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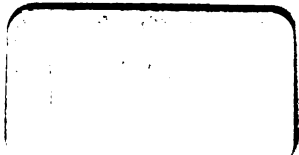
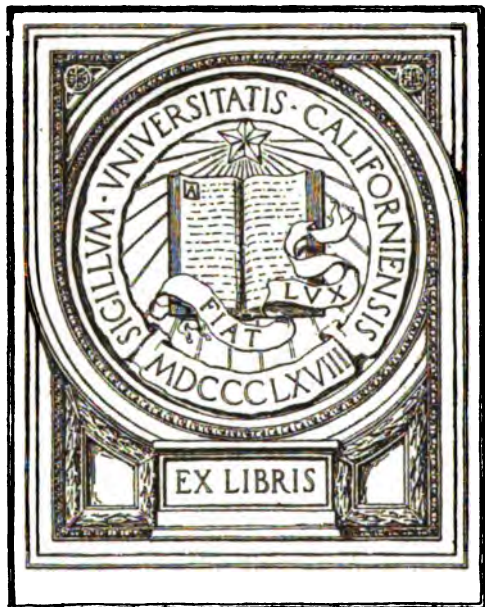
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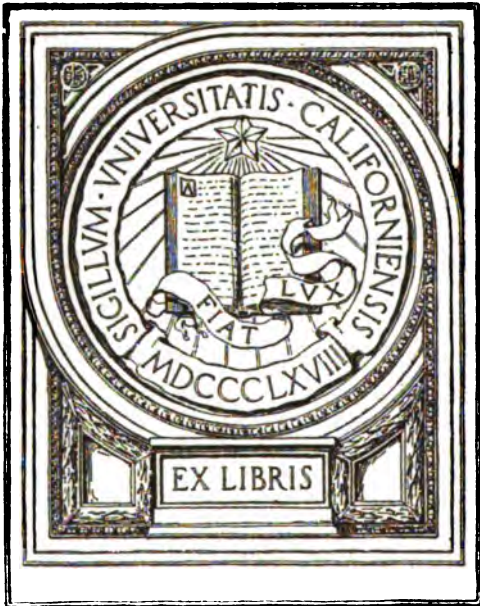
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The History of Educational Legislation in Ohio

From 1803 to 1850 . . . . . 1 to 142

By Edward A. Miller

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OHIO

# Archaeological and Historical PUBLICATIONS.

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## THE HISTORY OF EDUCATIONAL LEGISLATION IN OHIO FROM 1803 TO 1850.

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### INTRODUCTION.

Ohio's educational history has been an especially interesting one. Many causes have combined to make it so. It was the first state admitted from the Northwest Territory, and as such carried on the earliest experiments with the great state-wide grant of school lands that has characterized our policy since that time in the admission of new states to the Union. It was settled with unexampled rapidity, changing from a wilderness frontier to a great and prosperous commonwealth in a single generation. The settlement was a singularly heterogeneous one, coming from the east, the middle states and the south, with a considerable influx directly from Europe. These early settlements were being established, too, while those democratic and individualistic tendencies that marked the first decades of the nineteenth century were in progress. During these years the district school idea was at its height in Massachusetts and the East, the private academy was displacing the town grammar school, and state control of public education was at low ebb.

These causes, with others more local in nature, were instrumental in shaping the educational activities of the state in the first fifty years of its history, and have left their imprint on all the later development.

It is my purpose to give a careful study and interpretation of the educational legislation of the state from territorial days down to 1850. In this legislation one finds the truest expression of the constructive educational thought and activity of the period.

In such a study there must be included not merely the laws that bear on the development of a state system of public education, but the much larger number that are concerned with private educational ventures of various kinds. To these must be added those laws that bear on higher and professional education, all that touch upon supplementary agencies of any kind, and also any provisions made for the indigent, defective and delinquent classes.

A study of this kind is needed as a background before any adequate state or national history of education is possible. Such a study also gives the general student of history a view of one of the most important phases in the social development of a state, and a closer acquaintance with the growth of some of the most important institutions that society has discovered to aid it in its progress.

I have attempted in the following pages to present the material in such a way that it will be of service to the general student, and also, in the appendices to furnish a guide for any one desiring further information from the source material on any particular phase of the state's educational activities.

The plan of arrangement is as follows: A discussion and interpretation of the laws passed from 1803 to 1850; Appendix A: A classified list of the titles of the more important acts; Appendix B: A complete index, page and volume, to all the legislation that in any way touches upon education, in the session laws of Ohio from 1803 to 1850, including both the general and the local laws.

In many cases I have not given the exact titles in the appendices, for the sake of both brevity and clearness; enough of titles and content to indicate the general meaning of the act is given. In Appendix A, a brief abstract of the laws is also included where it seemed necessary to give more information than the title itself conveys.

This is especially the case in the acts of incorporation of that large number of secondary and higher institutions that were so abundant in the first fifty years of Ohio's history. A complete tabulation of these acts is here given and as it is the only complete list of these institutions that has been made it seemed



best to preserve in a few words the chief points of historical interest that appear in the laws.

I felt this to be particularly the case with the secondary schools. These have nearly all passed out of existence, and as they mark one of the most important stages in the development of our secondary education, a somewhat more complete abstract is given than that dealing with most of the other subjects.

The public school laws are more easily accessible and they are usually indicated by title only. There was an exceptionally large amount of legislation, especially of a local and special character, dealing with the School Lands. The more important of these acts are included by title in the first appendix with a mere tabulation of those that had only local significance.

The laws in Appendix A, are grouped under the following headings:

- I. The Public School System.
  1. General Legislation.
  2. City and Town school charters.
- II. Legislation concerning the School Lands.
- III. Secondary and Higher Education.
  1. Academies, seminaries, institutes and high schools.
  2. Universities, colleges and theological seminaries.
  3. Medical and legal education.
- IV. The Education of Defectives, Dependents and Delinquents.
- V. The Training of Teachers.
- VI. Supplementary Educational Agencies.

Appendix B furnishes a page and volume index to all laws, resolutions and memorials that have any educational significance in either the general or local laws, from 1803 to 1850. The indices in the volumes of the session laws themselves are sometimes defective, and they are, too, an unreliable guide, as many important items are found in laws the titles to which give no hint that they contain material that relates in any way to education.

The primary source material has been the session laws of

the state of Ohio. The revised Statutes for this period have also been consulted.

It was found necessary to examine all the laws of the period, special and general, as the titles and indices were not dependable. A considerable amount of material was also found in the resolutions and memorials.

The United States Statutes at Large were used to secure federal legislation concerning school lands in Ohio. Nashee's *Compilation of Laws, Treaties and Ordinances which relate to Lands in the State of Ohio*, was relied upon especially for acts passed during the territorial period.

The earliest Congressional legislation was secured from the *Journals of the American Congress*, reprinted by Way and Gideon, in 1823, under the title as given.

The chief secondary sources consulted are indicated in the *Bibliography*.

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## CHAPTER I

### THE SOURCES OF OHIO'S PUBLIC SCHOOL SYSTEM

#### *Introductory.*

Ohio was admitted into the Union as a state February 19th, 1803.<sup>1</sup> It was the first state admitted from the Northwest Territory, and the first state to which the grant of Section 16 for school purposes was made. The legislation concerning school lands was intimately connected with the development of the Public School System, and in the method to be adopted to make this great grant productive of the desired results Ohio had no precedents or warnings for her guidance.<sup>2</sup>

The Constitution adopted when Ohio became a state remained in force until 1851. It made no specific provisions for education, but stated that means of education<sup>3</sup> should be encouraged by legislative enactments; that all institutions of all grades, endowed in whole or in part from revenues derived from the donations of the United States, should be open without distinction to all scholars; and that associations of persons might receive letters of incorporation from the legislature to enable them to hold estates for the support of their schools, academies, colleges and universities.

No provision for public schools was made by any general law during the first eighteen years after Ohio's admission, the first school law being passed in 1821.<sup>4</sup> From this period until 1850 eight general school codes were enacted with numerous amendments and supplementary acts, and a mass of special legislation concerning particular districts or territory.

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<sup>1</sup> Statistical Abstract, U. S., 1910, page 21.

<sup>2</sup> Land set aside for individual towns had been common in New England and elsewhere, but there was no precedent to direct action in the case of a state wide grant intended for the use of the individual townships.

<sup>3</sup> O. L. I., Art. 8, Sec. 3; Art. 8, Sec. 25; Art. 8, Sec. 27.

<sup>4</sup> O. L. XIX, 51.

The traditions of Ohio were from the first against centralization.<sup>5</sup> The first constitution was formed soon after the bitter political struggle between Jefferson and Adams, and at a time when the arbitrary domination of the Territorial Governor, Arthur St. Clair, had prejudiced the people against centralized executive power. Nowhere is this prejudice against centralized administration better illustrated than in the various phases of educational legislation. The tendency throughout the period under discussion was to depend largely upon local initiative and control. The encouragement of education by legislative provision specified in the constitution was interpreted by the legislature to mean the passing of a large number of local acts to meet the special needs or desires of particular districts, or even in the case of school lands, the desires of individuals, while the general laws may be said to have pointed out methods of organization and control rather than devising any efficient system of supervision or penalties to actually bring about specific educational results.

The general laws are largely permissive in character, with the initiative left in many cases to the discretion of the local community. There are doubtless other reasons for this than the prejudice against the acts of Arthur St. Clair and the general political state of mind in the West during the early period of Ohio's history.

Ohio in its early statehood was a frontier community, settled by a class of people that in the very nature of the case were compelled largely to be self-reliant, and to solve their own problems, educational as well as others. It was a heavily timbered area. Means of communication were difficult. It would have been a hard matter to establish any general system of control or supervision in the early period, and when means of communication had become simplified, through a system of state roads and canals,<sup>6</sup> the people had become habituated to attending to their own educational needs.

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<sup>5</sup> Orth—The Centralization of Administration in Ohio, page 11.

<sup>6</sup> A large part of the early legislation of Ohio is concerned with state roads, turnpike companies, plank roads, canals, etc.

The settlers in Ohio, too, had no common educational background. They came from New England, from Virginia, Maryland and Kentucky, and, in fact, from nearly all the older states.<sup>7</sup>

A glance at the map on page 70 shows that the state was divided into a number of separate districts such as the Western Reserve, the Ohio Company's Purchase, the Symmes Purchase, the Virginia Military Lands and the United States Military Lands. The early settlements in these sections were usually made up of people who came into the wilderness together from one or another of the older states of the Union.

Each of these districts, in its customs and ideals reflected the current thought and practice of that part of the country from which its settlers came, and in no field was this more evident than in that of education. The Ohio Company's Purchase and the Western Reserve were at first largely settled by colonists from New England. Marietta, dating from 1787, and Cleveland, from 1796, were the respective centers of influence in these two districts.

Three colonies were planted in the Symmes purchase in 1788; the one at Losantiville, later rechristened Cincinnati by Governor St. Clair, was destined to be in many ways a leader for the entire state as well as for the Miami country. The early settlers here, as at Marietta, had many of them seen service in the Revolutionary War. They came from no single locality, but New Jersey men seemed most prominent in the early settlement, aided by the other Middle States.<sup>8</sup> Later there were many settlers from Virginia, Maryland, Pennsylvania, New York, and the New England states.

<sup>9</sup>The Virginia Military Lands, located between the Little Miami and the Scioto Rivers, received its first settlers from Virginia and the South. General Nathaniel Massie and Duncan McArthur founded Chillicothe, on the Scioto River, in 1796, the first colony in this district.

<sup>7</sup> Atwater, *A History of the State of Ohio*, page 351.

<sup>8</sup> Cincinnati. Charles Cist, page 38. *The Old Northwest*. Hinsdale, page 288, 9.

<sup>9</sup> *Ibid.* 290. Western Reserve Historical Society. Vol. II., pages 153, 4.

On the eastern edge of the state, south of the Western Reserve, are the so-called Seven Ranges, the name given to the ranges of townships first surveyed in Ohio. While there was no such colonization here as in the districts already named, the first settlers were largely from Pennsylvania, and of German stock, with a considerable number of Irish, Scotch and Scotch-Irish.

The United States Military Lands seem to have had no early homogeneous group, but drew settlers from all the older states.

There was also a considerable French settlement at Gallipolis, and a sprinkling of French all along the Ohio River.

From 1830 on there was a very considerable German influence from the influx of German immigrants that began at that time.<sup>10</sup>

The population increased with astonishing rapidity after Ohio was admitted as a state, constant accessions from the older states were added to the early settlements, and in the years from 1810 to 1840 the transformation from a thickly wooded frontier to a settled farming community had largely taken place. The census figures from 1800 to 1850 give some idea of this transformation. At the beginning of the century the population was 45,365, fifty years later it had increased to 1,980,329. The record of increase by decades, which follows gives an even better picture of the sudden changes that must have occurred:

|            |                         |
|------------|-------------------------|
| 1800 ..... | 45,365                  |
| 1810 ..... | 230,760                 |
| 1820 ..... | 580,434                 |
| 1830 ..... | 937,903                 |
| 1840 ..... | 1,519,467               |
| 1850 ..... | 1,980,329 <sup>11</sup> |

The census figures for the last decade of this period show a foreign born population of 218,193. In 1850 there were almost

<sup>10</sup> Orth—The Centralization of Administration in Ohio, page 164. Chaddock—A Study of the Early Influence of Pennsylvania and Southern Populations in Ohio, page 30.

<sup>11</sup> Statistical Abstract of U. S., Washington, 1911, page 40.



as many people of foreign birth in the state as its entire population had amounted to only forty years earlier in 1810. These people of foreign birth were largely of German stock.

It was no easy problem to develop a system of education to meet the needs of this surprising growth, coming as it did from all the older states and from foreign shores.

There was in these early years no agreement as to the means of financing any general system of education, nor any real agreement as to the needs of such a system. The educational traditions were quite different in different portions of the state. Samuel Lewis in his second annual report in 1838 says: "The people have not heretofore followed any particular system. The directors of each district have done that which was right in their own eyes, and generally adopted, as far as they could, the particular system of the state from whence they came."<sup>12</sup> Those from the South brought traditions of the private school and parental responsibility for education. The New England settlers brought with them the idea of a public school system, with taxation and public control, but unfortunately for Ohio's subsequent educational history the New England migration came at a period when the public school sentiment in Massachusetts and the East was at a comparatively low ebb, and when the decentralizing tendency that gave Massachusetts the district school legislation of 1789 was at its time of greatest influence. From this time for nearly forty years, the process of decentralization went on. Martin says the year 1827 is "the high-water mark of modern democracy and the low-water mark of the Massachusetts school system."<sup>13</sup> The New England influence in Ohio began with the Marietta colony in 1787. By 1830 the population of the state had reached nearly a million, and it was during just these years that the school sentiment in Massachusetts was lowest.

It was at this time, too, that the Academy was supplanting the Latin Grammar School of the colonial period as the typical secondary school.

The New England settlers favored the public school idea, but it was the highly decentralized district system with which

<sup>12</sup> Ohio Documents, 1838, Doc. 32, page 30.

<sup>13</sup> Martin — Evolution of the Massachusetts School System, page 92.

they were familiar. The Academy idea was the common possession of settlers from all the states.

The common school as a district school, the secondary school as an academy, were two fundamental conceptions in the minds of all those who were active in securing Ohio's early school legislation. While many influences were thus instrumental in shaping Ohio's early educational history, her debt to New England for the men and ideas most significant in determining her early public school system is so large that a brief sketch of a few of these men, and of the forces that worked through them, is a necessary prerequisite to an intelligent study of the development of that system.

The most important of these forces were, first: the School Lands.<sup>14</sup> Second: the conception of a State System of Schools, and third: the idea of State Wide Taxation for the benefit of such a system.

The use of public lands for the aid and support of schools had its origin in New England. The men most instrumental in urging Ohio's first law, giving a legal basis to the conception of a State System of Schools, were born in New England. The men most active in legalizing the idea of state wide taxation to support this system, were also New England born, and the man who did most to make these ideas, incorporated into law, actually operative in the establishment of schools and to give a real organization to the system legally created, was a man of New England birth.

When Ohio was admitted as a state, section 16 in each township, or an equivalent amount of land in those districts not belonging to the United States, was permanently set aside for the use of schools.

This grant gave for the use of schools an amount of land equal to one square mile or 640 acres for each surveyed township of 36 square miles.

The practice of using public lands for the support of schools had been from early colonial times a common New England device and by 1647 certain towns had "assumed responsibility

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<sup>14</sup> A discussion of the School Lands, with maps, methods of survey, etc., is given in Chap. III.

for the support of schools out of public property, partly through gifts of land to school masters, partly by setting aside grants of land as a permanent endowment."<sup>15</sup>

This New England practice first found state wide expression when Ohio was admitted to the Union and from that time on became an established policy in the admission of all later states. The Ordinance of 1785 "for ascertaining the mode of disposing of lands in the Western territory"<sup>16</sup> reserved section 16 in each township "for the maintenance of public schools within the said township." This provision, according to Donaldson<sup>17</sup> was the inception of the rule of the reservation of certain sections of land for school purposes. The first action in accord with this provision occurred within the next two years when Manasseh Cutler, as agent for the Ohio Company, completed the bargain for the lands acquired by the company at the mouth of the Muskingum.<sup>18</sup> Not only did Mr. Cutler obtain a re-affirmation of the provision for the grant of section 16 for school purposes, but a grant of section 29 in each township for the support of religion, and also an added grant of two townships for the support of a University. It was this bargain of the Ohio Company, engineered by Manasseh Cutler, that put into actual operation the provisions of the Ordinance of 1785 concerning school lands. This was followed immediately by the Symmes purchase, between the Miami Rivers, and sections 16 and 29 were similarly reserved.

With the admission of Ohio as a state the same provision for schools, section 16 or its equivalent for each township, was extended to the remainder of the state except the portion still held by the Indian tribes. Ultimately the reservation was extended to all territory within the state.

In this state wide grant was found an interest that directed the attention of settlers in all parts of the state, and from all parts of the United States, to the purpose for which the grants

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<sup>15</sup> Jernegan — Beginnings of Education in New England. School Review. Vol. 23, page 379.

<sup>16</sup> Laws of U. S., 1789-1815. Vol. I, Chap. 32.

<sup>17</sup> T. Donaldson — The Public Domain. Chap. 13.

<sup>18</sup> Hinsdale — The Old Northwest, page 268.

were made, the schools. The first legislation concerning schools is found in efforts made to work out a method of handling the school lands, and they remain during Ohio's early statehood one of the persistent incentives to educational legislation and a constant suggestion of a state school system.

The first general school act for Ohio was passed January 22, 1821.<sup>19</sup> It is a significant fact that the four men most instrumental in putting on the statute books of Ohio, laws providing for a tax supported system of common schools were all of them born in Massachusetts. These men were Ephraim Cutler, Caleb Atwater, Nathan Guilford, and Samuel Lewis.

Ephraim Cutler, of Ames, Washington county, near Marietta, was the son of Manasseh Cutler, the inspired lobbyist of the Ohio Company. He was born in Edgartown, Mass., but spent his boyhood in Killingly, Conn., with his grandparents, and came to Ohio in his early manhood. He was one of the drafters of the state constitution and it was due to his efforts that there were incorporated the clauses providing that "religion, morality and knowledge, as essentially necessary to good government" were to be supported by the General Assembly and "that schools and the means of instruction shall forever be encouraged by legislative provision."<sup>20</sup>

Judge Cutler in December, 1819, introduced a bill in the House of Representatives, providing for a system of common schools. The bill as introduced was passed by the House but allowed to die without action in the Senate. It was this bill however, that led to the law of 1821, a substitute measure that did little more than outline a method of school organization and in so doing recognized the State's responsibility of legislating for schools.

Caleb Atwater was born in North Adams, Mass.<sup>21</sup> He was appointed one of a committee of seven, in December, 1821, to consider the subject of schools and school lands, and report to the House of Representatives. As a result of the deliberations of this committee a commission of five was appointed in January.

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<sup>19</sup> O. L., XIX, 21.

<sup>20</sup> Biography of Ephraim Cutler, pages 8, 114.

<sup>21</sup> History of Franklin and Pickaway Counties, Ohio, page 98.

1822, to report to the next General Assembly on a system of common schools.

This commission collected much valuable material which was presented to the Assembly in 1823, but the friends of education were in a minority, and no legislative action was taken during that session. One of the members of this commission was Nathan Guilford, a book dealer and publisher of Cincinnati, the editor of the *Freeman's Almanac*, a western counterpart of Poor Richard, popularly known as *Solomon Thrifty's Almanac*.

Mr. Guilford was born in Spencer, Mass.,<sup>22</sup> and was educated at Yale. He was a constant advocate of popular education and of taxation for schools in Ohio.

Samuel Lewis, Ohio's first and greatest State Superintendent of Schools, was born in Falmouth, Mass.,<sup>23</sup> but came to Ohio as a boy. He was the author and prime mover for the school law of 1838, which gave to Ohio its first completely organized school system.

The act of 1821 had done little more than legalize means by which the settlers in the townships could move to lay off districts and establish schools. It made no provision for taxation and organized no definite system. It was, however, important as the first state recognition of a system of common schools. It was evident to friends of public education that the law of 1821 was inadequate and ineffective and there began at once a campaign for a more effective law.

Nathan Guilford used the sayings of Solomon Thrifty to arouse the people of the state to the need of a free common school education. In 1824 he says:<sup>24</sup> "The Legislatures of Ohio and Kentucky have taken the subject of free schools into consideration. It is hoped that their zealous endeavors to establish a system of common education will be crowned with success. Millions unborn would rise and bless them."

Caleb Atwater and his committee after careful study and much correspondence had recommended a commission of seven

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<sup>22</sup> *History of Ohio.* Randall and Ryan. Vol. III., page 374.

<sup>23</sup> *Biography of Samuel Lewis.* Wm. G. W. Lewis, page 13.

<sup>24</sup> *Freeman's Almanac.* *Maxims and Advice of Solomon Thrifty.* 1824.

to report on the subject of the school lands and a school system. This commission<sup>25</sup> consisted of Caleb Atwater, Rev. John Collins, Rev. James Hoge, Nathan Guilford, Ephraim Cutler, Josiah Barber and James Bell. The number corresponded with the total number of different grants of school lands and each man was to study and report upon the condition of the lands in the territory assigned him. Caleb Atwater was assigned the Congress Lands; John Collins the Virginia Military Lands; James Hoge the Refugee Lands; James Bell the U. S. Military Lands; Ephraim Cutler the Ohio Company Lands; Nathan Guilford the Symmes Purchase Lands and Josiah Barber the Connecticut Western Reserve Lands.

It was evidently the original opinion of many of the settlers in Ohio, and perhaps the design of Congress, that these land grants, if properly managed would support public schools without a tax upon the citizens. There was a growing belief, however, that this one source of income would continue to prove inadequate. Nathan Guilford, who strongly advocated taxation, did not serve upon the commission, evidently believing he could aid the cause of education better as a free lance. He addressed a public letter to the chairman of the board arguing for a school tax upon property and insisting that an adequate school fund could not be raised from the school lands alone.

The commission had been directed to report upon three topics: The actual condition of the school lands; a bill proposing a system of school law; a report on the necessity and value of the system proposed. Pamphlets were issued on these topics and widely circulated, and served to awaken an interest throughout the state in public education.

The system proposed was modeled on the New York State system.<sup>26</sup> It provided for an economical management of the school lands, but made no provision for taxation. The legislature of 1823 was however opposed to any liberal action for public education. Atwater says:<sup>27</sup> "In this legislature were many influential men who were opposed to a school system, to

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<sup>25</sup> Atwater. History of Ohio, page 259.

<sup>26</sup> Biography of Samuel Lewis, page 101.

<sup>27</sup> Atwater. History of Ohio, page 261.

a sale of school lands and to internal improvements." \* \* \*  
"This session had a majority of both houses opposed to a school system and the sale of school lands, and all that was done by them was to quarrel about these subjects. They finally broke up in a row and went home."

In the campaign for the state election of 1824 the subjects of internal improvements, the public school system and the taxation system of the state were the main issues before the people. A majority favorable to the public schools and internal improvements was chosen, among them Nathan Guilford, elected to represent Cincinnati. When the legislature assembled Governor Morrow presented the necessity for adequate legislation on all these questions. His message recognizes the difficulty of bringing people of divergent educational views, with no common educational inheritance, to united action for public schools. In discussing the subject he says:<sup>28</sup> "In this state there are causes, extensive in their nature, for difference of opinion on the subject. The population is composed principally of emigrants from the different States of the Union, with habits and modes of thinking on the subject, as different as are the regulations of the States from whence they came." \* \* \*  
"The act of the 22nd of January, 1821," he declares, is ineffective because the establishment of schools and school districts was made optional for the voters in each township. "Was this act made positive, and in some respects modified, we should have a system in force — perhaps not perfect — for the regulation of common schools, which could be further improved, as experience under it should point out its defects. A joint committee<sup>29</sup> was at once appointed in the General Assembly, to study the subject and report an adequate bill. Mr. Guilford was made chairman of this committee and drafted the report and bill, which finally passed both houses without amendment and became the law of 1825. There was a widespread feeling in the state against imposing a tax for general school purposes, but Mr. Guilford and Mr. Cutler stood firm for this measure, and with the assistance of the supporters of the public school idea,

<sup>28</sup> Ohio School System. Taylor, pages 132, 3.

<sup>29</sup> Ibid., page 141.

✓ insured its passage by forming an active coalition with those legislators who were working in the interests of internal improvements, especially the advocates of state canals. In this work Mr. Guilford showed himself a skilled lobbyist and shrewd judge of men in his personal campaign among the members of both houses.<sup>30</sup>

While the vote was proceeding in the house Mr. Cutler stood beside Mr. Guilford as they anxiously awaited the outcome, and when the result was announced, and it was assured that taxation for education had prevailed he turned to his companion and exclaimed: "Lord, now lettest thou thy servant depart in peace, according to thy word, for mine eyes have seen thy salvation." The great initial victory for public education had been won, and had been won primarily by New England ideas backed up by New England men.

It remained to give these ideas and this system effective organization. This was not accomplished until thirteen years later, in 1838, under the leadership of Samuel Lewis, when a wholly new school code was adopted. Following the act of 1825 there were numerous modifications and amendments of the law but no essential change in the system of administration was made until 1838.

The law of 1825 had made no provision for centralized control, and had created no adequate machinery for uniting the various schools and districts established into a true state system. There was neither state, county, nor township supervision, and but little actual knowledge, and no control, of what various communities were doing educationally. While the law had established the fundamental principle of taxation for schools, the actual system remained a headless, disjointed, decentralized and ineffective one.

The first suggestions for reform came from the friends of education in Cincinnati. A group of teachers and other earnest advocates of popular education had organized a voluntary association known as the College of Teachers or Western Academic Institute.<sup>31</sup> This body met annually for the discussion

<sup>30</sup> Biography of Samuel Lewis, page 103.

<sup>31</sup> O. L., XXX, 232.



and study of educational topics and attracted to its meetings, not only Ohio teachers, but educational leaders from the other western states as well. Partly as a result of a demand for a better organization, created through the discussions of this association,<sup>32</sup> a bill was introduced in 1837 to create the office of State Superintendent of Common Schools. It met with determined opposition, but finally passed the House by a vote of 35 to 34, and became a law in March, of the same year, with a decisive vote in its favor in the Senate.

Samuel Lewis, of Cincinnati, was the first and only incumbent of the office, which he held for three years. The law of 1838 was a direct result of the work of his first year and his study of the needs and conditions of schools as he saw them while touring the state visiting the schools and addressing meetings, in an attempt to arouse people to an active interest in the need of better school conditions. In this work he visited more than 300 schools, traveling on horse-back over 1,200 miles over the rough country roads, visiting schools by day, addressing public meetings by night, and everywhere preaching the gospel of a better school system and a free education for every Ohio boy and girl. He always found it hard, and often discouraging work. He writes from Cleveland in November, 1837: "I arrived here today almost worn down; have rode on an average twenty-six miles a day this week. I generally spend three or four hours a day in conversation, answering questions, giving explanations, and making suggestions. It is harder than it would be to deliver an address every day an hour and a half long. \* \* \* I fear you overvalue my efforts. \* \* \* I shall, however, do my best. I leave here on Monday, if health permit, and shall get along as fast as I can to Columbus, visiting on my route, as I suppose, about sixteen counties. \* \* \* The task before me is so great, that with all my time and close attention, I shall hardly be able to get through." In a later letter he writes: "On Saturday last, I delivered an address at Canton, and after riding twenty-six miles on Monday, spoke in the evening to a large audience, and I believe I did good. \* \* \* I work hard day and night, and I find it a kind of up-hill business.

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<sup>32</sup> Biography of Samuel Lewis, pages 119, 120.

If men would only do something, even in opposition, it would be better than it is. Almost every man agrees with me; thousands listen and applaud; and even candid men of sense declare they have never heard this subject treated with so much interest, and then leave it to go alone, or get on unaided by their efforts. Still I am not discouraged, but am determined to work on till my report is in, hoping at least for the final triumph of sound principles and practice." <sup>22</sup>

His report for the year 1837, based on his own observation and such statistics as he could gather from the county auditors, gave the first assembled information about the common schools of the state. The report found the legislature in a receptive mood, and the law of 1838 was passed with but little opposition. The essential feature of the new law, in comparison with those that had preceded, consisted in the fact that it gave organization and headship to the system.

The new code retained the State Superintendent at the head of the schools;—the act of 1837 had created the office—, but had done nothing to change the rest of the law, or the machinery of administration. In each county the new law made the county auditor also the county superintendent of schools, and as such, responsible to the State Superintendent in all educational affairs. Similarly in each township the township clerk was made the township superintendent of schools, subordinate to the county superintendent.

An organization had been established by means of which an authorized state officer could reach out into the most remote district of the state, either to give help or information, or to see that the law was obeyed. If equipped with the proper men, Ohio, through this law, had the mechanism for effective educational administration.

The real strength of the system rested in the office of State Superintendent. Mr. Lewis filled the office for three years, and in those three years did the same kind of work for Ohio that Horace Mann was doing for Massachusetts. Unfortunately for Ohio and her subsequent educational history, Mr. Lewis, because of failing health, gave up the office after three years of tireless

<sup>22</sup> Biography of Samuel Lewis, page 123.

service, and the legislature, because some opposition had developed, transferred the work to the office of the Secretary of State. This office was given four hundred dollars additional for clerk hire, and the work became the collection of statistics and making of reports, not the administration of a state wide school system.

We have seen that the old New England idea of using lands for schools first found application in Ohio, and that New England men were chiefly instrumental in giving to the State the first law of 1821, the principle of taxation in 1825, and the organized system of 1838. We may now turn to a more detailed study of the laws themselves.

Before doing this however, a few words must be said about the schools from 1803 to 1821, the date of the first school law. The general type of common schools during this period was the pay or subscription school.<sup>34</sup> The following agreements and advertisements give a picture of the practice, such that any added explanation is unnecessary.

An advertisement in the *Western Spy*, October 22, 1799, reads as follows:

"ENGLISH SCHOOL. — The subscriber informs the inhabitants of this town that his school is this day removed, and is now next door to Mr. Thomas Williams, skin-dresser, Main Street. Gentlemen who have not subscribed may send their scholars on the same terms as subscribers, (commencing this day). He also intends to commence an evening school in the same house on the third day of November next, where writing and arithmetic, etc., will be taught four evenings in each week, from 6 to 9 o'clock, during the term of three months. The terms for each scholar will be two dollars, the scholars to find firewood and candles. He also furnishes deeds and indentures, etc., on reasonable terms."

JAMES WHITE.<sup>35</sup>

This is given by Venable, together with the following, appearing in a Cincinnati paper in 1804.

<sup>34</sup> The Historical Sketches of Ohio, a Centennial publication gives an account of the development of the school system in 47 cities and villages of the state. In 41 cases the writers mention some form of private school as preceding or paralleling the Public School.

<sup>35</sup> Venable. Beginnings of Literary Culture in the Ohio Valley. Pages 185, 6.

"NOTICE. — The public in general and my former subscribers in particular, are respectfully informed that I expect to commence school again on the 1st day of January, 1805. I shall teach reading, writing, arithmetic and English grammar, indiscriminately, for two dollars per quarter. The strictest care will be given to the school, as my circumstances will then admit of my constant presence with the school. Those who place confidence in my abilities and fidelity may be assured that both will be employed to please the parents who shall commit, and benefit the children who shall be committed to my care."

EZRA SPENCER.<sup>25</sup>

The two agreements between teacher and parents which follow illustrate the common practice in the employment of a teacher and establishment of a school.

"This article between the underscribed subscribers, of the one part, and Jabez P. Manning, of the other, Witnesseth: That said Manning doth on his part engage to teach a school at the school-house near the center of Youngstown for the term of one quarter, wherein he engages to teach reading, writing, arithmetic and English grammar; and furthermore, that the school shall be opened at 9 o'clock A. M. and close at 4 P. M., of each day of the week (Saturday and Sunday excepted), and on Saturday to be opened at 9 o'clock and close at 12 o'clock A. M., and we, the subscribers, on our part individually engage to pay unto the said Manning \$1.75 for each and every scholar that we subscribe at the end of the term; and we, furthermore, engage to furnish the necessary expense of furniture, wood, and all other things necessary for the use of the school. Furthermore, we do engage that unless by the 6th of April of the present year the number of scholars subscribed amount to 35, that the said Manning is in no way obligated by this article. Furthermore, we allow the said Manning the privilege of receiving five scholars more than are here specified."<sup>26</sup>

"(Signed)" J. P. MANNING.

"Youngstown, March 31, 1818."

"We the subscribers, do hereby mutually agree to hire Miss Sally Rice to teach a school in the school-house near Mr. William Smith's, for the term of three months, to commence on the 9th day of June, instant. She is to commence the school at the hour of 9 o'clock in the forenoon, and keep until 12; and at the hour of 1, and continue until 4 o'clock in the afternoon. She is to teach reading, and to instruct the young Misses

<sup>25</sup> Venable. *Beginnings of Literary Culture in the Ohio Valley.* Pages 185, 6.

<sup>26</sup> *Historical Sketches of Ohio.* Youngstown.

in the art of sewing; and to keep all necessary regulations as is usual in schools; for which we agree to give her the sum of one dollar and twenty-five cents per week during the said term, which sum shall be assessed in proportion to the number of scholars we have set to our names. Provided, also, that in case more are sent by any individual than he has subscribed for, or any persons send who do not subscribe, they shall be assessed in proportion to the number they send; the money to be assessed and collected by a committee to be appointed for that purpose. And for the performance of the foregoing we hold ourselves bound."

"Dated this 8th day of June, A. D., 1814."\*

This last agreement was for a school taught in Warren, Washington county, and was signed by 19 subscribers, guaranteeing  $28\frac{1}{2}$  pupils. Ephraim Cutler leading with four, while five subscribers sign for only one-half a pupil each.

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\* Biography of Ephraim Cutler. Page 172.

## CHAPTER II

### THE DEVELOPMENT OF THE PUBLIC SCHOOL SYSTEM

#### *The Public School System, 1803 to 1850.*

The general educational legislation of this period is concerned only with the district school. There was no general legislative enactment to establish secondary or higher institutions of learning as a part of the state system of education, and it was not until 1847 that there was any legislation to make provision for town and city schools and a graded system, other than that found in special town and city charters.

The chief legislative enactments that divide this period and mark especially important phases in the growth of the system of public schools are as follows:

- 1821<sup>1</sup> — The first school law. Recognition of State need and responsibility.
- 1825<sup>2</sup> — The second school law. The first tax for schools.
- 1838<sup>3</sup> — A state system organized. A definite school fund guaranteed and the schools,\* in theory, made free.
- 1847-48<sup>4</sup> — The Akron Act passed. A system for town and city schools established.

These dates mark off periods that may be roughly characterized as follows:

- 1803 to 1821 — Subscription or pay schools.
- 1821 to 1825 — State recognition of the public school idea.
- 1825 to 1838 — Property taxation to aid schools.
- 1838 to 1850 — Operation under a loose state organization.
- 1847 to 1850 — The development of town and city school systems.

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<sup>1</sup> O. L., XIX, 51.

<sup>2</sup> O. L., XXIII, 36.

<sup>3</sup> O. L., XXXVI, 31.

\* School rates were not definitely abolished from the Public Schools until after 1850. Taylor. *The Ohio School System*. Introduction, page 4.

<sup>4</sup> O. L., XLV, local, 187.

Numerous school laws were passed from 1825 to 1838, but the changes were minor in character, and developed no new principles.

A clearer view of the growth of the Public School System can be gained if the more important phases of that development are treated separately, showing the various stages that each of these phases passed through during the entire period.

For the purposes of this discussion the following topics have been selected, and are discussed in the order given below.

The Organization of the School System.

Methods of Common School Support.

Control and Supervision of Schools.

Certification of Teachers.

School Studies.

Length of School Year.

School Officers.

Schools for Colored Children.

City and Village School Systems.

#### THE ORGANIZATION OF THE SCHOOL SYSTEM, 1803-1850

It may be said that the school system of the state had its beginning in the grant of one section in each township for the use of schools that Ohio received from the United States when she became a state.<sup>5</sup> This grant, wasted as it afterwards was, served as one center of common educational interest, and brought the topic of common schools constantly before legislators and people.

The unit of organization during the entire period was the district. The earliest legislation bearing in any way upon the organization of schools is found in an act of January 2, 1806,<sup>6</sup> establishing the method of incorporating townships.

This act provides: "That so soon as there are twenty qualified electors in any original surveyed township of six miles square, or fractional township within the state wherein there

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<sup>5</sup> A description of this grant and the use made of it will be found in the discussion of the school lands in Chapter III.

<sup>6</sup> O. L., IV, 56.

is the reserved section number 16, granted by the Congress of the United States for the special use of schools; they are hereby authorized under the provision hereafter provided, to elect three trustees and one treasurer for the purpose of taking into their care the section above mentioned, who shall be a body politic, capable of suing and being sued, pleading and being impleaded."

This early legislation precedes any specific school act, and is found in the laws concerning the organization of the township. It is the undoubted result of the grant of school lands and is an indication of the importance of this grant in keeping before the people the ideal of state-wide education.

All parts of the state had land set aside for school use. This was the one common fact in all attempts to meet local educational needs. On this subject there had to be legislation general in nature. It was the one subject of common educational interest. This earlier legislation was concerned primarily in determining how the scant funds from this source might be legally used, either to support for short periods schools that depended solely on this source of income, or to supplement and assist private and subscription schools of various kinds.

The trustees chosen in compliance with this legislation of 1806, were given authority to divide the township into districts for the purpose of establishing schools, but were not directed to do so. They were, however, directed to divide the profits<sup>7</sup> arising from the school lands, among the districts that *were* established, in proportion to the inhabitants. In passing this act, the legislature was evidently primarily interested in the management of Section 16, not in the establishment of schools. Those townships that wished to do it were given the right to organize districts and use the funds obtained from the school lands to support their schools. It is evident from subsequent legislation,<sup>8</sup> and from the reports of Superintendent Lewis,<sup>9</sup> that

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<sup>7</sup> Legal provision had been made as early as 1803, the year Ohio was admitted, for renting the school lands. See Chapter III for a discussion of the legislation concerning the treatment of these lands.

<sup>8</sup> O. L., XXXIV, 19.

<sup>9</sup> Ohio Documents, 36th G. A., Doc. 17, pages 9, 10.



these funds were also used to pay or lessen the expense of subscription schools already under way in the community. In all laws touching on this subject, following the act of 1806, the township trustees are the officers charged with the duty of dividing the township into school districts, but the final decision as to whether such divisions are to be made does not legally rest with them, although in practice it is evident that it often did so.

In 1814,<sup>10</sup> in an act supplementary to the above, it was made obligatory upon the trustees to lay the township off in districts upon the application of six householders of the township, but no penalties were imposed for a failure to do so. This same act directed that those establishing a school in a district should choose three (school) trustees, whose sole duties seemed to be to get from the teacher a certified list of the pupils who had attended the schools, and the length of time they had been taught, and present it to the township trustees as a basis for the distribution of the revenue from the school section.

On January 22, 1821,<sup>11</sup> Ohio's first general school act was passed. By its provisions the method of organizing districts legalized in 1814 is evidently repealed though it is not so specified. The specific provisions of the act that concern organization are that the voters in each township should have the right to vote upon the question of districting the township. In case the vote was in favor of such districting, the trustees were directed to lay off the school districts in such a way as to have not less than twelve, nor more than forty householders in one district. They were also directed in their districting to have regard to any school companies incorporated, so as to include the members within one district.

The householders in each district were to elect annually a school committee of three, and a collector. The duty of the latter was evidently to collect rates for the support of the school from those who sent children to it, the tax for building a school house in case such a tax was levied, and any amount levied as necessary for paying the rates for the indigent children of the district. This law also required the directors to appoint a dis-

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<sup>10</sup> O. L., XIV, 295.

<sup>11</sup> O. L., XIX, 21.

trict clerk, whose duties were to keep a record of the meetings, make out the tax bills when a tax was levied, and keep such accounts as the school committee might direct.

The legislation up to this point has been chiefly concerned in providing an organization for two purposes: a fair and legal method for distributing the revenues that arose from the school lands, and a method by which local communities could legally lay out their districts and set up schools. There was nothing in this earliest legislation that in any way approached a state system, or compelled any state-wide action concerning education.

It was the evident intention of the next general law, passed in 1825,<sup>12</sup> to establish a system that should be state wide in its operation. Its great advance over preceding laws was, however, in its use of the principle of state-wide taxation, rather than any significant change in the organization of schools. The establishment of districts and schools remained a local and decentralized activity and no true state system was formed.

It was made the duty of the township trustees to lay off each incorporated township in the state into one or more school districts. Certain negative penalties were imposed in this law upon townships that were not divided into districts and upon districts that did not employ teachers, but any real compelling force that such a provision might have had, was destroyed by the excessive liberality of the time limitation allowed to meet the minimum requirements of the law.

No township was entitled to receive any portion of the monies collected for school purposes, either from the school lands or from taxation, unless it was laid off into districts. (It might be laid off in one district six miles square and meet the legal requirement.) Furthermore, if it were not laid off into districts within five years, the money due it arising from the school tax was apportioned to the other townships of the county which had been so laid off. Similarly, any district which for a period of three years failed to hire a teacher and keep a school was penalized by having the money due it apportioned to the districts that obeyed the law.

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<sup>12</sup> O. L., XXIII, 26.

This did not refer to the money from Section 16. By the terms of the original grant, this was set aside for the use of the schools of the township, and the funds from it could not be alienated to the use of another township.

The law of 1825 provided for a school tax, and the penalty for not districting the township consisted<sup>13</sup> in losing after a five-year period the township share in this tax. No provision was made other than this for the enforcement of the law. There were no penalties for the township trustees, and no officers, whose duty it was to see that the law was carried into effect. It was the evident idea of the legislators that the incentive afforded by a share in the school tax would be sufficient to bring about the erection of school districts in all the townships of the state. That this was not the universal result is shown by the fact that throughout the period, even as late as 1849,<sup>14</sup> there reappears in general laws and in amendatory and supplementary acts constant directions to the township trustees to lay off the township into school districts. The later directions probably usually refer to the organization of new counties and townships in the more unsettled portions of the state. In general, the townships seem to have followed the mandates of the law and availed themselves of the opportunity to share in the money raised by the tax.

Mr. Lewis in his first report as State Superintendent, in 1837,<sup>15</sup> showed that there were 7,748 organized school districts in the state. There were 1,129 townships in 71 of the 75 counties of the state, which would give an average of nearly seven school districts to the township, an indication that the law was quite generally obeyed. There was however no uniformity in the amount of territory included in the districts (an entire township might be organized as one district), and as Mr. Lewis pointed out the number in each township did vary from one or two to eighteen. The district lines were "frequently made on personal considerations, or to defeat some contemplated improve-

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<sup>13</sup> O. L., XXIII, 36.

<sup>14</sup> O. L., XLVII, 52.

<sup>15</sup> Documents of the State of Ohio. 36th Gen. Assembly, Doc. No. 17, page 45.

ment. It is not uncommon to find districts so bounded as to exclude whole tracts of land from the operation of the law."<sup>16</sup> The report further indicates that there were individual townships even in the older counties that had not organized school districts at the date of the report, 1837, "and many more in the new counties that have just commenced operations."

The organization within the district was effected by the district meeting choosing three directors, who were to have direct control and management of the schools.

It should be kept clearly in mind in this, and subsequent legislation, that the directors are officers of the district, the trustees are officers of the township.

The only compulsory feature in the district organization was a fine of two dollars, which was provided for by an amendment in 1830,<sup>17</sup> imposed upon any person who was elected school director or treasurer and refused to serve. This provision was repeated in the general laws of 1832<sup>18</sup> and 1834.<sup>19</sup>

These amendments were evidently caused by frequent refusal to serve by those elected to the school offices in the local districts. That the work was a real burden and rested upon a small army of local school officers may be seen in another quotation from the State Superintendent's first report.

"There is no feature in the present law more burdensome than that of requiring so many officers to spend several days in every year in doing what would be better done by one-fifth the number. \* \* \* The amount of time now required, if the officers do their duty, will, if computed at the average price of day labor, amount to a heavier tax than is assessed in money for the support of schools. \* \* \* There are now 38,740 officers, enough certainly to break down any system however otherwise good."<sup>20</sup>

To summarize: On the side of local organization, the law of 1825 directed the township trustees throughout the state to

<sup>16</sup> *Ibid.* Page 20.

<sup>17</sup> O. L., XXVIII, 57.

<sup>18</sup> O. L., XXX, 414.

<sup>19</sup> O. L., XXXII, 25.

<sup>20</sup> Ohio Documents, 36th. G. A., Doc. 17, page 19.

lay off the townships into school districts, in which the electors might organize by choosing directors. The only compulsion for either township or district coming from a loss in the share of the school tax.

County contact with the township and district was first established in the law of 1825,<sup>21</sup> by which the county officials were made responsible for the collection and distribution of the school tax,<sup>22</sup> and through the appointment of a Board of Examiners by the Court of Common Pleas. This county relationship was concerned only with the distribution of school funds and the examination<sup>23</sup> of teachers, and had no direct element in it of control or supervision. The certification of teachers by a county authority, rather than a local authority, did, of course, introduce one element of control.

The next step in the direction of county organization was taken in the law of 1836,<sup>24</sup> which provided that the county auditor should open an account directly with each school district in the county, and made the further provision that each district school clerk should report annually to the county auditor. The county auditor became the intermediary officer in gathering information for the use of the state as to the general school conditions. It is evident that the legislature felt the need of information regarding school conditions throughout the state as a basis for legislative action. The directions are specific as to the information wanted, and included the following items:

- The enumeration of white children from four to twenty-one years old in the district;
- The time the school had been kept in the district;
- The time the school had been supported by the school fund;
- The time the school had been supported by taxation;
- The time the school had been supported by voluntary subscription;
- The amount of money from each source;
- The number of children that had been taught;

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<sup>21</sup> O. L., XXIII, 26.

<sup>22</sup> See page 44 for full explanation of this tax.

<sup>23</sup> See page 54.

<sup>24</sup> O. L., XXXIV, 19.

The whole amount spent for teachers' wages;  
 The amount paid for school-houses and repairs, giving as separate items the sum raised by taxation for this purpose and that raised by voluntary subscription.

<sup>25</sup>Each county auditor was directed to make an abstract of the information so gathered for his county, and to report the same annually to the General Assembly.

It will be seen that the law up to this point connected the state, county and district into a loose organization through a system of reports, and through certain financial contacts in the collection and distribution of the school tax.

The system lacked a supervising head, with definite responsibility for following up the directions given by the law, and seeing that the information asked for was actually gathered and used. The legislature evidently realized this, and the following year,<sup>26</sup> 1837, passed a law creating the office of Superintendent of Common Schools, with an annual salary of five hundred dollars.

The chief duties of the office so created were to collect and tabulate statistics, to investigate the conditions of the various school funds resulting from the sale of lands, and, in general, to study the school needs of the state and suggest plans for better regulation and control of educational affairs to the General Assembly. Samuel Lewis of Cincinnati was appointed to the office April 1, 1837.<sup>27</sup> Following his recommendations, the

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<sup>25</sup> It was largely from these abstracts that Mr. Lewis made up the statistical tables in his first report. He recognized the incompleteness and inaccuracy in them, but despite that gathered much valuable information. In commenting upon the laxness shown in the reports he says: "If all the districts had reported accurately, the result would be bad enough; but they have not. \* \* \* There are in the State 75 counties of which 62 have reported in whole or in part; some are extremely defective, not only on account of the work of the school officers, but also the extreme carelessness of some of the auditors. Most of the auditors, however have done the best they could with the materials furnished."<sup>28</sup>

<sup>27</sup> Documents. Ohio. 36th. G. A., Doc. 17, page 47.

<sup>28</sup> O. L., XXXV, 82.

<sup>29</sup> O. L., XXXV, local, 560.

legislature enacted in 1838<sup>30</sup> an act for the support and better regulation of Common Schools, and to create permanently the office of Superintendent of Common Schools. Mr. Lewis had recommended legislation the preceding year, which had included "School libraries; a state school fund of two hundred thousand dollars; township high schools; township Boards of Education; evening schools in towns and cities; county superintendents; a school journal to be distributed to school officers gratuitously; encouragement for the formation of Teachers' Institutes; authority for districts to borrow money to erect school-houses; the employment of women as teachers; and full reports from teachers and school officers."<sup>31</sup>

The resulting legislation was the most important and complete act bearing upon public education passed in Ohio from 1803 to 1850, and was the last school code passed during the period. Much of its effectiveness was destroyed by subsequent amendments that will be indicated, but the act in itself attempted to establish an organized system of common schools for the state, with state, county, township and district officers. The State Superintendent stood at the head of the system. In each county the county auditor was made superintendent of common schools for the county, and in each township the township clerk was made superintendent of common schools for the township. The district meeting elected three directors as in the case of the preceding laws. The district clerk was directed to make an annual report to the district meeting and to file a copy of his report with the township clerk. This report was to contain full financial and educational statistics of the district for the year. The duties of the township clerk, acting as superintendent, were as follows: to take an enumeration of the youth of school age in each district of the township (for failure to do this a fine of \$15 was imposed upon him); to fill vacancies that occurred in any board of directors in his township; to appoint directors in case the district meeting failed to elect them, or in case the directors failed to serve, and if those who were appointed refused to serve, to himself perform the duties of the

<sup>30</sup> O. L., XXXVI, 21.

<sup>31</sup> Ohio Documents. 36th. G. A., Doc. 17, pages 11-34.

directors for the district in question. He was directed further to report annually to the county superintendent an abstract of the reports made by the district clerks, and it was made his duty to visit each common school in the township at least once a year to examine the teacher's record, the discipline and mode of instruction, and to keep a journal of his observations. He was also directed by the law to estimate each year the additional amount necessary to be raised in the district to maintain six months' school for all children.

The chief duties of the auditor as county superintendent of schools consisted in transmitting an abstract of the reports from each township to the State Superintendent, and in distributing blanks, circulars and other information from the State Superintendent to the proper township and district officers.

It will be seen that in its working the system was nominal rather than actual, so far as any control of the local unit, the district, was concerned. It was designed chiefly to afford convenience for the collection of data needed by the State Superintendent, and the dissemination of information from the State Superintendent's office. It did provide for district officers, and even the possible establishment of schools, where the district failed to act, by giving the township clerk power to exercise the authority of the directors, and it also made some pretense at supervision through the same officers. Aside from this, it was a loose and inefficient system, depending for its value upon the energy and ability of the State Superintendent in arousing educational sentiment throughout the state, and upon the thoroughness with which the township clerk performed the duties laid upon him. There was still no actual compulsion in the law.

The strong points of the system consisted in the definite relationship established through state, county, township and district officers, and the possibility of dissemination and collection of educational information through these channels. Its real effectiveness depended upon the wise leadership of the State Superintendent. The law pointed out the way to a school system, and the Superintendent, as an authorized educational agent, could do much to arouse state-wide interest in the



schools. In his Third Annual Report in 1839, Mr. Lewis speaks of the law in the following words:

"This law, though not perfect, was the best that could be passed; and with all its imperfections, I still think it is better adapted to our wants than any other school law that has come under my notice. It gives to the people the power to do their own business, whether in townships or districts, as the majority may think best. The widest possible latitude is given for popular action. The most that the law does is to prescribe certain general rules within which the people can act under the sanction of the law, and it gives to such popular action the aid of law to effect its purpose. An arbitrary law imposing duties binding upon the people without their assent could prescribe the forms and details of the work in a few words and with great simplicity. Such would do for despotic countries, but in a free country where the actors are a people whose action depends upon their own wills, there must be a wide scope given, allowing each district to accommodate its own peculiar views, requiring it only to keep within the general outlines (and they must be only outlines) laid down by the law."<sup>22</sup>

The effectiveness of the organization was destroyed by action of the legislature March 23, 1840,<sup>23</sup> when the office of State Superintendent was abolished, and the work of tabulating and transmitting school statistics and other educational information was transferred to the office of the Secretary of State.

The one other point at which the law had promise of effectiveness was in the creation of the township and county superintendents. The weakness, of course, was in attaching these offices as mere appendages to the duties of the county auditor and the township clerk.

The supervisory duties of the township clerk were made dependent upon the decision of the township trustees in 1839,<sup>24</sup> and the amount of pay for the supervision of any one school limited to a maximum of one dollar for any one year. This made actual supervision practically impossible. The results of these two acts were to leave the system without effective leadership and largely to destroy any possibility of controlling the

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<sup>22</sup> Third Annual Report of the Superintendent of Common Schools, Ohio, page 4.

<sup>23</sup> O. L., XXXVIII, 131.

<sup>24</sup> O. L., XXXVII, 61.

school work of the district through supervision. There were portions of the state where the organization was felt to be ineffective. Samuel Lewis had advocated county supervision, and the appointment of the county auditor to this position was felt by many not to meet educational needs. Voluntary associations of teachers<sup>85</sup> discussed the question of school organization in their conventions. In 1846 Henry D. Barnard of Connecticut came to Ohio and lectured in numerous towns and cities,<sup>86</sup> urging the cause of free public schools.

As one result of these discussions numerous petitions were circulated in the northern and central portions of the state, asking for a law that would give county supervision. In 1847<sup>87</sup> the legislature passed a weak permissive act applicable to twenty-five counties located largely in the Western Reserve and in the central portion of the state near Columbus. This act shows clearly the general legislative willingness to legalize educational procedure and the unwillingness to adopt means to enforce the measures given the sanction of law.

The twenty-five counties in question were allowed to have county superintendents. The initiative was left in the hands of the county commissioners, who were authorized to set aside such sum as they deemed proper for the payment of a county superintendent. They were allowed to levy a tax for the purpose if they wished to do so. If a sum were set aside for the support of this office, the county superintendent was elected by the district clerks of the county. He became chairman of the county Board of Examiners, and was directed to visit annually each common school in the county as a supervising officer.

The provisions of this act were made applicable to all counties in the state the next year, 1848.<sup>88</sup> The act remained virtually a dead letter in the original twenty-five counties as well as in the rest of the state. It simply pointed out a way in which a county might legally appoint a county superintendent

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<sup>85</sup> See Chapter VI, page 129, for a brief account of some of these associations.

<sup>86</sup> Taylor, page 359.

<sup>87</sup> O. L., XLV, 32.

<sup>88</sup> O. L., XLVI, 86.

of schools if it really wished to do so, and it left the initiative in the hands of the county commissioners, who were apt to be guided in action by financial considerations more than by educational needs.<sup>39</sup>

The legislature in 1850<sup>40</sup> passed another act that created again the office of State Superintendent, but in a quite different form. This law was not permissive in form, but never actually came into operation as the General Assembly, which was the appointing body, allowed it to lapse through its failure to appoint the officers provided for in the law. In brief, this law provided for a state board of public instruction to consist of five members, appointed by the General Assembly. The first members were to be appointed for one, two, three, four and five years. After that one member was to be appointed each year. Each member, during the last year of his term, was styled the State Superintendent of Common Schools, and carried on the duties of that office. These duties were largely limited to the collection of statistics and reporting the results to the General Assembly. The state was to be divided into four districts by the board, and each of the other members to serve as a district superintendent. In this service they co-operated with the county examiners and their signatures were necessary to give validity to teachers' certificates. The State Superintendent was to prepare questions for all teachers' examinations. Teachers were required to pay one dollar on the receipt of certificates. The payment of this dollar entitled each teacher to receive a state educational paper, and to attend teachers' institutes. All fees and subscriptions to the school paper were to be paid to the state treasurer and out of the fund so created the salaries of the state board were to be paid. The salaries were one thousand dollars for each district superintendent, and twelve hundred dollars for the State Superintendent. The law specifically provided that no money from any other source should be used in the payment of these salaries. This law represented the efforts of the teachers' associations and the friends of edu-

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<sup>39</sup> Two counties, Ashtabula and Sandusky, elected superintendents under this law. Taylor, page 360.

<sup>40</sup> O. L., XLVIII, 44.

cation throughout the state. They were successful in getting the law upon the statute books by placing the responsibility for financing it upon the teachers themselves. The law, however, as has been said, was never put in active operation.

*Summary.*

The district was the unit of school organization throughout this period. A state organization was formed in 1838 with county and township officers. The effectiveness of the county and township organizations was largely nullified by attaching the duties of the school officials to offices primarily created for other purposes. The greatest possibility of usefulness in the system rested in the State Superintendent, and this office, after a three years' trial, was abolished, and its duties transferred to the office of the Secretary of State, where it became largely a clerical function.

METHODS OF COMMON SCHOOL SUPPORT

The subject of the support of common schools during this period is an involved one as there are many sources of revenue and frequent changes in legislation. These sources may be classified as follows:

- School rates paid by parents;
- The revenue from school lands;
- Permanent funds;
- Revenue from the United States surplus;
- A guaranteed state school fund;
- State taxation for school support;
- County taxation for school support;
- Optional township taxation for school support;
- District taxation for school support;
- Revenue from fines, penalties and fees of various kinds;
- District taxation for school buildings;
- Voluntary contributions for school buildings.
- Contributions and bequests.

*Rates Paid by Parents.*

It has already been said that the earliest schools in Ohio were subscription or pay schools. The responsibility for the

education of the child during the first twenty-two years of statehood rested on the parents, not upon society or the state, except as the money received from Section 16 might assist in maintaining the local school. The principle of school rates for at least a portion of the expense was recognized in the laws of 1821,<sup>41</sup> 1829,<sup>42</sup> 1831,<sup>43</sup> 1834,<sup>44</sup> and 1836.<sup>45</sup> In the three acts last cited it was provided that the parents should pay any additional amount needed, unless it were raised by voluntary subscription. Provision was also made for the exemption of indigent students. School rates, as a source of revenue, were not specifically recognized in the code of 1838,<sup>46</sup> but reappeared the following year in an amendment,<sup>47</sup> and remained until 1850 as a legal source of support.

The practical working of the law and its amendments is well shown by another quotation from Mr. Lewis's first report.<sup>48</sup>

"As it will be impossible to give a full history of my observations, an example of the several classes must suffice. In one town a free school is taught three months in the year, by one teacher, in a district where more than one hundred children desire to attend; they rush in and crowd the school so as to destroy all hope of usefulness, the wealthy and those in comfortable circumstances, seeing this, withdraw their children or never send them; the school thus receives the name of a school for the poor, and its usefulness is destroyed. This example is one that represents nearly all the free schools in the State, as well in the country as in the cities and towns.

"Another and much larger number of the districts, adopt a practice of which the following is an example: The district has funds which would pay a teacher one quarter or less, but in order to keep up a school as long as possible, it is divided between two or more quarters; the teacher makes his estimate of the amount, besides public money, that must be paid by each scholar and gets his subscription accordingly. Here none send but those who can pay the balance; of course the children of the poor, the very intemperate and careless, with sometimes the inordinate lovers of money are left at home.

<sup>41</sup> O. L., XIX, 51.

<sup>42</sup> O. L., XXVII, 73.

<sup>43</sup> O. L., XXIX, 414.

<sup>44</sup> O. L., XXXII, 25.

<sup>45</sup> O. L., XXXIV, 19.

<sup>46</sup> O. L., XXXVI, 21.

<sup>47</sup> O. L., XXXVII, 61.

<sup>48</sup> Ohio Documents, 36th. G. A., Doc. 17, pages 8 ff.

"This mode though it defeats the primary object of the law, really secures a greater aggregate amount of instruction than the other. Another class proceeds on the same plan, with the exception that the teacher is bound to take the very poor free, if they prove their total inability to pay. This is but little, if any, better than the last, since the poor woman must humble herself, and in effect take the benefit of the poor law, before she can get her children into school. \* \* \*

"Another part of this class is, where the directors agree with the teacher at so much per month, and, after expending the school money, levy, under the statute, a tax on the scholars for the residue, sometimes admitting the poor, and sometimes rejecting all that are unable to pay the difference.

"In some towns all the teachers receive a portion of the public money at the rate of so much per scholar, which they deduct from the subscription price. In these cases the schools are all strictly private, and no provision whatever is made for the poor. The officers in one place where this practice prevails, said that 'if the schools were free, they would be so crowded as to be useless, unless they had more funds, but by the mode they adopted, every man who sent to school got a part of the public money;' if he was not able to pay the balance he was punished by losing the whole; which is certainly a bad feature in the practice, and a gross violation of law. Another custom is not to draw the school money for several years, and then, say once in two or three years, they can keep a crowded free school from three to six months. In some places public schools have not been taught this two years.

"These examples give the practice in all the school districts in the State; the second and third named prevail the most generally; but it is not uncommon to find all the examples adopted in different districts in the same township."

#### *Revenue from School Lands.*

The revenue from Section 16, or land given in lieu of Section 16,<sup>48</sup> was by the terms of the grant to be used for the education of the children of the township or district of country to which it belonged. The basis of distribution within the township finally came to be the number of white unmarried youth from four to twenty-one years. The different bases of distribution used before this were as follows:

1805<sup>49</sup> — So that all citizens in the township shall obtain equal advantages.

<sup>48</sup> O. L., III, 47, Enabling Act, reprinted.

<sup>49</sup> O. L., III, 230.

1810<sup>50</sup> — In proportion to the scholars and the time taught.

1825<sup>51</sup> — In proportion to the number of families in each district.

1831<sup>52</sup> — In proportion to the unmarried white youth from four to twenty-one.

In the Virginia Military District the basis for distribution by the act of February 9, 1829,<sup>54</sup> was made all children from the age of four to sixteen, instead of four to twenty-one. This was changed to children from the age of four to twenty-one in 1831,<sup>55</sup> and a five hundred dollar penalty assessed upon county auditors if they failed to make triennially a report of the number of school youth of this age in their respective counties. In 1836<sup>56</sup> the proportionate amount of territory in each county was used as the basis of apportionment in this particular district.

#### *Permanent Funds.*

##### School lands.

In 1809<sup>57</sup> the school lands set aside for the Virginia Military District were offered for sale at a minimum price of two dollars per acre, and the funds deposited with the state treasurer, to be funded and the income used for the support of schools within this district.

The policy of selling the school lands in the rest of the state was adopted in 1827<sup>58</sup> and was followed immediately by another act<sup>59</sup> creating a permanent school fund. The money from the sale of school land was to be paid into the state treasury, and placed to the credit of the particular townships to which the land belonged. This was impossible in the case of such districts as the Western Reserve, the Virginia Military District,

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<sup>50</sup> O. L., VIII, 100.

<sup>51</sup> O. L., XXIII, 36.

<sup>52</sup> O. L., XXXII, 25.

<sup>53</sup> O. L., XXVII, 51.

<sup>54</sup> O. L., XXIX, 229.

<sup>55</sup> O. L., XXXIV, 469.

<sup>56</sup> O. L., VII, 109.

<sup>57</sup> O. L., XXV, 26.

<sup>58</sup> O. L., XXV, 78.

and the United States Military District, as the land had not been given to the townships, but to the districts as a whole. In these cases the money was set aside for the use of schools in the territories named. The amount so paid in constituted an irreducible fund upon which the state pledged its faith to pay an annual interest of six per cent for the use of schools in the township or district.<sup>60</sup> The lands were to be sold at the appraised value with no minimum price attached. This act also provided that the money from the sale of the salt lands, which had not been originally given for the use of schools, should become a permanent fund belonging in common to the people of the state for school use. To this fund was to be added any donations, bequests, etc., that might be made to the state for the use of schools. The moneys from the two last sources were to be funded until 1832, and thereafter interest was to be distributed to the counties of the state in proportion to the white male inhabitants over twenty-one years of age. These funds were loaned to the state for the purpose of building canals in 1830,<sup>61</sup> and from this time on the principle was followed of using the funds for state purposes, and pledging the faith of the state for the payment of annual interest on the debt so incurred.

The amount of funds derived from this source is shown for the years 1830, 1836 and 1846, as follows:<sup>62</sup>

|                              | 1830         | 1836         | 1846           |
|------------------------------|--------------|--------------|----------------|
| Virginia Mil. Sch. Lands.... | \$ 47,014.31 | \$117,884.64 | \$135,033.96   |
| U. S. Mil. Sch. Lands.....   | 27,895.50    | 101,256.71   | 119,871.09     |
| Salt Lands .....             | 10,004.20    | 24,788.22    |                |
| Sec. No. 16 .....            | 82,626.31    | 563,578.63   | 999,963.24     |
| Western Reserve Sch. Lands   |              | 147,027.01   | 158,659.01     |
| Moravian Tract Sch. Lands..  |              |              | 1,049.82       |
| Totals .....                 | \$167,540.32 | \$954,535.21 | \$1,414,577.12 |

<sup>60</sup> The money paid into the treasury from the school lands was used by the State in its canal projects, and interest paid upon the debt so incurred.

<sup>61</sup> O. L., XXVIII, 55.

<sup>62</sup> O. L., XXVIII, Auditor's reports; O. L., XXXV, Auditor's reports; O. L., XLV, Auditor's reports.



*Surplus Revenue.*

In 1837<sup>63</sup> the surplus revenue received from the United States was apportioned among the counties, the net income from this source to be used for the support of common schools. The method used for deriving an income was as follows. Each county was held responsible for the payment of five per cent interest annually on the amount apportioned to it.<sup>64</sup> This five per cent was paid annually to the state treasurer and redistributed throughout the state for the use of schools. Any amount of revenue that the county had derived from the fund above five per cent might be retained by it and used for internal improvements, for the support of common schools or for the building of academies. The entire fund apportioned to Ohio from this source was \$2,007,260.34.<sup>65</sup> This fund was used in this way for the support of schools until 1850, but was finally pledged by the state for the payment of debts incurred in the building of state canals, and passed from the school finances subsequent to this date.

*State School Fund.*

The law of 1838<sup>66</sup> established for the first time a guaranteed state common school fund of two hundred thousand dollars. This was to be derived from the interest on the Surplus Revenue,<sup>67</sup> the interest on the proceeds of salt lands, and the revenue<sup>68</sup> from banks, insurance and bridge companies. The state was to supplement from other funds whatever amount was needed to bring the total annual revenue up to two hundred thousand dollars. The added amount, when necessary, was raised, in fact, by a state tax. The amount of this guaranteed

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<sup>63</sup> O. L., XXXV, 97.

<sup>64</sup> The amount distributed to the Ohio counties in 1837 was \$1,882,418.92.

<sup>65</sup> Ohio Documents. 36th Gen. Assembly. Doc. 3, page 8.

<sup>66</sup> O. L., XXXVI, 21.

<sup>67</sup> Ohio's share of the surplus revenue distributed to the several states by the United States amounted to \$2,007,260.34.

<sup>68</sup> The revenue from the state tax on banks, insurance and bridge companies is reported by the state treasurer in 1837 as \$64,931.53.\*

\* Ohio Documents. 36th Gen. Assembly. Doc. 2, page 3.

fund was subsequently in 1842<sup>99</sup> reduced for one year to one hundred and fifty thousand dollars, and in the following year<sup>100</sup> the money arising from licenses on peddlers, from auction duties or licenses on auctioneers, and from taxes levied on lawyers and physicians, was added to this fund, the effort evidently being to raise the amount of the fund without the necessity of taxation. The basis for distribution of this fund to the counties was made the number of white youth between the ages of four and twenty years, resident in the county.

### *Taxation.*

The principle of taxation for the support of schools first appeared in the general school act of 1825,<sup>101</sup> by which the county commissioners in each county were directed to levy a tax of  $\frac{1}{2}$  mill on the taxable property of the county for the use of schools. This principle continued from this date, and was later supplemented by a state tax and an optional township or district tax. The provisions of the laws concerning taxation up to and including the general law of 1838 are summarized in the following statement. (This includes only taxation for school support. The provisions for taxation for school building purposes are given separately.)

|                                    | <i>Year</i> | <i>Amount.</i>         |  |
|------------------------------------|-------------|------------------------|--|
| County tax required <sup>102</sup> | 1825        | $\frac{1}{2}$ mill.    |  |
| County tax required <sup>103</sup> | 1829        | $\frac{3}{4}$ mill.    |  |
| County tax required <sup>104</sup> | 1831        | $\frac{3}{4}$ mill.    | County commissioners may assess $\frac{1}{4}$ mill additional. |
| County tax required <sup>105</sup> | 1834        | 1 mill.                | County commissioners may assess $\frac{1}{2}$ mill additional. |
| County tax required <sup>106</sup> | 1836        | 1 $\frac{1}{2}$ mills. | County commissioners may assess $\frac{1}{2}$ mill additional. |

<sup>99</sup> O. L., XL, 59.

<sup>100</sup> O. L., XLII, 38.

<sup>101</sup> O. L., XXIII, 36.

<sup>102</sup> O. L., XXIII, 36.

<sup>103</sup> O. L., XXVII, 73.

<sup>104</sup> O. L., XXIX, 414.

<sup>105</sup> O. L., XXXII, 25.

<sup>106</sup> O. L., XXXIV, 19.

|                                   | <i>Year</i> | <i>Amount.</i> |   |
|-----------------------------------|-------------|----------------|---|
| County tax required <sup>77</sup> | 1838        | 2 mills.       | {   |
| Tp. tax .....                     | 1836        | optional.      |   |
|                                   |             |                | If the county commissioners failed to levy the additional ½ mill tax, the township might vote to raise an additional 1½ mill tax.                               |
| Tp. tax .....                     | 1838        | optional.      | The township might vote an added amount necessary to maintain schools six months. <sup>78</sup> Not to exceed two mills additional.                             |
|                                   |             |                |   |
| State tax .....                   | 1839        | variable.      | An amount necessary added to the revenue from the permanent fund to produce \$200,000 <sup>79</sup> annually. <sup>80</sup> ½ mill levied by the state in 1838. |

In 1839<sup>81</sup> the law was amended to allow the county commissioner to reduce the county tax to any sum not less than one mill, instead of maintaining a flat rate of two mills throughout the state as the act of 1838 had done, and in 1847,<sup>82</sup> the sentiment against taxation for school support was so strong in the General Assembly that the county commissioners were forbidden to levy more than  $\frac{2}{5}$  of a mill for the use of schools. This was the lowest point reached in taxation for school support after the law of 1825.

The following year, 1848, the privilege of levying a local tax for the support of schools was extended from the township to the district.<sup>84</sup> The district clerks were directed to make an estimate of the amount needed in addition to the funds provided under the laws in force to keep a school in session for six months. The district meeting was then allowed to decide by vote whether an additional tax should be levied for this

<sup>77</sup> O. L., XXXVI, 21.  
<sup>78</sup> O. L., XXXVII, 61.  
<sup>79</sup> Reduced in 1842 to \$150,000.<sup>80</sup>  
<sup>80</sup> O. L., XXXVI, 85.  
<sup>81</sup> O. L. XXXVII, 61.  
<sup>82</sup> O. L., XLV, 60.  
<sup>83</sup> O. L., XL, 59.  
<sup>84</sup> O. L., XLVI,, 83.

purpose. In no case could this added district tax exceed one mill. The same year the county commissioners were authorized to raise the tax from  $\frac{2}{5}$  of a mill to 1 mill,<sup>85</sup> but they were not directed to do so.

The status of taxation for the support of schools at the close of the period was as follows:

The state guaranteed a fixed school fund derived from various sources. When other sources failed to make up this sum, a state tax was levied to do so. (The fund had been reduced from two hundred thousand dollars in 1838 to one hundred and fifty thousand dollars in 1842.)

The county commissioners were directed to levy a tax in each county. This had been two mills in 1838, but was reduced to  $\frac{2}{5}$  of a mill in 1847, and was left optional, but not over one mill in 1848.

Each township might vote to raise an added two mill tax for the support of schools in the township.

Each district might vote to raise an added one mill tax for the support of schools in the district.

The progress that had been made by the law of 1838 with its state-wide county tax of two mills and state tax amounting to  $\frac{1}{2}$  mill had been largely lost by allowing the county commissioners to reduce the amount of the county tax and by the reduction of the guaranteed school fund to one hundred and fifty thousand dollars.

#### *Taxation for School Buildings.*

The law of 1821<sup>86</sup> authorized the householders in any school district by a two-thirds vote to levy a tax to build a school-house, and to pay for the schooling of indigent pupils, and stipulated the tax should not exceed one-half the amount that might be levied for state and county taxes the same year. The next law, that of 1825,<sup>87</sup> simply said that the district meeting should provide means for building a school-house, and for furnishing fuel, but gave no further directions as to how money

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<sup>85</sup> O. L., XLVI, 28.

<sup>86</sup> O. L., XIX, 51.

<sup>87</sup> O. L., XXIII, 36.

was to be raised. In 1827<sup>88</sup> a maximum of three hundred dollars for a school-house was established and the district meeting might, by a three-fifths vote, decide whether the district should be taxed for building purposes or not. If it was decided to raise the money by a tax and the amount falling on any householder was less than one dollar, a minimum sum of one dollar was charged against him. The tax might be commuted by labor on the school-house or furnishing material for it. This last law evidently aroused opposition on the part of non-resident taxpayers, and in 1830<sup>89</sup> an amendment to the school law provided that not more than fifty dollars might be levied in any one year for building purposes, unless one-third of the property in the district was owned by residents. If one-third to one-half of the property was so owned, the amount raised might be one hundred dollars. If one-third to two-thirds of the property was owned by residents, the sum was increased to two hundred dollars. This method of raising the money for buildings remained with but slight changes until 1838. The minimum tax for a resident taxpayer was reduced from one dollar to fifty cents in 1830,<sup>90</sup> and to twenty-five cents in 1836.<sup>91</sup> In 1838<sup>92</sup> the decision as to a building tax for a school-house was for the first time left to a majority vote of the district meeting, and the partial exemption for non-resident taxpayers and the minimum tax features disappeared.

*Fines, Penalties, Licenses, Fees, Etc.*

In 1827<sup>93</sup> the principle of using fines for the support of schools, assessed for various offences first appears. By the provisions of this act all fines imposed and collected by justices of the peace for offences committed were to be used for the support of schools in the district in which the offences were committed. This was repeated in 1829,<sup>94</sup> and then disappeared from

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<sup>88</sup> O. L., XXVII, 65.

<sup>89</sup> O. L., XXVIII, 57.

<sup>90</sup> O. L., XXVIII, 57.

<sup>91</sup> O. L., XXXIV, 19.

<sup>92</sup> O. L., XXXVI, 21.

<sup>93</sup> O. L., XXV, 65.

<sup>94</sup> O. L., XXVII, 73.

the school law, but the principle reappeared in a series of acts concerning various offences and remained as a definite method of school support to the end of the period. These offences and fines are so numerous that they are given here only in tabulated form.

| Date of law.      | Offence.   | Penalty |                             | Area to which fines were distributed. |
|-------------------|--|---------|-----------------------------|---------------------------------------|
|                   |  | Min.    | Max.                        |                                       |
| 1829 <sup>m</sup> | Selling liquor without license.....                            | \$10.00 | \$50.00                     | County                                |
| 1829              | Liquor seller permitting rioting, drunkenness or gambling..... | 10.00   | 50.00                       | County                                |
| 1830 <sup>m</sup> | Killing muskrat out of season.....                             | 1.00    | each                        | Township                              |
| 1831 <sup>m</sup> | Sabbath breaking .....   | 1.00    | 5.00                        | Township                              |
| 1831 <sup>m</sup> | Selling liquor on Sunday "to others than travelers".....       |         | 5.00                        | Township                              |
| 1831 <sup>m</sup> | Disturbing religious meetings.....                             |         | 20.00                       | Township                              |
| 1831 <sup>m</sup> | Profanity .....  | .25     | 1.00                        | Township                              |
| 1831 <sup>m</sup> | Exciting disturbance in a tavern, etc. ....                    | .50     | 5.00                        | Township                              |
| 1831 <sup>m</sup> | Playing bullets, running horses or shooting guns in town.....  | .50     | 5.00                        | Township                              |
| 1831 <sup>m</sup> | Liquor dealer keeping 9 pin alley..                            | 10.00   | 100.00                      | Township                              |
| 1831 <sup>m</sup> | Exhibiting a puppet show, juggling, etc. ....                  |         | 10.00                       | Township                              |
| 1831 <sup>m</sup> | Tearing down public notices.....                               |         | 10.00                       | Township                              |
| 1831 <sup>m</sup> | Selling liquor within 1 mile of a religious gathering .....    |         | 20.00                       | Township                              |
| 1831 <sup>m</sup> | Bull baiting, bear baiting, etc.....                           |         | 100.00                      | Township                              |
| 1831 <sup>m</sup> | Cock fighting .....  |         | 100.00                      | Township                              |
| 1831 <sup>m</sup> | Horse racing on a public road....                              | 5.00    |                             | Township                              |
| 1831 <sup>m</sup> | Justice of Peace failing to pay over fine collected .....      |         | Double the amount collected | Township                              |
| 1831 <sup>m</sup> | Selling at auction without license                             |         | 100.00                      | State, for literary purposes          |
| 1831 <sup>m</sup> | Failure to render account of auction sales .....               |         | 1000.00                     | pos                                   |
| 1831 <sup>m</sup> | Peddling without license.....                                  | 20.00   | 100.00                      | District                              |

<sup>m</sup> O. L., XXVII, 11.

