening the Republican majority. He argues that "Leavenworth would not have lost the seat of justice [in 1896] if that territory had been part of Crawford County," 52-3.



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<sup>21</sup> "County Seat Meeting," *Crawford County Democrat*, October 19, 1893, p. 3. The *Crawford County Democrat* is available from the [Indiana State Library](#).

<sup>22</sup> Ibid.

<sup>23</sup> "English After It," *Crawford County Democrat*, October 26, 1893, p. 3. The editor notes that "for about the seventh time the property owners of English have concluded that they will have the county seat removed, regardless of expenses, taxes, stringent times or personal feelings." As early as 1886, newspapers from across the state were covering the battles. The *Logansport Pharos* uses the "county seat war" and places the start of the Leavenworth/English conflict well before 1883 ("State News," *Logansport Pharos*, March 6, 1886, p. 3.)

<sup>24</sup> "Commenced Work," *Crawford County Democrat*, November 23, 1893, p. 3.

<sup>25</sup> "Petitions Filed," *Crawford County Democrat*, December 7, 1893, p. 3.

<sup>26</sup> "The dispatches from English[...]," *Crawford County Democrat*, December 14, 1893, p. 3.

<sup>27</sup> "In Defiance," *Crawford County Democrat*, December 21, 1893, p. 3.

<sup>28</sup> It bears noting that the paper was published in Leavenworth, and an obvious bias exists. See note 18.

<sup>29</sup> "In Defiance."

<sup>30</sup> "Commenced Work," *Leavenworth Crawford County Democrat*, November 23, 1893, p. 3.

<sup>31</sup> "County Seat Contest," *Fort Wayne Sentinel*, November 20, 1894, p. 1. Accessed October 7, 2011, [Newspaper Archive](#).

<sup>32</sup> "Leavenworth Is to Appeal," *Logansport Reporter*, March 18, 1895, p. 4. Accessed October 7, 2011, [Newspaper Archive](#).

<sup>33</sup> "Mode et al v. Board of Commissioners of Crawford County," Supreme Court of Indiana, June 13, 1895 as quoted in *The Northeastern Reporter*, vol. 40, April 12-June 28, 1895, p. 1089. Accessed August 15, 2011, [Google Books](#).

<sup>34</sup> "English Gets the County Seat," *Logansport Reporter*, January 11, 1896, p. 4. Accessed October 7, 2011, [Newspaper Archive](#).

<sup>35</sup> "Records Removed by Force," *Fort Wayne Evening Post*, April 15, 1896, p.3. Accessed October 7, 2011, [Newspaper Archive](#).

<sup>36</sup> Central Region Headquarters, National Weather Service, "The Great Flood of 1937." Accessed 10/5/2011, <http://www.crh.noaa.gov/lmk/?n=flood> 37.

<sup>37</sup> Swenson, Bennett, "[Rivers and Floods](#)," *Monthly Weather Review* of the National Weather Service (February 1937): 71-77. Accessed October 7, 2011, [National Weather Service](#).

<sup>38</sup> "1937 High Water Mark at Leavenworth, Indiana" ([photograph](#)), Rohdenbaugh Collection, [Indiana Historical Society](#). Accessed October 7, 2011, IHS Digital Collections.

<sup>39</sup> "Town Moving," *Ada [OK] Evening News*, December 25, 1938, p. 12. Accessed October 7, 2011, [Newspaper Archive](#).

<sup>40</sup> "Flood Damage Survey Asked by WPA Chief," *Valparaiso Vidette-Messenger*, April 20, 1937, p. 8. "Complete Plans for Re-location of Leavenworth," *Hammond Times*, August 4, 1937, p. 20. Accessed October 7, 2011, [Newspaper Archive](#).