

# Indiana's State Seal – An Overview

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The story of the Indiana Seal is long and interesting. Aside from the general meaning of the seal's symbolism, the question of whether the sun in the seal is setting or rising has occasioned the most comment. This Overview provides the official sources in tracking the seal's history. It also provides commentary from various general histories, newspapers, and other publications.

In addition to the sources noted in this Overview, the papers gathered by Charles R. Brown in his research on the seal are preserved in the Indiana State Archives. There are hundreds of documents in the Indiana State Archives containing various versions of the seal. The Indiana State Seal clipping file in the Indiana State Library has many items (published and unpublished) about the seal's history.

## Sections that follow:

- I. 1787 – Creation of the Northwest Territory—rising sun in commentary
- II. 1800 – Indiana Territory—setting sun in commentary
- III. December 11, 1816 – State of Indiana—setting sun in bill
- IV. 1895 Session of the Indiana General Assembly—setting sun in report and bill
- V. 1905 “discussion” about the seal —setting sun and rising sun commentaries
- VI. A Comment from 1919—rising sun
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## I. 1787 – Creation of the Northwest Territory

The Ordinance of 1787 makes no mention of a seal for the Territory of the United States Northwest of the River Ohio. The Laws of the Territory of the United States Northwest of the River Ohio make no provision for a seal for the territory.

From William Hayden English, *Conquest of the Country Northwest of the River Ohio, 1778-1783* . . . , 2 vols. (Indianapolis, 1896), 2: 769-75.

English for his book investigated the origins and description of the seal of the Northwest Territory, working with the United States Department of State. He provides copies of the letters received and other research and conclusions in the effort to reconstruct the complete seal image.

According to one letter from the Department of State, ““The earliest mention of use of the seal is in [Governor Arthur] St. Clair’s proclamation of July 26, 1788”” (letter quoted on p. 773).

English believed that the seal reproduced in his book (and reproduced at the top of the next page) is “an exact reproduction, in every respect, of the original seal” (pp. 773, 774).

Although his explanation reflects the prejudices and oratory of his time, English notes that “a study of this historic seal will show that it is far from being destitute of appropriate and expressive meaning. The coiled snake in the foreground and the boats in the middle distance; **the rising sun**;

the forest tree felled by the ax and cut into logs, succeeded by, apparently, an apple tree laden with fruit; the latin inscription *'Meliozem lapsa locavit,'* all combine to forcibly express the idea that a wild and savage condition is to be superseded by a higher and better civilization. The wilderness and its dangerous denizens of reptiles, Indians and wild beasts, are to disappear before the ax and rifle of the ever-advancing western pioneer, with his fruits, his harvest, his boats, his commerce, and his restless and aggressive civilization.



“*Meliozem lapsa locavit!*”

“He has planted a better than the fallen.”

An Act of Congress, approved May 8, 1792, directed the U.S. Secretary of State to “provide proper seals for the several and respective public offices in the said Territories [northwest and south of the river Ohio].” Charles Kettleborough, *Constitution Making in Indiana* (Indianapolis, 1916), 1: 38.

## II. 1800 – Indiana Territory

The act of May 7, 1800 creating the Indiana Territory makes no mention of a seal for the territory. The Laws of the Indiana Territory make no provision for a seal for the territory.

The earliest recorded use of a seal for the Indiana Territory is on court documents signed by Governor William Henry Harrison in January 1801.

Jacob Piatt Dunn, in *Slavery Petitions and Papers* (Indianapolis, 1894), prints a copy of the “Petition of the Vincennes Convention” dated December 28, 1802. Dunn provides a note about the seal used on the document: “This is the seal of Indiana, **setting sun**, buffalo and man cutting tree, but not the same as now [1894]—the buffalo’s tail is down and the head is opposite the sun. The word Indiana is on a scroll in the branches of the tree” (p. 468). The seal pictured here, was provided by the Indiana State Archives; see page 5 of this paper.



## III. December 11, 1816 – State of Indiana

Article IV, section 26, of the 1816 State Constitution states that there shall be a seal for the state.

A bill was introduced in the Indiana House of Representatives in 1816 providing for a public seal and press. The bill passed the House. The bill was amended in the Senate. When the amendments made by the Senate were taken up in the House on November 22, 1816, Representative Davis Floyd struck the Senate amendment and inserted the following words: “a forest and a woodman felling a tree, a Buffaloe leaving the forest and fleeing through a plain to a distant forest and the **Sun sitting** [sic] in the west with the word Indiana” (*House Journal*, 1816, p. 36). Ultimately the amendments went to a conference committee. Both houses agreed on the report of the conference

committee, but no record survives of the committee report or the bill itself. The Act approved December 13, 1816 providing for a Public Seal and Press does not contain a description of the seal. *Indiana Laws*, 1816, pp. 218-19.

The 1851 Constitution, Article 15, section 5, states that there shall be a seal of the state.

#### IV. 1895 Session of the Indiana General Assembly

The Senate appointed Robert S. Hatcher, reading clerk of the Senate to investigate the legal status of the Seal of the State of Indiana. His report on March 8, 1895, in the *Senate Journal*, 1895, pp. 993-1001, verified that no official description existed.

Hatcher notes (p. 999) that “The general design of the device now used as the seal of Indiana (of which the woodman and buffalo are the chief features), is a legacy from territorial days, and has been in use for nearly a century. . . .

