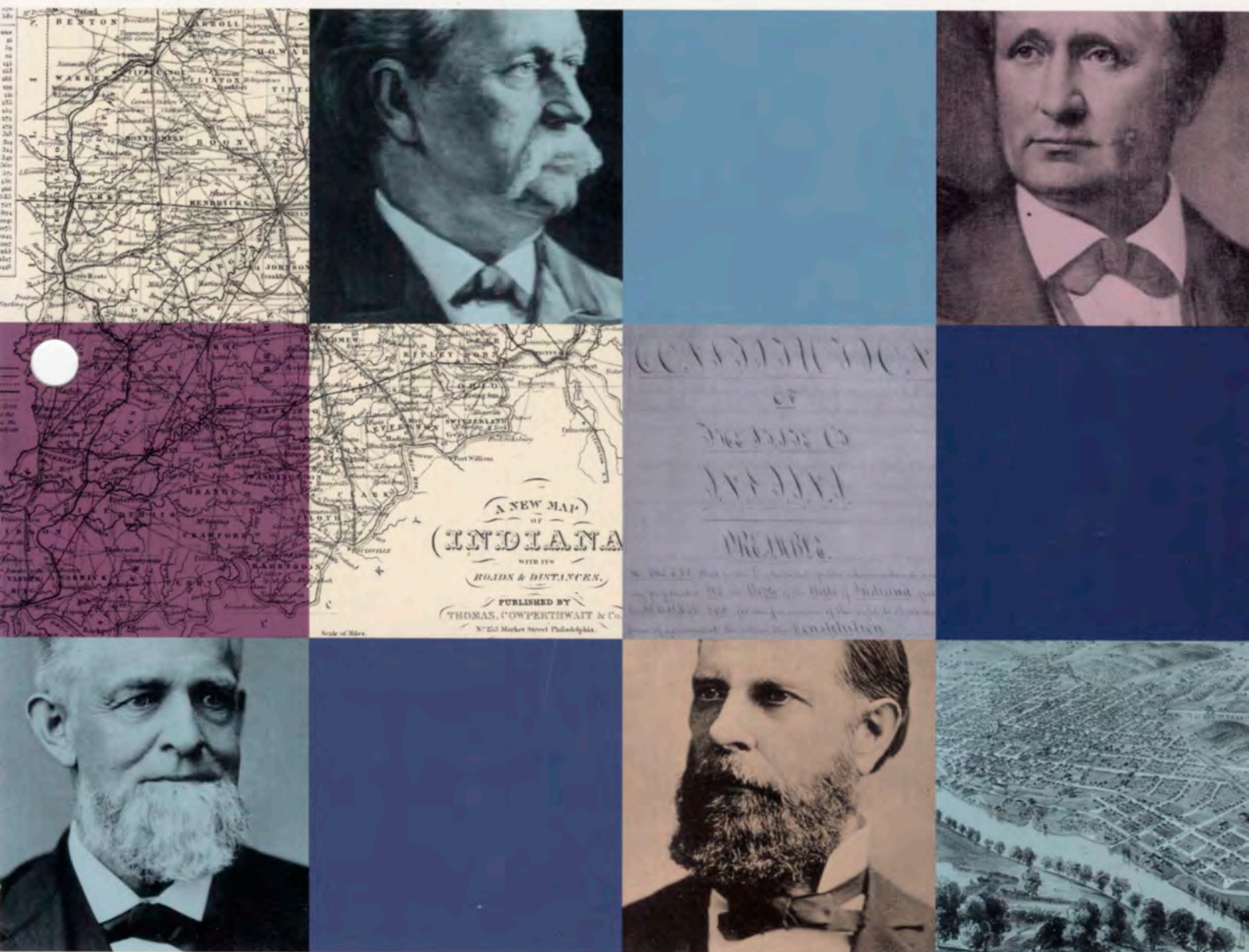


Constitutionally Speaking

*Teaching About
Indiana's Constitutions*



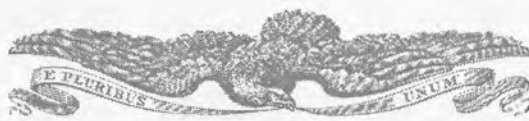
By JoAnn Fox ★ Brian Fultz ★ Chris McGrew ★ Nancy Wolfe

THE INDIANA HISTORICAL SOCIETY ★ THE INDIANA DEPARTMENT OF EDUCATION

The following pages offer a potpourri of activities and lessons to help students learn about Indiana's past and in particular the early growth of the state and provisions made to accommodate societal changes. The lessons begin with the basics of government, the constitution. Following this are several lessons highlighting and explaining the changes that took place in Indiana from statehood to the mid 1800s. These lessons explain why Indiana needed to change its constitution. The constitutional convention of 1850 is explored through the delegates to the convention. Finally, lessons explain important issues facing Indiana citizens in 1851. These issues include education and suffrage. Following the lessons is information regarding resources and biographical material for both teachers and students.

The material presented here supports all aspects of the Indiana Social Studies Standards and includes not only the area of history but also the areas of civics and government, geography, and economics. Pick and choose from the lessons as they meet the needs of your students and your curriculum.

The Indiana Historical Society and the Indiana Department of Education would like to thank especially JoAnn Fox, Brian Fultz, the Indiana Historical Bureau, and the William Henry Smith Library for their assistance in creating these materials. We hope that you enjoy them.



*F*ebruary 1, 1851

It has occurred to the writer in sometimes visiting the convention, that a description of the ordinary appearance of the body, and the personal appearance of its members, might not be uninteresting to many of your readers.

An occasional attendant during the session has heard some good speeches, learned something of the intellectual resources of the state, and the position, talents, and influence of many of the members; but as the knowledge must have been purchased at the expense of enduring very many very bad speeches, many uninteresting proceedings, and the calling of innumerable lists of ayes and noes, it is rather doubtful, as the philosophic Mr. Weller says, when discoursing of his experience, "whether it is worth while going through so much to learn so little." Generally speaking, twice is as often as

any one will want to go, even under the very favorable circumstances of having nothing else to do.-The first time the visitor will learn who the most prominent men are, and how they look, and the next may find out the President is rather Perem(p)tory, and that Judge Bordon is unpopular-that Kilgore talks a great deal of politics, and Kelso a great deal of everything-that Owen is very busy, and a few very prosy, and most very lazy-that Carr will probably be the next Governor-and that some of the members not being able to "hit it" exactly, occasionally hit each other, with a variety of similar valuable information, that will probably satisfy him so thoroughly he will feel but little desire to increase his knowledge or his visits.

-Sketch of the Convention by Timothy Tugumttorn (sp?)

February 1, 1851

Unit 1: What is a Constitution?

Background about Indiana's Constitutions

"Constitution"- The basic principles and laws of a nation, state, or social group that determine the powers and laws of the government and guarantee certain rights to the people in it.

The 1816 Indiana State Constitution

In May of 1800 the Indiana Territory was formed from the Northwest Territory. By 1816 the population of Indiana Territory was 63,897 people. This meant that the territory could now become a state. As a representative of the Territory, Jonathan Jennings brought the request for statehood to the federal government in Washington, D.C. On April 19, 1816, the United States Congress passed the Enabling Act that gave the Indiana Territory permission to adopt a state constitution and form a state government. As a result, forty-three delegates from Indiana's thirteen counties met in Corydon in June to draft a constitution for the new state. These delegates spent eighteen days writing a draft of the constitution using the constitutions of Ohio and Kentucky as models. On June 29, 1816, these delegates signed the first Indiana constitution. On December 11, 1816, President James Madison signed the new constitution and Indiana became the nineteenth state to join the Union.

This first state constitution opened with a preamble and had a bill of rights just as the U.S. Constitution did. The state's constitution gave citizens freedom of worship, freedom of speech, freedom of the press, the right to bear arms, and the right to assemble peacefully. Just like the federal government, Indiana's constitution divided the government into the judicial, legislative, and executive branches. The governor's term was set at three years, and he could only hold office for six years in any given nine-year period. Voting rights were granted to all white males over the age of twenty-one who had lived in Indiana for at least one year. This first constitution also mandated that the general assembly hold a referendum every twelve years to give the electorate the opportunity to decide whether a convention should be called to revise or amend this new constitution.

The 1851 Indiana State Constitution

By 1850, Indiana was no longer a frontier state. Although still mainly rural and agricultural the economy had changed from pioneer subsistence to more diverse production and manufacturing. The state's population went from 64,000 in 1816 to almost 1 million by 1850. The capital was no longer in Corydon but in Indianapolis. Settlers to Indiana began expanding to the central and northern parts of the state. With more people, different economic needs, the addition of new counties, and more power given to local authorities, things were politically more complex. It was time to revise the constitution of 1816.

This was not as easy as it sounded. Between 1820 and 1847 Hoosiers had unsuccessfully tried fifteen times to call a convention to revise the constitution. Finally, in a statewide election held in August 1849, the call for a convention was approved.

The convention was made up of 150 delegates and met in Indianapolis on October 7, 1850. Delegates were divided into twenty-two standing committees that corresponded with sections and provisions based on those of other state constitutions. The constitutions of Illinois and Wisconsin particularly served as models for the delegates. One hundred twenty-seven days later on February 10, 1851, the delegates completed the work of writing the new constitution.

Major changes in the Indiana constitution included prohibiting the general assembly from incurring debt except to repay current debt, repel invasion, or suppress insurrection. To make the government less costly and more efficient the general assembly adopted biennial sessions lasting sixty-one days and special sessions limited to forty days.

This new state constitution increased the number of elected officials to include a state treasurer, auditor, judges, and a secretary of state. Provisions were made for a more uniform system of public education that was supported by taxes and other state funds.

Foreign immigrants were given the right to vote so long as they intended to become U.S. citizens, had lived in the United States for one year, and in Indiana for six months. Women and blacks were still denied voting rights. Lastly, the new constitution prohibited blacks and mulattoes from settling in the state.

When the convention delegates completed their work and approved the new constitution, the citizens of the state of Indiana voted for its adoption. This special election was held on August 4, 1851. The vote was 109,319 for adoption and 26,066 against. The new constitution then went into effect on November 1, 1851.

Elsewhere in 1851:

- *The New York Daily News began publishing. It later became the New York Times.*
- *The first YMCA in the United States was started.*
- *Evaporated milk was invented.*
- *The New York Knickerbockers were the first baseball team to wear uniforms.*
- *The first ice-cream factory began making the sweet treat in Baltimore, Maryland.*
- *The America's Cup yacht race was held for the first time. (The United States won.)*
- *Dole Food Company was founded and later became the largest producer of fresh fruits and vegetables in the world.*
- *Artist and naturalist John James Audubon died.*
- *The Great Exhibition, held in London's Crystal Palace, was the first international exhibition of manufactured products and the forerunner of the World's Fair.*

Unit 1: What is a Constitution?

Lesson Description:

The 1851 constitution of Indiana is structured much like the constitution of the United States and has many of the same principles and ideas. In this lesson students will use the 1851 Indiana Constitution to familiarize themselves with what a constitution is and how a constitution is structured.

Instructional Objectives:

1. Students will learn what a constitution is.
2. Students will identify the parts of a constitution.
3. Students will identify the three branches of state government and name the basic services the constitution provides.
4. Students will compare the 1816 Indiana Constitution with the 1851 state constitution through examination of the preamble.
5. Students will examine and compare Indiana's 1851 constitution with that of the United States constitution and the constitutions of other states by using their preambles.

Time Required:

One class period

Materials Required:

Copies of the 1851 Indiana Constitution and the United States Constitution

Student Handout: Preambles

Procedures:

1. As an introduction ask the students how we know what our laws are for the United States and for Indiana.
2. Display a copy of the United States Constitution and explain that it established the laws of the United States. It lists the rules and rights of its citizens.
3. Display a copy of the Indiana constitution and explain that it is similar to the U.S. constitution but that it establishes the laws and rights of the citizens of Indiana.
4. Discuss with the students the following parts of the constitution: Preamble (an introduction to the constitution that explains its purpose), Bill of Rights (the first ten amendments to the constitution that were adopted in 1791 and are the basic rights that all Americans have and whose purpose is to protect the people from the government), articles (sections of the constitution with specific purposes), and amendments (the formal changes to a constitution;

As of 2001 there are twenty-seven amendments or changes to the Constitution of the United States).

5. Display a transparency or give copies of Student Handout: Preambles to the students.
6. Read and compare the preambles of 1816 and 1851. Ask students how they are alike and how they are different. (The 1816 preamble is longer and highlights that the territory was applying for admission to statehood and that the state would abide by the terms of the U.S. constitution. The 1851 preamble is briefer and reiterates the preamble of the U.S. constitution and the rights of the state to form its own government.)
7. Compare the preamble to the 1851 Indiana Constitution with the preambles of other state constitutions given on the sheet. Ask students why they think that they are different. (The constitution of Illinois preamble discusses the elimination of poverty and inequality, which reflects the issues of more recent times. The preambles to the Hawaii and Alaska constitutions bring in the aspect of their heritage and uniqueness from other states. Indiana's 1851 Constitution preamble reflects a much earlier time period and a stricter adherence to that of the U.S. Constitution. It is much more formal.)
8. Have students work in groups to write the preamble to the 1851 Indiana Constitution in today's language or in a way that they can understand it better.
9. Have the students write in their own words definitions for the terms preamble, constitution (a system of fundamental principles according to which a nation, state, or society is governed), bill of rights, articles, and amendments.

Enrichment:

1. Students can work as a class or in small groups to write a constitution for the class or they can make up laws for a special activity planned for the class.
2. Students can use old magazines and newspapers to create or illustrate the freedoms contained in the Indiana constitution.

Student Handout: Preambles

United States Constitution Preamble

We, the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this constitution for the United States of America.