<sup>m</sup> O. L., XXIX, 469.

<sup>m</sup> O. L., XXIX, 161.

<sup>m</sup> O. L., XXIX, 304.

<sup>m</sup> O. L., XXIX, 313.

| <i>Date of law.</i> | <i>Offence.</i>   | <i>Penalty</i> |             | <i>Area to which fines were distributed.</i> |
|---------------------|---|----------------|-------------|--|
|                     |   | <i>Min.</i>    | <i>Max.</i> |  |
| 1831 <sup>100</sup> | Exhibiting circus without permit..  |                | \$100.00    | County                                       |
| 1831 <sup>101</sup> | Neglecting to have fish inspected..   |                | 5.00        | County                                       |
| 1831 <sup>101</sup> | Failure to bury offal.....  | \$5.00         | 50.00       | County                                       |
| 1831 <sup>101</sup> | Inspector demanding more than legal amount, or purchasing articles condemned .....            | 50.00          |             | County                                       |
| 1834 <sup>102</sup> | Selling salt without inspection....   | 1.00           | per bbl.    | County                                       |
| 1834 <sup>103</sup> | Medical malpractice of various kinds .....  | 100.00         | 500.00      | County                                       |
| 1834 <sup>104</sup> | Obstructing navigation in Muskingum River .....   |                | 50.00       | County                                       |
| 1838 <sup>105</sup> | Officer or corporation disregarding court orders in quo warranto procedure .....              |                | 10,000.00   | County                                       |
| 1840 <sup>106</sup> | Keeping breachy or unruly animals   | .25            | 1.00        | District                                     |
| 1840 <sup>107</sup> | Harboring intoxicated Indians.....  | 5.00           | 25.00       | District                                     |
| 1841 <sup>108</sup> | Selling liquor within two miles of any religious society gathered in a field or woodland..... | 5.00           | 50.00       | Township                                     |
| 1844 <sup>109</sup> | Allowing Canada Thistles to mature .....  |                | 10.00       | Township                                     |
|                     | Knowingly selling seed which contains Canada Thistle seed.....                                |                | 20.00       | Township                                     |
| 1845 <sup>110</sup> | Firing cannon on the public street  | 5.00           | 50.00       | Township                                     |
| 1846 <sup>111</sup> | Gambling or keeping a gambling house .....  |                | 500.00      | County                                       |

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<sup>100</sup> O. L., XXIX, 446.  
<sup>101</sup> O. L., XXIX, 477.  
<sup>102</sup> O. L., XXXII, 47.  
<sup>103</sup> O. L., XXXII, 20.  
<sup>104</sup> O. L., XXXII, 38.  
<sup>105</sup> O. L., XXXVI, 68.  
<sup>106</sup> O. L., XXXVIII, 4.  
<sup>107</sup> O. L., XXXVIII, 57.  
<sup>108</sup> O. L., XXXIX, 34.  
<sup>109</sup> O. L., XLII, 37.  
<sup>110</sup> O. L., XLIII, 17.  
<sup>111</sup> O. L., XLIV, 10.

In addition to the fines listed, the fees received from licenses for liquor selling,<sup>112</sup> for peddling<sup>113</sup> and auctioneering<sup>114</sup> were applied for the use of schools. There were also a number of local acts of this character applying to particular towns or counties.<sup>115</sup>

<sup>116</sup> In 1830 in the act incorporating the town of Steubenville, it is provided that for every license granted to "all groceries, porter, ale, and other houses of entertainment" there shall be paid into the county treasury "the sum of five dollars for the use of the common schools of the county." A similar provision is found in the act incorporating the city of Chillicothe,<sup>117</sup> in 1838, except that the money is to be paid to the district of the city. Acts of the same general nature occur, applying to Medina, Huron, and Erie Counties,<sup>118</sup> and to the towns of Chagrin Falls,<sup>119</sup> Fulton,<sup>120</sup> and Akron,<sup>121</sup> and in 1845 an act was passed authorizing the towns of Painesville and Norwalk<sup>122</sup> to levy an annual tax "on all dogs six months old and upwards" for the use of common schools.

#### CONTROL AND SUPERVISION OF SCHOOLS

Ohio was especially weak in developing any plan of control or supervision. The law of 1825<sup>123</sup> and succeeding laws said that the county examiners might visit and inspect schools, but there was no compulsion placed upon them, no pay for the duty if performed, and no authority given to them in case they decided to make such inspection. In 1838<sup>124</sup> the establishment

<sup>112</sup> O. L., XXVII, 11.

<sup>113</sup> O. L., XXIX, 313; O. L., XLVI, 36.

<sup>114</sup> O. L., XXIX, 304

<sup>115</sup> O. L., XXVIII, 165; O. L., XLV, 131.

<sup>116</sup> O. L., XXVIII, 165.

<sup>117</sup> O. L., XXXVI, 274.

<sup>118</sup> O. L., XLV, 131.

<sup>119</sup> O. L., XLVI, 269.

<sup>120</sup> O. L., XXXII, 116.

<sup>121</sup> O. L., XXXIV, 433.

<sup>122</sup> O. L., XLIII, 379.

<sup>123</sup> O. L., XXIII, 36.

<sup>124</sup> O. L., XXXVI, 21.



of the office of state, county and township superintendents would seem, at first view, to give the machinery for efficient control and supervision, but an inspection of the law will show that the actual control exercised was weak and ineffective. The only man in the entire system who was primarily engaged in school work was the State Superintendent and at the end of three years the office was abolished,<sup>125</sup> and the work transferred to the Secretary of State, who was allowed four hundred dollars a year for the extra clerical work thus placed upon him.

Samuel Lewis <sup>126</sup> in the three years he served as State Superintendent accomplished much, but it was through arousing sentiment in favor of common schools and in collecting and presenting educational facts to the General Assembly and to the state at large, and not through the working of the system, except as it aided him in the collection of the desired facts, and as he educated school officers in their duties through manuals, reports and other educational material.<sup>127</sup>

With the transfer of the office to the Secretary of State it became, naturally, largely clerical in character, as the Secretary of State was devoted primarily to other duties. Similarly, the office of county superintendent was simply added to the duties of the county auditor, and that of the township superintendent to the duties of the township clerk. These men, too, were primarily chosen for work of a different nature, and the school duties were in many instances an unwelcome addition.

It is true that the law gave the township superintendent certain control over the district, vesting him with powers to appoint directors if the district failed to elect them, or to perform in person the duties of the directors if those he appointed failed to serve. There was no machinery, however, to compel the township superintendent to act in the matter. He was also required by law to visit the schools in each district once in each year, but in 1839<sup>128</sup> it was made optional with the township trustees to excuse him from this duty, and his total pay for super-

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<sup>125</sup> O. L., XXXVIII, 131.

<sup>126</sup> Taylor, page 335.

<sup>127</sup> O. L., XXXVI, local, 402, 410.

<sup>128</sup> O. L., XXXVII, 61.

vision in any one school was fixed at a maximum of one dollar for the year. On the whole the township clerks seem to have accepted the responsibility and to have acted for the best interests of the schools.

Mr. Lewis in his second report speaks of the working of the law at this point as follows:<sup>129</sup>

"Elections have very generally been held in the districts in September, 1838, and where they have been omitted the township clerks have, in most cases, made proper appointments, so that there are now school officers in nearly all the school districts and they are making the arrangements for schools. \* \* \* The power of township clerks, to appoint district officers, is sometimes complained of, but without this provision or some other effecting the same object, organization could not take place.

"There will be this winter at least one thousand schools that but for this provision would not have existed. Township clerks only act, where the district has forgotten or neglected to act, and it would be unpardonable to suffer fifty thousand youth to go without instruction for want of officers to regulate the schools. \* \* \* I am satisfied that most of the township clerks desire most heartily to promote the interest of the schools, pay or no pay, but they are generally poor and cannot afford to spend much time without compensation. Letters every day coming to my hands, satisfy me that no money will be better laid out than that which secures the services of patriotic and public spirited township superintendents."

While these quotations show the general attitude of these newly appointed officers as favorable to the schools, there were many individual instances where, through laxity or ignorance, the work was not done. One of the county auditors writing to Mr. Lewis says: "Great difficulties are found in school matters by the negligence of school district officers and township clerks, not that they are opposed to the common school system, but they complain of having so much to do without compensation, consequently they will not bother themselves with the matter."<sup>130</sup>

Another says: "I can assign no reason for the neglect of the township clerks in this matter \* \* \* but from want of attention merely." \* \* \* "The township clerks have not

<sup>129</sup> Ohio Document. 38th. G. A. Doc. 17, page 51.

<sup>130</sup> Ohio Document. 37th. G. A. Doc. 32, page 67.

generally made accurate returns."<sup>131</sup> "The carelessness of district officers has given township clerks an excuse, and my report is very deficient," are among other comments from auditor's letters cited by Mr. Lewis.

The only effective measures to compel the districts to establish schools were through the retention of the district's share of money from the school fund, and the moneys collected by taxation, in case of failure to keep school. The law of 1825<sup>132</sup> said that no district might receive its share of the money so collected except for the wages of a teacher duly employed and certified. There was no specification as to the length of time the teacher must be employed. If the district failed for a period of three years to hire a teacher and keep a school, the money due it was to be appropriated to the districts that did so. In 1829<sup>133</sup> the provisions were repeated, and a minimum term of three months was established as a condition of receiving the district's proportion of school tax due.

There was a fine of two dollars assessed on any person elected as a director or clerk and refusing to serve,<sup>134</sup> and also fines on the district officers responsible for making returns of the enumeration of school youth<sup>135</sup> in case of failure to report. It was found necessary in 1848<sup>136</sup> to pass a special act for the purpose of securing school statistics from the districts and townships. This forbade the township treasurers to pay any teacher a salary unless there was presented with the order an abstract of the teacher's record of attendance. The township treasurer was fined ten dollars unless he settled annually with the auditor of the county, and the possession of these abstracts was a necessary preliminary to the settlement. Other than this the state devised no means for controlling the educational procedure of the district.

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<sup>131</sup> Ibid. Page 70.

<sup>132</sup> O. L., XXIII, 96.

<sup>133</sup> O. L., XXVII, 78.

<sup>134</sup> O. L., XXVIII, 57.

<sup>135</sup> O. L., XXXIV, 19.

<sup>136</sup> O. L., XLVI, 28.

## CERTIFICATION OF TEACHERS

In 1821<sup>137</sup> the district school committee was authorized to employ competent teachers, and no mention was made of certification. In 1825<sup>138</sup> the principle of county certification appeared and with the exception of a two-year period, 1836 to 1838, remained until 1850. The law of 1825 provided for the appointment of three examiners of common schools in each county by the Court of Common Pleas, who should examine and certify teachers, and, as previously noted, might visit and examine schools. No teacher could legally recover any part of the pay due from public funds unless a certificate had been granted to such teacher.

In 1827<sup>139</sup> the Court of Common Pleas was allowed to appoint such number of examiners as they might deem expedient, not to exceed one for each organized township in the county. It was the evident intent of this law to allow single examiners, for the sake of convenience, to examine within the township.

In 1829<sup>140</sup> the Court of Common Pleas was directed to appoint not less than five examiners nor more than the number of organized townships in the county, and any two examiners might grant certificates.

In 1831<sup>141</sup> the examiners were directed to give the certificate in the branches in which the teacher was found qualified to teach, and no certificate was to be granted unless the candidate was qualified to teach reading, writing and arithmetic.

The examiners might require the examination to be public and could determine upon uniform forms of certification.

This law was evidently deemed a little too rigorous and was amended at the following session in December, 1831,<sup>142</sup> to permit a district that wished to do so to employ a female teacher to teach reading, writing and spelling only, and the

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<sup>137</sup> O. L., XIX, 51.

<sup>138</sup> O. L., XXIII, 36.

<sup>139</sup> O. L., XXV, 65.

<sup>140</sup> O. L., XXVII, 73.

<sup>141</sup> O. L., XXX, 4.

<sup>142</sup> O. L., XXX, 4.

examiners were authorized, on the presentation of a written request from the directors, to grant a certificate in these subjects.

In 1834<sup>143</sup> the court was directed to appoint five examiners, and the examination was to be given publicly each month at the county seat, with the provision that the examiners might appoint one examiner in each township to examine female teachers only. Reading, writing and arithmetic were required for all certificates.

In 1836<sup>144</sup> the township became the unit for certification, and the method of choosing examiners changed. Each township was to elect annually three examiners, but with the code of 1838,<sup>145</sup> the county became definitely the unit for certification, and the mode of appointment was again by the selection of the Court of Common Pleas. The number of examiners was fixed at three. Examinations were to be held quarterly by the Board. Each teacher must be qualified to teach reading, writing and arithmetic, and the certificate stated what other branches the teacher was qualified to teach. No teacher in any common school was allowed to teach a study not named in the certificate. In 1849<sup>146</sup> English and geography were added to the requirements for certification.

#### SCHOOL STUDIES

No mention was made of the subjects to be taught in the common schools until 1834,<sup>147</sup> when reading, writing and arithmetic and "other necessary branches" were specified. The state insisted on nothing more than these subjects, but in 1838<sup>148</sup> allowed other studies to be taught at the option of the directors, and allowed any other language beside English to be taught, but the three r's must be taught in English. This was amended in 1839<sup>149</sup> as a concession to German settlers<sup>150</sup> to allow each school

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<sup>143</sup> O. L., XXXII, 25.

<sup>144</sup> O. L., XXXIV, 19.

<sup>145</sup> O. L., XXXVI, 21.

<sup>146</sup> O. L., XLVII, 43.

<sup>147</sup> O. L., XXXII, 25.

<sup>148</sup> O. L., XXXVI, 21.

<sup>149</sup> O. L., XXXVII, 61.

<sup>150</sup> Taylor, page 170.

district to have its school taught in whatever language it might prefer. In 1849<sup>151</sup> on application of three householders the directors were instructed to add English and geography to the subjects taught.

#### LENGTH OF SCHOOL YEAR

The minimum length of the school year was first fixed at three months in 1829<sup>152</sup> for any school receiving an appropriation of the money raised by taxation, and as much longer than three months as the appropriation paid the wages of the teacher. Nothing was done to extend the time until 1838<sup>153</sup> when the township superintendent was directed to estimate for the township the amount it would be necessary to raise by taxation in addition to the funds already provided to furnish six months good schooling to all the white youth of the township. The decision as to raising the amount needed to maintain the schools six months was decided by the voters at the township election, who voted "school tax" or "no school tax". A six months' school remained the ideal held up by the law for district schools until 1850.

That this modest ideal of a six month's school was not commonly reached is shown in Mr. Lewis's first report in which he gave the total number of children of school age in the State at 468,812; the number attending more than two months and less than four as 84,296, and those attending over four months as 62,144.<sup>154</sup> These figures show that 322,372 children of school age either attended school less than two months in the year or that they did not attend at all. In his last report, three years later, for 1839, he gives the total number of schools (public) as 13,049 — partly estimated — and the average length of the term as four months; the total number of pupils in attendance as 455,427, an increase of over 300,000.<sup>155</sup> These figures are a significant indication of the changed attitude toward pub-

<sup>151</sup> O. L., XLVII, 33.

<sup>152</sup> O. L., XXVII, 73.

<sup>153</sup> O. L., XXXVI, 21.

<sup>154</sup> Ohio Doc. 36th G. A. Doc. 17, page 44.

<sup>155</sup> Ohio Doc. 38th G. A. Doc. 17, page 44.

lic schools that the law of 1838 had wrought under the leadership of a capable and devoted State Superintendent.

#### SCHOOL OFFICERS

The township trustees were throughout the period given the power of establishing districts. District officers were as follows:

- In 1814 — three district trustees;<sup>156</sup>
- In 1821 — three district trustees and a collector;<sup>157</sup>
- In 1825 — three directors;<sup>158</sup>
- In 1827 — three directors and a treasurer to be appointed by the directors;<sup>159</sup>
- In 1829 — three directors, a clerk, and a treasurer;<sup>160</sup>
- In 1838 — three directors, the directors appointing one of their own number as clerk and treasurer;<sup>161</sup>

The law of 1838 also created the offices of state, county and township superintendents, the two latter being *ex officio*, attached to the offices of county auditor and township clerk.

- In 1840 — the office of State Superintendent was abolished, and its clerical functions transferred to the office of the Secretary of State.
- In 1848 — counties were given the right on their own initiative to elect county superintendents of schools.<sup>162</sup>

#### SCHOOLS FOR COLORED CHILDREN

The first provision found in the general laws for the education of colored children occurs in 1848,<sup>163</sup> when a department of common schools for black and mulatto children was created. Prior to this time the property of colored people had been ex-

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<sup>156</sup> O. L., XIV, 295.

<sup>157</sup> O. L., XIX, 51.

<sup>158</sup> O. L., XXIII, 36.

<sup>159</sup> O. L., XXV, 65.

<sup>160</sup> O. L., XXVII, 73.

<sup>161</sup> O. L., XXXVI, 21.

<sup>162</sup> O. L., XLVI, 86.

<sup>163</sup> O. L., XLVI, 81.

empt from taxation for school purposes. This law provided that their property should be taxed the same as property of white people, and the money used to support colored schools wherever they were established, but added to the common school funds in those districts in which colored children were allowed to attend the common schools.

Any city, town, village or township containing twenty colored children was created a district for the purpose of establishing a colored school, and the colored citizens given authority to organize by the election of directors, in accord with the general school law. If there were less than twenty colored children in the areas enumerated, they were allowed to attend the common schools unless there was a written protest filed by some one having a child in the school. In the latter case they were not allowed to attend and the property of colored people was not taxed. At the next session of the legislature in 1849,<sup>164</sup> the law was changed and the authorities in towns, cities, villages and townships were required to create one or more districts for colored children if they were not admitted to common schools. The colored citizens then organized with their own officers and supported the schools by taxation upon their own property.

#### CITY AND VILLAGE SCHOOLS

Ohio's growth in population in the early decades of the nineteenth century was a phenomenal one. In 1800, three years before statehood, her rank in population was eighteenth. In 1820 she stood fifth in the sisterhood of states, and in the next ten years the numbers within her borders again almost doubled, jumping from 581,434 in 1820 to 937,903 in 1830.<sup>165</sup>

This growth in the early years was almost wholly a rural one. In 1820 there were only two towns in the state with a population of 1,000 or over; Cincinnati with 9,640, and Dayton, estimated to have 1,000. Ten years later Cincinnati had grown to a city of 24,830, Dayton and Columbus were approaching 3,000 each, — 2,950 and 2,435 respectively — while three other

<sup>164</sup> O. L., XLVII, 17.

<sup>165</sup> Statistical Abstract of U. S., 1911, page 34.



towns, Cleveland, Springfield and Canton, had just passed the 1,000 mark.

In the years from 1830 to 1850 the growth of towns and cities was a rapid one. Cincinnati had increased to 46,340; Dayton, Columbus, and Cleveland had each passed 6,000, and there were eight other towns in the state with a population of over 2,000 each according to the census reports of 1840; while by 1850 Cincinnati was a thriving metropolis of 115,435, Columbus and Cleveland were vigorous young cities of 17,000 each, Dayton had something over 10,000 inhabitants, and Zanesville and Chillicothe were rapidly approaching this number, while fifteen other centers had attained a population of 3,000 to 6,000 each.<sup>166</sup>

The school legislation of the first thirty years of Ohio's statehood recognized only the district school in the general school laws that were passed. This was partly a reflection of the rural character of the state in these early years, and partly a result of the decentralizing tendency in school affairs that the early settlers had brought with them. It was not until the law of 1838 was passed that any recognition was given to the fact that the educational needs of cities and towns were not the same as those of the country districts.

Samuel Lewis speaking to the legislature at this period said: "In towns and large villages the common schools are poorer than in the country. In the latter, neighborhoods depend more upon them, and, of course, take a deeper interest in their control, while in the former there is too frequently but little attention paid to these schools by persons able to provide other means of instruction."<sup>167</sup>

A few cities and towns had early felt the inadequacy of the general laws in providing any suitable system of schools, and had asked and received special charters from the state. By 1840 a number of municipalities had organized their schools under special charters, and in the years from 1840 to 1850 there was a general awakening in the urban communities to the need of better provision for public schools.

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<sup>166</sup> U. S. Census Reports, 1830, 1840, 1850.

<sup>167</sup> Ohio Documents. 36th. G. A. Doc. 17, page 10.

This aroused interest was shown in the school charters of Cincinnati, Toledo, Cleveland, Portsmouth, Zanesville, Dayton, Columbus, Mt. Vernon, and, finally Akron, and the generalization of the "Akron Act" in such form that all municipalities in the state — of 200 or more — could make use of it.

There was much that was progressive and enlightened for the period, in the legislation for Ohio's cities and towns from about 1830 to 1850. The one great lack — found in all Ohio's School legislation prior to 1850, and for a half century after that — was the lack of any form of compulsion. The general applications of the laws for municipalities were wholly permissive in character. They simply pointed out ways in which the schools could be legally established and organized, but however excellent and needed these ways might be, no municipality was under the slightest compulsion to follow them.

The earliest special legislation for towns is found in the case of Marietta.<sup>168</sup> The Legislature in 1825 granted her the right to vote in town meeting a sum for the support of schools. There was no further legislation for Marietta until 1841,<sup>169</sup> when an act was passed dividing the town, which had been united into one district by the law of 1838, into separate districts again, with three directors for each, and the ordinary rural district system.

### *Cincinnati.*

Cincinnati was the leader in all the early efforts for better educational conditions. In 1829<sup>170</sup> she set an example to the rest of the state by securing a school charter that gave the city an organized, tax supported, free system of common schools.

This charter divided the city into ten districts, two for each ward, and provided for the building in each district of a two-story building of brick or stone.

The city council was required to provide at the expense of the city for the support of common schools, and to levy a tax of one mill on all the property of the city as long as needed to

<sup>168</sup> O. L., XXIII, 65.

<sup>169</sup> O. L., XXXIX, 22.

<sup>170</sup> O. L., XXVII, 33.

defray the expense of acquiring sites and erecting buildings, and an additional tax of one mill for the support of schools.

The voters in each ward elected annually a trustee and visitor of common schools. The persons so elected constituted the Board of Trustees and Visitors of Common Schools, and had general supervision of school affairs. They were authorized to employ teachers and to visit schools as often as once a month. They also were to appoint six examiners and inspectors, whose duty it was to examine and certify teachers, and to visit and inspect schools. Once a year a public examination of the schools was to be given under the direction of the mayor, the Board of Trustees and Visitors, and the Board of Examiners. The schools were to be open at least six months of each year, and to be free to all white children. Black and mulatto children are specifically excluded. Reading, writing, spelling and arithmetic made up the curriculum.

While numerous amendments occur, there are few significant changes before 1850. In 1840<sup>171</sup> German schools were established, and evening schools provided for "such male youth over twelve years of age as are prevented by their daily avocation from attending day schools." The latter schools were to be open in the months of November, December, January and February.

In 1845<sup>172</sup> the trustees were authorized to divide the city into suitable districts without reference to ward boundaries, and in 1846<sup>173</sup> they were given power to establish such other grade of schools as might seem necessary and have such other studies taught therein as they might prescribe. In 1850<sup>174</sup> provision was made for the annual election by the qualified voters of a "Superintendent of Common Schools, whose duty it shall be to visit and superintend all the common schools in said city, to establish courses of study, and perform such other duties as the Board may prescribe."

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<sup>171</sup> O. L., XXXVIII, local, 157.

<sup>172</sup> O. L., XLIII, local, 413.

<sup>173</sup> O. L., XLIV, local, 91.

<sup>174</sup> O. L., XLVIII, local, 662.

*City of Ohio and Toledo.*

In 1836<sup>176</sup> and 1837<sup>176</sup> the city councils in these two cities were given general superintendence over the common schools, with power to divide the city into districts, to erect school buildings, and to make provision for the government and instruction of children therein. It was left wholly optional to the city council as to what should be done.

*Cleveland.*

Provision for the government of the Cleveland schools was included in the city charter, adopted in 1836.<sup>177</sup> The provisions were quite similar to the Cincinnati plan. The council appointed one person from each ward instead of the voters electing as in Cincinnati. The people so appointed constituted the Board of Managers of Common Schools.

In 1848<sup>178</sup> the Board of Managers was made five for the entire city instead of one from each ward, and the council was authorized to establish a high school, for which purpose the city was to constitute one high school district.

*Portsmouth and Zanesville.*

In 1838<sup>179</sup> the city charter of Portsmouth was amended to include most of the provisions of the Cincinnati plan, and in the following year<sup>180</sup> the city of Zanesville secured a charter for the support of schools that had many similar features. The Zanesville charter provided for the election of six directors to be known as the Board of Education. The schools were to be kept in constant operation except for "reasonable vacations," and any deficiency in funds to keep the schools in constant operation was raised by a levy upon the parents. The Board was allowed to exempt indigent students from payment of school fees.

<sup>176</sup> O. L., XXXIV, local 226.

<sup>176</sup> O. L., XXXV, local, 32.

<sup>177</sup> O. L., XXXIV, local, 271.

<sup>178</sup> O. L., XLVI, local, 150.

<sup>179</sup> O. L., XXXVI, local, 339.

<sup>180</sup> O. L., XXXVII, 194.

*General Law for Cities and Towns Before the Akron Act.*

The general law of 1838<sup>181</sup> made each incorporated city, town or borough, not specially regulated by charter, a separate school district. The voters in such a district elected three directors, who were given corporate authority and power to increase the number of directors so that there might be one for each sub-district. They were authorized to divide the territory for which they were responsible and to establish schools of different grades therein. The question of an additional tax to furnish a school at least six months each year was to be decided by the vote of the community. The general law, as is so usual in Ohio legislation, merely pointed the way, but did not attempt to enforce the organization of city and town schools. The one compulsory feature that appears occurred the next year, 1839,<sup>182</sup> and stated that in towns, cities and boroughs it was the duty of the directors to provide a sufficient number of night schools for the male youth over twelve years of age whose "daily avocation" kept them from attending day schools. While this law was compulsory in form, there was no machinery devised for its enforcement.

*Dayton, Columbus, and Mt. Vernon.*

In 1841<sup>183</sup> and 1845<sup>184</sup> the cities of Dayton, Columbus and Mt. Vernon were granted special charters for the government of their schools. Dayton and Columbus each continued the principle of school rates in addition to taxation. The schools were to be kept in constant operation except for vacations, and any deficiency made up by a levy on the parents. The general features of control were similar to the Cincinnati plan.

The Mt. Vernon charter retained the district system, and made each council member a special school director for his ward. Building taxes were to be collected from the sub-districts in which the buildings were erected, and were not assessed on the property of the city in general.

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<sup>181</sup> O. L., XXXVI, 21.

<sup>182</sup> O. L., XXXVII, 61.

<sup>183</sup> O. L., XXXIX, local, 145.

<sup>184</sup> O. L., XLIII, local, 57; O. L., XLIII, local, 160.

*Akron.*

In 1837<sup>185</sup> Akron secured school legislation that was especially significant, as the legislature the following year<sup>186</sup> allowed cities, towns and villages to adopt the provisions of the act and its amendments, on petition of two-thirds of the voters, and in 1849<sup>187</sup> enacted most of its provisions into a general law. By this means the Akron law became the plan usually followed in the establishment of graded schools in Ohio. This legislation is of sufficient importance to merit a brief description of the steps that were taken in securing it, and the school conditions in Akron preceding its enactment. The description, with some omissions, is the one given by Judge Bryan in *An Historical Sketch of the Akron Public Schools*.<sup>188</sup>

"In 1846 there were within the incorporated limits of the village of Akron six hundred and ninety children between the ages of four and sixteen. Of this number there was an average attendance at the public and other schools the year through of not more than three hundred and seventy-five. During the summer of 1846 one of the district schools was taught in the back-room of a dwelling house. Another was taught in an uncouth, inconvenient and uncomfortable building gratuitously furnished by Captain Howe for the use of the district. There were private schools, but these were taught in rooms temporarily hired and unsuited for the purpose in many respects. \* \* \* It was, in view of this state of things, that Reverend I. Jennings, then a young man and pastor of the Congregational Church of Akron, self-moved, set himself to reorganize the common schools of Akron. There were many friends of a better education in the place who co-operated with Mr. Jennings, and on the 16th day of May, 1846, at a public meeting of the citizens, a committee was appointed of which he was chairman 'to take into consideration our present educational provisions and the improvement, if any, which may be made therein.'"

As a result of this interest, a committee of three was appointed to draw up plans and secure necessary legislation. The plan of the committee was as follows:

1. Let the whole village be incorporated into one school district.

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<sup>185</sup> O. L., XLV, local, 187.

<sup>186</sup> O. L., XLVI, 48.

<sup>187</sup> O. L., XLVII, 22.

<sup>188</sup> *Historical Sketches, Ohio Public Schools, Akron.*

2. Let there be established six primary schools in different parts of the village so as best to accommodate the whole.

3. Let there be one Grammar School centrally located where instruction may be given in the various studies and parts of studies not provided for in the Primary Schools and yet requisite to a respectable English education.

4. Let there be gratuitous admission to each school in the system for the children of residents, with the following restrictions, viz.: No pupil shall be admitted to the Grammar Schools who fails to sustain a thorough examination in the Primary School, and the teachers shall have power with the advice of the superintendents to exclude for misconduct in extreme cases, and to classify the pupils as the best good of the schools may seem to require.

5. The expense of establishing and sustaining this system of schools shall be provided for:

First, By appropriating all the school money the inhabitants of the village are entitled to, and whatever funds or property may be at the disposal of the Board for this purpose;

Second, a tax to be levied by the Common Council upon the taxable property of this village for the balance.

6. Let six superintendents be chosen by the Common Council, who shall be charged with perfecting the system thus generally defined, the bringing of it into operation, and the control of it when brought into operation. Let the six superintendents be so chosen that the term of office of two of them shall expire each year.

The essential provisions of the plan adopted by this committee were incorporated in the law enacted February 8th, 1847.<sup>189</sup> The more important features of this law may be summarized as follows:

1. The election of a Board of Education of six members, which should have full control of school property and school funds.

2. The incorporation of the city into one school district.

3. Provision for six or more primary schools and one

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<sup>189</sup> O. L., XLV, local, 187.

central grammar school to teach "subjects requisite to a respectable English Education."

4. Free admission to all schools.
5. Examinations for promotion, and teachers given the power to classify pupils.
6. Assessment as a tax by the city council of the amount estimated by the Board for erecting school-houses and for conducting the schools.
7. All school property vested in the city council.
8. Three examiners appointed by the council.
9. Annual public examinations.

In the original law there was no limit placed on the amount that might be estimated as necessary for school expense by the Board of Education, and the law directed the council to levy the estimate as a tax. In 1848<sup>190</sup> in order to make a concession that would meet the objection of the property owners who opposed this feature, the maximum tax that might be raised in any one year for current expense was placed at four mills. The power of making the levy was taken from the council and placed in the hands of the Board of Education, which reported its estimate direct to the county auditor, who was directed to assess the amount in the same manner as other taxes.

On February 14, 1848,<sup>191</sup> the act was extended to any incorporated town, city or borough in the state upon petition of two-thirds of the qualified voters. This required too large a majority to allow the act to be adopted in localities where there was not an overwhelming sentiment in favor of better school conditions, and in the following year<sup>192</sup> a general act was passed for cities and towns which might be adopted by a majority vote. The main provisions of this act were similar to the Akron laws, as may be seen by inspection of its chief features.

1. Any incorporated city, town or village including within its limits and the territory attached, for school purposes, two hundred inhabitants might organize into a single school district.

<sup>190</sup> O. L., XLVI, local, 46.

<sup>191</sup> O. L., XLVI, 48.

<sup>192</sup> O. L., XLVII, 32.



2. The question of adopting the law to be decided by a majority vote of the community.

3. A Board of Education of six members elected by the voters.

4. Building expenses and purchase of sites to be decided by popular vote. When so decided and reported to the county auditor, the amount to be levied as a tax upon the property of the community.

5. Primary and graded schools provided for. No language other than English or German to be taught.

6. Schools to be free to all children in the district.

7. Schools to be kept in operation not less than thirty-six nor more than forty-four weeks each year.

8. Board of Education to estimate the amount needed for running expenses not to exceed a four mill tax annually. Auditor to levy the amount estimated as a tax.

9. If the amount raised is insufficient to keep the schools open thirty-six weeks, the balance to be raised by school rates on the parents. Indigent pupils exempt from such rates.

10. A Board of three examiners to be appointed by the school board.

In 1850<sup>183</sup> the provisions of this act were extended to townships and to special districts, provided such township or district had five hundred inhabitants. The question of the adoption of the law was left as in the case of towns to the majority vote of the territory interested.

By far the most interesting and significant feature in the educational legislation of Ohio in the years just preceding 1850 are these laws passed for towns and cities. They indicate an awakening in the urban districts to the need of universal free education. Cincinnati had pointed the way to the other cities of the state since 1829, and had been followed by a considerable number of municipalities. The law passed for the benefit of Akron came when the social consciousness of towns and cities was ready for it, and the legislature responded to this sentiment by allowing communities to adopt its provisions, at first by a

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<sup>183</sup> O. L., XLVIII. 50.

majority of two-thirds, but within a year by a simple majority.<sup>184</sup> The state made possible a town or city system that, on the whole, was an excellent system for the period, but the question of organizing under the system was left wholly to the educational interests or municipal pride of the individual communities.

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<sup>184</sup> Not all towns that adopted it were satisfied. Between 1847 and 1850 three special acts were passed repealing the provisions of the Akron law in the case of three towns that adopted it. Seven other special acts for schools in towns and cities were passed in these three years to meet the desires of municipalities that wished certain different features.

## CHAPTER III

### SCHOOL LANDS

An enormous mass of legislation was passed by the General Assembly of Ohio, between the years 1803 and 1850, concerning the state school lands. Many of these laws were general in character, many applied to large individual tracts such as the Western Reserve, the Virginia Military Reserve, the United States Military Lands, and the Ohio Co. and Symmes Purchase, and in addition to these there were approximately five hundred that were wholly local or special in their application.

A brief description of the more important of these reserves and purchases, some explanation of the various systems of survey used in Ohio, an account of the varying nature of the school grant in these different divisions, and a study of the accompanying maps and diagrams is an almost necessary prerequisite to any clear understanding of this legislation.

The most important of these grants, with their total acreage, including the school lands, are as follows: <sup>1</sup>

|                                    | <i>Acres.</i> |
|------------------------------------|---------------|
| The Virginia Military Reserve..... | 4,204,800     |
| The Western Reserve.....           | 3,840,000     |
| The U. S. Military Lands.....      | 2,560,000     |
| The Ohio Company's Purchase.....   | 1,227,168     |
| The Symmes Purchase.....           | 311,682       |

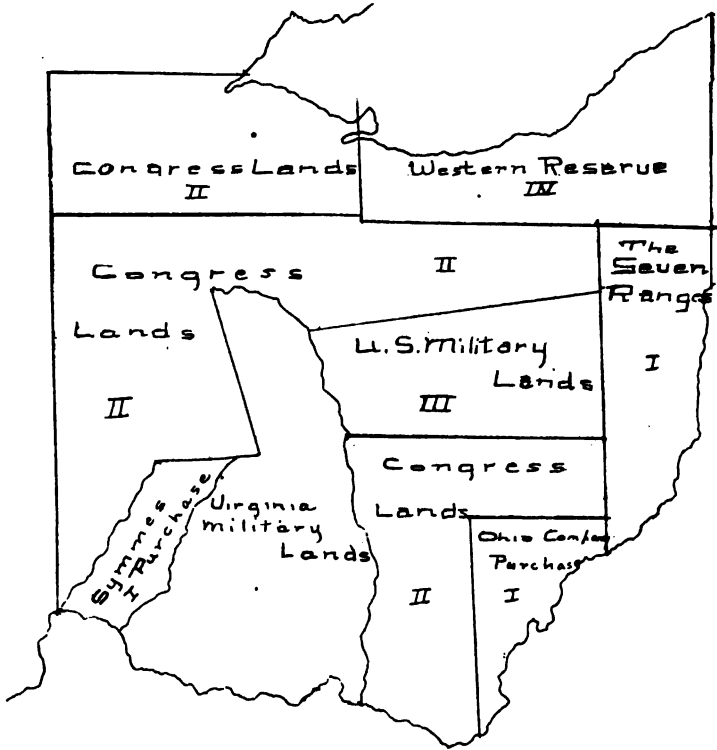
In addition to these there were a number of smaller tracts, but the names of only two of them appear in the discussion of the school land legislation. These two were the Refugee Tract, 138,240 acres, and the Moravian Tract,<sup>2</sup> 12,000 acres.

Over 12,000,000 acres were included in these various special districts. The remaining portions of the state were known as

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<sup>1</sup> Ohio Statistics. 1885. The Land and Township System of Ohio. A. A. Graham. Pages 22, 23, 25, 29.

<sup>2</sup> History of Public Permanent School Funds in the U. S., F. H. Swift, page 370.



Land Grants and Congress Lands in Ohio.

| I. |    |    |    |    |   | II. |    |    |    |    |    |
|----|----|----|----|----|---|-----|----|----|----|----|----|
| 36 | 30 | 24 | 18 | 12 | 6 | 6   | 5  | 4  | 3  | 2  | 1  |
| 35 | 29 | 23 | 17 | 11 | 5 | 7   | 8  | 9  | 10 | 11 | 12 |
| 34 | 28 | 22 | 16 | 10 | 4 | 13  | 14 | 15 | 16 | 17 | 18 |
| 33 | 27 | 21 | 15 | 9  | 3 | 19  | 20 | 21 | 22 | 23 | 24 |
| 32 | 26 | 20 | 14 | 8  | 2 | 25  | 26 | 27 | 28 | 29 | 30 |
| 31 | 25 | 19 | 13 | 7  | 1 | 31  | 32 | 33 | 34 | 35 | 36 |

| III. |   | IV. |   |
|------|---|-----|---|
| 2    | 1 | 3   | 2 |
| 3    | 4 | 4   | 1 |

Methods of Surveying Ohio Lands.

Congress Lands, and belonged to the Federal Government.<sup>3</sup> That portion of the government land which lay on the eastern border of the state, just south of the Western Reserve was the first to be surveyed into townships, and was commonly spoken of as The Seven Ranges, because seven ranges of townships west from the Pennsylvania line were included in this first survey.<sup>4</sup>

It has already been pointed out that a state wide grant of land for school purposes began with Ohio's admission as a state, and that the precedent thus established has been followed in admitting all the later states.<sup>5</sup> It is also true that the rectangular method of laying out townships, with meridian lines, sections, towns and ranges was first practiced in the Ohio surveys,<sup>6</sup> and the method here established became, too, the universal practice in all subsequent government surveys.

Two great American inventions were thus first tried in Ohio, the state wide grant of school lands, and the rectangular method of survey into six mile square townships, with thirty-six sections, of one mile square, in each. Ohio was not only the first state to receive section 16<sup>7</sup> as a school grant, it was the first state to *have* any section 16.

The surveys in Ohio, however were not all of them uniform in the method of laying out and subdividing the townships. The Seven Ranges, as has been said, were first surveyed. The townships here were laid out six miles square, and divided into thirty-six sections, each one mile square, but the numbering of the sections differs from that in the later surveys. The numbering was that shown on page 71, diagram 1. Section one is located in

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<sup>3</sup> The Indians still had title to lands in the state. Most of these titles were vested in the Government by 1817, but the last titles were not stilled until 1842. Ohio Statistics. 1885, page 28.

<sup>4</sup> Ibid. Page 20.

<sup>5</sup> See page 13.

<sup>6</sup> Western Reserve Hist. Soc. Tracts. Vol. II. Page 188.

<sup>7</sup> Section 16 was the section reserved for school purposes in each township, in the "Congress Lands" of Ohio and in the Ohio Co. and Symmes purchases. The precedent established has been followed in all the later states and Section 16 has regularly been the school section. Since 1848 with the admission of Oregon, Section 36 has been added to the school grant.

the lower south-east corner of the township, and the sections are numbered upward, in tiers of six, from the base line of the township. This method of laying out townships and numbering sections was also used in the Ohio Co. and Symmes Purchases.

In the Western Reserve and the U. S. Military Lands the townships were laid out in five mile squares instead of six, and at first were not surveyed into sections but simply divided into four 20,000 acre blocks in each township and these numbered as shown in the diagram on page 71.

The Virginia Military District is the only part of Ohio in which the rectangular system of survey was not employed. The early settlers here chose each "for himself his lands, locating them by any natural boundary, however irregular it might be, taking care only to get the full amount of land demanded by the warrants."<sup>8</sup> "This led to no regular survey, and, as a consequence, an irregularity in township and county lines followed, which were generally based on the boundaries of the warrants."

The rest of the state was made up of Congress Lands, and in all of these the method of survey was that of the six-mile square township, and the division into sections. The manner of numbering the sections was changed from that in the Seven Ranges and in the Ohio Co. and Symmes Purchases.

Section one in these lands is located in the upper right hand corner,—the northeast corner,—of the township and the sections are numbered to the west and east alternately, number six lying in the northwest corner of the township, and section seven located just beneath section six and numbering back to the east again, as shown in the diagram on page 71.

This method of numbering was settled by federal legislation in 1799<sup>9</sup> and has remained the same since that time.

The Land Ordinance of 1785<sup>10</sup> "for ascertaining the mode

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<sup>8</sup> Ohio Statistical Abstract. Page 25. The statements concerning the surveys in Ohio are in the main based on A. A. Graham's article on the Land and Township System of Ohio. Ohio Statistics. 1885. Pp. 18-29, and Col. Charles Whittlesey's discussions on Surveys of Public Land in Ohio. Western Reserve Hist. Soc. Tracts. Vol. II. Pp. 187-191 and 281-286.

<sup>9</sup> Western Reserve Historical Society Tracts. Vol. II. Page 282

<sup>10</sup> T. Donaldson, The Public Domain. Chap. 13.

of disposing of lands in the Western Territory," provided that "there shall be reserved the lot No. 16 of every township for the maintenance of public schools within said township."

In accordance with this provision, as has been seen, section 16 was reserved for schools in both the Ohio Co. and Symmes Purchases. In these two tracts there is also found a reservation for religion as well as for education, a thing not true elsewhere in the state. As a part of the bargain in the purchase of these lands section 29 in each township was granted by the government to the purchasers, for religious purposes, and these sections have ever since been known as the Ministerial Lands.

When Ohio was admitted to the Union the provisions of the ordinance of 1785, concerning school lands, were carried out as fully as possible in the rest of the state. In all of the Congress Lands section 16 in each township was permanently reserved for the schools of the township. It was not in the power of Congress to grant section 16 in such tracts as the Western Reserve, the Virginia Military Reserve, and the U. S. Military Lands. These lands either did not belong to the Federal Government or there were prior claims and unsatisfied land warrants that stood in the way of any such granting of specific sections. The United States did not own the land on the Western Reserve, and in the case of the so-called Military Lands, the private ownership of much of the land, through the taking up of land scrip or bounties by the soldiers of the Revolution, in the service of the Federal Government and Virginia, might conflict in any township.

For this reason the assigning of school land in these portions of the state could not take the form of reserving section 16 in each township. Some other method of setting aside one-thirty-sixth part of the land for the use of the schools in these regions had to be devised.

The land originally reserved for schools in the Virginia Military Lands was, in amount, one-thirty-sixth of the entire tract, to be selected by the legislature of Ohio from the unlocated lands, after the warrants issued by the state of Virginia had been satisfied.<sup>11</sup>

<sup>11</sup> U. S. Statutes at large, Vol. II, 225.



In 1807<sup>12</sup> Congress, in response to a petition from the state legislature,<sup>13</sup> appropriated eighteen quarter townships and three sections in lieu of the original grant. These new lands, however, were not located within the Reserve itself but to the north-east, between the Western Reserve and the U. S. Military Reserve. This territory was in Congress Lands, title to which had been purchased from the Indians.

In two very significant ways a grant of this kind differed from the grant of section 16 in each township. In the first place; an assignment of this character could not be made for the township individually, but had to be for the schools of the Virginia Military Reserve as a whole. Secondly; the school lands were at a distance, and not something immediately at hand and under the observation of all as in the case of section 16 in each township. Something of this same sort was true in the case of each of the other large reserves, and this was bound to be reflected in some differences in legislation concerning these various grants.

The land reserved for the U. S. Military tract<sup>14</sup> was similarly assigned by quarter-townships, but the reservation was made within the U. S. Military Lands themselves. The amount of the grant in this case was fourteen quarter-townships. It must be remembered in comparing this grant or that of the Western Reserve with those of other parts of the state that the townships in these two regions contain only twenty-five square miles, as compared with thirty-six elsewhere.

The school lands first selected for the Western Reserve consisted of fourteen quarter-townships, not located in the Reserve itself, but in the U. S. Military Lands. To this was added by the act of Congress in 1834<sup>15</sup> land that amounted to 37,758 acres, to be selected from the unlocated lands of the United States within the state, by sections, half-sections, and quarter-sections. This additional grant of 1834 was in lieu of one-thirty-sixth part of that land in the Western Reserve, which be-

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<sup>12</sup> Nashee's Compilation, page 157.

<sup>13</sup> O. L., Vol. V, 132.

<sup>14</sup> U. S. Statutes at large, Vol. II, 225.

<sup>15</sup> Ibid., Vol. IV, 679.

longed to the Indian tribes when Ohio was admitted, but the Indian title to which had been extinguished in 1805.

The Moravian Tract, mentioned once or twice in the legislation, was a comparatively small reserve of 12,000 acres in Tuscarawas County, originally granted by Congress to the Society of United Brethren, in trust for Christian Indians. These lands reverted to the United States in 1824, and in the same year Congress<sup>16</sup> set aside one-thirty-sixth part of the tract for the use of schools.

The location of the more important of these various tracts can be most easily gained by consulting the map on page 70.

The Western Reserve is a strip of land on the northern boundary of the state approximately thirty-five miles wide and one hundred and twenty miles long, extending west from the Pennsylvania border. It was this land, which Connecticut claimed, and to which she refused to cede her interests when the other states were yielding their claims in the Northwest Territory to the United States, that was known as the Connecticut Western Reserve, or more generally, simply as the Western Reserve.

The Virginia Military District is located between the Scioto and Little Miami Rivers, projecting to the northward considerably past the middle of the state. It takes its name from the fact that this portion of the state was "reserved by Virginia from her cession of the territory northwest of the Ohio River, for the satisfaction of land bounties issued to her troops upon Continental establishment."<sup>17</sup>

The United States had also set aside a large tract of land to be used in paying the claims of her soldiers in the Revolutionary War. This reservation was known as the United States Military Lands, and is located just a little to the west and north of the center of the state.

It is a section of the state fifty miles in width on its western border, beginning at the northern line of the original Seven Ranges of townships first surveyed, and following the western boundary of the Seven Ranges fifty miles south. Its southern

<sup>16</sup> *Ibid.*, Vol. IV, 56.

<sup>17</sup> Taylor, *Ohio School System*, page 83.

boundary extends from this point directly west to the Scioto River, while on the west the Scioto itself is the natural barrier; on the north it is bounded by the Greenville Treaty Line (the old Indian boundary line), running from the Scioto back to the Seven Ranges.<sup>18</sup>

In all these grants the purpose and intent of Congress was that the land should be for the use of schools in the particular township in which section 16 was located, or where it was impossible to grant section 16, that the lands should be for the use of the particular area for which the grant was made.

The care of the lands was vested in the legislature of the state, for the use of the particular townships and districts interested.\* Some explanation for the excessive amount of legislation concerning these lands is found if one keeps clearly in mind the terms of the original grant, and the ever present tendency of the Ohio legislature, to allow communities so far as it could legally be done, to conduct their own affairs.

In all the school land legislation passed in Ohio during this period, the legislature, formally at least, guarded against any diversion of the money received from these lands, but largely followed the desire of the local township or territory as to the handling of the lands, after setting up the formal legal guards. The lands were not regarded, and were not intended, as a grant to the state at large, and it is perhaps only natural that an attempt should have been made to carry out the desires of the townships and districts to which the lands were felt to belong. Added to this there was the disposition to be lenient with the early settlers on the lands. No doubt, justice was not done to the cause of education, but it must be remembered that the schools had no advocate, while the petitioner asking special privileges or terms in regard to the sale or lease of lands was a concrete fact with concrete desires and needs, and the legislature doubtless felt that it had done its whole duty if the terms of the grant were formally protected.

Certain general policies of handling the lands may be outlined before discussing the legislation in greater detail.

<sup>18</sup> *Ibid.*, page 85.

\* *Nashee's Compilation*, pages 154, 155.

The policy of temporary leasing, 1803 to 1817.

The policy of permanent leasing, 1817 to 1823.

Preparation for selling the lands; temporary leasing, 1823 to 1827.

The policy of selling the lands outright, 1827 to 1850.

The evident intent of the first acts concerning school lands was to devise a means of making them productive and valuable, and to keep the lands themselves as a permanent source of revenue.

On April 15, 1803,<sup>19</sup> the legislature passed an act that provided for leasing Section No. 16 for a term that was not to exceed seven years, and the lands in the United States Military Tract, which included both the grants to that tract and to the Western Reserve, for a period not to exceed fifteen years.

The rent was to be paid by certain specified improvements. On each quarter section (160 acres) fifteen acres were to be cleared and fenced in separate fields, five acres were to be sowed in timothy or red clover, three acres to be planted with one hundred thrifty and growing apple trees, and the remaining seven acres prepared for plow land. The leasing was to be carried on by agents in the several counties or districts appointed by the Governor, and the leases were to be granted to those who guaranteed to make the required improvements in the shortest period of time.

The intention was to attract settlers who were unable to buy land or pay rent, and have them by their labor turn the school land into an attractive and productive piece of property, which would command a definite revenue. The difficulty with the plan from the lessees' standpoint, was that just at the time the land became productive, he must either move or begin to pay rent for improvements which he himself had made. With land cheap and abundant on every hand and terms easy, the ambitious and desirable settlers were not attracted by a proposition that did not allow them to keep the land on which they settled, and the improvements which they had themselves made.

The results were evidently not satisfactory, for on February

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<sup>19</sup> O. L., I, 61.

20, 1805,<sup>20</sup> an act was passed giving the township trustees authority to lease the lands in their respective townships for a term not to exceed fifteen years to those who made the most "advantageous proposals." This was followed in 1806<sup>21</sup> by an act which allowed any surveyed township in which there were twenty electors to incorporate and choose trustees for the special management of Section No. 16. The section was to be laid off in lots of eighty to two hundred acres, and not more than one lot could be leased by any one person. It was made the duty of the trustees to guard against waste and to see that the terms of the lease were complied with. The provisions of these acts left the management of the lands and the terms of leasing wholly in the hands of the township, except for the fact that a fifteen-year term could not be exceeded and not more nor less than a specified amount leased to any one person.

None of the acts so far had made any provision for the land granted to the Virginia Military Tract for the use of schools. It will be remembered that this consisted of some eighteen townships lying outside the district and not located so that it could be locally managed.

By an act passed in 1809<sup>22</sup> these lands were offered for sale to the highest bidder at a minimum price of two dollars per acre, the purchaser receiving a ninety-nine year lease, renewable forever, with no provision for revaluation. It was the evident design to sell these lands out at once and create a fund, the proceeds from which might be available for school purposes when needed.<sup>23</sup> The act provided that the lands were to be advertised in four newspapers within the state, and newspapers at Pittsburg and Brownsville, Pennsylvania, and Wheeling, Virginia.

The purchaser was to pay down the sum charged against each quarter section for the expense of surveying and offering the land for sale, and on the purchase price yearly interest of

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<sup>20</sup> O. L., III, 230.

<sup>21</sup> O. L., IV, 66.

<sup>22</sup> O. L., VII, 109.

<sup>23</sup> The money received was to be paid into the state treasury subject to appropriation by the state until it should be appropriated for the use of schools in the district. O. L., XIII, 307.

six per cent forever. Succeeding legislatures were given the right to make such commutations as they might deem expedient. This clause was evidently intended to leave the way open for legislation that would permit a cash payment in lieu of the six per cent annual rental.

The terms were made still easier for the purchaser by the act of 1810,<sup>24</sup> which provided that the amount paid down on each quarter section should be ten dollars (to pay for surveying, advertising, etc.), and that the six per cent interest should not begin until five years from the date of sale. The postponement of interest money for five years was doubtless made to meet the competition of United States land offered for sale within the state on easy terms and with taxes deferred for the first five years after purchase. Each purchaser was required by this act to build a cabin and clear three acres of land within three years.

In the same year<sup>25</sup> an act was passed allowing the township trustees to receive either money or produce as rent from Section 16, and requiring the lessee to make such improvements as the trustees thought proper, and in 1814<sup>26</sup> it was made illegal for any lessee of school lands to act as township trustee or treasurer.

This covers the main features of the land policy during the period of temporary leasing. Beginning with 1816<sup>27</sup> in the Virginia Military Tract, and 1817<sup>28</sup> in the rest of the state, the policy was inaugurated of granting permanent leases with a revaluation of the lands at stated periods.

The policy of selling the Virginia Military lands was changed, for the lands that were still unsold. The Governor was to appoint "three disinterested persons to appraise them" and a register under a bond of ten thousand dollars was appointed to lease them. The leases ran for ninety-nine years, renewable forever, but the law provided that they were to be revalued in 1835 and each twenty years after that date, the rental to be six per cent on the appraised value, payable annually.

<sup>24</sup> O. L., VIII, 253.

<sup>25</sup> O. L., VIII, 100.

<sup>26</sup> O. L., XIII, 295.

<sup>27</sup> O. L., XIV, 418.

<sup>28</sup> O. L., XV, 202.

This principle, with certain changes in details, was adopted the following year, 1817, for the rest of the state,<sup>29</sup> with the exception of the Western Reserve school lands. Those who held school lands under temporary leases were allowed to obtain permanent leases by making application to the county commissioners in the following manner: they must first present a certificate signed by the township trustees that they had complied with their present lease, and second, the consent in writing of the trustees of the organized township and of a majority of the citizens in unorganized townships to the granting of a permanent lease in the place of a temporary one. The land was then appraised by three appraisers appointed by the county commissioners and the value of all improvements made a part of the appraised estimate (improvements under temporary leases were a part of the rental paid). The township trustees were then authorized to grant leases for ninety-nine years, renewable forever, at the rate of six per cent annually, and with a revaluation each thirty-three years. The same method was followed in the case of unoccupied lands, excepting the provision concerning compliance with the former lease.

In unorganized townships the county commissioners had charge of the leasing, and in the United States Military district the Court of Common Pleas. When land was revalued, it was to be appraised at the rate of unimproved land of the same quality in the vicinity. The appraiser was to consider only the general advance in land prices and not the value that had been added by the labor of the lessee.

Another act passed in 1821<sup>30</sup> directed that land in the United State Military Tract appraised at less than one dollar an acre should not be leased, and confirmed the principle of permanent leasing with minor changes in details of administration. Improvements made by settlers in this district were included in the valuation at the *first* appraisal after this date, being considered as a part of the rental on the temporary leases held by such settlers. These laws for permanent leasing at no time applied to the school lands belonging to the Western Reserve.

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<sup>29</sup> O. L., XV, 202.

<sup>30</sup> O. L., XIX, 61.

While the general policy of ninety-nine year leases with a revaluation at stated periods began in the years 1816 and 1817, there had been many individual leases of this type legalized by special legislative action. It was not, therefore, a totally new departure. Prior to 1817 twenty-five local acts had been passed by the legislature legalizing permanent leases for portions of the school land in various localities, and in the leasing of the ministerial lands, Section 29, in the Symmes' and Ohio Company's purchase, this plan had been adopted as early as 1806.<sup>31</sup>

The first school land to be so leased was the section belonging to the town of Marietta in 1808.<sup>32</sup> From this time until it became a general policy, the wishes or needs of various communities were met by these special legislative actions. It is interesting to note that in ten of the twenty-five acts so passed, the reason assigned is the establishment of a flour mill, sawmill, or similar industry. In these cases Section 16 evidently furnished desirable mill sites and water power, but lessees were unwilling to erect mills, so essential to newly settled communities, without some guarantee of permanence.

In general the policy of permanent leasing was found undesirable. From the present standpoint, it can be seen that if persisted in and the leasing and revaluation carefully managed, it would have preserved to the state a school property of enormous value, which would eventually have produced an income far in excess of the method of selling the lands and funding the proceeds. From the standpoint of the men of that time it was found undesirable because it did not succeed in producing any adequate revenue *then* for the schools. Land was abundant and cheap. Money for the support of schools was scarce. The state was rapidly filling up,<sup>33</sup> but desirable settlers preferred to obtain land in fee simple. It doubtless appeared to those most friendly towards schools and education that it would be more desirable to take advantage of the opportunity to sell, getting the best terms possible and assuring to the schools some definite

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<sup>31</sup> O. L., IV, 33.

<sup>32</sup> O. L., VI, 96.

<sup>33</sup> See page 10.



support from the grant that had been made. Up to this time the actual revenue derived from the lands had been very small.<sup>34</sup>

Caleb Atwater of Cincinnati, a warm friend of the schools, as chairman of a committee in the Lower House, said in a report to the Assembly in 1822: "From all the committee have been able to learn it would seem<sup>35</sup> that more money has been expended by the state in legislating concerning these lands than they have yet or ever will produce, unless some other method of managing them be devised than any hitherto pursued. \* \* \* The committee are impressed with the belief that unless these lands are soon sold \* \* \* no good and much evil will accrue to the state from the grant of these lands by Congress." He was not alone in his opinion. A memorial addressed to Congress by the General Assembly in the same year,<sup>36</sup> speaking of school lands in general in the West, said that these lands have as yet been very unproductive, and while the legislatures of the states in which they are situated are restricted by the conditions attached to these grants they must ever be so. Indeed, it may well be doubted whether more money has not been spent than the whole amount derived from the lands.

The legislature at this session was evidently impressed by Atwater's report and convinced that the policy of leasing under any of the plans tried was a failure. The lands belonging to the Western Reserve were still being leased on temporary leases with a maximum of fifteen years' duration. Throughout the rest of the state the policy of permanent leasing was the authorized method.

The unleased lands belonging to the Western Reserve were first withdrawn from leasing. This act, passed January 21, 1822,<sup>37</sup> forbade any further leasing of unoccupied lands, and allowed occupied lands to be released not longer than to April 1, 1826. The following year, January 27, 1823,<sup>38</sup> the legisla-

<sup>34</sup> Atwater, speaking of the first eighteen years of the state's history, said: "Scarcely a dollar was ever paid over to the people for whose benefit the land had been given." Atwater, *History of Ohio*, page 253.

<sup>35</sup> *Ibid.* Page 258.

<sup>36</sup> O. L., XX, 64.

<sup>37</sup> O. L., XX, 34.

<sup>38</sup> O. L., XXI, 33.

ture authorized the surrender of leases for school lands throughout the entire state, and forbade the granting of any new leases for a period of one year. The intent of this law was evidently not to compel a surrender of leases, but to provide a way in which they might be legally terminated at the desire of the lessee, with a prospect of sale in fee simple at some future time.

This same act directed the various county auditors and the register of school lands in the United States Military District to make a complete report to the auditor of state showing: "the whole amount of school lands in each county, what proportion is leased, what is vacant, how the lands are divided, distinguishing each tract by the number of acres, range, township, section and quarter, showing what parts are leased, what rent is reserved on each tract leased, how long the lease is to run, whether renewable, and if so, whether subject to reappraisalment."

It is evident that neither the legislature nor any state officer knew just what the situation was in regard to school lands throughout the state. This lack of information was the natural result of the various policies adopted for handling the lands. In organized townships the township trustees were in charge of the leasing and in unorganized townships the county commissioners. In the United States Military District the Court of Common Pleas supervised the leasing of both the lands reserved for that district and those belonging to the Western Reserve, while in the Virginia Military District a land officer, appointed by the General Assembly, was in charge. There was no central office or body which had general supervision except the legislature itself. This body now felt the necessity of a general change of policy, but found that it lacked information as to what had already been done.

The cessation of leasing and the acquiring of the information desired prepared the way for this general change in policy. It was felt that more advantageous results could be obtained by selling the lands outright, but there was doubt in the minds of the legislators as to the authority of the state to permit the lands to be disposed of in this way. By the terms of the original grant, the lands had been set aside for the use of schools in the particular townships and districts forever.

While the general management of the trust was vested in the legislature, it seemed doubtful if actual alienation of the lands was originally contemplated, even though the funds should be permanently invested for the use of schools.

In 1824<sup>39</sup> a carefully phrased memorial was submitted to Congress, asking, first, for an additional grant of land for the use of schools in the Western Reserve,<sup>40</sup> and second, that Congress confirm the right of the state of Ohio to sell the school lands. As an indication of the sentiment of the time it is an interesting document. It shows first that the general attitude of the state toward the grant from the United States was that the lands had been ceded by the United States in return for certain concessions made by Ohio, and second, the difficulties that inhered in the attempt to derive a revenue from the lands themselves. The memorial argues that the original grants were in the nature of a compact made with the state and were "granted upon full consideration arising from the increased value of the remaining lands belonging to the United States and also from the relinquishment, on the part of the state of Ohio, of the right to tax the lands of the United States within the state of Ohio until five years after the sale thereof."

"That it was the intention of the parties to the compact aforesaid that one-thirty-sixth part of all the lands within the state of Ohio should be granted to the people thereof for the use of common schools, and should be placed under the control of the legislature" and that the state is of right entitled to the additional grant for the Western Reserve.

The memorial goes on to say that in relation to the lands already appropriated, the legislature "have resorted to various methods of rendering them productive, and, in particular, that of leasing them to such individuals as have applied therefor;

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<sup>39</sup> O. L., XXII, local, 153.

<sup>40</sup> When the original grant was made for the Western Reserve no lands were set aside for the use of schools in the lands then held by the Indian tribes within the Reserve. When the Indian title was extinguished, Ohio immediately asked for an additional grant equal to one thirty-sixth part of the land so held. This grant was finally made by Congress in 1834.<sup>41</sup>

<sup>41</sup> U. S. Statutes at large, Vol. IV, 679.

that experience has fully demonstrated that this fund will be wholly unavailing in their hands in its present shape." That to accomplish the objects contemplated "the legislature should possess unlimited control over the lands" with the power of disposing of them in fee.

"The objections which are urged against the present mode of administering that fund are in the first place that by reason of the facilities which the state of Ohio affords for acquiring property in real estate, a necessity exists of leasing the lands to persons almost destitute of pecuniary means whereby the avails of these lands are rendered, at least, uncertain. In consequence also, that as these lands are detached over the whole of the state of Ohio, the expense which must necessarily be incurred by creating a superintendence over them, renders them less productive than your memorialists conceive they might be rendered if the lands were sold and the proceeds concentrated in one fund."

"The fact, also, before adverted to, that these lands must necessarily be entrusted to the possession of those of the lowest class of the community, and who possess no permanent interest in the soil, has produced a waste upon these lands of their timber and otherwise, equal perhaps to the whole revenue which may have been derived from them."

The memorial recites further that the method of leasing "will invite and retain a population within her boundaries of a character not to be desired and in amount so great as to create an evil which can only be conceived of in a country where every individual possessing a very moderate portion of industry and economy may, within a single year, appropriate to himself in fee a quantity of land sufficient to furnish means of support for an ordinary family."

The memorial continues by saying "that these evils arise wholly from the system of granting leases and are such as can not be remedied by legislative action, if, as some have supposed, the state have not the power, under the terms of the original grant, of disposing of these lands in fee." The memorialists believe that the state has the right, but "they are of the opinion that an act of the Congress of the United States declaratory of

the extent of the grant aforesaid will be productive of much benefit in case the legislature of the state should hereafter determine to dispose of the same; that it will have the full effect of removing the doubt in the minds of the purchasers and thereby enhance the price which will be obtained for the same."

They therefore asked Congress to grant them the right to dispose of the lands in fee, the proceeds to be invested in a permanent fund, the income of which should be applied for the use of common schools in the townships or districts to which the lands were originally granted, provided that Section 16 should not be sold without the consent of the inhabitants of the township to which the land belonged.

Congress passed the desired legislation February 1, 1826,<sup>42</sup> and on January 27, 1827,<sup>43</sup> the legislature passed an act directing each township in the state possessing school land to vote upon the question of its sale, and also authorizing the inhabitants of the United States Military District<sup>44</sup> and the Virginia Military District<sup>45</sup> to decide the same question. Legislation authorizing a vote on the Western Reserve<sup>46</sup> was not passed until the following year.

In the meantime the policy of special legislation to meet local needs had continued. From 1817 to 1823,<sup>47</sup> the period of permanent leasing, twenty-one local acts had been passed making special provisions for leasing or extending the time for making payments on leases, and from 1823 to 1827, eleven more acts were passed authorizing the revaluation of lands leased, changing the conditions for lessees, or authorizing short time leases, etc.

The general policy inaugurated by the legislation of 1827 and 1828 remained the policy of the state until 1850, though certain changes were made correcting some of the more undesirable features.

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<sup>42</sup>U. S. Statutes at large, Vol. IV, 138.

<sup>43</sup>O. L., XXV, 26.

<sup>44</sup>O. L., XXV, 108.

<sup>45</sup>O. L., XXV, 45.

<sup>46</sup>O. L., XXVI, 135.

<sup>47</sup>O. L., XIX, 35, 72, 75, are examples

The legislation of 1827 provided that the townships or districts interested should decide upon the sale of their school lands and described the method by which the sale was to be made in case the vote was favorable. It did not actually authorize the sale. This was to be done after the vote was taken by additional acts of the legislature, or in the case of the United States Military District by proclamation of the Governor. The provisions governing the sale were as follows: land that was unoccupied was to be appraised by the county assessor. The land was then advertised and offered for sale to the highest bidder by the county auditor. No bid could be received for less than appraised value. Payments were made to the county treasurer, and the money received by him was deposited with the state treasurer to the credit of the township or district to which it had belonged. When the money was all paid the purchaser received a deed from the state.

It was in the legislation concerning the occupied lands that the greatest loss occurred to the state. Holders of permanent leases were allowed to surrender their leases, and by the payment of the appraised value upon which it had been originally leased receive a deed in fee simple. The terms of payment were easy, running over periods of seven to ten years, and by subsequent legislation further extended in many cases.

The following year, 1828,<sup>48</sup> the legislature authorized sales to be made in thirty-nine counties in which the vote had been favorable. From this time until 1850 there was a constant succession of local acts authorizing sales in various townships and counties; making provisions for leasing lands where the assent was not given to the sale; authorizing revaluation of lands where lessees thought the original valuation was too high, or the townships considered it too low; giving additional time in which to make the payments due; and in general enacting various laws that had only local application. Between 1827 and 1850 approximately four hundred such laws were passed. In 1828<sup>49</sup> those townships that had not voted to sell their school lands were authorized to lease it for periods of not less than three

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<sup>48</sup> O. L., XXVI, local, 4.

<sup>49</sup> O. L., XXVI, 80.

years for improved lands nor seven years for unimproved lands. In case the consent of the townships had been given and the lands remained unsold, they might be leased from year to year on the best terms obtainable. The entire arrangement and responsibility was placed in the hands of the township trustees. In 1838,<sup>50</sup> largely through the influence of Samuel Lewis, the State Superintendent of Schools, the practice of allowing the holders of permanent leases to surrender their leases, and by payment of the first appraised value, receive a deed in fee simple, was stopped, and by an act of 1843,<sup>51</sup> such surrender was authorized only upon the land being reappraised and the amount of its new valuation paid. From 1839<sup>52</sup> on it was a common practice to include a minimum price below which the land could not be sold, and in 1845<sup>53</sup> a general act was passed forbidding the sale of any school land in the state for less than five dollars an acre. This concludes the main features of the legislation on this subject from 1803 to 1850.

*Summary.*

The first attempt of the legislature was to preserve the lands and make them productive through a system of short term leases, which provided for the payment of rents through improvements made upon the lands. This system was followed until 1817 with the exception of the land belonging to the Virginia Military District.

The system of temporary leasing was found unsatisfactory and in 1817 the state embarked on the policy of authorizing permanent leases with a revaluation of lands at periods of thirty to thirty-five years. This system also proved unsatisfactory in practice.

From 1827 on the state legalized the sale of school lands in fee simple, but allowed the local community to decide whether the lands should be sold, and in case they were not, the management was left in the hands of the township trustees, with certain

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<sup>50</sup> O. L., XXXVI, 33.

<sup>51</sup> O. L., XLI, 20.

<sup>52</sup> O. L., XXXVII, local, 88.

<sup>53</sup> O. L., XLV, 58.

limitations as to the length of time for which leases might be granted. The money from lands sold was paid through the county treasurer's office into the office of the state treasurer and placed at the disposal of the state, the state pledging itself to pay a six per cent annual interest upon the moneys so deposited for the use of the schools of the township or territory to which the land had belonged. The revenue from leased land was handled directly by the township trustees and apportioned among the school districts of the townships. The basis of apportionment in each case was the number of white unmarried youth between the ages of four and twenty-one. During the whole period the legislature heeded local needs and wishes through local and special legislation.

The results of the system, or lack of system, entailed great loss. This loss was not due primarily to the leasing of the lands or the selling of them, but to the fact that the state had no central office whose business it was to oversee the lands and know exactly what the conditions were in regard to them, and to see that the laws in force were obeyed. The legislature was a changing body. It lacked necessary information for intelligent action in many cases, and it attempted to meet local conditions without complete knowledge of the facts.

The chief specific points in the general policy that resulted in loss were:

First. That of allowing permanent lessees whose lands had been appraised during the period from 1817 to 1823<sup>54</sup> to surrender their leases and obtain deeds by paying the original appraisal value. This policy was followed until 1838.

Second.<sup>55</sup> The policy of local appraisal. This might or might not work well. It depended wholly on the appraisers chosen. It was found necessary to forbid by law any appraiser purchasing land.

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<sup>54</sup> "Cases have come to my knowledge where land has been taken at six dollars per acre worth at the time fifty dollars. \* \* \* The tenants to be sure make their fortunes, but the schools are sacrificed." Ohio Doc. 36th G. A. Doc. 17, page 41.

<sup>55</sup> "In one very aggravated case the assessor was a lessee on the land." Ibid. Doc. 17, page 41.



Third. That no minimum price was placed upon the school lands until 1845.<sup>56</sup>

Fourth. The policy of local control in leasing and of special or local legislation. Where the school sentiment was high this might work well, but where it was low the results were apt to be disastrous.

The state lacked any settled, clearly defined policy, and it lacked administrative machinery to oversee the policies that were initiated. The legislators, in general, were doubtless honest in their efforts, but they were occupied but a few weeks each year and then on all classes of legislation. It was only as one had opportunity to study the question in detail and in its bearing upon the state as a whole, and to carry on this work for a period of years, that a basis could be afforded for intelligent action. Samuel Lewis was enabled to give a portion of his time to this work in the three years from 1837 to 1840 and the legislation resulting saved thousands of dollars for the schools.

A quotation from the report of John Brough, auditor of state in 1839 and 1840, furnishes a fitting conclusion to this summary.<sup>57</sup> Mr. Brough had previously been a member of the legislature and as a member was evidently satisfied that the general policy followed by the legislature was desirable. The quotation shows the change in his opinion when, as auditor of state, he gave the question careful study.

“One of the most important items of state policy, and one which it is feared has been least investigated and understood, is the prudent management and judicious disposition of our school lands. Through the indefatigable labor of the state superintendent, public attention has been fully aroused to the waste that has been committed in this property, and a determination instilled to place additional guards upon the future. That determination

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<sup>56</sup> “It is not uncommon to find land sold for fifty, forty, thirty, twenty, ten, and in one case, as low as five cents per acre. Men have become the purchasers of whole sections for a mere trifle, and that sometimes where it only required a few years to have realized five, ten, fifteen or twenty dollars per acre.” Third Annual Report, Superintendent of Common Schools, Ohio, page 58.

<sup>57</sup> O. L. XXXVIII, Auditor's Report, 32-33.

cannot be too carefully cherished or rigidly adhered to. The investigations imposed by the ordinary discharge of public duty, have thrown a light and sealed a conviction, upon my own mind, at variance with my former opinions, which had been conceived upon a superficial knowledge of the subject;—and such will be the effect upon the mind of every one who will seek the records and gather the melancholy information they contain. Our school fund this year, arising from interest on sales of lands, and subject to distribution among the counties, is \$73,618.78; and to accumulate this, we have sacrificed lands, which, if they had been judiciously held and managed, would have now given us at least ten times that amount and constituted a revenue sufficient to educate every child in the state.”

## CHAPTER IV

### SECONDARY AND HIGHER EDUCATION

#### SECONDARY EDUCATION

The legislation concerning secondary education in Ohio prior to 1850 deals wholly with the incorporation of private secondary institutions, except in the case of a few city or town charters in the last few years of this period, which make provision for schools of "a higher grade" or for high schools.

The state did not concern itself with secondary schools except to indicate the manner in which they might be incorporated and in placing certain limits upon their activities and upon the amount of property they might hold. Here again the principle was that of local initiative with the state willing to encourage local effort by legally recognizing the school established, but taking no responsibility or initiative for establishing, supporting, or controlling such schools.

The Constitution declared that every association of persons having given themselves a name might, on application to the legislature, be entitled to receive letters of incorporation to enable them to hold estates for the support of their schools, academies, colleges, universities, and for other purposes<sup>1</sup> When the legislature had granted the act of incorporation provided for, it considered its whole duty in the matter at an end. The idea of a free system of common schools gradually developed during the period and the conception of state-wide taxation for at least their partial support appears as early as 1825, but at no time prior to 1850 does the legislation show any conception of a state system of education embracing elementary, secondary and higher education. Secondary education was for those communities that wanted and could afford to pay for it.

Mr. Lewis in his second report in 1838 had clearly in mind the beginnings of a state secondary system. He did not how-

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<sup>1</sup> O. L., I, 3, Art. 8, Sec. 27.

ever, advocate legislation that would in any way compel the state to take a part in the establishment of secondary schools, but rather a law that would allow individual townships to establish such schools and support them from public funds, with the method of establishment and support warranted by the law of the state.

His advice to the legislature on the subject was as follows:<sup>2</sup> "There are some townships that have the means and the desire of establishing central township schools or academies, and in most of our townships the youth over twelve years of age could with convenience attend such a school. The number of townships now prepared for this measure is small, but will be increasing. I recommend, therefore a provision giving the whole number of directors in the township authority to establish such a school, and assess upon the township such sum of money as may be required for that purpose, and to this end, they should from their own number, appoint a board of five, who should for the time being control such central school.

The mere passage of the law could do no harm to those townships who would refuse to avail themselves of its provisions, and would give to those desiring the privilege, the right to exercise it."

No action was taken upon this recommendation, and no general legislation concerning secondary education was enacted prior to 1850. Some city charters made provision for schools above the elementary, but the state did not concern itself with secondary education as a recognized part of the public school system.

The usual type of secondary institution receiving letters of incorporation was an academy supported by a stock company, with shares selling for from five to fifty dollars each. A community that wished an education for its children beyond the three r's of the common school, subscribed stock for the purpose of building and equipping a school of higher grade. The management was ordinarily in the hands of a Board of Trustees elected by the stockholders. In most cases the articles of incorporation do not mention tuition or rates, but in some cases

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<sup>2</sup> Ohio Documents. 37th G. A. Doc. 32. Page 28.

it is specifically stated<sup>3</sup> that the running expense of the school shall be assessed upon the parents in proportion to the number of children attending, and doubtless in all cases tuition was charged. Occasionally the trustees are authorized to set apart a fund for the education of poor children.<sup>4</sup> A school of this type was usually called an academy, less frequently the terms "institute" and "seminary" appeared. The names "seminary" and "institute" are not used with one or two exceptions until after 1830. The name "high school" appears at this same period and is used occasionally to designate a school of this same general type of organization, supported by an association of subscribers, who formed a stock company to raise the funds for the establishment or support of the school. The first high school chartered in Ohio was the Elyria High School, February 22, 1830,<sup>5</sup> followed the next year by the Woodward High School of Cincinnati.<sup>6</sup> The latter institution had been incorporated as the "Free Grammar School" as early as 1827,<sup>7</sup> but its earlier function was declared to be the "better instruction of the poor children" "in the rudiments of an English education." By the terms of the incorporation the trustees were directed to confine instruction to "the common and necessary branches of an English education," and not to extend it to the higher branches of such an education until the funds were sufficient to provide for all the poor children in the city.

The total number of incorporations of schools intended to be of higher type than common schools was 171 during the period, classed as follows:

|                            |    |
|----------------------------|----|
| Academies — 1803-1810..... | 4  |
| •           1811-1820..... | 8  |
| 1821-1830.....             | 10 |
| 1831-1840.....             | 44 |
| 1841-1850.....             | 26 |

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<sup>3</sup> O. L., XVI, 157. Towns of Harpersfield and Madison, 1818.

<sup>4</sup> O. L., IX, 57. Gallia Academy, 1811.

<sup>5</sup> O. L., XXVIII, local, 116.

<sup>6</sup> O. L., XXIX, local, 43.