“It seems to be the concensus [sic] of opinion that inasmuch as the general characteristics of the original seal have for nearly a century represented the dignity and authority of Indiana, both as a Territory and a State . . . the essential features of the old design should be preserved.”

Hatcher then summarizes (p. 1001):

“Owing to the want of a specific description of the seal, there is necessarily a lack of uniformity of design in the seal of the State.

“In some of the executive offices the seal is used, with the buffalo represented as going to the left, in others to the right, while in others it is shown in full face.

“Seals are in use both with and without the **setting sun**.

“The woodman is found in many different locations, both behind and in front of, and on either side of the buffalo.

“In addition to the inconsistencies mentioned, the present seal of the State is of inferior and inartistic workmanship, and impressions taken from it are indistinct.”

Hatcher recommended a law with a description and authorization and a new seal well-engraved, “the design to conform as far as the requirements of art will permit, with the original device as adopted in 1801, adding at the top of the design the motto: ‘Loyalty’” (p. 1001).

Senator McCord introduced Senate Bill 486 on March 8, 1895, to “establish and legalize the arms of the state of Indiana, and to provide for the use thereof on the public seals and for the purchase of a seal of state.” The bill was read a first time and ordered printed. There was no further action.

The text of Senate Bill 486 provides: “That the device of arms of this State is hereby declared to be correctly described as follows: In a circle, a woodman felling a tree; to the right, in the perspective, **the setting sun**; a buffalo fleeing through a plain to the left; at the top of the device, the motto, ‘Loyalty.’” Original copy of SB 486, Indiana State Archives.

#### V. 1905 “Discussion” about the Seal

In the January 28, 1905 issue of the *Indianapolis News*, the state seal was brought to public attention. A legislator had questioned the meaning of the seal, including as part of his description “the **sun setting** behind mountains in the background.”

The article continues with various inaccurate pieces of information about the history of the seal. It notes that “the **sun sinking** in the West, behind a range of mountains, is absurdly incorrect as

a feature of Indiana scenery. The western horizon of Indiana is a level one and there are no mountains this side of the Rockies.” It attributes the design of the seal to an “Eastern artist” with “very vague ideas of the West.”

The article brings in a new perspective: “Perhaps the **stationary sun** about to set behind a range of mountains, but still stationary, was intended to signify that the sun of Indiana never set.”

Apparently, there were many responses to this article. In the February 22, 1905 issue of the *Indianapolis News*, a letter to the editor from Jacob P. Dunn, an eminent Indiana historian, was published. After castigating misinformed readers for not taking advantage of the available written histories of Indiana for correct information, he commented: “Of course, there is no location in Indiana that would furnish such a scene as is in this device, and the probability is that it is figurative—indicating a new community beyond the mountains, as to the older settlements . . . . If this were the design it would necessarily be a **rising sun**, as the mountains were to the East, and, indeed, a **rising sun** would seem a more appropriate emblem for a new State.”

## VI. A Comment from 1919

Jacob P. Dunn in his book *Indiana and Indianans* (Indianapolis, 1919) once again commented on the state Seal. “This seal has been the subject of much jest, and of many surmises as to its significance. . . . The interpretation of the design [with a setting sun] . . . is merely an illustration of the utter perversity of the people of Indiana in the interpretation of works of art. It is not a ‘setting sun,’ but a **sun rising** on a new commonwealth, west of the mountains, by which, at that time, was always meant the Allegheny Mountains. The woodman represented civilization subduing the wilderness; and the buffalo, . . . going west, . . . represented the primitive life retiring in that direction before the advance of civilization” (pp. 378-79). The version of the seal to the right was printed in Dunn’s book with the discussion.



## VII. 1963 Adoption of Seal and Description

As quoted from Charles R. Brown and James E. Farmer, “1963 Assembly Corrected Oversight on State Seal,” in James E. Farmer, ed. *Session Sketches* (Indianapolis, 1978), pp. 58-59.

In 1963, the State of Indiana finally “officially described and adopted” a state seal (shown to the right). “Although accepted throughout the years, the Seal had been variously drawn in pictorial renditions. Its versions were numerous although all were encircled with the words, ‘Seal of the State of Indiana.’”

“When the General Assembly met in 1963, a new member of the House of Representatives, Taylor I. Morris, Jr., of New Castle, decided the historical oversight had been permitted long enough. He had read newspaper accounts of research on the subject by Charles R. Brown of Montezuma, a former Senate secretary and veteran employee of the Legislative Reference Bureau.



“Together they drafted a bill describing the Seal then in use by the Secretary of State.

House Enrolled Act No. 1348 was approved by Governor Matthew E. Welsh on March 11, 1963. Thus, the Seal's scene—with its woodsman felling a tree and its buffalo fleeing from the forest—finally became official.”

The 1963 legislation adheres to the description of a **setting sun** as in the 1816 and 1895 bills introduced in the General Assembly.

### **VIII. 2004 Session of the Indiana General Assembly**

Representative Luke Messer introduced a bill (HB 1391) to change the setting sun to a rising sun in the official description of the seal; no further action.

### **IX. 2005 Session of the Indiana General Assembly**

Representative Luke Messer has introduced a bill (HB 1100) to change the setting sun to a rising sun in the official description of the seal.

### **X. Some Examples of Versions of the Seal over Time**

The following seals were used on the 1994 Indiana Corporate IT-20 Income Tax Booklet. Some were rendered by artist Michael Scherer from documents in the Indiana State Archives.



1787



1800



1863



1950



1963