Indiana 1816 State Constitution Preamble

We the representatives of the people of the Territory of Indiana in Convention met, at Corydon, on Monday the tenth day of June in the year of our Lord eighteen hundred and sixteen, and of the Independence of the United States, the fortieth, having the right of admission into the General Government, as a member of the union, consistent with the constitution of the United States, the ordinance of Congress of one thousand seven hundred and eighty seven, and the law of Congress entitle "An act to enable the people of the Indiana Territory to form a Constitution and State Government, and for the admission of such state into the union, on equal footing with the original States" in order to establish justice, promote the welfare, and secure the blessings of liberty to ourselves and our posterity; do ordain and establish the following constitution or form of government, and do mutually agree with each other to form ourselves into a free and independent state, by the name of the State of Indiana.

Indiana 1851 State Constitution Preamble

To the end, that justice be established, public order maintained, and liberty perpetuated: We the people of the State of Indiana, grateful to Almighty God for the free exercise of the right to choose our own form of government, do ordain this Constitution.

Illinois 1970 State Constitution

Preamble

We, the People of the State of Illinois— grateful to Almighty God for the civil, political, and religious liberty which He has permitted us to enjoy and seeking His blessing upon our endeavors— in order to provide for the health, safety, and welfare of the people; maintain a representative and orderly government; eliminate poverty and inequality; assure legal, social and economic justice; provide opportunity for the fullest development of the individual; insure domestic tranquility, provide for the common defense; and secure the blessings of freedom and liberty to ourselves and our posterity— do ordain and establish this Constitution for the state of Illinois.

Hawaii 2000 State Constitution

Preamble

We the people of Hawaii, grateful for Divine Grace, and mindful of our Hawaiian heritage and uniqueness as an island state, dedicate our efforts to fulfill the philosophy decreed by the Hawaii State motto, "Ua mau ke ea o ka aina i ka pono" (the life of the land is perpetuated in righteousness).

We reserve the right to control our destiny, to nurture the integrity of our people and culture, and to preserve the quality of life that we desire.

We affirm our belief in a government of the people, by the people and for the people, and with an understanding and compassionate heart toward all the peoples of the earth, do hereby ordain and establish this constitution for the State of Hawaii.

Alaska 2000 State Constitution

Preamble

We the people of Alaska, grateful to God and to those who founded our nation and pioneered this great land, in order to secure and transmit to succeeding generations our heritage of political, civil, and religious liberty within the Union of States, do ordain and establish this constitution for the State of Alaska.

*Y*ou see that short, fat man walking up the aisle towards us, with spectacles, a cane in his hand, and his hair frizzled up all around a bald place on the top of his head, that looks like a miniature prairie surrounded up by bushes, with a slight limp in one leg, and a strong squint in one eye, dressed in black, and a very keen sagacious looking man at a close view—that is John Pettit, of "Congressional Chaplain" notoriety, an earnest, energetic speaker. As he passes along, he nods to a man sitting next to the aisle, with a light blue overcoat on, and dark blue breeches—his hair sprinkled with gray, and gray whiskers, his chin retreating as though it were afraid of the thick lips that protrude above it—gray eyes that appear to have scared half out of his head, and forgot to go back, and a nose perfectly "sui generis," being neither Roman, Grecian, pug, snub, bottle, nor

aquiline, but of an order of architecture that might be denominated the "shovel plough!" His hair is combed very smoothly down the front, and badly tangled up behind. But over all its rough casting, there is a wild, benevolent expression that half redeems the plainness of the features on which it rests, and nature, to compensate for her carelessness in carving his face, has given him an intellect worth a regiment of pretty faces—that is Robert Dale Owen, by all odds, the ugliest man in Convention. In speaking, Mr. Owen is constantly in motion, turning to all parts of the house, and jumping about in a manner very incompatible with the maintenance of any great degree of dignity—strongly reminding one of a jaybird.

*—Sketch of the Convention by Timothy Tugumttorn (sp?)
February 1, 1851*

Unit 2: 1816 to 1851 Indiana: A Changing State

Lesson 1: A Changing State

Lesson Description:

After the 1816 constitution was adopted, Indiana saw tremendous growth as settlers began pushing northward. With improvement in transportation and the threat of conflict with Native Americans decreasing, people no longer needed to settle near the Ohio River. As the state grew and changed, the 1816 constitution did not. In this lesson students will have the opportunity to learn about one community's growth during the early to mid-1800s. The essay written by Albert J. West, proprietor of the Lafayette Journal, was published in the Journal on May 14, 1850.

Instructional Objectives:

1. Students will be able to use primary source material to draw information about life in Indiana.
2. Students will be able to use knowledge of the past to predict what Indiana's future will be in relationship to the rest of the world.
3. Students will be able to demonstrate how places in Indiana have changed over time and how they will continue to change.

Time required:

One class period

Materials Required:

Student Handout: Albert West Essay and Discussion Questions

Procedures:

1. Pass out copies of Student Handout: Albert West Essay and Discussion Questions.
2. Read the essay together as a class or in small groups.
3. Have students circle or underline any words that they do not know.
4. Have the students use their dictionaries to find the definition of the words they do not know.
5. Have the students share their definitions with the rest of the class.
6. Have students answer the discussion questions and go over them together. 1. buildings going up on every street, plank roads going out to farms, putting in gravel roads, MacAdamizing, coming railroad, canal, available property, growth of housing and businesses, cultivation of land, etc.; 2. plank roads, canal, bridges, railroad; 3. Indianapolis; 4. Paragraph 3: The railroad will give

Lafayette better trading facilities than any other city on the Wabash; 5. less than 3000; 6. It has grown by 4,000 - 5,000; 7. 12,000; 8. a house and a lot; 9. answers may vary; 10. Star City

7. Discuss with the students how life was different in the West essay from the way life is today. Make a comparison chart for the two time periods.

Enrichment:

1. Have students visit their local historical society or library to find articles about their community during the mid-1800s. Have them compare their community to that of Lafayette. Have them determine whether or not their community was experiencing the same type of growth.
2. Have students draw pictures to illustrate the essay used in this lesson.
3. Have students write a short essay about their community. Have them describe life in their community today and what it might be like in the future. Have them speculate why someone might want to live in their community.

Student Handout: Albert West Essay and Questions

Lafayette in 1850

**Read the following description of Lafayette in 1850.
Then answer the questions that follow.**

(Please refer to the paragraph numbers when answering the discussion questions.)

1. "It is with feelings of pride that we notice the improvements going on about town. Buildings are going up on almost every street. Plank roads are stretching their inviting arms into the country in a manner which must be highly gratifying to our agricultural community, including the poor fellows who have to pull the corn along. The grading and MacAdamizing of our streets is a work much needed, and which cannot be too highly commended. The business of the place demands that every reasonable effort should be made in the way of facilitating its operations; and we feel assured that every effort will be made now that the work is started."
2. "Our town is getting to be of some importance in the Wabash Valley; getting so in quite a natural and healthy way, no mushroom growth, the whim of lofty speculators, but a growth which speaks of a well-founded prosperity, and substantial business advantages."
3. "When our railroad is completed to Indianapolis, we shall possess trade facilities far superior to any other town on the Wabash. We shall grow up steadily and strongly."
4. "Our citizens of all classes, from the produce dealer and merchant down to the humblest day laborer, will have the most reasonable opportunities for acquiring a competence. True, there will never be the chances here for accumulating overgrown fortunes that exist in our large commercial cities, and for this we ought to be especially thankful; for it is a fact admitting of the clearest demonstration, that vice, degradation and misery increase in a fearful ratio, with such advantages. An inland town with 15,000 or 20,000 inhabitants presents a cleaner bill of private and public morality, and a greater amount of individual comfort and happiness, than can be found in the same number living in a large commercial town."

5. "Large cities, by being the hotbeds of vice, have been the destruction of empires. The old world is full of mournful evidences of this fact. We hope it will be a long time before such evidences of this fact. We hope it will be a long time before such evidences will have an existence in this country."
6. "It is a blessing most of us do not sufficiently appreciate, that the humblest mechanic in our country villages can, at a trifling expense, be informed of not only all the political movements of the world, but the whole minutiae of society from Maine to Panama, and from Father Thames to farther India, can be able to gossip of the new dance, the execution of any wonderful work of art or mechanics, and the progress of civilization throughout the world."
7. "Five years ago, our population numbered less than 3,000. The coming census will probably give us between 7,000 and 8,000. Since the spring of 1843, about 800 houses have been put up; a bridge thrown across the river; two plank roads commenced; and the grading for over 60 miles of railroad terminating at this point, completed. Business on the canal has increased—the country population greatly augmented—the money has become more plentiful, and the demand for labor of all kinds has increased. No man need be idle here for want of work."
8. "By industry, prudence, and economy, the three Graces of Western Mythology, hundreds of our hardest-working citizens have secured for themselves a house and lot; and with this start in life, nothing but the most unforeseen misfortunes can prevent them from quietly puffing away their old age in peace and plenty, under their own shade trees. Should our city improve in the next five years as rapidly as it has during the last five, we shall at the end of that time number some 12,000 inhabitants; and will probably be the best business town in the state. We have a healthy location and a healthy country all round us, and scarce an acre of land but what can be cultivated. Farmers can get the cash for any amount of produce they may bring to the market; and for businessmen, we have as enterprising and energetic a set as can be found in the West."
9. "There is nothing to hinder Lafayette from being the 'Star City' of the Wabash Valley. If there is any honest, industrious man with a wife and 10 children looking out for a home in this western country, let him come to Lafayette, and take our word for it, he will never have occasion to butt his head against a tree for being such a fool as to settle here."

Name _____

Directions: Using the essay written by Albert J. West, answer the following questions.

1. What improvements are being made to Lafayette that bring pride to its citizens?
2. In his essay, Mr. West mentions many forms of transportation being used in Lafayette and the surrounding areas. List at least four of these forms of transportation.
3. To what town is Lafayette's railroad track going to be connected?

4. What advantage will the railroad give Lafayette over other cities on the Wabash?
5. What was the population of Lafayette around 1845? _____
6. By how much does Mr. West speculate the population has grown in five years _____?
7. What does Mr. West predict the population will be five years from when he wrote the essay? _____
8. In paragraph 8, Mr. West is proud that "hundreds of our hardest-working citizens have secured for themselves," what? _____
9. Why do you think securing those things is important?
10. What nickname does Mr. West think Lafayette is capable of having?

Lesson 2: A Look at Lafayette in 1825 and 1841

Lesson Description:

In this lesson students will continue to explore how Indiana was changing by the middle of the nineteenth century. Again, by using the city of Lafayette students will see examples of these changes as they are reflected in the composition and structure of the city itself.

Instructional Objectives:

1. Students will be able to use primary source materials and secondary source materials to draw conclusions about life in Indiana.
2. Students will be able to demonstrate how places in Indiana have changed over time and how they will continue to change.
3. Students will be able to use maps of different scales and themes to acquire data about Indiana.

Time Required:

One class period

Materials Required:

Student Handout: 1825 Lafayette

Student Handout: 1841 Lafayette

Student Handout: Sketch of Lafayette

Calculator

Magnifying Glasses

Procedures:

1. Pass out the copies of Student Handout: 1825 Lafayette. Discussion question answers: 6. 12; 7. Missouri, Mississippi, Illinois, Ohio, Wabash, Tennessee; 8. North, South, Ferry, Main, Columbia; 9. 140; 10. directions, usage (e.g. Water Street is next to water, Ferry Street connects to a ferry landing), state names, etc.; 11. courthouse; 12. transportation, trade, factories, and mills powered by water, etc.
2. Using the maps, have the students answer the questions.
3. Pass out Student Handout: 1841 Lafayette and Student Handout: Sketch of Lafayette. Discussion question answers: 3. steamboat, canal, bridge, horse drawn wagons and farming equipment, roads (some are called turnpikes and state roads on map #2), railroad; 4. along the Wabash River; 5. transportation and trade, only the farmers lived outside of the city, the railroad had not

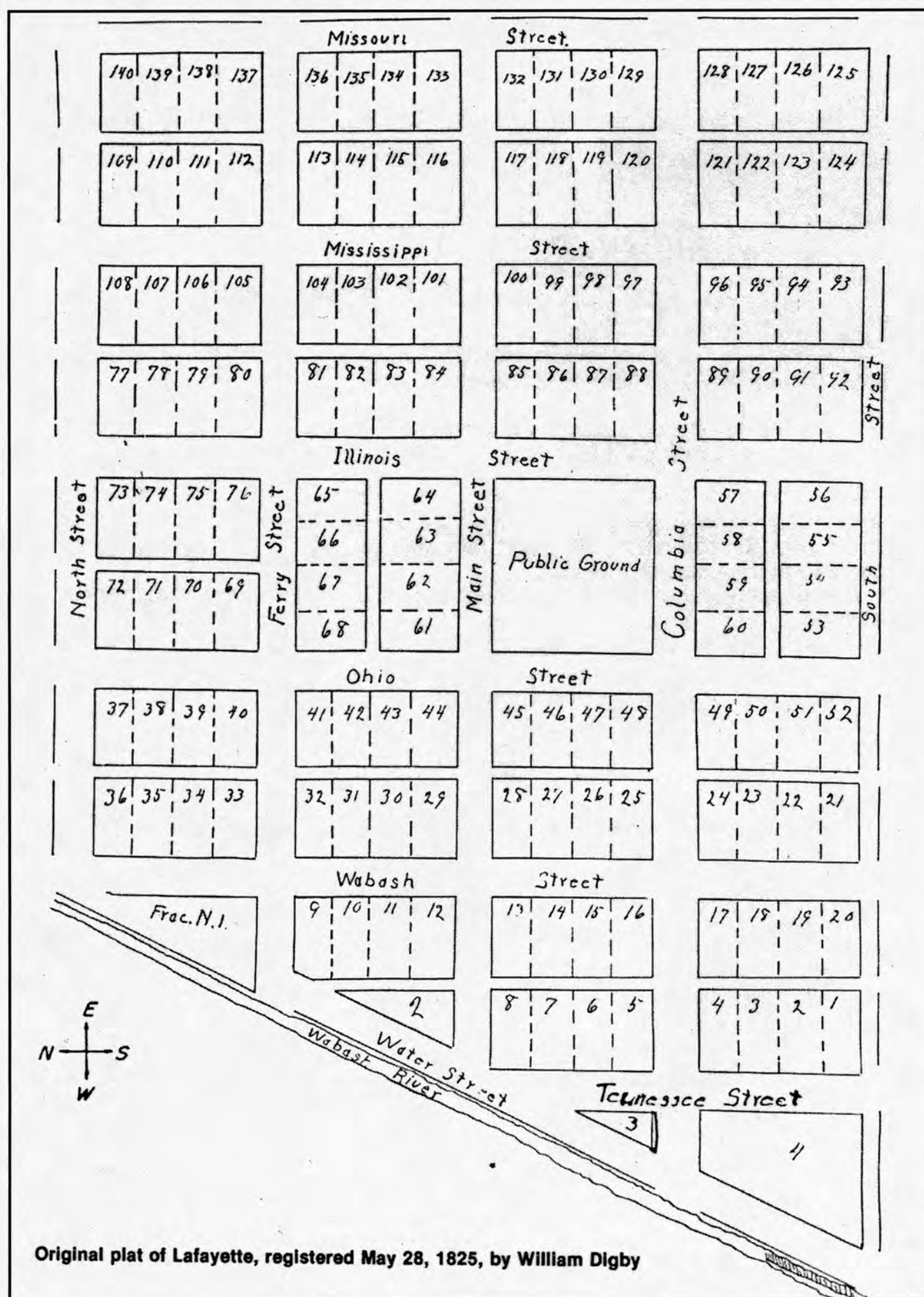
completely taken over the river traffic yet; 6. saw mills and factories (needed water supply); 8. grew west, north, and south along the Wabash River, also started to grow east from center, also started to move upwards from the river valley (the large dark line running northeast to southwest on the eastern section of map #2 is a range showing higher elevation); 9. West Lafayette; 10. bridges.