<sup>7</sup> O. L., XXV, local, 62.

|                               |       |           |
|-------------------------------|-------|-----------|
| Seminaries — 1803-1810.....   | 1     |           |
| 1811-1820.....                | 1     |           |
| 1821-1830.....                | 0     |           |
| 1831-1840.....                | 20    |           |
| 1841-1850.....                | 10    |           |
|                               | <hr/> | 32        |
| Institutes — 1803-1830.....   | 0     |           |
| 1831-1840.....                | 13    |           |
| 1841-1850.....                | 17    |           |
|                               | <hr/> | 30        |
| High Schools — 1803-1820..... | 0     |           |
| 1821-1830.....                | 1     |           |
| 1831-1840.....                | 8     |           |
| 1841-1850.....                | 5     |           |
|                               | <hr/> | 14        |
| Boarding School .....         | 1     |           |
| Universal School .....        | 1     |           |
| Independent School .....      | 1     |           |
|                               | <hr/> | 3         |
| Total .....                   |       | <hr/> 171 |

The names of these schools and the date of their incorporation arranged in chronological order are shown on pages 97 to 101, and their location is shown on the map that accompanies this list. The Erie Literary Society, located at Burton, on the Western Reserve leads the list in 1803, followed by Academies in Dayton, Worthington and Chillicothe in 1808.

The Western Reserve far outstrips any other section of the state in the number of these institutions, having more than three times as many as any other section. The map shows however that with the exception of the western portion of the state, where the settlements were much later, these schools were fairly abundant in all parts of Ohio.

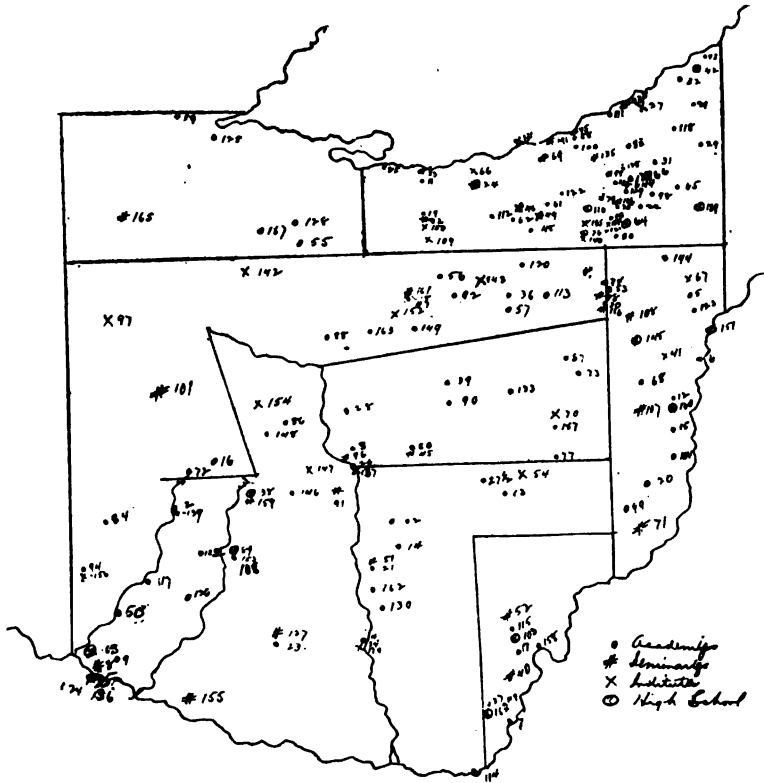
The ambitious boy or girl had before him the incentive to a higher education than the common schools afforded and the possibility of attaining it without going to any great distance. The omnipresence of the Ohio man later in our country's history may be in no small part accounted for by the omnipresence of the Ohio academy and college.

The list given and the institutions located on the map by no means give all schools of this type founded before 1850. Only

those that received articles of incorporation from the state legislature are here shown.

SECONDARY INSTITUTIONS IN ORDER OF CHARTERING, 1803-1850.

|  |      |
|--|------|
| 1. Erie Literary Society, Burton.....                        | 1803 |
| 2. Dayton Academy .....                                      | 1808 |
| 3. Worthington Academy .....                                 | 1808 |
| 4. Chillicothe Academy .....                                 | 1808 |
| 5. New Lisbon Academy .....                                  | 1810 |
| 6. Steubenville Academy .....                                | 1811 |
| 7. Gallia Academy, Gallipolis .....                          | 1811 |
| 8. Cincinnati Lancaster Seminary .....                       | 1815 |
| 9. Montgomery Academy .....                                  | 1816 |
| 10. Tallmadge Academy .....                                  | 1816 |
| 11. Florence Academy .....                                   | 1818 |
| 12. Cadiz Academy .....                                      | 1819 |
| 13. Union Academy, Muskingum County .....                    | 1819 |
| 14. Lancaster Academy .....                                  | 1820 |
| 15. Alma Academy, New Athens .....                           | 1822 |
| 16. Urbana Academy .....                                     | 1822 |
| 17. Rutland Academy .....                                    | 1822 |
| 18. Franklin Academy, Mansfield .....                        | 1824 |
| 19. Norwalk Academy .....                                    | 1824 |
| 20. Belmont Academy, St. Clairsville.....                    | 1824 |
| 21. Circleville Academy .....                                | 1824 |
| 21½. Academy of Perry County.....                            | 1827 |
| 22. Nelson Academy .....                                     | 1828 |
| 23. Hillsborough Academy .....                               | 1829 |
| 24. Elyria High School.....                                  | 1830 |
| 25. Woodward High School, Cincinnati .....                   | 1831 |
| 26. Columbus Female Academy.....                             | 1831 |
| 27. Ashtabula Institute of Science and Industry.....         | 1831 |
| 28. Delaware Academy .....                                   | 1831 |
| 29. Kinsman Academy .....                                    | 1832 |
| 30. Canton Academy .....                                     | 1832 |
| 31. Farmington Academy .....                                 | 1832 |
| 32. Ashtabula Academy .....                                  | 1832 |
| 33. Huron Institute .....                                    | 1832 |
| 34. Chillicothe Female Seminary .....                        | 1833 |
| 35. Ravenna Academy .....                                    | 1834 |
| 36. Union Academy, Wayne County .....                        | 1834 |
| 37. Vinton Academy .....                                     | 1834 |
| 38. Springfield High School .....                            | 1834 |
| 39. Female Academy of Mt. Vernon .....                       | 1834 |
| 40. Stephen Strong's Manual Labor Seminary, Meigs County.... | 1834 |



Secondary Institutions Chartered in Ohio from 1803 to 1850.



|  |      |
|--|------|
| 41. The Richmond Classical Institute .....                     | 1835 |
| 42. Kingsville High School .....                               | 1835 |
| 43. Conncaut Academy .....                                     | 1835 |
| 44. Windham Academy .....                                      | 1835 |
| 45. Granville Female Seminary .....                            | 1835 |
| 46. Fellenburgh Institute, Brunswick, Medina County .....      | 1835 |
| 47. Western Female Seminary, Mansfield .....                   | 1835 |
| 48. Wadsworth Academy .....                                    | 1835 |
| 49. Academical Institute of Richfield .....                    | 1835 |
| 50. Hamilton and Rossville Female Academy .....                | 1835 |
| 51. Circleville Female Seminary .....                          | 1835 |
| 52. Bishop's Fraternal Calvinistic Seminary, Athens County.... | 1835 |
| 53. Universal School of Massillon.....                         | 1835 |
| 54. Putnam Classical Institute .....                           | 1836 |
| 55. Seneca County Academy .....                                | 1836 |
| 56. Madison Liberal Institute .....                            | 1836 |
| 57. Wooster Academy .....                                      | 1836 |
| 58. Shaw Academy .....   | 1836 |
| 59. Academy of Sylvania .....                                  | 1836 |
| 60. Granville Academy .....                                    | 1836 |
| 61. Sharon Academy .....                                       | 1836 |
| 62. Medina Academy .....                                       | 1836 |
| 63. Cleves Independent School .....                            | 1836 |
| 64. Middlebury High School .....                               | 1836 |
| 65. Warren Academy .....                                       | 1837 |
| 66. Sheffield Manual Labor Institute .....                     | 1837 |
| 67. Neville Institute, Columbiana County .....                 | 1837 |
| 68. New Hagerstown Academy .....                               | 1837 |
| 69. Berea Seminary .....                                       | 1837 |
| 70. Philomathean Literary Institute, Antrim .....              | 1837 |
| 71. Monroe Seminary, Monroe County .....                       | 1837 |
| 72. Troy Academy .....   | 1837 |
| 73. New Philadelphia Academy .....                             | 1837 |
| 74. Massillon Academy .....                                    | 1837 |
| 75. Cleveland Female Seminary .....                            | 1837 |
| 76. Akron High School .....                                    | 1838 |
| 77. Cambridge Academy, Guernsey County .....                   | 1838 |
| 78. Massillon Female Seminary.....                             | 1838 |
| 79. Western Reserve Wesleyan Seminary, Streetsborough.....     | 1838 |
| 80. The Edinburgh Academy.....                                 | 1838 |
| 81. Wayne Academy .....  | 1838 |
| 82. Norwalk Female Seminary.....                               | 1838 |
| 83. Chester Academy, Geauga County.....                        | 1838 |
| 84. Eaton Academy .....  | 1838 |
| 85. Sandusky Academy .....                                     | 1838 |
| 86. Union Academy, Union County.....                           | 1838 |

|      |  |      |
|------|--|------|
| 87.  | Dover Academy, Tuscarawas County.....                    | 1838 |
| 88.  | Marion Academy, Marion County.....                       | 1838 |
| 89.  | Bigelow High School, Xenia.....                          | 1839 |
| 90.  | Martinsburg Academy, Knox County.....                    | 1839 |
| 91.  | Blendon Young Men's Seminary.....                        | 1839 |
| 92.  | Ashland Academy, Richland County.....                    | 1839 |
| 93.  | Western Reserve Teachers' Seminary, Kirtland.....        | 1839 |
| 94.  | Oxford Female Academy.....                               | 1839 |
| 95.  | Asbury Seminary, Chagrin Falls.....                      | 1839 |
| 96.  | Worthington Female Seminary.....                         | 1839 |
| 97.  | Universalist Institute, Ohio City.....                   | 1839 |
| 98.  | Parkman Academy, Geauga County.....                      | 1839 |
| 99.  | Barnesville Male Academy.....                            | 1839 |
| 100. | Brooklyn Centre Academy.....                             | 1839 |
| 101. | Auglaize Seminary, Wapakoneta.....                       | 1839 |
| 102. | Lithopolis Academy.....                                  | 1839 |
| 103. | Meigs County High School and Teachers' Institute.....    | 1839 |
| 104. | Mt. Pleasant Boarding School.....                        | 1839 |
| 105. | Cuyahoga Falls Institute.....                            | 1839 |
| 106. | Ravenna Female Seminary.....                             | 1839 |
| 107. | New Hagerstown Female Seminary.....                      | 1839 |
| 108. | Bascom Seminary of Waynesborough.....                    | 1840 |
| 109. | Greenfield Institute.....                                | 1840 |
| 110. | Streetsborough High School.....                          | 1840 |
| 111. | Willoughby Female Academy.....                           | 1840 |
| 112. | Protestant Methodist Academy of Brighton.....            | 1840 |
| 113. | Edinburgh Academy.....                                   | 1841 |
| 114. | Burlington Academy.....                                  | 1841 |
| 115. | Athens Female Academy.....                               | 1841 |
| 116. | Canton Male Seminary.....                                | 1841 |
| 117. | Middletown Academy and Library Association.....          | 1841 |
| 118. | Gustavus Academy.....                                    | 1841 |
| 119. | Pine Grove Academy, Porter.....                          | 1842 |
| 120. | Canaan Union Academy.....                                | 1842 |
| 121. | Tallmadge Academic Institute.....                        | 1842 |
| 122. | Bath High School.....                                    | 1842 |
| 123. | New Lisbon Academy.....                                  | 1843 |
| 124. | St. Mary's Female Educational Institute, Cincinnati..... | 1843 |
| 125. | Maumee City Academy.....                                 | 1843 |
| 126. | Lebanon Academy.....                                     | 1843 |
| 127. | Oakland Female Seminary of Hillsborough.....             | 1843 |
| 128. | West Lodi Academy.....                                   | 1844 |
| 129. | Franklin Academy, Portage County.....                    | 1844 |
| 130. | Salem Academy.....                                       | 1844 |
| 131. | Lorain Institute, Olmstead.....                          | 1844 |
| 132. | Waynesville Academy.....                                 | 1844 |

*Educational Legislation in Ohio From 1803 to 1850.* 101

|   |      |
|---|------|
| 133. Keene Academy, Coshocton County.....                                 | 1844 |
| 134. Tallmadge Academical Institute, Second Incorporation.....            | 1845 |
| 135. Bedford Seminary .....   | 1845 |
| 136. Cincinnati Classical Academy.....                                    | 1845 |
| 137. Columbus Academical and Collegiate Institute.....                    | 1845 |
| 138. Aurora Academical Institute, Portage County.....                     | 1845 |
| 139. Cooper Female Academy, Dayton.....                                   | 1845 |
| 140. Akron Institute .....  | 1845 |
| 141. Rocky River Seminary.....  | 1845 |
| 142. Findlay Academical Institute.....                                    | 1845 |
| 143. Vermilion Institute, Hayesville.....                                 | 1845 |
| 144. Cottage Hill Academy, Ellsworth.....                                 | 1845 |
| 145. Normal High School, Carroll County.....                              | 1845 |
| 146. London Academy, Mason County.....                                    | 1845 |
| 147. West Jefferson Academical Institute.....                             | 1845 |
| 148. Baldwin Institute, Middleburg.....                                   | 1845 |
| 149. Loudonville Academy .....  | 1846 |
| 150. Norwalk Institute .....  | 1846 |
| 151. Liverpool Seminary .....   | 1846 |
| 152. Mansfield Academical Institute.....                                  | 1847 |
| 153. Xenia Academy .....  | 1848 |
| 154. Richland Academic Institute.....                                     | 1848 |
| 155. Felicity Female Seminary, Clermont County.....                       | 1848 |
| 156. Oxford Female Institute .....  | 1849 |
| 157. Miller Academy, Washington.....                                      | 1849 |
| 158. Pomeroy Academy .....  | 1849 |
| 159. Springfield Female Seminary.....                                     | 1849 |
| 160. Cadiz High School .....  | 1849 |
| 161. Mansfield Female Seminary.....                                       | 1849 |
| 162. Mt. Pleasant Academy.....  | 1849 |
| 163. Elliot Female Seminary, Iberia.....                                  | 1850 |
| 164. Vinton High School.....  | 1850 |
| 165. Defiance Female Seminary.....  | 1850 |
| 166. Western Reserve Eclectic Institute, Hiram.....                       | 1850 |
| 167. Tiffin Academy, Seneca County.....                                   | 1850 |
| 168. Xenia Female Academy.....  | 1850 |
| 169. Hartford High School.....  | 1850 |
| 170. Soeurs de Notre Dame Female Educational Institute, Chillicothe ..... | 1850 |

SCHOOL COMPANIES AND ASSOCIATIONS

|  |      |
|--|------|
| 1. Union School Association, Harpersfield and Madison.....     | 1818 |
| 2. Milford Union School Society, Clermont County.....          | 1824 |
| 3. Jefferson School Association.....                           | 1824 |
| 4. Literary Society of St. Joseph's. (To erect academies)..... | 1825 |

|   |      |
|---|------|
| 5. The Mesopotamia Central School Society.....  | 1826 |
| 6. Goshen School Association, Logan County.....   | 1828 |
| 7. Trustees of the Columbus Presbytery. (To found an academy) .....   | 1829 |
| 8. The Education Society of Painesville.....  | 1829 |
| 9. The Brecksville Academical Association, Cuyahoga County..  | 1831 |
| 10. St. Mary's Female Literary Society. (To promote female education) .....   | 1832 |
| 11. The German Lutheran Seminary of the German Lutheran Synod of Ohio and adjacent states. (To promote learning, morality, religion)..... | 1834 |
| 12. North Union School Association of Carroll County.....   | 1836 |
| 13. Rome Academical Company.....  | 1836 |
| 14. Springborough School Company, Warren County.....  | 1836 |
| 15. High Falls Primary Institute, Chagrin Falls. (The education of youth).....  | 1838 |
| 16. Newark Association for the Promotion of Education. (To establish a High School).....  | 1838 |
| 17. The Monroe Academical Association.....  | 1839 |
| 18. The Harveysburg High School Company, Warren County...   | 1839 |
| 19. Cincinnati New Jerusalem Church School Association.....   | 1841 |
| 20. Berkshire Education Society, Delaware County.....   | 1841 |
| 21. Western Reserve Freewill Baptist Academical Society (Blacks and Mulattoes not to be received on an equality with white persons).....  | 1843 |
| 22. Sylvania High School Company, Lucas County.....   | 1844 |
| 23. Madison Education Society, Lake County.....   | 1846 |

There were also incorporated during the same period twenty-three school or education societies, whose purpose was to found academies or other schools, or in some way offer better educational facilities to the communities interested.

The denominational influence does not seem to have been great in founding these secondary schools. Some twenty-one of the schools and societies are more or less denominational in control or in sympathy, as indicated by the act of incorporation or the name. In six cases the Conference of the Methodist Episcopal Church either appointed the trustees or had some part in the appointment of them. The other schools and societies that show denominational influence are scattered among the Presbyterian, Baptist, Catholic, German Lutheran, and Quaker sects. It is true that prior to 1836 there were eighty-four church

incorporations in which the churches were given a right to maintain a school by the articles of incorporation. The usual form in which this was done was by limiting the use of funds to the support of a church "and to any institution of charity or education connected therewith." In 1836<sup>8</sup> a general law was passed which gave any religious society incorporating after that date the right to apply property not exceeding an annual value of one thousand dollars to the support of public worship and such institutions of learning and charity as might be connected with such society. How far the rights thus extended were used by the churches to found schools of secondary grade, the laws themselves give no hint. Only a careful search of church records could do this. It is probable, however, that a secondary school of any importance would have followed the custom of the time and sought independent incorporation. The financial limitations both in special and in general acts would have prevented an extensive educational institution.

The comparatively small denominational influence exerted on secondary schools was not due to any lack of religious or sectarian interest. Numerous sects and varied religious beliefs<sup>9</sup> were common, but this very multiplicity was a source of religious toleration and in the founding of schools for the children of the community a common interest was found, in support of which the adherents of creeds that were not too divergent often united.

There are frequent indications in the articles of incorporation of an effort to keep the schools free from any cause of religious controversy. Sections appear prohibiting the introduction or teaching of any religious tenets peculiar to any christian sect.<sup>10</sup> Sometimes there is recognition of the fact that there are other possible causes of dissension, as when a clause appears providing that "No political, religious, moral or literary association shall have an ascendancy in the directory."<sup>11</sup>

The curriculum was not usually specified in the articles of

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<sup>8</sup> O. L., XXXIV, 17.

<sup>9</sup> Chaddock, page 313.

<sup>10</sup> O. L., XIII, 132; O. L., XX, 11; O. L., XX, 27; O. L., XXII, 14.

<sup>11</sup> O. L., XIII, 132.

incorporation, but was frequently hinted at in the right given to the trustees to determine what branches of the "arts and sciences" should be taught, or sometimes the phrase ran "learned languages, arts and sciences", or branches of a "polite and liberal education".

The manual labor influence first appeared in 1834 with the incorporation of Stephen Strong's Manual Labor Seminary.<sup>12</sup> The Ashtabula Institute of Science and Industry had been founded as early as 1831,<sup>13</sup> but in 1835<sup>14</sup> the name was changed to the Grand River Institute and there is nothing but the earlier name to indicate anything other than the ordinary secondary institution. The name of Pestalozzi's one time associate, Fellenberg, was doubtless in the minds of the incorporators of the Fellenburgh Institute in Medina County in 1835,<sup>15</sup> though no mention is made of manual labor in the articles of incorporation. There are only three other secondary institutions whose articles of incorporation make any mention of this phase of education.<sup>16</sup> One of these, Bishop's Fraternal Calvinistic (*sic*) Seminary, chartered in 1835, specifies that there shall be manual labor for both males and females.<sup>17</sup>

The only control the state exercised toward these institutions was in limiting the amount of property they might hold, the amount of the annual income, or the amount of stock that might be issued. It was also common to find an express stipulation forbidding an incorporated company of this character from engaging in the banking business or issuing any medium of exchange. The legislature, too, commonly reserved the right to alter the articles of incorporation at any time, and in 1839<sup>18</sup> a general act was passed to regulate incorporated literary societies, which included all associations for literary purposes except common schools, colleges and universities. The first general pro-

<sup>12</sup> O. L., XXXIII, local, 5.

<sup>13</sup> O. L., XXIX, local, 137.

<sup>14</sup> O. L., XXXIII, local, 79.

<sup>15</sup> O. L., XXXIII, local, 112.

<sup>16</sup> The Sheffield Manual Labor Institute, Bishop's Fraternal Calvinistic (*sic*) Seminary and the Huron Institute.

<sup>17</sup> O. L., XXXIII, local, 328.

<sup>18</sup> O. L., XXXVII, 49.

vision of this kind was enacted as early as 1817, in a rather cumbersome act "to provide for the incorporation of schools and library companies."<sup>19</sup> By the terms of this law the association that wished to incorporate submitted the articles they had prepared to the "President of the court of common pleas," in the circuit in which the association was to be established. If the "president" approved, he indorsed the same and submitted them to the inspection of two judges of the supreme court. They were then examined by these judges and if found conformable to the provisions of the law, were approved and indorsed, and deposited with the recorder of the county in which the association was located.

This procedure established the association as a body politic and corporate under the laws of the state. It seems to have been from the first a dead letter, although not formally repealed.

It was the first general law of the Ohio legislature that had primary reference to education, or educational institutions, and is of interest for this reason. By the provisions of this act the capital stock and property of academies could not exceed forty thousand dollars, unless extended in the act of incorporation. The act also stated that no part of the funds of such an institution should ever be used for banking, nor should certificates of deposit or drafts, which in any manner could be used as a circulating medium, be issued. From this time on, too, the directors or trustees were held individually liable for all debts of the association. There was no thought of state supervision or control of these institutions until 1838,<sup>20</sup> and then only to see that funds given were being used for the purpose for which they were donated. The law at that time directed the State Superintendent to collect information concerning all funds and property given in any way for education, except in the case of chartered colleges, and allowed him to direct procedure against the incorporation by the local prosecuting attorney in case any misapplication of funds appeared.

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<sup>19</sup> O. L., XV, 107.

<sup>20</sup> O. L., XXXVI, 21.

## HIGHER EDUCATION

## Universities, Colleges, and Theological Institutions

A large number of institutions of higher learning were incorporated during this period of Ohio's history, the total number of such incorporations before 1850 being forty-five. Among these are a number which are still in existence, including some of the best known institutions in the state. In the period from 1803 to 1810 the Ohio University, 1804, originally established in 1802; Cincinnati University, 1807, and Miami University, 1809, were founded. Between 1821 and 1830 Kenyon College, 1824; Western Reserve University, 1826; Lane Seminary, 1829, were incorporated; followed in the period from 1831 to 1840 by Denison University, 1832; Marietta College, 1832; Oberlin College, 1834, and Muskingum College, 1837; while in the last ten years from 1841 to 1850 Wesleyan University, 1842; Wittenberg College, 1845; Otterbein University, 1849; Capital University, 1850; Urbana University, 1850, and Hiram College, 1850, appeared.

A number of these institutions were not incorporated under the names which they now bear. Ohio University was originally incorporated during the territorial period as the American Western University.<sup>21</sup> Kenyon College first appeared as the Theological Seminary of the Protestant Episcopal Church,<sup>22</sup> Western Reserve University as Western Reserve College,<sup>23</sup> Denison University as the Granville Literary and Theological Institution,<sup>24</sup> Marietta College as the Marietta Collegiate Institute and Western Teachers' Seminary,<sup>25</sup> Oberlin College as the Oberlin Collegiate Institute,<sup>26</sup> and Hiram College as the Western Reserve Eclectic Institute.<sup>27</sup> In a few cases academies or other secondary schools were later given the right to confer collegiate degrees,<sup>28</sup> while in some instances institutions incorporated as colleges or

<sup>21</sup> Nashee's Compilation, page 220.

<sup>22</sup> O. L., XXIII, local, 12.

<sup>23</sup> O. L., XXIV, local, 93.

<sup>24</sup> O. L., XXX, local, 88.

<sup>25</sup> O. L., XXXI, local, 18.

<sup>26</sup> O. L., XXXII, local, 226.

<sup>27</sup> O. L., XLVIII, local, 627.

<sup>28</sup> O. L., XLVI, local, 7; XXXVII, local, 308; XLIV, local, 65.



universities were doubtless, in fact, secondary in character, and in other cases were never actually founded, the act of incorporation representing only the purpose and ideals of the incorporators.

*State Influence on Higher Education.*

The attitude of the state towards higher education as towards secondary education was marked by a willingness to legalize by incorporation the educational aspirations of any group of people, while taking on itself a minimum amount of responsibility for the resulting institution either through support or control.

Three townships had been set aside for the support of higher institutions of learning, two in the Ohio Company's Purchase<sup>29</sup> and one in the John Cleve Symmes' Purchase.<sup>30</sup> The Ohio University at Athens and the Miami University at Oxford grew out of these two grants. These two institutions were under limited state control. The General Assembly appointed their trustees, determined by legal enactment the manner in which their lands were to be disposed of, and in the acts of incorporation laid down certain regulations, but in no real sense did the state in this period assume any responsibility for them.

*Ohio University.*

December 18, 1799<sup>31</sup> the territorial legislature, by resolution, requested Rufus Putnam with two associates, to lay off in the College Townships (townships 8 and 9 in Washington County) a town plat with a square for the colleges and lots for the president and professors, "bordering on or encircled by spacious commons." The following year the report of "said Putnam" was accepted, and the town of Athens established,<sup>32</sup> and on January 9, 1802<sup>33</sup> the University was incorporated under the name of the American Western University, with Rufus Putnam and Return Jonathan Meigs, afterward Governor of Ohio and Postmaster

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<sup>29</sup> Nashee's Compilation, page 154.

<sup>30</sup> O. L., III, Enabling Act, 69.

<sup>31</sup> Nashee's Compilation, page 219.

<sup>32</sup> Ibid, page 220.

<sup>33</sup> Ibid, page 220.

General of the United States, as members of the first Board of Trustees.

In 1803 Ohio was admitted as a state, and at the second session of the legislature, February 18th, 1804,<sup>34</sup> a second act of incorporation was passed, in which the name was changed to "Ohio University." A Board of twelve trustees, exclusive of the Governor of the state and the president of the University, ex officio members, was appointed, and power given to them to appoint teachers and officers. Vacancies in the Board could be filled temporarily by the Board itself until appointments by the legislature at its next session.

The faculty were directed to report to the corporation "from time to time" and to hold public examinations of the students of each class quarterly. Two townships were set aside "for the sole use, benefit and support of the state university forever," and directions given for laying off, appraising and leasing the lands. This latter provision directed that the land should be leased on ninety year liens, renewable forever with an annual rental of 6 per cent, revaluation at 35 and 60 years, and another revaluation at the end of the ninety year period. All the land in the two townships, together with the buildings was exempted from all state taxes.

These included all the points in which the state exercised any control. It appointed the trustees, it directed the faculty to report "from time to time" to the trustees, it directed that quarterly examinations of the students should be held, and it specified how the land granted for the use of the University was to be leased.

The next year<sup>35</sup> the legislature changed the form of the lease to ninety-nine year leases, renewable forever, omitting the clause calling for a revaluation, and forbade the leasing of any land at less than one dollar and seventy-five cents per acre, but in 1807<sup>36</sup> the trustees were authorized to lease the land that had been appraised at less than one dollar and seventy-five cents at its appraised value.

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<sup>34</sup> O. L., II, 193.

<sup>35</sup> O. L., III, 79.

<sup>36</sup> O. L., V, 85.

The legislation of the next ten years is concerned only with different phases of leasing of the land and the appointment of trustees, but in 1817,<sup>37</sup> an act was passed authorizing a lottery to raise the sum of twenty thousand dollars "to defray the expense of completing the college edifice lately erected at Athens, and to purchase a library and suitable mathematical and philosophical apparatus for the use of Ohio University." February 1, 1825,<sup>38</sup> an appropriation of one thousand dollars was made for the purpose of paying debts and purchasing philosophical apparatus. In 1826,<sup>39</sup> during the same period in which the sale of school lands was begun, the trustees were authorized to sell the remaining lands in the college townships which were not encumbered by leases, and to convey title in fee simple to lessees who paid a sum which would yield at six per cent, a revenue equal to the yearly rental. The money received from such sales was to be deposited with the state treasurer, and the state pledged itself to pay six per cent on the sums so deposited and reserved the right to repay the money at any time.<sup>40</sup>

In 1836<sup>41</sup> and again in 1837<sup>42</sup> the legislature passed resolutions demanding reports from the University, particularly as to the expenditures and receipts, and in the second resolution asking for the number of professors engaged, the branches of literature and science taught by each, and a list of the number of students of each year from 1826 to 1837. In 1838<sup>43</sup> the commissioners of the Canal Fund were authorized to loan five thousand dollars to the University to be paid back in annual installments of one thousand dollars each, with interest at six per cent, and in 1847<sup>44</sup> the president and trustees were authorized to fund the debts of the University in an amount not to exceed

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<sup>37</sup> O. L., XVI, 37

<sup>38</sup> O. L., XXIII, 19.

<sup>39</sup> O. L., XXIV, 52.

<sup>40</sup> The amount received from these sales was comparatively small. The State Auditor's report from 1838 to 1848 shows a credit of \$1,897.39 to Ohio University from this source.

<sup>41</sup> O. L., XXXVI, local, 643.

<sup>42</sup> O. L., XXXV, local, 543.

<sup>43</sup> O. L., XXXVI, local, 205.

<sup>44</sup> O. L., XLV, local, 176.

ten thousand dollars, and the debt so funded was exempt from taxation.

In 1843<sup>45</sup> the legislature passed an act declaring that it was the true intent of the law passed in 1805, authorizing ninety-nine year leases, that the land should never be revalued. This meant a great annual loss to the University, as the lands were originally appraised and leased at a low valuation and rental, and by this act the rental could never be increased. This was done in spite of a decision of the Supreme Court, which had decided the land subject to reappraisal, and the act was passed to nullify that decision.<sup>46</sup>

These chief points in the legislation concerning Ohio University in the period from 1803 to 1850 show how little there was of either state aid or state direction. One appropriation of one thousand dollars, authority to raise twenty thousand dollars by means of a lottery, a loan of five thousand dollars, and the privilege of funding a debt of ten thousand dollars without taxation, and the exemption of the lands in the college townships from state taxation, comprise all the assistance of a financial nature given by the state.

The appointment of trustees, the requirement of a report asked for twice, and certain general requirements specified in the charter include all of the control or guidance on the educational side. It is evident that the institution was not regarded in any true sense a state university, if by that term is meant an institution supported by the state and governed by policies of state initiation. If further evidence were needed, it is found in a memorial addressed to Congress by the legislature in 1829,<sup>47</sup> asking Congress to grant two townships of land for the support of colleges and universities. The memorial states that Ohio "has no adequate means of creating and fostering scientific institutions without resorting to the odious measure of direct taxation." "Possessing no national domains and having amongst its citizens few or none whose love of literature would prompt at

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<sup>45</sup> O. L., XLI, local, 144.

<sup>46</sup> Blackmar. F. W. *The History of State and Federal Aid to Higher Ed. in the U. S.* page 217.

<sup>47</sup> O. L., XXVII, local, 174.

the same time their wealth would make them able, to endow public seminaries of learning . . . the interests of science must be neglected and languish, unless aid can be obtained in the mode now proposed."

"Ohio has received no grant of this character, unless the land included in the Ohio Company's Purchase and Symmes' Purchase should be so considered, but neither the state nor the inhabitants of those districts have ever thus regarded them." They were intended to be for the special benefit of the inhabitants of those districts, and the location of the Seminaries was confined to them.

### *Miami University.*

The legislation concerning Miami University is of the same general type. The college township was located in 1803<sup>48</sup> and the university incorporated in 1809.<sup>49</sup> By the act of incorporation all benefits and advantages were to be open to all citizens of the state. A Board of twelve trustees was appointed and the faculty was directed to hold at least once in every year, a public examination of the students in each class. Succeeding legislation was concerned only with the appointment of trustees, the leasing of college lands, and the collecting of rents, with the exception of an act in 1814,<sup>50</sup> which required the trustees to make an accurate statement of all proceedings "both as respects the disposal of land, as well as the state of the funds arising from the proceeds." to the legislature. There seems to have been no financial aid of any kind extended to Miami University prior to 1850, and as in the case of Ohio University, no control or initiation of educational policies. The state for the first time shows an awakening responsibility in 1849<sup>51</sup> by the appointment of a committee of three "to examine into and report to the next General Assembly the condition of the Miami University and the cause of its decline, with such recommendations as they may deem proper to make."

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<sup>48</sup> O. L., I, 66.

<sup>49</sup> O. L., VII, 184.

<sup>50</sup> O. L., XII, 83.

<sup>51</sup> O. L., XLVII, local, 39.

*Other Institutions.*

A grant of five hundred dollars each was made to two other institutions by the legislature by an act passed in 1836.<sup>52</sup> The two institutions receiving this aid were Ripley College in Brown County and Franklin College in Harrison County. The act of incorporation for Ripley College<sup>53</sup> specified that vacancies in the Board of Trustees were to be filled by the General Assembly. Aside from this, these two institutions seem in no way to differ from others founded during the same period. The appropriation made was evidently incidental and due to local influence, and did not indicate any general policy of state aid. It is also an indication that the state regarded other institutions in about the same way that it regarded Ohio and Miami Universities.

In 1828<sup>54</sup> the legislature warmly seconded the efforts of Philander Chase, the President of Kenyon College, in his attempt to obtain a grant of lands from Congress for the support of that institution, and requested its senators and representatives to use their efforts in Congress to support such legislation. These instances include all of the state's activities in the interests of higher education.

In the case of other institutions chartered, the state exercised no control, except that it became customary after 1830 to specify in the incorporating act that the right to amend or alter the charter was reserved by the legislature. There also appeared frequent limitations as to the amount of real property that might be held, or the annual income that might be derived from it.

*Denominational Influences.*

It is impossible to say from a study of the acts of incorporation how far denominational influence was instrumental in the founding of the large number of colleges and universities that appeared during this period. It was certainly much more influential than in the case of secondary institutions. Twenty-one

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<sup>52</sup>O. L., XXXIV, local, 610.

<sup>53</sup>O. L., XXVIII, local, 88.

<sup>54</sup>O. L., XXVI, local, 176.

of the forty-five schools show evidence of denominational influence either in the act itself or in the name given, while a few of them had from the first the preparation of ministers for a particular sect in mind. It is quite probable that others were under denominational influence where nothing in the charter or name indicates it.

#### *Agricultural Schools.*

It is interesting to note that as early as 1846<sup>58</sup> a Farmers' College was incorporated in Hamilton County, whose purpose was declared to be "to direct and cultivate the minds of the students in a thorough and scientific course of studies particularly adapted to agricultural pursuits." This institution was the result of private initiative and was founded by a stock company.

#### *Summary.*

The period was one of activity and interest in higher education with a determined effort to afford the advantages of college and university training to the young people of the state without the necessity of going beyond the state border for it. The state's attitude was shown in its willingness to assist through legalizing such efforts by acts of incorporation, but with no conception of any adequate responsibility in the matter, even for those institutions which might naturally have been considered state foundations.

#### Medical Education

During the first eight years of the state's history there was no legislation that bore in any way upon medical practice or indicated any state requirements for entering the profession. In 1811<sup>59</sup> an act was passed to regulate the practice of Physic and Surgery. The state was divided into five medical districts each having three medical censors or examiners, and it was made obligatory upon any one who wished to practice medicine as a means of livelihood to obtain a license from one of these boards

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<sup>58</sup> O. L., XLIV, local, 165.

<sup>59</sup> O. L., IX, 19.

of examiners. The qualifications for a license included satisfactory evidence that the candidate was of good moral character, and that he had attended three full years to the theory and practice of medicine under the guidance of some able physician or surgeon, or that he had a license from some medical society showing that he had been admitted as a practitioner. He was also required to give satisfactory answers to such questions as might be put to him by the examiners in "Anatomy, Materia Medica, Chymistry, and the Theory and Practice of Physic."

In 1812<sup>87</sup> a medical society was incorporated, the state divided into seven medical districts, and the society given power to appoint examining committees to examine and license candidates and also to grant honorary degrees to such of the faculty as they might find of distinguished merit. Practicing without a license from some medical society or college of physicians was forbidden, and a penalty from five to one hundred dollars was imposed for each offense.

In 1817<sup>88</sup> the candidate was required, in addition to the examination, to deliver a thesis upon some medical subject, and in 1818<sup>89</sup> those who had received the degree of Doctor of Medicine in any university or other medical institution within the United States were exempted from the necessity of being examined for a license.

In 1819<sup>90</sup> the first medical school was incorporated in Cincinnati, under the name of The Medical College of Ohio. The preamble recites that the students of medicine in Ohio are so distant from any well regulated college as to labor under serious disadvantages in the prosecution of their studies. The purpose of the college was to give instruction in Physic and Surgery, and the auxiliary sciences. There were four incorporators, and the act of incorporation evidently followed the desires of those responsible for the institution. Six professorships were created and the subjects of instruction of each indicated. The state very early assumed a certain amount of control of this institution.

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<sup>87</sup> O. L., X, 58.

<sup>88</sup> O. L., XV, 195.

<sup>89</sup> O. L., XVI, 105.

<sup>90</sup> O. L., XVII, 27.



At first indirectly, through authorizing<sup>61</sup> The State Medical Convention to appoint two delegates annually to attend the commencement of the medical college, take part in the examination, vote on the candidates and sign diplomas on behalf of the Convention. This Medical Convention consisted of delegates from the various medical districts in the state, and was given at the same time (1821)<sup>62</sup> the exclusive right to grant licenses for practice. It was allowed to select each year two indigent medical students and recommend them to the Medical College, whose duty it was to give them instruction gratuitously.

In 1822<sup>63</sup> on recommendation of the Medical Convention, a board of thirteen trustees of the College was appointed by the General Assembly, and they were given general control of the institution, and it was provided that from this time the trustees were to be so appointed.

In 1825<sup>64</sup> the legislature directed that the moneys raised by auction fees in Hamilton County should be appropriated for four years to the use of the Medical College, unless otherwise directed by the General Assembly.<sup>65</sup> This was extended to five years at the next meeting of the legislature, and in 1831<sup>66</sup> one-fourth of the money from the same source was appropriated for five years, not, however, to exceed twenty thousand dollars for the period. In 1838<sup>67</sup> there were fifteen hundred dollars appropriated outright from the state treasury to be applied to liquidate any unsatisfied claims against the school.

There were no other provisions for financial aid, but in 1833<sup>68</sup> the medical examiners were allowed to appoint one indigent student from each medical district for free instruction, and on the same date the Governor was requested to appoint a committee of five to investigate the organization, government, and condition of the Medical College, and to report to the Gen-

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<sup>61</sup> O. L., XIX, 28.

<sup>62</sup> O. L., XIX, 28.

<sup>63</sup> O. L., XXI, 4.

<sup>64</sup> O. L., XXIII, 19.

<sup>65</sup> O. L., XXIV, 4.

<sup>66</sup> O. L., XXIX, 66.

<sup>67</sup> O. L., XXXVI, 37.

<sup>68</sup> O. L., XXXI, local, 269.

eral Assembly, suggesting "the proper means of advancing the prosperity and utility of the state medical college as an institution of the state, and of medical science therein."

For the first thirty-five years there was no medical institution incorporated in any of the other cities of the state. Two other institutions were chartered in Cincinnati in 1828.<sup>69</sup> The Western Eye and Ear Infirmary, whose trustees had power to appoint "surgeons, advising physicians, lecturers, and teachers," and the Cincinnati Medical Academy,<sup>70</sup> designed to give a systematic course preparatory to admission to a medical college.

From 1839 to 1850 eight other institutions were chartered in the state for various types of medical instruction. There were also incorporated nine local and county medical societies, evidently associations of physicians organized for the advancement of medical science. The State Medical Society was incorporated in 1848<sup>71</sup> with power to organize auxiliary societies. The state took no part in the control or support of the later institutions incorporated.

#### Legal Education

There is almost no legislation bearing on legal education prior to 1850. In 1819<sup>72</sup> a law was passed that no person should be licensed to practice as an attorney unless he had studied law attentively for the period for two years previous to his application for a license. In 1846<sup>73</sup> appeared the first indication of any definite legal instruction in an act authorizing any male citizen of the state of good moral character to take the oath of office and receive a license to practice on producing to two judges of the Supreme Court a certificate from the law department of the Cincinnati College.

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<sup>69</sup> O. L., XXVI, local, 128.

<sup>70</sup> O. L., XXVI, local, 54.

<sup>71</sup> O. L., XLVI, local, 31.

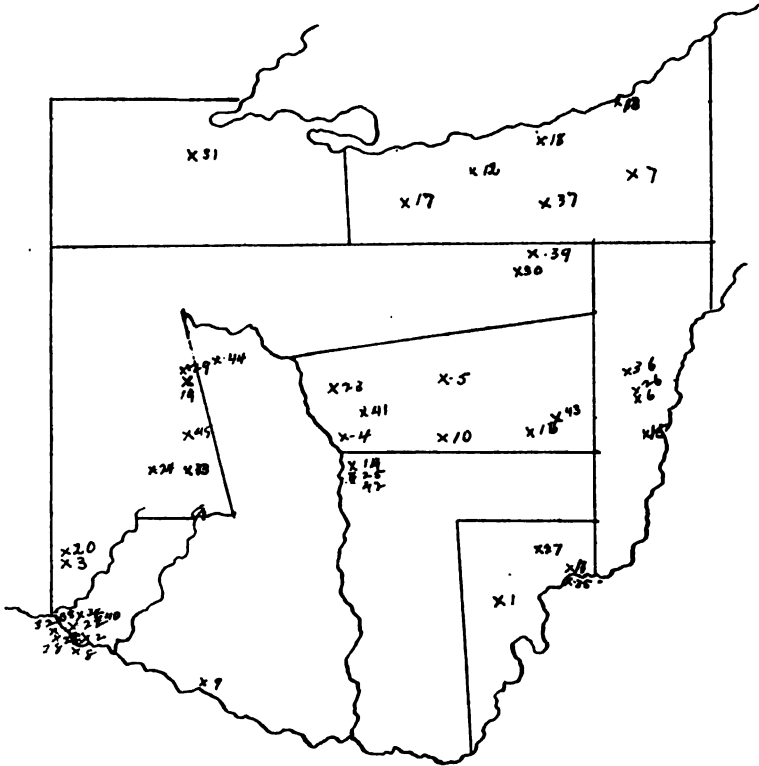
<sup>72</sup> O. L., XVII, 92.

<sup>73</sup> O. L., XLV, local, 157.

COLLEGES AND UNIVERSITIES CHARTERED IN OHIO: 1803—1850.

|  |      |
|--|------|
| 1. Ohio University .....   | 1802 |
| 2. Miami University (Locating Coll. Tps.).....                   | 1803 |
| Miami University (Charter).....                                  | 1809 |
| 3. Cincinnati University .....                                   | 1809 |
| 4. Worthington College .....                                     | 1819 |
| 5. Kenyon College .....  | 1824 |
| 6. { College of Alma.....  | 1825 |
| { Franklin College (Name changed).....                           | 1826 |
| 7. Western Reserve College.....                                  | 1826 |
| 8. Lane Seminary .....   | 1829 |
| 9. College of Ripley.....  | 1830 |
| 10. The Trustees of the Granville Religious and Literary Society | 1832 |
| 11. Marietta Collegiate Institute and Western Teacher's Sem-     |      |
| inary .....  | 1832 |
| 12. Oberlin Collegiate Institute.....                            | 1834 |
| 13. Willoughby University of Lake Erie.....                      | 1834 |
| 14. German Reform Synod of Ohio.....                             | 1836 |
| 15. St. Clairsville Collegiate Seminary.....                     | 1837 |
| 16. Muskingum College .....                                      | 1837 |
| 17. Baptist Literary and Collegiate Institute of Huron County..  | 1837 |
| 18. Wesleyan Collegiate Institute.....                           | 1837 |
| 19. Logan College .....  | 1838 |
| 20. Theological Seminary of the Associated Reform Synod of       |      |
| the West .....   | 1838 |
| 21. Central College of Ohio.....                                 | 1842 |
| 22. St. Xavier College .....                                     | 1842 |
| 23. Ohio Wesleyan University.....                                | 1842 |
| 24. Lafayette University .....                                   | 1842 |
| 25. Germania College .....                                       | 1843 |
| 26. Providence College .....                                     | 1843 |
| 27. Beverly College .....  | 1843 |
| 28. { Methodist Female Collegiate Institute.....                 | 1843 |
| { Wesleyan Female College. (Name changed).....                   | 1846 |
| 29. Bellefontaine Ohio College.....                              | 1843 |
| 30. English Lutheran Theological and Collegiate Institute of     |      |
| Wooster .....  | 1844 |
| 31. Ft. Meigs University.....                                    | 1845 |
| 32. Protestant University of the United States.....              | 1845 |
| 33. Wittenberg College .....                                     | 1845 |
| 34. The Farmers' College .....                                   | 1846 |
| 35. Marietta Female College.....                                 | 1847 |
| 36. { Muhlenberg College .....                                   | 1848 |
| { Judson College. (Name changed).....                            | 1849 |
| 37. Medina College .....   | 1848 |

|                                 |      |
|---------------------------------|------|
| 38. Newton College .....        | 1848 |
| 39. Edinburg College .....      | 1848 |
| 40. Mt. Washington College..... | 1849 |
| 41. Otterbein University .....  | 1849 |
| 42. Capital University .....    | 1850 |
| 43. Cambridge College .....     | 1850 |
| 44. Geneva Hall .....           | 1850 |
| 45. Urbana University .....     | 1850 |



Colleges, Universities and Theological Seminaries Chartered in Ohio from 1803 to 1850.

## CHAPTER V

### THE EDUCATION OF DEFECTIVES, DEPENDENTS, AND DELINQUENTS

The institutions for the education of the deaf and dumb and the blind were definitely recognized as a state responsibility and ample and intelligent provision was made by the state for children of this class. This conception of the state's responsibility was not recognized at once, however, but was a matter of gradual growth. The Deaf and Dumb School preceded the School for the Blind by ten years, and in the legislation that centers about it the gradual development of the idea of state responsibility for financial support can be seen.

#### THE EDUCATION OF DEFECTIVES

##### *Education of the Deaf and Dumb.*

In an act passed in 1822<sup>1</sup> the Court of Common Pleas was authorized to appoint guardians for deaf and dumb persons, and the power of the guardians was expressly extended to the protection, education, and maintenance of their wards. In case the guardian or parent was unable to teach such children to read and write, the law permitted the county commissioners, on application, to appropriate money from the county treasury for such instruction. The law was wholly permissive in character and simply legalized appropriations for the instruction of deaf and dumb children, in cases in which the county commissioners saw fit to grant aid. By the same law the township officers were required to report to the county auditors the number of deaf and dumb persons in the township, and the auditors were directed to report the results to the state auditor.

This was followed at the next session in 1822<sup>2</sup> by an act the sole purpose of which was to ascertain the number of deaf

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<sup>1</sup> O. L., XX, 49.

<sup>2</sup> O. L., XXI, 5.

and dumb persons in the state. Five years later, in 1827,<sup>3</sup> an act was passed to incorporate the "Trustees of the Ohio Asylum for Educating the Deaf and Dumb." Eight trustees were named in the act of incorporation, and they were authorized to receive gifts and bequests for the purpose of educating the deaf and dumb, and were directed to report to the next General Assembly as to the location of the schools, the kind of buildings needed, with an estimate of expense for buildings and instruction, and a plan for its organization and government. The funds of the institution were to be under the management of the trustees subject to the regulation of the General Assembly, and reports were required annually as to the expenses, number of students, number taught at state expense and the number who paid tuition, together with general information as to the status of the school.

The trustees were allowed to draw on the treasury of the state for the support of one indigent student from each judicial circuit an amount not to exceed one hundred dollars for any student, and no student was to receive such aid longer than three years. The Governor was *ex officio* president of the Board of Trustees, and it was specifically stated that the incorporated body was under the control and direction of the General Assembly.

The idea of the legislature seems to have been to organize an institution under state management and control, but financed by private donations with the state giving a minimum amount to the support of indigent students. The following year, 1828, the first appropriation of state money was made, amounting to \$376.76.<sup>4</sup> In 1829<sup>5</sup> the trustees were authorized to open the asylum in rented houses until suitable buildings were erected, and an additional appropriation of one thousand dollars was made. The same year it was decided to permanently locate the institution in Columbus,<sup>6</sup> and the trustees were authorized to receive any donations of land or to purchase a site. In the meanwhile Congress had been urged<sup>7</sup> to appropriate a township

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<sup>3</sup> O. L., XXV, 87.

<sup>4</sup> O. L., XXVI, 4.

<sup>5</sup> O. L., XXVII, 63.

<sup>6</sup> O. L., XXVII, local, 171.

<sup>7</sup> O. L., XXV, local, 113; O. L., XXVI, local, 178.

of land, or an amount equivalent to that, located in smaller tracts, to aid in the education of the deaf and dumb. The grant was not made and in 1830<sup>8</sup> another appropriation of one thousand dollars was made, and the trustees were again authorized to receive one indigent student from each judicial circuit at state expense, but the amount to be expended was reduced from one hundred dollars to seventy-five dollars for each student.<sup>9</sup> The next year the number of students receiving state aid was increased to two from each circuit,<sup>10</sup> a total of eighteen, and an appropriation of sixteen hundred dollars<sup>11</sup> was made for expenses. This was followed in 1832 by an act appropriating one-fourth of the money arising from sales at auction in Hamilton County<sup>12</sup> and by another fifteen hundred dollar appropriation from the treasury.<sup>13</sup>

The state had not reached a point where it was ready to assume the burden of the school and it again applied to Congress in the same year<sup>14</sup> for assistance through a land grant. In this memorial it was estimated that a proper housing and equipment would cost from fifteen thousand to twenty thousand dollars, with a total annual expenditure of nearly ten thousand dollars. It was pointed out that Ohio in common with many other states did not possess land of her own which might be appropriated, and that the only resource, unless Congress came to the state's aid, was by drawing from revenue derived by direct taxation for other purposes. The memorial declares that every one will admit that this measure is impolitic and ought to be avoided, and that it may be deemed quite sufficient to provide in this way for indigent students.<sup>15</sup>

<sup>8</sup> O. L., XXVIII, 30.

<sup>9</sup> There were 9 judicial circuits. The expense involved amounted to \$675.

<sup>10</sup> O. L., XXIX, 427.

<sup>11</sup> O. L., XXIX, local, 246.

<sup>12</sup> O. L., XXX, 20.

<sup>13</sup> O. L., XXX, local, 319.

<sup>14</sup> O. L., XXX, local, 336.

<sup>15</sup> This memorial states that Ohio had established such a school, that it had been in operation two years, and had three teachers and nearly thirty pupils, with a prospect that the number of pupils would be doubled as soon as accommodations were furnished.



From this time on appropriations of fifteen hundred to three thousand dollars were common until 1846<sup>16</sup> when a systematic budget was evidently adopted and regular appropriations made to meet it. The appropriation for expenses in this year amounted to nine thousand dollars with an added four thousand dollars for building needs. Provision was made in 1838<sup>17</sup> by a two thousand dollar appropriation for the erection of workshops and the introduction of mechanical employment as a part of the work of the institution.<sup>18</sup>

*Education of the Blind.*

With the exception of two special acts to assist individuals, one afterward repealed, the state took no steps looking toward the education of the blind until 1835.<sup>19</sup> In this year the Governor was requested to direct the county auditors to make a complete report on the number of blind persons in the state,<sup>20</sup> and in the following year<sup>21</sup> a committee was appointed to study the question of the education of the blind in letters and mechanical arts, and report to the General Assembly the results of their findings with an estimate of the probable expense of establishing a public school for that purpose.

This committee made a careful study of the subject. They quote largely in their report<sup>22</sup> from the address of Dr. S. G. Howe, Director of the New England Institution for the Blind, which he had made to the trustees of that institution. In this address of Dr. Howe's there is given a synopsis of the development of the education of the blind in the different European

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<sup>16</sup> O. L., XLIV, 130.

<sup>17</sup> O. L., XXXVI, 92.

<sup>18</sup> The legislature voted a grant of one hundred dollars annually in 1828 for two years to the trustees of a private school for educating deaf and dumb persons, located in Tallmadge Township, and bearing the name of the Tallmadge School for the Education of the Deaf and Dumb. This is the only hint that appears in the legislation of a private institution of this kind. O. L., XXVI, local, 169.

<sup>19</sup> O. L., IX, 68; O. L., X, 68; O. L., XVII, 7.

<sup>20</sup> O. L., XXXIII, local, 453.

<sup>21</sup> O. L., XXXIV, local, 648.

<sup>22</sup> Ohio Documents, 36th G. A. Report No. 10.

nations and some description of the beginnings of such work in the New York and New England Institutions.

In addition to the information so gained the committee addressed a list of specific questions to the directors of the New York, New England and Pennsylvania institutions for the blind asking for definite information about expense, number of teachers needed, textbooks available, types of industry suitable to be taught in a school of this kind and other questions of a similar nature. Provision was also made for Dr. Howe to visit Columbus during the session of the legislature to "deliver lectures and exhibit one or two of the pupils in such a manner as to prove their attainments."

The committee estimated the number of blind in the state as 500, basing the estimate on the U. S. census and the reports made by the county auditors. Of this number there were 60 under sixteen years of age, whose names and residences were known.

The report closes with the following recommendation:<sup>23</sup> "In order to commence a school it will be necessary to rent a suitable house, and furnish the books and apparatus for a class, and procure one teacher who is qualified to give instruction, and provide for the support of those children who are indigent. For this purpose it is supposed that, if the Legislature shall determine in favor of the measure, an appropriation of \$1,500 will be necessary. — And if it shall be deemed expedient to purchase a site on which permanent buildings may hereafter be erected, a further sum of \$1,000 may be needed. It is desirable also, that as early as practicable, musical instruments may be procured, and the necessary arrangements may be made, for teaching music, not only as a solace and a pleasure to the blind in their disconsolate condition as strangers to sight; but as a means of contributing to their own support in the school, and afterward also. And it is especially desirable, and indeed highly important, that a superintendent of work, together with implements and materials for some profitable manufactures, should be furnished; and thus every pupil, when discharged, may be able to make his own living."

<sup>23</sup> *Ibid.* Page 23.

"In conclusion the Trustees \* \* \* beg leave, most respectfully and most earnestly, to recommend to the General Assembly the immediate establishment of an Institution for the instruction of the Blind."

On the Fourth of July, in 1837, the first "school was opened with prayer, in the Presbyterian Church in the presence of the Teachers and scholars of the Sunday Schools connected with the different denominations in Columbus, who, to the number of 900, had assembled to celebrate the sixty-first anniversary of Independence. On this day the Teacher and five pupils were present. This number was increased to nine, at the middle of September, and still further to eleven in the month of November."<sup>24</sup>

The experience of the legislature with the Deaf and Dumb School had prepared it to accept the responsibility for the school for the blind in a larger way, and in 1837<sup>25</sup> trustees were appointed, and a sum of fifteen thousand dollars was authorized for buildings and ten thousand dollars appropriated for the purpose of building materials and to pay the expense of beginning the school at once. In 1838<sup>26</sup> fifteen thousand dollars was appropriated to complete the building, and the trustees were authorized to receive twelve students at state expense. A tuition and maintenance fee not to exceed one hundred and twenty dollars annually was fixed for other students. The trustees were authorized to procure all necessary material and implements for the purpose of instruction in useful arts and trades.

In 1843<sup>27</sup> the limitation as to the number of students received at state expense was removed, and it was left to the discretion of the trustees. The regulations on this subject appear to have been administered leniently, both in the case of the school for the blind and that for the deaf and dumb, as frequent resolutions appear allowing exceptions in special cases.

In 1845<sup>28</sup> the legislature made another appeal to Congress

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<sup>24</sup> Ibid. Page 4.

<sup>25</sup> O. L., XXXV, 116.

<sup>26</sup> O. L., XXXVI, 49.

<sup>27</sup> O. L., XLI, 57.

<sup>28</sup> O. L., XLIII, local, 344.

for a land grant to assist in the education of the blind and the deaf and dumb, asking that such a grant be made in all the states where it had not been done, but the grant was not made, and the state was forced to assume full responsibility for both institutions.

#### THE EDUCATION OF DEPENDENTS

The first appropriation authorized from the state treasury of Ohio for educational purposes of any kind is found in the case of an Indian orphan girl, whose mother had been shot by a citizen without provocation. In 1820<sup>29</sup> three hundred and fifty dollars was voted to pay for her support and education for seven years. This was repealed the following year,<sup>30</sup> but in 1823<sup>31</sup> twenty-five dollars annually was definitely appropriated for that purpose until she should reach the age of twelve years. This is the only time the state made any financial provision for the education of dependent children prior to 1850. In 1806<sup>32</sup> in an act concerning apprentices and servants it was directed that in all indentures for binding or putting out a child as servant or apprentice there should be a clause that every master or mistress should at least cause such child "to be taught and instructed to read and write." In 1824<sup>33</sup> this was extended to embrace as much arithmetic as would include the single rule of three, and the further provision that at the expiration of the term of service each minor child was to receive a new Bible and two suits of wearing apparel.

This embraces all the state provisions on the subject from 1803 to 1850, and it is interesting to note that the two laws last cited are the only laws passed during the period that in any way touch upon compulsory education, and these carry no penalties for failure to obey.

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<sup>29</sup>O. L., XXI, 39.

<sup>30</sup>O. L., XVIII, 66.

<sup>31</sup>O. L., IV, 72.

<sup>32</sup>O. L., XIX, 144.

<sup>33</sup>O. L., XXII, 381.

*Orphan Asylums and Schools for Poor Children.*

Orphan Asylums were incorporated in Cincinnati in 1833,<sup>34</sup> Cleveland in 1837,<sup>35</sup> Columbus in 1838,<sup>36</sup> and Dayton in 1844.<sup>37</sup> These four institutions were all incorporated by women, and were to be under the management of women, as indicated in the acts of incorporation. A second asylum was incorporated by a Catholic society in Cincinnati in 1843<sup>38</sup> and in 1845<sup>39</sup> an asylum for colored children was incorporated in the same city. The Stark County Orphans' Institute appeared in 1837,<sup>40</sup> but its charter was revoked three years later because it had embarked in the banking business.<sup>41</sup> There were also three endowed schools incorporated for the benefit of poor children, one in Cincinnati in 1827<sup>42</sup>, one in Zanesville in 1834<sup>43</sup>, and one in Kendall in 1826.<sup>44</sup> Their purpose, however, was to afford instruction free to children whose parents were unable to pay for it, not primarily to care for the wholly dependent. These three schools were the Woodward Free Grammar School, the M'Intire Poor School and the Charity School of Kendall.

THE EDUCATION OF DELINQUENTS

*Education of Delinquents.*

No state provision was made for the education of delinquents prior to 1850, and but little was done through private or municipal effort. In 1843<sup>45</sup> an act was passed for the regulation of county jails, which directed that each prisoner should be supplied with a Bible, and that the sheriff should keep a record of the means

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<sup>34</sup> O. L., XXXI, local, 52.

<sup>35</sup> O. L., XXXV, local, 513.

<sup>36</sup> O. L., XXXVI, local, 185.

<sup>37</sup> O. L., XLII, local, 172.

<sup>38</sup> O. L., XLI, local, 112.

<sup>39</sup> O. L., XLIII, local, 101.

<sup>40</sup> O. L., XXXV, local, 201.

<sup>41</sup> O. L., XXXVIII, local, 87.

<sup>42</sup> O. L., XXV, 62.

<sup>43</sup> O. L., XXXIV, 514.

<sup>44</sup> O. L., XXIV, 36.

<sup>45</sup> O. L., XLI, 74.

furnished for literary, moral and religious instruction. In 1845<sup>46</sup> the directors of the penitentiary were authorized to employ some suitable person as a religious and moral instructor, and in the same year the City of Cincinnati was authorized to erect a house of correction.<sup>47</sup>

This is all the legislation that in any way touches upon the education of delinquents during this entire period.

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<sup>46</sup> O. L., XLIII, local, 446.

<sup>47</sup> O. L., XLIII, local, 393; O. L., XLV, local, 112.

## CHAPTER VI

### TRAINING OF TEACHERS

In the preparation of teachers as in other phases of educational activity, Ohio depended upon the sentiment and effort of individuals and communities, and did nothing through state aid or direction other than to legalize through incorporation the concerted efforts of groups of teachers or of institutions. As a result of the educational awakening that accompanied the passage of the general school law of 1838, and the appointment of a State Superintendent, some attention was given by the Legislature to the state's responsibility, and the State Superintendent was asked in the same year<sup>1</sup> to report to the next General Assembly "first, upon the expediency of establishing a state university or universities for the education of teachers and other students; second, if he shall deem it expedient to establish such university or universities then upon the subject of the proper system therefor, and the proper location thereof; third, also upon the proper mode of supporting same, the probable expense thereof to the state, and such other views and information in relation to the subject generally as he may deem it proper to communicate."

Mr. Lewis in his report strongly urged the necessity for the need of schools to train those expecting to teach,<sup>2</sup> but no action was taken by the General Assembly to found such an institution.

It was through the activity of voluntary associations of teachers and friends of education that the first efforts were made to raise the standard of the teaching profession. As early as 1829<sup>3</sup> such an association had been meeting regularly in Cincinnati for the discussion of educational problems, and at a general convention to which friends of education throughout the Mississippi Valley were invited an association was formed, called

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<sup>1</sup> O. L., XXXVI, 418.

<sup>2</sup> Ohio Documents, 37th G. A., Part 2, Doc. 72.

<sup>3</sup> Taylor, page 333.

"The Western College of Teachers." As one result of this association the first educational journal in the Northwest, "The Academic Pioneer" was established and continued for some ten years.

The original association was incorporated by legislative action February 13, 1832<sup>4</sup> under the name of the Western Academic Institute and Board of Education, and its purpose was declared to be the promotion of "harmony, cooperation and efficiency in the diffusion of elementary knowledge, and discussing such subjects as may be considered conducive to the advantage of education generally." This association was intended to exercise an influence through the Mississippi Valley, and of its four Vice Presidents, one was from Harrodsburg, Kentucky, and another from Rising Sun, Iowa.

Three years later, through the leadership of many of the same men, an act was passed to incorporate<sup>5</sup> "The Teachers' Institute." The preamble and first section are of interest and show an advanced educational sentiment on the part of the incorporators and a definite attempt to meet the needs for better trained teachers, and illustrate the general legislative willingness to legalize educational effort through incorporation. "Whereas it has been reported to the General Assembly that a literary institution devoted to the instruction of professional teachers is much wanted within this state, and would be of much public utility. Therefore, be it enacted, etc., that there shall be established and instituted in the name hereinafter directed, a college for the instruction of candidates for professional school teachers, and for the purpose of qualifying such teachers in the best manner to instruct and govern schools, and other seminaries of learning, and to advance the intellectual and moral cultivation of youth."

Among the incorporators were many warm friends of the public schools. The names of Lyman Beecher, John P. Foote, Nathan Guilford — through whose efforts the school law of 1825 took final form — Robert Picket, David L. Talbott, and others appear. The school for teachers that these men had in mind did not materialize, but there were continued until 1845 regular

<sup>4</sup>O. L., XXX, local, 232.

<sup>5</sup>O. L., XXXVII, local, 117.



conventions of teachers and friends of education, and their discussions and influence were instrumental in awakening educational sentiment throughout the state.<sup>9</sup>

In 1832<sup>7</sup> the Marietta Collegiate Institute and Western Teachers' Seminary, which three years later became Marietta College, was incorporated. The original purpose was declared to be "the instruction of youth in the various branches of useful knowledge, and especially the education of teachers for common schools."

Other incorporations were the Wayne County Ohio Teachers' Association in 1833,<sup>8</sup> the Teachers' Institute at Fairmount,<sup>9</sup> the Meigs County High School and Teachers' Institute,<sup>10</sup> and the American Lyceum of Education in Cincinnati.<sup>11</sup>

This last institution planned to establish a common school "for the purpose of furnishing a model school, and one in which experiments might be made as to the best modes and means of instruction, with a view to advancing the interests of common school education throughout the state."

In 1847<sup>12</sup> the state passed a permissive act allowing teachers in eleven counties of the state to incorporate teachers' institutes. Ten of these counties were located in the Western Reserve. This act allowed the county commissioners in the counties named to use a portion of the money derived from the surplus revenue fund for the support of these institutes so organized under the law. The counties had been held responsible by the act distributing the surplus revenue,<sup>13</sup> for the payment of five percent annually for the use of common schools. Any amount derived over this, the counties had been allowed to devote to the support of common schools, the promotion of internal improvements, or the building of academies. They were now allowed in the eleven counties named to include teachers' institutes among the objects

<sup>7</sup>Taylor, page 334.

<sup>8</sup>O. L., XXXI, local, 18.

<sup>9</sup>O. L., XXXI, local, 193.

<sup>10</sup>O. L., XXXV, 417.

<sup>11</sup>O. L., XXXVII, local, 257.

<sup>12</sup>O. L., XXXVIII, local, 192.

<sup>13</sup>O. L., XLV, 67.

<sup>14</sup>O. L., XXXVI, 79.

to which aid from this extra fund might be extended. The money was to be used under the direction of the school examiners of the county in the employment of instructors and lecturers, and in the purchase of a common school library for the use of the association.

This act was made general for the state in 1848,<sup>14</sup> by the same act that permitted counties to provide for county superintendents if they wished to do so. The following year, 1849,<sup>15</sup> the county commissioners were allowed to appropriate from other sources whatever sum was needed to bring the total annual amount for this purpose up to one hundred dollars, but before doing so the teachers petitioning for such an institute were required to present evidence to the commissioners that they had already raised one-half of the total amount needed for the support of the institute, and the petition had to have the signature of forty regular teachers within the county, and also of the county Board of Examiners.

The Farmington Normal School in Trumbull County on the Western Reserve was incorporated in 1849<sup>16</sup> through the efforts of the citizens of Farmington, who gave a site and raised by voluntary subscription \$2,575.00 for its support. A stock company was formed with shares selling at twenty-five dollars each. "One great object" of the school was declared to be "a thorough education of common or elementary school teachers, of both sexes, and to secure a course of intellectual and moral discipline for the youth of the country."

Nothing else appears in the legislation of the state prior to 1850 that has any reference to the training of teachers. Governor Bartley in his message of December 3, 1844<sup>17</sup> said "The subject of normal schools or seminaries for the education of teachers is attracting much attention in several of the states of the Union, and in other countries, and by the pre-eminent advantages afforded by this means for advancing the cause of education, it commends itself to your favorable consideration. Departments

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<sup>14</sup> O. L., XLVI, 83.

<sup>15</sup> O. L., XLVII, 19.

<sup>16</sup> O. L., XLVII, local, 261.

<sup>17</sup> Quoted by Taylor, page 180.

for the education of professional teachers in the Ohio and Miami Universities could be established under the authority of the state, and by a part of the means derived from the large endowments which these institutions have received from the government."<sup>18</sup>

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<sup>18</sup> The plan proposed by Governor Bartley was the one finally followed by the state fifty-seven years later in establishing normal departments in these two schools.

## CHAPTER VII

### SUPPLEMENTARY EDUCATIONAL AGENCIES

#### Libraries

The first recognition of libraries in the laws of the state is found in the charter of the Dayton Library Society, February 21, 1805.<sup>1</sup> There is plenty of evidence, however, that the early settlers established libraries before this, but had not sought the legal sanction of a state charter. Venable<sup>2</sup> says that the first library in the territory northwest of the Ohio was at Belpre, near Marietta. This was organized in 1796, and was first known as the Putnam Family Library, later as the Belpre, or Belpre Farmers' Library. This library was owned by a joint stock company, the common method of procedure in the formation of later libraries and library companies.

Another of these early ventures, much better known than the preceding, was the so-called 'Coon-skin Library. This was located at Ames, Washington County, also near Marietta. The reason for the name popularly given to it, and the circumstances of its beginning are thus told by one of the founders, "At a public meeting of the inhabitants of Ames, called to devise means to improve our roads, and to consult about making one to connect the settlement at Sunday creek with that on Federal creek, held in the autumn of 1802, the intellectual wants of the neighborhood became the subject of the conversation. It was suggested that a library would supply what was needed, but the settlers had no money, and with few exceptions were in debt for their lands. Mr. Josiah True, of Sunday creek settlement, proposed to obtain the means by catching 'coons, and sending their skins to Boston by Samuel Brown, Esq., who expected to go east in

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<sup>1</sup> O. L., III, 228.

<sup>2</sup> Venable. *Beginnings of Literary Culture in the Ohio Valley*, page 135.

a wagon the next summer. Esquire Brown was present and assented to this proposition. Our young men were active hunters; the 'coon skins and other furs were furnished and sent to market, and the books were bought. The Rev. Thaddeus Harris and the Rev. Dr. Manasseh Cutler selected for us about fifty volumes of choice books, and to these additions were made from time to time. As the settlement increased and children grew up, readers were multiplied, and all could have access to the library.”<sup>3</sup>

These early attempts to furnish opportunity for community study and improvement, were followed by an increasing number of similar organizations during the first four decades of the nineteenth century.

Atwater writing in 1838<sup>4</sup> said that most of the towns in Ohio had reading rooms where a traveller could read all the principal newspapers and periodicals, and that libraries were increasing in number as well as size. The record of incorporations in the session laws bears witness to the probable truth of his statement. One hundred and ninety-two library societies had been incorporated by 1850. The record of incorporation in the preceding decades is as follows:

|                 |       |
|-----------------|-------|
| 1805-1810 ..... | 6     |
| 1811-1820 ..... | 15    |
| 1821-1830 ..... | 45    |
| 1831-1840 ..... | 95    |
| 1841-1850 ..... | 31    |
|                 | <hr/> |
|                 | 192   |

The State Library at Columbus received regular appropriations from 1824<sup>5</sup> on. In 1846<sup>6</sup> district school libraries were authorized, but their support was left wholly to the initiative of the district. The law authorized the district to raise by taxes a sum not to exceed thirty dollars for the first year, and not more than ten dollars for each succeeding year. The decision was left

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<sup>3</sup> *Life and Times of Ephraim Cutler*, page 50.

<sup>4</sup> Atwater. *History of Ohio*, page 348.

<sup>5</sup> O. L., XXII, 36.

<sup>6</sup> O. L., XLIV, 81.

to a meeting of the taxpayers of the district, called for the purpose of voting on the question.

#### Lyceums, Institutes, Athenaeums, and Literary Societies

In addition to the library societies, there were frequent incorporations of lyceums, athenaeums, institutes, and literary societies, the total number of such incorporations being 64. These developed rapidly after 1830, prior to that time only three institutions of this type being incorporated. The record of their incorporation is as follows:

|                   |    |
|-------------------|----|
| 1805 to 1830..... | 3  |
| 1831 to 1840..... | 40 |
| 1841 to 1850..... | 21 |
|                   | 64 |

These latter institutions seem designed to afford meeting places for their members for discussion and opportunity for reading and study. The use of their funds is usually limited to the purchase of books, maps, charts, pamphlets and newspapers. Among them were eight Mechanics' Institutes. Seven of these incorporated after 1831. The first one of the latter was the Ohio Mechanics' Institute of Cincinnati in 1829,<sup>7</sup> and its purpose was declared to be for "advancing the best interests of the Mechanics, Manufacturers and Artizans by the more general diffusion of useful knowledge in these important classes in the community."

#### College Societies

The first college literary society incorporated was the Erodolphian Society of Miami University in 1831,<sup>8</sup> followed in the same year by the Philomathesian Society of Kenyon College.<sup>9</sup>

By 1850 twenty-three college and university societies were thus given sanction. Four of the number were incorporated under Greek letter names.

<sup>7</sup> O. L., XXVII, local, 92.

<sup>8</sup> O. L., XXIX, 74.

<sup>9</sup> O. L., XXIX, local, 196.

Miscellaneous

In addition to the various types of educational endeavor represented in the preceding paragraphs there were also incorporated the following institutions, whose names indicate a wide range of literary and artistic interest supplementary to the regular educational agencies.

The Historical Society of Ohio, 1822;<sup>10</sup>

The Cincinnati Academy of Fine Arts, 1828;<sup>11</sup>

The Lancaster Harmonic Society, 1830;<sup>12</sup>

The Historical and Philosophical Society of Ohio, 1831;<sup>13</sup>

The Eclectic Academy of Music in Cincinnati, 1835;<sup>14</sup>

The New Paris Musical Institute, 1843;<sup>15</sup>

The Western Academy of Natural Sciences, 1836;<sup>16</sup>

The Cleveland Academy of Natural Sciences, 1840;<sup>17</sup>

The Cincinnati Astronomical Society, 1844;<sup>18</sup>

The Ohio Institute of Natural Sciences, 1849;<sup>19</sup>

The Western Art Union, 1848;<sup>20</sup>

The Columbus Art Union, 1849.<sup>21</sup>

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<sup>10</sup> O. L., XX, local, 47.

<sup>11</sup> O. L., XXVI, local, 30.

<sup>12</sup> O. L., XXVIII, local, 179.

<sup>13</sup> O. L., XXIX, local, 122.

<sup>14</sup> O. L., XXXIII, local, 161.

<sup>15</sup> O. L., XLI, local, 174.

<sup>16</sup> O. L., XXXIV, local, 110.

<sup>17</sup> O. L., XXXVIII, local, 138.

<sup>18</sup> O. L., XLII, local, 122.

<sup>19</sup> O. L., XLVII, local, 256.

<sup>20</sup> O. L., XLVI, local, 228.

<sup>21</sup> O. L., XLVII, local, 268.

## CHAPTER VIII

### CONCLUSION

The two essential features of Ohio's educational policy as illustrated by the legislation passed from 1803 to 1850 are, first, the lack of any efficient central control of local educational activities, and second, the permissive character of a large part of the legislation passed, and the lack of any compulsory features.

The large amount of educational legislation enacted shows that there was no lack of educational interest in the state, either in the public at large or in the people's representatives in the General Assembly. There was a wide-spread belief in universal education and a desire for it. While there was, as elsewhere, much opposition to taxation and to the idea of distributive responsibility for free schools, the general educational sentiment was good. The laws themselves show in many cases excellent educational possibilities. The weakness of the legislation was due to the fact that the theory followed seemed to be that the function of educational legislation was to establish general rules of organization and control in accord with which the communities might regulate their own educational activities and have legal sanction for them, but that it was not the function of the state to develop any legal machinery that would definitely bring about educational results.

The words of Samuel Lewis are so significant in this connection that they are quoted once more. Speaking of the law of 1838, far the best educational legislation of the entire period, he said:<sup>1</sup> "It gives to the people the power to do their own business whether in townships or districts as the majority may think best. The widest possible latitude is given for popular action: the most that the law does is to prescribe certain general rules within which the people can act under the sanction of the law, and it gives to such popular action the aid of law to effect its purpose."

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<sup>1</sup>Third Annual Report, State Supt. of Schools, page 4.



This expresses as well as it can be done the state theory that seems to underlie all the educational legislation prior to 1850.

One result of this type of legislation was great freedom in educational experimentation, with legislative sanction when that was asked for. In communities where the general school sentiment was high, as in Cincinnati, Cleveland, Akron and some other towns and cities, this resulted in an excellent type of school system, and through this experimentation a legalized model was given to other communities throughout the state. The results were excellent for those communities which chose to follow the example set and there were many that did so. On the other hand, there were no penalties in any of the legislation prior to 1850 to compel even towns and cities to organize schools other than those of the district type, and the only compulsion to organize the latter was the loss of the community's share of the school tax if it did not do so.

Ohio early took an advanced position on the right and desirability of taxing all property in the state for school purposes. This principle appeared in 1825, when the commissioners of each county were directed to levy a half-mill tax for school support, and it remained in all subsequent laws in some form. With this principle established, the state did not concern itself further either to compel the taxation or the establishment of schools. These were matters to be decided by smaller local areas. The general idea seemed to be that self-interest and a desire to use the share of money to which each district was entitled, would be sufficient incentive for the establishment of public schools in the districts throughout the state. The results of the next fifteen years show that this belief was in large part justified. Mr. Lewis estimated the number of district schools taught in Ohio in the year 1839<sup>2</sup> at 13,049, and he based this estimate on actual reports from 5,442 districts in which 7,295 schools were taught. The state, however, took no responsibility for seeing that the children of the district attended the school so established, and but a minor responsibility for the activities that were carried on in it.

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<sup>2</sup>Third Annual Report, State Supt. of Schools, page 48.

This lack of compelling power and lack of efficient administrative officers made the system a loose and ineffective one, under which the various communities continued largely to do that which was right in their own eyes.

The great educational blunder of Ohio was in the abolition of the office of State Superintendent in 1840. Although the office as created in 1837 did not carry with it the possibility of exercising any large legal powers, and was confined largely to the gathering of school statistics, and the dissemination throughout the state of educational information concerning the laws in force and other matters of educational interest, it did centralize the educational interest of the state in one office, and had in it great possibilities of usefulness. The law of 1838, with the State Superintendent at the head of the system contained much of educational promise. It is not too much to say that if Mr. Lewis or a leader of equal ability could have continued the work begun so ably by him from 1837 to 1840, the educational development of Ohio might have paralleled that in Massachusetts under the guidance of Horace Mann. The explanation of its failure to do so, must be found in the fact that in spite of much educational interest, the people as a whole were not ready for such leadership. Whatever the causes may have been, the result was to leave Ohio educationally a generation behind the position she might have occupied had she lived up to the full promise of the law of 1838.

