

*****Transcript of my Talk on “Davis Floyd and the Anti-Slavery Struggle in the Indiana Territory from 1802 to 1809,” as it pertains to *“The Rest of the Story”***

(ff) First, during the summer of 1816 the biggest event in the Indiana Territory was the fulfilment of the “third phase” of government under the Northwest Ordinance of 1787. It was a big event for Thomas Lincoln and his family because they moved from Central Kentucky to Southern Indiana that year. His son, Abraham Lincoln, wrote in later years that the reasons his father and his family moved to the Indiana Territory was because (I) slavery was illegal there and (II) land titles were more secure. I would like to think that my ancestors who came from Kentucky to Southern Indiana in 1804, came for the same reasons. His name was Hays McCallen, and his daughter was Polly Smith. He founded McCallen’s Crossing in 1804, now the town of Palmyra, Indiana. Some people say that John Badollet had a part in both of Tom Lincoln’s reasons. It is documented that in 1830 that Thomas and Abraham visited the Vincennes Land Office. I wonder if Mr. Badollet waited on them. Back to the Constitutional Convention, there were 43 elected delegates from the various counties in Southern Indiana that attended the Constitutional Convention that hot Indiana summer in Corydon. Remember they worked outside under the Constitutional Elm. No one from the Illinois Country was there, except for maybe one person, because that part of the Northwest Territory had become its own Territory in 1808. Gov. Harrison was not there because he left the Indiana Territory in 1812 to seek his fortunes in the State of Ohio after a stint in the

US Army in the War of 1812. But the following delegates were there: (I) James Lemen, father, son, or someone else, I don't know, representing Clark County; (II) Rev. Frederick Rapp from New Harmony representing Gibson County—this Rapp was the adopted son of Rev. George Rapp; (III) Davis Floyd, representing Harrison County, (IV) Benjamin Parke, the nemesis representing Knox County, and John Badollet, also representing Knox County. The object of the Convention was to form a Constitution for the new State of Indiana. When it came time to vote on slavery, the issue was a “done deal.” The aforementioned “well intentioned men” of the Indiana Territory had fought that fight and won and when the Convention men discussed the issue of slavery, they put into the 1816 Indiana State Constitution the same anti-slavery law prohibiting slavery and involuntary servitude that was in the Northwest Ordinance of 1787. And our present State Constitution in 2021 still contains that same language that has been in effect for over 233 years here in Southern Indiana. That's a record of which to be proud.

(gg) Second, allow me to ask some “what ifs.” What could have happened if Gov. Harrison had had his way with the US Congress in 1802, 1803, 1804, 1805, 1806, or 1807? What could have happened if the “well intentioned men” of the Indiana Territory had not opposed Gov. Harrison, Attorney General Parke, and their cronies? What could have happened if the anti-slavery proponents didn't have the information pipeline from Badollet to his friend, Gallatin, and to their boss, Pres. Thomas Jefferson? What could have happened if Pres. Jefferson had

not sent Rev. Lemen to the Illinois Country to spy on Gov. Harrison in the late 1700's? By the way Rev. Lemen's son was a mentor to Abraham Lincoln. What if the Indiana Territory had become a slave state between 1802 to 1807? How would the Illinois Country have come into the Union as a Territory in 1808—slave or non-slave? Would the underground railroad have had the success it did in New Albany and Madison in the years prior to the Civil War had Indiana been a slave state? If Indiana and Illinois were slave states at the time of the Civil War, would the North have prevailed in that War? Some people say that couldn't have happened because the US Congress and Thomas Jefferson wouldn't let it happen. But remember the Missouri Compromise in the US Congress in 1820 that allowed Missouri and the Arkansas Territory to come into the Union as a slave state and a slave territory respectively, and Maine as a free state while banning slavery from the remaining Louisiana Purchase lands. Look at an 1819 map of the United States at that time and assume that Indiana and Illinois were slave states, it would have been likely the vote in the US Congress would have been different on the exempted Louisiana Purchase lands in 1820. At that time 11 states were northern states, and 11 states were southern states. Had Indiana and Illinois been slave states at that time there would have been 9 northern states and 13 southern states. In 1821 Florida (La Florida) was acquired from Spain and Florida came in as another slave territory. The balance of political power would have been much different after Pres. Thomas Jefferson left office. And if Indiana and Illinois and especially, the remainder of the Louisiana Purchase lands had come in as slave territories

and states, the Civil War might have had a much different outcome. The balance of military power would have been much different. My great-grandfather, Reuben P. Main, was a food and liquor wholesale tradesman here in New Albany from 1855 to about 1890 when he moved to Greenville. He got rich selling provisions to the Union forces in the Mississippi River valley during the Civil War from 1860 to 1865. Get my point!

(hh) Third, I would like to end this talk with a quote from J. P. Dunn's book, *Indiana, A Redemption from Slavery*. It was published in Cambridge, England in 1900, "*We do not need to go beyond the bounds of our State (of Indiana) to give praise for the final solution for our local slavery question, for Congress put the solution upon the men of Indiana and they worked it out on Indiana soil. For the privilege of solving it, under the [Northwest] Ordinance [of 1787], without interference of [the US] Congress, our thanks go abroad, but to no section. As to this we write, as was inscribed on our contribution to the great [Washington] monument to the greatest Americans: INDIANA KNOWS NO NORTH, NO SOUTH, NOTHING BUT THE UNION.*" pp. 442-444. And I say, it's been that way since 1787. Southern Indiana can be proud of its heritage!

(ii) And fourth, this is a request from me: I would like for each of you to advocate for Judge Davis Floyd, Floyd County's namesake and its first Circuit judge. He needs to be recognized as a fallible individual who made an enormous contribution to Southern Indiana during its Territorial and early Statehood days. It's time to celebrate Judge Floyd in a big way! And to the

genealogical arm of your organization, find and record the genealogy of those “well intentioned men” who fought for freedom and liberty. And, as a side bar, would you find the original counterpetitions from Clark County and bring them back home.

Thank you for attending this meeting and/or reading this transcript and, I pray that each of you may stay safe and well. Goodnight!

**Ernest W. “Bill” Smith
502-817-1541
ewsmith37@gmail.com.**