4. Have the students utilize the sketch and map to answer the questions.
5. Discuss the answers with the students after they have completed the handouts.
6. Discuss why William Digby chose the location he did for the city of Lafayette and why the town was named Lafayette.

Enrichment:

1. Have the students design a new city for Indiana that would be built in 1851. Have them make a list of the businesses and services this town will need. Have them draw it as a plat map and/or a topical map showing streets, land forms, businesses, etc. Have them draw pictures of places in this town. Students might make an advertisement encouraging people to come and live in this town.
2. Using the local library or historical museums find old maps of your community. Have the students list the changes that have occurred in their community over time.
3. Have students make a comparison between changes made in Lafayette and changes made within their own community over time. Students should discuss why these changes occurred. Focus the students by having them respond to the following questions in their comparison:
 - a. What are the major ways that people moved goods and people in your community? Are these the same today as existed 100 years ago? How have they changed?
 - b. What parts of your community are the oldest? How did your community grow over time?
 - c. How was your community connected to other regions? How is it connected today?

Student Handout: 1825 Lafayette



Original plat of Lafayette, registered May 28, 1825, by William Digby

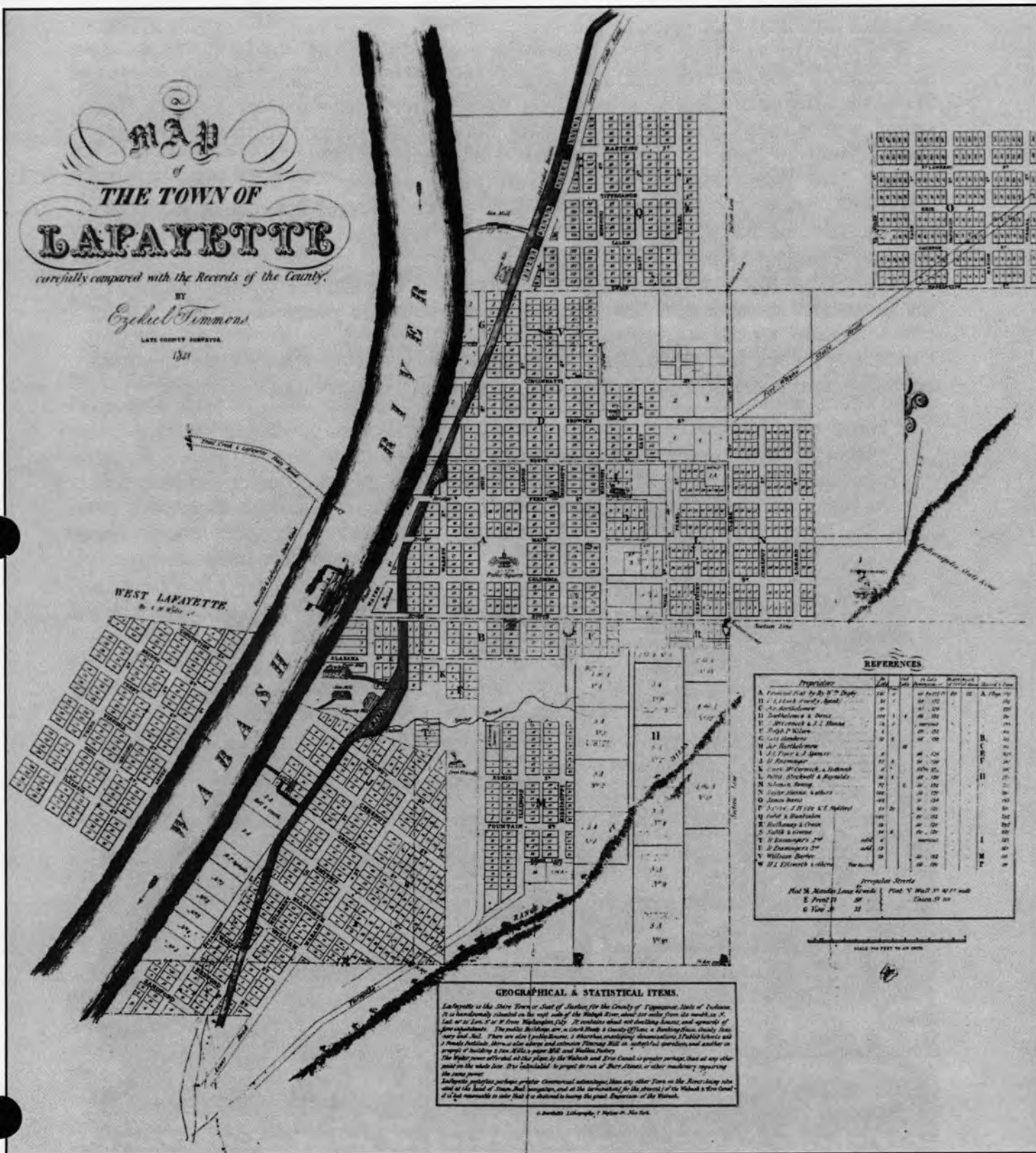
Student Handout: 1825 Lafayette Discussion Questions

Name _____

Directions: Using Student Handout: 1825 Lafayette, answer the following questions:

1. Circle the compass rose.
2. Using the compass rose as a guide, label the four sides of your map with the cardinal directions.
3. Color the Wabash River blue.
4. Find the Public Ground and color it green.
5. Color the names of each street yellow.
6. How many streets would there be? _____
7. List the names of the streets running north and south.
8. List the names of the streets running east and west.
9. Without including the Public Ground, how many lots were on Digby's original map? _____
10. What do you think are the origins of the streets' names?
11. What do you think was the intended use of the Public Ground?
(Hint: What is in the middle of your downtown?)
12. Why did Digby choose to develop a town close to the Wabash River?

Student Handout: 1841 Lafayette



A message from the Superintendent

On November 1, 2001, we will celebrate the 150th anniversary of Indiana's 1851 Constitution. This is an opportunity to explore the names, background, culture, and economy that existed in mid-19th century Indiana. This set of lessons is designed to help teachers integrate concepts identified in the revised Social Studies Standards as their students learn about Indiana's Constitution.

Indiana is committed to citizenship education. In 1995 the legislature passed a law calling for a comprehensive plan for citizenship instruction. The Indiana Department of Education responded with a resource guide to show teachers how to implement citizenship education into the classroom. This volume continues that goal by telling the story behind the evolution of Indiana's Constitution. Indiana's young people need to understand how a democracy works in order to take full advantage of the rights and responsibilities laid down for them. Indiana's constitution provides the rules of the game for democratic life in Indiana.

Teaching About Indiana's Constitution draws on many social science disciplines to explain why Indiana had to revise its 1816 constitution. It also includes a discussion of the elements of a constitution and what role the Indiana government plays in our lives. These lessons use a variety of instructional strategies to engage students in learning about the democratic process. We commend the Indiana Historical Society for their work on this resource guide. It is a privilege to offer this opportunity for students to discover important information about their heritage. I am sure that you will find the lessons pertinent and timely.

Dr. Suellen Reed

Superintendent of Public Instruction

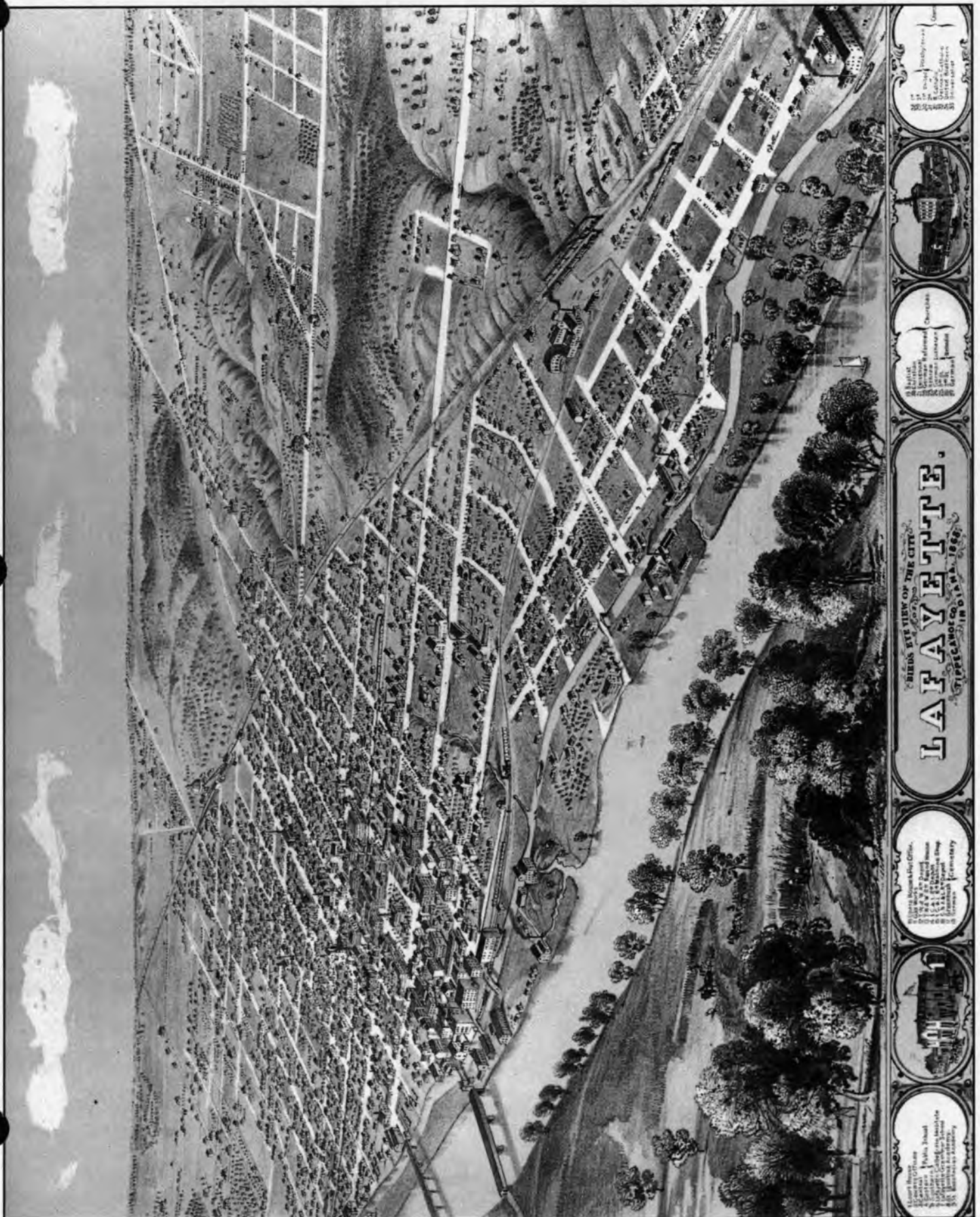
Student Handout: 1841 Lafayette Discussion Questions

Name_____

Directions: Using Student Handout: 1841 Lafayette and Student Handout: Sketch of Lafayette, answer the following questions. You may need to use the Student Handout: 1825 Lafayette to help you.

1. On the sketch find the Wabash River and the Wabash and Erie Canal and color these waterways light blue.
2. On the sketch locate the Public Ground and color it green.
3. On both handouts circle all the means of transportation you can find.
4. Where are the canal and railroad located?
5. Why were they put in these locations?
6. What types of buildings might be located near the Wabash River, the Wabash and Erie Canal, and the railroad line?
7. Using the 1825 map, color in the original section of town.
8. In which directions did Lafayette grow?
9. What new city was formed?
10. How were these two cities connected?

Student Handout: Sketch of Lafayette



Lesson 3: Mapping the Times

Lesson Description:

Many changes occurred between the writing of the 1816 Indiana constitution and the 1851 constitution. Indiana had increased from fourteen counties in 1816 to 92 counties in 1851. The capital had changed, moving from Corydon to Indianapolis in 1824. In this lesson students will examine how the two conventions were different due to geographical differences in the makeup of the state.

Instructional Objectives:

1. Students will learn how Indiana's population changed from 1816 to 1851.
2. Students will become familiar with the state's counties and the 1816 and 1851 convention delegates.
3. Students will identify growth and changes in Indiana's physical makeup by comparing maps of 1816 and 1851.
4. Students will understand distances and difficulty of travel in early Indiana.