Nowhere is there a better illustration of the need of a centralized administrative office capable of giving to the legislature advice founded upon knowledge of the facts, and of administering the policies adopted uniformly throughout the state, than in the legislation concerning Ohio school lands. Educational interest, state economic interests — such as the question of internal improvements — local interests, and too often, individual interests were all presented to the legislature, which acted in many cases upon a one-sided presentation of the facts. The result was a mass of confused facts and conflicting legislation, that as it multiplied left the legislators themselves in ignorance as to the exact law that applied in particular cases. Opportunities for carelessness and downright dishonesty in the local handling of the

funds, and the selling and leasing of the lands were afforded, and as the records show, not all local officials were either careful or honest. Aside from carelessness and occasional dishonesty, the conflict between the immediate interest of a neighbor and the more distant interest of the schools, that often confronted the local appraisers of lands, must have been frequently disastrous for the schools. John Brough, the auditor of state, said in 1840, that "any one who would seek the records and gather the melancholy facts they contained would be convinced of the waste that had taken place."

The state had no clearly defined state-wide policy applicable in all instances and under all circumstances, and it lacked efficient machinery of government to administer carefully the policies that were initiated.

It is not probable that dishonest or wilful carelessness was the cause of the legislation that made great loss possible, but rather ignorance of conditions, and a hand to mouth expediency to meet present needs. This could have been largely avoided through the establishment of a central office, interested primarily in preserving for the educational interests of the state the first state-wide grant made by the general government for the use of schools.

There is little to be said in summarizing the state's attitude towards secondary and higher education. Ohio lacked in the beginning, and failed to develop during the period any state educational policy that embraced elementary, secondary and higher education. Her interest in public education was an interest in public elementary education only, not in secondary or higher institutions. One explanation for this is doubtless found in the abundance of local secondary and higher institutions established by private initiative, and a second in the fact that the three townships granted by the government for higher education were located in the Ohio Company's Purchase and in the Symmes' Purchase, and that the resulting institutions were regarded as largely local and only quasi state in nature. With a lack of clearly recognized state institutions of college or university rank, there was no pressure from above for a system of preparatory schools under state control.

Secondary education was still generally regarded as a privilege to be obtained by those who could afford to pay for it, not as a recognized part of a free state system. Private secondary schools had been established in abundance. It was not surprising that the development of a state system of secondary schools came as a part of the general high school movement that began to take on vigorous growth about 1850.

The characteristic features of Ohio's educational legislation during her first half century of statehood left a strong impression upon the state's educational policy for the next fifty years. The lack of any efficient centralized control, the absence of compulsory local supervision of any kind, an abundance of excellent permissive laws, which legalized advanced educational procedure without compelling it, the passing of laws general in form but local in application, lack of any state agency for training teachers for her schools, these continued throughout the next half century, from 1850 to 1900, as marked traits of the state's educational procedure.

It is only in very recent years that Ohio has freed herself from some of the most undesirable features of her early legislative inheritance, and has adopted a modern, progressive, centralized state system of education, with state-wide supervision, that places her on a parity with her most advanced sister states.

## APPENDIX A.

### A CLASSIFIED COLLECTION AND ABSTRACT OF THE EDUCATIONAL LEGISLATION OF THE PERIOD: 1803-1850.

#### ACTS TO INCORPORATE THE ORIGINAL SURVEYED TOWNSHIPS, IN- CLUDING PROVISIONS FOR DISTRICTING, ESTABLISHING SCHOOLS, APPORTIONING MONEY, ETC.

- O. L., IV, 66, Jan. 2, 1806.
- O. L., VIII, 100, Feb. 6, 1810
- O. L., XIII, 295, Dec. 5, 1814.
- O. L., XXIX, 490, March 14, 1831.

#### GENERAL SCHOOL LAWS

- O. L., XIX, 51, Jan. 22, 1821. An act to provide for the regulation and support of common schools. (The first School Law.)
- O. L., XX, 86, Jan. 31, 1822. Resolution. Seven commissioners to report a system of common schools.
- O. L., XXIII, 36, Feb. 5, 1825. An act to provide for the support, etc.
- O. L., XXV, 65, Jan. 30, 1827. An act supplementary to the above.
- O. L., XXV, 78, Jan. 30, 1827. An act to establish a fund for the support of common schools.
- O. L., XXVII, 73, Feb. 10, 1829. An act to provide for the support, etc.
- O. L., XXVIII, 55, Feb. 18, 1830. An act in addition to the act to establish a fund, etc.
- O. L., XXVIII, 57, Jan. 14, 1830. An act to amend the school law.
- O. L., XXIX, 414, March 10, 1831. An act to provide for the support, etc.
- O. L., XXIX, 423, March 2, 1831. An act to establish a fund for the support of common schools.
- O. L., XXX, 4, Dec. 23, 1831. An act to amend the school law.
- O. L., XXXI, 18, Dec. 3, 1832. An amendment regulating fees of county treasurers for handling school funds.
- O. L., XXXI, 24, Feb. 13, 1833. An act supplementary to the act concerning the school fund.
- O. L., XXXI, 24, Feb. 25, 1833. An act to amend the school law.
- O. L., XXXII, 25, Feb. 28, 1834. An act to provide for the support, etc.

- O. L., XXXIV, 19, March 12, 1836. An act to provide for the support, etc.
- O. L., XXXIV, 654, March 11, 1836. Resolution for a committee to prepare a School District Manual.
- O. L., XXXIV, 654, March 14, 1836. Resolution requesting C. E. Stowe to study and report on European Schools.
- O. L., XXXV, 82, March 27, 1837. An act creating the office of Superintendent of Common Schools.
- O. L., XXXV, 560, April 1, 1837. Resolution appointing Samuel Lewis Superintendent of Common Schools.
- O. L., XXXV, 97, March 28, 1837. An act for the distribution, etc., of United States Surplus Revenue.
- O. L., XXXVI, 79, March 19, 1838. An act amending the preceding act.
- O. L., XXXIX, 41, March 27, 1841. An act further to amend the preceding.
- O. L., XXXVI, 21, March 7, 1838. An act for the support, etc.
- O. L., XXXVI, 399, Dec. 16, 1837. Resolution granting certain privileges to the Superintendent of Schools.
- O. L., XXXVI, 411, March 9, 1838. Resolution appointing Samuel Lewis Superintendent for five years.
- O. L., XXXVI, 73, March 17, 1838. An act concerning the distribution of the school fund in certain districts.
- O. L., XXXVI, 85, March 19, 1838. An act levying a tax for school purposes
- O. L., XXXVI, 90, March 19, 1838. An act regulating the fees of County Auditors.
- O. L., XXXVI, 402, Jan. 4, 1838. Resolution concerning Professor Stowe's report on European education.
- O. L., XXXVI, 404, Jan. 4, 1838. Resolution thanking Professor Stowe for the report.
- O. L., XXXVI, 404, Jan. 16, 1838. Resolution appropriating \$500.00 for Professor C. E. Stowe for his labor.
- O. L., XXXVI, 410, March 7, 1838. Resolution providing for the distribution of the report of the Superintendent of Schools and C. E. Stowe's report.
- O. L., XXXVI, 412, March 13, 1838. Resolution asking for the amount of school tax levied on colored people.
- O. L., XXXVI, 415, Jan. 16, 1838. Resolution that 8,500 copies of the report of the Superintendent of Schools be printed and distributed.
- O. L., XXXVII, 394, Jan. 16, 1839. Resolution that 9,500 copies of the annual report of the Superintendent be printed and distributed.
- O. L., XXXVII, 61, March 16, 1839. An act amending the school law and creating permanently the office of Superintendent.
- O. L., XXXVIII, 131, March 23, 1840. An act to abolish the office of Superintendent of Schools.

- O. L., XXXIX, 44, March 29, 1841. An act to amend the school law and all acts amendatory thereto.
- O. L., XL, 49, March 7, 1842. An act to amend the school law.
- O. L., XL, 59, March 7, 1842. An act making appropriations. Reduces the school appropriation to \$150,000.00.
- O. L., XLII, 38, March 6, 1843. An act to increase the school fund.
- O. L., XLI, 59, March 11, 1843. An act further to amend the school law.
- O. L., XLII, 48, March 12, 1844. An act to amend the school law.
- O. L., XLIV, 114, March 2, 1846. An act to amend the preceding act of March 11, 1843.
- O. L., XLV, 26, Feb. 8, 1847. An act to amend the school law.
- O. L., XLV, 60, Feb. 8, 1847. An act to amend the act for levying taxes.
- O. L., XLIV, 81, Feb. 28, 1846. An act authorizing districts to establish school libraries.
- O. L., XLV, 67, Feb. 8, 1847. An act to incorporate Teachers' Institutes.
- O. L., XLV, 32, Feb. 8, 1847. An act to provide for the appointment of county superintendents.
- O. L., XLVI, 28, Jan. 21, 1848. An act to secure the returns of school statistics.
- O. L., XLV, 187, Feb. 8, 1847. An act for the support of common schools in Akron.
- O. L., XLVI, 46, Jan. 28, 1848. An act to amend the preceding act.
- O. L., XLVI, 48, Feb. 14, 1848. An act making general the Akron act.
- O. L., XLVI, 69, Feb. 22, 1848. An act to amend the act for levying taxes.
- O. L., XLVI, 81, Feb. 24, 1848. An act to provide a department of Common Schools for colored persons.
- O. L., XLVI, 83, Feb. 24, 1848. An act amending the school law.
- O. L., XLVI, 86, Feb. 24, 1848. An act amending the act to encourage teachers' institutes.
- O. L., XLVII, 17, Feb. 10, 1849. An act authorizing separate schools for colored children.
- O. L., XLVII, 19, Feb. 16, 1849. An act amending the act to incorporate teachers' institutes.
- O. L., XLVII, 22, Feb. 21, 1849. An act for the regulation of Public Schools in cities and towns.
- O. L., XLVII, 39, March 6, 1849. An act amending the school law.
- O. L., XLVII, 43, March 12, 1849. An act to amend the school law.
- O. L., XLVII, 45, March 15, 1849. An act to amend the Akron act.
- O. L., XLVII, 52, March 24, 1849. An act to amend the school law.
- O. L., XLVIII, 40, March 13, 1850. An act to amend the law concerning public schools in cities and towns.
- O. L., XLVIII, 41, March 22, 1850. An act concerning school district taxes, etc.
- O. L., XLVIII, 44, March 22, 1850. An act for the appointment of a state board of public instruction.

- O. L., XLVIII, 47, March 23, 1850. An act supplementary to the preceding.
- O. L., XLVIII, 728, Jan. 28, 1850. Resolution for the appointment of a committee to report on the defects of the present school system.

## SPECIAL ACTS CONCERNING PUBLIC SCHOOLS.

Special acts for the following purposes were passed during the period from 1829 to 1850:

|  |    |
|--|----|
| Creating district or changing boundaries of districts.....   | 29 |
| Allowing districts to make appropriations, borrow money or tax themselves for school purposes..... | 26 |
| Authorizing the sale of school lots or other lots for school purposes .....                        | 18 |
| Authorizing the apportionment of school funds when the school census had not been made.....        | 13 |
| Changing the form or powers of the district organization.....                                      | 4  |
| Governing the distribution of school funds in special cases.....                                   | 6  |
| Relief of individual school officers.....  | 2  |

## FINES, FEES, ETC., APPLIED TO THE SUPPORT OF PUBLIC SCHOOLS.

- O. L., XXVII, 11, Jan. 28, 1829. An act to regulate grocers and retailers of spirituous liquors.

Licenses, \$5.00 to \$50.00. Fines for operating without license, permitting rioting, drunkenness, gambling, etc., \$10.00 to \$50.00. All monies to go to the schools of the county.

- O. L. XXIX, 161, Feb. 17, 1831. An act for the prevention of immoral practices.

|   |           |        |
|---|-----------|--------|
| Sabbath breaking—Fine .....   | \$1.00 to | \$5.00 |
| Selling liquor on Sunday—Not to exceed.....   |           | 5.00   |
| Disturbing religious meetings—Not to exceed.....  |           | 20.00  |
| Using profanity .....   | .25 to    | 1.00   |
| Exciting disturbance in a tavern, etc.....  | .50 to    | 5.00   |
| Playing bullets, shooting, running horses in towns..  | .50 to    | 5.00   |
| Liquor dealer keeping nine pin alley.....   | 10.00 to  | 100.00 |
| Exhibiting a puppet show, juggling, etc.....  |           | 10.00  |
| Tearing down public notices.....  |           | 10.00  |
| Selling liquor within one mile of religious gatherings except by licensed dealers at place of business, etc., ..... |           | 20.00  |
| Bull baiting, bear baiting, etc., not to exceed.....  |           | 100.00 |
| Cock fighting—not to exceed.....  |           | 100.00 |
| Horse racing on public road.....  | 1.00 to   | 5.00   |
| All monies to go to the schools of the township in which offenses occur.  |           |        |



- O. L., XXIX, 304, March 14, 1831. An act regulating sales at auctions.  
 Selling without license..... 500.00  
 Failure to render account, not to exceed..... 1,000.00  
 All monies to go to State Literary Fund.
- O. L., XXIX, 313, March 14, 1831. An act for granting licenses.  
 Peddling without license..... 20.00 to 100.00  
 All monies to go to schools of district in which the offense occurs.
- O. L., XXIX, 446, Feb. 28, 1831. An act to regulate public shows.  
 Exhibiting circus without permit..... 100.00  
 Money to go to schools of the county.
- O. L., XXIX, 469, Jan. 18, 1830. An act to protect the fur trade.  
 Killing muskrats out of season..... 1.00  
 Money to go to schools of township.
- O. L., XXIX, 477, March 9, 1831. An act for the inspection of certain articles.  
 Neglecting to have fish inspected and barrels branded 5.00  
 Failure to bury offal when fish are packed..... 5.00 to 50.00  
 Inspector violating regulations..... 50.00  
 Money to go to schools of the county.
- O. L., XXXII, 47, March 3, 1834. An act for the inspection of salt.  
 Selling or removing salt liable to inspection. Per bbl. 1.00  
 Money to go to schools of the county.
- O. L., XXXII, 20, Feb. 27, 1834. An act to provide (sic) for certain crimes.  
 Medical malpractice of various kinds.....100.00 to 500.00  
 Money to go to schools of the county.
- O. L., XLVI, 36, Feb. 7, 1848. Amending the act granting licenses, etc.  
 Peddler's license fees to go to state school fund.  
 Fine for peddling without license..... 50.00  
 Money to go to schools of the township.
- O. L., XLIII, 17, Feb. 10, 1845. An act to prevent firing of cannon upon public streets, etc. Money to go to schools of the township..... 50.00
- O. L., XLIV, 10, Jan. 17, 1846. An act to prevent gambling.  
 Proprietor of gambling house or common gambler. 500.00  
 Money to go to schools of the county.
- O. L., XLIV, 76, Feb. 28, 1846. An act to protect enclosures.  
 Fine not to exceed ..... 100.00
- O. L., XLII, 37, March 6, 1844. An act to prevent the introduction and spreading of Canada thistles.  
 Allowing to mature or selling seed containing Canada thistle seed ..... 10.00 to 20.00  
 Money to go to schools of the township.
- O. L., XXXII, 38, March 1, 1834. Obstructing navigation in the Muskingum River ..... 50.00

- O. L., XXXVI, 68, March 17, 1838. Officer or corporation disregarding court orders in quo warranto procedure ..... 10,000.00  
 Money to go to schools of the county.
- O. L., XXXVIII, 4, Jan. 17, 1840. Keeping breachy or unruly animals ..... .25 to 1.00  
 Money to go to schools of the district.
- O. L., XXXVIII, 7, Jan. 17, 1840. Harboring intoxicated Indians ..... 5.00 to 25.00  
 Money to go to schools of the district.
- O. L., XXXIX, 34, March 26, 1841. Selling liquor within two miles of a religious society gathered in a field or woodland..... 10.00  
 Money to go to schools of the township.

## LAWs CONCERNING COMMON SCHOOLS IN CITIES AND TOWNS

- O. L., XXIII, 65, Jan. 8, 1825. An act authorizing the township meeting at Marietta to vote a sum for schools.
- O. L., XXVII, 33, Feb. 12, 1829. An act creating a school system in the city of Cincinnati.
- O. L., XXXVIII, 157, March 19, 1840. Amending the preceding act.
- O. L., XLIII, 413, March 12, 1845. Supplementary. City of Cincinnati.
- O. L., XLIV, 91, Feb. 11, 1846. An act for the better classification of the Common Schools of Cincinnati and Dayton.
- O. L., XLV, 193, Feb. 6, 1847. An act authorizing the City Council of Cincinnati to levy taxes for school purposes.
- O. L., XLVIII, 662, March 23, 1850. An act authorizing the appointment of a Superintendent of Common Schools in Cincinnati.
- O. L., XXXIV, 226, March 3, 1836. An act incorporating the City of Ohio. Provides for School System.
- O. L., XXXV, 32, Jan. 7, 1837. An act incorporating the City of Toledo. Provides for School System.
- O. L., XXXIV, 271, March 5, 1836. An act incorporating the City of Cleveland. Provides for School System.
- O. L., XLVI, 150, Feb. 18, 1848. An act for the better regulation and support of the Cleveland Schools.
- O. L., XXXVI, 329, March 16, 1838. Amending the act to incorporate the town of Portsmouth. School System adapted from the Cincinnati charter.
- O. L., XXXVII, 194, March 12, 1839. An act for the support and better regulation of the schools in the town of Zanesville.
- O. L., XXXIX, 22, Feb. 20, 1841. An act to regulate schools in the town of Marietta.
- O. L., XXXIX, 135, March 27, 1841. An act to incorporate the city of Dayton. Adapts provisions of the Cleveland and Cincinnati schools.

- O. L., XLIII, 57, Feb. 3, 1845. An act for the support and better regulation of schools in the city of Columbus.
- O. L., XLVII, 230, Feb. 16, 1849. Amending the preceding.
- O. L., XLIII, 150, Feb. 26, 1845. An act incorporating the town of Mt. Vernon. Provides for the control of schools.
- O. L., XLVII, 205, March 9, 1849. An act concerning taxes, schools, and sewers in the city of Toledo.
- O. L., XLIV, 261, March 2, 1846. An act to regulate Common Schools in Maumee City, Lucas County, and in Elyria.
- O. L., XLV, 121, Feb. 8, 1847. An act for the support and better regulation of schools in District 21, in Urbana.
- O. L., XLVI, 185, Feb. 18, 1848. An act for the support and better regulation of schools in Lithopolis.
- O. L., XLVI, 191, Feb. 19, 1848. An act for the support and better regulation of schools in Lancaster.
- O. L., XLVIII, 647, Feb. 13, 1850. Amending the preceding.
- O. L., XLVI, 237, Feb. 24, 1848. An act for the support and better regulation of schools in Lebanon District, Warren County.
- O. L., XLVII, 253, March 21, 1849. An act repealing the "Akron Act" in the town of New Lebanon.
- O. L., XLVIII, 648, March 22, 1850. An act to repeal the provisions of the act for the regulation of schools in cities and towns etc., so far as it is in force in the town of Hanover.
- O. L., XLVIII, 662, March 21, 1850. An act to exempt Mt. Vernon from the provisions of the Akron act.
- O. L., XLVIII, 373, March 21, 1850. Amending the act to incorporate the town of Fulton. (Providing for schools.)
- O. L., XLVIII, 421, March 19, 1850. An act incorporating the city of Piqua. (Providing for schools.)
- O. L., XLVIII, 446, March 21, 1850. An act to incorporate the city of Springfield. (Providing for schools.)
- O. L., XLVIII, 648, March 1, 1850. An act extending the provisions of the act for regulation of schools in cities etc., to Union School District No. 7 in Springfield and Suffield Townships in Summit and Portage Counties.
- O. L., XLVIII, 651, March 19, 1850. An act authorizing the citizens of Wooster to vote for or against the provisions of the "Akron Act."

ACTS CONCERNING LOCAL SCHOOL FUNDS

- O. L., XXVII, 23, Jan. 5, 1829. An act establishing a fund for Common schools in Clermont County.
- O. L., XXVII, 180, Feb. 11, 1829. } Acts supplementary to the preceding act.
- O. L., XXVIII, 56, Feb. 2, 1830. }
- O. L., XXVIII, 57, Jan. 14, 1830. }
- O. L., XXIX, 210, March 11, 1831. }

- O. L., XXXII, 100, Feb. 20, 1834; O. L., XXXVIII, 149, March 17, 1840. Acts establishing a Common School Fund in that part of Warren County in the Virginia Military District.
- O. L., XXVIII, 93, Feb. 18, 1830. An act incorporating the trustees of the Windham School Fund.
- O. L., XXXVII, 50, Feb. 16, 1839; O. L., XLI, 26, January 16, 1843. Acts supplementary to the preceding.

ACTS CONCERNING SCHOOLS FOR POOR CHILDREN

- O. L., XXIV, 36, Jan. 24, 1826. An act to incorporate the Charity School of Kendall, Stark County.
- O. L., XXVII, Feb. 10, 1829, O. L., XLVIII, 625, March 7, 1850. Acts supplementary to the preceding.
- O. L., XXV, 62, Jan. 24, 1827. An act to incorporate the trustees of the Woodward Free Grammar School.
- O. L., XXXIV, 514, March 14, 1836. An act to incorporate the M'Intire Poor School, in Zanesville.
- O. L., XXXVI, 514, March 7, 1838. An act to incorporate the Immigrants Friends Society of Cincinnati.

LAWS CONCERNING SCHOOL LANDS

- Journals of the American Congress. 1774-1788. Vol. IV, 520. May 20, 1785. An Ordinance for ascertaining the mode of disposing of lands in the Western territory.
- United States Statutes at Large. Vol. I, 51. July 13, 1787. An Ordinance for the government of the territory of the United States northwest of the River Ohio.
- Journals of the American Congress. 1774-1788. Vol. IV, Appendix, 17. Powers to the Board of Treasury to contract for the sale of the Western territory.
- United States Statutes at Large. Vol. II, 175. April 30, 1802. Enabling Act for Ohio.
- Nashee's Compilation, page 161, Territorial Act. Nov. 27, 1800. An act authorizing the leasing of school lands etc., in Washington County.
- O. L., I, 161, April 15, 1803. An act to provide for the leasing of school lands.
- O. L., III, 230, Feb. 20, 1805. An act directing the mode of leasing Section 16.
- O. L., III, 321, April 15, 1805. An act to provide for leasing School lands.
- O. L., IV, 66, Jan. 2, 1806. An act to incorporate the original surveyed townships. (Leasing school lands.)

- O. L., VI, 125, Jan. 14, 1808. An act accepting certain lands offered by Congress for the use of schools in the Virginia Military Tract, in lieu of those heretofore appropriated.
- O. L., VII, 109, Feb. 17, 1809. An act directing the manner in which the school lands in the Virginia Military Tract shall be surveyed and disposed of.
- O. L., VIII, 100, Feb. 6, 1810. An act to incorporate the original surveyed townships. (Leasing school lands.)
- O. L., VIII, 254, Feb. 16, 1810. Amending the act concerning the disposition etc., of the school lands in the Virginia Military Tract.
- O. L., XIII, 295, Dec. 5, 1814. An act supplementing the act to incorporate townships. (Leasing school lands.)
- O. L., XIV, 418, Feb. 26, 1816. An act directing the manner of leasing the school lands in the Virginia Military Tract.
- O. L., XV, 202, Jan. 27, 1817. An act to provide for leasing the school lands. (99-year leases.)
- O. L., XIX, 161, Feb. 21, 1821. An act to provide for leasing school lands in the United States Military District.
- O. L., XX, 34, Jan. 31, 1822. An act regulating the school lands in the Connecticut Western Reserve.
- O. L., XXI, 33, Jan. 27, 1823. An act to authorize the surrender of certain leases etc. (School lands.)
- O. L., XXV, 26, Jan. 29, 1827. An act to provide for the sale of Section 16.
- O. L., XXV, 103, Jan. 19, 1827. An act to provide for obtaining the consent of the inhabitants of the United States Military District to the sale of school lands, and to authorize the surrender of leases and the receiving of certificates of purchase.
- O. L., XXV, 45, Jan. 29, 1827. An act to enable the inhabitants of the Virginia Military District to vote on the sale of school lands.
- O. L., XXVI, 23, Jan. 28, 1828. An act to provide for the sale of the school lands in the Virginia Military District, and to authorize the surrender of leases and the receiving of certificates of purchase.
- O. L., XXVI, 135, Feb. 11, 1828. An act to enable the inhabitants of the Connecticut Western Reserve to give their consent to the sale of their school lands.
- O. L., XXVI, 80, Feb. 11, 1828. An act to provide for granting temporary leases of certain school lands.
- O. L., XXVIII, 16, Feb. 9, 1830. An act to amend the act providing for the sale of Section 16.
- O. L., XXVIII, 18, Dec. 31, 1829. An act to enable the inhabitants of the Connecticut Western Reserve to give their consent to the sale of their school lands.
- O. L., XXIX, 490, March 14, 1831. An act to incorporate the original surveyed townships. (Management of the school lands.)

- O. L., XXIX, 187, March 3, 1831. An act making further provision for the sale of Section 16.
- O. L., XXXIII, 128, Feb. 25, 1835. An act authorizing the electors in the several counties of the Western Reserve to give their assent to the sale of additional school land.
- O. L., XXXVI, 63, March 16, 1838. Amending the act to provide for the sale of Section 16.
- O. L., XXXVII, 78, March 18, 1839. An act for the relief of holders of leases on Section 16.
- O. L., XXXVIII, 62, March 21, 1840. Amending the act providing for the sale of school lands in the United States Military District.
- O. L., XXXVIII, 164, March 20, 1840. An act providing for the sale of three tracts of Moravian school lands in Tuscarawas County.
- O. L., XLI, 20, Feb. 2, 1843. An act to regulate the sale of Ministerial and School Lands and the surrender of permanent leases.
- O. L., XLIII, 58, March 4, 1845. An act to fix the minimum price of school lands.
- O. L., XLVI, 38, Feb. 8, 1848. An act to enable the inhabitants of the Western Reserve to give their consent to the sale of their school lands.
- O. L., XLVII, 232, Feb. 17, 1849. An act to provide for the sale of the Western Reserve school lands.

## SPECIAL ACTS CONCERNING SCHOOL LANDS

## 1808 to 1817

|   |    |
|---|----|
| Granting permanent leases .....           | 25 |
| Concerning other features of leases ..... | 5  |

## 1817 to 1823

|   |    |
|---|----|
| Concerning leases .....                 | 13 |
| Extending time of payment of rent ..... | 3  |

## 1823 to 1827

|   |   |
|---|---|
| Calling for a revaluation of land ..... | 4 |
| Granting one year leases .....          | 2 |
| For the relief of lessees .....         | 4 |
| Leasing less than legal amount .....    | 1 |

## 1827 to 1831

|   |    |
|---|----|
| Calling for a revaluation of land .....     | 15 |
| For surrendering leases .....               | 15 |
| Authorizing sales of school lands .....     | 12 |
| Making special provisions for leasing ..... | 5  |
| Distributing funds from leased lands .....  | 4  |
| Leasing less than legal amount .....        | 2  |
| For the relief of lessees .....             | 1  |

1831 to 1838

|   |    |
|---|----|
| Providing for sales .....                         | 47 |
| Changing provisions for surrendering leases ..... | 17 |
| Postponing payments due .....                     | 17 |
| Leasing less than legal amount.....               | 7  |
| Distributing funds from leased lands .....        | 6  |
| Special provisions in lease .....                 | 3  |
| Concerning a revaluation of land .....            | 5  |

1838 to 1845

|  |    |
|--|----|
| Concerning the surrender of leases ..... | 21 |
| Postponing payments .....                | 14 |
| Acts legalizing sales .....              | 13 |
| Special provisions for leasing .....     | 11 |

Sixty-four of the acts of this period included a minimum price ranging from two to thirty dollars per acre. The minimum price that appears most frequently is five dollars per acre, this appearing in forty-six of the sixty-four cases. This fixing of a minimum price occurs in these cases before any general act has been passed placing a minimum price on school lands.

1845 to 1850

|  |     |
|--|-----|
| Authorizing sales of land, approximately ..... | 100 |
| Surrendering leases .....                      | 8   |
| Extending time of payment .....                | 7   |
| Leasing .....                                  | 2   |

In addition to the special acts classified above, there are a comparatively small number of miscellaneous acts concerning school lands that do not lend themselves easily to classification, and which are of very minor importance. The total number of special acts passed concerning school lands during this period is approximately 500.

ACTS INCORPORATING SECONDARY INSTITUTIONS

Acts incorporating academies, seminaries, institutes, high schools, etc. The acts incorporating these institutions are not given in full. Only the date of incorporation and the main points are indicated. These facts will indicate the incorporators, the control of the institution, the body supporting it, the property limitations, the curriculum and purpose, and the limitations placed upon the body by the act of incorporation. These provisions are not all indicated in the case of each act, but the points that appear are shown.

- O. L., I, 117, April 16, 1803. The Erie Literary Society; David Hudson and twelve others; board of trustees of ten to fifteen members; to support a seminary of learning, either a college or an academy.
- O. L., VI, 17, February 15, 1808. The Dayton Academy; James Walsh and seven others; stock company, shares five dollars each; nine trustees; annual income not to exceed three thousand dollars.
- O. L., VI, 51, February 20, 1808. The Worthington Academy; James Kilburne and six others; seven trustees; stock company, shares five dollars each; annual income not to exceed ten thousand dollars.
- O. L., VI, 156, February 18, 1808. Chillicothe Academy; Robert Wilson and eight others; seven to eleven trustees; stock company, shares ten dollars; annual income not to exceed ten thousand dollars.
- O. L., VIII, 26, January 2, 1810. The New Lisbon Academy; Clement Vallandigham and eleven others; twelve trustees; stock company, shares five dollars; annual income not to exceed three thousand dollars; to erect and keep in repair a house for an academy, and such other academical purposes as they shall deem most conducive to the interest of said corporation.
- O. L., IX, 39, January 26, 1811. An academy at Steubenville; Lyman Potter and fifteen others, twelve trustees; stock company, shares five dollars; annual income not to exceed five thousand dollars.
- O. L., IX, 57, January 29, 1811. Gallia Academy in Gallipolis; Claude R. Menager and fifty-nine others; seven trustees; stock company, shares ten dollars each; annual income not to exceed five thousand dollars; to use the funds in that way most beneficial for the encouragement of literature, and to set apart a fund for the education of orphans and poor children.
- O. L., XIII, 132, February 4, 1815. The Cincinnati Lancaster Seminary; William Lytle and nineteen others; seven directors; annual income not to exceed ten thousand dollars; no part of said funds shall be applied for the purpose of banking; no political, religious, moral or literary association shall have ascendancy in the directory, and no religious tenets peculiar to any Christian sect shall ever be introduced into the seminary.
- O. L., XIV, 183, February 13, 1816. Montgomery Academy, Hamilton County; Daniel Hayden and six others; seven trustees; stock company, shares five dollars each; annual income not to exceed one thousand dollars.
- O. L., XIV, 440, February 27, 1816. Tallmadge Academy, Portage County; Elizur Wright and twenty-five others; seven to eleven trustees; stock company, shares ten dollars each; annual income not to exceed three thousand dollars; no funds shall be applied to banking.
- O. L., XV, 107, January 24, 1817. An act to provide for the incorporation of schools and library companies. This act provides that



any association of six or more persons may, for the purpose of establishing a school and building a school-house, or for the purpose of establishing a library, submit their articles of association to the president of the Court of Common Pleas and if he approve and endorse same, submit it to two judges of the Supreme Court. If they in like manner approve and endorse the articles of association, they shall be recorded and deposited with the county recorder, and the incorporators shall have the usual corporate powers.

- O. L., XVI, 109, January 29, 1818. The Florence Academy of Arts and Science, Huron County; Luther Havriss and nine others; annual income not to exceed two thousand dollars; no part of stock to be used for banking or other purposes.
- O. L., XVII, 97, February 1, 1819. Cadiz Academy, Harrison County; John Rea and eleven others; twelve trustees; stock company, shares five dollars each; annual income not to exceed three thousand dollars; no part of funds to be used for banking.
- O. L., XVII, 186, February 6, 1819. Union Academy, Muskingum County; Andrew Howell and ten others; nine trustees; stock company, shares five dollars each; annual income not to exceed five thousand dollars; no funds to be used in banking.
- O. L., XVIII, local, 85, February 23, 1820. Lancaster Academy; P. Beecher and six others; seven trustees; stock company; annual income not to exceed two thousand dollars; trustees shall have power "of directing what branches of literature and the arts and sciences shall be taught."
- O. L., XX, local, 11, January 1, 1822. The Academy of Alma, New Athens, Harrison County; Joseph Anderson and eleven others; said corporation shall not deal in exchange, discount notes or follow any commercial business or pursuit; no religious doctrines peculiar "to any one sect of Christians shall be inculcated by any professor of said academy."
- O. L., XX, local, 127, January 30, 1822. The Urbana Academy; John Reynolds and six others; seven trustees; stock company; annual income not to exceed two thousand dollars; no religious tenets peculiar to any Christian sect to be taught.
- O. L., XX, local, 30, January 31, 1822. Rutland Academy, Meigs County; Abel Larkin and four others; seven trustees, stock company, shares five dollars.
- O. L., XXII, local, 14, January 22, 1824. Franklin Academy, Mansfield; Ebon P. Sturges and fourteen others; fifteen trustees; stock company, shares five dollars; no religious tenets peculiar to any one sect of Christians shall be taught or inculcated in said academy.
- O. L., XXII, 72, February 21, 1824. Norwalk Academy, Huron County; Timothy Baker and four others; seven trustees; stock company;

annual income not to exceed two thousand dollars: trustees shall direct "what branches of literature and of the arts and sciences shall be taught."

- O. L., XXXII, local, 85, February 17, 1834. Norwalk Academy changed to Norwalk Seminary; trustees to be appointed by the Ohio Annual Conference of the Methodist Episcopal Church; no teacher shall be allowed to teach any student the peculiar tenets of any sect or religious denomination without the consent of the parents or guardian.
- O. L., XXII, local, 104, February 24, 1824. Belmont Academy, St. Clairsville, Belmont County; James Caldwell and four others; five trustees; stock company, shares five dollars each.
- O. L., XXIII, local, 18, December 22, 1824. Circleville Academy; Andrew Houston and six others; seven trustees; stock company, shares ten dollars each; trustees shall determine what branches of literature and the arts and sciences shall be taught.
- O. L., XXVI, local, 167, January 24, 1828. The Nelson Academy; Jeremiah H. Fuller and eight others; nine trustees; stock company, capital stock not to exceed twenty-five thousand dollars; board "to direct what branches of literature shall be taught."
- O. L., XXVII, local, 152, February 9, 1829. Hillsborough Academy, Highland County; William Keys and six others; board of seven trustees; stock company, shares five dollars each.
- O. L., XXVIII, local, 116, February 22, 1830. The High School of Elyria, Lorain County; Heman Ely and four others; no part of the funds shall be applied to any other object than the support of the high school.
- O. L., XXIX, local, 43, January 15, 1831. The Woodward High School, Cincinnati; five trustees; endowment; to educate such children as have no parents living within the limits of said city; the benefits of this trust shall not be confined to any religious sect or sects, but shall be open to all children coming within the provisions of this act, whatever may be or whatever may have been the religious creed of their parents.

Amended, January 7, 1836, O. L., XXXIV, local, 27.

SEC. 1. Enabling the trustees to establish a college department to be called "The Woodward College of Cincinnati."

SEC. 2. Granting power to confer all such degrees as are usually conferred in colleges and universities, provided that they shall not establish a medical, law or theological department.

- O. L., XXIX, local, 100, February 9, 1831. The Columbus Female Academy; James Hoge and four others; three to five trustees; stock company, shares of one hundred dollars each; annual income not to exceed three thousand dollars; to be employed only for literary purposes.

- O. L., XXIX, local, 137, February 22, 1831. The Ashtabula Institution of Science and Industry; Giles Cowles and nine others.
- O. L., XXXIII, local, 79, February 17, 1835. Amended.  
Changing name to the "Grand River Institute."
- O. L., XXIX, local, 39, February 22, 1831. Delaware Academy; Ezra Griswold and eight others; nine trustees; income not to exceed five thousand dollars; no part of such property to be applied to any banking or commercial purposes.
- O. L., XXX, local, 30, January 19, 1832. Kinsman Academy, Trumbull County; Isaac McIlvaine and ten others; property not to exceed ten thousand dollars.
- O. L., XXX, local, 47, January 25, 1832. Canton Academy; William Christmas and nine others; seven trustees; annual income not to exceed five thousand dollars; no part to be applied to banking, nor other than purposes that are purely literary; to manage the academy buildings hereafter erected on the public school ground of said town of Canton for the purpose of this corporation, and the general interest of education.
- O. L., XXXI, local, 133, February 19, 1833. Repealed.
- O. L., XXX, local, 62, January 26, 1832. Farmington Academy, Trumbull County; Theodore Wolcott and four others; annual income not to exceed two thousand dollars; no part of property to be used for other than literary purposes.
- O. L., XXX, local, 111, February 6, 1832. Ashtabula Academy, Ashtabula County; Mathew Hubbard and seven others; three to five trustees, stock company, shares twenty-five dollars each; income not to exceed three thousand dollars; property shall only be employed for literary purposes.
- O. L., XXX, local, 141, February 7, 1832. Huron Institute; Ebenezer Andrews and nineteen others; twenty trustees: to afford instruction to the youth of both sexes in the higher branches of an English education, the learned languages, and the liberal arts and sciences, and the trustees as their ability shall increase may erect a separate or additional departments for the pursuit of these and any other branches of a polite and liberal education, and may provide the requisite means for the employment of the students manual labor such portion of their time as their health and other circumstances may require.
- O. L., XXXI, 188, local, February 21, 1833. The Chillicothe Female Seminary; John Woodbridge and five others of Ross County; five trustees; annual income not to exceed two thousand dollars; property and funds shall be converted to no other use than the promotion of female education.
- O. L., XXXII, local, 177, February 25, 1834. The Ravenna Academy; Darius Lemon and six others; property not to exceed ten thousand dollars.

- O. L., XXXII, local, 223, February 7, 1834. Union Academy, Wayne County; James Snodgrass and nine others.
- O. L. XXXII, local, 234, February 28, 1834. Vinton Academy, Gallia County; Samuel W. Holcomb and eight others; nine trustees; stock company, shares five dollars each.
- O. L., XXXII, local, 270, March 1, 1834. The Springfield High School, Clark County; nine trustees; stock company, shares ten dollars each; property not to exceed ten thousand dollars; "said high school shall afford instruction to the youths of both sexes in the higher branches of an English education, or learned languages, or liberal arts and sciences, and such other branches of a polite and liberal education as may be prescribed by the trustees"; funds shall never be appropriated for any other purpose than that for which they were given.
- O. L., XL, local, 114, March 7, 1842. Ohio Conference High School. The Springfield High School passes to the control of the Ohio Annual Conference of the Methodist Episcopal Church; nineteen trustees, trustees to be appointed by the Ohio Annual Conference of the M. E. Church, property not to exceed five thousand dollars.
- O. L., XXXII, local, 333, March 3, 1834. The Female Academy of Mt. Vernon; Hosmer Curtis and nine others; annual income not to exceed five thousand dollars; funds to be used exclusively for the purposes of education in literature and the arts and sciences; no part of the funds to be employed for banking purposes in any way whatever.
- O. L., XXXIII, local, 5, December 17, 1834. Stephen Strong's Manual Labor Seminary, Meigs County; seven trustees; instruction of youth in the various branches of useful knowledge; the rules and regulations concerning the admission of scholars shall give no preference on account of religious tenets or any cause, except good moral character and promise of future usefulness; that no religious tenets peculiar to any sect of Christians shall ever be taught or inculcated in the seminary, provided that nothing in the foregoing shall be so construed as to prevent a course or moral and religious instruction such as is consistent with the Christian religion, except such as is calculated to support sectarianism.
- O. L., XXXIII, local, 21, January 22, 1835. The Richmond Classical Institute, Richmond, Jefferson County; Thomas George and twelve others; thirteen trustees; annual income not to exceed five thousand dollars; property and funds shall be used for no purpose other than that of education.
- O. L., XLVI, local, 7, December 28, 1847. Changing the name of the Richmond Classical Institute to Richmond College.

- O. L., XXXIII, local, 48, February 12, 1835. Kingsville High School, Ashtabula County; stock company, shares ten dollars each; said property shall be applied to no other use than the establishment and maintenance of said school and the promotion of literature and sciences.
- O. L., XXXIII, local, 51, February 14, 1835. Conneaut Academy; Ashbel Dart and six others; property not to exceed ten thousand dollars.
- O. L., XXXIII, local, 87, February 19, 1835. The Windham Academy; Hiram Messenger and six others; income not to exceed two thousand dollars annually.
- O. L., XXXIII, local, 87, February 19, 1835. The Granville Female Seminary; Henry Carr and eleven others; annual income not to exceed two thousand dollars; for aiding and promoting literary and scientific purposes, and for the construction or purchase of buildings for said seminary.
- O. L., XXXIII, local, 112, February 23, 1835. Fellenburgh Institute, Brunswick, Medina County; John Berdan and ten others; funds shall be applied to the endowment, support and maintenance of a seminary of learning.
- O. L., XXXIII, local, 153, February 27, 1835. The Western Female Seminary, Mansfield; Elizur Hedges and eight others; property not to exceed five thousand dollars.
- O. L., XXXIII, local, 190, March 5, 1835. The Wadsworth Academy; William Eyles and four others; property not to exceed ten thousand dollars.
- O. L., XXXIII, local, 191, March 5, 1835. The Academical Institution of Richfield, Medina County; Secretary Rawson and four others; property not to exceed ten thousand dollars.
- O. L., XXXIII, local, 305, March 7, 1835. The Hamilton and Rossville Female Academy; John Woods and eight others; five directors; stock company, shares ten dollars each; annual income not to exceed five thousand dollars; directors have power to "direct what branches of literature and of the arts and sciences shall be taught; no part of the funds shall be used for banking".
- O. L., XXXIII, local, 321, March 7, 1835. The Circleville Female Seminary; Guy W. Doan and seven others.
- O. L., XXXIII, local, 328, March 7, 1835. Bishop's Fraternal Calvinistic (*sic*) Baptist Seminary; Samuel G. Bishop and five others; property not to exceed twenty thousand dollars; that students may pay any part or all of their board and tuition in cultivating said land (one hundred acres) at a fair reward for their labor, as it is given for that expressed purpose and no other, and if circumstances shall require, may erect shops thereon and furnish materials for mechanics for the same purpose; also furnish places for female labor—sewing, braiding and all such other kinds of labor as may be deemed expedient; no one shall be eligible for

the office of trustee or president to superintend the instruction of said seminary, unless he is a member of the Calvinistic or Regular Baptist Denomination, so-called; nothing in this act shall be so construed to authorize the establishment of a school for the practice of medicine; "other teachers and students may be received without regard to their religious tenets provided they are of a moral character, and be treated according to their merit".

- O. L., XXXIV, local, 6, December 30, 1835. The Universal School of Massillon; Alexander McCully and four others; funds shall not be applied for any other than literary or scientific purposes.
- O. L., XXXIV, local, 190, February 29, 1836. The Putnam Classical Institute; William H. Beecher and five others.
- O. L., XXXIV, local, 242, March 4, 1836. The Seneca County Academy; Samuel Waggoner and six others; annual income not to exceed two thousand dollars.
- O. L., XXXIV, local, 242, March 4, 1836. The Madison Liberal Institute; Ebenezer Ward and four others; annual income not to exceed \$2,000.00.
- O. L., XXXIV, local, 386, March 11, 1836. Wooster Academy; David Robinson and eight others; capital stock not to exceed twenty-five thousand dollars; stock company, shares five dollars; nine trustees; trustees have power "to direct what branches of literature and the arts and sciences shall be taught"; no part of funds shall ever be applied for banking purposes.
- O. L., XXXIV, local, 408, March 12, 1836. Shaw Academy, Cuyahoga County; Clifford Belden and sixty-nine others; nine trustees; endowment and stock company, shares ten dollars each; property not to exceed twenty thousand dollars, annual income not to exceed two thousand dollars; "to afford greater facilities for the instruction of youth in literature and sciences, and for the inculcating of good morals on Christian principles".
- O. L., XXXIV, local, 458, March 14, 1836. The Academy of Sylvania, Lucas County; William Wilson and eight others; nine trustees; stock company, shares five dollars each; stock not to exceed twenty-five thousand dollars; trustees may "direct what branches of literature and the arts and sciences shall be taught".
- O. L., XXXIV, local, 460, March 14, 1836. Granville Academy; Jacob Little and ten others; annual income not to exceed five thousand dollars; funds shall never be used for banking purposes.
- O. L., XXXIV, local, 514, March 14, 1836. Sharon Academy, Medina County; Thomas Briggs and five others; property not to exceed five thousand dollars; proceeds shall be applied to the support of a school and to no other purpose whatever.
- O. L., XXXIV, local, 545, March 14, 1836. Medina Academy; U. H. Peak and thirty-one others; stock company; annual income not to exceed two thousand dollars.

- O. L., XXXIV, local, 547, March 14, 1836. The Cleves Independent School, Hamilton County; "whereas the law regulating common schools does not sufficiently provide for schools such as would suit the wishes and circumstances of the people in every section of the state, and that the citizens of the village of Cleves and vicinity may have a school where the different branches of education may be taught such as has been contemplated by the provisions of the general school law"; Stephen Wood and four others; three trustees, a treasurer and secretary.
- O. L., XXXIV, local, 20, December 30, 1836. Middleberg High School, Portage County; D. McNaughton and four others; five trustees; stock company, shares twenty-five dollars each; annual income not to exceed two thousand dollars; property not to exceed thirty thousand dollars.
- O. L., XXXV, local, 133, March 3, 1837. Warren Academy, Trumbull County; David Todd with eighteen others; nine trustees; stock company, shares fifty dollars each; annual income not to exceed five thousand dollars; funds to be used only for education; a seminary of learning for the instruction of young persons of either sex in science and literature.
- O. L., XXXV, local, 139, March 7, 1837. Sheffield Manual Labor Institute; Robbins Burrell with seven others of Lorain County; labor, arts and sciences; no part of funds shall be used for banking purposes.
- O. L., XXXV, local, 185, March 10, 1837. The Neville Institute, Columbiana County; Alexander Young and eight others; six trustees to be appointed by the legislature; endowment; annual income not to exceed two thousand dollars.
- O. L., XXXV, local, 193, March 13, 1837. New Hagerstown Academy, Carroll County; Richard Brown and thirteen others; annual income not to exceed two thousand dollars.
- O. L., XXXV, local, 230, March 14, 1837. Berea Seminary, Cuyahoga County; James Giltruth and eleven others; twelve trustees; stock company; "literary and manual labor departments".
- O. L., XXXV, local, 262, March 16, 1837. The Philomathean Literary Institute, Antrim, Guernsey County; annual income not to exceed ten thousand dollars.
- O. L., XXXVII, local, 308, March 16, 1839. Changing the name of The Philomathean Literary Institute to Madison College.
- O. L., XXXV, local, 342, March 27, 1837. Monroe Seminary, Monroe County; William Mason and eight others; nine trustees; stock company; shares ten dollars each; property not to exceed ten thousand dollars; "That it shall be the primary object of this institution to cultivate the intellectual and moral faculties of the youth who may resort to it for instruction, to teach them the art of self-government, and fit them by a judicious course of

moral discipline for future usefulness and happiness; provided that no peculiar tenets of any religious sect shall ever be taught in such institution nor shall any denomination of Christians be excluded”.

- O. L., XXXV, 380, local, March 31, 1837. Troy Academy, Miami County; nine trustees; stock company, shares twenty dollars; annual income not to exceed five thousand dollars; instruction of young persons of either sex in science and literature; funds to be used for no other purpose than education.
- O. L., XXXV, local, 406, April 1, 1837. New Philadelphia Academy, Tuscarawas County; Joshua Simons and ten others; three to five trustees; stock company, shares twenty dollars each; annual income not to exceed three thousand dollars; funds to be employed for literary purposes.
- O. L., XXXV, local, 425, April 3, 1837. Massillon Academy, Alexander McCulley and eight others.
- O. L., XXXV, local, 511, April 3, 1837. The Cleveland Female Seminary; Henry Sexton and four others; annual income not to exceed five thousand dollars; trustees have power to assign professors and teachers “in the several departments of arts, science and literature.”
- O. L., XXXVI, local, 52, February 8, 1838. The Akron High School, Portage County; Simon Perkins and six others; seven trustees; Stock company, shares twenty dollars each; property not to exceed twenty thousand dollars; “it shall be the primary object of this institution to cultivate and strengthen the intellectual and moral faculties of the youth who may resort to it for instruction”; no peculiar tenets of religion shall be taught nor any denomination of Christians be excluded.
- O. L., XXXVI, local, 98, February 19, 1838. Cambridge Academy, Guernsey County; James Blackett and seven others; annual income not to exceed two thousand dollars.
- O. L., XXXVI, local, 98, February 19, 1838. Massillon Female Seminary, Stark County; O. N. Sage and ten others; stock company, shares fifty dollars each; “moral, physical and intellectual improvement and education of young females”.
- O. L., XXXVI, local, 157, March 2, 1838. The Western Reserve Wesleyan Seminary; Isaac Winnans and twelve others; establishing and maintaining a seminary of learning in the town of Streetsboro.
- O. L., XXXVI, local, 159, March 2, 1838. The Edinburgh Academy; Ira Eddy and ten others; establish an academy in the township of Edinburgh, Portage County.
- O. L., XXXVI, local, 190, March 5, 1838. Wayne Academy; Ely B. Smith and eight others; nine directors; with power to increase to fifteen.



- O. L., XXXVI, local, 210, March 9, 1838. Norwalk Female Seminary; Picket Latimer and nine others; nine trustees; stock company, capital stock twelve hundred dollars with privilege to increase to twenty thousand dollars, shares twenty dollars each; annual income not to exceed four thousand dollars; educating females only.
- O. L., XXXVI, local, 223, March 10, 1838. Chester Academy, Geauga County; Austin Turner and four others.
- O. L., XXXVI, local, 231, March 10, 1838. Eaton Academy, Preble County; five trustees; stock company, shares twenty dollars; annual income not to exceed five thousand dollars.
- O. L., XXXVI, local, 235, March 10, 1838. Sandusky Academy, Huron County; Samuel B. Caldwell and twelve others; nine trustees, stock company, shares twenty dollars; capital stock not to exceed fifty thousand dollars; funds to be used only for education.
- O. L., XXXVI, local, 287, March 14, 1838. Union Academy, Union County; Reuben P. Mann and ten others; eleven trustees; stock company, shares ten dollars; annual income not to exceed five thousand dollars; stock shall not be applied to banking purposes.
- O. L., XXXVI, local, 317, March 15, 1838. Dover Academy, Tuscarawas County; Wright Warner and ten others; annual income not to exceed six thousand dollars; funds to be used only for purposes of education.
- O. L., XXXVI, local, 362, March 16, 1838. Marion Academy, Marion County; Sanford F. Bennett and nine others; nine trustees; stock company, shares ten dollars; stock not to exceed fifty thousand dollars.
- O. L., XXXVII, local 49, March 7th, 1839. "An act to regulate incorporated Literary Societies."

SEC. 1. "That all associations for literary purposes, except common schools, colleges and universities, which the General Assembly may hereafter incorporate, shall be regulated as follows." The persons named in the act of incorporation, their associates, etc., by their corporate names may have succession for thirty years. Usual corporate powers, etc.

SEC. 2. The capital stock and property of academies shall not exceed \$40,000.00; that of libraries, lyceums and other literary associations, shall not exceed \$5,000.00, unless extended in their respective acts of incorporation, and no part of funds shall ever be used for banking, nor shall such institutions issue certificates of deposit or drafts, which can in any manner be used as a circulating medium.

SEC. 3. Directors or trustees shall be held individually liable for all debts of their respective associations.

SEC. 4. Any future legislature may alter or amend any act of incorporation granted under this act when the public good requires such alteration.

- O. L., XXXVII, local, 6, January 5, 1839. Bigelow High School, Xenia; William Ellsberry and seventeen others; board of directors of eighteen members and the Ohio Annual Conference of the M. E. Church may appoint a visiting committee of three, who shall for the time being be members of the board; property not to exceed fifty thousand dollars; to afford instruction in the common branches of a liberal education, and in the liberal arts and sciences; sectarian views of religion shall not be inculcated.
- O. L., XXXVII, local, 30, February 1, 1839. The Martinsville Academy, Knox County; William Mitchell and eight others.
- O. L., XXXVII, local, 43, February 9, 1839. Blendon Young Men's Seminary; Mathew Westervelt and eleven others; vacancies in the board to be filled by the Methodist Annual Ohio Conference; partially by endowment; capital stock not to exceed fifty thousand dollars.
- O. L., XXXVII, local, 44, February 13, 1839. Ashland Academy, Richland County; John P. Reznor and eight others; three trustees; stock company, shares ten dollars each; stock not to exceed thirty thousand dollars.
- O. L., XXXVII, local, 79, February 26, 1839. Western Reserve Teachers' Seminary; Timothy Rockwell and ten others; twelve trustees; property not to exceed fifty thousand dollars; education of youth and preparation of teachers; trustees shall issue no circulating medium and shall be individually liable for debts.
- O. L., XXXVII, local, 80, February 27, 1839. Oxford Female Academy; John W. Scott and six others; seven trustees; property not to exceed ten thousand dollars; education of females in the town of Oxford.
- O. L., XXXVII, local, 109, March 5, 1839. Asbury Seminary, Chagrin Falls; John K. Halleck and twenty-nine others.
- O. L., XXXVII, local, 141, March 9, 1839. Worthington Female Seminary; William Bishop and ten others; stock company, shares twenty-five dollars; controlled partially by the M. E. Church, and partially local.
- O. L., XXXVII, local, 155, March 9, 1839. The Universalist Institute, Ohio City; Richard Lord and eight others; a board of trustees; stock company, shares five dollars; no rules of a sectarian character either in religion or politics shall be adopted.
- O. L., XXXVII, local, 156, March 9, 1839. Parkman Academy, Geauga County; J. P. Converse and six others.
- O. L., XXXVII, local, 172, March 12, 1839. The Barnesville Male Academy, Belmont County; Isaac Hoover and twelve others; thirteen trustees; stock company, shares ten dollars; capital

- stock not to exceed twenty thousand dollars; property to be used only for education; to cultivate and train the intellectual faculties of the youth who may resort to it for instruction, and rigorously to discountenance the inculcation of the peculiar tenets of any Christian sect or denomination.
- O. L., XXXVII, local, 222, March 13, 1839. The Brooklyn Center Academy; Joseph Weller and fifteen others; annual income not to exceed three thousand dollars.
- O. L., XXXVII, local, 254, March 16, 1839. Auglaize Seminary, Wapakoneta; William Stockdale and twelve others; property not to exceed fifty thousand dollars; annual income not to exceed five thousand dollars.
- O. L., XXXVII, local, 255, March 16, 1839. Lithopolis Academy; Samuel L. Wilson and twelve others; property not to exceed ten thousand dollars; no part to be used for banking.
- O. L., XXXVII, local, 257, March 16, 1839. Meigs County High School and Teachers' Institute; Samuel Halliday and seventeen others; twenty trustees; stock company, shares ten dollars; annual income not to exceed five thousand dollars; "to afford great facilities for the instruction of youth in literature and science, and for the inculcating of good morals"; incorporation shall in no wise engage in the business of banking.
- O. L., XXXVII, local, 262, March 16, 1839. Mount Pleasant Boarding School; John Benjamin Hoyle and three others; thirteen directors appointed by the Friends of Ohio; annual income not to exceed five thousand dollars.
- O. L., XXXVII, local, 283, March 16, 1839. Cuyahoga Falls Institute; Boswell Brooks and four others; property shall be devoted to the purposes of education.
- O. L., XXXVII, local, 291, March 16, 1839. Ravenna Female Seminary; board of twelve trustees; property not to exceed fifty thousand dollars; to afford instruction in the arts and sciences.
- O. L., XXXVII, local, 344, March 16, 1839. New Hagerstown Female Seminary; Richard Brown and eight others; seven trustees; capital stock not to exceed ten thousand dollars.
- O. L., XXXVIII, local, 29, January 29, 1840. Bascom Seminary of Waynesburgh; Daniel Schaeffer and seven others; stock company, shares twenty-five dollars each; capital stock ten thousand dollars.
- O. L., XXXVIII, local, 127, March 12, 1840. Greenfield Institute, Huron County; Jonas Childs and five others; promoting and encouraging education.
- O. L., XXXVIII, local, 127, March 12, 1840. Streetsborough High School; John E. Jackson and ten others; stock company, shares five dollars each; promoting and encouraging education; capital stock not to exceed five thousand dollars.

- O. L., XXXVIII, local, 155, March 17, 1840. Willoughby Female Academy; Jonathan Lapham and five others; annual income not to exceed five thousand dollars.
- O. L., XXXVIII, local, 155, March 17, 1840. Protestant Methodist Academy of Brighton; Joseph Williams and five others; funds shall be exclusively applied to the education of literature and the arts and sciences.
- O. L., XXXIX, local, 51, March 20, 1841; Edinburgh Academy, Wayne County; John Andrews and seven others.
- O. L., XXXIX, local, 62, March 20, 1841. Burlington Academy, Lawrence county; Elijah Frampton and thirteen others.
- O. L., XXXIX, local, 65, March 20, 1841. Athens Female Academy; E. G. Carpenter and nine others; act to become null and void if the company do not organize within five years.
- O. L., XXXIX, local, 125, March 27, 1841. Canton Male Seminary, Stark County; William Fogle and eight others; seven trustees, three to be elected by the Evangelical Congregation.
- O. L., XXXIX, local, 134, March 27, 1841. Middletown Academy and Library Association, Butler County; Francis J. Titus and four others.
- O. L., XXXIX, local, 134, March 27, 1841. Gustavus Academy, Trumbull County; Philo Gates and eight others; act shall be null and void if the academy fails to organize within five years.
- O. L., XXXIX, local, 134, March 27, 1841. Kinsman Academy, Trumbull County; John Kinsman and eight others.
- O. L., XL, local, 86, March 5, 1842. Pine Grove Academy in Porter; Stephan Sinon and four others.
- O. L., XL, local, 116, March 7, 1842. Canaan Union Academy; Jonas Notestone and four others.
- O. L., XL, local, 117, March 7, 1842. Tallmadge Academical Institute, Summit County; Asaph Whittlesey and seven others; president and six directors; stock company, shares five dollars each, property not to exceed ten thousand dollars; instruction in the higher branches of education of males or females or both.
- O. L., XL, local, 119, March 7, 1842. Bath High School, Summit County.
- O. L., XLI, local, 14, January 11, 1843. New Lisbon Academy, Columbiana County; Fisher A. Blocksom and fourteen others.
- O. L., XLI, local, 46, January 25, 1843. St. Mary's Female Educational Institute of Cincinnati; Hortense Monseau and five other women.
- O. L., XLI, local, 62, February 9, 1843. Maumee City Academy, Lucas County; John E. Hunt and nine others.
- O. L., XLI, local, 127, March 7, 1843. Lebanon Academy, Warren County; Daniel Vorhees and four others; five trustees; stock company, shares ten dollars; property not to exceed ten thousand dollars; "maintenance of an academy for instruction in the various branches of education of males and females".

- O. L., XLII, local, 80, February 9, 1844. Lebanon Academy; J. Martin Williams, Thomas Corwin and six others; twelve trustees; stock company, shares twenty dollars; property not to exceed twenty thousand dollars; no funds to be used in banking; "to educate males and females in the higher branches of learning than are usually taught in the common schools of the county, and to instruct them in the elements of morality and the great truths of the Christian religion"; the particular tenets or creed of any particular sect shall never be taught.
- O. L., XLI, local, 148, March 10, 1843. Oakland Female Seminary of Hillsboro; Joseph J. Mathews and ten others; nine trustees; stock company, shares ten dollars; annual income not to exceed two thousand dollars; stock not to exceed six thousand dollars.
- O. L., XLII, local, 107, February 26, 1844. West Lodi Academy, Seneca County; John Carey and nine others.
- O. L., XLII, local, 115, March 4, 1844. Franklin Academy, Portage County; Thomas Earl and twelve others; buildings not to exceed ten thousand dollars; "to establish an academy and to promote and afford therein, both to males and females, instruction in the usual branches of a sound, practical and liberal education, and in the languages, arts and sciences".
- O. L., XLII, local, 178, March 12, 1844. Salem Academy, Ross County; Hugh S. Fullerton and four others.
- O. L., XLII, local, 184, March 12, 1844. Lorain Institute; Robert Cochran and six others; board of trustees; to afford instruction in literature, arts and sciences.
- O. L., XLII, local, 191, March 12, 1844. Waynesville Academy, Warren County; Burrell Goode and eleven others; to establish an academy and promote and afford therein, both to males and females, instruction in the usual branches of a sound, practical and liberal education, and in the languages, arts and sciences.
- O. L., XLII, local, 210, March 12, 1844. Keene Academy, Coshocton County; Robert Farewell and four others; to establish an academy and to promote and afford therein, both to male and females, instruction in the usual branches of a sound, practical and liberal education, and in the languages, arts and sciences; buildings not to exceed ten thousand dollars.
- O. L., XLIII, local, 12, January 9, 1845. Tallmadge Academical Institute, Summit County; Samuel L. Bronson and four others; four directors; stock company, shares twenty-five dollars each; property not to exceed ten thousand dollars; the maintenance of an academy for instruction in the higher branches of education, both for males and females.
- O. L., XLIII, local, 16, January 15, 1845. Bedford Seminary, Cuyahoga County; E. H. Holly and eleven others; twelve directors and a president; stock company, shares ten dollars; property not to

- exceed twenty-five thousand dollars; to maintain an institution for the instruction of youth in the various classes of education.
- O. L., XLIII, local, 39, January 23, 1845. Cincinnati Classical Academy; Elbert T. Bledsoe and two others; a rector and five or more trustees; capital stock not to exceed fifty thousand dollars.
- O. L., XLIII, local, 42, January 29, 1845. Name changed to St. John's College.
- O. L., XLIII, local, 65, February 6, 1845. Columbus Academical and Collegiate Institute; H. M. Hubbell and nineteen others; twenty trustees; to afford instruction in literature and in the arts and sciences; not to confer collegiate honors or degrees until ten thousand dollars property shall be acquired.
- O. L., XLIII, local, 75, February 10, 1845. Aurora Academy and Institute, Portage County; John E. Jackson; nine trustees; stock company, shares ten dollars; stock not to exceed five thousand dollars.
- O. L., XLIII, local, 87, February 10, 1845. Cooper Female Academy in Dayton; Samuel Forrer and five others including Robert W. Steele; annual income not to exceed five thousand dollars; trustees may direct what branches of literature and the arts and sciences shall be taught.
- O. L., XLIII, local, 84, February 10, 1845. Akron Institute; Samuel Perkins and six others; seven trustees; stock company, shares twenty dollars.
- O. L., XLIII, local, 121, February 26, 1845. Rocky River Seminary; Robert Cochran and ten others; literature, arts and sciences.
- O. L., XLIII, local, 203, March 4, 1845. Findlay Academical Institute, Hancock County; J. Hughing and eight others; nine trustees; stock company, shares ten dollars; stock not to exceed fifty thousand dollars; shall not contract debts beyond the amount of the capital stock subscribed.
- O. L., XLIII, local, 229, March 4, 1845. The Vermillion Institute; Harrison Armstrong and fifteen others; ten trustees; stock company, shares twenty dollars; property not to exceed fifty thousand dollars; to educate males and females in letters and the sciences, and to instruct them in the elements of morality and the great truths of the Christian religion; no part to be used in banking; the tenets or creed of any particular sect shall never be taught.
- O. L., XLIII, local, 289, March 8, 1845. Cottage Hills Academy in Ellsworth; William Bottum and eight others; nine directors; stock company; annual income not to exceed ten thousand dollars.
- O. L., XLIII, local, 292, March 8, 1845. The Normal High School, Carroll County; Joseph Cable and eight others; property not to exceed ten thousand dollars; "the promotion of a highly moral and intellectual education in languages, arts and sciences upon the normal plan"; a failure to organize said school within one year

- or to operate the school for the space of one year at one time shall act as a forfeiture.
- O. L., XLIII, local, 384, March 12, 1845. The London Academy, Mason County; Patrick McLane and two others; three to seven trustees; stock company, shares ten dollars each; capital stock twenty thousand dollars.
- O. L., XLIII, local, 409, March 12, 1845. West Jefferson Academical Institute, Madison County. James Burnham and eighteen others; nine trustees; stock company, shares five dollars each; capital stock not to exceed ten thousand dollars.
- O. L., XLIII, local, 4, December 20, 1845. Baldwin Institute, Middleburgh; Thomas Thompson and twelve others; trustees appointed by the North Ohio Conference of the M. E. Church; annual income not to exceed three thousand dollars.
- O. L., XLIV, local, 107, February 14, 1846. Loudonville Academy, Richland County; C. N. Haskell and six others.
- O. L., XLIV, local, 122, February 19, 1846. Norwalk Institute; Joseph Lowry and four others; property shall not be devoted to any other purpose.
- O. L., XLIV, local, 236, February 28, 1846. Liverpool Seminary, Columbia County; Alexander R. Young and twenty-five others; nine trustees; stock company, shares five dollars; stock not to exceed ten thousand dollars; instruction shall not be confined or restricted to pupils of any separate sect or denomination of religion.
- O. L., XLV, local, 99, February 8, 1847. Mansfield Academical Institute, Mordecai Bartley and nine others.
- O. L., XLVI, local, 114, February 11, 1848. The Xenia Academy; David Medsker and seven others; seven directors; stock company, shares twenty dollars each; stock not to exceed twenty-five thousand dollars.
- O. L., XLVI, local, 126, February 14, 1848. Richland Academic Institute; Logan County; Reverend G. G. Page and eight others.
- O. L., XLVI, local, 135, February 14, 1848. The Felicity Female Seminary, Clermont County; Robert Chalfert and fourteen others; three trustees; stock company, shares twenty-five dollars each; stock not to exceed ten thousand dollars; that instruction in said seminary shall not be confined or restricted to pupils of any separate sect or denomination of religion.
- O. L., XLVII, local, 238, February 23, 1849. Oxford Female Institute, Butler County; Herman B. Mayo and eight others; nine trustees; stock company, shares twenty dollars each; real property not to exceed twenty thousand dollars; capital stock not to exceed twenty-five thousand dollars.
- O. L., XLVII, local, 241, February 28, 1849. Miller Academy in Washington; John E. Alexander and five others; the Presbytery of

- Zanesville in connection with the General Assembly of the Presbyterian Church and a board of five trustees; real property not to exceed twenty thousand dollars.
- O. L., XLVIII, local, 618, March 23, 1850. Under control of the Zanesville Presbytery in connection with the General Assembly of the Old School of the Presbyterian Church.
- O. L., XLVII, local, 243, March 8, 1849. Pomeroy Academy, Meigs County; Charles R. Pomeroy and six others.
- O. L., XLVII, local, 263, February 17, 1849; Springfield Female Seminary, Clark County; J. S. Galloway and eight others; nine directors chosen by the Miami Presbytery; stock company, shares ten dollars each; stock not to exceed fifty thousand dollars; literature and the arts and sciences as directed by the board.
- O. L., XLVII, local, 273, March 9, 1849. Cadiz High School; Jonathan Dewey and six others; three trustees; stock company, shares fifty dollars each; property not to exceed ten thousand dollars; all the necessary and useful branches of a thorough and liberal education.
- O. L., XLVII, local, 280, March 22, 1849. Mansfield Female Seminary, Richland County; James Johnson and seven others; five directors; stock company, shares ten dollars; capital stock not to exceed twenty thousand dollars; literature and the arts and sciences as directed by the board.
- O. L., XLVII, local, 284, March 28, 1849. Mount Pleasant Academy, Ross County; Timothy Stearns and four others; seven directors; stock company, shares ten dollars; capital stock not to exceed twenty thousand dollars.
- O. L., XLVIII, local, 614, February 14, 1850. Elliott Female Seminary; Hugh Elliot and fourteen others; fifteen directors; capital stock not to exceed thirty thousand dollars; literature and the arts and sciences as directed by the board.
- O. L., XLVIII, local, 617, March 21, 1850. Vinton High School, Gallia County; Herman Wilkins and four others; a board of three trustees; stock company, shares ten dollars; property not to exceed ten thousand dollars.
- O. L., XLVIII, local, 625, March 23, 1850. Defiance Female Seminary, Defiance County; Sidney S. Sprague and five others; five trustees; stock company, shares twenty-five dollars each; stock not to exceed twenty thousand dollars; instruction shall never be confined or restricted to pupils of any separate sect or denomination.
- O. L., XLVIII, local, 627, March 1, 1850. Western Reserve Eclectic Institute; George Paw and eleven others; stock company, shares twenty-five dollars each; stock not to exceed sixty thousand dollars; the instruction of youth of both sexes in the various



branches of literature and sciences, especially the moral sciences based upon the facts and truths of the Holy Scriptures.

- O. L., XLVIII, local, 630, March 21, 1850. Tiffin Academy, Seneca County; Henry Elbert and twenty-two others; seven trustees; stock company, shares twenty dollars each.
- O. L., XLVIII, local, 636, March 22, 1850. Xenia Female Academy; Thomas C. Wright and eleven others; nine trustees; stock company, shares fifty dollars each; real property not to exceed twenty thousand dollars; capital stock twenty-five dollars each; the arts and sciences and all necessary and useful branches of a thorough and useful education such as may be taught in the best female colleges and academies.
- O. L., XLVIII, local, 639, March 23, 1850. Hartford High School, Trumbull County; Seth Hayes and eight others; five trustees.
- O. L., XLVIII, local, 639, March 22, 1850. Soeurs de Notre Dame Female Educational Institute, Chillicothe, Ross County; Julia Van Balton and four others (women).

#### SCHOOL ASSOCIATIONS.

- O. L., XVI, local, 157, January 29, 1818. The Union School Association of the town of Harpersfield and Madison; James A. Harper and twelve others; officers elected by the corporation; stock company, shares ten dollars, not to exceed seven hundred in number; property not to exceed ten thousand dollars; not to be used for banking.
- O. L., XXII, local, 106, February 21, 1824. The Milford Union School Society, Milford, Clermont County; James MacDonald and twenty-five others; five trustees; stock company, shares twenty dollars each.
- O. L., XXII, local, 109, February 10, 1824. The Jefferson School Association; Timothy Hawley and eleven others; four trustees and a president; stock company, shares ten dollars each; property shall not exceed twenty thousand dollars.
- O. L., XXIII, local 44, January 28, 1825. The Literary Society of St. Joseph's; John A. Hill and three others; annual income not to exceed twelve thousand dollars; to erect and establish an academy at St. Joseph's in Perry County, an academy in Cincinnati, and an academy at Canton in Stark County; funds not to be used for any other than literary purposes.
- O. L., XXIV, local, 92, February 7, 1826. Mesopotamia Central School Society; confirming incorporation under the general law because of doubts as to the constitutionality of said law.
- O. L., XXVI, local, 67, January 29, 1828. The Goshier School Association, Logan County; Hardin Brown and four others.

- O. L., XXVII, local, 131, February 12, 1829. The trustees of the Columbus Presbytery; twelve trustees; annual income not to exceed three thousand dollars; for the sole purpose of establishing and supporting an academy and of carrying into effect such benevolent, literary or religious plans as may be connected therewith.
- O. L., XXVII, local, 147, February 11, 1829. The Education Society of Painesville, Geauga County; Isaac Gillett and eight others; stock company, shares ten dollars each (by an amendment of February 24, 1835); to establish an academy or other seminary of learning.
- O. L., XXIX, local, 42, January 12, 1831. Brecksville Academical Association, Cuyahoga County; Isaac M. Gorman and four others.
- O. L., XXXI, local, 74, December 17, 1832. The St. Mary's Female Literary Society, Elizabeth Sansberry and three others of Perry County; annual income not to exceed three thousand dollars; property of said society shall be converted to no other uses other than the promotion of female education.
- O. L., XXXII, local, 46, January 30, 1834. The German Lutheran Seminary of the German Lutheran Synod of Ohio and adjacent states; annual income not to exceed ten thousand dollars; that the funds of the corporation shall never be used or employed for any other purpose than the promotion of religion, morality and learning.
- O. L., XXXIV, local, 402, March 1, 1836. The North Union School Association of Carroll County; Jacob Everhart with seven others; money and funds of corporation shall be applied exclusively to the payment of a teacher and furnishing fuel for the school, and to no other purpose whatever except the purchase of a lot, the erection of a school building and dwelling house for a teacher. Amended March 12, 1844. Vol. XLII, local, 221. Authorizing said association to keep open four public schools and no more, and to own and equip four school-houses, and to draw a fair and equal proportion of the school funds of the county.
- O. L., XXXIV, local, 411, March 12, 1836. Rome Academical Company; three trustees; property not to exceed ten thousand dollars.
- O. L., XXXV, local, 3, December 17, 1836. The Springborough School Company, Warren County; Joseph Stanton and eight others; three trustees; stock company, shares five dollars each; annual income not to exceed three thousand dollars; capital stock five hundred to five thousand dollars; to promote the organization of useful knowledge and a sound practical education.
- O. L., XXXVI, local, 107, February 23, 1838. High Falls Primary Institute in Chagrin Falls, Cuyahoga and Geauga Counties; twelve trustees; property not to exceed fifteen thousand dollars; education of youth is the exclusive object of this corporation and its funds shall be exclusively devoted to the promotion of this object.

- O. L., XXXVI, local, 371, March 17, 1838. Newark Association for the Promotion of Education; Asa Beckwith and twenty others; twenty-one directors; stock company, shares ten to fifty dollars; stock not to exceed twenty-five thousand dollars; "the object of this corporation is to establish a high school with suitable houses and means of instruction for the education of both males and females".
- O. L., XXXVII, local, 166, March 12, 1839. Monroe Academical Association; David Kirkbridge and six others; three trustees and a president; stock company, shares fifty dollars; annual income not to exceed ten thousand dollars; "to cultivate and strengthen the intellectual and moral faculties of the youth who may resort to it for instruction, to teach them the art of self-government and to fit them by a judicious course of moral discipline for virtue, usefulness and happiness".
- O. L., XXXVII, local, 169, March 12, 1839. The Harveysburgh High School Company, Warren County; property not to exceed ten thousand dollars; to establish a high school and to promote and afford therein instruction in the usual branches of a sound, practical and liberal education, and in the languages, arts and sciences.
- O. L., XXXIX, local, 11, January 29, 1841. The Cincinnati New Jerusalem Church School Association; Jacob L. Wayne and nine others; five trustees; annual income not to exceed five thousand dollars; not to issue any circulating medium or exercise any banking privilege; to establish and carry forward a school in the city of Cincinnati, wherein may be taught all branches of literature and science.
- O. L., XXXIX, local, 103, March 27, 1841. Berkshire Education Society, Delaware County; David Prince and three others.
- O. L., XLI, local, 85, February 17, 1843. Western Reserve Free Will Baptist Academical Society; S. B. Philbrick and nine others; promoting and encouraging education; if the managers shall receive blacks and mulattoes into the same upon equality with white persons it shall work a forfeiture of all the powers hereby granted.
- O. L., XLII, local, 60, February 15, 1844. The Sylvania High School Company, Lucas County; John P. Pease and three others; property not to exceed ten thousand dollars; the establishment of a high school and to promote and afford therein instruction in the usual branches of a sound, practical and liberal education and in the languages, arts and sciences.
- O. L., XLII, local, 163, March 12, 1844. The Western Reserve Free Will Baptist Education Society; S. B. Philbrick and nine others; promoting and encouraging education and sustaining the Western Reserve Manual Labor Seminary in Chester.

O. L., XLIV, local, 161, February 23, 1846. Madison Education Society; Joshua Harkwell and eight others; nine trustees; stock company, shares twenty dollars.

ACTS CONCERNING HIGHER INSTITUTIONS

COLLEGES, UNIVERSITIES AND THEOLOGICAL SEMINARIES.

*Ohio University.*

Territorial Acts, Nashee's Compilation, Page 219, December 18, 1799. Resolution that Rufus Putnam, Ives Kleeman, Jonathan Stone, Esqs., be requested to lay off in Townships 8 and 9 in Washington County a town plat with a square for the colleges, lots for the president and professors, tutors, etc., bordering on or encircled by spacious commons.

Territorial Acts, Nashee's Compilation, Page 220, January 9, 1802. An act establishing a University in the town of Athens.

SEC. 1. That there shall be a university instituted and established in the town of Athens by the name and style of the American Western University, for the instruction of youth in all branches of the liberal arts and sciences, for the promotion of good education, virtue, religion and morality, and for conferring of the degrees and literary honors granted in similar institutions.

SEC. 2. Creating a body politic.

SEC. 3. Appointing the Honorable Rufus Putnam, Joseph Kleeman, Return Jonathan Meigs and seven others; created a body politic.

SEC. 11. Vesting Townships 8 and 9 granted by Congress in said corporation forever.

SEC. 18. The legislature may grant further powers or alter limit or restrain any of the powers by this vested in this corporation.

O. L., I, 148, April 16, 1803. Resolution appointing three commissioners to appraise the college townships in Washington Township.

O. L., II, 193, February 18, 1804.

SEC. 2. Creating a body politic and corporate by the name and style of the President and Trustees of the Ohio University, to consist of the Governor of the state, the President, and not more than fifteen nor less than ten trustees.

SEC. 8. Vacancies caused by death shall be filled at the next meeting of the legislature.

SEC. 9. The faculty shall direct and cause to be holden quarterly in every year a public examination, at which time the faculty shall attend, when each class of the students shall be examined relative to the proficiency they shall have made in the particular arts and sciences or branches of education in which they shall have been instructed.

SEC. 13. Directing the trustees to lay off the town of Athens conformably to a plan made out by Rufus Putnam and others.

SEC. 14. Providing that the annual rents and profits shall be appropriated to the endowment of the University.

SEC. 17. Exempting the lands in the two townships appropriated, together with the buildings, from all state taxes.

