

## Indiana and Kentucky Boundary Papers

S1489, ODB35

1938-1951

1 folder, 1 os. folder

Rare Books and Manuscripts

Indiana State Library

Processed by: Barbara Hilderbrand, March 2007

Finding aid revised: Brittany Kropf, 11/06/2015

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### Historical Note:

In 1935, Kentucky filed a claim against the city of Evansville, Indiana to include real estate in the city on Kentucky tax assessment records. The state of Kentucky claimed that the land was actually part of the state of Kentucky. There had been a dispute between Kentucky and Indiana over land boundaries going back to 1820. The case was brought to the United States Supreme Court in *Handley's Lessee v. Anthony* and the court decided that the boundary line was the low water mark of the Ohio River. However, when the plat maps were made the boundary line used was the high bank mark.

In 1873, Kentucky and Indiana both created commissions to ascertain the true boundary line between them. In 1877, Kentucky adopted the report of the commission, while Indiana suspended their commission. The legislature of Indiana gave the Governor the power to enter into negotiations with Kentucky for all the rights and jurisdiction of Green River Island and any lands on the Indiana side of the Ohio River. The negotiations were unsuccessful and the case again came before the United States Supreme Court in *Indiana v. Kentucky* in 1890. The court again found the boundary line to be the low water mark of the Ohio River but stated that it was the low water mark of the river at the time the area was controlled by the commonwealth of Virginia. They decided that the land then passed to Kentucky when it entered the Union. In 1944, the boundary was set by the United States Congress and they found that the Evansville Water Works plant was in Indiana.

### Scope and Content Note:

This collection contains papers dealing with a land boundary dispute between Indiana and Kentucky dealing with the Evansville, Indiana Water Works plant.

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### Item Listing:

1 Folder.

1938 Dec. 5 Kagan, S. J. to the Evansville City Attorney  
1938 Dec. 6 Waren, Leo (Assistant City Attorney of Evansville) to Louis L. Roberts  
City Attorney  
1938 Dec. 6 Summary of the Facts involved in a land dispute between the state of  
Indiana and the Commonwealth of Kentucky  
1938 Dec. 6 Summary of the Facts involved in a land dispute between the state of  
Indiana and the Commonwealth of Kentucky (Copy)  
1939 Jan. 20 Kagan, S. J. to Dr. Christopher B. Coleman  
1939 May 3 Roberts, Louis L. to William E. Treadway, Administrative Secretary of  
the Commission on Interstate Cooperation  
1943 May 24 H.J. Resolution 131  
1951 The Case of the Missing Slough

OBD35, 1 Folder.

undated Kentucky and Indiana Boundary Commission Report and Plat of  
Resurvey of Kentucky and Indiana State Boundary Line

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**Collection Information:**

*Size of Collection:* 1 folder (8 items), 1 oversize folder (1 item)  
*Collection Dates:* 1938-1951  
*Provenance:* L. A. Smith, 13 April 1942 and WPA Historical Records  
Survey, 1939 Jan. 20  
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