Time Required:

One class period

Materials Required:

Student Handout: Indiana 1818

Student Handout: Indiana 1851

Student Handout: How Did They Get There from Here?

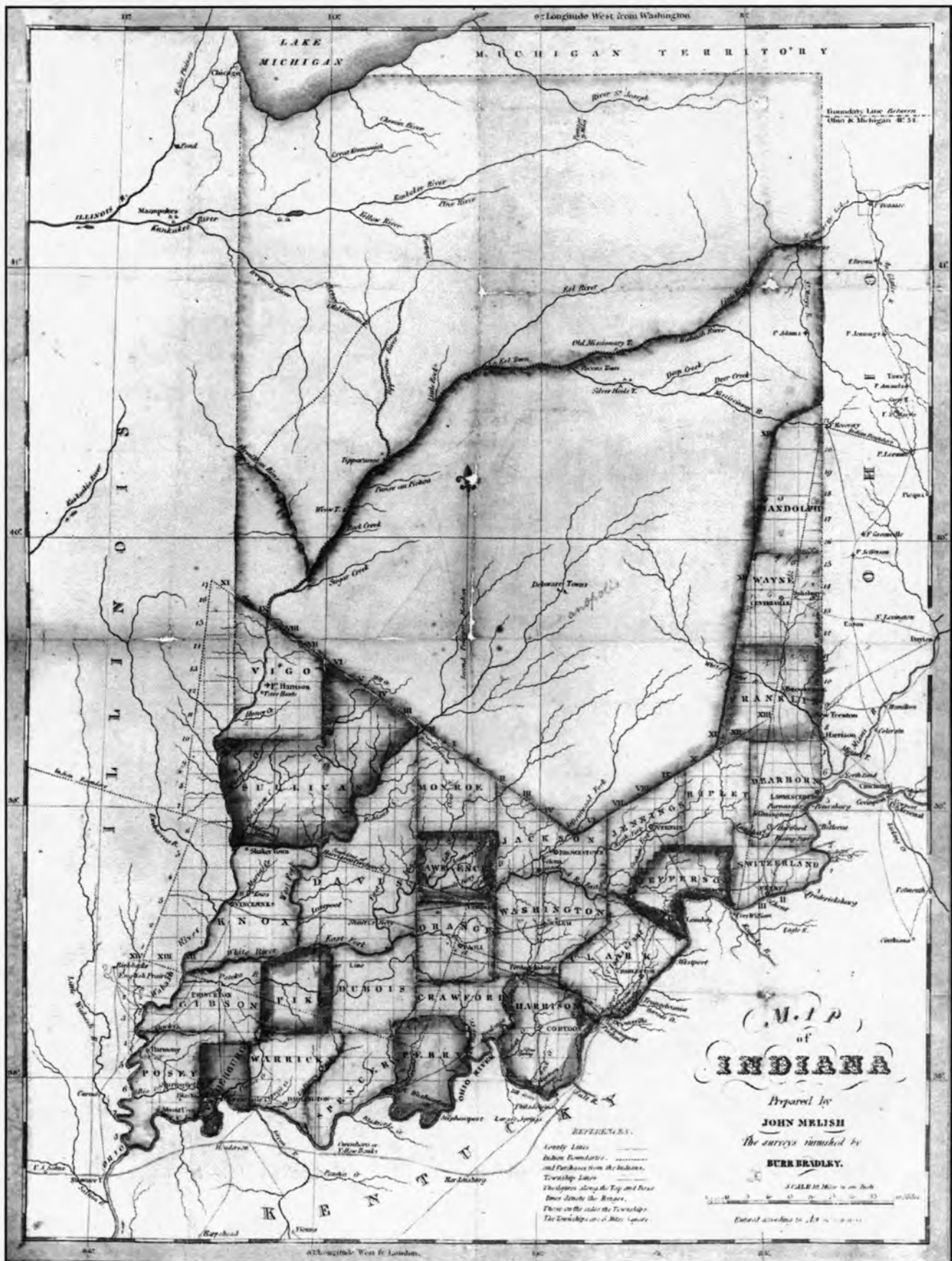
Procedures:

1. Divide class into groups or pairs.
2. Pass out the maps and the two delegate charts.
3. Discuss the differences between the maps of 1817 and 1850.
4. Discuss the differences in the 1816 delegate sheet and the 1850 delegate sheet.
5. Pass out the Student Handout: "How Did They Get There from Here?"
6. Have students answer the questions on the handout.
7. From information found on the maps discuss why changes were needed in the 1816 constitution.

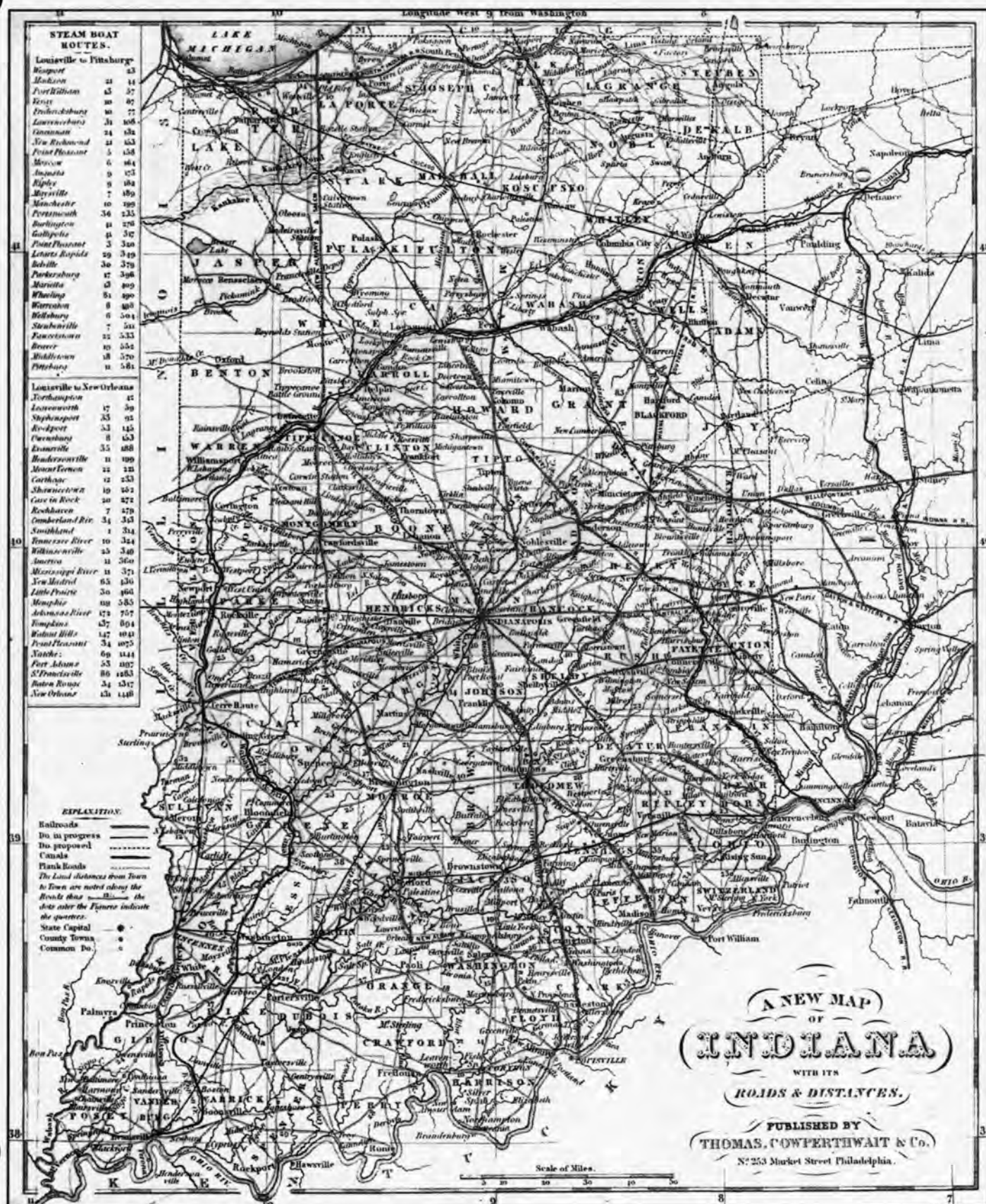
Enrichment:

1. Select delegates from various parts of the state. Figure the distances each delegate traveled to get to the 1816 convention and the 1851 convention.
2. Write a letter to a delegate to the 1851 constitutional convention telling him why you think Indiana needs a new constitution.

Student Handout: Indiana 1816



Student Handout: Indiana 1851



Student Handout: How Did They Get There from Here?

Part I

1. On the map of Indiana in 1816, write in the names of the delegates to the constitutional convention in the county that they represented.

Clark:	Thomas Carr, John K. Graham, James Lemon, and Jonathan Jennings
Dearborn:	James Dill, Ezra Ferris, and Solomon Manwaring
Franklin:	James Brownlee, William H. Eads, Robert Hanna, Enoch McCarty, and James Noble
Gibson:	Alexander Devin, Frederick Rapp, David Robb, and James Smith
Harrison:	John Boone, Davis Floyd, Daniel C. Lane, Dennis Pennington, Patrick Shields
Jefferson:	Nathaniel Hunt, David H. Maxwell, and Samuel Smock
Knox:	John Badollet, John Benefiel, John Johnson, William Polke, and B. Parke
Perry:	Charles Polke
Posey:	Dann Lynn
Switzerland:	William Cotton
Warrick:	Daniel Gross
Washington:	John DePauw, William Graham, William Lowe, Samuel Milroy, and Robert McIntyre
Wayne:	Patrick Beard, Jeremiah Cox, Hugh Cull, and Joseph Holman

2. Which delegates had the farthest to travel?
3. What means of travel would most delegates use? Explain your choice.
4. Choose one group of delegates. Use a scale of miles or a distance chart to figure out how far they had to travel. Write the name of the county you chose and the number of miles from the largest town in the county to Corydon.

5. Look at the map of 1851. Compare this map to the 1816 map. What is the biggest change you see between 1816 and 1851? What do you think are some of the causes of that change?

Part II

There were 150 delegates to the 1850 constitutional convention. Fifty were elected from the senatorial districts and one hundred from the representative districts.

1. Which delegates had the farthest to travel to get to the convention in Indianapolis? Explain your choice.
2. What means of travel would most delegates use in 1851?
3. What means of travel were available in 1851 that were not available in 1816?
4. Select one of the delegates from the biography list (see Unit 3, Lesson 1). How would that candidate get to the convention in 1850? Write the names of the roads and other means of travel that he would have used.
5. How long would it have taken this person to travel to Indianapolis? Explain how you got your answer.

Lesson 4: The Changing Constitution

Lesson Description:

As Indiana grew from a pioneer territory to a more diverse state with a larger population there was a need for the state constitution to be rewritten to reflect these societal changes. Many of these changes accommodated the social values of the time and have since been amended or repealed since the 1851 constitution was written. Activities in this lesson will look at and compare these changes in Indiana's constitution.

Instructional Objectives:

1. Students will understand and recognize changes made in the 1816 Indiana Constitution.
2. Students will examine the changes made in the 1851 Indiana Constitution since its adoption.
3. Students will discuss and examine changes in society since 1851.

Time Required:

One class period

Materials Required:

Visual: Constitutional Changes

Procedures:

1. As an introduction ask the students to discuss rules and responsibilities that they have at home and at school. Ask students how these rules have changed as they have gotten older. Ask them why these rules might have changed.
2. Show the Visual: Constitutional Changes. Read the articles from the 1851 constitution together as a class and discuss why these were included in the constitution.
3. Read the changes or differences in these articles as the constitution reads today. Discuss why these changes were made. (Article 1: The word "men" was changed to "people" reflecting that women now have suffrage. Articles 2 and 13 reflect the pre-Civil War era and the fact that many delegates had Southern roots. Article 5 states that the lieutenant governor must run on the same party ticket as the governor. Article 7 changed due to educational background needed to practice law. Article 15 was amended to add the lottery to state revenue.)

Enrichment:

1. Discuss the issue of slavery and black settlement as it relates to 1851. Have students take sides on whether they feel that excluding blacks from settling in the state was right or wrong.
2. Have the students draw illustrations of one of these changes before and after they were made.

Visual: Constitutional Changes

Article 1

Section 1

- 1851:** We declare, That all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness.
- 2001:** We declare, That all people are created equal, that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness.

Article 2

Section 5

- 1851:** No Negro or Mulatto shall have the right of suffrage.
- 2001:** Repealed by constitutional amendment of March 14, 1881.

Article 2

Section 7

- 1851:** Every person who shall give or accept a challenge to fight a duel, or who shall knowingly carry to another person such challenge, or who shall agree to go out of the State to fight a duel, shall be ineligible to any office of trust or profit.
- 2001:** Repealed by constitutional amendment of March 24, 1983.

Article 5

Section 4

- 1851:** In voting for Governor and Lieutenant Governor the electors shall designate, for whom they vote as Governor, and whom for Lieutenant Governor. The returns of every election for Governor and Lieutenant Governor shall be sealed up and transmitted to the seat of government, directed to the Speaker of the House of Representatives, who shall open and publish them in the presence of both Houses of the General Assembly.
- 2001:** Each Candidate for Lieutenant Governor shall run jointly in the general election with a candidate for Governor, and his name shall appear jointly on the ballot with the candidate for Governor. Each vote cast for a candidate for governor shall be considered cast for the candidate for Lieutenant Governor as well. The candidate for Lieutenant Governor whose name appears on the ballot jointly with that of the successful candidate for Governor shall be elected Lieutenant Governor.

Article 7

Section 21

1851: Every person of good moral character, being a voter, shall be entitled to admission to practice law in all Courts of justice.

2001: Repealed by constitutional amendment of November 8, 1932.