O. L., III, 79, February 21, 1805. Amendatory, providing for appraising and leasing the land in the two college townships for ninety-nine years, renewable forever. No land to be valued for less than one dollar and seventy-five cents per acre.

O. L., V, 85, Jan. 23, 1807. Amendatory, authorizing the trustees to lease the appraised lots that have been appraised at less than one dollar and seventy-five cents.

O. L., VII, 167, February 15, 1809. Sec. 2. Trustees shall have power until the year 1811 to receive articles or produce from the lessees in payment of rent.

O. L., XVI, 37, December 29, 1817. An act to authorize the drawing of a lottery for the benefit of the Ohio University.

"WHEREAS the diffusion of science and literature has ever been found to be auspicious to the interests of liberty and the purity and permanence of republican institutions:"

SEC. 1. Seven commissioners are authorized to raise by lottery a sum not to exceed twenty thousand dollars to defray the expenses of building a college edifice and to purchase a library and suitable mathematical and philosophical apparatus.

O. L., XXIII, 19, February 25, 1825. An act for the better regulation of the Medical College of Ohio and making certain appropriations therein named.

SEC. 7. That the sum of one thousand dollars be appropriated for the use of the Ohio University to be paid out of the lottery fund and to be applied by direction of the trustees for the purpose of paying any debts that may have been contracted for the purchase of philosophical apparatus or for any addition to the Library.

O. L., XXVII, 8, January 10, 1829. Amendatory, the Board of Trustees shall report annually to the Auditor of State the amount of money arising from the sale of lands situated in the College Township; when the money is deposited with the Treasurer of State it shall be placed to the credit of the Ohio University.

O. L., XXXIV, 643, March 7, 1836. WHEREAS by a resolution of January 30, 1827, it is made the duty of the President and Trustees of the Ohio University annually to report the condition of said University:

*Resolved*, That the President and Trustees of the Ohio University be required to report to the legislature a statement of the condition of said University.

O. L., XXXV, 543, January 12, 1837. "WHEREAS the legislature of this state do possess a controlling power over the officers of the Ohio University, and whereas no report can be found on the files of this legislature made by the President and Trustees of said University":

Requiring a report on the total amount of revenue and its source, amount of disbursements and the purpose, state of buildings, amount of debts due, to whom and for what expended, the number of professors engaged, the branches of literature and science taught by each, and a list of the number of students in each year commencing with the first day of April, 1826 to the first day of January, 1837, inclusive.

O. L., XXXVI, 205, March 7, 1838. An act providing for a loan to the Ohio University.

SEC. 1. Authorizing the Commissioners of the Canal Fund to loan from the sinking fund five thousand dollars to the Ohio University to be paid back in annual instalments of one thousand dollars each, interest at six per cent.

O. L., XLI, 44, March 10, 1843. An act to declare the true intent and meaning of the first section of the act entitled, "An act to amend an act entitled an act to establish a university in the town of Athens, passed February 21, 1805."

SEC. 1. "That it is the true intent and meaning of said act that the leases granted under said act and the one to which that was an amendment should not be subject to a revaluation at any time thereafter."

O. L., XLV, 176, February 8, 1847. An act to provide for the funding of debts to the Ohio University.

SEC. 1. Authorizing the President and Trustees to fund any amount of the debts due from said University not exceeding ten thousand dollars in sums not less than one hundred dollars each, for such length of time and for such rates of interest not exceeding seven per cent per annum as may be agreed upon.

*Miami University.*

O. L., I, 66, April 15, 1803. An act to provide for the locating of a college township in the District of Cincinnati.

SEC. 1. That one township in the District of Cincinnati, or equivalent land equal to thirty-six sections, shall be located and entered for the use and support of an academy in lieu of the college township heretofore granted in trust to John C. Symmes and his associates.

SEC. 2. Directing the Commissioners appointed to select such lands as are most valuable "having due regard to the quality of the land, the situation for health, the goodness of the water, and the advantage of inland navigation".

O. L., VII, 184, February 17, 1809. An act to establish the Miami University.

SEC. 1. For the instruction of youth in all the various branches of the liberal arts and sciences, for the promotion of good education, virtue, religion and morality, and for conferring all the literary honors granted in similar institutions; and benefits and advantages of the said University shall be open to all the citizens within this state.

SEC. 2. Creating a body politic, a president and not more than fourteen or less than seven trustees.

SEC. 8. The faculty shall cause to be holden in the said University at least once ever year a public examination, at which time the faculty shall attend, etc.

SEC. 10. Vesting the township granted by Congress in the Cincinnati District, in the said corporation for the sole use, benefit and support of the said University, with power to subdivide and sell the same for terms of ninety-nine years; renewable forever; subject to a revaluation every fifteen years; minimum price two dollars per acre.

SEC. 11. The clear annual rents and profits to be appropriated "in such manner as shall most effectually promote virtue, and morality" and knowledge of such languages, liberal arts and sciences as shall hereafter be directed from time to time by said corporation.

SEC. 15. Legislature shall have power to grant any further and greater powers or alter, limit or restrain any of the powers by this act vested.

SEC. 17. Alexander Campbell, The Reverend James Kilbourne and The Reverend Robert G. Wilson appointed to select a permanent seat for the University.

O. L., VIII, 94, February 6, 1810. Amendatory. That the trustees of the Miami University shall cause a town to be laid off on such part of land described in said act as they may think proper, to be known by the name of "Oxford."

SEC. 2. The said University is hereby established on said land and such place as the trustees may think proper, and they are authorized to direct such building and buildings to be erected as they deem necessary.

O. L., XII, 83, February 1, 1814. Amendatory. SEC. 1. Trustees are required to make an accurate statement of all proceedings both as respects the disposal of land as well as the state of the funds arising from the proceeds to the legislature.

O. L., XVII, 131, February 5, 1819. Amendatory. SEC. 1. Not more than four trustees shall reside out of the limits of the John Clevé Symmes Purchase; none of them shall reside within the college township.

- O. L., XLVI, 291, February 7, 1848. Repealing so much of the act as provides that not more than four of the trustees shall reside out of the limits of the John Cleve Symmes Purchase.
- O. L., XLVII, 398. (No date). Resolution appointing a committee of three to examine into and report to the next General Assembly the condition of the Miami University and the cause of its decline, with such recommendations as they may deem proper to make, and that said committee shall have power to send for reports and papers, and to administer all acts necessary to said investigation.

*Cincinnati University.*

- O. L., V, 64, January 23, 1807. An act to incorporate the Cincinnati University.

J. S. Gano and forty-eight others.

SEC. 3. "That all parcels of land, tenants, rents, annuities, profits on any goods, chattels, or any other effects . . . and shall have power to appropriate any funds belonging to said corporation in improving the present university and making further improvements on the tract of land thereunto now belonging or for educating poor children"; stock company, shares ten dollars.

- O. L., V, 120, February 3, 1807. An act authorizing the citizens of Cincinnati and its vicinity to raise six thousand dollars for certain purposes; authorizes the appointing of commissioners to raise by lottery a sum not to exceed six thousand dollars for Cincinnati University.

*Cincinnati College.*

- O. L., XVII, 46, January 22, 1819. Jacob Burrett and nineteen others incorporated as trustees and faculty of the Cincinnati College; annual income not to exceed eleven thousand dollars; stock company, shares twenty-five dollars each; control thirteen trustees; the religious tenets that may be peculiar to any sect or denomination shall never be taught or enforced in the College; Board of Trustees may grant all or any of the degrees that are usually conferred in any college or university within the United States.
- O. L., XLIII, 376, March 11, 1845. Authorizing the trustees to borrow not to exceed thirty-five thousand dollars.

*Worthington College.*

- O. L., XVII, 155, February 8, 1819. An act to establish a college in the town of Worthington by the name and style of the "Worthington College" for the instruction of youth in all the liberal arts and sciences, in virtue, religion and literary honors granted in similar institutions.

Philander Chase and eleven others created a body politic.



*Kenyon College.*

O. L., XXIII, 12, December 22, 1824. An act to incorporate the Theological Seminary of the Protestant Episcopal Church in the Diocese of Ohio.

SEC. 1. The Right Reverend Philander Chase, now Bishop of the Protestant Episcopal Church, and eight others, the present trustees, are created a body corporate; annual income exclusive of lands or tenants occupied by said seminary, not to exceed twenty thousand dollars.

The General Assembly may at any time hereafter modify or repeal this act, but no such modification shall divert the real and personal property of the seminary to any other purpose than the education of ministers of the gospel in the Protestant Episcopal Church in the United States of America.

O. L., XXIV, January 24, 1826. Supplementary. SEC. 1. The president and professors of said seminary shall be considered as the faculty of a college, and as such have the power of conferring degrees in the arts and sciences and of performing all such other acts as pertain to the faculties of colleges for the encouragement and reward of learning, and the name and style by which the said degrees shall be conferred and the certificate of learning given shall be that of the president and professors of Kenyon College in the State of Ohio.

O. L., XXVI, 176, January 11, 1828. *Resolved*, That this General Assembly approve of the object of the application of The Reverend Philander Chase to the Congress of the United States for a donation of a tract or tracts of public lands for the support of Kenyon College, and that the Senators and Representatives of this state in the Congress of the United States be requested to use their exertions in aid and support of the said application.

O. L., XXXVII, 353, March 6, 1839. Supplementary. SEC. 1. Trustees shall have power in connection with said seminary to establish a college and halls for preparatory education.

SEC. 2. Power to confer degrees as president and professors of Kenyon College.

SEC. 3. The president and professors of said Theological Seminary shall have power to confer degrees in Theology by the name and style of the president and professors of the Theological Seminary of the Diocese of Ohio.

*Franklin College.*

O. L., XXIII, 22, January 22, 1825. An act to incorporate the College of Alma in the town of Athens, Harrison County.

John Rhea and thirteen others are created a body corporate with full power to confer degrees.

O. L., XXIV, 49, January 31, 1826. Amendatory. Changing the name to Franklin College.

O. L., XXXIV, 610, March 14, 1836. An act making an appropriation to Franklin College in the County of Harrison and Ripley College in the County of Brown.

SEC. 1. Appropriating five hundred dollars to each college, to be applied in such manner as the Board of Trustees shall direct.

*Western Reserve University.*

O. L., XXIV, 93, February 7, 1826. An act to incorporate the trustees of the Western Reserve College.

SEC. 1. George Swift and eleven others are created a body politic to be styled the Board of Trustees of Western Reserve College with power to confer on those whom they may deem worthy all such honors and degrees as are usually conferred in similar institutions.

SEC. 2. Said college shall be located in the Township of Hudson, Portage County, and erected in a plan sufficiently extensive to afford instruction in the liberal arts and sciences, and the trustees may erect additional departments for the study of any or all of the liberal professions.

O. L., XLII, 95, February 23, 1844. Amendatory. SEC. 1. That the trustees of the Western Reserve College are authorized to establish a medical department in the City of Cleveland, and to confer degrees and other diplomas.

*Lane Seminary.*

O. L., XXVII, 118, February 11, 1829. An act to incorporate the Lane Seminary in the County of Hamilton.

SEC. 1. "That there shall be and hereby is established in the County of Hamilton a theological institution for the education of young men for the gospel ministry by the name of the Lane Seminary."

SEC. 3. "That the officers and members of the Executive Committee shall reside in the City of Cincinnati or this vicinity, a majority of whom together with all the professors and instructors of said institution shall be members of the Presbyterian Church in good standing under the general care of the General Assembly of the Church in the United States." Board of Trustees shall have power to confer any of the degrees in divinity usually granted in the colleges and universities of the United States.

SEC. 5. "That a fundamental rule or principle of said institution shall be that every student therein when in good health

shall be required to spend not less than three nor more than four hours each day in agricultural or mechanical labor, the profits of which shall be applied to defray the expense of the institution and the board and tuition of the students."

- O. L., XXXVI, 22, January 16, 1838. Amendatory. The Board of Trustees shall consist of not less than thirteen nor more than twenty-five.

*Ripley College.*

- O. L., XXVIII, 88, February 9, 1830. An act to incorporate the College of Ripley in the County of Brown.

Allan Trimbell and twenty-one others are created a body politic with full power and authority to confer degrees; annual income not to exceed twenty thousand dollars; no religious doctrines peculiar to any sect of Christians shall ever be inculcated; vacancies in the trustees to be filled by the General Assembly.

*Marietta College.*

- O. L., XXXI, 18, December 17, 1832. An act to incorporate the Marietta Collegiate Institute and Western Teachers' Seminary.

Luther G. Bingham and eight others are created a body politic; purpose, the instruction of youth in the various branches of useful knowledge and especially the education of teachers for common schools; annual income not to exceed five thousand dollars.

- O. L., XXXIII, 53, February 14, 1835. An act to incorporate Marietta College.

SEC. 1. That there shall be and there is hereby established in the County of Washington an institution for the education of youth in the various branches of useful knowledge by the name of the Marietta College.

SEC. 4. Annual income not to exceed five thousand dollars; funds shall never be used for purposes of banking.

SEC. 6. Power to confer such honors and degrees as are usually conferred in similar institutions.

- O. L., XLIII, 4, December 31, 1844. Amendatory, it shall be lawful for the board to increase the number of trustees not to exceed twenty-five.

*Denison University.*

- O. L., XXX, 88, February 2, 1832. An act to incorporate the "Granville Literary and Theological Institution."

Jonathan Atwood and six others; the present trustees of said institution are constituted a body politic; income from property

not used by said institution or its officers or professors not to exceed five thousand dollars.

SEC. 2. Trustees have power to confer on those whom they may think worthy all such honors and degrees as are conferred by similar institutions.

SEC. 3. Trustees may increase their number, but not to exceed eighteen.

O. L., XXXII, 215, February 27, 1834. Amendatory. Trustees shall have power to increase the number of trustees not exceeding thirty-six nor less than twelve:

O. L., XLIII, 54, February 3, 1845. Amendatory. Changing the name to "The Granville College."

SEC. 2. The trustees may as their ability shall increase erect additional departments for the study of any or all of the liberal professions.

*Oberlin College.*

O. L., XXXII, 226, February 2, 1834. An act to incorporate the Oberlin Collegiate Institute.

Henry Brown and eight others are created a body politic to be styled the Board of Trustees of the Oberlin Collegiate Institute with power to confer on those whom they deem worthy such honors and degrees as are usually conferred in similar institutions.

SEC. 2. That the said institution shall remain in Lorain County and shall afford instruction in the liberal arts and sciences and the trustees may erect additional departments for such other branches of education as they may think necessary or useful.

SEC. 3. They may increase the number of trustees to twelve exclusive of the president.

SEC. 4. The president shall be ex officio a member of the Board of Trustees and president of the same.

SEC. 6. The funds to be applied in erecting suitable buildings and supporting officers and in securing books, maps, charts, and other apparatus necessary to the well-being of the institution.

O. L., XLVIII, 632, March 21, 1850. Amendatory—changing the name of the Oberlin Collegiate Institute to Oberlin College.

*Willoughby University of Lake Erie.*

O. L., XXXII, 376, March 3, 1834. An act to incorporate the Willoughby University of Lake Erie.

Nehemia Allan and two others are created a body politic.

Purpose—the instruction of young men and youth in the

various branches of literature and sciences; annual income from real estate not to exceed five thousand dollars; power of conferring degrees in the arts, sciences, and professions.

O. L., XLV, 7, January 14, 1847. Amendatory. Sec. 1. Trustees are authorized to transfer the medical department of said university from Willoughby and establish the same at the City of Columbus to be known as the Willoughby Medical College at Columbus.

*German Reform Theological Seminary.*

O. L., XXXV, 9, December 20, 1836. An act to incorporate the German Reform Synod of Ohio.

Sec. 2. For the purpose of furthering the interests of the German Reform Church in Ohio by erecting a house or houses for a theological seminary or for establishing all the necessary conveniences for an institution of learning wherein to prepare men for the gospel ministry.

*St. Clairsville Collegiate Seminary.*

O. L., XXXV, 55, January 30, 1837. An act to incorporate the St. Clairsville Collegiate Seminary.

James Moore and thirty-eight others are created a body politic; "all property shall be for the purpose and no other of educating females"; annual income from funds not to exceed ten thousand dollars; instruction and the means of education in the said seminary whether in the primary or collegiate department shall never be confined or restricted to the tenets of any separate sect or denomination of religion.

Sec. 15. Corporation shall report annually to the General Assembly the number of scholars taught the preceding year and the condition of the corporation.

*Muskingum College.*

O. L., XXXV, 272, March 18, 1837. An act to incorporate the Muskingum College.

Robert Wallace and eight others associated for the purpose of establishing a seminary of learning at or near the town of New Concord in Muskingum County are created a body politic; nine directors with power to increase same to fifteen.

*Baptist Literary and Collegiate Institute.*

O. L., XXXV, 347, March 29, 1837. An act to incorporate the Baptist Literary and Collegiate Institute of Huron County.

Sec. 1. For the education of young men.

SEC. 2. Board self-perpetuating, not less than twenty-one nor more than twenty-five.

SEC. 3. Officers and members of the Executive Committee shall reside in Huron County, a majority of whom, together with all the professors, tutors, teachers and instructors, shall be members of the regular Baptist Church in good standing.

SEC. 5. "The design of this institution shall be to give a thorough literary and collegiate education; the income and tuition of which shall be applied to defraying the expense of the institution and the board and tuition of the students."

*Wesleyan Collegiate Institute.*

O. L., XXXV, 378, March 31, 1837. An act to incorporate the trustees of the Wesleyan Collegiate Institute.

Jacob Ward and nine others are created a body politic; to be located at Olmstead and erected on a plan sufficiently extensive to afford instruction in the liberal arts and sciences.

*Logan College.*

O. L., XXXVI, 203, March 7, 1838. An act to incorporate Logan College.

James Wallace and twenty others are created a body corporate.

*Theological Seminary, Reform Synod.*

O. L., XXXVI, 34, January 22, 1838. An act to incorporate the Theological Seminary of the Associated Reform Synod of the West.

SEC. 1. That there shall be established at Oxford in Butler County a theological institution for the education of young men for the gospel ministry; annual income of property not to exceed two thousand dollars.

*Central College.*

O. L., XL, 77, March 2, 1842. An act to incorporate the trustees of the Central College of Ohio.

H. L. Hitchcock and thirteen others are created a body politic with power to confer on those whom they may deem worthy all such honors and degrees as are usually conferred by colleges; said college shall afford instruction in the liberal arts and sciences usually taught in colleges; shall be allowed to have an academical department.

*St. Xavier College.*

O. L., XL, 84, March 5, 1842. An act to incorporate the St. Xavier College.

"That there shall be and there is hereby established in the city of Cincinnati an institution, for the education of white

youth in the various branches of useful knowledge, by the name of the Trustees of St. Xavier's College"; property not to exceed forty thousand dollars; no part of funds to be used in banking; trustees shall have power to confer honors and degrees.

*Ohio Wesleyan University.*

O. L., XL, 111, March 7, 1842. An act to incorporate the trustees of the Ohio Wesleyan University.

WHEREAS, "The Ohio and North Ohio Annual Conference of the Methodist Episcopal Church have determined upon establishing an extensive university or college in this state to the support of which they are pledged to use their utmost efforts, and which university is ever to be conducted on the most liberal principles, accessible to all religious denominations, and designed for the benefit of our citizens in general", therefore:

SEC. 1. William Neff and twenty others are created a body politic.

SEC. 3. That the Ohio and North Ohio Conferences of the Methodist Episcopal Church, or such other conferences as may be formed out of these conferences, shall fill the vacancies occurring in the Board of Trustees, and shall annually appoint any number of visitors not exceeding three for each conference, who shall attend the meetings of the Board of Trustees and shall constitute a joint board in the appointment and removal of all officers of the said university.

SEC. 5. The university shall be styled the Ohio Wesleyan University and shall be located in or near Delaware, Ohio.

*Lafayette University.*

O. L., XL, 119, March 7, 1842. An act to incorporate Lafayette University at New Carlisle, Clark County.

SEC. 1. There is hereby established "an institution for the education of youth in the various branches of useful knowledge"; William G. Serviss and twenty others are appointed trustees; annual income of real property not to exceed five thousand dollars; funds shall never be used for banking; the said corporation shall have power to confer honors and degrees.

*Germania College.*

O. L., XLI, 12, January 11, 1843. An act to incorporate the trustees of the Germania College.

Jacob Leist and eight others are created a body politic for thirty years with power to confer honors and degrees; not less than eleven nor more than twenty-one trustees.

SEC. 5. "The said college shall afford instruction in the

liberal arts and sciences usually taught in colleges, and shall be allowed to establish an academical department for the instruction of students in the various branches of an academical education and general knowledge not included in the usual collegiate course, and for the instruction of those who design to be teachers of schools."

*Providence College.*

O. L., XLI, 63, February 9, 1843. An act to incorporate Providence College and that for the purpose of establishing a college for the education of youth in the various branches of useful knowledge, Wilson Shannon and twenty others are created a body politic with power to confer honors and degrees; trustees not less than eleven nor more than twenty-one.

SEC. 5. "The said college shall afford instruction in the liberal arts and sciences usually taught in colleges and shall be allowed to have an academical department, etc."

SEC. 9. The private and individual property of the incorporators shall be held responsible for the payment of debts of said college.

*Beverly College.*

O. L., XLI, 92, February 28, 1843. An act to incorporate the Beverly College at Beverly for the purpose of educating youth in the learned and foreign languages, the liberal arts and sciences, and literature; Board of Trustees not to exceed twenty-one; A. M. Bryan and twenty others named as the first trustees incorporated a body politic; annual income not to exceed five thousand dollars; Board of Trustees to be elected by the Pennsylvania Synod of the Cumberland Presbyterian Church.

*Methodist Female Collegiate Institute.*

O. L., XLI, 146, March 10, 1843. An act to incorporate the trustees of the Methodist Female Collegiate Institute of Cincinnati. Thomas A. Morris and twelve others.

*Western Female College.*

O. L., XLIV, 171, February 24, 1846. An act to incorporate the trustees of the Western Female College of Cincinnati. Thomas A. Morris and twenty-one others; trustees to be chosen by the Board of Trustees of eight local Methodist Churches, and the ministers of the M. E. Church in Cincinnati, with the agents and editors of the Western Book Concern to be trustees ex officio; purpose—"the instruction of the pupils therein in the arts and sciences and in all necessary and useful and ornamental branches



of an efficient and liberal education, such as is taught in the best female academies;" power to grant literary honors and degrees.

*Bellefontaine College.*

O. L., XLI, 220, March 13, 1843. An act to incorporate the Bellefontaine, Ohio, College.

Joseph Stevenson and fourteen others; to afford instruction in the common branches of a liberal education and in the liberal arts and sciences; property not to exceed two hundred thousand dollars; a board of fifteen trustees.

SEC. 10. If from any cause the corporation shall dissolve, the property of said institution, after its debts are paid, shall go to the Common School Fund of the State of Ohio.

*English Lutheran Theological and Collegiate Institute.*

O. L., XLII, 189, March 17, 1844. An act to incorporate the Board of Directors of the English Lutheran Theological and Collegiate Institute of Wooster, Wayne County.

William Godfrey Keil and eleven others; property not to exceed ten thousand dollars; power to grant degrees in the liberal arts and sciences; trustees appointed by the English Evangelical Lutheran Synod.

*Ft. Meigs University.*

O. L., XLIII, 80, February 10, 1845. An act to incorporate the trustees of Ft. Meigs University. John C. Spink and eleven others, location—Perrysburg, Wood County; "to be erected on a plan sufficiently extensive to afford instruction in the liberal arts and sciences" and that trustees may erect additional departments for instruction in the languages, arts and sciences, and in all of the liberal professions; power to confer degrees; degrees shall not be conferred until the corporation shall have obtained property to the amount of ten thousand dollars; twelve trustees.

*Protestant University of the United States.*

O. L., XLIII, 345, March 10, 1845. An act to incorporate the seven trustees of the Protestant University of the United States.

William Wilson and twenty-nine others; location—in or near Cincinnati; "the promotion and advancement of education, the cultivation and diffusion of literature, science, and the arts, in all their departments and formalities".

SEC. 11. The corporation shall have power to establish a sectarian religious test as a condition of enjoying the honors and privileges of the university, provided that it shall always

be conducted in conformity to the Reformed Protestant religion as taught in the Holy Scriptures of the Old and New Testaments; degrees not to be conferred until the corporation shall have fifteen thousand dollars in property; annual income not to exceed twenty thousand dollars; said university shall report annually to the legislature.

*Wittenberg College.*

O. L., XLIII, 375, March 11, 1845. An act to incorporate the Board of Directors of Wittenberg College; John Hamilton and fifteen others; degrees shall not be conferred until the corporation have acquired property to the value of ten thousand dollars; Board of Directors appointed by the English Evangelical Synod of Ohio and the Miami Synod.

*Farmers' College.*

O. L., XLIV, 165, February 23, 1846. An act to incorporate the Farmers' College of Hamilton County. Charles Cheney and fourteen others; stock company, shares thirty dollars.

Sec. 5. "The objects of this association shall be to direct and cultivate the minds of the students in a thorough and scientific course of studies, particularly adapted to agricultural pursuits;" real property not to exceed forty thousand dollars.

*Marietta Female College.*

O. L., XLV, 140, February 8, 1847. An act to incorporate the Marietta Female College; David C. Skinner and four others; a board of three to fifteen trustees; stock company, shares twenty-five dollars each, capital stock not to exceed twenty thousand dollars; the instruction of females in all the necessary and useful and ornamental branches of a thorough and liberal education.

*Muhlenberg College.*

O. L., XLVI, 19, January 11, 1848. An act to incorporate the Board of Directors of Muhlenberg College at the town of Jefferson, Harrison County.

Moses Bartholomew and fourteen others; directors appointed by the English branch of the Evangelical Lutheran Joint Synod of Ohio and adjacent states; degrees shall not be conferred until the corporation have property to the value of ten thousand dollars.

*Judson College.*

O. L., XLVII, local, 259, February 10, 1849. An act to incorporate the Judson College at Jefferson, County of Harrison; transferring

the rights, franchises, etc., of Muhlenberg College to the Board of Directors of Judson College.

*Medina College.*

O. L., XLVI, 188, February 18, 1848. An act to incorporate Medina College. Stephan N. Sargeant and thirteen others; stock company, shares twenty dollars each; capital stock not to exceed twenty thousand dollars.

*Newton College.*

O. L., XLVI, 211, February 19, 1848. An act to incorporate Newton College, Hamilton County.

Joseph Jackson and eleven others; stock company, shares fifty dollars; twelve trustees; "to direct and cultivate the minds of the students thoroughly in literary, classical and scientific studies for a regular course, and studies for an irregular course as the trustees may deem proper;" degrees shall not be conferred until the corporation have property to the amount of ten thousand dollars; real property not to exceed two hundred thousand dollars.

O. L., XLVI, 220, February 21, 1848. An act to incorporate the Edinburgh College.

George Hackett and sixteen others.

SEC. 5. The said college shall afford instruction in the liberal arts and sciences usually taught in colleges, and shall be allowed to have an academical department, etc.; the corporation shall not confer degrees until it have obtained property to the amount of ten thousand dollars.

*Mt. Washington College.*

O. L., XLVII, 236, February 21, 1849. An act to incorporate the Mt. Washington College in Hamilton County; Thomas H. Whetstone and eight others; stock company, shares fifty dollars each; eight trustees; property not to exceed two hundred thousand dollars; "to direct and cultivate the minds of the students thoroughly in literary, classical and scientific studies for a regular course" and also an irregular course as the trustees shall decide; corporation shall not grant degrees until the college shall have obtained property to the amount of ten thousand dollars.

*Otterbein University.*

O. L., XLVII, 257, February 13, 1849. An act to incorporate the Otterbein University of Ohio. Louis Davis and two others named of the Scioto Annual Conference of the Church of the United Brethren of Christ and Jacob Barger and two others named

of the Sandusky Annual Conference of the South Church; power to confer degrees; location—Westerville; the corporation shall afford instruction in the liberal arts and sciences usually taught in colleges, and be allowed to have an academical department; they may use funds in the erection of buildings, purchase of lots, mechanical implements wherewith to maintain the manual labor connected with said university; no part of the property to be used for banking; honors and degrees shall not be conferred until the corporation have property to the amount of ten thousand dollars.

- O. L., XLVIII, 619, March 2, 1850. An act to incorporate the Capital University. James Manning and thirty others; purpose—the promotion of religion, morality and learning; trustees to be chosen by the Synod of the Evangelical Lutheran Church, and by the Board of Trustees created by the act of incorporation.

*Cambridge College.*

- O. L., XLVIII, 621, March 22, 1850. An act to incorporate the Cambridge College. John Fordyce and eight others are created a body politic to be styled "the Trustees of the Cambridge College of the Methodist Protestant Church"; vacancies in the board to be filled by the Muskingum Annual Conference of the Methodist Protestant Church and one member of the Conference shall annually attend the meetings of the Board; purpose—the instruction of students in the arts and sciences, in the learned professions, and all branches of learning as are usually taught in the colleges of the country; "the college shall be conducted on the most liberal principles and open alike to all religious denominations and to the community in general."

*Geneva Hall.*

O. L. XLVIII, 672, March 7, 1850. An act to incorporate the Geneva Hall. J. B. Johnston and ten others; seven trustees; stock company, shares fifty dollars each; location—Northwood, Logan County; capital stock not to exceed fifty thousand dollars; the promotion of learning, morality and religion; power to establish a literary and theological department, the theological department to be known by the name of "The Theological Seminary of the Reformed Presbyterian Church."

*Urbana University.*

- O. L., XLVIII, 624, March 7, 1850. An act to incorporate the Urbana University; a board of twelve trustees; Milo G. Williams and eleven others; purpose—to encourage and promote the diffusion of knowledge in all the branches of academic and scientific, and

exegetic instruction, and to combine therewith instruction in the productive arts and practice of rural economy; power to confer degrees; to be under the management of persons recognized as belonging to the New Church.

## ACTS CONCERNING PROFESSIONAL EDUCATION

## MEDICAL EDUCATION

- O. L., IX, 19, Jan. 14, 1811. An act regulating the practice of Physic and Surgery. Five Medical Districts created, three medical examiners in each to license applicants.
- O. L., X, 58, Feb. 8, 1812. An act to incorporate a Medical Society. Seven medical districts. Power to appoint examining committees. Practicing without license \$5.00 to \$100.00 penalty for each offense.
- O. L., XI, 28, Jan. 18, 1813. An act regulating the practice of physic and surgery.
- O. L., XV, 195, Jan. 28, 1817. An act regulating the practice of physic and surgery.
- O. L., XVI, 105, Jan. 30, 1818. Amendatory. Allowing any person who has received the degree of Doctor of Medicine from any medical school in the U. S. to receive license without examination.

*Medical College of Ohio.*

- O. L., XVII, 37, Jan. 19, 1819. An act to authorize the establishment of a medical college. Name: Medical College of Ohio. Location: Cincinnati. Professorships: Practice of Medicine, Anatomy, Surgery, Materia Medica, Obstetrics, etc., and Chemistry and Pharmacy.
- O. L., XVIII, 162, Dec. 30, 1819. Amendatory. Two-thirds of faculty necessary to create or abolish professorships.
- O. L., XIX, 28, Jan. 15, 1821. An act regulating the practice of Physic and Surgery. Creating the Medical Convention of Ohio, which may select annually two medical students destitute of means and recommend to the Medical College whose duty it shall be to extend to them gratuitously all its advantages.
- O. L., XIX, 58, Jan. 22, 1821. An act establishing a Commercial Hospital and Lunatic Asylum for the State of Ohio. Location: Cincinnati. Faculty of Medical College to give medical and surgical advice. Students may witness treatment of patients.
- O. L., XXI, 4, Dec. 13, 1822. Amendatory. Medical College of Ohio. Corporate powers vested in a Board of Trustees instead of the faculty. Trustees appointed by the General Assembly.
- O. L., XXII, 142, Feb. 26, 1824. An act to incorporate Medical Societies, etc.

- O. L., XXIII, 16, Jan. 28, 1825. Amendatory to the preceding.
- O. L., XXIII, 19, Feb. 15, 1825. An act for the better regulation of the Medical College of Ohio. Making certain appropriations, etc.
- O. L., XXIV, 4, Dec. 31, 1825. An act to incorporate the Medical College of Ohio and to revise and repeal all existing laws concerning it.
- O. L., XXXVI, 37, March 7, 1838. An act for the relief of the Medical College of Ohio. Appropriating \$1,500.00.

*Cincinnati Medical Academy.*

- O. L., XXVI, 54, Jan. 18, 1828. An act to incorporate the Cincinnati Medical Academy. Benjamin Piatt and ten others.
- O. L., XXIX, 66, Jan. 31, 1831. Amendatory. The Medical College of Ohio. Appropriating one-fourth of the money arising from taxes on auction sales in Hamilton County for a five year period to the Medical College, not to exceed \$30,000.00.

*Ohio Medical Lyceum.*

- O. L., XXXI, 207, Feb. 22, 1833. An act to incorporate the Ohio Medical Lyceum in the city of Cincinnati.
- O. L., XXXI, 269, Feb. 25, 1833. Resolution. Free tuition in Medical College to one indigent student from each medical district in the state, on appointment of the censors.
- O. L., XXXI, 272, Feb. 25, 1833. Resolution. Governor to appoint a committee of five to inspect and report on the condition, etc., of the Medical College of Ohio.

*Medina Medical Lyceum.*

- O. L., XXXII, 9, Dec. 24, 1833. An act to incorporate the Medina Medical Lyceum.

*Lebanon Medical Society.*

- O. L., XXXVI, 347, March 16, 1838. An act to incorporate the Lebanon Medical Society.

*Literary and Botanical Medical College of the State of Ohio.*

- O. L., XXXVII, 208, March 8, 1839. An act to incorporate the Directors of the Literary and Botanical Medical College of the State of Ohio.
- O. L., XXXIX, 161, March 29, 1841. Amendatory. Locating the above corporation in Cincinnati during the continuation of the charter.

*Eaton Medical Society.*

- O. L., XL, 83, March 3, 1842. An act to incorporate the Eaton Medical Society.

*Morgan County Medical Society.*

O. L., XLI, 145, March 10, 1843. An act to incorporate the Morgan County Medical Society.

*Dudley Medical University.*

O. L., XLII, 179, March 12, 1844. An act to incorporate the Dudley Medical University of Wadsworth.

*Summit County Medical Society.*

O. L., XLII, 183, March 12, 1844. An act to incorporate the Summit County Medical Society.

*College of Dental Surgery.*

O. L., XLIII, 32, Jan. 21, 1845. An act to authorize the establishment of a College of Dental Surgery. Location: Cincinnati.

*Medical Institute of Cincinnati.*

O. L., XLIII, 257, March 10, 1845. An act to incorporate the Medical Institute of Cincinnati. Name Eclectic Institute. At least five professors.

O. L., XVII, 268, March 8, 1849. Amendatory. Increasing capital stock of preceding institution to \$60,000.00.

*Starling Medical College.*

O. L., XLVI, 31, Jan. 28, 1848. An act to incorporate the Starling Medical College in the City of Columbus. Lyne Starling gives \$30,000.00 for support.

*Medical and Surgical Society of the County of Akron.*

O. L., XLVI, 76, Feb. 4, 1848. An act to incorporate the Medical and Surgical Society of the County of Akron.

*State Medical Society of Ohio.*

O. L., XLVI, 231, Feb. 22, 1848. An act to incorporate the State Medical Society of Ohio.

*Cincinnati Medical Institute.*

O. L., XLVII, 264, Feb. 23, 1849. An act to incorporate the Cincinnati Medical Institute.

*Darke County Medical Society.*

O. L., XLVII, 274, March 18, 1849. An act to incorporate the Darke County Medical Society.

*Western College of Homeopathic Medicine.*

O. L., XLVIII, 629, March 1, 1850. An act to incorporate the Western College of Homeopathic Medicine.

*Cincinnati College of Pharmacy.*

O. L., XLVIII, 632, March 23, 1850. An act to incorporate the Cincinnati College of Pharmacy.

## LEGAL EDUCATION

O. L., XVII, 92, Jan. 28, 1819. Amendatory. An act to regulate the admission and practice of attorneys, etc. Candidates must have studied law attentively two years prior to application.

*Cincinnati College.*

O. L., XLIV, 157, Feb. 21, 1846. Amendatory. Certificate from the law department of Cincinnati College shall entitle to admission to the bar.

ACTS CONCERNING THE EDUCATION OF DEFECTIVES, DEPENDENTS  
AND DELINQUENTS

## EDUCATION OF DEFECTIVES

*Education of the Deaf and Dumb.*

O. L., XX, 49, Feb. 2, 1822. An act to amend an act concerning the safe-keeping of idiots, etc. Court of Common Pleas may appoint guardians of deaf and dumb persons. Guardians shall teach. If unable to do so County Commissioners may appropriate money for the purpose. All deaf and dumb persons to be listed in townships and be reported to the State Auditor.

O. L., XXI, 5, Dec. 28, 1822. An act to ascertain the number of deaf and dumb persons in this state.

O. L., XXV, 87, Jan. 30, 1827. An act to establish an asylum for the deaf and dumb persons. Eight trustees. Income not to exceed \$30,000.00. Shall be forever under the control of the General Assembly.

O. L., XXVI, 4, Jan. 16, 1828. Amendatory. Adds three trustees. Appropriation, \$376.76.

O. L., XXVII, 63, Jan. 28, 1829. An act to provide further for the establishment of the asylum. Authorizes opening in Oct., 1829, at Columbus.

O. L. XXV, 113, Jan. 9, 1827. Resolution. Instructing Senators and Representatives in Congress to try to obtain from Congress a grant equal to one township to aid in the education of the deaf and dumb in this state.

O. L., XXVI, 178, Jan. 29, 1828. Resolution. Renewing preceding effort.

O. L., XXVI, 171, Jan. 21, 1829. Resolution. Locating asylum at Columbus. Authorizing receiving donation of land or purchasing land for a site.



- O. L., XXVIII, 30, Feb. 18, 1830. Amendatory. Twelve trustees; \$1,000.00 appropriation. Provisions for indigent students.
- O. L., XXIX, 427, March 3, 1831. An act to establish an Asylum for the education of Deaf and Dumb persons and repealing all existing laws on that subject.
- O. L., XXIX, 246, March 10, 1831. Resolution. Appropriating \$1,600.00.
- O. L., XXX, 20, Feb. 13, 1832. Amendatory. One-fourth of all monies arising from auction sales and licenses in Hamilton Co. appropriated to the use of the Deaf and Dumb Asylum.
- O. L., XXX, 319, Feb. 11, 1832. Resolution. Appropriating \$1,500.00.
- O. L., XXX, 336, Jan. 5, 1832. Memorial. Asking Congress for a grant of a township of land for the use of the asylum.
- O. L., XXXI, 24, Feb. 25, 1833. Amendatory. Three indigent pupils to be admitted from each judicial circuit in the state.
- O. L., XXXI, 238, Feb. 25, 1833. Resolution. Appropriating \$1,500.00.
- O. L., XXIII, 36, March 3, 1834. Amendatory. Provision for educating all indigent deaf and dumb persons between ages of 12 and 20. Appropriation, \$2,213.10.
- O. L., XXXII, 428, March 3, 1834. Appropriation, \$2,000.00.
- O. L., XXXIII, 435, March 9, 1835. Appropriation, \$3,000.00.
- From this time on appropriations are usually made annually until 1846. From 1846 on regular budget appropriations are made.
- O. L., XLIII, 344, Jan. 11, 1845. Resolution. Urging Congress to grant a portion of the public domain for institutions for the education of the deaf and dumb or the blind, in states where such institutions may be established.
- O. L., XLIV, 111, March 2, 1846. Amendatory. Salary of the Supt. to be \$1,000.00. Six trustees to be appointed by the Gen. Assembly.

*Education of the Blind.*

- O. L., IX, 68, Jan. 29, 1811. An act for the relief of David Phouts. Appropriating \$150.00 annually for the relief of five children born blind.
- O. L., X, 68, Feb. 11, 1812. Repealing preceding act.
- O. L., XVII, 7, Dec. 23, 1818. An act for the relief of John Twaddle. County Commissioners of Jefferson County authorized to make an annual allowance. Nine children, six born blind.
- O. L., XXXIII, 453, March 5, 1835. Resolution. Census of the blind.
- O. L., XXXIV, 648, March 11, 1836. Resolution. Three trustees appointed to gather information concerning the instruction of the blind and probable cost of commencing a school.
- O. L., XXXV, 116, April 13, 1837. An act making provision for the instruction of the blind. Three trustees. Ohio Institution for the Instruction of the Blind. Provisions for site and buildings

- at or near Columbus. Authorizing \$15,000.00 for building; provision for apparatus.
- O. L., XXXV, 559, April 1, 1837. Resolution. Extending thanks to Dr. Howe for his work in behalf of the blind.
- O. L., XXXVI, 49, March 10, 1838. An act making further provisions for the instruction of the blind. Authorizing completion of the building, receiving students from other states, giving free instruction to 12 indigent students, etc.
- O. L., XLI, 57, March 11, 1843. Amendatory. Extending privileges to indigent students.
- O. L., XLII, 21, Jan. 27, 1844. An act reducing salaries. Superintendents of Blind Asylum not to exceed \$700.00. Superintendent of Deaf and Dumb Asylum not to exceed \$600.00.
- O. L., XLII, 253, Feb. 3, 1844. Resolution. Authorizing employment of oculist by the asylum.
- O. L., XLIII, 270, March 12, 1844. Resolution. Authorizing \$150.00 for philosophical apparatus for the pupils.
- O. L., XLIV, 111, March 2, 1846. Amendatory. Salaries of Superintendents of Asylums for the Blind and Deaf and Dumb to be \$1,000.00 each. Repealing acts for support of pupils in these institutions.

## EDUCATION OF DEPENDENTS

*Individuals.*

- O. L., XVIII, 66, Feb. 26, 1820. An act for the relief of, an orphan Indian child.
- O. L., XIX, 144, Feb. 2, 1821. Repealing the preceding act.
- O. L., XXI, 39, Jan. 25, 1823. An act for the relief and benefit of an Indian orphan child. Mother killed by a citizen of the state; \$25.00 annually appropriated for education and maintenance until age of 12 years.

*Apprentices and Servants.*

- O. L., IV, 72, Jan. 27, 1806. An act concerning apprentices and servants. Children bound out must be taught to read and write.
- O. L., XXII, 381, Feb. 23, 1824. An act concerning apprentices and servants. Arithmetic to the rule of three added to the preceding requirements. A new Bible and two suits of clothes to be furnished at the end of the period of service.

*Orphan Asylums, Etc.*

- O. L., XXXI, 52, Jan. 25, 1833. An act to incorporate the Cincinnati Orphan Asylum.
- O. L., XXXII, 216, Feb. 27, 1834. An act to provide a fund for the relief of the widows and children of the clergy of the Protestant Episcopal Church in Ohio.

- O. L., XXXV, 202, March 13, 1837. An act to incorporate the Stark County Orphans' Institute.
- O. L., XXXVIII, 87, March 3, 1840. Repealing the preceding act. The corporation had assumed banking privileges.
- O. L., XXXV, 513, April 3, 1837. An act to incorporate the Cleveland Female Orphan Asylum. Lowry Willy and 11 other women incorporators.
- O. L., XXXVI, 185, March 5, 1838. An act to incorporate the Columbus Female Benevolent Society. Mary Cressy and six other women.
- O. L., XLI, 112, March 2, 1843. An act to incorporate the St. Aloysius Orphan Asylum of Cincinnati.
- O. L., XLII, 172, March 12, 1844. An act to incorporate the Dayton Female Association for the benefit of orphans.
- O. L., XLIII, 101, Feb. 18, 1845. An act to incorporate the trustees of the New Orphan Asylum of Colored Children of Cincinnati.

## EDUCATION OF DELINQUENTS

- O. L., XLI, 74, March 13, 1843. An act for the regulation of county jails. Each inmate shall be furnished with a Bible. Sheriff shall keep a record of means furnished prisoners of literary, moral and religious instruction.
- O. L., XLIII, 446, March 6, 1845. Resolution. Directors of Ohio Penitentiary authorized to employ a suitable person as a religious and moral instructor.
- O. L., XLIII, 393, March 12, 1845. An act to authorize the City of Cincinnati to erect a House of Correction.

## ACTS CONCERNING THE EDUCATION OF TEACHERS

- O. L., XXX, 232, Feb. 13, 1832. An act to incorporate the Western Academic Institute and Board of Education. Elijah Slack and 14 others.
- O. L., XXXII, 217, Feb. 27, 1834. An act to incorporate the Teachers' Institute. For instructing professional school teachers. Lyman Beecher and eight others. Board shall report annually to the Secretary of the State of Ohio.
- O. L., XXXI, 18, Dec. 17, 1832. An act to incorporate the Marietta Collegiate Institute and Western Teachers' Seminary.
- O. L., XXXI, 193, Feb. 19, 1833. An act to incorporate the Wayne County, Ohio, Teachers' Association.
- O. L., XXXV, 417, April 1, 1837. An act to incorporate The Teachers' Institute at Fair Mound, in Licking County.
- O. L., XXXVIII, 192, March 23, 1840. An act to incorporate The American Lyceum of Education in the City of Cincinnati. A model school and one in which experiments may be made to be one feature.

- O. L., XLV, 67, Feb. 8, 1847. An act to incorporate Teachers' Institutes. Act in force only in the Counties of Ashtabula, Lake, Geauga, Cuyahoga, Erie, Lorain, Medina, Trumbull, Portage, Summit and Delaware.
- O. L., XLVII, 261, Feb. 15, 1849. An act to incorporate the Farmington Normal School in the County of Trumbull. Edwin Loveland and eight others. Citizens raised \$2,575.00 for school. Site donated.

ACTS CONCERNING SUPPLEMENTARY EDUCATIONAL AGENCIES

*Libraries.*

- O. L., III, 288, Feb. 21, 1805. Dayton Library Society.
- O. L., V, 62, Jan. 26, 1806. Library society to be known as "Granville Alexandrian Society," in the town of Granville, in the County of Licking. (Repealed later for banking activities.)
- O. L., VI, 127, Feb. 10, 1808. New Town Library Company, in the County of Hamilton.
- O. I., VIII, 141, Feb. 19, 1810. Western Library Association.
- O. L., VIII, 197, Feb. 19, 1910. Poland Library Society.
- O. L., VIII, 251, Feb. 19, 1810. Washington Social Library Company.
- O. L., X, 5, Dec. 17, 1811. Wooster Library Society.
- O. L., X, 14, Dec. 23, 1811. Lebanon Library Society.
- O. L., X, 178, Feb. 20, 1812. Platonic Library Society, in the towns of Sunbury and Berkshire in Delaware County.
- O. L., XI, 14, Jan. 2, 1813. Circulating Library Society of Cincinnati.
- O. L., XII, 55, Jan. 18, 1814. Boardman Library Society, in the County of Trumbull.
- O. L., XII, 61, Jan. 19, 1814. Troy Library Society.
- O. L., XII, 147, Feb. 10, 1814. Euclid Library Society, in the County of Cuyahoga.
- O. L., XIII, 11, Dec. 22, 1814. Circulating Library Society of Cincinnati.
- O. L., XIII, 14, Dec. 22, 1814. Village Library Society of Burton, in the County of Geauga.
- O. L., XIII, 75, Jan. 13, 1815. Eaton Library Society, in the County of Preble.
- O. L., XIII, 285, Feb. 16, 1815. Northern Social Library Company of Harpersfield.
- O. L., XIV, 6, Dec. 16, 1815. Waynesville Library Company.
- O. L., XIV, 256, Feb. 20, 1816. Fearing Library Society, in the County of Washington.
- O. L., XIV, 263, Feb. 21, 1816. Social Library Company of Salem, in the County of Ashtabula.
- O. L., XVII, 154, Feb. 8, 1819. Amendatory. Circulating Library Company of Cincinnati.

- O. L., XX, 36, Feb. 1, 1822. Amendatory. Social Library Company of Salem.
- O. L., XXII, 36, Jan. 20, 1824. Relating to State Library.
- SEC. 1. Librarian, \$200 per year.
- SEC. 2. Bond of \$2,000.
- SEC. 3. Librarian shall give receipt for all books, etc., to the treasurer of the state.
- SEC. 4. Three hundred and fifty dollars appropriated annually for purchase of "useful books" and maps.
- SEC. 5. List of books needed may be submitted by members, judges, etc.
- SEC. 6. Covering resignation of librarian
- SEC. 7. Provision for necessary furniture.
- O. L., XXIII, 3, Dec. 29, 1824. Elizabethtown Social Library Society, in the County of Hamilton.
- O. L., XXIII, 101, Jan. 28, 1825. Social Library of Kendal, in the County of Stark.
- O. L., XXIII, 76, Feb. 7, 1825. Windham Library Society, in the County of Portage.
- O. L., XXIV, 5, Dec. 23, 1825. Fredericktown Library Society, in the County of Knox.
- O. L., XXIV, 24, Jan. 17, 1826. Preble County Library Society.
- O. L., XXIV, 35, Jan. 24, 1826. Bloomfield Social Library Society, in the County of Trumbull.
- O. L., XXIV, 82, Feb. 4, 1826. Social Library Society, in the town of Fairfield, County of Columbiana.
- O. L., XXIV, 86, Feb. 7, 1826. Eldridge Library Association, in the County of Huron.
- O. L., XXV, 8, Dec. 15, 1826. Franklin Library Company of Little Sandy.
- O. L., XXV, 3, Jan. 9, 1827. Dayton Library.
- O. L., XXV, 57, Jan. 6, 1827. Buffalo Library Society, in the Counties of Guernsey, Morgan and Muskingum.
- O. L., XXV, 56, Jan. 23, 1827. Columbia Library Society, in the County of Lorain.
- O. L., XXV, 42, Jan. 26, 1827. Brookfield Social Library Society of the County of Morgan.
- O. L., XXV, 55, Jan. 26, 1827. Harmony Library Society, in the County of Fayette.
- O. L., XXVI, 3, Dec. 14, 1827. Newburgh Library Society, in the County of Cuyahoga.
- O. L., XXVI, 4, Dec. 18, 1827. Liberty Library Society, in the County of Butler.
- O. L., XXVI, 27, Jan. 1, 1828. "Hubbard Library Company," in the County of Trumbull.
- O. L., XXVI, 41, Jan. 16, 1828. Union Library Society of Lexington.

- O. L., XXVI, 119, Jan. 21, 1828. Yellow Spring Library Society, of the County of Greene.
- O. L., XXVI, 107, Jan. 29, 1828. Lorain County Library Society.
- O. L., XXVI, 106, Feb. 11, 1828. "The Hartford Library Society," in the County of Trumbull."
- O. L., XXVI, 161, Jan. 29, 1828. Monroe Traveling and Circulating Library Society.
- O. L., XXVII, 5, Dec. 22, 1828. Social Library Company of Madison, in the County of Geauga.
- O. L., XXVII, 10, Dec. 24, 1828. Amendatory. Frederickstown Library Society.
- O. L., XXVII, 14, Dec. 29, 1828. The Chester Library Association, in the County of Geauga.
- O. L., XXVII, 21, Jan. 5, 1829. Sunbury Library Association, in the County of Delaware.
- O. L., XXVII, 63, Jan. 30, 1829. Olin School Library Society, of the County of Morgan.
- O. L., XXVII, 95, Feb. 9, 1829. Nelson Library Society.
- O. L., XXVII, 95, Feb. 9, 1829. "Barlow Library Society," in the County of Washington.
- O. L., XXVII, 103, Feb. 9, 1829. Granville Library, in the County of Licking.
- O. L., XXVII, 10, Dec. 29, 1828. Social Library of Greene, in County of Trumbull.
- O. L., XXVII, Feb. 2, 1829. "Lyme and Ridgefield Circulating Library Society," in the County of Huron.
- O. L., XXVII, 127, Feb. 11, 1829. Madison Library Association, in the County of Hamilton.
- Sec. 2. Milford Circulating Library Society declared a body politic.
- O. L., XXVII, Feb. 11, 1829. Vernon Library Association, in the County of Scioto.
- O. L., XXVIII, 8, Dec. 31, 1829. Venice Library Society, in Butler County.
- O. L., XXVIII, 22, Jan. 12, 1830. Brecksville Columbian Library Society, in the County of Cuyahoga.
- O. L., XXVIII, 23, Jan. 12, 1830. Dresden Library Association in the County of Muskingum.
- O. L., XXVIII, 46, Jan. 21, 1830. Windsor Library Society, in the County of Ashtabula.
- O. L., XXVIII, 62, Feb. 2, 1830. Mesopotamia Social Library Company, in the County of Trumbull.
- O. L., XXVIII, 70, Feb. 9, 1830. Marietta Library.
- O. L., XXVIII, 164, Feb. 22, 1830. Newbury Social Library Society, in the County of Geauga.

- O. L., XXIX, 11, Dec. 21, 1830. Dover Library Association, in the County of Athens.
- O. L., XXIX, 13, Dec. 27, 1830. Ashtabula Social Library Association.
- O. L., XXIX, 25, Dec. 21, 1830. Williamsburg Library Society, in the County of Clermont.
- O. L., XXIX, 41, Jan. 6, 1831. Social Circulating Library Association, in village of Waverly, County of Pike.
- O. L., XXIX, 49, Jan. 17, 1831. Hamilton and Rossville Library Society, in the County of Butler.
- O. L., XXIX, 50, Jan. 17, 1831. Middlebury Library Company.
- O. L., XXIX, 57, Jan. 31, 1831. Olmstead Library Company, in the County of Cuyahoga.
- O. L. XXIX, 67, Jan. 31, 1831. Athens Library Society, in the County of Athens.
- O. L., XXIX, 83, Feb. 7, 1831. Austinburg Social Library Association, in the County of Ashtabula.
- O. L., XXIX, 119, Feb. 11, 1831. Wayne and Cherry Valley Union Library Association, in County of Ashtabula.
- O. L., XXIX, 142, Feb. 24, 1831. Utica Library Society, in the County of Licking.
- O. L., XXIX, 179, March 2, 1831. Capital Library Society of Columbus.
- O. L., XXX, 4, Dec. 19, 1831. Harrisville Library Association, in the County of Medina.
- O. L., XXX, 60, Jan. 31, 1832. New Paris Library Society, in County of Preble.
- O. L., XXX, 133, Feb. 7, 1832. Clarksfield Library Society, of Huron County.
- O. L., XXX, 134, Feb. 7, 1832. "Darke County Library Society," in the County of Darke.
- O. L., XXX, 244, Feb. 11, 1832. Guernsey County Library and Reading Room.
- O. L., XXX, 267, Feb. 11, 1832. "Farmers' Library Company," in County of Seneca.
- O. L., XXX, 275, Feb. 11, 1832. Library Society of London, in Madison County.
- O. L., XXX, 276, Feb. 11, 1832. West Branch Library Association, in Miami County.
- O. L., XXX, 277, Feb. 11, 1832. Farmers' and Mechanics' Library Society of Berkshire, in the County of Delaware.
- O. L., XXXI, 10, Dec. 24, 1832. Dane Law Library.
- O. L., XXXI, 31, Jan. 15, 1833. Milford Library Association, in the County of Union.
- O. L., XXXI, 63, Jan. 31, 1833. Cleveland Library Company.
- O. L., XXXI, 83, Feb. 6, 1833. Farmers' and Mechanics' Library Association, in Aurora, Portage County.

- O. L., XXXI, 159, Feb. 19, 1833. "Wadsworth Library Society," in the County of Medina.
- O. L., XXXI, 89, Feb. 6, 1833. Massillon Library Society.
- O. L., XXXI, 94, Feb. 7, 1833. Eden Library Association, in County of Seneca.
- SEC. 1. Incorporated name, "Eden Social Library."
- O. L., XXXI, 105, Feb. 12, 1833. Franklin Library Association of Guilford, in the County of Medina.
- O. L., XXXI, 132, Feb. 19, 1833. Fitchville Library Society, in Huron County.
- O. L., XXXI, 195, Feb. 23, 1833. Lancaster Library Association, in County of Fairfield.
- O. L., XXXII, 16, Dec. 31, 1833. Rome Library Company, in County of Ashtabula.
- O. L., XXXII, 51, Feb. 3, 1834. Richfield Social Library Company, in the County of Medina.
- O. L., XXXII, 122, Feb. 21, 1834. Akron Lyceum and Library Association Company, in Akron, Portage County.
- O. L., XXXII, 150, Feb. 24, 1834. Harmony Library Company, in Salena Township, Muskingum County.
- O. L., XXXII, 177, Feb. 25, 1834. Gustavus Centre Library Company, in County of Trumbull.
- O. L., XXXII, 191, Feb. 25, 1834. Lagrange Library Association, in the County of Lorain.
- O. L., XXXII, 195, Feb. 25, 1834. "Cincinnati Law Library."
- O. L., XXXII, 225, Feb. 28, 1834. Springboro Library Company, in the County of Warren.
- O. L., XXXII, 238, March 1, 1834. Free Discussion Library of Andover, in Ashtabula County.
- O. L., XXXII, 265, March 1, 1834. Montville Social Library Company, in the County of Geauga.
- O. L., XXXIII, 38, Feb. 3, 1835. Penfield Library Society, in Penfield Township, Lorain County.
- O. L., XXXIII, 38, Feb. 3, 1835. New Lyme Young Men's Library Society.
- O. L., XXXIII, 117, Feb. 24, 1835. "The Milford Library Association."
- O. L., XXXIII, 119, Feb. 25, 1835. Delaware Library Association, in the County of Delaware.
- O. L., XXXIII, 149, Feb. 26, 1835. Roscoe Social Library Company, in the County of Coshocton.
- O. L., XXXIII, 149, Feb. 26, 1835. Hinckley Social Library Company, in Hinckley Township, Medina County.
- O. L., XXXIII, 160, March 3, 1835. Darrrtown Library Company, in the County of Butler.
- O. L., XXXIII, 197, March 5, 1835. Painesville Lyceum and Library Society.



- O. L., XXXIII, 320, March 7, 1835. Vermilion Library Company, of Huron County.
- O. L., XXXIII, 330, March 7, 1835. Urbana Juvenile Library.
- O. L., XXXIV, 25, Jan. 5, 1836. "Young Men's Mercantile Library Association of Cincinnati."
- O. L., XXXIV, 83, Jan. 27, 1836. Bellville Library Company, in the County of Richland.
- O. L., XXXIV, 133, Feb. 29, 1836. Highland Library Association.
- O. L., XXXIII, 305, March 7, 1835. Wellington Social Library Company, in Wellington Township, Lorain County.
- O. L., XXXIV, 197, March 1, 1836. Bedford Library Company, in the County of Cuyahoga.
- O. L., XXXIV, 383, March 10, 1836. Hopewell Library Company, in Muskingum County.
- O. L., XXXIV, 467, March 14, 1836. Westfield Library Society, in Township of Westfield, in County of Medina.
- O. L., XXXIV, 468, March 14, 1836. Brooklyn Library Company, in Cuyahoga County.
- O. L., XXXIV, 468, March 14, 1836. Greenville Library Association.
- O. L., XXXIV, 488, March 14, 1836. Port Washington Lyceum and Library Company, in County of Tuscarawas.
- O. L., XXXIV, 488, March 14, 1836. Rutland Library Association.
- O. L., XXXV, 47, Jan. 10, 1837. Paris Library Association, of Richland County.
- O. L., XXXV, 53, Jan. 23, 1837. Blendon Library Society, in the County of Franklin.
- O. L., XXXV, 96, Feb. 18, 1837. North Royalton Social Library Society, in the County of Cuyahoga.
- O. L., XXXV, 104, Feb. 27, 1837. Darby Creek Lyceum and Library Association, in the County of Union.
- O. L., XXXV, 119, March 2, 1837. Braceville Library Company, in the County of Trumbull.
- O. L., XXXV, 195, March 13, 1837. Monroe Lyceum of Natural History, and Library Association, in Ashtabula County.
- O. L., XXXV, 196, March 13, 1837. Ruggles Library Society, of Huron County.
- O. L., XXXV, 227, March 14, 1837. New Philadelphia Library Society.
- O. L., XXXV, 340, March 27, 1837. Sandusky City Lyceum and Library Association, in the County of Huron.
- O. L., XXXV, 346, March 29, 1837. Parma Library Association, in Cuyahoga County.
- O. L., XXXV, 353, March 29, 1837. Creating an additional number of directors of the Platonic Library Society, of the County of Delaware.
- O. L., XXXV, 445, April 3, 1837. Amendatory. Young Men's Mercantile Library Association of Cincinnati.

- O. L., XXXV, 562, April 1, 1837. Resolution appointing a committee to select new works for State Library.
- O. L., XXXVI, 106, Feb. 23, 1838. Granger Library Association, in County of Medina.
- O. L., XXXVI, 127, Feb. 27, 1838. Lenox Library Association, in Ash-tabula County.
- O. L., XXXVI, 270, March 13, 1838. "Young Men's Association of the City of Toledo."

SEC. 1. Funds to be used only for supporting a Lyceum and Public Library.

- O. L., XXXVI, 378, March 17, 1838. Painesville Library Association, in County of Geauga.
- O. L., XXXVII, 21, Jan. 21, 1839. McConnellsville Library and Reading Room Association.
- O. L., XXXVII, 84, Feb. 28, 1839. First Universalian Religious Library Society of Harmar.
- O. L., XXXVII, 126, March 7, 1839. St. Mary's Library Association, in County of Mercer.
- O. L., XXXVII, 144, March 9, 1839. Martinsville Silliman Institute and Library Company.
- O. L., XXXVII, 147, March 9, 1839. Franklin Library Association, in the County of Mercer.
- O. L., XXXVII, 217, March 12, 1839. Elizabethtown Circulating Library Society, in the County of Licking.
- O. L., XXXVII, 219, March 12, 1839. Perrysburgh Lyceum and Library Association.
- O. L., XXXVII, 257, March 16, 1839. Worthington Literati.

SEC. 1. To establish a library and lyceum.

- O. L., XXXVII, 263, March 16, 1839. Fredonia Social Library, in the County of Licking.
- O. L., XXXVII, 295, March 16, 1839. Fairfield Library Association, in the County of Huron.
- O. L., XXXVIII, 19, Jan. 17, 1840. Youth's Neville Library Society.
- O. L., XXXVIII, 28, Jan. 29, 1840. Marysville Library Institute.
- O. L., XXXVIII, 29, Jan. 29, 1840. Oxford Library Society, in the County of Butler.
- O. L., XXXVIII, 36, Feb. 3, 1840. Addison Library Association, of Champaign County.
- O. L., XXXVIII, 37, Feb. 3, 1840. Athenian Library Society, in the County of Warren.
- O. L., XXXVIII, 45, Feb. 7, 1840. Portsmouth Library Company.
- O. L., XXXVIII, 70, Feb. 18, 1840. Kalida Lyceum and Library Association.
- O. L., XXXVIII, 111, March 9, 1840. Burlington Library Association, in the County of Lawrence.

- O. L., XXXVIII, 179, March 20, 1840. Twinsburg Library Association, in the County of Summit.
- O. L., XXXVIII, 183, March 21, 1840. Reading Mutual Improvement and Library Association, in Hamilton County.
- O. L., XXXVIII, 197, March 23, 1840. Repealing charter of Washington Social Library Company.
- O. L., XXXIX, 53, March 20, 1841. Franklin Library Association, of Carlisle and Elyria, in the County of Lorain.
- O. L., XXXIX, 54, March 20, 1841. Orange Library Association, in County of Cuyahoga.
- O. L., XL, 113, March 7, 1842. Repealing Granville Alexandrian Society because of banking activities.
- O. L., XL, 103, March 27, 1841. Mayfield Circulating Library, in Township of Mayfield, in County of Cuyahoga.
- O. L., XL, 104, March 27, 1841. Franklin Library Society of Waterford, in Knox County.
- O. L., XL, 31, Feb. 15, 1842. Union Library Association of Richmond, in the County of Ashtabula.
- O. L., XL, 35, Feb. 26, 1842. Dover Library Association, in the County of Cuyahoga.
- O. L., XL, 36, Feb. 26, 1842. Donnelsville Library Association, in the County of Clark.
- O. L., XL, 5, Jan. 5, 1842. First Moral Library Association, of Williamsfield, in the County of Ashtabula.
- O. L., XL, 16, Jan. 27, 1842. Chagrin Falls Mechanics' Library Association, in the County of Cuyahoga.
- O. L., XL, 85, March 5, 1842. Orwell Library and Reading Society, of Township of Orwell, Ashtabula County.
- O. L., XLI, 52, Feb. 2, 1843. Badger Library Society, of Plain, in the County of Wood.
- O. L., XLI, 85, Feb. 17, 1843. New Orange Library Society, of Cass, in Miami County.
- O. L., XLI, 91, Feb. 28, 1843. Jefferson Library Association, of Township of Jefferson, in County of Ashtabula.
- O. L., XLI, 176, March 11, 1843. Mechanics' Lyceum and Library Association, of town of Warren, in County of Trumbull.
- O. L., XLII, 110, Feb. 26, 1844. Champeon Library Association at Chagrin Falls, in the County of Cuyahoga.
- O. L., XLII, 169, March 11, 1844. Cincinnati Philosophical Library Association, in County of Hamilton.
- O. L., XLII, 213, March 12, 1844. Ravenna Library Association.
- O. L., XLIII, 58, March 6, 1845. Regulating the State Library.

SEC. 1. The State Library shall be under control and management of board of commissioners consisting of Governor, Secretary of State and State Librarian.

- O. L., XLIII, 61, Feb. 3, 1845. Young Men's Book Association of West Canaan, in the County of Madison.
- O. L., XLIII, 62, Feb. 3, 1845. General Library Association of Cincinnati.
- O. L., XLIII, 68, Feb. 10, 1845. New Carlisle Social Library Company, in Clark County, and the Library Association of Harlem, Carroll County.
- O. L., XLIII, 70, Feb. 10, 1845. Tallmadge Library Association, in County of Summit.
- O. L., XLIII, 274, March 6, 1845. Miamisburg Library Association.
- O. L., XLIII, 311, March 8, 1845. Act for relief of creditors of Granville Alexandrian Society.
- O. L., XLIII, 361, March 11, 1845. Incorporating certain literary societies:
- SEC. 4. Farmers' and Mechanics' Library Association of West Lodi, Seneca County.
- SEC. 9. German Catholic Library Association of Cincinnati.
- SEC. 10. Donaldsville Library Association, in Clark County.
- SEC. 13. Hanover Social Library Association, in Butler County.
- O. L., XLIII, 389, March 12, 1845. Linton Library Association, of County of Coshocton.
- O. L., XLVI, 149, Feb. 18, 1848. Cleveland Library Association.
- O. L., XLVIII, 632, March 22, 1850. Young Men's Catholic Association of Cincinnati.
- SEC. 1. A library association.
- O. L., XLVIII, 635, March 21, 1850. Western Library Institute.
- O. L., XLVIII, 640, March 23, 1850. Warren Library Association.
- O. L., XLII, 250, Dec. 30, 1843. Resolution. Relative to the incorporation of churches, religious societies, library associations, literary societies, etc. Bills shall be referred to the standing Committee on Corporations, of the House in which presented, which committee shall be instructed to retain the same until near the close of the session of the General Assembly, when they shall report one bill for the incorporation of all such churches, and religious societies, one for the incorporation of literary societies, library associations, etc.
- O. L., XLII, 260, March 6, 1844. Resolution. WHEREAS, By resolution of the General Assembly of March 13, 1843, authorizing the Secretary of State to furnish each college, university and scientific and literary institution in this state, when called for at the office of the secretary, one copy each (of various reports).  
*Resolved*, To furnish documents in the same manner to all incorporated library associations.

O. L., XLIII, 70, March 11, 1845. An act to regulate literary and other societies.

SEC. 1. That from and after the passage of this act it shall be lawful for any literary, scientific, Odd Fellows or other benevolent association within this states, to elect any number of their members, not less than three, to serve as trustees and one member as clerk, who shall hold their offices during the pleasure of the society.

SEC. 2. Proceedings of such election to be recorded with the county recorder.

SEC. 3. Trustees shall have perpetual succession and shall possess the powers and privileges, and be subject to the restrictions imposed under the act entitled "An act to regulate incorporated literary societies," etc., passed March 7, 1831.

*Athenaeums, Lyceums, Literary Societies, Etc.*

O. L., XXVII, 7, Dec. 22, 1828. Zanesville Athenaeum.

"Funds not to be employed for any other than literary purposes, the purchase of books, maps, charts, pamphlets and newspapers."

O. L., XXIX, 126, Feb. 14, 1831. Cincinnati Lyceum.

Morgan Neville, named with 11 others, including Salmon P. Chase. SEC. 1. "with their associates who have united together for the purpose of promoting the diffusion of useful knowledge among all classes of the community."

SEC. 3. "with power to establish such schools, classes and professorships, and appoint such professors, lecturers, and teachers therein as to them shall seem expedient."

O. L., XXX, 229, Feb. 13, 1832. Steubenville Athenaeum.

O. L., XXXI, 58, Jan. 29, 1833. Mount Vernon Lyceum.

O. L., XXXI, 81, Jan. 29, 1833. Cincinnati Literary Society.

O. L., XXXI, 92, Feb. 6, 1833. McConnellsville Athenaeum.

O. L., XXXI, 117, Feb. 13, 1833. Cleveland Lyceum.

O. L., XXXI, 227, Feb. 25, 1833. Urbana Athenaeum.

O. L., XXXI, 234, Feb. 25, 1833. Xenia Lyceum.

O. L., XXXII, 8, Dec. 24, 1833. Medina County Athenaeum.

O. L., XXXII, 31, Feb. 3, 1834. Young Men's Reading and Literary Society of Morgan, Ashtabula County.

O. L., XXXII, 105, Feb. 20, 1834. Springfield Lyceum.

O. L., XXXII, 140, Feb. 24, 1834. Elyria Lyceum.

O. L., XXXII, 150, Feb. 24, 1834. Guilford Lyceum.

O. L., XXXII, 165, Feb. 24, 1834. Chillicothe Lyceum and Mechanics' Institute.

O. L., XXXII, 217, Feb. 27, 1834. Zanesville Juvenile Lyceum.

O. L., XXXII, 234, Feb. 28, 1834. Circleville Athenaeum.

- O. L., XXXIII, 148, Feb. 26, 1835. Gallipolis Lyceum.  
 O. L., XXXIII, 396, March 9, 1835. Cuyahoga Falls Lyceum.  
 O. L., XXXIII, 411, March 9, 1835. Peru (Delaware County) Lyceum.  
 O. L., XXXIV, 190, Feb. 29, 1836. The Wellsville Literary Institute.  
 O. L., XXXIV, 191, March 1, 1836. Bedford Lyceum.  
 O. L., XXXIV, 546, March 14, 1836. Brooklyn Lyceum.  
 O. L., XXXV, 22, Jan. 3, 1837. Putnam Lyceum.  
 O. L., XXXV, 49, Jan. 23, 1837. New Lisbon Lyceum.  
 O. L., XXXV, 167, March 10, 1837. Columbus Literary and Scientific Institute.  
 O. L., XXXV, 336, March 23, 1837. Litchfield Lyceum and Society.  
 O. L., XXXV, 405, April 1, 1837. Stark County Lyceum.  
 O. L., XXXVI, 39, Jan. 26, 1838. Newark Athenaeum.  
 O. L., XXXVI, 187, March 5, 1838. The Literary, Historical and Philosophical Society of Canton, Stark County.  
 O. L., XXXVI, 270, March 13, 1838. Canal Dover Lyceum.  
 O. L., XXXVII, 13, Jan. 9, 1839. Johnstown Lyceum, Licking County.  
 O. L., XXXVII, 18, Jan. 11, 1839. Rockport Lyceum, Cuyahoga County.  
 O. L., XXXVII, 168, March 12, 1839. Woodsfield Lyceum.  
 O. L., XXXVII, 190, March 12, 1839. Conneaut Lyceum.  
 O. L., XXXVII, 294, March 16, 1839. Malta Lyceum.  
 O. L., XXXVIII, 8, Dec. 23, 1839. Airington Lyceum.  
 O. L., XXXVIII, 19, Jan. 17, 1840. Harmar Lyceum.  
 O. L., XXXVIII, 30, Jan. 29, 1840. The Literary and Philosophical Society, Smithfield, Jefferson County.  
 O. L., XXXVIII, 163, March 19, 1840. Franklin Literary Society of Bellville, Richland County.  
 O. L., XXXIX, 7, Jan. 26, 1841. Ridgeville Lyceum, Lorain County.  
 O. L., XXXIX, 9, Jan. 28, 1841. Massillon Lyceum, Stark County.  
 O. L., XXXIX, 27, March 11, 1841. Jamestown Literary Society.  
 O. L., XXXIX, 52, March 20, 1841. Columbus Literary Lyceum.  
 O. L., XXXIX, 52, March 20, 1841. Beaver Lyceum.  
 O. L., XXXIX, 53, March 20, 1841. Franklin Institute, Portsmouth.  
 O. L., XXXIX, 53, March 20, 1841. Lower Sandusky Literary and Scientific Institute.  
 O. L., XL, 121, March 8, 1842. Findlay Literary Lyceum.  
 O. L., XL, 123, March 7, 1842. Wilkesville Lyceum, Gallia County.  
 O. L., XLI, 9, Jan. 10, 1843. Berlin Union Society, Holmes County.  
 O. L., XLI, 14, Jan. 10, 1843. Young Men's Literary Association of Springfield.  
 O. L., XLI, 15, Jan. 11, 1843. Defiance Literary Lyceum.  
 O. L., XLI, 52, Feb. 2, 1843. Wayne Township Lyceum, Jefferson County.  
 O. L., XLI, 86, Feb. 17, 1843. Alexandria Literary Society.  
 O. L., XLI, 175, March 11, 1843. Massillon Young Men's Polemic Society.  
 O. L., XLII, 102, Feb. 24, 1844. Erodolphian Society of Gallipolis.

- O. L., XLII, 112, March 4, 1844. Institute of Lower Sandusky.  
 O. L., XLIII, 361, March 11, 1845. Newcomerstown Literary Society.  
 Corwin Literary Institute, Springborough, Warren County.  
 O. L., XLVIII, 640, March 23, 1850 Mt. Pleasant Philomathean, Kings-  
 ton Township, Ross County.

*Mechanics' Institutes and Lyceums.*

- O. L., XXVII, 92, Feb. 29, 1829. The Ohio Mechanics' Institute.  
 SEC. 1. "for advancing the best interests of the mechanics,  
 manufacturers and artizans, by the more general diffusion of  
 useful knowledge in these important classes of the community."  
 SEC. 2. May establish professorships and appoint such pro-  
 fessors, lecturers and teachers, etc.  
 O. L., XXXV, 339, March 27, 1837. Mechanics' Institute, Lebanon, War-  
 ren County.  
 O. L., XXXVI, 365, March 16, 1838. First Mechanics' Lyceum of Ma-  
 rietta.  
 O. L., XXXVII, 135, March 9, 1839. Dayton Mechanics' Institute.  
 O. L., XXXVIII, 139, March 16, 1840. Farmers' and Mechanics' Insti-  
 tute, Greene Township, Hamilton County.  
 O. L., XL, 16, Jan. 27, 1842. Mechanics' Institute, Urbana.  
 O. L., XL, 121, March 7, 1842. Batavia Mechanics' Institute.  
 O. L., XL, 122, March 7, 1842. Portsmouth Mechanics' Institute and  
 Mechanics' Library Association.  
 O. L., XLI, 226, March 13, 1843. Mechanics' Association of Fulton.

*College Societies, Fraternities, Etc.*

- O. L., XXIX, 74, Feb. 29, 1831. Erodolphian Society of Miami Univer-  
 sity.  
 O. L., XXIX, 196, March 8, 1831. Philomathesian Society of Kenyon  
 College.  
 O. L., XXXI, 65, Jan. 31, 1833. Nu Pi Kappa Society of Kenyon Col-  
 lege.  
 O. L., XXXII, 105, Feb. 20, 1834. Phylozetian Society of Western Re-  
 serve College.  
 O. L., XXXII, 193, Feb. 25, 1834. Philosophic Literary Society of Frank-  
 lin College.  
 O. L., XXXIV, 289, March 7, 1836. Jefferson Literary Society of Frank-  
 lin College.  
 O. L., XXXIV, 381, March 10, 1836. The Calliopean Society of the  
 Granville Literary and Theological Institution.  
 O. L., XXXV, 5, Dec. 19, 1836. Athenian Literary Society, Ohio Uni-  
 versity.  
 O. L., XXXV, 3, Dec. 19, 1836. Franklin Scientific and Rhetorical So-  
 ciety of Western Reserve College.

- O. L., XXXVI, 15, Jan. 5, 1838. Rush Medical Society of Willoughby University of Lake Erie.
- O. L., XXXVI, 186, March 5, 1838. Adelpic Society of Western Reserve College.
- O. L., XXXVII, 146, March 9, 1839. Philomathean Society of the Ohio University.
- O. L., XXXVIII, 78, Feb. 26, 1840. Alpha Kappa Society of Marietta College.
- O. L., XXXVIII, 104, March 6, 1840. Miami Society of Miami University.
- O. L., XXXVIII, 125, March 12, 1840. Union Literary Society of Miami University.
- O. L., XXXIX, 4, Dec. 24, 1840. Phi Delta Society of Western Reserve College.
- O. L., XXXIX, 44, March 20, 1841. Psi Gamma Society of Marietta College.
- O. L., XL, 23, Feb. 4, 1842. Philomathean Literary Society of Monroe Academy.
- O. L., XL, 122, March 7, 1842. Amendatory. Philozethian Society, Western Reserve College.
- O. L., XLI, 30, Jan. 19, 1843. Young Men's Franklin Society of Granville College.
- O. L., XLI, 125, March 7, 1843. Miami Union Literary Society of Miami University.
- O. L., XLI, 220, March 13, 1843. Amendatory. Young Men's Franklin Society, to Franklin Society of Granville College.
- O. L., XLII, 102, Feb. 24, 1844. Amendatory. Calliopean Society Granville Literary and Theological Institution.
- O. L., XLII, 102, Feb. 24, 1844. Oberlin Young Men's Lyceum.
- O. L., XLII, 102, Feb. 24, 1844. Handel Society of Western Reserve College.
- O. L., XLIII, 130, Feb. 25, 1845. Hunterian Society, Medical Department Western Reserve College.

