

JOURNAL OF THE HOUSE OF REPRESENTATIVES AT THE TWENTY-FIVE SESSION  
OF THE GENERAL ASSEMBLY OF THE STATE OF INDIANA, Commencing at  
Indianapolis on Monday, The Seventh Day of December 1840

Page 525, January 28, 1841—PM

By Mr. Graham, No. 280, a bill attaching Sprinklesburgh and Mount Prospect, to the town of Newburgh in Warrick County, and for other purposes;  
Which was read the first time, and passed to a second reading on tomorrow.

Page 546, Saturday January 30, 1841—PM

No. 280, attaching Sprinklesburgh and Mount Prospect, to the town of Newburg, in Warrick County, and for other purposes;  
Was read the second and third times, (the rules being suspended,) and passed.

Pages 568-569, February 2, 1841

The Senate passed the engrossed bills of the House of Representatives, without amendment, as follows, viz: . . .

No. 280, and act attaching Sprinklesburgh and Mount Prospect, to the town of Newburgh in Warrick County, and for other purposes;

Page 620, February 4<sup>th</sup> 1841--PM

I am directed by the Governor to inform the House of Representatives that on Monday last, February 2<sup>d</sup>, he approved and signed, ...

An act attaching Sprinklesburgh and Mt. Prospect, to the town of Newburgh in Warrick County, and for other purposes;

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The Joint committee on enrolled bills report to his excellency, the Governor, for his approval and signature the following entitled acts, to-wit: . . .

No. 280—An act attaching Sprinklesburgh and Mount Prospect, to the town of Newburgh in Warrick County;

Note 1 on page 4 Warrick County is represented by Christopher C. Graham.

Note 2, I was in Indianapolis today (Oct. 7) and had a little time to visit the State Library to look for the legislation creating Newburgh. As you know, the county histories say legislation was passed in 1837. I checked the House Journal, Senate Journal, Local laws, and General laws for 1837 but found no reference to Newburgh. I then expanded by search to 1836-1838. I still no luck. I did find a resolution passed on December 23, 1836 which called for "... a survey and estimate of a railroad or clay turnpike, from Newburgh, in Warrick County via Boonville, to some practicable point on the Central Canal."

Next I checked the local laws for all of the 1830s, again with no luck. Finally, as I was running short on time, I look in the "Laws of a Local Nature" for 1841, and there it was. I am attaching a scan of the law. Like always the law raises some more questions. The implication is that there was a town of Newburgh and Sprinklesburg and Mount Prospect were attached to it. I will try to find more legislative history the next time I get up there. Notice also that the name is spelled Newburgh.

On Dec. 5 I returned to the State Library and copied the legislative history from the Journal

HISTORY

—OF—

WARRICK, SPENCER

—AND—

PERRY COUNTIES,

INDIANA,

FROM THE EARLIEST TIME TO THE PRESENT; TOGETHER WITH INTERESTING  
BIOGRAPHICAL SKETCHES, REMINISCENCES, NOTES, ETC.

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ILLUSTRATED.

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CHICAGO:  
GOODSPEED, BROS. & CO., PUBLISHERS.

1885.

John Sprinkle was the first blacksmith, not only of the town of Newburgh, but of Warrick County as well. His shop stood on the hill near where the Methodist Episcopal Church now stands. The first tavern was probably kept by James McMurtry about the year 1832. Before his time, travelers and strangers were kept by private families, for the people of a new country are always more hospitable than in a long-settled community. The taverns too were kept on a widely different plan than the hotels of to-day. A successful tavern-keeper was bound to furnish his guests with a reasonable supply of grog.