Article 13

Section 1

1851: No Negro or Mulatto shall come into or settle in the State, after the adoption of this Constitution.

Section 2

All contracts made with any Negro or Mulatto coming into the State, contrary to the provisions of the foregoing section shall be void; and any person who shall employ such Negro or Mulatto, or otherwise encourage him to remain in the state, shall be fined in any sum not less than ten dollars, nor more than five hundred dollars.

Section 3

All fines which may be collected for a violation of the provisions of this article, or any law which may hereafter be passed for the purposes of carrying the same into execution, shall be set apart and appropriated for the colonization of such Negroes and Mulattoes, and their descendants, as may be in the state at the adoption of this Constitution, and may be willing to emigrate.

2001: Completely stricken from the record after the Civil War.

Article 15

Section 8

1851: No lottery shall be authorized; nor shall the sale of lottery tickets be allowed.

2001: Stricken out by constitutional amendment of 1988.

*P*assing down with the stream, we enter the stairway in a tremendous hubbub, for the stream, contrary to all laws of philosophy is running uphill-while its current is varied with eddies, or rapids, according as the members stand still at the door, or move up stairs, three steps at a jump. After some jostling we get inside without damage, and may now look around a little. The chandeliers, you observe, these three big dark green things, like great dropsical spiders, swinging by giant cobwebs from the ceiling-are too clumsy, too low down, and really disfigure the Hall. Those red settees, and crossed-legged poplar tables, like fold up cots, only not so clean,

arranged in aisles between, for the convenience of approach, and whittled and inked all over, like school-boys desks, are the members seats, and stands-where the members write if they happen to be taken industrious-roll up paper wads to throw at other members if they feel funny, or discharge themselves of a speech if they feel eloquent. Those seats along the East wall are often full of ladies, when the Convention is in session, and it then looks like an oblong dirty apron, with a bright border down one side.

*—Sketch of the Convention by Timothy Tugumttorn (sp?)
February 1, 1851*

Unit 3: The Framers of Indiana's Constitutions

Lesson 1: Delegates of the 1816 and 1851 Constitutional Conventions

Lesson Description:

It is important for students to understand that the men who created our state's two constitutions were a diverse group. Each brought his beliefs and way of life to the constitutional conventions. The delegates to the first constitutional convention were not originally from Indiana. In fact, many had hardly lived here for more than a year before the first constitution was drafted. Even in 1850, out of the 150 delegates, only thirteen did not have southern roots. Even though our state was not pro-slavery, it was still not in favor of black settlement. The occupations of these men reflect life in the early 1800's and the changes that occurred between the two constitutional conventions. The lessons here are intended to complement your study of Indiana statehood and the changes that occurred during the 1800's.

Instructional Objectives:

1. Students will be able to use maps of different scales and themes to acquire data about Indiana.
2. Students will know some of the people who made up the 1816 and the 1851 constitutional conventions.
3. Students will use primary and secondary materials to draw conclusions about life in Indiana.

Time Required:

One Class Period

Materials Required:

Student Handout: Outline Map of the United States

Student Handout: Delegates to the 1816 and Delegates to the 1851 Constitutional Convention Charts

Procedures:

1. Give students the chart listing the delegates from the 1816 constitutional convention and a map of the United States.
2. Have students locate the birthplaces of the delegates and color them different colors. Students need to have a title for the maps (e.g. Birthplaces of the 1816 Delegates, etc.) and a legend that identifies the place and color they choose for each delegate.

3. Using another map, have the students identify the birthplaces of the delegates to the 1851 constitutional convention. Have them color the birthplaces as they did for the 1816 constitutional convention delegates map.
4. Have students look at the delegate charts. Have them make a list of the different occupations given on each convention delegate list.
5. Have the students look at both delegate charts. Have them select a random sample of the delegates (you might choose the ones from your county and the surrounding counties). Have them figure the average age for the delegates at each convention.
6. Discuss the following questions with the students:
 - a. How many of the delegates to the 1816 convention were born in Indiana? (None) How many of the delegates to the 1851 constitutional convention were born in Indiana? (12) Why do you think there is a difference in the number born here? (Population grew as statehood was granted and as settlers moved westward.)
 - b. How many of the delegates to each convention were born in Northern states? (1816-21, 1851- 51) Southern states? (1816- 21, 1851- 93) Is there a difference in the numbers from the North and South between the two conventions? (yes) Why do you think this is? (Early settlers came to Indiana via the Ohio River; over time settlers came via both northern and southern routes.)
 - c. How might where each delegate grew up influence his ideas about statehood and the constitution? (There would be differences in interests between northerners and southerners due to the institution of slavery in the south and the more industrialized north.)
 - d. What was the main occupation of legislators in 1816? (Farming) In 1851? (Farming and the practice of law) Are these still the main occupations today? (No) Why do you think this has changed? (Society is more economically diverse.)
 - e. What are some occupations today that probably would not have been occupations for legislators in 1816 and 1851? (Answers could include computer and technology related occupations, radio and television field, space exploration, automobile and air transportation related jobs, etc.) Which occupations have had the same representation in the past and present? (Lawyers, merchants, bankers, carpenters, etc.)
 - f. Why do you think the legislators of 1816 listed themselves as having more than one occupation? (With population being smaller and settlement in its early stages, people had to be more diversified in their jobs in order to provide for the needs of the state and its people)

- g. Why do you think there was a large representation of merchants and storekeepers in 1816 and 1851? (With the growth of the state and limits on transportation and mail, people needed goods they could get directly.) Why do you think so many legislators were attorneys? (They have studied law and the constitution.)
 - h. Who were the oldest and youngest representatives to the 1816 convention? (Charles Polke age 72 and Joseph Holman age 28.) The 1851 convention? (Samuel Frisbee, H.P. Thornton, and J. Steele were all 66 years old and H.E. Carter was the youngest at age 23.) What were the age requirements for service in the convention (as well as the legislature) at that time? (One had to be a male 21 years of age, eligible to vote, and have lived in the state for 1 year.) What are the requirements to serve in the legislature today? (One must be a citizen of the U.S. and have lived in his or her district 2 years. State senators must be 28 years of age and representatives 21 years of age.)
7. Have students note the changes in Indiana between the time the 1816 constitution was written and the time that the 1851 constitution was written. Students should come to the realization that these men came from a variety of backgrounds but were still able to reach a consensus about what the constitution of Indiana should be.

Enrichment:

Students could find the birthplaces of today's state representatives and map these locations. Students could then compare the map of contemporary delegates with the 1816 and 1851 maps.

Student Handout

Delegates to the 1816 Indiana Constitutional Convention

COUNTY	DELEGATE	PLACE OF BIRTH	AGE	OCCUPATION
CLARK	Thomas Carr	Maryland	61	farmer
	John K. Graham	Pennsylvania	33	surveyor, civil engineer, merchant, teacher, farmer
	Jonathan Jennings	New Jersey	32	lawyer, politician
	James Lemon	Kentucky	?	lawyer, sheriff
DEARBORN	James Dill	Ireland	44	lawyer
	Ezra Ferris	Connecticut	33	minister, justice of the peace, physician
	Solomon Manwaring	Delaware	45	lawyer, judge, surveyor
FRANKLIN	James Brownlee	Pennsylvania	36	coroner, mill builder
	William H. Eads	Maryland	?	tanner, banker, merchant,
	Robert Hanna	South Carolina	30	farmer
	Enoch McCarty	Virginia	33	farmer, lawyer
	James Noble	Virginia	31	lawyer
GIBSON	Alexander Devin	Virginia	?	minister
	Frederick Rapp	?	41	business leader, spokesman for New Harmony
	David Robb	Ireland	45	mill, justice of the peace farmer, surveyor
	James Smith	Virginia	42	justice of the peace, surveyor
HARRISON	John Boone	Maryland	44	farmer, justice of the peace
	Davis Floyd	Virginia	44	river pilot, tavern keeper, state auditor, state treasurer
	Daniel C. Lane	Virginia	40	judge, surveyor
	Dennis Pennington	Virginia	40	stone mason, farmer, justice of the peace
	Patrick Shields	Virginia	?	lawyer, judge

COUNTY	DELEGATE	PLACE OF BIRTH	AGE	OCCUPATION
JEFFERSON	Nathaniel Hunt	Connecticut	43	lawyer, merchant
	David Maxwell	Kentucky	40	physician, banker
	Samuel Smock	Virginia	?	lawyer, judge, justice of the peace
KNOX	John Badollet	Switzerland	58	register of U.S. land office in Vincennes
	John Benefiel	Virginia	55	farmer
	John Johnson	Virginia/Kentucky	?	supreme court judge, lawyer
	William Polke	Virginia	41	farmer, surveyor
	Benjamin Parke	New Jersey	39	judge, lawyer
PERRY	Charles Polke	Maryland	72	Baptist minister
POSEY	Dann Lynn	Kentucky	34	farmer, trader, ferry operator, judge
SWITZERLAND	William Cotton	Virginia	40	millar, judge, lawyer, farmer
WARRICK	Daniel Gross	Penn./Kentucky	?	farmer, lawyer
WASHINGTON	John DePauw	Kentucky	31	lawyer, merchant
	William Graham	Ireland	34	farmer, surveyor
	William Lowe	North Carolina	49	lawyer, judge
	Samuel Milroy	Pennsylvania	36	carpenter, trader, joiner, farmer
	Robert McIntyre	Pennsylvania	50	farmer, justice of the peace
WAYNE	Patrick Beard	Ireland	47	livestock dealer, farmer
	Jeremiah Cox	Pennsylvania	53	millar, blacksmith, farmer
	Hugh Cull	Maryland	57	Circuit rider
	Joseph Holman	Kentucky	28	Merchant, tanner

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Student Handout: Delegates to the 1851 Constitutional Convention

COUNTY	DELEGATE	AGE	YEARS IN STATE	PLACE OF BIRTH	OCCUPATION	POLITICS
ADAMS/WELLS	E.K. Bascom	26	8	Ohio	printer	Democrat
ALLEN	James W. Borden	39	16	North Carolina	merchant	Democrat
	Allen Hamilton	50	33	Ireland	farmer	Whig
BARTHOLOMEW	Smith Jones	31	18	North Carolina	farmer	Democrat
	Z. Tannehill	66	36	South Carolina	millner	Democrat
BENTON/PULASKI/ JASPER/WHITE	Jonathan Harbolt	45	16	Virginia	joiner	Democrat
	Robert C. Kendall	30	11	Pennsylvania	merchant	Whig
BOONE	Mark A. Duzan	36	17	E. Tennessee	farmer	Democrat
	William McClean	45	12	Pennsylvania	millwright	Democrat
BLACKFORD	Dixon Milligan	37	13	Ireland	physician	Democrat
BROWN	Shadrach Chandler	29	29	Indiana	lawyer	Democrat
CARROLL	Hiram Allen	38	38	Indiana	lawyer	Whig
	Robert H. Milroy	34	34	Indiana	lawyer	Democrat
CASS/HOWARD	Horace P. Biddle	32	10	Ohio	lawyer	Whig
	George Gordon	30	6	Ohio	Lawyer	Democrat
CLAY	Francis B. Yocum	43	17	Kentucky	farmer	Democrat
CLARK	Jacob Fisher	53	40	North Carolina	farmer	Democrat
	Thomas W. Gibson	35	20	Pennsylvania	lawyer	Democrat
	James G. Read	57	16	Kentucky	farmer	Democrat
CLINTON	Cornelius J. Miller	30	9	Virginia	bricklayer	Democrat
	Stephen Sims	58	39	E. Tennessee	farmer	Whig
CRAWFORD	Samuel Pepper	30	9	Kentucky	lawyer	Whig
DAVIESS	Elias S. Terry	42	14	South Carolina	lawyer	Whig
DEARBORN	John D. Johnson	45	33	Maryland	farmer	Democrat
	Johnson Watts	50	35	Kentucky	farmer	Whig
DECATUR	James B. Foley	43	16	Kentucky	farmer	Democrat
	Joseph Robinson	54	30	Tennessee	lawyer	Whig
DEKALB	Robert Work	39	17	Ohio	farmer	Democrat
DELAWARE	David Kilgore	46	33	Kentucky	farmer	Whig
	Walter March	36	9	Massachusetts	attorney	Democrat
DUBOIS	Benjamin R. Edmundston	42	32	North Carolina	farmer	Democrat
	Smith Miller	46	32	North Carolina	farmer	Democrat
ELKHART	Walter E. Beach	36	13	New York	farmer	Democrat
FAYETTE	Ross Smiley	55	34	Pennsylvania	merchant	Democrat
	William W. Thomas	50	22	New York	farmer	Whig