*Miscellaneous Organizations and Societies.*

- O. L., XX, 47, Feb. 1, 1822. Historical Society of Ohio.
- O. L., XXVI, 30, Jan. 11, 1828. Cincinnati Academy of Fine Arts.
- O. L., XXVIII, 179, Feb. 22, 1830. Lancaster Harmonic Society.
- O. L., XXIX, 122, Feb. 11, 1831. Amendatory. Cincinnati Academy of Fine Arts.
- O. L., XXIX, 122, Feb. 11, 1831. Historical and Philosophical Society of Ohio.
- O. L., XXXIII, 161, March 3, 1835. Eclectic Academy of Music, Cincinnati.
- O. L., XXXIX, 50, March 20, 1841. Cincinnati Academy of Fine Arts.



- O. L., XL, 174, March 11, 1843. New Paris Musical Institute.
- O. L., XXXIV, 110, Feb. 5, 1836. The Western Academy of Natural Sciences, Cincinnati.
- O. L., XXXVIII, 138, March 16, 1840. Cleveland Academy of Natural Sciences.
- O. L., XLII, 122, March 4, 1844. Cincinnati Astronomical Society.
- O. L., XLVII, 256, Feb. 7, 1849. Ohio Institute of Natural Science, Cincinnati.
- O. L., XLI, 114, March 2, 1843. Columbian Association of Cincinnati (for diffusion of useful knowledge).
- O. L., XLVI, 228, Feb. 22, 1848. Western Art Union.
- O. L., XLVII, 267, March 8, 1849. Columbus Art Union.
- O. L., XLVII, 268, March 8, 1849. Ohio Education Society of Evangelical Lutheran Church.
- O. L., XXXVI, 238, March 10, 1838. Society of United Christians Berea. (literary and benevolent purposes).
- O. L., XXXIII, 317, March 7, 1835. Western Baptist Education Society.
- O. L., XLIII, 86, Feb. 10, 1845. Ohio Baptist Education Society.
- O. L., XLIII, 361, March 11, 1845. Lower Sandusky Phrenological Mesmeric Institute of Sandusky County.

## APPENDIX B.

### A PAGE AND VOLUME INDEX TO ALL EDUCATIONAL LEGISLATION IN THE SESSION LAWS OF OHIO FROM 1803 TO 1850.

#### TERRITORIAL ACTS.

- Nov. 27, 1800, Nashee's Compilation, p. 161. An act authorizing the leasing of lands granted for the support of schools and for religious purposes in the County of Washington.
- Dec. 7, 1800, Nashee's Compilation, p. 220. An act establishing the town of Athens in the County of Washington.
- Jan. 9, 1802, Nashee's Compilation, p. 220. An act establishing a university in the town of Athens.

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61. An act to provide for the leasing of certain lands therein named.
117. An act incorporating the trustees of the Erie Literary Society.
148. Resolution appointing three commissioners to appraise the two college townships.

#### VOL. II.

193. An act establishing a university in the town of Athens.
297. Resolution to secure a law for the university limiting the time in which military warrants may be satisfied in the Virginia district.

#### VOL. III.

79. An act to amend an act entitled, "An act establishing a university in the town of Athens."
79. An act directing a leasing made of Section 16.
288. An act incorporating the Dayton Library Society.
321. An act to provide for the leasing of certain lands therein named.
459. Resolution appointing five trustees of the Ohio University.

#### VOL. IV.

25. An act to amend an act entitled "An act authorizing the leasing of certain lands in the County of Washington, granted for religious purposes."

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38. An act supplementary to an act entitled, "An act to amend an act entitled 'An act establishing a university in the town of Athens'".
66. An act to incorporate the original surveyed townships.
72. An act concerning apprentices and servants.
70. An act making appropriations for the year 1806.

## Vol. V.

56. An act to incorporate the Society of St. John's Church in Worthington and parts adjacent.
62. An act for incorporating a library society in the town of Granville, County of Licking.
64. An act to incorporate the Cincinnati University.
85. An act to amend the several acts establishing the University of Athens.
86. An act to amend an act entitled, "An act incorporating the trustees of the Erie Literary Society."
120. An act authorizing the citizens of Cincinnati and its vicinity to raise six thousand dollars for certain purposes.
122. An act to incorporate the First Religious Society of Marietta.
132. Resolution concerning lands in the Virginia Military Reservation.

## Vol. VI.

17. An act incorporating the Dayton Academy.
24. An act incorporating the Presbyterian Society in Red Oak.
51. An act to incorporate the Worthington Academy.
125. An act accepting certain lands offered by Congress for the use of Schools in the Virginia Military Tract in lieu of those heretofore appropriated.
127. An act to incorporate the New Town Library Company in the County of Hamilton.
151. An act for the benefit of Henry Barrows.
156. An act to incorporate the trustees of the Chillicothe Academy.
172. An act altering several acts establishing a university in the town of Athens.

## Vol. VII.

109. An act directing in what manner lands granted by Congress for the use of schools in the Virginia Military Tract shall be surveyed and disposed of.
165. An act supplementary to an act for leasing Sections Nos. 16 and 29 in fractional townships in the Ohio Company's Purchase.
167. An act amendatory to several acts appointing trustees to the Ohio University and for other purposes.

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- 184. An act to establish the Miami University.
- 193. An act for leasing Sections 16 and 29 in fractional townships within the Ohio Company's purchase.
- 195. An act to amend an act authorizing the citizens of Cincinnati and its vicinity to raise \$6,000 for certain purposes.
- 219. An act for laying out and leasing Section 16 in fractional Township 4, in the Miami Purchase.

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- 12. An act to incorporate the Society for Propagating Gospel among the Heathen, formed by members of the Episcopal Church of the United Brethren.
- 26. An act to incorporate the New Lisbon Academy.
- 94. An act to amend an act entitled "An act to establish the Miami University."
- 100. An act to incorporate the original surveyed townships.
- 141. An act to incorporate the Western Library Association.
- 197. An act to incorporate the Poland Library Society.
- 251. An act to incorporate the Washington Social Library Company.
- 253. An act supplementary to the acts directing in what manner certain lands granted by Congress for the use of schools in the Virginia Military Tract shall be surveyed and disposed of.
- 254. An act amendatory to the above act.

Vol. IX.

- 19. An act regulating the practice of physic and surgery.
- 30. An act investing the disposition and management of lands therein mentioned in a Board of Trustees under the title of The Trustees of the Granville Religious and Literary Society, and for other purposes.
- 39. An act for the establishment of an academy at Steubenville.
- 44. An act amending an act entitled, "An act to authorize the town council of Marietta to grant permanent leases of Section 16 in said town."
- 53. An act to incorporate the town of Athens.
- 57. An act to incorporate the Gallia Academy.
- 63. An act to amend the act entitled, "An act amendatory to the several acts appointing trustees to the Ohio University, and for other purposes."
- 64. An act to amend an act for the laying out and leasing Section 16 in fractional Township 4 in the Miami Purchase.
- 68. An act for the relief of David Phouts.

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5. An act to incorporate the Wooster Library Society.
12. An act to authorize the trustees to sell and convey certain public lots in the town of Eaton, Preble County, and for other purposes.
14. An act incorporating the Lebanon Library Society.
29. An act authorizing the incorporated township No. 2, R. 6, to lease to William George a lot of land in Section 16.
57. An act in addition to the act entitled, "An act to incorporate the original surveyed townships."
58. An act to incorporate a medical society.
68. An act repealing the act for the aid of David Phouts.
73. An act authorizing the trustees of fractional School Section 16 in Tp. 1, of the 2nd Range, and Tp. 2 of the 3rd Range, to grant permanently, for a mill site, a lot of land in each of said sections.
88. An act further to amend an act establishing the Miami University.
95. An act to amend the act to incorporate the town of Athens.
97. An act authorizing the trustees of the Ohio University to issue orders in certain cases, and for other purposes.
101. An act to amend an act for laying out and leasing Section 16 in fractional Township No. 4, 2nd R. of townships in the Miami Purchase.
162. An act to amend an act to authorize the town council of Marietta to grant permanent leases to Section 16.
178. An act to incorporate the Platonic Library Society, Sunbury and Berkshire, Delaware County.
198. Resolution appointing two trustees for Ohio University.

## VOL. XI.

14. An act incorporating the Circulating Library Society, Cincinnati.
27. An act to enlarge the college green of the town of Athens.
28. An act regulating the practice of physic and surgery.
51. An act incorporating the Fearing Religious Society.
61. An act enabling the trustees of Tp. 6, R. 3, in Belmont County to make a permanent lease for part of the school land in said county.
161. An act to amend an act entitled, "An act to amend the act entitled, 'An act directing in what manner certain lands, etc., shall be disposed of.'"

## VOL. XII.

51. An act to amend an act entitled, "An act to amend the act entitled, 'Directing in what manner certain lands granted by Congress for the use of schools in the Virginia Military Tract shall be surveyed and disposed of.'"

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- 55. An act to incorporate the Boardman Library Society in the County of Trumbull.
- 61. An act to incorporate the Troy Library Society.
- 83. An act to amend the several acts establishing Miami University.
- 84. An act for the relief of John Stalker and others.
- 147. An act to incorporate the Euclid Library Society in the County of Cuyahoga.
- 174. An act to enable the trustees of the original surveyed township No. 3, R. 8, in the County of Washington, and the trustees of the original surveyed township No. 6, R. 14, in Gallia County, to grant permanent leases to the school sections in said townships.

## VOL. XIII.

- 11. An act incorporating the Circulating Library Society, Cincinnati.
- 14. An act to incorporate the Theological Library Society of Burton, County of Geauga.
- 75. An act to incorporate the Eaton Library Society in the County of Preble.
- 106. An act to enable the township trustees in Champaign County to make a permanent lease of fractional School Section No. 16 for a mill site.
- 132. An act to incorporate the Cincinnati Lancaster Seminary.
- 166. An act to provide for granting permanent leases to certain tracts of school lands in the United States Military School lands.
- 285. An act to incorporate the Northern Social Library Company of Harpersfield.
- 288. An act to enable the inhabitants of the 3rd Tp., R. 7, Washington County to grant permanent leases for School Section No. 16.
- 295. An act supplementary to the act entitled, "An act to incorporate the original surveyed townships."
- 302. An act to authorize the trustees of Zanesville Township to make a permanent lease on a certain lot of school land.
- 305. An act to provide for the permanent leasing of Section 16, 4th Tp., Range 14, County of Gallia.
- 307. An act further to amend the act directing in what manner certain lands in the Virginia Military Tract shall be surveyed and disposed of.
- 320. An act for the relief of David Moore and others.
- 332. Resolution appointing four trustees for the Ohio University.
- 335. Resolution appointing nineteen trustees for Miami University.

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- 6. An act to incorporate the Waynesville Library Company.
- 16. An act for granting a permanent lease for the S. E. quarter of Sec. 16, Tp. 3, R. 8, Greene County.
- 24. An act for granting a permanent lease to school lands in Stark County.
- 132. An act authorizing the trustees of the original surveyed townships of Fairfield County to grant permanent leases for reserve Section 16 within said county.
- 183. An act to grant permanent leases for Section 16 in the original surveyed township 2, R. 1, E. of the meridian drawn from the mouth of the Miami River.
- 183. An act to incorporate the Montgomery Academy.
- 220. An act authorizing the permanent leasing of a lot of school land in Ross County.
- 256. An act to incorporate the Social Library Society of Salem, County of Ashtabula.
- 266. An act to amend the act entitled, "An act to incorporate the Dayton Academy."
- 267. An act to vacate part of College Street in the town of Athens.
- 275. An act providing for the permanent leasing of Section 16 in Gallia County.
- 418. An act directing the manner of leasing the school lands within the Virginia Military Tract.
- 440. An act to incorporate the Tallmadge Academy, Portage County.
- 444. An act to provide for granting permanent leases of certain tracts of school lands in the U. S. Military Tract, Guernsey County.

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- 10. An act for leasing a certain part of Section 16 in the John Cleve Symmes Purchase.
- 63. An act to amend the act for granting a permanent lease of a certain Section 16 in Greene County.
- 137. An act to provide for the incorporation of schools and literary companies.
- 195. An act regulating the practice of physic and surgery.
- 202. An act to provide for leasing certain school lands therein named (Section 16).
- 245. Resolution appointing a trustee for Ohio University.

## VOL. XVI.

- 6. An act authorizing the leasing of a portion of Section 16 in Hamilton County to the Baptist Society for a meeting house.
- 16. An act for leasing a certain part of Section 16 in the County of Butler.

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37. An act to authorize the drawing of a lottery for the benefit of the Ohio University.
79. An act exempting from taxation the lands belonging to the Wright Literary Society.
98. An act to repeal the 1st Section of the act amending the act incorporating the Dayton Academy.
101. An act for the relief of John Jordan.
103. An act to authorize the auditor to proceed against William W. Cotgreve, Register of the Virginia Military school lands.
107. An act to amend the act entitled "An act to regulate the practice of physic and surgery."
109. An act to incorporate the Florence Academy of Arts and Sciences in Huron County.
119. An act to amend the act entitled, "An act providing for the leasing of certain school lands therein named."
122. An act to prevent the sale of town lots for taxes in certain cases.
157. An act to incorporate the Union School Association of the towns of Harpersfield and Madison.
198. Resolution appointing twenty-six trustees of the Miami University.
203. Resolution appointing a Register of the Virginia Military school lands.

## Vol. XVII.

7. An act for the relief of John Twaddle.
35. An act for the relief of purchasers of the Virginia Military school lands.
31. An act for the relief of Jermiah R. Munson.
37. An act to authorize the establishment of a medical school.
46. An act to incorporate the Cincinnati College.
92. An act to amend the act entitled, "An act to regulate the admission and practice of doctors and counsellors of law."
97. An act to incorporate the Cadiz Academy in the County of Harrison.
131. An act further to amend the several acts establishing the Miami University.
132. An act to amend the act entitled, "An act authorizing the trustees of the original surveyed townships in the County of Fairfield to grant permanent leases, etc."
139. An act to amend the act entitled, "An act authorizing the Auditor to proceed against William W. Cotgreve."
144. An act to authorize the trustees of Tp. 2, R. 1, within the Ohio Company's Purchase in the County of Washington to make a distribution of school funds in said township.
149. An act for leasing Section 16, Tp. 15, R. 13, in Wayne County.



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154. An act to amend an act entitled, "An act to incorporate the Circulating Library Company of Cincinnati."  
 155. An act to establish a college in the town of Worthington.  
 186. An act to incorporate the Union Academy in the County of Muskingum.  
 203. An act to enable the proprietors of the town of Mansfield to exchange certain donations therein contained.

## VOL. XVIII.

*Local.*

3. An act to amend an act to provide for the permanent leasing of Section 16, Tp. 4, R. 14, Gallia County.

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18. An act providing for the incorporation of townships.  
 45. An act further to amend the several acts establishing a university in the town of Athens.  
 54. An act to amend the act amending the act for granting permanent leases for a school section in Greene County.  
 61. An act to amend the act incorporating the Cadiz Academy.  
 66. An act for the relief of an orphan Indian child.  
 71. An act for the relief of certain lessees of the Virginia Military school lands.  
 78. An act amending the act to incorporate the Union Academy.  
 85. An act to incorporate the Lancaster Academy.  
 154. Resolution directing the agents for school lands in the U. S. Military Tract to report.  
 160. Resolution appointing three trustees of Ohio University.

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28. An act regulating the practice of physic and surgery within this state.  
 35. An act providing for the permanent leasing of Sections 16 and 29 of Gallia County.  
 51. An act providing for the regulation and support of common schools.  
 72. An act to provide for a revaluation of certain school lands.  
 58. An act establishing a commercial hospital and lunatic asylum for the state of Ohio.  
 75. An act for the relief of certain lessees of Section 16 in the Miami Purchase.  
 78. An act enabling the trustees of a certain school section in Clark County to make a permanent lease.  
 102. An act relative to permanent leases.  
 111. An act to amend an act levying a tax on land.  
 140. An act further to amend the several acts establishing the Miami University.

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- 144. An act for the relief of lessees of Section 16, Fairfield County.
- 144. An act to repeal the act for the benefit of an Indian orphan child.
- 145. An act authorizing a loan for the use of the state of Ohio.
- 155. An act authorizing permanent leases of a certain Section 16 in the County of Washington.
- 161. An act to provide for the leasing of school lands within the U. S. Military school district.
- 166. An act to amend the 14th Section of the act to incorporate the original surveyed townships.
- 212. Resolution appointing one trustee of the Ohio University.
- 212. Authorizing the State Auditor to settle the account of the Register for the Virginia Military school lands.
- 213. Resolution reappointing Mordecai Bartley register.

## VOL. XX.

*General.*

- 6. An act to amend the act entitled, "An act relative to permanent leases," passed January 29, 1821.
- 49. An act to amend the act concerning the safekeeping of idiots, lunatics, etc., passed January 4, 1820.
- 53. An act supplementary to an act regulating the duties of county auditors and commissioners.
- 56. An act levying a tax on land.
- 84. An act supplementary to the act entitled, "An act to incorporate the original surveyed townships."

*Local.*

- 10. An act granting further time to the lessees of school lands in the Virginia Military tract for the payment of arrearages in rent.
- 11. An act to incorporate the Academy of Alma in the town of Adams, Harrison County.
- 21. An act authorizing the township trustees in Preble County to grant a permanent lease with new conditions on school lands.
- 27. An act to incorporate the Urbana Academy.
- 30. An act to incorporate the Rutland Academy in the County of Meigs.
- 34. An act regulating school lands in the Connecticut Western Reserve.
- 36. An act amending the act to incorporate the Social Library Association of Salem.
- 41. An act supplementary to the act allowing further time to the lessees of school lands in the Virginia Military Tract for the payment of arrearages of rent.
- 42. An act to authorize the inhabitants of Tp. 2, R. 8, Washington County to elect trustees for managing School Section 16 in said township.
- 47. An act to incorporate the Historical Society of Ohio.

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- 51. An act to amend the act entitled, "An act further to amend the several acts establishing the Miami University."
- 64. A committee report — Resolution concerning the granting of school lands.
- 86. Resolution authorizing the governor to appoint seven commissioners to report on a system of education for common schools.
- 87. Resolution appointing two trustees of the Ohio University.

## VOL. XXI.

*General.*

- 4. An act further to amend the act authorizing the establishment of a medical college.
- 5. An act to ascertain the number of deaf and dumb persons in this state.
- 26. An act levying a tax on land.
- 33. An act to authorize the surrender of certain leases, and for other purposes.

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- 5. An act repealing the act granting permanent leases for Section 16, Tp. 2, R. 1, E.
- 31. An act amending the act to incorporate the trustees of the Erie Literary Society.
- 39. An act for the relief and benefit of an orphan Indian child.

## VOL. XXII.

*General.*

- 249. An act declaring what lands situated within the State of Ohio are subject to the payment of taxes.
- 381. An act concerning apprentices and servants.
- 418. An act to incorporate the original surveyed townships.

*Local.*

- 14. An act to incorporate the Franklin Academy, Mansfield.
- 36. An act relating to the State Library.
- 68. An act further to amend the several acts establishing the Miami University.
- 72. An act to incorporate the Norwalk Academy, Huron County.
- 82. An act authorizing a special leasing of the Virginia Military school lands.
- 104. An act to incorporate the Belmont Academy in St. Clairsville, Belmont County.
- 106. An act to incorporate the Milford Union School Society in Milford, Clermont County.
- 109. An act to incorporate the Jefferson School Association.
- 142. An act to incorporate medical societies.

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- 153. Resolution and memorial to Congress on the subject of school lands.
- 162. Resolution asking for school lands in the Western Reserve.
- 164. Resolution appointing trustees of the Ohio University.
- 186. Resolution appointing one trustee of the Ohio University.

## VOL. XXIII.

*General.*

- 16. An act to amend the act incorporating medical societies, etc.
- 19. An act for the better regulation of the Medical College of Ohio, and making certain appropriations.
- 23. An act to amend the act levying a tax upon land.
- 25. An act for the relief of lessees of the Virginia Military school lands.
- 36. An act to provide for the support and better regulation of common schools.
- 47. An act supplementary to several acts regulating the admission of attorneys, and for regulating the practice of physicians and surgeons.
- 58. An act establishing an equitable mode of levying taxes in this state.

*Local.*

- 3. An act to incorporate the Elizabethtown Library Society, Hamilton County.
- 10. An act to provide for the leasing of certain school lands therein mentioned.
- 12. An act to incorporate the Theological Seminary of the Protestant Episcopal Church in the Diocese of Ohio.
- 18. An act to incorporate the Circleville Academy.
- 22. An act to incorporate the College of Alma in the town of New Athens.
- 30. An act authorizing the County Commissioners of Athens in Clermont County to perform certain acts therein named.
- 34. An act to provide for a valuation of certain school lands.
- 40. An act authorizing a revaluation of certain School Sections 16 in Gallia County.
- 44. An act to incorporate the Literary Society of St. Joseph's.
- 55. An act to enable the trustees of Tp. 3, R. 8, Washington County, to revalue certain school lands.
- 76. An act to incorporate the Windham Library Association, Portage County.
- 78. An act to authorize the Auditor of State to collect the amount due from William W. Cotgreve to the Virginia Military School funds.
- 101. An act to incorporate the Social Library of Kendall, Stark County.

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- 106. Resolution appointing a trustee of the Ohio University.
- 112. Resolution appointing two trustees of the Ohio University.
- 114. Resolution for the purpose of ascertaining the value of school lands in this state.
- 116. Resolution appointing an agent for the Western Reserve school lands.
- 116. Resolution charging interest on the loan of the Virginia Military School Fund to a certain road fund.

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- 4. An act making special appropriations.
- 4. An act to incorporate and establish the Medical College of Ohio.
- 17. An act amending the act for levying taxes.
- 52. An act authorizing the trustees of the Ohio University to dispose of certain lands.
- 62. An act levying a tax for state purposes.
- 63. An act amending an act to incorporate the original surveyed townships.
- 78. An act further to amend the act incorporating medical societies.
- 81. An act making appropriations.

*Local.*

- 5. An act to incorporate the Frederickstown Library Society, Knox County.
- 24. An act to incorporate the Preble Library Society.
- 33. An act authorizing the Commissioners of Franklin County to donate certain public buildings in Franklinton to the Episcopal Seminary.
- 35. An act to incorporate the Bloomfield Social Library Society, Trumbull County.
- 36. An act to incorporate the Charity School of Kendall, Stark County.
- 39. An act supplementary to the act entitled, "An act to incorporate the Theological Seminary of the Protestant Episcopal Church."
- 49. An act to amend the act to incorporate the College of Alma.
- 57. An act authorizing the County Commissioners of Clermont County to convey certain lands.
- 82. An act to incorporate the Social Library Society, Fairfield, Columbian County.
- 86. An act to incorporate the Aldrich Library Association, Huron County.
- 87. An act for the relief of James Fraisure, and others.
- 92. An act to incorporate the Mesopotamia Central School Society.
- 93. An act to incorporate the trustees of the Western Reserve College.
- 122. Resolution appointing a register of the Virginia Military School Lands.

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122. Resolution directing the Auditor to audit claims for interest against William W. Cotgreve and others, to be paid out of the Virginia Military Fund if found just.
123. Resolution allowing the widow of said Cotgreve to receive rents of the house and lot which she now occupies, notwithstanding any sale which may be made by virtue of the judgment obtained by the Auditor.
123. Resolution appointing trustees of the Ohio University.
123. Resolution directing the Auditor to transfer interest on loans made for the Virginia Military School Fund to a certain road fund.
126. Resolution appointing an agent for certain school lands in the Western Reserve.

## VOL. XXV.

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20. An act supplementary to the act to amend the act incorporating medical societies.
26. An act to provide for the sale of Section 16, granted by Congress for the use of schools.
65. An act supplementary to the act to provide for the support and better regulation of common schools.
78. An act to establish a fund for the support of common schools.
85. An act to loan the State of Ohio school money from the Virginia Military and U. S. Military Districts.
87. An act to establish an asylum for the education of deaf and dumb persons.
103. An act to obtain the consent of the inhabitants for the sale of school lands in the U. S. Military District.

*Local.*

3. An act to incorporate the Dayton Library.
4. An act appointing trustees for the Miami University.
8. An act to incorporate the Franklin Library Company of Little Sandy.
18. An act to change a medical district.
24. An act for the relief of Henry Wagner.
25. An act to provide for the revaluation of certain school lands in the Ohio Company's Purchase.
27. An act authorizing the revaluation of certain school lands.
29. An act for the relief of certain lessees of the U. S. Military school lands in Guernsey County.
42. An act to incorporate the Brookfield Library Society, Morgan County.
45. An act enabling the inhabitants of the Virginia Military District to vote on the sale of school lands.
55. An act to incorporate the Harmony Library Society, Fayette County.
56. An act to incorporate the Columbia Library Society, Lorain County.

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- 57. An act to incorporate the Buffalo Library Society in the counties of Guernsey, Morgan and Muskingum.
- 62. An act to incorporate the Woodward Free Grammar School.
- 96. An act to incorporate the Middlebury Academy of Perry County.
- 112. Resolution appointing a trustee of Miami University.
- 112. Memorial to Congress asking that a law be passed authorizing the sale of Section 29 in the Ohio Company's Purchase and the John Cleve Symmes Purchase.
- 113. Resolution concerning a grant of land to aid in the education of the deaf and dumb persons.
- 114. Resolution directing the Auditor of State to procure a list of all appraisements of school lands in the United States Military district.
- 115. Petition asking for certain school lands in the Western Reserve.
- 118. Resolution appointing agents for school lands in the Western Reserve.
- 122. Resolution requiring the President and trustees of Ohio University to report annually to the General Assembly.

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- 4. An act to amend the act entitled, "An act to establish an asylum for the education of deaf and dumb persons."
- 4. An act directing the sale of sundry Sections 16.
- 7. An act authorizing the treasurer of Lincoln County to give bond.
- 10. An act amending the act providing for obtaining the consent of the inhabitants of the U. S. Military School District for the sale of lands.
- 23. An act providing for the sale of school lands in the Virginia Military District.
- 44. An act authorizing the register of the Virginia Military school lands to sell certain lots.
- 61. An act providing for the sale of school lands in the United States Military school district.
- 78. An act to return to the State of Ohio certain school money.
- 80. An act to provide for granting temporary leases of certain school lands.

*Local.*

- 3. An act to incorporate the Newburgh Library Society, Cuyahoga County.
- 3. An act to incorporate the Liberty Library Society, Butler County.
- 8. An act for the relief of certain lessees.
- 13. An act to incorporate the Deacons of the Regular Baptist Church of Stillwater.
- 24. An act confirming the exchange of school lands in Bellville.

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27. An act to incorporate the Hubbard Library Company, Trumbull County.
27. An act authorizing the proprietors of the town of Dresden to make changes in school lots.
28. An act to establish and incorporate the "Western Eye and Ear Infirmary".
30. An act to incorporate the Cincinnati Academy of Fine Arts.
41. An act to incorporate the Union Library Society of Lexington.
47. An act authorizing the leasing of certain school lands.
54. An act to incorporate the Cincinnati Medical Academy.
67. An act to incorporate the Goshen School Association, Logan County.
78. An act authorizing a sale of the property of Cadiz Academy.
88. An act authorizing the revaluation of certain school lands.
106. An act to incorporate the Hartford Library Society, Trumbull County.
107. An act to incorporate the Lorain Library Society.
119. An act to incorporate the Yellow Spring Library Society, Greene County.
135. An act enabling the inhabitants of the Connecticut Western Reserve to give their consent to the sale of their school lands.
159. An act authorizing the trustees of Township 10, Harrison County, to execute new leases and revalue certain school lands.
161. An act to incorporate the Monroe Traveling and Circulating Library Society.
167. An act to incorporate the Nelson Academy.
169. An act granting aid to the trustees of the Tallmadge School for the education of deaf and dumb persons.
175. Resolution concerning a grant of school land in the Connecticut Western Reserve.
176. Resolution asking a grant of land for the Asylum for the Deaf and Dumb.
179. Resolution permitting taxes on lands belonging to Kenyon College.
180. Resolution appointing three appraisers of the Virginia Military school lands.
181. Resolution directing the clerks of the courts and the agents appointed to make out abstracts, etc., for the U. S. Military school lands.

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8. An act amending the act authorizing the trustees of the Ohio University to dispose of certain lands.
11. An act to regulate grocers and retailers of spirituous liquors.
32. An act to amend the act entitled, "An act to provide for the sale of Section 16."



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- 33. An act in addition to the act entitled, "An act to incorporate and establish the City of Cincinnati, etc."
- 40. An act supplementary to the several acts authorizing the surrender of leases of U. S. Military school lands, and amending the act providing for the sale of said lands.
- 51. An act providing for the distribution of the proceeds of the Virginia Military school fund.
- 63. An act to provide further for the Asylum for the Education of the Deaf and Dumb.
- 64. An act amending the act entitled, "An act for the sale of escheated lands in the Township of Gallipolis."
- 73. An act to provide for the support and better regulation of common schools.

*Local.*

- 5. An act to incorporate the Social Library Company of Madison, Geauga County.
- 7. An act to incorporate the Zanesville Athenæum.
- 9. An act authorizing the register of the U. S. Military school lands to grant certificates of purchase to certain individuals.
- 10. An act to amend an act incorporating the Frederickstown Library Society.
- 10. An act to incorporate the Social Library of Greene, Trumbull County.
- 14. An act to incorporate the Chester Library Company, Geauga County.
- 15. An act to amend an act entitled, "An act to incorporate the Gallia Academy."
- 17. An act for leasing certain school lands in Belmont County.
- 21. An act to incorporate the Sunbury Library Association, Delaware County.
- 23. An act to create and establish a fund for the support of common schools in the County of Clermont.
- 26. An act for the sale of certain school lands in Wayne County.
- 32. An act for the relief of the purchasers of certain school lands in Lawrence County.
- 36. An act to provide for the revaluation of certain school lands, Perry County.
- 36. An act for the relief of William Potter.
- 40. An act authorizing the revaluation of certain school lands therein described.
- 62. An act authorizing the conveyance of a certain tract of land therein described.
- 63. An act to incorporate the Ohio Social Library Society, Morgan County.

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64. An act authorizing the leasing of certain school lands in the Ohio Company's Purchase.
68. An act for the relief of Henry Wagner.
72. An act to incorporate the Methodist Church of Zanesville.
76. An act to amend the act incorporating the Charity School of Kendall.
88. An act authorizing the revaluation of certain school lands therein described.
90. An act authorizing the Auditor of Shelby County to sell certain Sections 16 in said county.
92. An act to incorporate the Ohio Mechanics' Institute.
95. An act to incorporate Nelson Library Society.
96. An act to incorporate the Barlow Library Society in Washington County.
99. An act to create and establish a common school fund in that part of the County of Warren composed of the Virginia Military District.
105. An act to incorporate the Lyme and Ridgefield Circulating Library Society, Huron County.
103. An act to incorporate the Granville Library, Licking County.
106. An act directing the sale of certain school Sections 16, Preble County.
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118. An act to incorporate the Lane Seminary, Hamilton County.
127. An act to incorporate the Madison Library Association, Hamilton County.
128. An act authorizing the revaluation of certain school lands in Muskingum County.
131. An act to incorporate the trustees of the Columbus Presbytery.
139. An act to incorporate the Vernon Library Society, Scioto County.
147. An act to incorporate the Education Society of Painesville, Cuyahoga County.
152. An act to incorporate the Hillsborough Academy, Highland County.
165. An act authorizing the school directors in the Township of Fairfield, Butler County, to make a certain appropriation of money.
170. Memorial to Congress concerning school lands in the Western Reserve.
171. Resolution for the location of the deaf and dumb asylum at Columbus.
173. Resolution appointing a register of the Virginia Military school lands.
174. Resolution appointing two trustees of the Ohio University.
174. Memorial to Congress concerning a donation for the benefit of colleges and universities.

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177. Resolution appointing two trustees of the Charity school of Kendall.
177. Resolution instructing the Secretary of State to have two thousand copies of the school law printed in German.
177. Resolution appointing trustees for the Medical College of Ohio.
178. Resolution for printing the school laws.
179. Resolution making certain appropriations to the Register of the Virginia Military School Lands.
180. Resolution directing the Auditor of State to transmit certain school moneys to Clermont County.

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17. An act in addition to the act providing for the sale of school lands in the Virginia Military District.
30. An act to amend the act establishing an asylum for the education of the deaf and dumb.
35. An act further to amend the act providing for the sale of Section 16.
55. An act in addition to an act to establish a fund for the support of common schools.
59. An act to amend the act to provide for the sale of certain lands granted by Congress to the State of Ohio.

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3. An act providing for the appointment of appraisers for the U. S. Military school lands, Guernsey County.
8. An act to incorporate the Venice Library Society, in Butler County.
10. An act for the relief of James Elder.
15. An act to enable the inhabitants of the Western Reserve to give their consent to the sale of their school lands.
20. An act authorizing the sale of certain school lands.
21. An act authorizing the leasing of a certain school section therein named.
22. An act to incorporate the Brecksville Columbiana Literary Society, Cuyahoga County.
23. An act to incorporate the Dresden Literary Society, Muskingum County.
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28. An act to incorporate the First Congregational Church of Cincinnati.
46. An act to incorporate the Windsor Library Society, Ashtabula County.
52. An act authorizing the revaluation of certain school land in Gallia County.
53. An act appointing trustees for the Miami University.
55. An act authorizing the reappraisal of certain school land in Perry County.
56. An act supplementary to the act providing for distributing certain school funds in Clermont County.
57. An act to amend the act entitled, "An act to provide for the support and better regulation of Common Schools."
57. An act to provide for the distribution of the proceeds of the Virginia Military School Funds heretofore appropriated to the County of Clermont.
60. An act for the relief of James McMullen.
62. An act to incorporate the Mesopotamia Library Company, Trumbull County.
70. An act to incorporate the Marietta Library Society.
82. An act providing for the payment of certain claims out of the United States School Fund.
88. An act to authorize the leasing of school lands therein named.
88. An act to incorporate the College of Ripley, Brown County.
92. An act to enable the Knoxville School Company, Jefferson County, to close the concerns of said company.
93. An act to incorporate the trustees of the Windham School Company.
94. An act to incorporate the First Free Church in Warren Township, Jefferson County.
102. An act to incorporate the First Lutheran Church in Ross Township, Jefferson County.
112. An act amending the act to provide for obtaining the consent of the United States Military District to sell their school lands.
113. An act to provide for the sale of certain school land in Belmont County.
116. An act to incorporate the High School of Elyria, Lorain County.
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153. An act to provide for the revaluation and sale of a certain tract of school land in Stark County.
157. An act to authorize the survey of certain school lands in Fairfield County.

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- 164. An act to incorporate the Newbury Social Library Society, Geauga County.
- 165. An act to incorporate the town of Steubenville.
- 179. An act to incorporate the Lancaster Harmonic Society.
- 198. Resolution appointing trustees of the Charity School of Kendall.
- 202. Resolution appointing trustees for the Deaf and Dumb Asylum.
- 203. Resolution authorizing the sale of a certain Section 16 in Monroe County.
- 205. Resolution providing for distributing two thousand copies of the act providing for the distribution of the Virginia Military School fund.
- 206. Resolution appointing a trustee of the Ohio University.

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- 89. An act to incorporate the First Congregational Church in Burlington.
- 90. An act authorizing the appraisement and sale of school lands in the Connecticut Western Reserve.
- 161. An act for the prevention of certain immoral practices.
- 272. An act pointing out the mode of levying taxes.
- 304. An act regulating sales at auction.
- 313. An act for granting licenses.
- 427. An act establishing an asylum for the education of deaf and dumb persons, and repealing previous laws.
- 446. An act to regulate public shows.
- 469. An act to protect the fur trade.
- 423. An act to establish a fund for the support of Common Schools.
- 477. An act for the inspection of certain articles therein named.
- 490. An act to incorporate the original surveyed townships.

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- 11. An act to incorporate the Dover Library Society, Athens County.
- 13. An act to incorporate the Ashtabula Library Association.
- 21. An act to incorporate the First Congregational Society of Twinsburgh.
- 25. An act to incorporate the Williamsburgh Library Society, Clermont County.
- 25. An act to further amend the act providing for the distribution of the Virginia Military School Fund.
- 26. An act authorizing the treasurer of Muskingum County to issue certificates of purchase for certain school lands.
- 31. An act to incorporate the First Presbyterian Society of Atwater.
- 41. An act to incorporate the Social Circulating Library Association of Waverly, Pike County.

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42. An act to incorporate the Brecksville Academical Association, Cuyahoga County.
43. An act to incorporate the Woodward High School of Cincinnati.
47. An act postponing the sale of certain school lands in Columbiana County.
49. An act to incorporate the Hamilton and Rossville Library Society, Hamilton County.
50. An act to incorporate the Middleberry Library Company.
51. An act for the relief of John M. Holly and John C. Coffing, Huron County.
57. An act to incorporate the Olmstead Library Company, Cuyahoga County.
66. An act to amend the act incorporating the Madison College of Ohio.
67. An act to incorporate the Athens Library Society, Athens County.
74. An act to incorporate the Erodolphian Society of Cincinnati.
81. An act further supplementary to the several acts authorizing the surrender of leases of United States Military school lands, etc.
83. An act to incorporate the Ashtabula Social Library Association, Ashtabula County.
89. An act to incorporate the First Congregational Church in Burlington, Licking County.
90. An act authorizing the survey, appraisement and sale of all the school lands in the Connecticut Western Reserve.
100. An act to incorporate the Wayne and Cherry Valley Union Library Association in Ashtabula County.
121. An act directing the sale of certain school Sections 16 in Butler County.
122. An act amending the act to incorporate the Cincinnati Academy of Fine Arts.
122. An act to incorporate the Historical and Philosophical Society of Ohio.
126. An act to incorporate the Cincinnati Lyceum.
130. An act authorizing the Auditor of Piqua County to grant certificates of purchase for certain school lands.
135. An act authorizing the Auditor of Seneca County to grant certificates of purchase for certain school lands.
137. An act to incorporate the trustees of the Ashtabula Institution of Science and Industry.
139. An act to incorporate the Delaware Academy.
142. An act repealing the final part of the 11th Section of the act to incorporate medical societies.
142. An act to incorporate the Utica Library Society, Licking County.
179. An act to incorporate the Capitol Library Society of Columbus.

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184. An act for the relief of purchasers of certain school lands, Ross County.
185. An act supplementary to the act providing for the sale of school lands in the Virginia Military District.
186. An act authorizing the revaluation of a certain Section 16 Gallia County.
187. An act making further provision for the sale of Section 16 granted by Congress for the use of schools.
188. An act appointing one trustee for the Miami University.
196. An act incorporating the Philomathesian Society of Kenyon College.
203. An act to incorporate the First Congregational Church of Yellow Creek, Jefferson County.
204. An act for the relief of Hugh Porter.
207. An act for the sale of certain school lands therein named.
210. An act to amend the act providing for the distribution of the proceeds of the Virginia Military School Fund for Clermont County.
215. An act for the relief of certain purchasers of school lands in Stark County.
229. An act to provide for the distribution of the proceeds of the Virginia Military School Fund.
235. Resolution appointing trustees for the College of Ripley.
235. Resolution granting certain historical documents to the Zanesville Athenaeum.
239. Resolution appointing trustees for the Ohio Deaf and Dumb Asylum.
240. Resolution authorizing the Auditor of Muskingum County to receive leases of school lands and grant certificates of purchase.
242. Resolution appointing an agent for school lands in the Western Reserve.
244. Resolution directing that all school lands sold shall be placed on the tax duplicate.
246. Resolution appropriating money for the Deaf and Dumb Asylum.
247. Resolution concerning the printing of the school laws.
249. Resolution directing several boxes of government documents to be sent to certain institutions.

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4. An act to amend the act entitled, "An act to provide for the support and better regulation of Common Schools."
13. An act for the relief of certain lessees of school lands, etc.
20. An act amending the act to establish an asylum for the deaf and dumb.

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3. An act postponing the sale of a certain Section 16 in Clermont County.
4. An act authorizing the trustees of a certain Section 16, Hamilton County, to divide said section.
4. An act to incorporate the Hayesville Library Association, Medina County.
30. An act to incorporate the Kinsman Academy, Trumbull County.
38. An act authorizing the Auditor of Shelby County to receive a lease and grant certificates of purchase for certain school lands.
47. An act to incorporate the president and trustees of the Canton Academy.
60. An act to incorporate the New Paris Library Society, Preble County.
62. An act to incorporate the Farmington Academy.
64. An act to enable the lessees of certain school land in Richland County to surrender their leases, etc.
64. An act to incorporate the First Calvinistic Congregational Society of Hudson.
84. An act appointing one trustee for the Miami University.
87. An act to incorporate the First Universalian Religious Library Society, of Marietta.
88. An act to incorporate the "Granville Literary and Theological Institution."
111. An act to incorporate the Ashtabula Academy, Ashtabula County.
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133. An act to incorporate the Clarksfield Library Society, Huron County.
134. An act to incorporate the Darke County Library Society.
141. An act to incorporate the Huron Institute.
157. An act to incorporate the First Presbyterian Society of Middlebury.
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229. An act to incorporate the Steubenville Athenaeum.
230. An act to provide for the distribution of the Virginia Military School Fund.
232. An act to incorporate the Western Academic Institute and Board of Education.
234. An act to provide for the sale of certain Sections 16 in Hamilton County.
238. An act to authorize the Auditor of Guernsey County to grant certificates of purchase for certain school lands.
244. An act to incorporate the Guernsey Library and Reading Room.
247. An act amending the act authorizing the Auditor of Seneca County to grant certificates of purchase, etc.



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265. An act for the relief of the lessees of a certain Section 16 in Morgan County.
267. An act to incorporate the Farmers' Library Company, Seneca County.
268. An act to authorize the Governor to make deeds in certain cases.
275. An act to incorporate the Library Society of London, in Madison County.
276. An act to incorporate the West Branch Library Association, in Miami County.
277. An act to incorporate the Farmers' and Mechanics' Library Society of Berkshire, Delaware County.
319. An act making appropriations for the Deaf and Dumb Asylum.
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325. Resolution appointing trustees, College of Ripley.
325. Resolution appointing trustees of the Ohio University.
326. Resolution appointing a trustee for the Ohio University.
326. Resolution granting the Superintendent of the Deaf and Dumb Asylum use of the State Library.
327. Resolution appointing a Register of the Virginia school lands.
331. Resolution appointing trustees of the Medical College of Ohio.
336. Memorial to Congress concerning a grant for the use of a Deaf and Dumb Asylum.
338. Resolution granting Caleb Atwater authority to make abstracts of certain documents.

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8. An act amending an act authorizing the survey, etc., of school lands in the Western Reserve.

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24. An act to amend the act establishing an Asylum for the Deaf and Dumb.
24. An act supplementary to the act establishing a fund for the support of common schools.
24. An act to amend an act to provide for the support and better regulation of common schools.

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26. An act to authorize the surrender of leases of School Section 16 in certain cases.  
 27. An act to repeal the act to incorporate medical societies, etc.

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3. An act to incorporate the First Congregational Society of Franklin, Portage County.  
 4. An act to incorporate the St. Mary's Female Literary Society.  
 5. An act making special provisions for the sale of a certain Section 16, Jefferson County.  
 10. An act to incorporate the Dane Law Library.  
 18. An act to incorporate the "Marietta College Institute and Western Teachers' Seminary."  
 19. An act to incorporate the First Methodist Protestant Church of Xenia, Greene County.  
 19. An act to incorporate the First Presbyterian Congregation in Wellsville, Columbiana County.  
 31. An act to incorporate the Milford Library Association, Union County.  
 33. An act to amend an act to incorporate the Academy of Perry County.  
 52. An act to incorporate and establish the Cincinnati Orphan Asylum.  
 58. An act to incorporate the Mt. Vernon Lyceum.  
 58. An act making special provision for leasing a certain School Section 16 in Jefferson County.  
 62. An act authorizing the Auditor of Washington County to sell certain school lands.  
 63. An act to incorporate the Cleveland Library Company.  
 65. An act to incorporate the Nu Pi Kappa Society.  
 67. An act to incorporate the Miamisburg Union Meeting and School-House Company.  
 72. An act authorizing the lessees of certain school lands in Carroll County to surrender their leases, etc.  
 81. An act to incorporate the Cincinnati Literary Society.  
 81. An act to incorporate the First Congregational Society in Freedom, Portage County.  
 83. An act to incorporate the Farmers' and Mechanics' Library Association in Aurora, Portage County.  
 84. An act to authorize the Auditor of Sandusky County to sell certain land.  
 89. An act to incorporate the Massillon Library Society.  
 92. An act to incorporate the McConnelsville Athenaeum.  
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 94. An act to incorporate the Eden Library Association, Seneca County.

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  117. An act for the relief of Jacob Hammer.
  117. An act to incorporate the Cleveland Lyceum, Cuyahoga County.
  131. An act to incorporate the First Congregational or Presbyterian Church and Society of Granville, Licking County.
  132. An act to incorporate the Fitchville Library Society, Huron County.
  133. An act repealing the act to incorporate the president and trustees of the Canton Academy.
  134. An act extending the time for making payment by the purchasers of certain Virginia Military School Lands.
  159. An act to incorporate the Wadsworth Library Society, Medina County.
  160. An act authorizing the Auditor of Wayne County to apportion school moneys.
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  174. An act amending the act to incorporate the trustees of Chillicothe Academy.
  178. An act prohibiting the sale of a certain Section 16 in Preble County.
  186. An act appointing trustees for the Miami University.
  187. An act providing for the sale of a certain Section 16 in Darke County.
  188. An act to incorporate the Chillicothe Female Seminary.
  193. An act to incorporate the Wayne County Ohio Teachers' Association.
  195. An act to incorporate the Lancaster Library Association, Fairfield County.
  197. An act to incorporate the Cincinnati Medical Society.
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  204. An act to provide for the sale of a certain Section 16 in Wayne County.
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  207. An act to incorporate the Ohio Medical Lyceum in Cincinnati.
  227. An act to incorporate the Urbana Athenaeum.
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  238. An act appropriating fifteen hundred dollars for the Deaf and Dumb Asylum.
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265. Resolution appointing trustees of the Deaf and Dumb Asylum.
266. Resolution concerning statutes against certain delinquent lessees.
267. Resolution appointing trustees of Ripley College.
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269. Resolution granting free tuition to an indigent student in each district in the Medical College.
272. Resolution directing the Governor to provide for an inspection of the Medical College.

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20. An act to provide for the punishment of certain crimes therein named.
25. An act to provide for the support and better regulation of Common Schools.
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47. An act to provide for the inspection of salt.

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33. An act appointing trustees of Miami University.
76. An act authorizing applying school funds on building.
84. An act appointing a trustee of Miami University.
100. An act amending an act establishing the School Fund, Warren County.
143. An act providing for the distribution of the School Fund of Carroll County.
168. An act authorizing the auditor to settle accounts, Section 16, Wayne County.
187. An act providing for the distribution of United States Military School Funds.
216. An act authorizing the sale of Section 16, Ohio Company's Purchase.
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## THE HISTORICAL COMMISSION OF OHIO.

One of the most interesting developments in connection with Ohio's preparations for carrying on a successful war has been the appointment of the Historical Commission by Governor James M. Cox. It is the function of the Historical Commission to collect and preserve the records from which a history of Ohio in the Great War may eventually be compiled. The appointment is a recognition of the fact that a people conscious of the historic role it is essaying can fight with greater courage and to nobler purpose than a people whose claim to future fame is left the prey of chance and of the mouldering hand of time. The Commission is composed of twenty-three men and women representing a wide variety of educational and historical interests of the state.

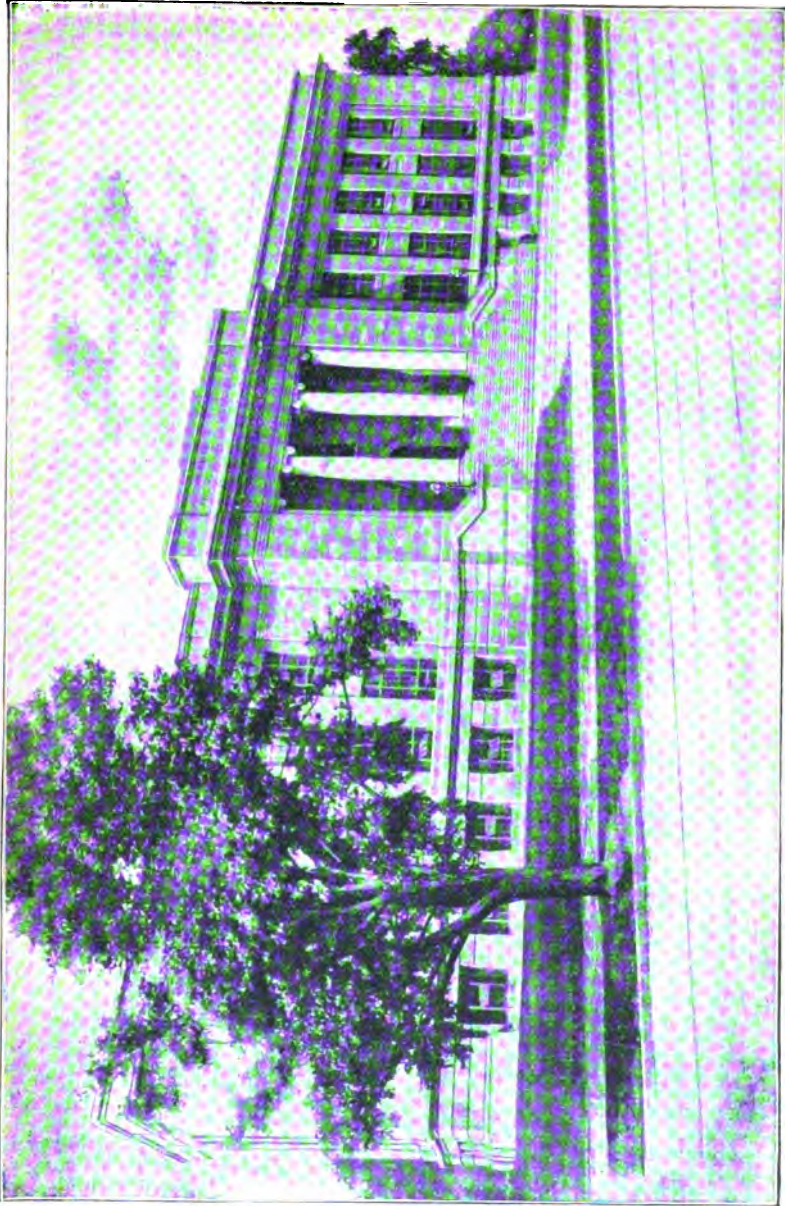
The monumental task which the Commission has set for itself cannot attain success without the earnest co-operation of citizens in all walks of life throughout the state. Readers of the Quarterly can render valuable assistance by collecting wartime documents of local importance for transmission to the Historical Commission and by stimulating local organizations to keep a careful record of their war activities. The Commission has given a broad definition to the term "war records," meaning thereby letters and diaries, printed matter of all kinds, photographs, motion pictures, posters, cartoons, and relics.

For the guidance of persons interested in the assembling of such records, the Commission has indicated eight classes of materials, as follows: (1) *Records of state agencies and of federal agencies within the state*, such as speeches of Ohio's Congressmen and Senators, records of the state offices of the Food Administration, Fuel Administration, Ohio Council of Defense, American Red Cross, etc.; (2) *Military records*, such as documents throwing light on the history of Camp Sherman and other camps where Ohio men may be found, war letters and diaries, war photographs, and relics; (3) *Religious records*, such as the records showing the activities of the Y. M. C. A. and the Knights of Columbus, war sermons, and publications of church societies bearing upon the war; (4) *Economic material*, such as records showing the influence of the war upon capital and labor, agricultural production, price variations, etc.; (5) *Political and propagandist material*, such as patriotic addresses, handbills and pamphlets issued to influence public opinion for or against the war, conscription, etc.; (6) *Educational records*, such as records showing the effect of the war upon the attendance and curricula of schools and colleges; (7) *County and municipal records*, such as materials which disclose the intimate local workings of the Food and Fuel Administration, Draft Boards, War Chest movement, etc.; (8) *War literature*, such as publications written by Ohioans touching upon war subjects or by others touching upon Ohio's part in the war.

As materials are accumulated they should be sent to Dr. A. M. Schlesinger, Chairman Historical Commission of Ohio, Columbus.

The Historical Commission of Ohio, as appointed by Governor Cox, consists of the following persons:

E. J. Benton, Cleveland; J. E. Bradford, Oxford; Glenn D. Bradley, Toledo; I. J. Cox, Cincinnati; G. A. Cribbs, Alliance; Elizabeth Crowther, Oxford; Martha L. Edwards, Painesville; G. C. Enders, Defiance; W. B. Guitteau, Toledo; L. B. Hall, Oberlin; T. N. Hoover, Athens; K. S. Latourette, Granville; W. D. Niswander, Ada; W. F. Peirce, Gambier; B. F. Prince, Springfield; E. O. Randall, Columbus; W. H. Siebert, Columbus; C. Snavely, Westerville; R. T. Stevenson, Delaware; J. I. Stewart, New Concord; Elizabeth A. Thompson, Akron; Mary A. Young, Oxford; Arthur M. Schlesinger, Columbus, Chairman.



OHIO ARCHAEOLOGICAL AND HISTORICAL MUSEUM.

**THE INDIAN IN OHIO**  
**With a Map of the Ohio Country**

BY H. C. SHETRONE, ASSISTANT CURATOR,  
*Ohio State Archaeological and Historical Society.*

FOREWORD.

The accompanying narrative is offered in response to an apparent demand for a briefly comprehensive account of the aboriginal inhabitants of the territory comprised within the State of Ohio.

The need of such an addition to the already extensive literature on the subject is suggested by frequent inquiry on the part of visitors to the Museum of the Ohio State Archæological and Historical Society. This inquiry, representing all ages and classes of visitors, but more particularly pupils and teachers of the public schools, may be fairly summarized in a representative query: "Where can I find 'a book' that will give me the facts about the Indian and the Mound Builder?"

The difficulty of meeting this inquiry would seem to indicate that the wealth of research and investigation along the line of Ohio aboriginal history has not been presented in a form fully meeting the requirements of the average reader. It is a simple matter to meet the demands of the special student, with time and inclination for study; but apparently the numerous productions pertinent to the subject either are not readily available to the average reader, are not comprehensive of all its phases, or in some other way are unsuited to his purpose.

While many important questions relative to the Indian and the so-called Mound Builder remain as yet unanswered, the results of recent historic research and archæological exploration make possible a fairly accurate sketch of the aboriginal race in Ohio, both before and since the advent of white men. The purpose, then, of this brief outline is to supplement the Society's



Publications and Museum exhibits, to the end that visitors and students may learn, insofar as known, the more important facts relevant to these "First Ohioans", their activities, and the distinction and relationship between the several great cultures of the native American race which, successively or contemporaneously, made their homes on Ohio soil.

To accomplish this it has been deemed necessary to unify, under one cover, three aspects of the subject usually presented separately; namely, the American race as a whole; the Indian in Ohio (historic period); and the prehistoric or archæological period in the same territory. Each of these topics has been exhaustively presented by masters of thought and expression; and but for the desirability of combining the three as component parts of the story of the American aborigine in Ohio, this compilation would be highly presumptuous and without justification. The result is the more confidently submitted, in that it follows closely the writings of the acknowledged authorities from which it is compiled.

In the pages touching upon the American aborigine in the broader sense, the publications of the Bureau of American Ethnology, the reports of the Bureau of Indian Affairs, and the works of a few of the standard authors have been consulted. The story of the Indian in Ohio, within the historic period, has been taken mainly from the masterly presentation of Mr. E. O. Randall in the "History of Ohio — The Rise and Progress of an American State," by Randall and Ryan. Mr. Randall's treatment of the Ohio Indian and his activities is most exhaustive, and is the last word in authenticity and literary style, besides being the most recent of the several standard productions relating to the subject. The brief summary of the prehistoric period in Ohio is based upon the researches and investigations of Professor William C. Mills, Curator of the Ohio State Archæological and Historical Museum, and the acknowledged "foremost exponent of Mound Exploration in America". The writer has had the honor of being actively associated with Professor Mills in field explorations in Ohio during the past five years, and through this has been enabled to form first-hand impressions of the prehistoric period of Ohio occupancy.

In preparing the map of the Ohio country, the sole aim has been to serve the convenience of the student of the period of historic Indian occupancy. The Ohio river and Lake Erie, with their principal tributary streams, will serve to acquaint the reader with the physical geography of the country, while these, together with a few of the more important aboriginal trails will indicate the travel thoroughfares thereof. Several modern cities have been introduced to assist in determining more easily the relative locations of the Indian villages, and the forts and battlefields of the period.

In connection with the Indian towns it has been thought desirable, where not otherwise obvious, to indicate the tribes to which they pertained. The dates accompanying these villages do not purport to show the time of settlement or origin, often unknown, disputed or unimportant, but rather that of first prominent mention or of greatest historic interest. The same reservation applies to the indicated territories of the several tribes, which, owing to constant change in their boundaries and the fact that they often overlapped one another cannot be definitely outlined. Sufficient of the territory adjacent to Ohio proper is shown to include occurrences inseparable from its Indian history.

If this brief outline of Ohio Indian history serves to supply the average reader with desired information and, through encouragement to those who may have opportunity and inclination for further study of the early history of Ohio, tends to make "two readers, where but one read before", its object shall have been attained.

## THE NATIVE AMERICAN RACE

### THE INDIAN AND THE PERIOD OF DISCOVERY.

In order properly to understand the Indians and Mound Builders who made their homes in what is now Ohio, it is necessary to consider briefly the native American race as a whole, to which these early inhabitants of our state belonged. Just as it would be impossible to write a complete history of the present inhabitants of Ohio, without referring to persons and events in other states, so it would be very difficult to tell the story of these "first Ohioans" entirely apart from others of their race.

It is well known that when Columbus discovered America he entertained the mistaken idea that he had touched upon the shores of India, and that it was in this belief that he named the natives "Indians". Later, when the New World was christened America, the natives, for some reason, continued to be known as Indians. Within recent years numerous attempts have been made to adopt a more suitable name, but the term Indian has become so thoroughly incorporated into language and literature that it still prevails, and with the prefix "American", is generally used and recognized as designating in a broad sense the native aborigines of the Western hemisphere.

With the possible exception of the Eskimo all the native tribes of the Americas of both historic and prehistoric times, despite marked variation in culture and physical type, are classed as belonging to one great race—the American, or Red race. The Eskimo are classified by some scientists as a distinct sub-race, believed to be directly descended from the Mongolians of Asia; but most authorities now agree that they really belong to the American race and consider them merely as a variant physical type, with decided Mongolian traits, and as possibly suggesting a connecting link between the American and the Asiatic peoples. In a certain sense the Indians are, or were, the real Americans; but the name American was reserved for the coming great nation of white settlers, who were to explore, colonize

and develop the country; and the Indian, in name as in more material respects, was forced to make way for the advance of civilization.

It would be interesting indeed if we of today could roll back the years and view the native inhabitants of the newly discovered world as they appeared to Columbus and others of his time. In this age of the trained explorer and ready press the minutest details of a hitherto unknown people would be quickly made known, but at that remote period it is not surprising to find that often only the more apparent facts were recorded. The men who were so bold as to navigate unknown and uncharted seas, in sailing vessels which today would be considered unsafe even on our inland waters, and who ventured for thousands of miles from their native shores under conditions which made their return very uncertain, could not be expected to pay much attention to minor details. Their purpose, indeed, was as important as their risk was great. The demand of western Europe for a new sea route to the Orient usually is considered as the prime incentive to Columbus' voyages of discovery. The desire to prove or disprove the sphericity of the earth, a theory just then attracting marked attention, and the spirit of adventure, with the prospect of discovering new and strange lands where treasure might be had for the taking, were of themselves sufficient incentive to lure the hardy mariner into strange waters.

In the fact that the early explorer was enabled to see and observe the natives before contact with Europeans had influenced and changed their natural condition, lies the greatest importance of his records. The study of an uncivilized people before contact with other peoples has modified their habits and customs is very important, if their true history is to be learned. After such contact the change is often rapid, and the legibility of the story decreases in direct ratio as opportunity for its study increases. The early explorers were not handicapped in this respect, although their records, while invaluable, are not always as satisfactory as might be desired. Often the very things we most wish to know are left untold, while again descriptions evidently are fanciful and not infrequently conflicting. The latter is not to be wondered at, since the vast extent of the newly dis-

covered territory, with its extremes in climate and other natural conditions, meant corresponding extremes of culture, or progress, among the inhabitants; so that explorers, touching at different localities, would form different impressions of the natives. Despite these imperfections, the several records of early exploration comprise quite an extensive literature and furnish the basis upon which all our knowledge of the native inhabitants is founded.

Touching first at the Bahama Islands and later upon the South American continent, Columbus had his introduction to, and received his first impression of the natives. Then followed the Cabots, Magellan, de Leon, Balboa, Cortez, De Soto, Cartier, and many others, all within the period of discovery, and all viewing the native inhabitants in their primitive condition. Had these men found everywhere the same degree of culture, or development, their stories in the main would have been very much alike, and much less time would have been required in arriving at a correct understanding of the native race as a whole. But in view of the diversity in climate, topography and other conditions having an important bearing upon human welfare, it is but natural that the inhabitants of the several sections of so large a country should have been unlike in many respects.

As time passed and the new country became better known, opportunity was afforded for more careful observation and comparison, with the result that many discrepancies in the records of discoverers and explorers were reconciled. These records, together with those of later and present-day investigators, give to the historic American Indian an intelligible entity; while the sum total of this knowledge, supplemented by the work of the archæologist, has given us a fairly clear insight into the life of the race in prehistoric times.

#### PHYSICAL CHARACTERISTICS.

In the study of the human race, science leaves no stone unturned. Everything is considered that holds a possibility of throwing light upon the subject, past, present or future. The means employed are grouped under three general heads; anthropology, the science which deals with man as a physical being,

that is, with the natural history of the species; ethnology, which treats of the activities of man, such as language, art, industry, religion, social and political organization, manners and customs; and archeology, which has to do with man before history began to record his story. The term anthropology is used also in a broader sense, as meaning the science of man, and including everything in any way pertaining to his existence.

Anthropology, in this outline of the American Indian, is used purely in a physical sense. Physical characteristics usually are the first to attract attention in the study of a people, and probably are the most stable and unchanging of the many items pertaining to such an inquiry. By the color of the skin and hair, the cast of features and other physical attributes, is determined the race to which a people belongs. In the case of the American Indian, science has found that, with the exception already noted, they pertain to one great race, distinct from any other.

The type is characterized by a swarthy complexion, reddish-brown to dark-brown in color; hair, straight and black, with a bluish luster; eyes brown; face medium to broad, with high cheek bones. In stature, the Indian compares favorably with the white inhabitant of today, although the average varies among different tribes and localities. The term "red-skin" as popularly applied to the Indian is misleading, for while the complexion is often highly colored from sun and exposure due to an outdoor mode of life, it is far from being red in color, as that term is generally used. Stories of giants and pigmies among the American natives likewise are untrue, except that there have been occasional very tall and very short individuals, their occurrence, however, being no more frequent than among other peoples. Rather marked exceptions to this rule are the Eskimos, who as a people are much undersized, and the Patagonians, of the extreme southern extension of South America, who are unusually tall. The head of the Indian is a trifle smaller than that of the white man, and the forehead is often low and receding; the hands and feet are not so large, but the chest and back are particularly strong and well developed, indicating an active life in the open. The male Indian naturally has a sparse beard on

the face which, however, seldom is allowed to grow. On the whole, the Indian as a race occupies a position, anatomically, between that of the white man and the negro.

#### MENTALITY AND MORALITY.

In considering the mentality, or mind of the Indian, we should remember that "what the father is the child will be." The mind of the Indian child is moulded by what he sees and hears, and he grows up to be like those around him. A child of civilized parents placed in a similar position would come to be very like his foster-parents, and the same is almost equally true of an Indian child reared under the influences and guidance of a civilized home. The innate, or natural mental capacity of the Indian, therefore, may be said to be but little inferior to that of an individual of a civilized people. One distinction, however, should be kept in mind; namely, that on the part of the uncivilized individual the tendency to revert to his former condition is particularly strong, and a factor always to be considered. Many Indians who have attended the higher institutions of learning, after having shown marked mental capacity and achievement, have yielded to this strange influence and have returned to the life of their people.

In the matter of morals and morality the Indian again is the product of custom and association. What is moral or immoral, right or wrong, is largely a matter of time and place, since standards vary so greatly among peoples. In his native state the Indian knew and recognized many of the cardinal virtues, such as truth, honesty and the sanctity of human life. Public opinion, rather than law and the fear of punishment was the motive which compelled obedience to social decree, although in many tribes executive councils, having powers of enforcement, were recognized. In his own clan or tribe the Indian respected the rights of others and their property. It was only against hostile tribes with whom he might be at war that depredations were committed, as during such times pillage and other forms of reprisal were considered proper. On the whole there was much to be commended in the character of the Indian, and many in-

stances are recorded where he displayed generosity, faithfulness and courage of a high order.

#### SOCIAL AND POLITICAL ORGANIZATION.

Aside from a few fundamentals common alike to the great number of culture planes represented among the American aborigines, it is impossible to present, in a brief outline, a plan of social and political organization that will apply to all. Why this should be so is readily apparent, since we have seen that in the course of their racial career the Indians became separated into numerous tribes and nations, each developing its several institutions in accordance with the influence of environment and other natural causes. In general, it may be said that aboriginal social and political organization, always very closely associated, were based upon kinship, or consanguinity, rather than upon territorial or geographical districts.

As perhaps the most representative of the several units composing the social and governmental fabric, as well as the most widely known, we may consider what is designated as the tribe. A tribe as constituted among the American Indians is, or was, a body of persons bound together by blood ties or assumed relationship resulting from the almost universal custom of adoption; by the possession of a common language, and by certain definite ideas as to social, political and religious observances. While kinship remained the basis of tribal organization and government, the tribe was more or less fixed as to territorial district and as to residence, thus uniting the personal and the geographical idea. The tribe, as such, constituted an independent state; but when united with other tribes for mutual benefit, it became part of a confederation. The confederation was the most highly developed unit of organization, and whereas the tribe corresponded to the state, the confederation might be likened to the nation.

Among the more primitive of the Indians, the tribe was loosely organized, its subdivisions consisting of families and bands; but in its higher development, it was made up of divisions known as clans or gentes. These consisted of groups of persons, actually or theoretically related, organized to promote



their social and political welfare. Members of a clan or gens often assumed a common class name, or a totem, derived from some animal or object, by which they were distinguished from members of another clan. Each tribe might have a number of clans, which in turn were organized into phratries, or brotherhoods. These phratries, usually but two to a tribe, were really social in their province, having to do with ceremonial and religious assemblies, festivals, and so forth. The members of a phratry, or rather of the clans composing it, considered themselves as brothers, while those of the other phratry they addressed as cousins.

The clan or gens was composed of the family groups, the first and simplest of the units of organization. The family corresponded rudely to the household or fireside, but varied greatly in its significance among the different tribes. Thus we have the family, organized into clans or gentes; these units united to form phratries; the phratries combining to form the tribe; and occasionally, the tribe uniting with others to form a confederacy. But the tribal form of government remains the prevailing type, in which the most noticeable feature is the sharp line drawn between the social and civil functions, and the military functions. The former were lodged in a tribal chief or chiefs, who in turn were organized into a council exercising legislative, judicial and executive functions. These civil chiefs were not permitted to exercise authority in military affairs, which usually were left to captains, or war chiefs, and to the grand council of the tribe. These captains were men chosen on account of their fitness for the position and were retained or dismissed according to their success or failure in prosecuting warfare.

#### RELIGION OF THE INDIAN.

The religion of the Indian, as with other uncivilized peoples, was based largely upon the supernatural, or what appeared to him as supernatural. What he could see and understand, that is, what could be explained by perfectly obvious standards, he accepted as natural; everything beyond this was to him something mysterious and a part of the spiritual. With his limited knowledge of the laws of nature and their causes and effects, it is

apparent that many of the phenomena which he observed about him would partake of the supernatural.

The essence of the Indian's religion was what might be termed magic power. This power he believed to be vested in various objects, animals, men, spirits and deities, and to be able either to injure or benefit him. It was supposed to be something stronger than the same power or powers within himself, and to be capable of influencing, or subject to influence by, human activity. Thus his whole endeavor was to the end that he might gain and retain the good will of those powers which were friendly, and control those which were inclined to be hostile. Many methods of accomplishing this were practiced by the different tribes, among them being charms, prayer, incantations, fasting, taboos, — the avoidance of certain foods and acts supposed to be displeasing to the powers, — and offerings of various kinds. The last named probably never, or very seldom at least, took the form of human sacrifice, but consisted in offerings of food, ornaments, weapons and other minor objects.

The Indian believed himself possessed of a spirit, or spirits, which live in the hereafter; that the world has always existed, rather than that it was specially created; and in some instances the belief in magic power was carried so far as to suggest in an indefinite way the idea of deity. Contrary to the general belief, however, the Indian in his natural state did not conceive of a definite God, or Creator, but rather of a mystic something without definite form or attributes. By the Algonquins this power was called "Manito" — the Gitche Manito of Longfellow's *Hiawatha* — while the Iroquois expressed the same idea by the word *Orenda*. The Indian conception, as expressed by these terms, is often referred to by the writers of fiction and Indian tales as the Great Spirit.

The religious instinct in the Indian is highly developed, and his inclination toward religious excitement is strong. As in other creeds, there have been many so-called prophets who from time to time have introduced new religious beliefs among them. Among the foremost of these was Tenskwatawa, the Shawnee prophet, whose teachings stirred the entire Indian population east of the Mississippi just prior to the War of 1812. Other

noted prophets were Wovoka, originator of the Ghost Dance religion or Messiah craze, which swept the Western states in 1888, resulting in serious Indian disturbances; the Delaware prophet of Pontiac's conspiracy, 1762; and Smohalla, the "dreamer of the Columbia."

Almost from the beginning European settlers in America were active in spreading among the Indians their several religious creeds, with the result that Christianity was widely disseminated among them. This work was carried on mainly through the establishment of missions, through which were combined the teaching of industry, morality and religious belief. Many of the heads of these missions were men of force and character, who dedicated their lives to the welfare of the Indians and underwent almost unbelievable deprivations and hardships in carrying out their undertakings. To these men we owe much of our knowledge of the early Indian tribes, particularly as regards language, customs and religion.

#### THE INDIAN LANGUAGES.

Under the head of ethnology, language has been a very important factor in the study of the American Indian. While considered from the physical viewpoint we find that the natives belong to a single great race, language has shown that this race is divided into a large number of linguistic, or language, groups or families. Language is one of the scientist's most powerful aids in the study of a people. By tracing the history of words and their meanings it is sometimes possible to follow the migrations and trace the origins and relationships of peoples apparently widely separated. In this way, within the territory comprised within the United States alone upward of sixty different linguistic families have been noted; that is to say, the various tribes are apportioned among that number of distinct languages. In turn the various languages, or stocks, are divided into numerous dialects, just as is true with other and more highly developed languages.

Of the fifty-six stock languages recognized, a few are of great extent and importance, while others are comparatively

unimportant. Most of the latter are confined to the Pacific coast, at least twenty-five of them being represented in the three states of Washington, Oregon and California. The most important of the language groups was the great Algonquin family, which embraced the New England and the East coast, all of south-eastern Canada and the country surrounding lakes Superior, Huron and Michigan, and extended southward into the United States over Michigan, Wisconsin, Iowa, Illinois, Indiana, south-western Ohio, and Kentucky. This great family comprised most of the Indians with whom the early Colonists came into contact, and who figure so largely in our early Indian literature.

The second best known language family, insofar as early settlement is concerned, were the Iroquois, whose principal territory encircled lakes Huron and Erie, and extended on both sides of the St. Lawrence river from these lakes to its mouth. Most of the territory within the states of New York and Pennsylvania, and a part of Ohio, was included in this area, which in turn was almost completely surrounded by the great Algonquin territory.

West of the Mississippi river the principal families were the Sioux, the Athapascans and the Shoshones. Of these the Sioux were particularly prominent, figuring conspicuously in the Indian troubles which attended the opening of the great western country. The remaining families ranged in importance from a few members or a single tribe, to the extensive Mushogean family, comprising the Creeks, Choctaws, Chickasaws and Seminoles of the south-eastern states; and the Caddoan family, farther west, whose chief tribes were the Caddos, Pawnees and Wichitas.

One unacquainted with the character of language, as used by uncivilized peoples, might very naturally have some curiosity to know something of the language of the American Indian. It would be correctly surmised that the language of a barbarian people would not be so highly developed as that of a civilized community. In fact, language is a growth, having its inception at the time when man begins to realize the need of a means of expressing thought, and its development is exactly in proportion to the development of mentality. This growth and development of language is progressing today just as it has done through all time. When a new discovery or invention is made, a new word

usually is created or "coined" to name or describe it. No known people is so low in intelligence as to be devoid of some sort of language, yet in the case of many savages the means of orally expressing thought are very limited and crude.

While in many respects the languages used by the American Indians are distinct and different one from another, there are certain traits which are common to practically all of them. For example, in most cases where in English we use separate words to convey different shades and modifications of meaning, the same thing, in the Indian languages, is effected by what grammarians term "grammatical processes"; that is, by changes in the stem words or by adding or subtracting prefixes and suffixes and by certain gestures and movements supplementing the spoken words. In this way such forms of speech as prepositions, adverbs and conjunctions often are almost entirely ignored. Many sounds unfamiliar to English-speaking persons are met with, and a number of the languages, particularly those of the north-west, are considered as harsh and unpleasing to the ear. Those of the central and eastern families, however, are more euphonic. So it is readily seen that to the student of modern English grammar the construction and use of the native American languages would appear strange and difficult indeed.

Naturally the mental process of the Indian is not so delicate and discriminating as that of highly civilized man, and therefore his ideas are more likely to be concrete than highly abstract in form. His language, while possessing a good grammatical basis and fairly extensive vocabularies, is better adapted to descriptive expression than to generalized statements. After a manner the Indian is a fluent speaker, and the race has produced a number of eloquent and forceful orators, not alone in the present generation but among those of earlier times.

#### ARTS AND INDUSTRIES.

The degree of advancement to which a people has attained is reflected very clearly in their arts and industries, and these, coming under the head of ethnology, claim an important place in the study of the American Indian. By arts and industries is

meant the manner in which natural products of the earth were utilized in the service of man.

In his most primitive state, man depends for subsistence almost entirely on what he can reach out and take from nature's bounty, such as fruits, nuts, roots, plants and game. In this stage of development—the lowest grade of savagery—an equable climate is essential to human existence; hence very little in the way of shelter or clothing is required. Natural caves or crevices in the rocks, or at best rudely constructed artificial shelters, suffice for protection and warmth. A supply of water, of course, is pre-supposed, and usually is readily accessible. Thus savage man finds ready prepared for him in nature and her spontaneous products the requisites for satisfying the three necessary requirements of human life—food, water and shelter.

The growth and development of the human race has been likened to the changes through which the individual passes in his progress from infancy to adult life. The savage state corresponds to the infant, the barbarian stage to youth, and civilization to adult life. In the first of these human intelligence is little more than instinct and, as in the case of the infant, serves merely to prompt the individual to reach out and take whatever appeals to his needs. Beginning with practically nothing in the way of artificial aids to living, the savage gradually takes advantage of natural objects suggesting aid or usefulness. One of his first discoveries is that a stone, of proper size and shape to be grasped in the hand, is useful for pounding; and thus originated the stone hammer, which has been characterized as the father of all civilizations. From its first use can be traced directly the development of all tools and machinery, and through these the evolution of the human race to its present high estate.

Quite early in his development the savage learns to modify the shape and size of his stone hammer, and even to mount it in a handle; for in striking one stone against another he observes the principles of cleavage and breakage, which in turn lead to the art of chipping or flaking stone. This, the most important of the early accomplishments of man, furnishes him with edged implements for cutting and pointed instruments for perforating.

A hollow stone, a shell or a gourd would first serve him as a container for water or food and would lead to the modification of natural objects to more suitable forms. The flexibility of a stick or twig would suggest to him a latent power which, after a time, would evolve into the bow and arrow. Through friction and percussion he learns to produce fire, although in this art, as in the chipping of stone and flint, it would seem that special instinct came to his aid, so generally and early were they known to savage man.

Within the United States proper it is not known whether the lowest stage of human development was represented, as all the tribes at the time of discovery or of first observation were at least in the upper stages of savagery. The least advanced of these probably were some of the tribes of the territory within our north-western states.

The second stage of development, or barbarism, is characterized by an advanced use of artificial aids to existence and by a well defined social status; that is, definite ideas as to social organization, religion, morality and so forth. This state, as before mentioned, corresponds to the period of youth in the individual. A more or less sedentary or settled life, occupational development, and a certain amount of agriculture render man of the barbaric stage much less dependent upon chance for a livelihood. The simple lessons learned in the savage state are elaborated and, through the use of his natural ingenuity and awakening mentality, he improves upon old methods of utilizing the resources at his command. The rudely chipped implements and utensils of stone give place to those of more careful finish and form; the shell and gourd as containers are replaced by vessels of potteryware; natural shelters are modified to suit his convenience or are altogether replaced by specially erected dwellings; he learns the art of weaving fabric for clothing and blankets and the making of baskets for use as containers; and art, in its finer sense—decorative, ornamental and pictorial—assumes a more important place in his life. He has added to the list of natural substances and materials available for his use and now employs metals in the arts, at first, however, treating these merely as malleable stone, which he pounds or cold-forges into shape. When he dis-

covers the art of smelting the metals and of casting them into form, he will be well on the way toward the beginnings of the civilized stage of development.