As Newburgh began to assume the character of a commercial center, it drew trade from the citizens living on the Kentucky shore of the river and a ferry was necessary to accommodate these customers. The first of these is said to have been kept by a man named Jacob Keele, whose license was granted by the County Board in 1818. He remained some ten or twelve years. In 1824 John Hathaway was licensed to keep a ferry at the town of Mount Prospect. The rates for ferrying were reduced and made as follows: 37½ cents for man and horse; \$1.50 for wagon and team; 25 cents for single person; 25 cents for a horse, and 12½ cents for each head of stock. These were to be the rates when the sand bar was covered, but when not, old prices were to govern. These were the principal ferries in the earliest times at this place, although others were kept at short distances both above and below there.

During these early years of the town's history, pork-packing was one of the leading industries and one in which many hands were employed and large profits were often realized. After the Wabash & Erie Canal was constructed through to Evansville, much of the commerce of Newburgh was diverted to that city, and pork-packing ceased to be one of its important branches of business. This was the first blow that was dealt to the business interest of the town, but it yet for many years remained the most considerable town in the county, and continued, although at a slower pace, to progress in face of strong opposition and against disadvantages, until the building of the railroad from Evansville to Boonville. This was the death-stroke to Newburgh. The fault is her own, for due warning was given and the blow might have been warded off by securing the road thereto. The influence of those who ought to have been in favor of the road was used against it. This it was that brought Newburgh to its present state of lethargy and decline. Up to that time, it was the best town in Warrick County in a commercial sense, as it was also the largest. It now enjoys the reputation of being the deadest, and lacks much of being either the largest or best town in the county.

*Incorporation of Newburgh.*—The first effort at incorporation was in March, 1849, when William McKinney and other citizens of the town

petitioned the County Board to be incorporated. The affidavit of citizenship required in the proceedings was made by A. E. Robertson. The court ordered an election to be held in the town as required by the law at that time. The date fixed was the 31st day of March, 1849. The result of this election is not known, but it was favorable to incorporation. The corporation was dissolved in September, 1851, probably on account of some defect, as during the same month it was again formed at the request of the same petitioners that asked its dissolution. Its legal name was the "President and Trustees of the Town of Newburgh." In June following, Joshua Grey and eighty-two others petitioned for the incorporation again, the other having lapsed for some reason now unknown. It was again incorporated under same name as before, and the election for town officers was ordered to be held at the house of Matthew Norwood on the 26th day of June, 1852. Norwood was at that time keeping hotel in the town. There were five wards, and for Trustees William McKinney was elected from the Second Ward, Luther Miner from the Fourth Ward and John B. Carlin from the Fifth Ward. Joshua Grey and Thomas F. Bethell received an equal number of votes from the First Ward, and Chester Bethell and John N. McGill received an equal number from the Third Ward. In these two wards there was, therefore, no election and for the purpose of supplying these an election was held on the 25th of September. Thus much for the early incorporations of Newburgh. It was the first town in the county to assume the duties and responsibilities of an independent body politic. From that time on it has been nearly always incorporated and is such at present, but the adverse business interests of the town will barely support the higher rate of taxation which the additional expenses of the corporation entail.

Perhaps the most prosperous era of Newburgh's existence was the decade from 1860 to 1870. At that time it presented a lively appearance around its wharves and along the principal streets of business. It was the outlet for nearly all the produce of the county. Capital was invested in whatever the farmer had to sell, and it was shipped by the river to the markets. Grist and saw-mills flourished, and tobacco warehouses stored large amounts of that article, all bringing good profits to those engaged. A former historian in 1868 wrote of it as follows: "The village that in 1830 contained a population of 37 souls now contains more than 2,000, and has one printing office, six dry goods stores, seventeen grocery stores, four crockery stores, two hardware stores, three drug stores, four large flouring-mills, two extensive saw-mills, one brewery, one shingle factory, two plow factories, two wagon factories, one tannery, six boot and shoe manufactories, three saddle and harness establishments, two tin and sheet iron manufactories, four millinery shops, one large tobacco

LAWS

OF A

LOCAL NATURE,

PASSED AND PUBLISHED

AT THE TWENTY-FIFTH SESSION OF THE GENERAL ASSEMBLY

OF THE

STATE OF INDIANA.