COUNTY	DELEGATE	AGE	YEARS IN STATE	PLACE OF BIRTH	OCCUPATION	POLITICS
FLOYD	Phineas M. Kent	38	16	New York	lawyer	Democrat
	Henry P. Thornton	66	33	North Carolina	lawyer	Whig
FOUNTAIN	Joseph Coats	48	22	Virginia	farmer	Democrat
	Joseph Ristine	42	24	Ohio	merchant	Democrat
FRANKLIN	George Berry	49	34	Virginia	physician	Democrat
	George G. Shoup	40	17	Ohio	merchant	Democrat
	Spencer Wiley	60	47	Virginia	farmer	Democrat
FULTON/MARSHALL	Hugh Miller	43	27	Tennessee	farmer	Democrat
	Amzi L. Wheeler	39	15	New York	merchant	Democrat
GIBSON	Samuel Hall	53	35	Maryland	lawyer	Whig
GRANT	Benoni C. Hogin	46	23	Delaware	merchant	Whig
GREENE	Thomas Butler	60	27	Virginia	farmer	Democrat
HAMILTON	Haymond W. Clark	47	31	Virginia	physician	Whig
	Albert B. Cole	44	30	New York	merchant	Whig
HANCOCK	George Tague	63	37	North Carolina	farmer	Democrat
	Thomas Walpole	34	28	Ohio	attorney	Whig
HARRISON	John Mathes	40	36	Kentucky	farmer	Democrat
	John Zenor	57	42	Pennsylvania	farmer	Whig
HENDRICKS	Christian C. Nave	43	19	Tennessee	lawyer	Democrat
	Henry G. Todd	39	19	Kentucky	physician	Whig
HENRY	George H. Ballingall	57	17	Scotland	farmer	Whig
	Isaac Kinley	28	28	Indiana	farmer	Democrat
	Daniel Mowrer	40	10	Pennsylvania	woolen manufacturer	Democrat
JACKSON	John F. Carr	45	45	Indiana	farmer	Democrat
	Samuel P. Mooney	46	44	Kentucky	farmer	Democrat
JAY	Nathan B. Hawkins	37	26	Ohio	lawyer	Whig
JEFFERSON	Michael. G. Bright	45	28	New York	farmer	Democrat
	William M. Dunn	35	35	Indiana	lawyer	Whig
	Milton Gregg	45	35	Ohio	manufacturer	Whig
JENNINGS	Hiram Prather	41	41	Indiana	farmer	Whig
	John Spann	58	31	South Carolina	farmer	Democrat
JOHNSON	Franklin Hardin	40	23	Kentucky	farmer	Democrat
	James Ritchey	46	21	Pennsylvania	physician	Democrat
KNOX	James Dick	44	13	Scotland	farmer/trader	Democrat
	Willis W. Hitt	50	20	Kentucky	physician	Whig
KOSCIUSKO	James Garvin	40	16	Ohio	farmer	Democrat
LAGRANGE	John B. Howe	37	18	Massachusetts	lawyer	Whig
	Joseph H. Mather	25	8	New York	lawyer	Whig
	Henry T. Snook	53	15	New Jersey	physician	Democrat

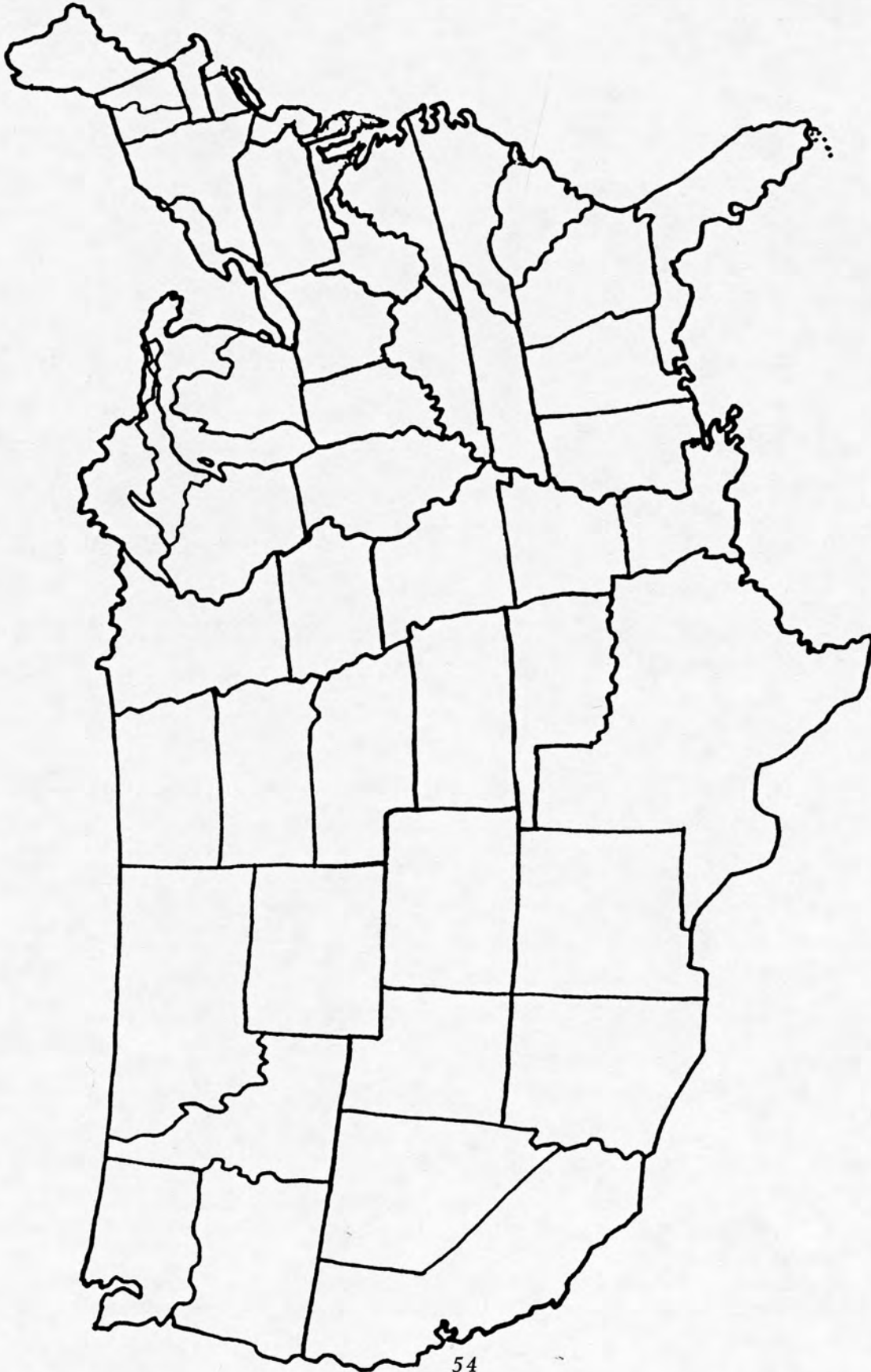
COUNTY	DELEGATE	AGE	YEARS IN STATE	PLACE OF BIRTH	OCCUPATION	POLITICS
LAKE/PORTER	Samuel P. Anthony	34	11	Virginia	lawyer	Democrat
	Daniel Crumbacker	31	15	Virginia	accountant	Democrat
LA PORTE	John B. Niles	42	17	Vermont	lawyer	Whig
	Edmund D. Taylor	46	4	Virginia	banker	Democrat
LAWRENCE	George W. Carr	43	43	Indiana	farmer	Democrat
	Melchart Helmer	48	30	New York	farmer	Whig
MADISON	John Davis	35	14	Maryland	lawyer	Whig
MARION	Jacob P. Chapman	39	12	Massachusetts	printer	Democrat
	Douglas Maguire	?	28	Kentucky	printer	Whig
	Alexander F. Morrison	45	30	New York	publisher/editor	Democrat
MARTIN	Thomas Gootee	53	35	Maryland	farmer	Democrat
MIAMI/WABASH	John A. Graham	33	16	Maryland	printer	Democrat
	Harrison Kendall	37	37	Indiana	farmer	Democrat
	William Steele	66	34	Pennsylvania	lawyer/merchant	Conservative
MONROE	William C. Foster	52	22	Pennsylvania	physician	Democrat
	Daniel Read	43	30	Ohio	professor	Democrat
MONTGOMERY	Horace E. Carter	23	16	Pennsylvania	attorney	Democrat
	David A. Shannon	55	15	Pennsylvania	surveyor	Democrat
	Henry T. Snook	53	15	New Jersey	physician	Democrat
MORGAN	Alexander B. Conduit	32	24	Kentucky	trader	Whig
	James Crawford	52	32	Virginia	farmer	Whig
NOBLE	Thompson D. Bicknell	26	?	New York	physician	Whig
OHIO	Abel C. Pepper	55	35	Virginia	farmer	Democrat
ORANGE	William Johnson					
	William Halliday	39	23	North Carolina	farmer	Democrat
	William F. Sherrod	27	6	Virginia	physician	Democrat
OWEN	David M. Dobson	43	17	E. Tennessee	physician	Democrat
	George Moore	49	32	S. Carolina	farmer	Democrat
PARKE	Samuel Davis	50	25	Ohio	tanner, currier	Whig
	William F. Nofsinger	35	17	Virginia	physician	Democrat
PERRY	John P. Dunn	40	40	Indiana	trader	Locofoco**
	Samuel Frisbie	66	31	Connecticut	attorney	Whig
PIKE	Charles Alexander	58	36	N. Carolina	farmer	Democrat
POSEY	Alvin P. Hovey	29	29	Indiana	lawyer	Democrat
	Robert Dale Owen	48	24	Scotland	farmer	Democrat
PUTNAM	Oliver P. Badger	31	16	Kentucky	farmer	Whig
	Alexander S. Farrow	56	20	Kentucky	farmer	Whig
	Alexander C. Stevenson	48	24	Kentucky	farmer	Whig
RANDOLPH	Beattie McClelland	39	11	Ireland	attorney	Democrat

COUNTY	DELEGATE	AGE	YEARS IN STATE	PLACE OF BIRTH	OCCUPATION	POLITICS
RIPLEY	Henry J. Bowers	49	28	Massachusetts	physician, farmer	Whig
	Thomas Smith	50	31	Pennsylvania	farmer	Democrat
RUSH	William Bracken	32	32	Indiana	physician	Democrat
	Jefferson Helm	46	36	Kentucky	physician	Whig
	Jesse Morgan	56	20	Kentucky	farmer	Whig
SCOTT	Hezekiah S. Smith	39	26	Ohio	farmer, merchant	Democrat
SHELBY	James Elliott					
	Thomas A. Hendricks	28	25	Ohio	attorney	Democrat
	J. Van Benthusen*	72	22	New York	farmer	Democrat
STEBEN	Edward R. May	30	8	Connecticut	attorney	Democrat
ST. JOSEPH	Schuyler Colfax	27	14	New York	editor	Whig
SULLIVAN	William R. Haddon	45	44	Virginia	farmer	Democrat
	Benjamin Wolfe	51	22	Virginia	farmer	Democrat
SWITZERLAND	Daniel Kelso	47	35	Pennsylvania	lawyer	Democrat
TIPPECANOE	Othniel L. Clark	45	31	Virginia	physician	Whig
	Joel B. McFarland	28	7	Pennsylvania	physician	Democrat
	John Pettit	43	20	New York	lawyer	Democrat
UNION	Benjamin F. Brookbank	28	26	Virginia	teacher	independent
	Daniel Trembly	41	25	Ohio	physician	Democrat
VANDERBURGH	James E. Blythe	31	9	Kentucky	lawyer	Whig
	James Lockhart	44	19	New York	lawyer	Democrat
VERMILLION	Thomas Chenowith	50	23	Ohio	farmer	Democrat
	Oliver P. Davis	36	12	New Hampshire	farmer	Democrat
VIGO	Cromwell W. Barbour	42	33	New York	lawyer	Whig
	Thomas J. Bourne	37	15	Maryland	merchant	Whig
	Grafton F. Cookerly	35	14	Maryland	farmer	Democrat
WARRICK	Christopher C. Graham	44	31	Virginia	farmer	Democrat
WARREN	James R.M. Bryant	44	15	Pennsylvania	lawyer	Whig
WASHINGTON	Ezekiel D. Logan	52	40	Kentucky	farmer	Democrat
	John I. Morrison	45	25	Pennsylvania	surveyor	Democrat
	Rodolphus Schoonover	47	35	Pennsylvania	farmer	Democrat
WAYNE	John Beard	54	38	Tennessee	farmer	Free Soiler
	Othniel Beeson	37	26	North Carolina	farmer	Democrat
	John S. Newman	45	43	Ohio	lawyer	Whig
	James Rariden	55	40	Kentucky	lawyer	Whig
WHITLEY/HUNTINGTON	Elias Murray	63	20	New York	farmer	Whig
	Jacob Wunderlich	26	7	Pennsylvania	farmer	Democrat

* While serving as a delegate, Van Benthusen died on November 13, 1850 of cholera contracted in an Indianapolis hotel.

** The Locofocos were a splinter group of the Democratic Party. Members of the party were opposed to monopolies and private bankers. They also supported equal rights.

Student Handout: Outline Map of the United States



Lesson 2: The Delegates Take a Stand

Lesson Description:

The men who wrote Indiana's constitution of 1851 had diverse and varied backgrounds, occupations, and interests. Yet these 150 men met together and came to an agreement on what was right and wrong for Indiana. One of the issues that sparked controversy among the delegates was the issue of women's rights. In this lesson students will learn more about some of the major figures at the constitutional convention of 1851 and how they stood on the issue of women and the role of women in society during that time period.

Instructional Objectives:

1. Students will be able to use primary and secondary materials to draw conclusions about life in Indiana.
2. Students will be able to demonstrate how things change over time and will continue to change.
3. Students will know some of the people who made up the 1851 Constitutional Convention.
4. Students will learn how the issue of suffrage (the right to vote) and women's rights began to develop during the mid-1800s.
5. Students will understand the role of women in society during the 1800s and how that role has changed over time.

Time Required:

One to two class periods

Materials Required:

Student Handout: Delegate Biographies and Portraits.

Procedures:

1. Divide the class into small groups. Distribute Student Handout: Delegate Biographies and Portraits of the 1851 Constitutional Convention.
2. Have the students read the biographies. Assign one of the delegates to each group.
3. Have the groups locate where their delegates were born, the counties they represented, their ages, and occupations from the convention delegates list.
4. Ask the students how their delegates would have voted on the issue of a woman's right to own property.
5. Have students write a paragraph stating why their delegates would take this stance on this issue.

6. Have students present their delegates' stances to the rest of the class.
7. After each group has presented its case, have the class vote on the issue of women owning property.
8. Discuss with the students how even in 1816 and 1851 people with different beliefs and ideas had to work together in order to improve life for all. During these times representation was limited to white males. Today people from all backgrounds and of all races and genders must come together to make decisions in order to improve life for all.

