

Collection #
SC 2695

**INDIANA COURT OF COMMON PLEAS
(HARRISON COUNTY)
DEEDS, 1809**

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Processed by

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COLLECTION INFORMATION

VOLUME OF
COLLECTION: 1 folder

COLLECTION
DATES: 1809

PROVENANCE:

RESTRICTIONS: None

COPYRIGHT:

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ALTERNATE FORMATS:

RELATED HOLDINGS:

ACCESSION NUMBERS: 2000.1209; 2001.1180

NOTES:

HISTORICAL SKETCH

The sixth article of the Northwest Ordinance, 1787, forbade slavery and involuntary servitude in the territory. The article, however, did not end slavery or involuntary servitude in the Northwest Territory. In 1802, Indiana's first territorial governor, William Henry Harrison, convened representatives from all the counties to petition the United States Congress to suspend Article 6 for ten years. The Congress did not act.

Unable to get the article repealed, pro slavery supporters sought ways to circumvent the law. "An Act concerning the introduction of Negroes and Mulattoes into this Territory," passed in 1805 allowed persons from outside Indiana to move with their slaves into the region and bind them to service for a period of time. Cloaked as indentured servitude, the Act closely resembled slavery.

Section 2 of the Act stated the "owner or possessor" of any Negroes or mulattoes" was responsible to go before the clerk of the Court of Common Pleas with the said Negro or mulatto within 30 days to agree upon a term of years for service. According to Section 10 of the Act, the clerk of Common Pleas would collect the applicant's \$500 bond when any person applied to register any Negro or mulatto. The bond was to insure that the person would not become a county charge after the expiration of his or her service. The bond was not required if the time of service expired before the subject reached forty years of age.

Sources:

Materials in the collection.

Richard Enochs, "Side Steps to Compromise: Expansion and the Issue of Slavery in the Old Northwest," *Black History News & Notes*, #82. Reference Room Collection: E 185.93 .I4 B5

History of the Ohio falls cities and their counties: with illustrations and bibliographical sketches. Evansville, Ind.: Unigraphic, 1968. Reference Room Collection: F532.C5 H5 1968

Francis S. Philbrick, ed., *The laws of Indiana Territory, 1801-1809*. Indianapolis: Historical Bureau of the Indiana Library and Historical Department, 1931. General Collection: F521 .I382

Robert M. Taylor, Jr., *The Northwest Ordinance, 1787: A Bicentennial Handbook*. Indianapolis: Indiana Historical Society, 1987. Reference Room Collection: E309 .N67 1987

John Tipton, *The John Tipton papers*. Compiled by Glen A. Blackburn; edited by Nellie Armstrong Robertson and Dorothy Riker. Volume I. Indianapolis: Indiana Historical Bureau, 1942. Reference Room Collection: F521 .I38 (#24 in series)

SCOPE AND CONTENT NOTE

The one-folder collection contains two Harrison County, Indiana, documents related to indentured servitude. The first document dated 14 January 1809 is an agreement between John Smith and Jacob Ferrel. Smith enslaved the latter in North Carolina before coming to Indiana. Both parties agree before Clement Nance, Clerk Pro Tem of the Harrison County Court of Common Pleas that Ferrel would receive a horse, cow, and his freedom in exchange for serving thirteen years as an indentured servant. The document cites “An Act concerning the Introduction of Negroes and Mulattoes into this Territory.”

Dated 19 January 1809, the second document pertains to a bond between Patrick Shields and Clement Nance, Jr. regarding Samuel Wilson. Shields and Nance registered Wilson (in accordance with Section 10, Article 6 of “An Act concerning the Introduction of Negroes and Mulattoes into this Territory”) in the Harrison County Court of Common Pleas when he arrived with Shields from Virginia. The document states that the 35-year-old Wilson agreed to a four-year indenture. Binding themselves and their heirs to the office of the territorial governor (William Henry Harrison) or his survivor in office, Shields and Nance declare that they will forever provide for Wilson and help him from becoming a public charge at the expiration of his indenture. To the extent that Wilson’s indenture was to expire before his fortieth birthday, Shields and Nance were not liable to pay the \$500 bond.

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CONTAINER

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CATALOGING INFORMATION

For additional information on this collection, including a list of subject headings that may lead you to related materials:

1. Go to the Indiana Historical Society's online catalog: <http://157.91.92.2/>
2. Click on the "Traditional Search" icon.
3. Click on the "Call Number" radio button.
4. Search for the collection by its basic call number (in this case, SC 2695).
5. When you find the collection, go to the "Full Record" screen for a list of headings that can be searched for related materials.