#### PLACE IN CIVILIZATION.

Within the United States proper the natives were still in the Stone Age period of culture, but in Mexico, Central America and Peru, certain tribes had discovered the art of smelting and casting, and through the use of copper and alloys produced a sort of bronze, thus passing into the beginning of the Metal Age. Though the new discovery had not attained to any great degree of usefulness it was significant of the general advancement of these peoples, who, it has been remarked, were in many respects almost as enlightened as were their discoverers.

Among the tribes of the territory within the United States, the Mound Builders of the Ohio and Mississippi valleys and the Pueblo or cliff-dwelling Indians of the south-western states, had attained to the greatest degree of advancement. The mound building Indians erected great earthworks of complex and geometric design as adjuncts to their religious observances, as fortifications for defense and as sites for dwellings and villages. Huge mounds of earth, from which these people take the name Mound Builders, were erected as monuments over the resting places of their dead. They erected structures of timber and were skilled in the arts, such as the weaving of cloth, the making of potteryware, the working of copper and mica, and particularly in the carving of stone and other hard substances into artistic forms. The Pueblo Indians, who in great part occupied the well-known Cliff-Dwellings of Arizona and New Mexico, were skillful artisans and had developed agriculture to the point where they constructed great irrigation canals to convey water to their growing crops. Intermediate between these highly developed tribes were the Plains Indians, who in the absence of timber or stone for the construction of dwellings lived in tents or wigwams of skins and mats; and the village Indians of the country farther east.

Thus it is seen that the native inhabitants of the New World were greatly diversified as to culture and that while it is possible



to assign a place in the cultural scale to a given tribe or community, it is difficult to do so when speaking of the country as a whole. Man is a creature of environment; that is to say, climate and conditions surrounding him play an important part in his development and determine to a great extent his status at a given time. This accounts in part for the fact that certain tribes exhibited an advanced stage of culture while others were very primitive, the extremes ranging from savagery to the upper grades of barbarism.

#### THEORIES AS TO ORIGIN.

The origin and antiquity of the native American race are questions which have engaged the study of many minds since first the subject came to the attention of thinkers and writers. A sufficient number of books to fill a library have been written on these subjects, and yet the problems await definite solution. As to origin, the simplest suggestion offered is that the natives were indigenous to the country; that is, that they originated here, just as did the buffalo and other animals peculiar to America. Adherents of this theory point out that since the Indian had to originate somewhere it is just as probable that the race had its birth on this continent as elsewhere; that other continents had their indigenous peoples, animals and plants, and that America is no exception.

Others, however, attribute the origin of the American aborigines to a foreign source, believing that evidences of the contrary are lacking. Almost every country and people on earth has been suggested as the source of this origin. Among these, the Ten Lost Tribes of Israel were a favorite with very early writers; others have professed to trace this origin to the ancient Egyptians, the Chinese, Japanese and other Mongolian peoples, and so on, not to mention most peoples of the white race, and even the negro. It is true, as previously stated, that the Indian possesses physical characteristics of both the white man and the negro. Likewise there are certain things suggesting relationship with the Mongolian or yellow race, and this theory of origin has many ardent supporters.

Just how the Mongolian tribes reached America is a point in dispute, even among those who consider that race as the origin of the American natives. Originally it was pretty generally believed that they crossed over Behring Straits, either in boats or on the ice, as has been done frequently within historic times. The close proximity of northeastern Asia and northwestern America, with the narrow straits intervening, would make passage easy. Yet it is pointed out by some writers that a people native to a cold climate never migrate southward, and seldom migrate at all, as the natural increase in population is not sufficient to stimulate migration. These same thinkers prefer to trace the Mongolians across the Pacific ocean and to place their landing somewhere in northwestern South America. From this point they believe that migration extended in all directions until both continents were populated. The development and distribution of maize or Indian corn, which is traced back to a tropical seed-bearing grass, and various ethnological considerations, speak strongly in favor of this theory. Whichever may be correct, it is pretty generally conceded that if America received her first inhabitants from Asia they landed somewhere upon the western coast of the continent, and from thence gradually extended into the interior and eastward.

Regardless of the question as to the place of landing of the first arrivals on American soil, let us consider as at least plausible and worthy of entertainment the theory of the Asiatic origin of the American aborigines, mainly for the purpose of illustrating the migrations and development of a primitive people. Supposing, then, the newly arrived adventurers safely implanted upon the western coast of the continent, anywhere from Alaska to central South America, ready to take advantage of every favorable condition and to meet every obstacle which imposed itself in the new and strange land. The greater part of this coast line would afford a congenial climate and conditions favorable to human existence, while the ocean itself offered a never-failing larder. Here the wanderers gradually would increase in strength and numbers and after a time, as is natural to the human family, the instinct to branch off and seek new homes would assert itself. This migratory instinct in the human

race is very marked and is represented today in almost all parts of the world, a good example being the recent steady stream of immigration into the United States from Europe and Asia. But in the case of the people under consideration there were the great mountain ranges running parallel with the Pacific coast, almost the entire length of the continent, barring their way to the eastward. We can imagine them contemplating the passage of these obstructions, perhaps for centuries, meanwhile pushing to the north or south where no obstacle intervened. It will be remembered that the comparatively low Alleghenies held back the colonists — a civilized people — for a hundred years before they finally passed over and into our own state of Ohio. But once across the mountains the Indians, as we shall now call them, paused to take their bearings, drew a long breath of inspiration and took up their march into the unknown country.

This surmise of what may have happened affords an illustration of the evolution of different cultures from a common beginning. We can readily picture this great prehistoric "crossing the divide", and imagine the difference of opinion which doubtless existed as to which of several directions offered the best advantages to the aboriginal adventurers. With particular attention to the country within the United States, let us follow one band which decided let us say, upon a course that ultimately brought it into that great square of territory comprised within the states of Utah, Colorado, Arizona and New Mexico. Although the climate of this section is very mild, shelter of some sort is always grateful to man, both as a refuge from inclement weather and for purposes of protection. There being but little timber at hand for the construction of houses, they took advantage of the natural openings in the cliffs and became what later were known as the Cliff Dwellers, or Pueblo Indians — in time a distinct culture group. A second band of adventurers, pushing farther eastward, arrived on the Great Plains. There, finding neither wood nor stone with which to build, they became dwellers in tents or wigwams of skins and mats — our Plains Indians. A third band, journeying still further eastward and arriving in the rich and fertile valleys of the Mississippi and Ohio rivers, met still another kind of environment, which was destined to pro-

duce yet another distinct culture — the Mound Builders, or Mound-building Indians.

#### QUESTION OF ANTIQUITY.

The length of time which has elapsed since man first made his appearance in America, like the question as to his origin, is uncertain. Speaking in general terms, however, his advent is comparatively recent, when we take into consideration the record of human life in other parts of the globe. In England, Belgium, France, Germany and other old-world countries, scientists have demonstrated the existence of human life for more than half a million years. In Java the bones of a very primitive type of man have been found, which make it probable that the human race has been in existence nearly double that length of time. In many sections of France and adjacent countries, the anthropologist has been able to lay bare a complete record of occupancy of the same site by several different and successive cultures. These evidences show, almost as clearly as though written in a book, the progress of the human race from the crudest stages of development up to the present time. In France early man made use of the many large caves and caverns which occur in the rocky terraces bordering the rivers. On the floors of some of these caves are found many feet of soil, the result of countless years of accumulating refuse from the peoples who used them as places of shelter and refuge. Beginning at the bottom of this artificial floor will be found a stratum representing its earliest inhabitants, and containing their rude stone and bone implements and other objects. Next above this deposit will occur another layer, corresponding to the inhabitants who came second in its use. The record is continued in this way until perhaps half a dozen distinct habitations are disclosed, each showing some advancement and improvement over the preceding ones. By taking into consideration the geological changes which have occurred since the deposits were made, something approximating the time elapsed can be reckoned and the age of the habitations thereby estimated.

In America no such marked series or successions of cultures is found, which would seem to indicate that human occupation

of the western hemisphere began much more recently than in the Old World. The apparent absence of these evidences of very early and prolonged occupation, and of skeletal remains of other than the more modern type of man, is the strongest argument of those who believe that America received her inhabitants at a comparatively recent time from another part of the world.

On the other hand, there are those who contend that the course of human existence in the Old and the New worlds has been very nearly the same. These men point to the fact that the American natives have developed an absolutely distinct physical type, characterizing them as a race apart from all others; that they have developed numerous distinct languages and dialects thereof and that important changes and modifications in geological conditions and animal life have taken place, all of which would require a very considerable period of time for their accomplishment. At the very least, these facts considered, the sojourn of the native peoples of America must have covered several thousands of years, but just how long, even in approximate terms, remains to be answered.

#### REMOVAL OF THE INDIAN.

The story of the struggle of the Indian against the encroachment of the white man, covering a period of more than three centuries and ultimately ending in his complete subjugation, is too complex for more than casual reference. Taken as a whole, it affords the student and reader one of the most tragic and stirring romances ever written. From the moment of landing of the Virginia colonists and the Pilgrim Fathers the crowding back of the Indian and the appropriating of his lands have been in progress. Beginning with the first friction between the Colonists and the Red Men, the struggle soon resolved itself into open hostilities. At first efforts were made to preserve friendly relations with the Indians, particularly on the part of English settlers, as at Jamestown and in the New England colonies. The friendship between Powhatan and Captain John Smith, the treaty between Massasoit and the Plymouth colonists, and the justice of Roger Williams are bright spots in the early history of the Colonies. But these peaceful years were only the calm before

the storm that was to follow, as shown by Indian uprisings in Virginia and King Philip's War in New England. From this time on, through the French and Indian war and the war of the Revolution, the Indian figured largely in Colonial affairs.

After the close of the Revolution, however, one of the first acts of the new United States was the effecting of a treaty with the Delawares and the Iroquois, which practically ended Indian hostilities in the Colonial states. The theatre of the struggle then moved westward into Ohio and the Northwest territory. These treaties, and the Indian policy adopted under President Jefferson's administration, practically established a permanent basis for dealing with the Indians and laid the foundation for our present Indian policy.

In the more southerly of the states, however, the Indian troubles were not so early settled. During the War of 1812 the Indians of Georgia and adjacent states, particularly the Creeks, began depredations which ended only when General Jackson, leading the volunteer troops of those states, practically decimated their army of fighting men. Although President Monroe, in 1825, through Congress provided for the removal of all Indians to lands beyond the Mississippi, it was not until some years later that this was effected. The Creeks and Cherokees were successfully removed but the Seminoles, under Osceola, taking up their stand in the wilderness of Florida, offered desperate resistance and it was only after a long and costly warfare that, in 1842, they were conquered. The year 1842 likewise witnessed the removal of the last of the Ohio tribes. The Winnebagos, Sacs and Foxes of Illinois and adjacent states, after a spirited struggle, had been removed in 1832. Thus the country east of the Mississippi was practically cleared of hostile Indians before the middle of the last century, leaving this great expanse of former Indian territory entirely in the hands of white men.

A few tribes and bands, particularly those which evinced a tendency toward peaceful pursuits, were never removed to the western reservations. The principal ones of these are the Five Nations of Iroquois, in the state of New York; 7,500 Chippewas in Michigan; an equal number of Cherokees in North

Carolina with a scattering of the same tribes in Georgia, Tennessee and Louisiana; a few hundreds of the New England Indians in Maine and Massachusetts, and about 600 Seminoles in Florida. With the exception of the latter, who constitute a remnant of the rebellious Seminoles who successfully resisted removal, the Indians mentioned are civilized, living much as do their white neighbors.

One of the most spectacular of all the wars with the Indians, and the last really great struggle, was that of the year which marked a centennial of American Independence—1876. In June of that year, a detachment of regular army troops under General Custer engaged the rebellious Sioux on the little Bighorn river, in Montana. This famous campaign, in which Custer and every man in his command were killed by the followers of Sitting Bull and Crazy Horse, is familiar to all. It was made necessary by the unrest and excitement created among the Indians by the introduction among them of the spectacular Ghost Dance religion, or Messiah Craze, previously referred to. The campaign against the Sioux was vigorously pushed and within a year they were completely subdued.

#### POPULATION, PAST AND PRESENT.

An estimate of the Indian population within the United States proper at the time of discovery, doubtless will be a surprise to many. The great size of the territory and the popular conception of Indian life would lead the uninformed to place the early population far too high. It must not be forgotten that a given area which under civilized conditions will support, let us say, a million inhabitants would, under barbaric or savage tenancy, supply the needs of perhaps not more than one-tenth that number. While opinion is divided it seems probable that the population at the time of discovery did not exceed one million, and more than likely was less than this number. The present Indian population according to the report of the Commission of Indian Affairs for the year 1915, is slightly more than 330,000. This marked decrease from the estimated number of inhabitants at the time of discovery is due mostly to

adverse influences attending the marked change in the life of the Indians since the coming of white men.

Disease, intoxicating liquors, hardships resulting from enforced removals from one location to another, warfare, and to some extent, the conditions attending upon reservation life are the main factors in the decrease. The hardships and persecutions to which the Indians were subjected during the first three centuries following discovery resulted in the complete annihilation of some tribes and the demoralization of many others. Within recent years, under the more humane government system of caring for the Indians their numbers, in some instances at least, have increased. The greater part of this increase, however, is of mixed blood, the result of intermarriage of Indians with whites and negroes. The Navahos appear to be the only pure-blood tribe of importance to augment its numbers within recent years.

#### THE INDIAN AND THE RESERVATION.

With the exception of some scattering bands which still roam at large over the public domain of the far west, and of those, already mentioned, who remained in the east and south, the Indians now reside mostly upon reservations, set apart by the government for their use. There are about 160 of these reservations, located mostly west of the Mississippi river, and comprising some 52,000,000 acres of land. To a great extent the Indians have abandoned their tribal organizations and in many instances have been accorded the status of citizenship, either in full, or restricted, as their qualifications have seemed to warrant. According to latest available figures, some 166,000 Indians now enjoy citizenship, although a considerable percentage of these are in the restricted classes. The policy of the government is to prepare the Indians for citizenship as rapidly as possible and to confer the same whenever such procedure is justifiable. The laws provide that Indians who sever their tribal relations and adopt the habits and customs of civilized life, those who select allotments, and receive patents-in-fee, thereby become citizens of the United States; those who fail to meet these requirements remain as wards of the general government and are confined to the reservations under certain restrictions.



Of the total number of Indians within the United States, almost one-third are comprised within what are known as the Five Civilized tribes, of Oklahoma. Those five tribes, numbering slightly more than 100,000, consist of the Creeks, Cherokees, Seminoles, Choctaws and Chickasaws, who were removed to their present reservations early in the past century from their former locations in the south-eastern states. They are mainly farmers, stock-raisers, artisans and laborers, and live very much the same as white people, particularly those of rural communities. They have churches and schools, participate actively in their own government, and enjoy many social advantages. In the present war with Germany, these Indians have made an excellent showing, not alone in the matter of financial contributions to war bonds and other expedients, but in the number of men which they have furnished as volunteers in the military service.

The distribution of the remaining Indian tribes, by states, shows Arizona with approximately 41,000, consisting of Apache, Mohave, Navaho, Pima and Hopi; New Mexico with 21,000, mainly Pueblo and Apache; South Dakota, 20,000 Sioux; California, 16,000, composed of numerous small tribes and bands; Wisconsin 10,000, Chippewas; North Dakota, 8,000, Sioux, Mandan and Chippewa; Michigan, 7,500, Chippewa; Idaho, Kansas, Nebraska, Nevada, Oregon, Utah and Wyoming, from 2,000 to 8,000 each; and those in the more eastern states, already mentioned.

#### OFFICE OF INDIAN AFFAIRS.

In order to administer supervision over its wards among the Indians, the government maintains an important and highly organized bureau, known as the Office of Indian Affairs, operating under the Department of the Interior. The head of this bureau is known as the Commissioner of Indian Affairs, and associated with him are a corps of trained assistants and workers, whose time and energy are given to the interest of the Indians. The bureau proper is composed of several distinct divisions, the more important of which are the Land Division, the Finance Division, the Accounts Division and the Education Divi-

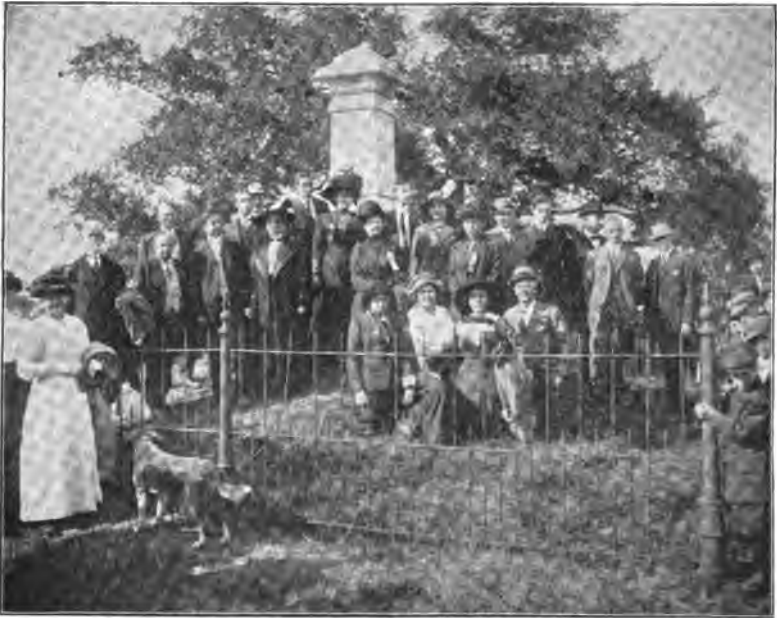
sion; the last named being headed by a Superintendent of Indian Schools.

Aside from regular reservation schools, several special training and vocational schools have been established by the government for Indian students. Among these are the great Carlisle school at Carlisle, Pennsylvania, and the Chilocco Industrial school, at Chilocco, Oklahoma. These schools, each with upward of 1,000 students, aim to afford a "practical, productive education" to their pupils. They aim to further preparation for citizenship among the body of Indians, and in the individual to pave the way for educational advantages of the higher institutions of learning. A number of their students, of both sexes, have availed themselves of the opportunities offered, often with gratifying results. The natural ability of the Indian, as exemplified in such men as Sitting Bull, Brant, Tecumseh, Red Cloud and a score of others of the earlier period, is reflected in the success of present-day Indians under modern educational advantages. As examples of the latter there may be cited, Dr. Charles A. Eastman, physician and author; Hon. Gabe A. Parker, registrar of the United States treasury; Henry Roe Cloud, educator; Arthur C. Parker, archæologist for the State of New York; Charles D. Carter and Robert L. Owen, United States congressman and senator, respectively; Mrs. M. L. Baldwin, lawyer; Dr. Sherman Coolidge, D. D., and many others. For physical excellence, we have as examples James Thorpe, world-famous Olympian athlete; Tom Longboat and Lewis Tewanima, the latter probably America's greatest long-distance runner; and the well-known football players of Carlisle Indian school.

#### FUTURE OF THE INDIAN.

Despite these encouraging examples, the Indian labors under many handicaps and his future welfare seems by no means secure. Health and disease are matters of grave concern at the present time, particularly in view of the inroads made by tuberculosis, trachoma — a disease which attacks the eyes and often results in blindness — and some others. The pulmonary diseases are due in part to the change in manner of living, particularly as regards housing. It is difficult to impress upon the

Indian the principles and importance of ventilation and sanitation, the result being that the abandonment of his former life in the open and the substituting of modern houses with artificial heat for the accustomed tent or tepee, has worked too sudden a change. Intemperance, especially in the use of alcoholic drinks, has been another source of detriment. Like other uncivilized peoples the Indian has been more ready to assimilate the vices



Delegates to Annual Conference, Society of American Indians, Attending Dedication of Logan Elm, Pickaway County, 1912.

of the white man than to accept his virtues, with the inevitable result.

The Indian and his friends among the whites find many objections to the government reservation system, in which they see insurmountable barriers to the desired improvement in the native race. There seems to be no doubt that many drawbacks exist, as claimed, which in the past at least, often have amounted to abuse; but those best acquainted with the Indian problem

and its solution seem so far to have been unable to reconcile the differences between the Indian department and its wards.

The encouraging aspect of the situation is an awakened interest in the welfare of the Indian, fostered not alone by the government but by private individuals and societies, both of his own race and of whites. Several organizations exist for the purpose of carrying on the work, among which are the Indian Rights association, the Indian Industries league, the National Indian association and the Society of American Indians. The latter is composed entirely of members of the Indian race, and comprises among its associates the leading Indian men and women of the country. It is worthy of note that Ohio, which of all the individual states has given most attention to the prehistoric inhabitants of its territory, through scientific exploration and the upbuilding of a great archaeological museum, furnished the impetus for the organization of the Society of American Indians. In 1911, Professor A. W. McKenzie, for many years an ardent friend of the American Indian, brought about a conference of the leading men and women of the race. This conference, held in Columbus, resulted in the formation of the Society, the efforts of which promise to be the most potent factor in the future welfare of the Indian. The organization "seeks to promote the highest interests of the race through every legitimate channel," basing its appeal on the latent power of the Indian to do for himself rather than to depend upon others. The Society maintains a Washington office, lends its surveillance to national legislation affecting the race, holds an annual conference of country-wide interest, and publishes as its official organ the American Indian Magazine, which is managed and edited entirely by Indians.

In view of this earnest activity, there is hope that the native American race may yet emerge from the unhappy state which has been its lot for four hundred years, and through its own efforts and those of its friends among the whites, eventually succeed in reviving from the ashes of misfortune a flame of progress, which will burn all the brighter for having been so nearly quenched.

## II. THE OHIO COUNTRY — THE LAND AND ITS PEOPLE.

### INTRODUCTORY.

In attempting to outline the history of the American Indian on Ohio soil, the extent to which the activities of the white man shall be touched upon has to be determined. The histories of the two races during the time of their co-occupation of the territory are in many respects inseparable, and an intelligent conception of the one without at least a basic knowledge of the other is impossible. However, the story of discovery, exploration and settlement of the Ohio country by Europeans, being a matter not only of local and personal interest to citizens of the state, but an important part of our national history as well, is, presumably, familiar to the average reader; and since this outline is intended primarily for those desiring a brief summary of the more important facts and events pertaining to the original inhabitants, it is deemed unnecessary to relate the story of their white successors, except in so far as may be required to support the structure of the story.

The reader's attention is called to the fact that throughout the pages which follow, the name "Ohio," and various other place-names, are used irrespective of the fact that in the earlier chapters of the story they did not yet exist as such. This is done to avoid tiresome repetition of words and thus to simplify the language used. In confining our subject as nearly as possible to the state of Ohio, as at present constituted, the term "Ohio country" is correspondingly modified, and will be thus understood. While in reality comprising the Ohio valley, roughly speaking, it is here used as referring to the territory within the present boundaries of Ohio, and those parts of Michigan, Indiana, Kentucky, West Virginia and Pennsylvania, immediately adjacent thereto. In speaking of the Indian the matter of tense, as between the past and present, presents some difficulties. Many facts and conditions relating thereto lie

wholly in the past while others still obtain; as a rule, however, it is considered advisable to treat the native race as of the past, except where the use of the present tense obviously is required. In this, and in minor particulars, which need not be specified, the reader's indulgence is asked.

The story of the Indian in Ohio falls naturally into two distinct periods with respect to time — the Historic and the Pre-historic. The two will be considered in the order named, in the belief that an understanding of the latter will be facilitated by using the more definite knowledge of the Historic period as a basis.

For the sake of convenience, the Historic period will be considered under several more or less arbitrary sub-periods or divisions. The first of these, "The Ohio Country — The Land and Its People" — will serve as an introduction to those which follow, by discussing briefly the territory involved and the Indian tribes identified with its history. The second division, "The Indians, the French and the English", will embrace the time of French-English activity in its bearing upon the Ohio country; that is, from the first historic occurrences to the passing of French sovereignty and influence, at the close of the French and Indian war, of which Pontiac's conspiracy is taken to be an after-part.

The third division, "The Indian and the Revolutionary Period", is made to include the events subsequent to the last-named, up to and including the peace conference held at Detroit, July 4, 1783. This conference, between representatives of the United States government and the Indians of the Ohio country, may be taken as marking the close of the Revolutionary war, about which this assumed division centers.

The fourth assumed division of the Historical period — "The Indian and the Ohio Commonwealth" — has been made to include the so-called post-revolution campaigns, the events of the War of 1812, and the close of Indian occupancy of the state, which followed. These divisions, centering in the three great wars, while by no means well defined in themselves, will serve to furnish convenient stations from which the reader may the more easily follow the events of the narrative.

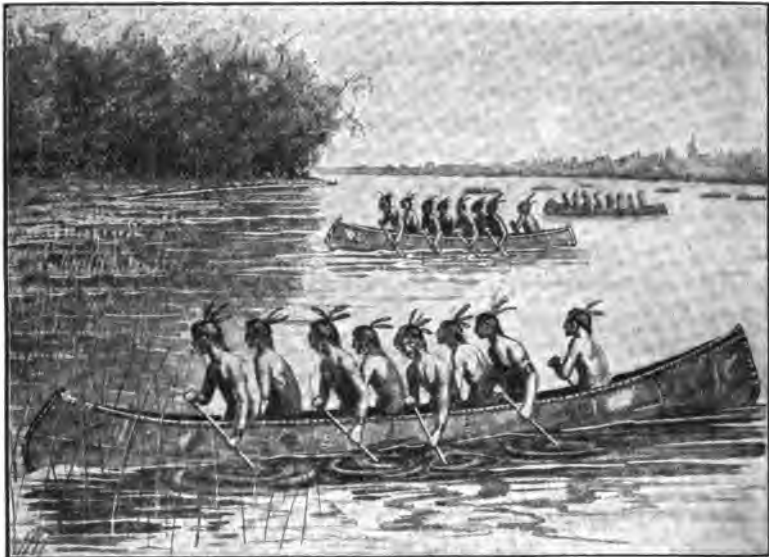
## GEOGRAPHY OF THE TERRITORY.

In the drama enacted by the Ohio Indians, the stage was not the prescribed platform of the conventional playhouse, but a great open-air amphitheatre, covering hundreds of square miles of territory. This territory, known in the early days as the Ohio Country, was not comprised entirely in what is now the State of Ohio, for it must be remembered that in pre-historic and early historic times there were no political boundaries such as we now recognize. Instead, they were those of nature, rather than of man's convenience, and consisted of rivers, lakes, mountains, and other natural barriers and boundaries. Thus it is seen that topography, rather than imaginary lines was the important factor in outlining the territory and determining the settlement of a given tribe or nation.

A glance at the map of the United States shows that the territory comprised therein naturally falls into several divisions or areas, with respect to topography. The country lying east of the Allegheny mountains and bordering the Atlantic ocean, is a natural division in itself from which, as we have seen, the colonists were practically a century in making their way across the mountains into the country beyond; bordering the Gulf of Mexico we have another distinct area, comprising what are known as the Gulf States; while extending westward from the Alleghenies with Lake Erie on the north and bordering the Ohio river on the south, lies the great Ohio Country, where during the latter half of the Eighteenth and the first quarter of the Nineteenth centuries, was staged the stirring drama of human life which we are considering.

Perhaps no region on the continent was better adapted to human habitation than this Ohio Country, which fact may have had much to do with the keen competition among the native tribes for its possession. The climate was most favorable since man, whether savage, barbarian or civilized, is at his best in a temperate climate. The geography of the region was ideal. There were mountainous sections and level plateaus; broad valleys and extensive plains; rich forest and open prairies, each with its own peculiar products of animal, vegetable and mineral wealth.

Two great drainage systems — the Ohio river on the south and the Great Lakes on the north — afforded the best of facilities for travel and transportation. Both systems were extensively used in east and west travel by the Indians, and later by white men; while the numerous rivers tributary thereto, — particularly the Miamis, the Scioto and the Muskingum, flowing into the Ohio; and the Maumee, the Sandusky and the Cuyahoga, discharging their waters into the lake — the headwaters of which were separated only by short portages, furnished natural high-



Indian Canoemen.

ways for travel north and south. Both the Ohio river and the Lakes seem to have been looked upon by the Indian as natural boundary lines, and the territory enclosed between them as a distinct section from that to the north or south.

In connection with the water highways of the country, there should be mentioned the numerous Indian trails which either supplemented or replaced them. These trails, while not natural highways in the sense that the lakes and rivers were, did follow



natural lines of travel, and many of them doubtless were as old as the human occupation of the country itself. They not only traversed those districts devoid of waterways and crossed the portages between the headwaters of the navigable streams, but often followed the course of the water routes throughout their entire extent. The reason for this is obvious. The streams were not navigable in seasons of extreme drought, while in winter they often were frozen. Besides, some of the tribes preferred land travel, while all of them found it more convenient at times than that by boat or canoe.

The Indian trails often followed the high ground through which they passed, later becoming what are known as the "ridge roads" of the present time. The importance of the trails as factors in the settlement and development of the State of Ohio cannot be over-estimated. In many instances they determined the location of white settlements, forts and military roads, some of them later becoming public highways. Along these aboriginal trails the native tribes passed to and fro from one location to another, whether engaged in warfare, the chase, trade or migration. Later, together with the navigable streams, they served as the means of entrance to the white traders and settlers who pushed their way into the country north and west of the Ohio river.

Among the more important of these aboriginal highways was the so-called Great Trail, which was the western extension of the great highway between the Indian country around Delaware and Chesapeake Bays, and the Forks of the Ohio. Passing westward from Pittsburg this trail traversed northeastern Ohio to Sandusky Bay, from whence it led around the west end of Lake Erie and northward to Detroit. Later it was the important military highway connecting Fort Pitt, Fort Laurens, Fort Sandusky and Fort Detroit.

The most important of the north and south trails of the state was the Scioto trail, between Sandusky Bay on the north and the Ohio river at the mouth of the Scioto on the south. Ascending the Sandusky river from its mouth, crossing the portage and descending the Scioto, it crossed the Ohio and joined the famous "Warriors' Trail" leading far away into the Indian country of the southland. Other important trails con-

nected the Muskingum towns of the Delawares, the Shawnee towns on the Scioto and the Shawnee and Miami towns on the Miamis. Many trails of lesser importance traversed the country in all directions.

Toward the west, the Ohio Country extended till it merged with the Mississippi valley, while its eastern boundary was the



The Courses of the Indian Trails are Still Plainly Visible in Some Sections.

Allegheny mountains. At the "forks of the Ohio", where Pittsburg now stands, was its eastern gateway, through which the native tribes passed in either direction, and which not only served the European explorer and settler for the same purpose but was the scene of many of the early activities which characterized the struggle between the French and the English for possession of the rich prize lying to the westward.

## THE DAWN OF OHIO INDIAN HISTORY.

Intervening between historic and prehistoric times in Ohio, serving as a connecting link between the two, and belonging almost equally to each, is a period of perhaps a century's duration. Looking back through the dim vista of these years, the student of Ohio may discern the shadowy forms of its primitive inhabitants and may even glimpse the outline of important events which transpired in this "forest primeval" before white men had set foot upon its soil. The characters and actions are not clearly defined, and it is only with the advent of European actors upon the stage that we can follow the lines of the drama with exactitude. However, in the same manner that by reading the latter chapters of a book, we are able to gain a more or less exact knowledge of its story, we can formulate a fairly intelligent conception of the life of the Ohio aborigines before the arrival of white men. A few scattered pages of the story here, a sentence or a word there, have been preserved to us, partly through the records and traditions of the Indians themselves and in part through the mounds and earthworks, the relics of stone and flint, and other remains left behind. The earlier or more remote parts of this period will be accredited to the chapter on archeology, while those events which appear to belong more properly to the historic period will be referred to briefly at this point.

## THE IROQUOIAN CONQUEST.

Just previous to exploration by Europeans, the Ohio territory seems to have been occupied by tribes and representatives both of the Algonquian and the Iroquoian families. The dawn of recorded history, however, finds the powerful Iroquois federation, living mostly south of Lake Erie in the present state of New York, waging a determined warfare for its possession, even to the exclusion and annihilation of other tribes of their own family. Having effected the most admirable confederation ever known among the American Indians, and profiting by the advantages accruing to them through the possession of firearms secured from the colonists, the Iroquois, at the height of their power, had become a source of terror to other tribes and

nations within reach of their relentless persecutions. About the year 1650 they had almost exterminated the Hurons, themselves an Iroquoian people living north of Lake Erie, and had driven the remnant of those tribes from their settlements. The survivors took refuge with the Huron de Petun, or Tobacco nation, and with the Neutral nation, Iroquoian peoples living to the westward of their territory. After being persecuted for many years and driven from place to place the surviving refugees from the Huron and Tobacco tribes, about 1745, found their way from the vicinity of the Detroit river into northern Ohio. Here they were destined to retrieve their former prowess and to become one of the leading nations of the Ohio country, under the name of Wyandots. Of their career on Ohio soil we shall learn later.

#### THE EARLY HISTORIC TRIBES.

One of the earliest of the Ohio nations of which we have record was the Erie or Cat nation, whose territory lay south of Lake Erie and probably extended over the northern half of the state. The Eries, an Iroquoian people, are said to have taken their name from the abundance of wildcats in their country, the fighting qualities of this animal apparently having been accepted as a symbol of the courage of the people who bore its name. The Eries are believed to have been a populous nation, with more or less fixed habits of life and occupying numerous towns and villages. They were powerful fighters, using almost exclusively the bow and arrow, the latter fitted with poisoned points.

The Cat nation, along with the Hurons and other adjacent tribes, apparently had been at war with the Iroquois proper for many years preceding 1650, always giving a good account of themselves. But the acquisition by the eastern Iroquois of fire-arms and the effecting of their powerful federation gave them a decided advantage over tribes not possessing these, and in 1653 the Eries succumbed to their more powerful adversaries. The story of their defeat, which virtually meant the extermination of the great Erie nation, is strikingly told in the Jesuit Relation for 1655-6. At the time immediately preceding the final struggle it would seem that the two peoples had been at peace

for a considerable period. The Eries had despatched to the capital of the Iroquois a delegation of thirty men for the purpose of renewing the existing peace, but the overture was destined to defeat its own purpose. Through an accident a member of the Seneca tribe of the federated Iroquois was killed by the Erie ambassadors, and in revenge the Senecas put to death all but five of the visiting delegation. The latter nation retaliated by sacking and burning a Seneca town, defeating a war party, and taking captive one of its leading war captains. Thoroughly aroused, the Iroquois began recruiting men for a gigantic thrust at the Eries, which culminated in an attack by 1800 picked warriors of the Onondaga tribe upon Rique, one of the principal towns of the Eries, located about where Erie, Pennsylvania, now stands. Although defended by more than 3,000 fighting men, the palisade was carried and the defendants either were massacred or carried into captivity.

This defeat, together with minor ones at about the same time completely obliterated the Eries, and thus passed one of the greatest of the Ohio nations of which we have record. Nothing remains as a monument to their erstwhile greatness except their name, as given to the great lake along which their country lay, to the Ohio county of Erie, and to the city and county of the same name in Pennsylvania.

#### *The Shawnee.*

The mere mention of the name Shawnee is suggestive of aggressiveness, hostility, restlessness and fearlessness—characteristics of this most typical of the Ohio Indian tribes. The Shawnee, whose tribal territory in Ohio lay principally in the valley of the Scioto, may well be taken as the best type, or representative, of the aborigines of the state, as they were the most warlike, persistent and consistently hostile of the natives. Perhaps no tribe or nation was the source of more anxiety and perplexity to the whites than were the Shawnee, partly owing to their unremitting hostility and partly to their propensity for migrating from place to place and the consequent uncertainty as to their whereabouts and their affinity and relationship to other tribes. These "aboriginal Arabs of America" appear

originally to have had their home in the Cumberland basin of Tennessee, extending thence into South Carolina and adjacent territory. According to the Delawares, they and the Shawnee, together with the Nanticoke, originally formed a single nation of the Algonquian family.

Just when the Shawnee made their appearance in Ohio is not known, for although it is generally conceded that the main body of the tribe from the Cumberland valley crossed over into Ohio about 1730, and were joined by their kinsmen from South Carolina several years later, it is certain that the Shawnee were by no means an inconsiderable factor in this territory long before that time. As early as 1669, LaSalle, then preparing to descend the Ohio on his historic tour of exploration, was cautioned by the Iroquois to beware of the hostile Shawnee along the upper reaches of that stream. Further, it is recorded that the Iroquois federation, returning from their victorious conquest of the Illinois in 1690, attacked the Miamis giving as their reason that the latter had invited the Shawnee into Ohio to make war upon the Iroquois.

At any rate, by 1750, we find the two divisions of the Shawnee—that of the Cumberland valley driven northward through conflict with enemies of their own race, and that from Carolina, crowded northward into the Susquehanna valley through conflict with English settlers and their Indian allies—uniting on Ohio soil and taking unto themselves new strength and prestige. From this time on, through the French and Indian war, the Revolutionary war and the War of 1812, we find them a source of great enmity and concern to the Colonists and the settlers of Ohio.

During the French and Indian war, particularly in the operations about the forks of the Ohio, the Shawnee, together with the Delawares were extremely hostile to the English and friendly to the French. Throughout the Revolutionary war and during the spectacular post-Revolutionary period, they continued to maintain their reputation for irreconcilable hostility against those of the whites whom they regarded as coveting their lands. As in the earlier war in which they had looked upon the English colonists as the more aggressive in this respect, and as a

result had lent their support to the French cause, so now, scenting danger from the American quarter, they sided with the British as the less threatening of the two. Aided and encouraged by the latter, they waged a continual campaign of harassment against the border settlements of the Colonists, particularly those of Kentucky, Pennsylvania and Virginia, just across the Ohio river from their own zealously guarded domain. As a result of expeditions sent against them in retaliation for these raids upon the border, a number of the Shawnee were dislodged from their towns upon the Scioto and for a time took up their abode about the headwaters of the Miami.

Although General Wayne's victory over the Ohio tribes at the battle of Fallen Timbers, in 1794, went far toward terminating the depredations of the Shawnee, they were again in evidence as detached bands and individuals, under the leadership of the great Tecumseh, in the War of 1812.

The principal chiefs of the Shawnee who figure prominently in the Ohio history of the tribe, were Black Hoof, Cornstalk, Black Fish, Blue Jacket, and Tecumseh. The first named we shall meet as early as the defeat of General Braddock at the forks of the Ohio, in 1755, in which, as a mere youth, he took an active part; again, at the Battle of Point Pleasant, and thence through the post-Revolutionary campaigns and the Treaty of Greenville. Cornstalk we shall encounter as the leader of the allied Indians at the Battle of Point Pleasant, while Black Fish will figure most prominently in the raids of the Shawnee against the Kentucky settlements which characterized the closing years of the Revolution, and in connection with the captivity of Daniel Boone. Bluejacket will appear as the leading spirit in the Indian aggression to the campaigns of Generals Harmar, St. Clair, and Wayne, while Tecumseh will hold the center of the stage in connection with Indian participation in the war of 1812.

#### *The Delawares.*

In the Delawares we have an example of a people who could, and did, "come back." Although originally the most important confederacy of the great Iroquoian family, they fell prey to the consuming conquest of the Iroquois and were, about the year

1720, reduced by their conquerors to a state of abject humility. This consisted in assigning to their men and warriors the rank of women, or as the Iroquois expressed it "putting petticoats on the men." This, from the Indian point of view was the most humiliating treatment that could be accorded, and carried with it the depriving of the victims of all rights usually accredited to equals.

The Delawares, prior to their subjection to the Iroquois, held sway in eastern Pennsylvania, south-eastern New York, and in Delaware and New Jersey. On account of their central location in the Algonquian territory and their position as the nucleus from which the cognate tribes had sprung, they were addressed by others of the Algonquins as "Grandfather," in acknowledgment of their high rank and standing. The name they gave themselves was Lenape, meaning "real men," or native, genuine men — in other words, as a prominent writer has phrased it, "the real thing." One of their best known chiefs of the early period was Temenend, from which the noted Tammany political society takes its name.

In common with other tribes of the eastern country the Delawares early felt the pressure brought against them by the whites, and yielding to a force they could not successfully resist began slowly to push their way to the westward. About the year 1750 they began to cross the river into the Ohio country, and within a few years most of them were located upon the Muskingum and other eastern Ohio streams. At this point in their history, being strengthened by the acquisition into their ranks of bands of Munsee, Mohican and Tuscarawas, and through proximity to the friendly French, the Delawares not only succeeded in throwing off the dominance of the Iroquois but became one of the strongest opponents of the advance of English settlers into Ohio. With the exception of the Shawnee, with whom they were in close sympathy, they proved to be the most unruly and troublesome of the resident tribes during the French and Indian war and subsequent campaigns.

The history of the Delawares in Ohio centers about two important localities — the forks of the Muskingum, and the Sandusky river, the latter in what is now Wyandot county — where



occurred the most stirring events of their career upon Ohio soil. As early as 1750 the Moravian missionaries had been active in their solicitude for the Delawares and had established several mission villages among them during the time of their migration from their early home to Ohio. In 1772 these missionaries established a mission at the site of the present town of Gnadenhutten, Tuscarawas county, where Zeisberger, Heckewelder and other noted missionaries succeeded in winning many converts among the natives. In 1782 these mission Indians were for a time absent at Sandusky, and upon returning to harvest their corn were massacred by irresponsible whites in a most brutal manner. This event, as we shall see, was one of the darkest blots on the pages of Ohio history, and a blunder which was destined to be in no small way responsible for another atrocity, the burning of Crawford, the scene of which was laid further north on the Sandusky river.

The chiefs of the Delawares who figure most prominently in the Ohio history of the tribe were Captain White Eyes, the faithful friend of the Moravian missionaries and of the American colonists; Killbuck, who in later life became a faithful Moravian convert; Captain Wingenund, noted war chief and prominently connected with the events attending the campaign and burning of Col. William Crawford; Hopacan, or Captain Pipe, who led the hostile factions of his tribes in the interest of the British; and Buckongahelas, head chief of the western Delawares during the Revolution and the Ohio campaigns which followed. Buckongahelas, although generally favoring the British as against the Americans, was noted for his honorable and humane conduct. He was prominent at the Battle of Fallen Timbers, was a signer of the Greenville treaty, and thereafter a staunch friend of the Ohio settlers.

#### *The Miamis.*

The Miami Indians, while not native to Ohio soil, at least held the distinction of having been tenants thereof longer than any other of the historic tribes with which settlers of the state came in contact. Like the Shawnee, Delawares, Wyandots and others, the Miamis found their way into the Ohio Country as

a result of unsettled conditions following the advent of Europeans into America, with the consequent thrusting back from the frontiers of the native inhabitants. While the Miamis were not dislodged from their earlier home in Wisconsin directly by the whites, but rather by other Indian tribes of the northwest, their change of location was indirectly a part of the same great unsettlement which began immediately following the founding of European colonies on the Atlantic coast and the St. Lawrence river.

When first noted, about the year 1660, the Miamis were resident mainly in Wisconsin, northern Illinois and Indiana, one of their principal towns being at the present site of Chicago. From there they soon extended into Western Ohio, probably reaching as far east as the Scioto river. At the beginning of the Eighteenth century their territory was described as lying mainly on the St. Joseph, Wabash and Maumee, with one of their most important towns at the head of the latter river. Their principal town on Ohio soil was Pickawillanee, at the juncture of the St. Marys and the Miami rivers, near the present city of Piqua. In all treaty negotiations between the whites and the Indians the Miamis were considered as the original owners of the western Ohio and the Wabash countries.

In tracing the migrations of the Miamis it is interesting to note the declaration of Little Turtle, the Miami chief, in which he said: "My fathers kindled the first fire at Detroit; thence they extended their lines to the headwaters of the Scioto; thence to its mouth; thence down the Ohio to the Wabash, and thence to Chicago over Lake Michigan." This doubtless is intended to cover the wanderings of the tribe prior to the historic period.

The Miamis originally consisted of six bands, of which the Piankashaw and the Wea were the best known. Among their totems were the elk, the crane and the turtle. According to the early explorers the Miamis were physically above the average of their race and in manners were mild, courteous and affable. They lived in huts covered with rush thatches, were industrious and had a considerable agriculture, particularly in maize or Indian corn. Although living on and adjacent to some of the larger

streams of the state, they were land travelers rather than canoe-men.

The early history of the Miamis centers about their chief town, Pickawillanee. This town, which has been styled "the Ohio capital of the western savages," was the scene of picturesque events during the years when the French and English each were endeavoring to secure for themselves the rich country lying west of the Scioto. An important trail center, it early became a trading post of no mean pretensions. The resident Miami chief was LaDamoiselle, so called by the French on account of his proclivities for fancy dress and ornament, and known to the English as "Old Britain," in acknowledgment of his loyalty to the British. The Miamis were prominent in all the early Indian wars with the whites. Little Turtle, their most noted chief, will appear frequently and prominently in the pages which follow.

#### *The Wyandots.*

In glimpsing the great Iroquoian conquest, we have seen how the tribes of the Huron confederacy, living around Lake Simcoe and Georgian Bay, in Ontario, were driven from their homes and almost annihilated. Of the several Huron tribes close kinsmen of the devastating Iroquois, the only one escaping complete demoralization was the Tionontati, or Tobacco tribe, called by the French the Huron de Petun. The fact that they suffered less severely than their associated tribes was due to their location, which was at the extreme west of the territory occupied by the confederacy, and therefore not so easily accessible to their enemies. With the Tobacco tribe, the remnant of the Hurons proper took refuge; but they were not permitted long to enjoy surcease from persecution, for the invading hosts soon sought them out and succeeded in dislodging them. Together the survivors of the Tobacco tribe and their refugees fled, first to the Island of St. Joseph and thence from place to place, until in 1670 they reached Mackinac straits. From Mackinac they gradually pushed their way southward, a portion of them sojourning at Detroit and others passing into Ohio, where they settled along the south shore of Lake Erie, mainly

on and around Sandusky bay and westward to the Maumee river. After a time bands of the Hurons who had tarried at Detroit joined their kinsmen at Sandusky, and here we find them in 1745, under Chief Nicolas, or Orontony, who was destined to figure largely in the early relations between the Indians and the white men. We shall speak presently of the conspiracy, launched by Nicolas, which marked the first conflict between the French and English interests in their contest to establish themselves on Ohio soil, and which, but for an unforeseen event, might have resulted very seriously, particularly for the French.

The Hurons were to find the Ohio country a most grateful contrast to their years of wandering and persecution to the north of Lake Erie, for once firmly established they not only found themselves possessed of new vitality and stamina, but likewise of a new name. The appellation, Huron, first given them by the French as a term of derogation, signified ruffians or uncouth people. In their own language, the Hurons called themselves Wendat, from which is derived the English form Wyandot. Shortly after their arrival in Ohio, they began to be known as Wyandots, which name soon supplanted entirely that of Hurons.

From their humble beginnings at settlements on the Sandusky and Maumee, the Wyandots gradually extended their influence and territory until they occupied the greater part of northern Ohio, corresponding to the country formerly inhabited by the extinct Eries. On the west, they touched hands with the Miamis, and found their way to and even beyond the Muskingum on the east. They extended their activities far down the Scioto valley and as far south as the valley of the Hocking. In short, they were to become the dominant tribe of the country between the Ohio river and the lakes, and while at no time able to muster more than a few hundred fighting men, their counsel, advice and cooperation was held paramount to that of any other tribe among the Indians of the Northwest territory. The presence of the Delawares and Shawnee in Ohio was entirely with their consent, as most of the territory occupied by these was considered as belonging to the Wyandots.

From the Wyandot tribe came one of the greatest of the Ohio chieftains, Tarhe, or as he was called by the English, the Crane. Although for the most part the Wyandots were favorable to the British as against the Americans in the Indian wars, it is a matter of history that after the signing of the Treaty of Greenville, in 1795, Tarhe bent every effort toward securing for the Americans the good will and support of the Indian tribes — his own as well as others. Up to the time of the treaty referred to, no braver warrior ever opposed the advance of white men than Tarhe.

*The Mingoes (Senecas).*

Of less general importance and fewer in numbers than any of the tribes previously described, the Mingoes nevertheless, in their brief career upon Ohio soil, left a most interesting and spectacular history. They were a detached band of the Iroquois — mainly Senecas — who just prior to the Revolutionary war had taken up their abode on the Ohio river, their settlement, near the present city of Steubenville, and consisting of about sixty families, being known as the Mingo town. From there they later found their way westward and settled in the Wyandot country, upon the headwaters of the Scioto and Sandusky rivers. Here, about the year 1800 they were joined by stragglers from the Cayuga tribe of Iroquois, the affiliated bands thereafter being generally known as the Senecas of the Sandusky. Although few in numbers, these Senecas made themselves widely known in the early wars. Their sojourn in Ohio is commemorated in their name, as given to Seneca county, Ohio. A small band of these Senecas incorporated themselves with a band of Shawnee, at Lewistown, Logan county, from 1817 until 1831. These affiliated bands were known as the "Mixed Senecas and Shawnee," as distinguished from the Senecas of the Sandusky.

In addition to the settlements on the Sandusky and at Lewistown the Mingoes had several villages farther south along the Scioto. One of these is recorded as being located in Delaware county, while three are described as existing at the site of Columbus. The late Col. E. L. Taylor, in his "Ohio Indians," mentions these Mingo towns, one of which he says was located

just south from where the Ohio penitentiary now stands, while a second stood on the west bank of the river at the site of the city work-house, and the third on the east side of the river south of Greenlawn Avenue. These three towns met a most tragic fate, being destroyed by the whites under Col. William Crawford, in 1774, as a part of the campaign of Lord Dunmore against the Shawnee and Mingo. The destruction of these Mingo towns which will be referred to in connection with the Dunmore war, apparently put an end to Mingo communities in the central Scioto valley. It is through Chief Logan, the greatest of the Mingo, that the tribe is best known. We shall hear also of Logan in considering the Dunmore war.

#### *The Ottawas and Others.*

But for the purpose of introducing their great chief, Pontiac, one of the most renowned men of his race, it would scarcely be necessary to dwell upon the Ottawa tribe of Indians, in so far as Ohio is concerned. Although a great and powerful people, dwelling principally around Georgian Bay and on Manitoulin Island in Lake Huron, but few of them chose to make their homes on Ohio soil. Although an Algonquin people, the Ottawas were firm friends and allies of the Wyandots, and like these latter had been ousted from their tribal home in Ontario. Those who entered Ohio, later known as the Ottawas of Blanchard Fork of Auglaize river, and the Roche de Boeuf, living on the Maumee, fraternized closely with the Wyandots, the villages of the two tribes often being contiguous. The Ottawas took an active part in the early Indian wars in the Ohio country. They were originally, according to the early French writers, a very uncouth and barbarous people but improved greatly after contact with the Wyandots. They were noted as skilful canoe-men and were foremost among the Indian tribes in the matter of trade and barter, whence the name Ottawa, carrying this meaning, bestowed upon them by the French. They gave their name to two rivers—the Ottawa of Canada, and the Ottawa of Ohio, the latter more generally known as the Auglaize. Ottawa county, Ohio, likewise took its name from the tribe.

Like the Mingoës, and some other tribes, chief interest in the Ohio Ottawas centers about one man—Pontiac. He was born about 1715 near where Defiance now stands, at the juncture of the Maumee and Auglaize rivers. The first historic notice of importance of Pontiac is that contained in the diary of Major Robert Rogers, commander of Rogers Rangers, who in 1760 had been commissioned by the English to proceed by way of Ohio to Detroit, there to take possession of that fort, surrendered by the French. At the mouth of the Cuyahoga river, according to Major Rogers, he encountered a band of Ottawas, in command of Pontiac, who was inclined to resent the intrusion of the Rangers into his country. On learning its import, however, Pontiac permitted the British force to proceed, he himself accompanying them and lending every assistance in his power. Pontiac is described by Rogers as the "King or Emperor of the greatest authority and the largest empire of any Indian chief on the continent since our acquaintance with it." He proceeds to describe the air of haughty dignity and "princely grandeur" of the Ottawa chieftain.

Pontiac is best known as a result of the gigantic and disastrous conspiracy which he headed against the British in 1760, and which will be referred to presently. After the close of the French and Indian war Pontiac continued hostile for a time against the British, but finally made peace with them in 1765. His death, as was the case with several important Ohio chiefs, was a tragic one. He was murdered by an Indian during a drinking bout at Cahokia, Illinois, in 1769.

In addition to the tribes specified, there were bands of Tuscarawas (Iroquoian) in the eastern part of the state, principally on the Muskingum and the river bearing their name. They were of little importance and few in numbers. Other representatives of the Iroquois were at various times present in northeastern Ohio, mainly on hunting expeditions. They played no important part in the Indian history of the Ohio Country.

### III

## THE INDIANS, THE FRENCH AND THE ENGLISH

### THE IMPENDING CONFLICT

#### *French and English Covet Ohio*

It will be recalled that in the early settlement of America, the English established their first colonies in Virginia and New England, gradually absorbed the territory intervening between the two, and came to occupy all the country along the Atlantic seaboard from Nova Scotia to Florida. The French, on the other hand, chose to settle the region adjacent to the St. Lawrence river and, through right of discovery, quite early laid claim to all the country within the basin of the St. Lawrence, the Great Lakes and the Mississippi river, with the Appalachian mountains as its eastern boundary. The English, however, under their charter grants, contended that their territory extended from sea to sea, and from the first evinced no intention of permitting the French to retain control of the land west of the Alleghenies.

In the absence of exact knowledge as to the size and extent of the new continent and uncertainty as to political boundaries and charter grants, it is not strange that almost from the beginning there was dispute and conflict between the French and English as to ownership of territory outside their immediate settlements. The French, pushing southward and westward from Lake Erie into the Ohio country, were met by the English making their way westward into the same region, and the natural rivalry for so rich a prize, fanned by bitter enmity between the two nations in the Old World, soon took the form of open hostilities.

#### *Position of the Indian*

The culmination of this unhappy situation was the so-called French and Indian war, which terminated in the defeat of the French and the accruing to the English of all French territory east of the Mississippi and north of the Ohio rivers. In this



gigantic struggle, accredited to the years 1755-1763, but having its inception as early as 1724 in disputes regarding title to parts of the New England coast, the Indian played an important, though pathetic part. The situation, in a word, was this: the French colonies, through right of discovery, laid claim to the vast territory of which the Ohio country was the heart; the English colonies, through their charter grants, emphatically affirmed their title to the same territory; while the Indian, as the native race, and the original owner, felt constrained to dispute the claims of both newcomers and to retain his ancestral heritage for himself. The solution to this triangular controversy was to be worked out under

"The simple plan,  
That they should take who have the power  
And they should keep who can."

While the French were building a great chain of forts from the St. Lawrence to the mouth of the Mississippi, the English were quietly edging westward, making sure of their ground as they advanced. Meantime both were bidding heavily for the favor of the Indian, in anticipation of successfully separating him from his hunting grounds — a proceeding in which the red man was to be asked to furnish the means for his own undoing. Succeeding events have justified this displacement of the Indian race by the whites; for the interests of human advancement demanded that so vast a country as that comprised within the United States should serve a better purpose than that of supporting less than one million savages — or but one person to three square miles of territory, as compared with approximately one hundred times that number, as at present. While the fact of the supplanting of the native race by the European is beyond question of propriety, unfortunately so much cannot be said of the manner in which it was effected. In many instances where the Indian has been dispossessed or otherwise coerced, it has been at the hands of individuals, rather than by action of organized government, and attended with unnecessary hardship and even abuse.

The efforts expended by the Indians in resisting the relentless tide of white settlement are by no means to be despised. In fact, in many instances they displayed the stubbornness, daring and courage of desperation. But in the absence of centralized governing power, so necessary to concerted action, they were in the end futile. Even with his limited powers of judgment and lacking all precedent, the Indian could not but realize in a degree that the great wave of European settlers was inimical to his interests. While in any event the Indian ultimately must have yielded to the human readjustment, but for the lack of two things—precedent, and centralized authority—the struggle must have been greatly prolonged.

The position of the Indian in the conflict with the whites has been described in many appropriate phrases, as for example, in the words of an Ohio chief: "The Indians are like a piece of cloth between the blades of a pair of scissors, of which the English are one blade and the French the other". Nevertheless, the red man held the balance of power as between the French and the English in their struggle for possession of his country. Just how true this is we shall see in connection with the deciding event in the western theatre of the war—the capture by the British of Fort DuQuesne—when the defection of the Indians from their allegiance to the French swayed the balance in favor of the English.

Having taken brief notice of the Ohio country, its native inhabitants and their attitude, on the one hand; and of the French and English colonists and their motives on the other, we should be able at this point to draw a mental picture of existing conditions, let us say, about the year 1740. Previous to that time there had been, of course, considerable activity on the part of both the French and the English, looking to ultimate exploitation of the section under consideration. But these activities for the most part were tentative, as both sides were well occupied in making certain their foothold upon the American continent—"digging themselves in" preparatory to the forthcoming struggle—and had but little time to give to affairs very far removed from their immediate colonies.

Intimate contact between the Indians of the Ohio country and the whites very naturally came with the advent into their territory of French and English traders. Preceding these were numerous adventurers and explorers, but the relationship between these and the Indians was of passing importance; and, too, we must not forget that most of the Ohio tribes already had met the whites, since, with one or two exceptions, their presence in this territory was due to their having been dislodged from previously occupied localities.

*Traders and Missionaries.*

The ubiquitous trader, then, may be regarded as the first bona fide representative of white men among the Indians in their Ohio homes. Following closely upon the trader came the missionary; and to these two advance guards of civilization fell the task of breaking the path over which should march the hosts who were to follow them. "The merchants and missionaries vied with each other in their indefatigable efforts to penetrate every nook and corner of the undiscovered country and establish therein trading posts and proselyting stations".

In the matter of traders and trading posts the French and English were equally energetic; with respect to missions, however, the French were especially zealous, particularly among the Iroquois in New York and the Hurons in Michigan and Canada. Their labors in the Ohio field were not destined to be of importance, owing to the unsettled condition of the Ohio tribes and to the comparatively late date at which that territory was explored and settled. Their sole effort at establishing a mission was at the site of Sandusky, where for some time a branch of the Wyandot mission at Detroit was maintained. Thus the only religious influence of importance brought to bear by the French was that which they had exerted upon the Indians entering Ohio from the north. While the Catholic religion was not destined to play an important part with the Ohio Indians, Protestantism, on the other hand, succeeded in sowing fertile seeds among the Delawares residing upon the Muskingum. This was accomplished through the zeal and ardor of

the Moravian Brethren, of whose activities we shall learn presently.

“Coureurs-des-Bois are they, and famous hunters and trappers.”

But to revert to the trader — The Coureur-du-Bois of the French, the bushwhacker and woodsranger of the English. At the start these traders were hardy, venturesome men, fitted for the dangerous lives they led, and as a rule not too conscientious or scrupulous in their moral codes. However, this hardy type was very necessary to the reconnoissance of the wilderness and their part in its conquest was highly important. At first they operated entirely upon their own initiative, with no very definite end in view, spurred on by the element of novelty and danger that offered. In time, the trader became a very well defined institution with fixed posts where the trinkets and commodities of the white man were to be had by the Indian in exchange for furs and other products. With a keen eye for business and profit, the trader soon learned to know just what would appeal most strongly to the needs and fancy of the Indian. Bright colored cloth, necklaces and beads of glass, bracelets, buckles, brooches and ornaments of silver, kettles and containers of copper, knives, tomahawks and spears of iron, to say nothing of firearms and ammunition were a few of the things from his stock in trade. For these the red man displayed the fascination of a child over a new toy, and gladly paid in exchange whatever price might be asked, which often was limited only by what he possessed. These trading posts became the outworks of the white settlement, and definitely influenced the location of forts and towns.

The year 1745 found these traders, both English and French, but particularly the former, stubbornly pushing their way into the Ohio wilderness and establishing more or less permanent trading posts among the Indians. Activities centered about the western extension of Lake Erie, particularly in the Maumee valley and around Sandusky bay, the English trader coming from Pennsylvania and the French from the neighborhood of Detroit. The importance of this location was due to its being directly in the path of travel east and west, by way of the lakes

and the Maumee, across the portage to the Wabash, and thence down the Ohio to the Mississippi.

*Nicolas' Conspiracy.*

We already have learned how the Hurons, thenceforward to be known as the Wyandots, had descended from Detroit into northern Ohio, under the guidance of Chief Nicolas. Nicolas, unscrupulous, energetic and ambitious, had incurred the displeasure of the French and as a part of his scheme for revenge cultivated the friendship of the English. In 1745 he went so far as to allow English traders from Pennsylvania to erect a trading post on Sandusky bay, near the site of Port Clinton, in Ottawa county. The seriousness of this offense, from the French viewpoint, will be understood when it is remembered that the latter claimed, and zealously resented any interference in the country in question. The English erected also at this point, a blockhouse, and this, known as Fort Sandoski, in addition to being the first real military stronghold erected by white men on Ohio soil, was to become the scene of opening hostilities attendant upon the rivalry of the French and English for the possession of Ohio. Nicolas — Orontony, in his own tongue — now thoroughly embittered against the French and strengthened by his friendship with the English, conceived a bold plan for the extermination of the French from Ohio and the country to the northward. This plan was nothing less than a widespread conspiracy, in which he enlisted the cooperation of Miamis, Ottawas, Shawnee and several western tribes. Nicolas' plans were carefully laid and a date was set for carrying out attacks on the various French posts. These attacks were to be made simultaneously and were apportioned among the allies. The Wyandots themselves were to attack the French on the Maumee while to the Miamis fell the lot of destroying those in their immediate territory. Detroit, the headquarters of the French and their strongest western post, was to be the object of an especially directed blow to be delivered by chosen men from the Hurons. But with all his precautions Nicolas' plans were doomed to failure, and his conspiracy was short-lived. Certain premature indiscretions on the part of his allies excited the

suspicion of the French and put them upon their guard; while just in time to prevent the consummation of the massacres, an Indian squaw, of Nicolas' own people, betrayed the secret to a French missionary.

#### *First Mission to Ohio Indians.*

During the five years following Nicolas' conspiracy events crowded upon one another thick and fast, until, in 1754, the first real action of the French and Indian war occurred at the Forks of the Ohio. These intervening years were filled by a series of constant thrusts and parries between the English and the French for an opening in the decisive contest which was drawing close to hand.

The French were made keenly aware of the necessity of circumventing the rapid encroachments of the English if their claim to Ohio was to be maintained, while the English colonies, with redoubled determination, set themselves to the task of securing what they wanted. The friendly overtures of the Ohio tribes offered a good opening for negotiations, and of this hospitable attitude of the natives the colonists determined to take advantage. Besides, during the summer of 1748, there had been consummated at Lancaster, Pa., a treaty between the Miamis, Delawares and Shawnee of Ohio and the six Nations of Iroquots, on the one side, and the commissioners of Pennsylvania and Virginia, on the other, which encouraged the colonists to hope for the support of the Indians as against the French. At this treaty the Miamis, in particular, were outspoken in their pledges of friendship and allegiance to the English.

In order doubly to assure themselves of the favor of the tribesmen the English colonists decided to send a special embassy, bearing with it substantial tokens of the affection and solicitude of the white men for the savages. The Pennsylvania council, therefore, late in 1748, dispatched Conrad Weiser, official Indian interpreter, with messages of good will and presents aggregating in value more than \$5,000. Weiser was accompanied by George Croghan, "king of the traders," who already had established trading posts on the Muskingum and at the mouth of the Cuyahoga river, and by Andrew Montour, inter-

preter and go-between, of mixed Indian and French blood. While Weiser and his embassy did not enter Ohio proper all the important Ohio tribes, by appointment, were present at the meeting place, which was at Logstown on the Ohio river, a few miles across the Ohio line in Pennsylvania. Logstown was one of the most important of the Indian towns west of the Alleghenies, and "being on the borderline between the red and the white peoples, was the common center for commercial activity and political intrigue." Here, amid scenes of feasting and merrymaking, during which the Indians were liberally supplied with rum and tobacco, the spokesmen for the assembled tribes aired their grievances and made known their demands, while the English emissaries forcefully presented the advantages to the Indians of an alliance with their colonies. Thus was successfully consummated "the first mission of the English to the Ohio Indians."

*Pickawillany, the Ohio Indian Capital.*

It was now the move of the French in this gigantic game of chess, "in which Ohio was the stake and the Indians were the pawns." They responded by sending Captain Bienville de Celoron on his historic mission through the Ohio country, for the purpose of preempting that territory to themselves, and of erecting "no trespass" signs of warning against the English. Celoron's mission, aimed to counteract the effect of the Logstown conference and the activities of the Ohio Company, was most spectacular and dramatic. With a party of about 270 men, consisting of Canadians and Indians, Celoron started for the Ohio country by way of Lakes Ontario and Erie, thence southward to the Allegheny, which they reached at the site of Warren, Pa. The company traveled in birchbark canoes and bore with them all necessary paraphernalia for "staking their claims" to the exclusion of all squatters. A series of lead plates, bearing appropriate legends of preemption had been supplied, and these were buried at strategic points en route, the first at Warren, Penn., the second at the junction of French creek with the Ohio, a third near the mouth of Wheeling Creek, and the others at the mouths of the Musk-

ingum, the Great Kanawha, the Scioto and the Great Miami rivers. Arriving at the last named place, Celoron and his party ascended the Miami, arriving at Pickawillany, the wilderness capital of the Piankashaw tribe of Miamis. Here he was received by Old Britain, whom he endeavored to influence in behalf of the French, but with small success.

The following summer, 1760, the French at Montreal sent their agent, Joncaire, with gifts for the Ohio Indians. The Pennsylvania council, learning of Joncaire's mission, dispatched George Croghan and Andrew Montour to the same Indians to remind them of their recent promises of friendship. Croghan and Montour, bearing presents with them, reached Wyandot Town, on the site of Coshocton, where they succeeded in favorably influencing the vacillating sentiment of the Wyandots and Mingoes on the Muskingum.

#### *Gist Visits the Ohio Tribes.*

Later in the same year "Old Britain" again entertained important visitors at Pickawillany. The Ohio company, recently organized by a number of Virginia colonists for the purpose of securing and settling lands in the Ohio valley, secured the services of Christopher Gist, a surveyor and trader, to examine and report upon the Ohio country and its inhabitants, with a view to selecting the most promising location for the new enterprise. Gist, after visiting the Indian towns on the Muskingum and passing westward over the state, arrived at Pickawillany, where his reception by La Damoiselle was most cordial. As a result of two weeks' feasting during which Gist's party bestowed upon the Miami chieftain presents to the value of \$500, an alliance between the Miamis and the colony of Pennsylvania was effected. In addition the Indians expressed their intention to be present at Logstown the next year, where they promised to enter into a treaty with the Virginia colony. The results of this visit materially strengthened the cause of the colonists and of the Ohio company with the western Indians.

An incident which illustrates the friendship of Old Britain for the English occurred during Gist's stay at Pickawillany. While the old chief and his English guests were making merry



there arrived from Detroit a delegation of Ottawa Indians in the interest of the French. The chief accorded them an impartial hearing, along with Gist and Croghan, but in the end waived acceptance of the presents which the Ottawas had brought with them and dismissed them with the following speech: "We have been taken by the hand by our brothers, the English \* \* \* and we assure you that in that road we will go; and as you threaten us with war in the spring, we tell you if you are angry, we are ready to receive you, and resolve to die here before we will go with you; and that you may know that this is our mind, we give you this string of black wampum." The reference to war was in reply to threats of the French, through the Ottawas, to that effect.

Gist and his party were the first Englishmen to travel extensively through Ohio. The journey, faithfully and fully recorded in Gist's journal, is most interesting and valuable.

*Indian Treaty at Logstown.*

With a keen knowledge of the Indian temperament and his proneness to change allegiance whenever and as often as his personal interests seemed to indicate, the governor of Pennsylvania determined not to lose the advantage already gained in the contest for favor of the tribesmen. Accordingly the services of Croghan and Montour were enlisted for two important conferences with the Indians at Logstown, one in the spring of 1752 and the other one year later. At both meetings the Ohio tribes — Delawares, Shawnee, Miamis and Wyandots — were present in force to strengthen the chain of friendship between themselves and the English — and to share in the rich gifts provided for them. At the first conference, presents amounting in value to \$3,500 were distributed among the tribes. At the second meeting delegates from Virginia also were present, and succeeded in securing a ratification of the rather doubtful concessions made by the Indians at the Lancaster treaty of 1744, by which Virginia was authorized to effect settlements south of the Ohio river, and to erect a fort at the forks of the Ohio.

The results of this conference were of very great importance, since the securing of the site at the forks of the Ohio was to

mean much to the English in the forthcoming struggle with the French, while the Ohio company, out of which was to be born the new state of Ohio, was greatly benefited.

#### *Destruction of Pickawillany.*

Scarcely had the Logstown conference come to a close when the French, determined to rid the Miami country of English traders, struck a blow which was destined to precipitate the actual hostilities of the French and Indian war. Pickawillany, as we have seen, was not only the capital of the Ohio Miamis, but the most important trading center in western Ohio. Many trails converged here and the town became the center of an important inter-racial commerce. At the time of Gist's visit it consisted of about 400 families, among whom were a considerable number of white traders.

In the late spring of 1752 the French in Canada sent an expedition under Charles Langlade, of Indian and French extraction, to destroy Pickawillany and to expel the English traders. Langlade and his force, consisting of 250 Ottawa and Chippewa Indians and a few French soldiers, reached Pickawillany in June, 1752. The Indians, their ferocity spurred to violence by their commander, Langlade, swooped down upon the Miami village with all the fury of their savage natures. Most of the men of the village were absent, either engaged in the hunt, or not yet having returned from Logstown. Old Britain, with 14 others of the tribe was killed, while of eight English traders in the town five were carried prisoners to Detroit, one was killed and two escaped.

The old King, who had played so important a part in the dealings of the Indians and whites and who had entertained so many notable guests, furnished the "piece de resistance" at the savage feast which followed. His body, it is said, was cooked and eaten by the infuriated Ottawas, who, as Mr. Randall suggests, doubtless had not forgotten the repulse the Ottawa ambassadors had received in the council house of the Piankashaw king, Old Britain, at the time of their visit, while Gist and his party were guests at his "royal" house.

The success of the French in this enterprise, "which might be called the preliminary bloodshed, if not the first battle of the French and Indian war," so emboldened the French that they soon began the construction of armed posts from Lake Erie to the headwaters of the Ohio, and so on down the Ohio valley. It was this action which finally provoked armed aggression on the part of the English.

THE FRENCH AND INDIAN WAR.

*Beginning of Hostilities.*

The battles about the forks of the Ohio, where occurred most of the hostilities of the French and Indian war, in so far as the Ohio country was concerned, are familiar to all. Washington's mission to the French—a final but unsuccessful attempt on the part of Virginia to avert armed aggression; the erection of the fort at the Ohio forks, and its seizure by the French before completion; Washington's encounter with and defeat of LaForce at Great Meadows, and his evacuation of Fort Necessity; the disgraceful defeat by the French of General Braddock and his English and colonial troops; and, marking the close of the war on the western frontier, the occupation of Fort Duquesne by Washington and his soldiers, comprise a chapter of American history which is indelibly impressed upon the mind of every school boy, and need not be recounted here. We have but to consider the connection of the Indian with these momentous occurrences, and our purpose will be served.

*Tanacharison, the Seneca Half King.*

As we have seen, the Ohio Indians were inclined to be friendly to the English, and this inclination had been strengthened by every possible attention on the part of the colonies. As indicative of this amicable sentiment on the part of the tribesmen, the friendship of Tanacharison, the Seneca chief, for the English may be cited. Tanacharison, known familiarly as the Half King, (thus called, because while chief of his own tribe he was still subject to the authority of the Iroquoian Six

Nations,) may be taken as representative of the best intelligence and loyalty on the part of the natives. Residing at or near Logstown, on the Ohio, he early made the acquaintance of the English officials passing to and fro between the colonies and the Ohio country, and through his trustworthiness and ability soon gained from them a remarkable degree of confidence. We first meet him in 1753, when Washington, on his memorable mission to the French stopped at Logstown. On this occasion the Half King greatly assisted Washington by supplying information regarding the country and its people, both Indians and French, and by accompanying him to Venango, where Joncaire, the French commander was located. A few months later we find the Half King present with the English at the building of the fort at the Ohio forks, and upon the arrival of the French under Contrecoeur and their demand for the surrender of the unfinished stockade, lending his advice and assistance to Ensign Ward, in charge of its erection. Following the temporary set-back to the English through the loss of this strategic site, we again find Tanacharison "on hand" at the arrival of Washington at Great Meadows, doing scout duty and, with his faithful followers, fighting side by side with Washington against LaForce and his French and Indians. This great chief, together with Scarouady, Oneida half king, and others, thus participated with Washington in his "baptism of fire", in the "skirmish which set the world on fire", and which was to lead the English to victory over the French for the possession of the Ohio country and to instill into the colonists the self-reliance and training which enabled them to break away from England and to become a free and separate nation. But with all his loyalty and merit, Tanacharison perhaps displayed a prominent characteristic of the Indian temperament when after Washington's evacuation of Fort Necessity, he severely criticized the Colonial commander for his methods of fighting. Like most of his nationality, he was not a good loser, although doubtless altogether convinced in his own mind that Washington's tactics as against the French and Indians were not the most conducive to success. The Half King declared that the "French were cowards; the English fools" and that neither knew how to fight. He believed that

had Washington taken the advice of his Indian associates, experienced in methods of Indian warfare, the English might easily have prevailed over the French at Fort Necessity, despite the fact that the latter more than twice outnumbered the Colonial forces. Tanacharison died shortly afterwards near Harrisburg, where with his family he had retired. He had remained a consistent friend to the English and his services were greatly missed.

Tanacharison was not alone in his deprecation of English methods of fighting and in his opinion as to their chances of ultimate victory over the French. From their attitude of cooperation and alliance many of the Ohio tribes began to veer toward the French, in the belief that the latter were destined to be the victors in the ensuing struggle. Thus in a few short months the situation, from the English point of view, had swung around so that instead of the promise held forth by a propitious beginning, they now found themselves on the defensive, with their Indian allies forsaking them and the French in full possession of the Ohio valley from the lakes to the Mississippi.

The struggle, thus far confined to the colonies of France and England, was now to demand and secure the attention and participation of the mother countries themselves. Troops were rushed from France and England, and the result of their meeting on the western frontier at Fort Duquesne, where General Braddock was so disastrously defeated, only added to the seriousness of the outlook for the English cause.

While doubt in the minds of the Indians as to the strength and ultimate success of the English over the French was perhaps the principal reason for their wholesale defection to the latter, there were others scarcely less potent. The partial change of fealty on the part of the Iroquois Nations had a disturbing effect upon the Ohio tribes, with whom they were in a measure allied; while the active propaganda of the French to turn the Indians against the English and the slowness with which the latter responded to appeals of the tribesmen for aid, were likewise of very decided advantage to the French; but doubtless the desire of the Indians to be on the winning side outweighed all other considerations.

*Indians Desert the British.*

The Delawares and Shawnee were the Ohio tribes whose loss was most keenly felt by the English. At a council held in Philadelphia in 1755, the Delawares presented their ultimatum in the following words: "We, the Delawares of Ohio, do proclaim war against the English. We have been their friends many years but now have taken up the hatchet against them and we will never make it up with them whilst there is an English man alive". The following year a representative of the Delawares and Shawnee summed up the situation as follows: "Last year the French brought a powerful army into our country and soon after the English marched another army, which appeared to us like two clouds hanging over us; we looked on until the battle was over and then we saw some of the Six Nations with the French hatchets in their hands killing the English and as we were in strict alliance with the Six Nations, we thought it our duty to do the same."

The confusion in which the Indians found themselves at this period is attested in the numerous and eloquent speeches recorded in historic records and documents of the time. The conflicting emotions and the various motives and factors which governed their actions can be understood only when we take into consideration the Indian as a people. Facing so great, and to him unprecedented, an event as the invasion by so vastly superior a people as the Europeans, he was unable, with his limited knowledge and perspective, to grasp its real meaning and significance. It was like the first visit of a boy of six years to a three-ring circus, who could see an elephant here, a trapeze performer there and a clown somewhere else. But aside from the few superior minds among them it is doubtful whether the Indians as a whole ever fully grasped the fullness of the situation as it existed. But following Braddock's defeat he understood well enough that the French were in the ascendancy, for the time being, at least, and as between two evils he chose what appeared to him the lesser.