Enrichment:

1. Students could write to their state representatives and do a short report on those delegates.
2. Invite a local government official to speak to the class. Have the official discuss the requirements for the job, how previous job experience has helped him or her in this position, and what the duties and responsibilities of the job are.
3. Choose one of the delegates from your county and as a class create a bulletin board about this person.
4. Have the students create an election poster for one of the 1851 delegates or make a poster for or against women's right to own property.
5. Have students do mock interviews of the delegates for an imaginary newscast about the constitutional convention.
6. If possible, take a tour of the state capitol building in Indianapolis. See if you can observe the legislature in action. Investigate the possibility of meeting a representative from your county or district.
7. Students might write a paragraph on an issue facing the state legislature today and how one of the delegates to the 1851 constitutional convention might have felt about this particular issue.

Student Handout: Delegate Biographies and Portraits



Oliver P. Badger- A representative from Putnam County, Oliver P. Badger was born in 1819 in Kentucky. He moved to Putnam County in 1833 where he grew up as a youth full of piety and religious zeal. His family belonged to a religious group called the New Lights. A strong supporter of the King James Bible, he began preaching at the age of nineteen. He was married to Martha Ann Yates in 1838.

They had five children. At the convention he attacked Robert Dale Owen because he had been married by a notary public instead of in a church. He strongly opposed including property rights for women in the constitution because he believed that giving them those rights was against Christian scriptures. He was defeated in a run for the state senate in 1852. He devoted the rest of his life to preaching for the Christian church.



George Whitfield Carr- George Whitfield Carr was a Democrat elected from the senatorial district of Lawrence County. He was born on October 7, 1807, on his father's farm near Charlestown. He was apprenticed to a tanner at Salem when he was seventeen. In 1829 he and his brothers opened a tannery on their father's farm. George was elected to the general assembly as a representative five times and as a senator three times. His father was a member of the 1816 Constitutional Convention. George was elected president of the 1851 Constitutional Convention. George's brother John was a representative from Jackson County.



Schuyler Colfax- Schuyler Colfax was a Whig and represented St. Joseph County. He was born March 23, 1823. His father died before he was born. He had little education because by the age of ten he was sent to work to help support his mother. After she remarried, the family moved to New Carlisle in 1836. South Bend became their home in 1841 and there Schuyler served in the post office and read law. He became a journalist at sixteen writing mostly for Whig newspapers. He was a senate reporter in 1843 and eventually bought his own newspaper

in South Bend. As a delegate to the constitutional convention, he voted with the Whigs who were the minority party. He spoke on behalf of Negro rights and suffrage, but voted with the majority against those rights. He served as vice president under Ulysses S. Grant from 1869-1873, but did not seek reelection because of his involvement in a national scandal.



William English- William English was a Democrat and served as the secretary of the 1851 Constitutional Convention. He was born August 27, 1822, in Lexington, Indiana. He attended Hanover College and studied law under Joseph Marshall of Madison. He was an attorney in all circuit and inferior courts before he reached the age of nineteen. In 1845 he received a political appointment to the Treasury Department in Washington. He married a woman from Virginia, Emma Jackson, in 1847. They had two children. English became clerk in the Senate before returning to Indianapolis to become the convention secretary. He served in congress where he often criticized blacks and favored slavery. English left public service in 1861 to pursue a career as a successful banker.



Thomas Hendricks- Thomas Hendricks was a delegate to the 1851 Constitutional Convention from the senatorial district of Shelby County. He was born in Zanesville, Ohio, in 1819 and later moved to Madison, Indiana, where he graduated from Hanover College. He studied law in Pennsylvania. Hendricks served in the general assembly as a representative. He was married to Eliza Morgan in 1845. They had one son who lived to only the age of three. Hendricks was a popular politician and a good debater. In 1873 Hendricks was elected governor of Indiana and later was vice president of the United States under Grover Cleveland. He died after serving only eight months as this country's vice president.



Alvin Peterson Hovey- A Democratic representative from Posey County, Alvin Hovey was born on a farm at Mount Vernon, Indiana, on September 6, 1821. His father died in 1823 and his mother in 1836. He worked at many different jobs before becoming a mason. He read law in the office of Judge John Pitcher and was admitted to the bar in 1843. Hovey fought to uphold the will of education reformer William McClure from New Harmony. Hovey's support of free, public education in Indiana made him an outspoken supporter during convention debates by the education committee. He served as a circuit judge from 1851 to 1854 and was the youngest man to serve on the state supreme court. Hovey organized a company of men at Lincoln's first call for troops and ended the war as a brigadier general. In 1889 he became governor of Indiana.



Robert Dale Owen- Robert Dale Owen was a representative of Posey County. He was born in Glasgow, Scotland, on November 7, 1801, to Robert Owen and Ann Dale. He attended school in Switzerland and was part of his father's social experiments in New Lanark. His father purchased the town of New Harmony, Indiana, from Frederick Rapp in 1825. Robert and his three brothers and sister moved to that town in 1826. Owen married Mary Jane Robinson in 1832. He was one of the people responsible for the new system of education being tried in New Harmony. He served in the United States House of Representatives from 1843 to 1847. Owen sought to make provisions in the Indiana constitution that would grant civil equality to married women.



John Pettit- John Pettit was a representative from Tippecanoe County. He was born in New York. He taught school for a year in Troy, Ohio, before moving to Lafayette in 1831. He was admitted to the bar soon after. In 1838, he was elected to the United States Congress. Pettit was known to be dogmatic and illogical and he had a strong dislike for Christianity. He was one of the most outspoken delegates to the 1851 Constitutional Convention.



David Wallace- A Whig from Marion County, David Wallace was born in 1799 in Pennsylvania, and in 1807 moved with his family to Ohio. He attended the U.S. Military Academy at West Point and stayed on after graduation as an instructor. He returned home to his family who had moved to Brookville, Indiana. There he was admitted to the bar and read law with Judge Eggleston. In 1824 he married Esther Test. The couple had four sons. Wallace was elected to the Indiana General Assembly and in 1831 became lieutenant governor. During his years in the legislature he favored internal improvement measures. Wallace moved his family to Covington, Indiana, after his wife died of consumption in 1834. After being elected Indiana's governor in 1836, he married Zerelda Sanders, a leader for temperance and suffrage for women. Wallace served one term as governor and in 1841 served one term in the United States Congress. He was an accomplished orator and was regarded as one of the most influential and intelligent men at the 1851 Constitutional Convention. His son, Lew Wallace, is the acclaimed author of Ben Hur.

*Y*ou will notice that quite a number of the members appear to be very young, a thing we would be unlikely to expect in such a body. But some of them are talented, influential men, while others are no better than boys generally of the same age. That pale, stoop shouldered young man with very little beard, and that on his chin, who has just come in, and walking to his seat, is Mr. Colfax, one of the former class. That consequential looking fellow leaning back in his seat, and stretching himself, with a head like a very large turnip, covered with a dirty colored moss—an

eye like a pale blue bead in a dab of mush, placed in the turnip aforesaid, and a very self-complacent smirk of his face, indicating that the young gentleman is in a state of great admiration at himself, and entirely convinced that he is "some pumpkins"—an opinion no one would dispute, if the number of the pumpkins were limited to one—is one of the latter class, and a delegate from a county whose name indicates much greater depth than its representative possesses.

—Sketch of the Convention by Timothy Tugumttorn (sp?)
February 1, 1851

Unit 4

Unit 4: Education and the Indiana Constitution

Lesson 1: The Economic Role of Indiana's Government

Lesson Description:

This lesson uses portions of Indiana's 1816 and 1851 constitutions to examine the economic roles of government. Students will also examine the development of Indiana roads and education.

Lesson Objectives:

1. Students will define the economic roles of government.
2. Students will identify reasons for an increased need for the Indiana government to provide public education.

Time Required:

One 45-minute class period

Materials Required:

1. Student Handout: The Economic Role of Government
2. Visual: Primary Education in Indiana 1840-1890

Procedures:

1. Ask students to explain the role of government. Many students will probably answer that government tells people what to do and how to act (creates laws). Others may discuss people in government, for example, judges or the mayor. Explain that the government is really groups of people that make decisions for themselves and others in their community. Pass out Student Handout: The Economic Role of Government. Have students read it aloud or quietly. List the economic roles of government on the board.
2. Have students think about all that they do during the day. Ask students to name the things they do during the day that the government is involved with. Next to the role of government list student responses according to the role of government. Examples might be: "I had to wear my seatbelt" - Provides a legal framework; "I rode the school bus to school" - Provides Public Goods and services; "The local factory can't pollute anymore" - Controls externalities.
3. Tell students that they are going to explore a major problem facing Indiana in the early 1800s: Indiana's rapid growth. A problem with this rapid growth was providing enough opportunities for education for Hoosiers. Show Visual: Primary Education in Indiana 1840-1890. Point out how the number of students enrolled in schools grew rapidly between the census of 1840 and the census of 1870. Ask the following questions:

- a. What are ways to pay for education? Taxes, tuition payments, scholarships.
 - b. What are the benefits of education? Better jobs, happiness, higher wages, and more choices.
 - c. Is an education something that the government should encourage? Yes. Student answers will vary, but they should know that educated people are often more productive, earn higher wages, and pay higher taxes.
 - d. Do you think that people should get an education even if they can't pay for it? Answers will vary.
4. Explain that a free public education was a new idea in 1816. Most people who obtained an education had to pay for it. However, state leaders realized that if Indiana was going to compete against other states for jobs, Hoosiers had to be educated. If people had to pay the entire cost for education, many would not. This means that the state's population wouldn't have been as well educated. Today Indiana has compulsory education laws that require students to go to school until they are sixteen years old. This wouldn't be possible unless the government paid at least part of the education bill.
5. Review the economic roles of government. Point out that both of Indiana's constitutions made provisions for these roles. Explain that in order for Indiana to be successful economically, these roles had to be the responsibility of the government.

Enrichment:

1. Students could find the article of Indiana's constitution that justifies the government's involvement in the activities listed in procedure #2.
2. Students should write a short essay describing an activity provided by a local, state, or federal government agency. The description should include a discussion of the economic role introduced in the lesson and a justification as to why the government must provide for that role.

Student Handout: The Economic Role of Government

No society relies entirely on people to produce everything it wants. Most goods and services are produced in the market by producers for consumers. But, sometimes the market fails to produce everything that we want. Also sometimes the market produces some things we don't want, like pollution. When the market doesn't produce everything that we want or if it produces things we don't want, economists say that the market fails. It is the role of the government to deal with these market failures. The following are the kinds of roles that the Indiana government plays to deal with market failures:

Providing a Legal Framework:

Local and state governments provide the rules and laws that tell people how to behave in certain situations. For example, it tells people how to behave when we enter into contracts. It helps people own property. It establishes uniform weights and measures so people know whether they are getting what they paid for, and it establishes laws and rules in the marketplace.

Insuring Competition:

The government uses its powers to ensure that one or a few sellers do not unfairly control the entire market. If a company has too much power, it may take advantage of consumers by charging a price that is too high.

Providing Public Goods and Services:

The market doesn't produce enough of some goods and services. These are called public goods and services. The government, therefore, provides these goods and services. Examples include national defense, roads, flood control projects, and lighthouses.

Controlling Externalities:

Externalities are things that the market produces that it doesn't mean to produce. Pollution is an example of an externality. Sometimes the market produces too much pollution. Since pollution is bad, we call it a negative externality. The government attempts to correct this by limiting what companies do. If they pollute too much, the government makes them stop polluting by taxing, regulating, or shutting them down. Education is an example of a positive externality. Lots of people benefit from education, not just the person being educated. Because of this, the government tries to promote education. Education is an example of a positive externality.

Redistributing Income:

The government uses tax revenues to help people who need it. Some government programs include Medicare, Medicaid, food stamps, public housing, Aid to Families with Dependent Children (AFDC), earned income tax credit (EITC), and school lunches.

The Indiana constitution gives different levels of government the ability to carry out these economic roles. In fact, the Indiana constitution was revised in 1851 to strengthen some of these roles. As the economy changes over time, the constitution must be updated to reflect the changes in the economy.

Visual: Primary Education in Indiana 1840-1890

Year	# of students	Indiana's Population	% of pop.
1840	51,135	685,866	7.5%
1850	168,612	988,416	17%
1860	no data	1,350,419	no data
1870	395,263	1,680,637	24%
1880	no data	1,978,301	no data
1890	505,516*	2,192,404	23%

* only those students enrolled in public schools

Data from: <http://fishers.lib.virginia.edu/census>

Lesson 2: The Education Debate

Lesson Description:

*Once the 1851 constitution of Indiana was ratified, communities had to begin to provide a free education for their citizens. This new way of viewing education brought about much debate. This activity gives students an opportunity to read an editorial about education written in 1851. The editor, William R. Ellis, published the editorial in Lafayette's **Courier** in the summer of 1851. This editorial reflects just one person's view on the issue.*

Instructional Objectives:

1. Students will understand the role of government in the development of Indiana's educational system.
2. Students will be able to use primary source materials to draw conclusions about life in Indiana.

Time Required:

One Class Period

Materials Required:

Student Handout: *Lafayette Education in 1851*

Procedures:

1. Pass out Student Handout: Lafayette Education in 1851.
2. Read the editorial together as a class and discuss what an editorial is.
3. Have students list reasons why the editorial might have been written.
4. Discuss the following questions:
 - a. How many students does Mr. Ellis claim should be receiving an education in Lafayette? 1500 students; paragraph one
 - b. What is the difference between the cost of the school needed for students south of Main Street and the amount of tax money that can be gathered from those residents? $\$5,000 - \$1,200 = \$3,800$ is the difference; paragraph two
 - c. Who does Mr. Ellis believe should help pay the difference? The liberal and the wealthy; they could build a beautiful school which would add to the beauty of Lafayette; paragraph 3
 - d. What should happen to those who cannot afford taxes? They should be excused and the tax should be changed so all can afford it in order to attend school; paragraph 5

Indiana Social Studies Standards Covered in Teaching About Indiana's Constitutions

History

Students will trace the historical periods, places, people, events, and movements, that have led to the development of Indiana as a state.

Statehood and Development: 1816 to 1850s

- 4.1.6 Explain how key individuals and events influenced the early growth of the new state of Indiana.