HELD AT INDIANAPOLIS, ON THE FIRST MONDAY IN DECEMBER, ONE

THOUSAND EIGHT HUNDRED AND FORTY.--

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BY AUTHORITY.

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## CHAPTER CLXVIII.

An Act relative to the surplus revenue of the United States allotted to Carroll county.

[APPROVED, FEBRUARY 10, 1841.]

WHEREAS, It has been represented to this general assembly that all the bonds and other papers belonging to the surplus revenue fund in Carroll county have been destroyed by fire, and there is great danger that said fund will be entirely lost; Therefore,

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana,* That William George, of the county of Carroll, be, and he is hereby appointed a special commissioner to investigate the condition of the surplus revenue of the United States allotted to and paid over to the surplus revenue agent of said county; and that said commissioner have power to send for persons and papers, and to compel the attendance of witnesses, to administer all necessary oaths, to employ counsel to assist him in the investigation of the condition of said fund, and to hear and determine all questions that may arise upon said investigation, as to the indebtedness of any person or persons, into whose hands said fund, or any portion thereof, may have come, whether by receipt from the state treasury, or by loan or otherwise, including both principal debtors and their securities, and to make award of the same as in the case of arbitration.

SEC. 2. That if upon making the award as aforesaid, (which shall be made in favor of the state of Indiana against the person or persons who may be found indebted to said fund, either as principals or securities,) the debtor in such award shall make his bond and mortgage to the agent of the surplus revenue of said county, agreeably to the provisions of the several acts for loaning said fund, for the full amount of such award, together with eight per cent. interest on the sum borrowed, it shall then be the duty of the said commissioner, to enter satisfaction of said award, upon the back thereof; but if such debtor shall fail so to do, the said commissioner shall file a true copy of his award in the office of the clerk of the circuit court of said county, who shall enter the same upon his docket, as a suit in the name of the state of Indiana against such debtor or debtors, and shall thereupon issue a scire facias, directed to the sheriff of said county, and commanding him to summon such debtor or debtors to be and appear at the next term of said court, on the first day thereof, to show cause why judgment should not be rendered against him or them upon said award; and from the time of the filing of said award, the same shall be a lien upon the real estate of the debtor or debtors for the amount of the judgment which may be finally rendered, as in cases of transcripts from the docket of justices of the peace.



## CHAPTER CLXVI.

An Act to provide for the election of a justice of the peace in the town of Putnamville, in Putnam county.

[APPROVED, FEBRUARY 10, 1841.]

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana,* That the board doing county business in the county of Putnam, be, and they are hereby authorized at their next session following the passage of this act, to order one justice of the peace, and one constable to be elected in the town of Putnamville, Warren township in said county, in addition to the number of justices of the peace and constables now appointed to said township.

SEC. 2. The board shall fix the time of holding said election, and in all other respects, the said election shall be governed by the law now in force regulating the election of justices of the peace.

This act to take effect and be in force from and after its passage.

## CHAPTER CLXVII.

An Act attaching Sprinklesburgh and Mount Prospect to the town of Newburgh in Warrick county, and for other purposes.

[APPROVED, FEBRUARY 3, 1841.]

SEC. 1. *Be it enacted by the General Assembly of the State of Indiana,* That the town of Sprinklesburgh, and the town of Mount Prospect, and all the land not laid out in lots, that lies between the said towns, be, and the same are hereby attached to the town of Newburgh, and that hereafter the same shall be known and designated by the name of Newburgh.

SEC. 2. *Be it further enacted,* That the board doing county business in the county of Warrick may, at their next, or any subsequent session, if they deem it expedient, order an election to be holden, to elect an additional justice of the peace in Ohio township, who shall reside, and hold his office in the town of Newburgh (as above enlarged;) which election shall be governed in all respects by the laws regulating township elections.

This act to be in force from and after its passage.