Growth and Development: 1880 to 1920

- 4.1.9 Give examples of Indiana's increasing agricultural, industrial, and business development in the nineteenth century.

Chronological Thinking, Comprehension, Analysis, and Interpretation

- 4.1.14 Distinguish fact from opinion and fact from fiction in historical documents and other information resources.

Civics and Government

Students will describe the components and characteristics of Indiana's constitutional form of government; explain citizenship rights and responsibilities; investigate civic and political issues and problems; use inquiry and communication skills to report findings in charts, graphs, written, and verbal forms; and demonstrate responsible citizenship by exercising civic virtues and participation skills.

Foundations of Government

- 4.2.1 Explain the major purposes of Indiana's Constitution as stated in the Preamble.
- 4.2.2 Describe major rights, such as freedom of speech and freedom of religion, that people have under Indiana's Bill of Rights (Article 1 of the Constitution).

- e. If there are four quarters in the school year, how much does Mr. Ellis predict it should cost for one student's education? $\$1.50 \times 4 = \6.00 ; paragraph 6
- f. For how many students should one teacher be responsible? 80 – 90; paragraph six
- g. Mr. Ellis suggests hiring four lady teachers at an average of \$75 per quarter. What does he mean by an average? Some will be paid more than \$75 and some will be paid less than \$75; paragraph 7
- h. How much should the one man be paid in each school? \$125; paragraph 7
- i. What is the difference between the women's average salary and the man's salary? $\$125 - \$75 = \$50$; paragraph 7
- j. From reading Mr. Ellis's editorial what differences can you see in education from 1851 and today? Gender inequity, class size, cost, school size, etc.

As a class, in groups or individually, have the students use the editorial to answer the questions on the handout.

Enrichment:

1. Have students write editorials about how their school might be improved.
2. Have students write editorials that oppose free education in Indiana.

Student Handout: Lafayette Education in 1851

(Please refer to paragraph number when answering the discussion questions.)

1. "How shall Lafayette provide for the education of her 1,500 children? Our theory is both simple and practical. Erect schoolhouses and make our schools free. That is all there is to it, and this we have both the power and the right to do."
2. "True, the power is not given by law, for the Free School Act of 1849 limits the power of taxation in any one year to 15 cents upon the hundred dollars. From this source, Lafayette, south of Main St., could only raise some \$1,200 and that district ought to have a schoolhouse worth \$5,000, large enough to accommodate the 500 or 800 children who should attend the school, and conveniently divide into departments for their proper classification and instruction."
3. "The balance must be raised by donations from the liberal and wealthy, if at all, and it can hardly be doubted but the disposition exists among enough of that class to aid in the construction of such an edifice, as would be an ornament and an honor to our town."
4. "Let it be centrally situated, so as to accommodate all. Procure a sufficient number of good teachers to fairly instruct all who may attend, and let the whole 600 come. Give all a chance. The curly headed Irish boy (who may yet be our governor) should take his seat beside the son of our judges, generals and colonels."
5. "Such as are not able to pay should be excused from any tax, and the law should be so amended as to enable a sufficient property tax to be laid and collected to make the school free to all."
6. "Until that is done, a school of 500 scholars could be instructed well at an average cost of not over \$1.50 each per quarter. Suppose the number to be divided into six classes or schools of 80 to 90 over each of which a teacher shall be placed."
7. "Four of these teachers shall be ladies, at an average pay each of \$75 per quarter – one man at \$125 per quarter, making in all \$625, and leaving from the 500 pupils at \$1.50 each, \$125 to defray the expenses of fuel and other incidents. The teachers should be well qualified, and those best paid, capable of teaching the higher branches, to the same extent as in our colleges."

From the editorial by William R. Ellis

Lesson 3: Education in Indiana's Constitution

Lesson Description:

This activity is designed to examine one topic of interest, education, from the 1816 and 1851 Indiana constitutions. In the 1816 constitution the framers were progressive in their belief that education should be free and open to all. In the 1816 constitution the idea of a free public education was a great idea. But the framers did not work out the details of how or when this free education should be implemented. Indiana was a young state and had little money for its budget. Tax revenues were difficult to obtain. All land purchased from the federal government was tax exempt for five years. The state's first annual revenues were less than \$20,000. The 1816 constitution stated that the state government should provide public education "as soon as circumstances permit." This meant free public education could be postponed until that phase was more clearly defined in the 1851 constitution. The framers of the 1851 constitution changed Article 9 to ensure free public education would become a reality. This was done by creating and garnering support for a tax-supported school system. In this new constitution the delegates outlined which tax revenues were to be used to pay for a free public education. However, this new constitution did not guarantee a free education through college.

Instructional Objectives:

1. Students will understand that taxes pay for public education.
2. Students will understand that education is one of the major provisions of the Indiana constitution

Time Required:

One class period.

Materials Required:

Student Handout: 1816 Indiana Constitution, Article 9

Student Handout: 1851 Indiana Constitution, Article 8

Procedures:

1. Pass out Student Handout: 1816 Indiana Constitution, Article 9; have students use their dictionaries to define the word "gratis" as Webster's defines it; "For nothing, without charge; free." Explain to the students that this was a progressive (new) idea for the early nineteenth century.
2. In groups have the students brainstorm the positives and negatives of providing a free public education. List these ideas on the board.
3. Ask the students if Article 9 addresses the positives and negatives they brainstormed. (They should discover that this article is vague.) Ask students if they know how public education is

funded. As discussed in lessons 1 and 2, explain that public education is funded through taxes. Because the state had little money from taxes to use for education in 1816, little was accomplished to bring about free public education.

4. Pass out Student Handout: 1851 Indiana Constitution, Article 8.
5. Read the article together with the class.
6. Have students circle any changes from the 1816 constitution that they find. *In short, the new constitution set forth the process by which the state could legally raise money to support public education. Students should understand that once it was decided that public education was important for a growing Indiana, the process had to be put in place to raise money. This is one of the reasons that Indiana's constitution had to be revised in 1851.*

Student Handout: 1816 Indiana Constitution, Article 9

Section 1.

Knowledge and learning generally diffused, through a community, being essential to the preservation of a free Government and spreading the opportunities, and advantages of education through the various parts of the Country, being highly conducive to this end, it shall be the duty of the General Assembly to provide by law, for the improvement of such lands as are, or hereafter may be granted, by the United States to this state, for the use of schools, and to apply any funds which may be raised from such lands, or from which they are or may be intended. But no lands granted for the use of schools or seminaries of learning shall be sold by authority of this state, prior to the year eighteen hundred and twenty; and the monies which may be raised out of the sale of any such lands, or otherwise obtained for the purposes aforesaid, shall be and remain a fund for the exclusive purpose of promoting the interest of Literature, and the sciences, and for the support of seminaries and public schools. The General Assembly shall from, time to time, pass such laws as shall be calculated to encourage intellectual, Scientifically, and agricultural improvement, by allowing rewards and immunities for the promotion and improvement of arts, sciences, commerce, manufactures, and natural history; and to countenance and encourage the principles of humanity, honesty, industry, and morality.

Section 2.

It shall be the duty of the General Assembly, as soon as circumstances will permit, to provide, by law, for a general system of education, ascending in a regular gradation, from township schools to a state university, wherein tuition shall be gratis, and equally open to all.

Student Handout: 1851 Indiana Constitution, Article 8

Section 1.

Knowledge and learning, generally diffused throughout a community, being essential to the preservation of a free government; it shall be the duty of the General Assembly to encourage, by all suitable means, moral, intellectual, scientific, agricultural improvement; and so provide, by law, for a general and uniform system of common schools, wherein tuition shall be without charge, and equally open to all.

Section 2.

The common school fund shall consist of the congressional township fund, and the lands belonging thereto:

- The surplus revenue fund;

- The saline fund and the lands belonging thereto;

- The bank tax fund, and the fund arising from the one hundred and fourteenth section of the charter of the State Bank of Indiana.

- The fund to be derived from the sale of county seminaries, and the moneys and property heretofore held for such seminaries; from the fines assessed for breeches of the penal laws of the State; and from all forfeitures which may accrue;

- All lands and other estate which shall escheat to the State for want of heirs or kindred entitled to the inheritance;

- All lands that have been, or may hereafter be, granted to the State, where no special purpose is expressed in the grant, and the proceeds of the sales thereof: including the proceeds of the sales of the Swamp Lands, granted to the State of Indiana by the act of Congress of the 28th of September, 1850, after deducting the expense of selecting and draining the same;

- Taxes on the property of corporations that may be assessed by the General Assembly for common school purposes.

Section 3.

The principal of the Common School fund shall remain a perpetual fund, which may be increased, but shall never be diminished; and the income thereof shall be inviolably appropriated to the support of Common Schools, and to no other purpose whatever.

Section 4.

The General Assembly shall invest, in some safe and profitable manner, all such portions of the Common School fund as have not heretofore been entrusted to the several counties; and shall make provision, by law, for the distribution, among the several counties, of the interest thereof.

Section 5.

If any county shall fail to demand its proportion of such interest, for Common School purposes, the same shall be re-invested for the benefit of such county.

Section 6.

The several counties shall be held liable for the preservation of so much of the said fund as may be entrusted to them, and for the payment of the annual interest thereon.

Section 7.

All trust funds, held by the State, shall remain inviolate, and be faithfully and exclusively applied to the purposes for which the trust was created.

Section 8.

The General Assembly shall provide for the election, by the voters of the State, of a State Superintendent of Public Instruction; who shall hold his office for two years, and whose duties and compensation shall be prescribed by law.

Appendix



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Current Indiana Constitution

<http://www.state.in.us/legislative/ic/code/const/>

Original 1851 Indiana Constitution

<http://www.in.gov/history>

Additional Resources

Barnhart, John D. *Valley of Democracy: The Frontier Versus the Plantation in the Ohio Valley, 1775-1818*. Bloomington, 1953.

General overview of how Kentucky, Tennessee, Indiana, Illinois, and Ohio obtained statehood.

Bibliographies can be found in county histories available at the Indiana State Library and various local libraries.

Onuf, Peter S. *Statehood and the Union: A History of the Northwest Ordinance*. Bloomington, 1987.
Good overview.

Thornbrough, Emma Lou. *The Negro in Indiana Before 1900: A Study of a Minority*. Indianapolis, 1957.
Provides background and effect of 1851 constitution.

Student Resources

Website—The PBS Kids Democracy Project: How Does Government Affect ME?

<http://www.pbs.org/democracy/kids/mygovt/school.html>

Website shows how the local, state, and federal government affects us in everyday life.

Collier, Christopher, and James Lincoln Collier. *Creating the Constitution, 1787*. New York, 1999.
Events and personalities involved: for intermediate readers.

Feinberg, Barbara Silberdick. *Local Governments*. New York, 1993.
For intermediate students; includes reference and index.

Feinberg, Barbara Silberdick. *State Governments*. New York, 1993.
Examines what governors, legislators, judges, and other state officials do and how their power differs from state to state.

Fritz, Jean. *Shh! We're Writing the Constitution*. New York, 1987.
Writing and ratification of the U.S. Constitution; for intermediate readers.

Johnson, Linda Carlson. *Our Constitution*. Brookfield, Conn., 1992.
History of U.S. Constitution; bibliographic references, index, excellent images.

Leinwand, Gerald. *Do We Need A New Constitution?* New York, 1994.
Reasons for writing a constitution; for intermediate readers.

Functions of Government

- 4.2.3 Identify and explain the major responsibilities of the legislative, executive, and judicial branches of state government as written in the Indiana Constitution.
- 4.2.4 Identify major state offices and the duties and powers associated with them, such as governor, lieutenant governor, chief justice, state senators, and state representatives and how they are chosen, such as by election or appointment.
- 4.2.8 Use a variety of information resources to research, and write brief comments about a position or course of action on a public issue relating to Indiana's past or present.

Geography

Students will explain how earth/sun relationships influence the climate of Indiana; identify the components of earth's physical systems, describe the major physical and cultural characteristics of Indiana; give examples of how the interaction of people with their environment has changed over time and continues to change; and identify regions of Indiana.

The World in Spatial Terms

- 4.3.2 Estimate distances between two places on a map, using a scale of miles, and use cardinal and intermediate directions when referring to relative location.

Environment and Society, Uses of Geography

- 4.3.10 Read and interpret thematic maps, such as transportation, population, and products, to acquire information about Indiana in the present and the past.

Economics

Students will study and compare the characteristics of Indiana's changing economy in the past and present.

- 4.4.9 Identify important goods and services provided by state and local governments by giving examples of how state and local tax revenues are used.

Unit Descriptions

Unit 1: What is a Constitution?

This unit considers the organization and role of a constitution by examining Indiana's two constitutions. Students will learn how the goals and duties of government are set forth in a constitution. Students will also discover how Indiana's constitutions relate to others around the United States. Students will also learn about the rights and responsibilities that they have as citizens of Indiana and the United States.

Unit 2: 1816 – 1851 – Indiana: A Changing State

Indiana's population grew in diversity and size after it gained statehood in 1816. This unit uses Lafayette as a microcosm in examining the many changes Indiana faced in the period from 1816 to 1851. Students will analyze Indiana's infrastructure in 1816 and discover how it changed during this period until 1851. As social values in the new state changed, Indiana's constitutions changed to reflect these changes. Students will make comparisons between the two documents and analyze those changes.

Unit 3: The Framers of Indiana's Constitutions

Students will learn about the beliefs and ways of life of the people that wrote Indiana's constitutions. They will explore the occupations and other demographic information about the framers of Indiana's 1816 and 1851 constitutions. They will discover how some of the framers felt about a controversial issue facing the new state in the early nineteenth century.

Unit 4: Education and Indiana's Constitution

This unit guides students to learn about one of the most important reasons that Indiana revised its constitution. Public education was growing in popularity, and it was apparent that the Indiana government was being asked to take a larger role in educating Indiana's population. Students will examine the economic role that government plays in our lives and how the 1851 constitution gave the state government the authority to tackle many difficult issues.