*Indians Hold Balance of Power.*

Thus we find the situation at the opening of hostilities in the year 1756. The French, victorious in their encounters with the English, had automatically won over the Indians. Further, they had strengthened their hold on the Ohio country by the erection of forts along the upper reaches of the Ohio valley, and by the construction of Fort Junundat, on Sandusky Bay. But the English, having allowed this advantage to accrue to the French mainly through slowness in acting, set about to make good the loss. To offset the defection of the tribesmen a great council was held at Albany in 1754, at which representatives of the several colonies succeeded in temporarily bolstering up the wavering allegiance of the Six Nations; an important accomplishment, since the Iroquois were in more or less close sympathy with the Ohio tribes, and were able greatly to influence their attitude. But the patched-up loyalty of the Iroquois was not to be lasting; for before long the Six Nations, (with the exception of the Mohawks, who to the last remained friendly to the English) were either openly espousing the French cause, or at best were neutral in their attitude. This change of heart on the part of the Iroquois was reflected in the behavior of the Ohio tribes, who, despite their efforts to fix the Allegheny mountains as the western barrier of the colonies, found the English, especially the Virginians, persistent in extending their charter lines into the Ohio valley. The Delawares of Ohio and eastern Pennsylvania, recruiting at the Delaware town of Kittanning, launched expeditions of destruction and slaughter against the Pennsylvania colonists. They were finally quelled by troops under Col. John Armstrong, who in the autumn of 1756 destroyed Kittanning and scattered its inhabitants. The Shawnee, in close sympathy with the Delawares, directed their depredations mostly to the southward, crossing the Ohio river and penetrating the Virginia country along the eastern slopes of the Alleghenies. With their well-known audacity and disregard for distances they even descended upon the headwaters of the James, Shenandoah and Roanoke rivers, and in 1757, from their homes

on the Scioto and Miami, they devastated an English settlement on the last named river. So persistent were these attacks that the governor of Virginia sent a force of Virginia troops, under Colonel Andrew Lewis, to retaliate upon the Ohio settlements of the Shawnee. The expedition, however, owing to inclement weather and unfavorable conditions, was unsuccessful.

The importance of the Indian as a factor in the contest between the French and the English now becomes most apparent, and it would have been difficult for either to win without his assistance. We have seen how Washington was enabled to rout LaForce and his command of Frenchmen through the aid of the Half King and his Indian followers, and how, on the other hand, he was forced to evacuate Fort Necessity owing to the superiority of De Villiers' force, many of whom were Indians, giving the French the advantage of their knowledge of border warfare. At Braddock's defeat the French force of 900 consisted principally of Indians, and the battle was conducted by the French along Indian lines of warfare. It was indeed an "Indian army", in which were prominent Shawnee and Mingo from Ohio, Ottawas under the great Pontiac, and numerous other tribes to the northward.

We are now to see how, under more efficient management of their affairs, the English were to swing the favor of the Indians and to demoralize the French:

*Post's Mission Wins Indian Support.*

Following two years of warfare with the French, during which time the tide of battle flowed steadily against them, the English in the spring of 1758 succeeded in effecting a complete reorganization of their plans for the campaign. General John Forbes was entrusted with the command of an army which was to be sent against Fort Duquesne, the gateway to the Ohio country. Col. Henry Bouquet, whom we shall meet at a later date, was second in command under Forbes, while General George Washington was at the head of one of the two regiments of Colonial troops raised by Virginia.

It was while Forbes' army was preparing to move upon Fort Duquesne that the council of Pennsylvania was occupied



in a quiet way with a plan which was to prove of as much importance in reducing the French fort at the forks of the Ohio, as the army of 7,000 men which soon was to lay siege thereto. This plan was nothing more nor less than the sending of Christian Frederick Post, noted Moravian missionary of Pennsylvania, among the Indians in a final effort to secure their cooperation against the French, or at least the promise of neutrality on their part.

Equipped with an intimate knowledge of the Indians with whom he had to deal, as a result of many years spent among the Pennsylvania tribes, as well as with undaunted courage, tact, and judgment, Post, with a few companions, departed upon what was to be one of the most eventful missions of the English to the Indians. The story of his experiences, surrounded on all sides by hostile natives, his life threatened at every turn, is one to keep the reader's attention at high pitch throughout. The meeting place, as arranged, was opposite Fort DuQuesne, near the forks of the Ohio, where Post arrived in midsummer, 1758. Through the cooperation or rather by the promise of Teddyskung, king of the Delawares, representatives of the various tribes including the Delawares, Shawnee and Mingo from Ohio were present. In the face of great difficulties Post succeeded in effecting a nominal peace with the assembled chiefs, among whom were Captains White Eyes and Killbuck, from the Muskingum Delawares. The Indian conferees promised to abandon their depredations against the English and to use their good offices in persuading other tribes to follow their example.

October following saw the culmination of Post's good work, when at Easton, Pa., an important conference of the Pennsylvanians with the Iroquois and other eastern tribes was held. The Indians agreed to the peace proposals of the colonists and voted to send confirmation of this, through the medium of a message and a belt of wampum, to their kindred of Ohio. Post was selected to carry these to the Ohio Indians who, upon their receipt, ratified the terms of peace and formally declared an end to hostilities.

*War Ends with English Successful.*

It is unnecessary to recount the circumstances attending the evacuation of Fort DuQuesne in November following. After months of active preparation to meet the attack of the English the French, without firing a single shot, suddenly abandoned the fort, after setting it in flames. The work of Post had accomplished more quickly and more effectively what the arms of the English had prepared to do. The French, all at once deserted by the Indians who had embraced their cause, found themselves unable to meet the English onslaught soon to come and fled precipitately, leaving the Ohio valley definitely and for all time in the hands of the English.

The English had learned the lesson pressed upon them by Tanacharison, the Half King, and his associates. They had learned to fight the fight of the borderland as the Indians themselves fought. Washington, in particular, not only recognized the importance of the Indian mode of warfare, declaring that "in this country we must learn the art of war from enemy Indians, or anybody else who has seen it carried on here", but even fitted out his soldiers in Indian costume. Of the Indians in his command Washington said, "I think them indispensable in our present circumstances."

Thus ended on the western frontier the French and Indian war and to the Indians, almost as much as to General Forbes and Washington, or to the Pennsylvania council and Post, is due the credit, regardless of motive, of the end of French sovereignty in the Ohio country. One side of the triangle, represented by the French, had been eliminated, and the Indian henceforth had to deal only with the English. Within a few years, however, there was to be a very considerable modification of the English side, in which the English colonies in America were to assert their independence of the mother country, and through their success therein were, as Americans, to assume the place and power until then exercised by England.

*Dilemma of the Indians.*

With the long and bitter struggle of the French and Indian war ended and the French eliminated from the contest, it would

seem that the Indians of the Ohio country were justified in expecting an amelioration of the hardships, trials and tribulations through which they had passed. Having played an important part in ending French dominance over their territory, they naturally would expect to benefit through relief from the pressure and persecution which had borne upon them from the north. But apparently there was not room in all the great expanse of America for both the red man and the white man, and one of the two remaining sides of the triangle was yet to be eliminated.

The Indian had been invaluable to the English as long as they were engaged in contest with the French; but this contest ended, the native tribesman no longer figured as a strategic issue. Instead of finding his troubles ended, he soon learned that for him, in his ancestral home, there was no such thing as life, liberty and the pursuit of happiness. Time passed by and the expected acknowledgment of service to the English, in the way of treaties and presents, was not forthcoming. On the contrary, the Indians found themselves deprecated, slighted and even abused, as venturesome spirits from the colonies flocked across the Alleghenies, each one bent on securing for himself a share in the great country wrested from the French. It soon became the usual thing for white adventurers to regard the Indian as little better than the wild beasts of the forest and it was not unusual for these precursors of white settlement to shoot down the natives without provocation, just "for sport".

The King of England, in a proclamation issued in 1763, had set apart the Northwest Territory as an Indian reservation, and had specified that no white settlement was to be attempted therein, that all settlers already located thereupon should at once take their departure, and that no lands should be purchased from the Indians. This famous proclamation, known as the Quebec Act, was prompted, according to the English royalty by "solicitude for the Indians, and anxiety for the peace and safety of the colonists." This thoughtfulness for the Indian apparently was most unselfish, as it gave to him "as hunting grounds" the great territory in question, but it has been surmised that King George had deeper motives than the well-being of the

Indians, namely, "restriction of the growing power and territory of the colonists, and to placate the red man and retain their friendly alliance with him in case warfare should make his cooperation desirable." This indication of the growing realization on the part of England of the possibility of the Colonists seeking to establish themselves as an independent nation, was thus accompanied by the precaution of using the Indian as a check against such a contingency.

Paying little heed to the mandate of the Quebec Act, plans for settlement of the Ohio country proceeded apace, not alone on the part of individuals but through organized effort. The Ohio Company, organized some years earlier for the purpose of settling land in the Ohio valley, took steps to carry out its temporarily quiescent program. These signs of activity on the part of English colonists awakened the Indian to a realization of the futility of his hopes for readjustment of his difficulties. Restlessness, distrust and hostility pervaded the Indian ranks, and it soon became apparent to the English that the embers of their dissatisfaction needed but a breath to resolve it into a flame of vengeance.

Some time earlier, following the close of the war, Sir William Johnson, Indian agent for the English, had anticipated the impending conflagration and had temporarily averted its outbreak through a great council with the Indians held at Detroit. Through his intimate understanding of the Indians and the great influence which he exerted, Johnson succeeded for the time in quieting them. But the truce was of short duration.

As Randall sums up the situation at this point, "The dark-eyed Latin and the blue-eyed Saxon had fought out their differences and divided up the new continent, but the red-skinned, raven-haired native savage, who claimed the territories that had been the prize of the world's war, was not represented nor recognized in the family compact of Fontainebleau, nor the final division of the spoils at Paris. The Indian, especially of the Ohio valley, was yet to be reckoned with and for a half a century he bravely and unyieldingly resisted the right of the civilized free-booting invaders to despoil him of land and home. To him the seven years war had merely exchanged one 'pale-face'

conqueror for another. Indeed the last successful invader was less welcome and more dreaded than the first."

PONTIAC'S CONSPIRACY.

*Indians Resent French Land Cessions.*

The final provocation which turned the balance and let loose the flood of Indian vengeance against white encroachment was the intelligence, reaching the Ottawas and associated tribes around Detroit in 1763, that the French, at the treaty of Paris, had ceded the Indian lands to the English. These tribes, in common with others, never had been able to appreciate the meaning of ownership of territory as the French and English understood, or intended it. They continued to the last to consider the country occupied by the whites as the property of the Indians and looked upon the French and English merely as sojourners through sufferance on the part of the natives. But the meaning of the white occupancy was gradually dawning upon them and this act of the French, to whom the Ottawa confederacy had been consistently friendly was, in common parlance, "too much for them". Their indignation resolved itself into fury, and their cause found its champion in the great Pontiac,



Pontiac.

chief of the Ottawas. Pontiac and his remarkable conspiracy, which we are now to consider, present a striking parallel to the Huron chief, Nicolas, and the uprising under his direction some fifteen years previously. The two leaders were remarkably similar in type, while their conspiracies, having the same end in view, were conducted along very much the same lines. Nicolas, a miniature of his great Ottawa prototype, while of inferior calibre to the latter, possessed in a marked degree the qualities and temperament of the Indian, as exemplified in Pontiac. Both were remarkable

for their courage and fortitude, cunning and sagacity, treachery and cruelty. Each had as his aim the destruction of the whites in his territory, Pontiac striking at the English and the chain of forts against which, occupied by the French, Nicolas had launched his savage warriors. The tribes most actively concerned in the uprising were the same, and in both instances Fort Detroit was the center of the most determined attack, Nicolas choosing the warriors of his own Hurons for that particular task, and Pontiac in person leading his Ottawas against its defenders. Its capture, in each case, was frustrated through betrayal of the Indians by members of their own race.

But while Pontiac's conspiracy in these respects is almost a fac simile of the uprising of the Huron chief, its conception, execution and results were on a most gigantic and hitherto undreamed-of scale. Through couriers and messengers, and by his own personal exertions and exhortations, Pontiac had succeeded in quietly enlisting in his support practically all the tribes of the great Algonquin family, as well as some of the Iroquois, particularly the Senecas. Again, as in Nicolas' conspiracy, a simultaneous attack was planned on all the forts and garrisons marked for destruction.

#### *Fort Sandusky is Captured.*

The Ohio tribes, particularly the Wyandots, Miamis, Shawnee and Delawares, had entered the conspiracy with great avidity and were assigned their share in the anticipated destruction. They did their work well, for of the dozen or more English posts selected for destruction, Fort Sandusky was the first to fall. This fort, as already mentioned was the first stockade erected by white men on Ohio soil, having been built by the English in 1745. It had much to do with Nicolas' conspiracy and, having been erected with his permission, against the wishes of the French, precipitated the opening of the French and Indian war. Several times destroyed and rebuilt it was, at the time of which we speak, garrisoned by Ensign Pauli, in command of 15 English soldiers. Early in May, 1763, amid apparent peace and quiet on the part of the Wyandots living in the

vicinity of the post, was struck the first successful blow of the calamitous movement set on foot by Pontiac. A party of the Indians, feigning friendship, called at the fort, and being known and trusted by Ensign Pauli were permitted to enter. But what purported to be a friendly call was in reality a hostile ruse, and no sooner had entrance been accorded the Indians than they seized Pauli, overpowered the guard and murdered the soldiers of the garrison, as well as all English traders found at the post. After burning the stockade the attacking party carried Pauli captive to Detroit, which was already being besieged by Pontiac and his warriors. There Pauli was listed to be put to death but was saved through the whim of an Ottawa squaw who desired him for a husband. Having no voice in the matter of the selection of his bride, Pauli was forced to yield and accordingly he was "plunged into the river that the white blood might be washed from his veins" and the ceremony performed which made him at once the husband of an Ottawa woman and a warrior of the Ottawa tribe. Pauli subsequently escaped and joined the besieged soldiers in the Detroit stockade.

#### *Siege of Fort Detroit.*

Meanwhile, Pontiac and his following of Ottawas, Potawattomies, Ojibways and Wyandots, foiled in their attempt to gain admission to Fort Detroit through false pretensions of friendship and thus to overpower the garrison, as the Wyandots had done at Sandusky, were laying siege thereto. They expected to be able, through the use of Indian strategy, "flaming arrows" and firebrands to dislodge the English, or failing in this to starve out the defenders. As a last resort, Pontiac believed that the French could be prevailed upon to come to his assistance, once the siege was well under way and the prospect favorable for their reoccupation of the country wrested from them by the English.

On the day fixed for the attack Pontiac, with a few of his trusted accomplices, called at the fort where Major Henry Gladwyn, in command, permitted them to enter. Pontiac proffered the pipe of peace and professed the warmest feelings of friendship toward the English. All this was of a part with



Type of Indian Warrior of Pontiac's  
Conspiracy.

the treachery perpetrated at Sandusky and elsewhere, but Major Gladwyn had received a warning from a friendly Ottawa, and when Pontiac gave the prearranged signal, following which, acting in conjunction with those remaining outside the fort his party were to fall upon the unsuspecting whites, it was answered by the clash of English arms and the beating of English drums. Pontiac, knowing that his plan was foiled, took his departure in illy concealed dismay. Several times he attempted to carry out his design of taking the English by surprise, and when hopes of this were lost openly began the siege of the fort.

Pontiac's siege of Detroit, the most remarkable in the annals of Indian warfare, must be passed over lightly. Lack of space and the purpose of this outline confine us to occurrences more closely connected with Ohio proper. Suffice it to say that after a siege lasting six months — from May 1 to November 1, 1763 — during which the Indians employed every strategy and deception known to their cunning, Pontiac was forced to desist. Detroit had proved too strong for him, and he retired from the field to renew his activities elsewhere. Fort Niagara, on Lake Ontario, and Fort Pitt, at the forks of the Ohio, like-



wise proved too much for the attackers; but aside from these three, all others of the chain of strongholds which stretched from the headwaters of the Ohio along the lakes to the Mississippi, and which the English had so recently wrested from the French, fell before the concerted attack of the red men..

During the remainder of the year 1763 and the early part of 1764, the Indians concentrated their efforts on a series of depredations against the border settlements, spreading consternation among the inhabitants.

#### EXPEDITIONS OF BRADSTREET AND BOUQUET.

The spring of 1764 found the Indians of Pontiac's alliance continuing their forays and depredations against the border settlements of the whites, and the English planning to crush their power and bring them to their knees. To accomplish this it was decided to send two separate expeditions against the Indians of the harassed western country, the one, under Col. John Bradstreet, to chastise those contiguous to Lake Erie, and the second, under Col. Henry Bouquet, to conquer and subdue the tribes of the interior.

The story of these expeditions, aside from recording an important historic event, is an unusual illustration of native Indian character and diplomacy. Furthermore, it furnishes a striking example of the extent to which success in dealing with the American natives depended upon the character of their opponents.

Starting from Albany and traveling by way of the Great Lakes, Col. Bradstreet and his command of upward of 2,000 men reached Fort Niagara, where the Niagara river enters Lake Ontario, in June, 1764. There he found assembled more than 2,000 members of the various Indian tribes, who at the summons of Sir William Johnson, the English Indian agent, had come to meet him. At the conclave which followed, after the usual ceremonies attending such occasions, and the distribution of goods and presents to the amount of many thousands of dollars, the assembled Indians concluded peace with Bradstreet.

But at this parley the Delawares and Shawnee of Ohio were not present. Sullen and morose, the fires of hatred which had

prompted them to participate in the great conspiracy of the preceding summer still glowing, they had refused to proceed to the scene of the conference at Fort Niagara. From their towns on the Scioto and Muskingum, however, they sent word to Bradstreet that they were willing to make peace — not because they were in any way fearful of the English, whom they “regarded as old women” — but out of pity for their (the English) sufferings. A few days later when Bradstreet, proceeding westward with his army, arrived at Presque Isle (Erie, Pa.) he found awaiting him a deputation of ten Indians from the Delawares and Shawnee, who ostensibly had come to accede to his demands and to make peace with the English. This diplomatic ruse, part of a plan to deceive the English commander, and by “sidetracking” his intended plans, to gain time for the tribesmen in their preparations for hostilities, was completely successful. The gullible Bradstreet, completely “taken in”, agreed to the proposal of the delegates that he desist in further attempts at chastisement, on condition that the Indians deliver at Lower Sandusky, within 25 days, all white prisoners, abandon all claim to English posts in their country, and grant the English the right to erect trading posts wherever their interests demanded.

*Bradstreet Victim of Indian Diplomacy.*

Felicitating himself upon the ease with which he had brought the Ohio tribes to his terms, Bradstreet proceeded to Sandusky Bay where he arrived late in August. His instructions had provided that from this point he was to proceed against the Miamis, Ottawas and Wyandots in that vicinity, but once more the clever deceit of the natives effected a postponement of action. On their proposal and promise that they should follow him to Detroit and there enter into a treaty of peace, Bradstreet proceeded with his army to the relief of that post. Arrived at Detroit he entered into negotiations with the neighboring tribes, comprising the Ojibways, Sacs, Pottawattomies, Hurons, as well as representatives of the Miamis, Wyandots and Shawnee. Pardons were granted to the Indians for their recent depredations, and in return the tribesmen pledged themselves to accept the sovereignty of the King of England over their territory, and to call him “father” in acknowledgment thereof.

His work at Detroit completed Bradstreet in September returned to Sandusky, where he expected the chiefs of the Delawares and Shawnee to assemble in accordance with the promise made him by the supposed delegates. In order to meet them earlier, he proceeded up the Sandusky river to the site of the city of Fremont, but only straggling individuals and bands of Indians made their appearance. Finally, after a month spent in a futile effort to bring the tribes into a conference, Bradstreet abandoned his plans for proceeding southward where he was to join with the expedition headed by Bouquet, and sailed away toward Albany. Indian cunning and duplicity, taking advantage of Bradstreet's credence, had made of his campaign around Sandusky a veritable farce with little or nothing of accomplishment to its credit.

*Bouquet's Unqualified Success.*

The results of the second expedition, fortunately for the English, were very different. Col. Henry Bouquet with an army of 1,500 men, left Fort Pitt on October 2, and marching through the wilderness of western Pennsylvania crossed the river into Ohio Advancing westward to the Muskingum, Bouquet established his headquarters a few miles above the site of Coshocton on the Muskingum (Tuscarawas) river. Here, at his Camp, No. 13, Bouquet succeeded in assembling the chiefs of the Shawnee, Delawares and Senecas, who so recently had evaded every effort on the part of Col. Bradstreet to bring them to Sandusky.



Col. Henry Bouquet.

But the tribesmen had not forgotten how Bouquet, little more than a year previously had, in connection with the attack on Fort Pitt, defeated the Indians at their own game and thus in winning "one of the greatest victories in western Indian warfare", had blasted the hopes of Pontiac's conspiracy.

Their wholesome respect for Bouquet, backed by the material prestige of his army, fully equipped and ready for the work at hand, had the desired effect and the chiefs, now humble and contrite, were glad to accede to his demands. Without mincing words Bouquet tersely informed the Indians of his terms and gave them two weeks' time in which to deliver to him all white captives in their possession.

In the meantime Bouquet pushed forward with his army to the site of the city of Coshocton, where "Camp 16" was established and where he awaited the compliance of the Indians. He had not long to wait. From all sections came the chiefs with their captives—Wyandots, Ottawas and Senecas from northward toward Lake Erie; Shawnee from the Scioto, and Delawares from the nearby towns. In all, more than 200 captives, mostly Pennsylvanians and Virginians captured during the preceding wars and forays, were surrendered to the English. The meeting of friends and relatives thus separated for years, as portrayed in the historic accounts of the event, are most pathetic and dramatic.

After arranging for a council to be held the following spring, Bouquet, his mission an unqualified success, on October 18, 1764, began the return march to Fort Pitt.

## IV

### THE INDIAN AND THE REVOLUTIONARY PERIOD.

#### PRE-REVOLUTIONARY EVENTS.

##### *The Ohio Indian Alliance.*

Following the close of the French and Indian war and its aftermath, Pontiac's conspiracy, in 1764, the Ohio country passed through a period of five or six years of apparent quiet and peacefulness. This quiet, however, was like that of a slumbering volcano following a destructive eruption, during which it gathers force for a more violent upheaval. To the Ohio tribes it served as a breathing spell, during which they took to themselves renewed strength, and laid plans for an aggressive uprising which should overtop anything yet attempted by their race. Their plan had for its object the overwhelming of the white intruders and the reclaiming for themselves of the country so rapidly slipping from their grasp. This was to be effected through an unlimited alliance of the tribes, with the Shawnee of Ohio as its nucleus and their great chief, Cornstalk, as its leader. The tribes to the southward, as well as those toward the west were to be aligned while the Six Nations of Iroquois to the eastward were either to be won over or, failing in this, to be overawed and subdued.

The encroachments of the whites had assumed alarming proportions, and where individual settlers formerly had been the rule, surveying parties acting in the interest of prospective land companies were now in evidence along the Ohio river. The treaty of Stanwix, held at Rome, N. Y., in 1764, at which the Six Nations ceded to the English the territory of Kentucky, West Virginia and part of Pennsylvania, further enraged the tribes north of the Ohio, who feared that their own territory, as yet intact, would be the next to be assimilated. In their resentment they were encouraged by French traders and by renegade whites from the Colonies, who were present among them.

Formal steps toward consummation of the gigantic plan were taken at a congress of the interested tribes held at the Shawnee headquarters on the Pickaway plains in the autumn of 1770. A second congress followed in the summer of 1771, at which the Shawnee, Delawares, Wyandots, Miamis, Ottawas, and the Illinois and other western tribes were present. The confederacy thus effected promised to be the greatest in the history of the native race. The southern tribes, who were in complete accord with the plans of the alliance, were unable, owing to their geographical location to participate actively therein. The Six Nations, for the time being, were secure to the English and through the efforts of Sir William Johnson, even took some half-hearted steps toward discouraging the plans of the allies.

By the year 1775 the clouds of impending war were thickening rapidly, with every indication that the storm soon would envelop the Ohio valley.

#### *Beginning of Hostilities.*

The conflict, or series of conflicts, which were to extend almost without interruption through the next twenty years, were precipitated by events taking place at the forks of the Ohio, where Fort Pitt had been recently dismantled by the English, partly to quiet the fears of the Indians and partly owing to its no longer being a military necessity. The colony of Virginia had consistently laid claim to that part of Pennsylvania, contending that it was embraced within her charter limits and that she unaided, had borne the brunt of its protection during the French and Indian war. Thereupon, the governor of Virginia despatched Captain John Connolly with an armed force to take possession of Fort Pitt and the adjacent territory, as the property of Virginia. At Fort Pitt, George Croghan, Pennsylvania's deputy Indian agent, had in his keeping several Shawnee chiefs who were held temporarily as hostages. The men under Connolly, purporting to be Virginia militia, and finding their plans blocked by the Pennsylvanians, deliberately opened fire on the cabins of the Shawnee chiefs. Connolly was arrested and sent back to the Virginia capital, but returned later and took posses-

sion of Fort Pitt, where he constructed a stockade, known as Fort Dunmore. The firing upon the huts of the Shawnee hostages of course created resentment among the Ohio tribes, already in a highly excited frame of mind; but further fagots were to be added to the kindling fire of resentment.

For reasons best known to himself, but apparently with the intention of fomenting trouble between the Ohio Indians and the settlers along the river, Connolly sent word to the latter that the Shawnee were about to strike, and advised them to be prepared to protect themselves and to retaliate for any depredations committed against them. The result of this was the creation of a feeling of distrust and suspicion on the part of both the whites and the Indians. About this time the Shawnee, claiming to have had instructions from George Croghan to attack any whites found encroaching upon their territory, began a series of border raids which reached across the Ohio river into Kentucky and Virginia. The settlers were greatly alarmed and several surveying parties who were present along the south side of the river, in the interest of prospective settlers, and land companies, hurriedly joined forces for mutual protection. They assembled at the mouth of Wheeling creek, where, alarmed at the threatening attitude of the Shawnee, they decided to follow Connolly's instructions, and accordingly assumed the aggressive. Captain Michael Cresap, a well known and experienced trader, who was on the Ohio in the interest of Virginia landowners, was chosen as the leader of the party. Cresap and his men shot and killed two Indian canoemen on the Ohio, and a few days later attacked an encampment of Shawnee on Captina creek, killing several of the Indians. Feeling that they were not justified in further aggression, Cresap's party then desisted and returned to their camp.

#### *Cresap's War.*

These attacks by Cresap and his party, moderate in themselves, were the forerunners of, and in a measure responsible for, a series of atrocities which immediately followed, and which were known as "Cresap's War."

At the mouth of Yellow Creek, about fifteen miles above Steubenville, the Mingo, under Chief Logan, had established a hunting camp. Logan himself at the time of which we speak, was absent from the camp, having gone westward into Ohio on a hunting trip. While it was generally felt by the white settlers in the vicinity of the Mingo camp that the Indians were in a friendly mood, news of the attacks by Cresap and his party led to the fear that the Mingo might be aroused to retaliation. With this fear as an excuse for their act a party of irresponsible whites, under the leadership of Daniel Greathouse, invited the Indians of the Mingo camp to join him, as his guests, at Baker's tavern just across the river at "Baker's Bottom." Accepting the apparent hospitality, a canoe load of the Mingo crossed the Ohio, on April 30, 1774, and assembling at Baker's store, were repeatedly "treated" to the drinks by Greathouse and his party. Under the influence of rum it was not difficult to provoke the Indians to afford an excuse for an attack, and of the party of seven or eight who were present, all but one or two were murdered in cold blood.

#### *Logan's Relatives Are Victims.*

Among these was a sister of Chief Logan, who had accompanied the party with her babe, but who had refused to drink. She was shot and fatally wounded, but heeding her prayers for the child, the assassins spared its life. One of the Indians who fell a victim to the plot was a brother of Logan, who thus lost two of his closest of kin in this atrocious attack. The Mingo who had remained in camp, upon learning of the attack, crossed the river in canoes to avenge the murder of their kinsmen. They were met by the Greathouse party and repulsed with the loss of several of their number, after which they fled down the Ohio river.

Cresap, as a result of his connection with the earlier attacks, was blamed at the time for the killing of the Mingo, but in reality was entirely innocent of the crime. But Logan, the Mingo chief, believed Cresap to be the guilty man, and from a warm friend of the whites he at once became their bitterest enemy, threatening to kill until he had taken vengeance to the



number of ten for one. In his own words Logan declared "The white people killed my kin at Conestoga, a great while ago; and I thought nothing of that. But you killed my kin on Yellow Creek, then I thought I must kill, too." Just how well he carried out his word he tells in his famous speech, delivered at Dunmore's treaty, to be referred to presently. According to one writer, Logan himself, during the summer of 1774, "took 30 scalps and prisoners."

Several additional outrages on the part of whites against the Indians aroused the resentment of the natives, among them being the murder of an aged Delaware chief, Bald Eagle, who was killed and scalped while ascending the Ohio in his canoe; and the shooting of Silver Heels, a Shawnee chief, friendly to the English. The situation among the Delawares on the Muskingum was divided, those who had become converts of the Moravian missionaries remaining loyal to the whites, while the non-Christian tribesmen espoused the cause of the Shawnee. The hostile factions of the Delawares, fortunately for the whites, were held in check through the good offices of Captain White Eyes and Chief Netawatwees, who stood firmly by the Moravians and their Indian converts during the trying times that followed.

#### *Expedition Against Shawnee Towns.*

Thoroughly aroused at the gravity of the situation in Ohio, Governor Dunmore of Virginia resolved upon decisive measures of repression. In July, Major Angus McDonald, with 400 men, was despatched against the Shawnee towns on the Scioto. From Wheeling McDonald and his force penetrated to the Indian towns on the Muskingum, where they succeeded in destroying the Shawnee settlements, driving the occupants westward to their towns on the Scioto. Owing to lack of provisions, McDonald's expedition was unable to proceed further and retraced their march to Wheeling, where they arrived after a most hazardous journey, during which the soldiers suffered greatly from hunger and exposure.

Meanwhile, learning of the depredations committed by white men against the Indians on the Ohio, the Six Nations of Iroquois were on the point of revolt. Many of their near kins-

men, particularly the Senecas and Cayugas, were among the Ohio tribes, and efforts were not lacking on the part of these to draw the confederacy into the struggle. Through the great influence of Sir William Johnson, the Indian commissioner, their disaffection was temporarily quieted. This was one of the last acts of Sir Johnson, whose death, which followed shortly afterward, removed one who was greatly beloved and trusted by the Indians, and who was regarded by the British as the most influential factor in dealing with the tribesmen.

#### DUNMORE'S WAR.

##### *Cornstalk Makes Strategic Move.*

Not content with the results of McDonald's expedition, which had succeeded in driving the Shawnee from the Muskingum but left them undisturbed in their main strongholds upon the Scioto, Governor Dunmore decided to dispense with half measures and to send an army against the hostile tribes which



Mouth of the Hockhocking.

should be fully adequate to disperse and humble them. A volunteer army of upwards of 2500 men was recruited from among the Virginians for the Ohio campaign. This army consisted of two divisions, about equally divided as to numbers. One of these was commanded by Lord Dunmore in person, while the second was headed by General Andrew Lewis. The two divisions were to proceed to the mouth of the Kanawha river, on

the Ohio, where the forces were to be joined; but Dunmore, first to reach the appointed rendezvous, changed his plans and proceeding up the Ohio to the mouth of the Hocking river, ascended that stream, passing through the counties of Athens and Hocking, and arrived at the Pickaway plains, in southern Pickaway county, in October, 1774. Meantime, General Lewis and his army had arrived at Point Pleasant at the mouth of the Kanawha river, a short distance above the city of Gallipolis, on the West Virginia side of the river. Here he had expected to meet the first division of the army, but instead received, through messengers, orders to join Dunmore on the Pickaway plains. But before General Lewis could cross the Ohio and begin the northward march he was to find even more important work than the carrying out of his superior's orders.

While Governor Dunmore and his lieutenants were busy recruiting and marching an army to the Ohio country, Cornstalk and his confederates were not idle. They were not content with "watchful waiting" for the arrival of the foe, but through an intricate and effective system of espionage were posted as to every movement of the Virginia troops. Realizing that the combined army of Governor Dunmore presented too great odds to the allied tribes, Cornstalk decided to take advantage of the situation before the two divisions could be united. Through his couriers he had informed himself of all necessary details as to the location and strength of the two divisions of Virginians, and determined to strike at General Lewis' force on its arrival at the Ohio. Summoning the warriors at his command — Shawnee, Miamis, Wyandots, Delawares, Ottawa, Mingoes, and Ohio Iroquois — he hastened southward, reaching the Ohio river on October 9. Crossing the Ohio during the night, the army of Cornstalk took their stand at a point about three miles above Point Pleasant, where General Lewis' soldiers were encamped. The Indian army consisted of about 1200 men, "practically man for man as to that of Lewis." Many noted chiefs were associated under Cornstalk's command, among the Shawnee being Elenipsico, the leader's son; Black Hoot Bluejacket, Red Eagle, Packishenoah and Chessekau, the latter two being the father and brother respectively of Tecumseh.

Red Hawk was at the head of his Delaware warriors, while Scruppathus commanded the Mingoes and Chiywee the Wyandots. Never before had so efficient a body of warriors nor so great a number of able leaders been assembled by the Ohio tribes.

*Battle of Point Pleasant.*

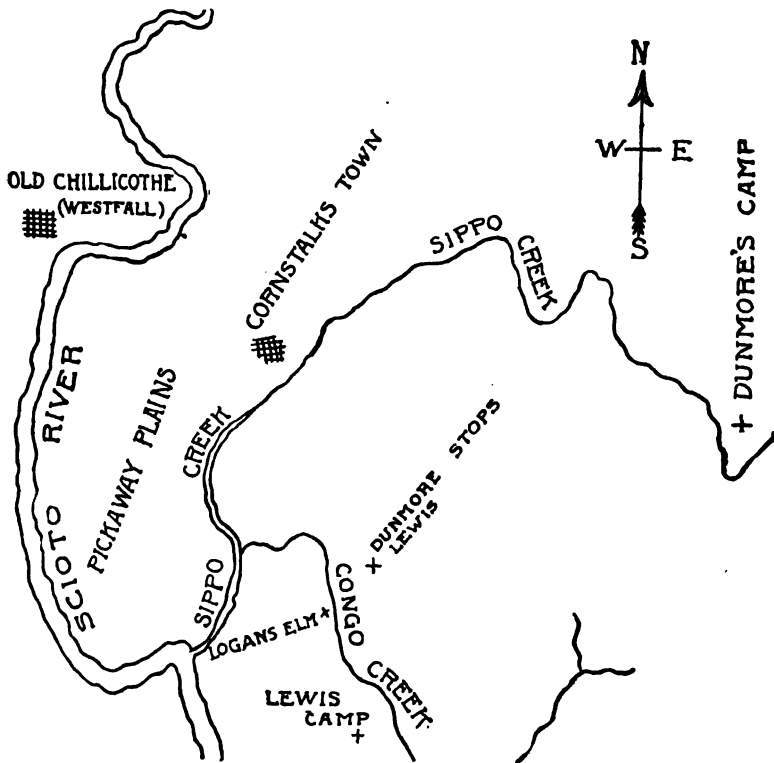
Lewis' army spent the night of October 9 in peaceful slumber, never dreaming that the enemy, whom they had expected to encounter far to the northward on the Pickaway plains, was within sight of their very campfires. In fact, the outposts of the encampment had reported that not an Indian was within a distance of 15 miles of the camp. But on the morning of the tenth, stragglers from Lewis' camp discovered the presence of the Indians, and the battle was on. A strong picture of the action which followed is painted in Mr. Randall's words:

"The hostile lines though a mile and a quarter in length, were so close together, being at no point more than 20 yards apart, that many of the combatants grappled in hand-to-hand fighting, and tomahawked or stabbed each other to death. The battle was a succession of single combats, each man sheltering himself behind a stump or rock, or tree-trunk. The superiority of the backwoodsmen in the use of rifles — they were dead shots, those Virginia mountaineers — was offset by the agility of the Indians in the art of hiding and dodging from harm."

Practically all day long the battle raged, at first favorably to the Indians; but toward evening, by a strategic maneuver, General Lewis succeeded in throwing a detachment around the flank of the enemy, in such a position as to be able to attack from the rear. The Indians thus taken by surprise and believing that white reinforcements had arrived upon the scene, began to give way, and even the encouraging voice of the great Cornstalk, calling to his warriors "Be strong; be strong" could not stem the tide of defeat for the allies. Seeing the engagement lost, Cornstalk hastily withdrew his men, and under cover of darkness recrossed the river and retreated northward to the Shawnee towns on the Scioto.

*Cornstalk's Plans Defeated.*

Thus the attainment of the ends for which the great Cornstalk confederation was organized were anticipated and defeated, though as a result of Cornstalk's strategy, at great cost to the Virginians. The loss of the latter was seventy-five killed



The Pickaway Plains.

and one hundred and fifty wounded, among the number being eight officers. The Indians' loss is unknown, but was supposedly less than that of the Virginians. The only leader of importance among the slain was the father of Tecumseh. The latter, being too young to fight, was not present at the battle.

The battle of Point Pleasant has been characterized as "the most extensive, the most bitterly contested, and fought with the most potent results of any Indian battle in American history." The leadership and strategy of Cornstalk on this occasion are regarded as of a very high order and as on a par with those of military tacticians of the day among the whites. But the English had learned much of border warfare since the days of Braddock's defeat, and the downfall of the native hosts was inevitable.

His spirit broken by the failure of his cherished plans for overwhelming the English, Cornstalk led his crestfallen warriors back to their towns on the Pickaway plains. It would appear that from the first, Cornstalk, unusually far-sighted and keen of judgment for one of his race, had doubted the policy of engaging so large a force as that thrown into the field by Lord Dunmore. But his attack upon Lewis' army at Point Pleasant was practically forced by the blood-lust of his warriors, and the Shawnee leader could do nothing but yield. Now that they had struck the blow and had been hurled back by the superiority of the white foe, Cornstalk openly advised his followers to make peace with Dunmore. The warriors, at first averse to admitting the hopelessness of their position, finally yielded, and runners were despatched to meet Dunmore's approaching army, bearing a message to the effect that the Indians were desirous of peace. Dunmore's army was within about 15 miles of the Shawnee towns when this intelligence reached him. Not to appear in too great haste to consider these peace overtures, he continued his march to a point within a short distance of Cornstalk's town, and on October 17, 1774, encamped on a small stream known as Scippo creek, a few miles south of Circleville. At this camp, known as Camp Charlotte, on October 19, Dunmore gave audience to the Shawnee leader and his followers, Cornstalk pleading the cause of the tribesmen, citing their wrongs and grievances, and suing for peace. One of Dunmore's officers who was present at the meeting, wrote thus of Cornstalk: "His looks, while addressing Dunmore, were truly grand and majestic, yet graceful and attractive. I have heard the first orators of Virginia \* \* \* but

never have I heard one whose powers of delivery surpassed those of Cornstalk."

*Dunmore's Peace Terms.*

The next day Dunmore made known to the Indians the terms upon which he was willing to grant peace. The Indians



Logan Elm.

were to restore all white prisoners, horses and property in their possession; they must agree never again to make war upon the Virginia border, nor to cross the Ohio into Virginia for any purpose except that of trading. They were to secure these promises through hostages, who were to be conveyed to Fort

Dunmore (Pittsburg) and there held until the Virginians were satisfied that the Indian pledges would be fulfilled. On his part, Dunmore agreed that no white men should be permitted to hunt in the Indian country north of the Ohio. There was nothing left to the unfortunate Cornstalk but to accept the terms of his victorious opponent.

*Logan and His Famous Speech.*

But there was one dark-skinned chieftain who did not so readily acquiesce in the terms of Lord Dunmore. Tah-gah-jute,



Chief Logan.

or Logan, chief of the Mingoes did not personally participate in the battle of Point Pleasant; but he and his tribesmen were considered as members of the Cornstalk confederacy, and Dun-



more was insistent that he should acknowledge the terms and conditions of the pending peace. Accordingly when Logan failed to appear at the council, John Gibson, as messenger and interpreter was sent to bring him. Logan was found nursing his grievances at his cabin, a few miles from Camp Charlotte. In response to Dunmore's summons, delivered through Gibson, history records the now famous and eloquent "Logan's Speech." This speech, which apparently was delivered *ex tempore* by the Mingo chief, translated into English, put into writing and delivered by Gibson to the council, is as follows:

"I appeal to any white man to say if ever he entered Logan's cabin hungry and he gave him not meat; if ever he came cold and naked and he clothed him not? During the course of the last long and bloody war, Logan remained idle in his camp, an advocate for peace. Such was my love for the whites that my countrymen pointed as I passed and said, 'Logan is the friend of the white man.' I had even thought to have lived with you, but for the injuries of one man. Colonel Cresap, the last spring, in cold blood and unprovoked, murdered all the relations of Logan, not even sparing my women and children. There runs not a drop of my blood in the veins of any living creature. This called on me for revenge. I have sought it. I have killed many. I have fully glutted my vengeance. For my country I rejoice at the beams of peace; but don't harbor a thought that mine is the joy of fear. Logan never felt fear. He will not turn on his heel to save his life. Who is there to mourn for Logan. Not one."

Probably no other example of Indian eloquence is so well known or so greatly admired as this pathetic and forceful utterance of the embittered and ill-fated Logan.

#### *Destruction of the Mingo Towns.*

While the Dunmore treaty was in progress, the Mingoes, thinking to evade the consequences of their connection with the confederacy, attempted to steal away from the scene and its turmoil. Their departure was discovered, and Dunmore dispatched Col. William Crawford with 240 men to overtake and subdue them. Crawford's men came up with the Mingoes at

their towns located where Columbus now stands, and succeeded in killing and wounding a number of their band and in capturing their supplies. The Mingoes on the Scioto thereafter appear but casually in the historic happenings of Ohio, their tribal existence apparently having ebbed rapidly as a result of the Dunmore campaign and attendant misfortunes. Logan, their great chief, met a tragic death six years later, when, following an Indian council held at Detroit he was shot and killed by his own nephew, an Indian named Todkahdohs. Like many other noted men of his race, Logan was addicted to the use of liquor, particularly during his later years, and it was as a result of this indulgence that he lost his life. Having drunk too freely, it is said, he struck his wife, and fearing that he had killed her, fled southward from Detroit toward his old town on the Sandusky. En route, while passing through the forest, he met and became embroiled with a party of Indians among whom was Todkahdohs, who fired the fatal shot. Thus ended the career of one of the greatest of the Ohio Indian chiefs — one in whom generous impulses and actions were strangely mixed with savage cruelty and cunning.

#### *Significance of Dunmore's Campaign.*

On the last day of October, 1774, Lord Dunmore, having effected a reconciliation with the Ohio tribes and arranged for a supplemental treaty to be held the following spring at Fort Dunmore, began his return march toward the Ohio, bearing with him the hostages from the Shawnee and Delawares.

Thus ended one of the most remarkable campaigns in American history. Its culminating action — the battle of Point Pleasant — has been designated as the greatest battle ever fought between white men and Indians; the battle which saved the Northwest territory to the colonies, and thus to the United States of America; the first battle of the Revolutionary war; and the last battle of the colonists, as English subjects, with the Indians.

THE REVOLUTIONARY WAR.

*Situation in the Ohio Country.*

The decade beginning with the year 1775 witnessed the American Revolutionary war and the birth of a new nation on the American continent. While historic accounts of the events attending those most momentous occurrences mostly are confined to the struggle between the American colonists and the mother country east of the Alleghenies, events almost if not quite equally important were transpiring in the Ohio country. Although not a single English settlement existed within the present confines of Ohio at the time of the Battle of Lexington (April, 1775) yet its soil was to be the scene of contest in which the Americans (as we shall now call the Colonists) and the British were to match diplomacy, strategy, and courage and in the sanguinary encounters which were to follow, it is feared, too often cruelty and inhumanity. The Indian, as in the struggle between the English and the French, once more assumes his place in the triangle as the party of the third part, wields the "balance of power" and becomes a factor of no mean importance.

The story of the part played by the Ohio Indians during these memorable years is most stirring, and if fully told, would require many times the space at our disposal; so that brief reference to the "high lights" in the historic picture will suffice for the purpose we have in view. Briefly, these may be summarized as consisting of a series of depredations on the part of the several Indian tribes against the border settlements of Kentucky and Pennsylvania, and of retaliatory expeditions of the American colonists against the natives, with the center of activities among the Shawnee, on the Scioto, the Delawares on the Muskingum, and the Wyandots on the Sandusky. In order that these events, crowding rapidly upon one another, may be more intelligible to the reader, let us refresh our memories as to the Ohio situation just prior to their occurrence.

Ownership of the Ohio country at this point was a matter of grave dispute. Primarily, the Indian tribes had succeeded in retaining possession thereof and in preventing white settle-

ment. By the terms of the Quebec Act of 1774, the country, later known as the Northwest Territory, of which Ohio proper was a part, was included within the Province of Quebec. Detroit was made the capital of this northwestern country, and became the western headquarters of the British army. From here were conducted the campaigns and operations of the British and their Indian allies, against the Americans. The city became the rendezvous and headquarters for the Indians of the Lake region and further south who were aligned with the British.

As we have seen, in connection with the Dunmore war, Virginia, through her charter rights, laid claim to the southern half of Ohio, and, through her successful prosecution of the afore-mentioned war and the treaty following, felt that she had gone far toward securing her title thereto. As a result of the treaty of Ft. Stanwix, in 1768, the Six Nations of Iroquois had ceded to Virginia the lands lying to the south of the Ohio river; the Ohio tribes had contested the right of the Iroquois to enter into such negotiation, but had waived their objections at a treaty at Fort Pitt, to be referred to presently. With these barriers removed, Virginia colonists, prominent among whom was the picturesque and courageous Daniel Boone, early in 1775, took steps toward the settlement of what shortly afterward became the County of Kentucky.

Thus we note that on the north, the Ohio country was once again, as in the days of French competition, subjected to influence from Canada, through Detroit; on the east and southeast were the American colonies of Pennsylvania and Virginia, while the south was contiguous to the newly formed Kentucky settlements. It was against these border settlements, particularly those of Kentucky, that Indian operations, aided and abetted by the British at Detroit, were directed during the Revolutionary period.

#### *Alignment of the Indians.*

The Indians themselves were practically the same tribes, in the same locations, as we have previously met with. The Shawnee, most hostile and powerful, were located mainly on the Scioto and the Miami, where they dwelt in several towns known as "Chillicothe" — the Shawnee name meaning merely

“place where the people dwell.” The Delawares, part of whom had been converted to Christianity through the efforts of the Moravian missionaries, had their principal towns on the Muskingum, while the Wyandots, the third of the more important tribes of this period, were strongly intrenched upon the Sandusky river in the northern part of the state.

As a result of the Dunmore war and the treaty which followed, the tribesmen were comparatively quiet during the year 1775 and the early part of 1776. But their inaction was not due to friendliness toward the colonists, but rather to perplexity and indecision, and underneath it all lay a sullen resentment of their defeat at the hands of General Lewis at Point Pleasant. The Wyandots for the most part were consistently British in their sympathies. The Delawares were divided—the Christianized Indians continuing neutral, inclining to favor the Americans, while the non-Christian members of the tribe were pro-British. The former, under the leadership of the great war chief White Eyes, and through the influence of the Moravian missionaries, were generally successful in holding in check the hostile proclivities of the latter, under Captain Pipe. The Shawnee, though fostering within their hearts a hatred of the Virginians, remained neutral, under the guidance of chief Cornstalk, until the death of the latter, when they again became the most insatiable enemies of the Americans.

As the import of the Revolution gradually dawned upon the intelligence of the Indians, they became greatly perturbed. It was difficult for them to understand the meaning of the struggle between factions of what they had known as a united people, and consequently to decide upon which side to align themselves. The Six Nations of Iroquois, in particular, were greatly agitated. Realizing the importance of retaining or securing the friendship of these and other tribes, the British, as well as the Americans, early took steps to that end. Colonel Guy Johnson, son-in-law and successor to Sir William Johnson, as British superintendent of Indian affairs, assisted by Chief Joseph Brant, exerted his powerful influence to good advantage in the interest of the English cause. The colonists, through their agents, likewise were active. The result of the campaign

for Iroquoian favor was that the Senecas, Mohawks, Cayugas, and Onondagas, espoused the cause of the British, while the Tuscaroras and the Oneidas cast their lot with the Americans—thus breaking the strong chain of the famous Iroquois federation, or long-house.

#### *Indian Department Is Created.*

Realizing the tremendous influence being brought upon the Ohio tribes by the British at Detroit, the Continental Congress, in July, 1775, created three Indian departments, one of which—known as the Middle Department—should have to do with the Ohio Indians through commissioners appointed to the same.

When Lord Dunmore parted from the tribesmen of the Cornstalk confederacy following the reconciliation on the Pickaway plains, he promised the Indians a hearing at Pittsburg the next spring—1775. But almost a year had passed, and the natives were still waiting the call for assembly. Realizing their unrest and its potential danger, the Virginia house of Burgesses took steps to convene the gathering, which accordingly was held in September of 1775. Representatives of Virginia, as well as the commissioners of the newly created Indian department were present at this important meeting of which the Indians made a gala affair. Of the Ohio Indians, there were present the Shawnee, in force, with some twenty of their chiefs, including Cornstalk, Blue Jacket and Silver Heels; the Delawares, with Captains White Eyes, Pipe, and Chief Custaloga; the Wyandots, with Chief Dunquod, their half-king; also representatives of the Mingoës, Ottawas, and, for the Moravian Christian Indians, Glikkikan and others. After more than a month spent in formal discussion and debate, the articles of the preliminary treaty, made at Camp Charlotte, were adopted, among the items being the important Iroquois cession of lands to the Virginians, previously referred to.

With the exception of the Delawares, most of the Indians present joined in affirming the treaty, though their allegiance, in most cases, was to be of short duration. The attitude of the Delawares resulted in a split, the result of which was that the Monsey clan, under Captain Pipe, disavowed friendship for

the Americans, and retiring northward toward Lake Erie, placed themselves in close proximity to the British at Detroit. The Christian Delawares, however, reiterated their neutrality, which they maintained to the last.

*Tribesmen Rendezvous at Detroit..*

Following this treaty, the Ohio tribesmen for a time refrained from extensive depredations against the border settlements, so that the memorable year of 1776, which witnessed the Declaration of American Independence and important military engagements east of the Alleghenies, was comparatively quiet in the western country. But agencies were at work which were destined very shortly to precipitate the full malevolence of the Indians against the Americans, just at the time when the cause of the newly-declared republic seemed least able to cope with additional opposition. The British, through their Detroit commandant, Henry Hamilton, were bending every effort toward enlisting the Ohio tribes against the Americans. In the interest of this enterprise, Detroit became a "wide open" town for the Indians, who were not slow to avail themselves of the hospitality, in a very substantial form, which was offered them. Rum, tobacco, provisions, and firearms were theirs for the taking, provided only they should show themselves adherents of the British as against the Americans. The dark-skinned guests were always welcome to return—provided they brought with them their meal-tickets, in the form of a few American scalps—when the good cheer was always awaiting them, with all extras thrown in. These Indian allies acted against the American border either independently, or jointly with the British. In either case, they usually were under the direction of British officers, or were led by renegade whites who had been won over to the British cause.

In the meantime, the colonists were not deaf to the rumblings toward the west, unmistakably presaging the bloody occurrences which were to follow. In June, 1775, the Continental Congress authorized General Washington to recruit the friendly tribesmen of the Six Nations to be used in the Canadian campaign, and at the same time appropriated a sum to be expended

for presents, which were distributed among the Indians. If the years 1775-6 had passed without Indian disturbances of importance, it was because of the careful watch kept upon the Ohio tribes by the Colonists. But the succeeding year was to witness hostile demonstrations which should more than counter-balance this temporary inaction. With the opening of spring, 1777, the restraint which had availed to keep the Indians from the war-path had reached the breaking point, and only awaited excuse for its repudiation. The excuse was amply forthcoming in an event which was destined to let loose the fury of the red men which, especially in the case of the Shawnee, was not to be completely curbed for nearly twenty years.

#### *Assassination of Cornstalk.*

We have seen how Cornstalk, far-sighted, solicitous for the welfare of his people, and anxious to abide by the terms of the Dunmore treaty, had exerted himself to restrain the Indians from pending incursions against the Americans. Despairing of longer averting such a calamity, early in 1777 Cornstalk proceeded to Point Pleasant, where, at Fort Randolph, the site of his defeat at the hands of General Lewis' army, he acquainted the commander of the garrison with the threatened warfare against the border. True to his treaty pledge the great Shawnee leader, as a last resort, had done his best to avert what he knew must result in disaster to his people, and had placed in the hands of the Americans information which enabled them to anticipate the threatened upheaval. And for his pains, Cornstalk was awarded a decree of death, at the hands of those whom he had befriended.

Whether designedly or not, a member of the garrison at Ft. Randolph, who had wandered from the post, was shot and killed by unknown Indians. In their rage at the death of their comrade, the soldiers of the garrison, unable to find the real culprits, wreaked their vengeance on the friendly Cornstalk, whom they attacked and killed while present in the fort as a temporary hostage. Red Hawk, a Delaware chief, who had accompanied Cornstalk, and Elenipsico, the latter's son, shared the fate of their leader.



Thus ended the career of one of the most remarkable leaders of his race—just, courageous, far-seeing, and alike true to his people and his promises to the whites; and thus was sounded “the signal that aroused the Ohio tribes to take up the tomahawk and go on the war-path.”

The character of Cornstalk in many ways suggests the better qualities of his white contemporaries. In place of the impetuosity of the Indian, he seems to have been consistently cool and calculating, with a depth of vision and discernment unusual in his race. His sense of judgment is shown repeatedly, as when he counseled restraint on the occasion of Dunmore’s invasion of the Shawnee country, and again in his reluctance to be drawn into the struggle pending at the time of his assassination. That Cornstalk weighed the (then) present in its relation to the future; that he dreamed of a better destiny for his race and for mankind at large; in short, that he surveyed the situation from a cosmopolitan and civilized viewpoint, seems to be indicated in the following remarks, made by him at Ft. Randolph a short time preceding his death: “When I was a young man and went to war, I thought that might be the last time; and I would return no more. Now I am here among you; you may kill me if you please; I can die but once”.

*Indians Declare for Vengeance.*

All efforts on the part of the Governor of Virginia to apprehend and punish the assassins of Cornstalk, and to appease the anger of the tribesmen, failed signally. The horror of the atrocity against their leader could only be atoned for through blood, and all pretensions of friendship and amity were at an end.

Although other tribes were more or less concerned in the incursions upon the border settlements which immediately followed the murder of Cornstalk, the Shawnee for some time were the principal aggressors. During the summer of 1777, aided and accompanied by British Rangers from Detroit, the Shawnee, Mingoës, Ottawas, and some non-Christian Delawares, proceeded to the Ohio river, where at the mouth of Wheeling creek, they attacked Fort Henry, one of a chain of stockades

established by the Americans to protect the Ohio valley settlements. The fort was commanded by Colonel David Shepherd, the garrison consisting of some 50 soldiers. Upon the approach of the Indians, a part of this force advanced to meet the attack, but falling into an ambuscade were, with a few exceptions, killed. The siege of the stockade lasted throughout the day of September 1, 1777, during which the determination and untiring defense of the little garrison was matched by the reckless and persistent attack on the part of the savages "in the name of Hamilton and the British government".

#### *Siege of Fort Henry.*

The following day witnessed an event which is one of the most spectacular and daring in the annals of Ohio history. Learning of the siege of Fort Henry, Major Samuel McCullough, with 40 men, arrived at the fort to assist its defenders. In the face of the Indian attack the gates were thrown open to his men, all of whom succeeded in entering. But McCullough himself, gallantly permitting his men to enter first, was cut off by the besiegers, and seeing his only chance for escape to be in flight, spurred his horse toward Van Meter's stockade, a few miles away. The trail led along the top of a hill overlooking Wheeling Creek, and at a point where the precipice was steepest, McCullough was intercepted by a band of the enemy. Preferring to choose the manner of his death, he forced his horse over the brink—a leap of some 50 feet to the brush covered slope below, from whence the declivity continued sharply for a distance of more than 200 feet to the stream at its base. Almost miraculously, McCullough's horse kept or regained its feet, and both steed and rider escaped unhurt, to the great surprise and chagrin of the Indians.

The arrival of McCullough's men at the fort discouraged Indian hopes of success and they abandoned the siege and took their departure northward. Later in the same month a band of Wyandots, under the Half King, returned to Ft Henry and succeeded in ambuscading and killing Captain William Foreman and 25 volunteers, who were proceeding to the defense of the fort.

*Events of 1778.*

The year 1778 witnessed several important events in the Ohio region, which claim our attention. The Shawnee made two spirited raids against the Kentucky settlements, in the first of which they carried into captivity the redoubtable Daniel Boone. In retaliation the Kentuckians, led by Boone, who had escaped, and Simon Kenton, made a dash across the Ohio river against the Shawnee towns on the Scioto, on which occasion Kenton was captured by the enemy. Each of these two picturesque characters passed through experiences which in themselves were most hazardous and romantic. An event which, although not transpiring in Ohio proper, greatly influenced its destiny, was what is known as Clark's conquest of the west. Aside from these events, the year was signalized by the holding of the first treaty between the newly-declared republic, as such, and the Ohio Indians, and by the erection of the first American fort within the present limits of the state.

*Daniel Boone Taken Captive.*

The new year was hardly begun when a band of Shawnee warriors, under chief Black Fish, swooped down from their



**DANIEL BOONE.**

towns on the Little Miami and surprised and captured a party of thirty Kentuckians, who, guided by Daniel Boone, had repaired to the salt springs of the Kentucky Licking river to boil salt. This sortie, as is true of others of its kind, was instigated by the British at Detroit, where its commander, Henry Hamilton, had offered the Indians flattering rewards for the delivery of scalps and prisoners. The "live meat", as the latter were termed by Hamilton, brought the larger

reward, and it was to the interest of the Indians to deliver their captives alive, rather than to resort to the quicker and less bothersome method of killing and scalping them. Therefore, Black Fish and his warriors, accompanied by the Kentucky captives, essayed the march to Detroit. During the northward march, the Shawnee chieftain must have been impressed with the sturdy qualities of his prisoners, apparently in the belief that their acquisition as members of his tribe would lend added strength and prestige — for upon reaching his town, little Chillicothe, three miles north of the modern Xenia, Boone and sixteen of his companions were formally adopted by the Shawnee.

Boone, who especially commanded the admiration of Black Fish, was taken into the family of the latter as a "son". After appropriate ceremonies of feasting and rejoicing over the occasion, the Shawnee proceeded to Detroit, where they disposed of the unadopted captives, receiving therefor the sum of \$100 each. Hamilton was particularly desirous of securing Boone, but his Indian "father" steadfastly refused to sell, and together the two, accompanied by the members of the tribe and the retained Kentuckians wended their way through the winter snows to little Chillicothe.

As a part of his plan for ultimate escape, Boone simulated contentment in his new sphere, entering actively into the life of the Indian tribe and leaving nothing undone that would divert the suspicion and watchfulness of his captors. In the meantime, during the summer months, the Shawnee, in connection with the Mingoes, Ottawas, and the hostile faction of the Delawares, were preparing for a strong offensive against Boonesborough, their captive's home settlement, and adjacent towns of Kentucky. It was well along in June when Boone's chance for escape presented itself. Successful in eluding the surveillance of the tribesmen he made for the Ohio river, which he reached in four days' time, and crossing into Kentucky arrived at Boonesborough, where he had been mourned as dead.

*Indians Attack Boonesborough.*

Rallying his townsmen, among whom was Simon Kenton, Boone hastily prepared for the attack upon the town, which he knew would not be long delayed. The attacking party, consisting of 400 warriors under Black Fish, and about fifty Canadians under Captain DuQuesne, made their appearance in early September, and in the name of the king of England demanded the surrender of the stockade. The valiant defenders, numbering not more than one-tenth of the attacking party, steadfastly refused to yield and the attack settled down to a siege. For ten days the result was in doubt but finally, after sustaining heavy losses in killed and wounded, the Indians and their Canadian allies abandoned the attack and returned to their country across the river.

The capture of Simon Kenton took place during the same month in which the Indians laid siege to Boonesborough. Under instructions from Colonel John Bowman, whom we shall meet presently, Kenton with two companions undertook a scouting trip to the Shawnee towns on the Little Miami. After reaching their destination and securing the information desired, Kenton and his companions rode rapidly back to the Ohio. Owing to the swollen waters of the river they were delayed in crossing, and the Indians, in pursuit, overtook them and made Kenton a prisoner. One of his companions escaped while the other was killed and scalped.

*Captivity of Simon Kenton.*

The captivity of Kenton furnishes one of the most thrilling and hair-raising chapters in Ohio history. He and his companions upon leaving the Shawnee town on the Little Miami, had taken advantage of the presence of some of the Indians' horses, which they appropriated to their own use. This naturally added to the indignation of the Shawnee, and as a result the captive was subjected to ill treatment which would have been unbearable to other than a man of his iron nerve and great endurance. He was tied upon the back of a wild horse, which was then released and driven through the brush and timber,

the Indians all the while exulting at his discomfiture. At night during the march to the Indian town, he was placed upon his back and his extended feet and hands secured to stakes driven in the ground. Upon reaching the town of Black Fish he was forced several times to run the gantlet, and finally in the Shawnee council-house, was condemned to be burned at the



Simon Kenton.

stake. For this final ceremony Kenton was taken to Wapatomika, in Logan county, and while passing through the Shawnee towns en route, was twice forced to run the gantlet, and on attempting to escape was frightfully mistreated by the Indians. At Wapatomika, he was temporarily saved from death by the arrival of Simon Girty, the renegade, who from a posi-

tion as interpreter in the American service had deserted to the British. Girty, recognizing Kenton, and recalling their former friendship and association, plead long and ardently with the Indians and finally prevailed upon them to spare his life. After a few weeks of apparent security during which Kenton was treated with kindness and consideration, he again came under the displeasure of his captors and once more was condemned to die. Girty was unable further to assist him, and he was borne away to Upper Sandusky, where he was to be put to death. But at Sandusky, through the intercession of the great Logan, chief of the Mingo, with Captain Druyer, of the British Indian agency, his life was spared and he was taken to Detroit where he remained a prisoner of war until his escape in the spring of the following year. Kenton's captivity, up to the time he reached Detroit, had covered a period of two months. He effected his escape in June, 1779, and found his way through the wilderness back to his home at Harrodsburg, Kentucky, in July following.

Autumn of 1778 finds the scene of activities shifted to the eastward, with the Delawares the principal Indian actors. As we have seen, Detroit was the western headquarters of the British Army, while Fort Pitt at Pittsburg was the stronghold from which the Americans directed their principal operations having to do with the western country. Throughout the Revolution it was the dream of the British to capture Fort Pitt, as it was of the Americans to take Detroit; a dream which neither was to realize. At the close of the war, Detroit, of course, accrued to the Americans.

#### *First United States-Indian Treaty.*

With the object of pushing across the Ohio country in a raid upon Fort Detroit, General McIntosh, commanding Fort Pitt, late in 1778 erected Fort McIntosh, near the mouth of Beaver Creek, on the eastern bank of the Ohio. In order to secure permission to pass through the country of the Ohio tribes the latter were summoned to appear at Fort Pitt where, in September, 1778, was consummated the first treaty ever made between the United States of America and an Indian

tribe. This treaty, with the Delawares, provided the desired permission, and although General McIntosh's original plans for the march against Detroit were not carried out, he proceeded, in November, westward to the Tuscarawas river, where, near the site of the town of Bolivar, Tuscarawas county, he erected a stockade — Fort Laurens — the first fort built by Americans upon Ohio soil. Before passing on to the siege of Fort Laurens, which occurred the following spring, Clark's Conquest of the West, referred to as an event of the year, demands brief attention.

*Clark's Conquest of the West.*

In the spring of 1778, George Rogers Clark, a young Virginian, with a volunteer force of Virginians and Kentuckians numbering less than 200 in all, embarked upon an expedition which had for its object the capturing of the British forts in the Mississippi valley — and as a grand finale, the coveted Detroit itself. While Clark did not succeed in the last-named project, he came so near realizing his ambition as to capture its commander, Henry Hamilton, instigator and patron of the atrocities committed against the Americans by the Ohio tribes..

With the tide of fortune turning against them in the eastern theatre of the war, the British by this time were grounding their hopes in the great west. As a part of their plan to secure and obtain the cooperation of the Indian tribes, they maintained several strongholds extending in an irregular line east from the Mississippi to Detroit and Mackinac. Principal of these were forts Kaskaskia, Cahokia, Vincennes — and the two mentioned above. In July, Colonel Clark and his force, after a toilsome march through almost impassable country, captured Kaskaskia. Cahokia and Vincennes followed in rapid succession.

General Hamilton at Detroit, upon learning of the dashing successes of the Americans under Clark, made hasty preparations to retrieve the loss, particularly that of Fort Sackville, at Vincennes, which in importance was second only to that of Detroit. In December, at the head of his British forces and accompanied by many Indians from Ohio and the lake region, Hamilton reached Vincennes, which he succeeded in retaking. But Clark was not to be thus easily deprived of his success.



Re-forming the scattered remnants of his little army, he proceeded against the stronghold and in February, 1779, surprised and captured the garrison. General Hamilton was captured and together with his officers sent as a prisoner of war to Virginia. Clark proceeded to subdue and pacify the Indians of the region, and succeeded in assuming possession for America of the vast territory east of the Mississippi and north of the Ohio river.

### *Siege of Fort Laurens.*

The principal event in Ohio during the year 1779, was the siege of Ft. Laurens, which we have seen established on the Tuscarawas by General McIntosh and his Virginians. After completion of the stronghold, which, it was believed, would materially assist in controlling the hostile tribes and in protecting the interests of the Colonists against the depredations of the British and Indians from the northwest, General McIntosh returned to Fort Pitt, leaving the Tuscarawas stronghold in charge of Colonel John Gibson and 150 men.

No sooner had the British commander at Detroit learned of the establishment of Ft. Laurens than he determined to punish the audacity of the Virginians in a way that should prove a lasting lesson. A considerable force of Indians—Mingoes, Shawnee and Delawares—under the white renegade, Simon Girty, repaired to the vicinity of the fort. Girty and his warriors were under the direct command of Captain Henry Bird, a British army officer, who had been sent to organize and direct the Indians. After surprising and killing several members of the garrison the attacking party laid siege to the fort, which lasted through the month of March, 1779. Colonel Gibson and his handful of men valiantly defended the stockade and although on the verge of starvation, outlasted the besiegers. At this point General McIntosh arrived at the fort with fresh troops, who, under Major Ward Vernon, assumed charge of Fort Laurens. But the Indian assailants had likewise recovered from the exhaustion of the siege, and returned to the charge. The garrison was reduced to the last extremity of hunger and exhaustion before relief finally arrived from Fort Pitt. Following this second siege, Ft. Laurens was evacuated, on orders from the

commander at Fort Pitt. The site of Fort Laurens, with its memories of almost superhuman endurance and untold hardships and sufferings on the part of its brave defenders, is now the property of the State of Ohio, and will be preserved as a public park, under the care of the Ohio State Archaeological and Historical Society.

#### *Bowman Raids Shawnee Towns.*

The remainder of 1779, and the year 1780, were each characterized by an important offensive movement and counter-attack. Following up his plans for an attack upon the Shawnee towns on the Little Miami, in anticipation of which we have seen Simon Kenton sent upon a scouting expedition, Colonel John Bowman, of Kentucky, proceeded northward from the site of Covington, with about 300 men. This campaign has been described as "the first regular enterprise to attack, in force, the Indians beyond the Ohio, ever planned in Kentucky". The army reached Chillicothe, three miles north of the site of Xenia, the last of May, 1779. It was here that the noted Black Fish, who had been so ardent in leading his warriors against the Kentucky settlements, had his home.

Owing to a misunderstanding in orders the Kentucky raid was but partially successful, although Black Fish was mortally wounded and the greater part of his town burned, before the frontiersmen turned their course toward the south. The moral effect upon the tribesmen, however, who at the time were preparing for further depredations against the border settlements, was decidedly favorable to the Colonists.

In retaliation for Bowman's raid, the Shawnee, Mingoes and Wyandots led by Simon and George Girty and Matthew Elliott, engaged in a series of depredations along the Kentucky frontier. In October, they intercepted and attacked a party of 70 Virginians, under David Rogers, who at the time were ascending the Ohio river, with two flatboats laden with merchandise. More than forty of the party were killed and scalped, amid scenes of the greatest barbarity. Rogers himself was among the slain.

In early spring of 1780, the observant British at Detroit were fully awake to the tide of emigration from east of the Alleghenies, by way of the Ohio river, to the Kentucky settlements. These settlements, particularly that at Louisville, were altogether too thriving and populous to suit the purpose of the British. To check the threatened danger to their cause, the commandant at Detroit appointed Captain Henry Bird, whom we have met with Girty before Fort Laurens, to undertake the capture of Louisville. Under Bird were 150 Canadian and British soldiers, and about 100 Indians from the Lake region. The Girty brothers were engaged as guides. The assemblage proceeded from Detroit by way of the Maumee and Miami rivers to the Ohio, where they were joined by several hundred Ohio Indians, under Captain Alexander McKee.

At the last moment, fearing for their success in an attack upon Louisville, the combined forces ascended the Licking river, where at its forks was the settlement of Ruddell's station. The blockhouse at this place was forced to surrender, and although its defenders, under Captain Ruddell, had been assured of protection from the Indians, many of them were killed. Proceeding to Martin's Station, nearby, the invaders easily effected its capture. Bird and his Canadians and Indians, with about 300 captives and much plunder returned to the Ohio river, where the Ohio Indians, mostly Shawnee, dispersed to their homes. The Canadians and the lake Indians proceeded to Detroit.

#### *Destruction of Piqua.*

And now the Kentuckians, always ready to go the enemy "one better", were thoroughly aroused, and determined to launch such a counter-attack against the Ohio tribes as should crush their power and put an end to the unbearable depredations of the past three years. It was the valiant George Rogers Clark who undertook to raise the largest body of men thus far assembled in Kentucky and to lead them against the Shawnee towns on the Miami and Mad rivers. With Clark were such men as Simon Kenton, Daniel Boone and James Harrod. The assembling place for the volunteers was at the mouth of the Licking

river, and here there gathered upwards of one thousand sturdy and determined pioneers, armed and equipped for the campaign. Crossing the Ohio, Colonel Clark and his men erected two block-houses at the mouth of the Miami river, on the site of Cincinnati, for the storage of supplies and for use as hospitals, in case of need. Ascending along the course of the Miami river, they reached the Shawnee town, Chillicothe, on August 6, 1780, but to their disappointment found that the Indians, apprised of their approach, had fired the town and fled. The following day Clark pursued the Shawnee to their capital, known as Piqua, and located about five miles south of the site of Springfield, Clark county, on the north side of Mad river. This town is noted as the birthplace of the great Tecumseh, who at the time of Clark's attack was a youth of ten or twelve years. Tecumseh is said to have witnessed the destruction of his home by the Kentucky raiders. The Indian occupants of Piqua numbered about 700, with whom were Simon and James Girty. The Kentuckians had brought with them, at great labor, a small cannon, and this was mounted and brought to play upon the Indian stronghold. After several hours of fighting, the natives, realizing the superiority of the besiegers, abandoned their town and fled to the woods. Piqua, one of the finest of the Ohio Indian towns, the capital of the Shawnee and containing their tribal council-house, was burned to the ground and the crops of growing grain destroyed to prevent their return. The Kentuckians had succeeded in carrying out their plans; they had inflicted great material loss upon the Indians, and left a moral effect which went far to deter actual hostilities against the settlements south of the Ohio.

George Rogers Clark was loath to relinquish his idea of an attack upon Fort Detroit, and in the summer of 1781, with a force of about 400 volunteers, proceeded from Fort Pitt by way of the Ohio river. It had been arranged that Colonel Archibald Lochry, of Pennsylvania, with additional soldiers, should join Clark at Fort Henry (Wheeling). Clark was compelled to keep moving in order to prevent desertion by his men, and as a result Lochry and his party failed to overtake him. A few miles below Cincinnati a force of several hundred Ohio Indians, learning of the situation and taking advantage of the separation

of the American forces, attacked Lochry's command, killing Lochry and forty of his men and taking captive the remainder. His plans thus defeated, Clark took refuge at Louisville, and one more attempt against the British western headquarters had been frustrated by the Ohio tribes.

Reluctantly we turn our attention to a chapter in the history of Ohio, the events of which cannot but bring the blush of shame to all who pretend to civilized standards of human conduct. We refer to the story of the Moravian Indians—the Christianized Delawares—whose career in the Muskingum valley of eastern Ohio, after withstanding prolonged persecution, suffered a forced and cruel exile and terminated in a most barbarous and inhuman massacre.

#### *The Moravian Delawares.*

In connection with the exploration of the Ohio country, we have referred briefly to the Moravian missions among the Delawares of eastern Ohio. While the Wyandots, in Michigan and northern Ohio, were the objects of solicitude on the part of French missionaries, the Delawares, entering the state from the east, where they had already been in intimate contact with the whites, were to claim the attention of the Protestants. In their Pennsylvania homes they had known and had been favorably impressed with the Moravian missionaries, a sect as zealous in spreading Protestantism among the Indians as were the Jesuits in pro-



David Zeisberger.

claiming the Catholic faith.

Upon their removal to the westward the Delawares were constantly kept in mind by the Moravians, and when the tribesmen took up their abode on the Muskingum river in Ohio, the missionaries of the sect decided to establish a mission in their midst. In 1761, the Rev. Christian Frederick Post, noted In-

dian interpreter and one of the most ardent of the Moravian missionaries, and John Heckewelder, afterwards to become famous for his work among the Indians, erected the first cabin of the proposed mission, near the site of the present town of Bolivar. Subsequently Post found it necessary to return to Pennsylvania, and Heckewelder, left alone, was unable to cope with the unfavorable conditions and growing hostility of the Indians, and after undergoing untold hardships and dangers found his way back to Bethlehem, Pennsylvania.

But ten years later, (1772) the mission was to be successfully established when David Zeisberger, accompanied by Heckewelder and a number of Delaware Indian converts, arrived at the Tuscarawas town on the Muskingum. Here the Delaware chieftain, Netawatwees, received them hospitably and granted a tract of land for the erection of the mission. With the Zeisberger party was Glikkikan, a prominent Delaware chieftain, who had become a convert to the sect, and who continued until his death a faithful worker with and friend to the missionaries. The mission was named Schoenbrunn, — beautiful spring — from the fine spring of water nearby; and it was here that were sown the first seeds of the Protestant religion in the Ohio country. Other Moravian settlements soon sprung up in the Muskingum valley, among them, in 1772, the town of Gnadenhutten, settled by a band of Christian Mohican Indians, under the leadership of Joshua, an Indian convert. A third settlement of the Moravians was at Salem.

Under the leadership of Zeisberger, Heckewelder and their associates, the native converts were to turn from the ways of savagery and barbarism to the light of civilization and humanity. The wilderness with its precarious existence, was to give way to the settled community with its fields of grain and plenty, while the tomahawk and scalping knife, emblems of butchery and bloodshed, were to be supplanted by the axe and the hoe, symbols of industry and prosperity. In short, residents of the Moravian settlements, at Schoenbrunn, Gnadenhutten and Salem

“Dwelt in the love of God and of man; alike were they free from Fear, that reigns with the tyrant, and envy, the vice of republics.”

*Difficulties of Their Position.*

Throughout all the years of contest between the Colonists and the British for possession of the Ohio country the Moravians, although unfavorably located at the very meeting point of conflict, as conducted from Fort Pitt and Fort Detroit, maintained an attitude of strict neutrality. This very neutrality made their position a difficult one to maintain, for while refraining from actively participating with either side, their creed demanded that they protect non-combatants and prevent needless suffering and loss of life. The result of this commendable policy was inevitable suspicion on the part either of the Colonists or the British, as circumstances might seem to suggest; but on the whole, as Colonel Brodhead, then commandant at Fort Pitt, declared "These (Moravian) Indians had conducted themselves from the commencement of the war, in a manner that did them honor; that neither the English nor the Americans, could with justice reproach them with improper conduct in their situation."

As early as the spring of 1778 British headquarters at Detroit, through the Girtys, McKee and Elliott, connived to win the Delawares from their neutrality. These renegades, visiting the Delawares at their towns on the Muskingum, particularly at Goschoschung, represented to them that the American republic already was crushed, and that the refugees from the Continental army were pushing their way westward to attack the Ohio tribes. Through the efforts of Heckewelder, aided by the loyal Captain White Eyes, the tribesmen were persuaded of the falsity of these claims, and those of the Delawares, led by Captain Pipe, who inclined to the British and advocated immediate war upon the Americans, were temporarily quieted.

It was in the autumn of this same year that the historic treaty of Fort Pitt, with the Delawares, was effected — the first treaty between the United States and the Indians. This treaty, as we have seen, paved the way for the erection of Fort Laurens — the first fort built by Americans upon Ohio soil. The siege of this fort by the British and their Indian allies, which occurred in the following spring (1779) foreshadowed the begin-

ning of a defection to the British on the part of the Delawares. This defection, which was to cost them dearly, was in great part the result of the death of White Eyes, their erstwhile most influential leader. Shortly after the Fort Pitt treaty, in which he took a great interest and played an important part, White Eyes, the staunch friend of the Moravians and of the Americans, was stricken with smallpox, and died at the Tuscarawas capital of the Muskingum Delawares. In the death of this "great counsellor and good man," the Moravian missions and the colonists lost one of their most ardent supporters. To these his death came as a great calamity; but not so to Captain Pipe, or Hopocan, chief of the Monsey clan of Delawares, nor to the British themselves. Hopocan, who openly championed the cause of the British, in whose pay he was then acting, seized the opportunity to widen the scope of his power and to influence his people against the Americans. His principal opponent in the counsels of the Delawares was Captain Killbuck, who while generally favorable to the Americans, lacked the brilliancy and leadership which were Hopocan's. In the winter of 1780, throwing off all pretense, Hopocan, accompanied by his band of Monseys, quitted his town on the Walhonding and removed to the Sandusky river, where, on the banks of Tymochtee creek he established what became known as Pipe's town. Thus located, he was able the more readily to cooperate with his British employers, who at this time maintained a sort of secondary headquarters at the Wyandot towns on the Sandusky, from which raids to the south and east were launched.

#### *Brodhead Destroys Delaware Capital.*

The opening of spring, 1781 — that eventful year which was to witness the pathetic exodus of the Moravians from their peaceful homes — found the Delaware nation aligned as follows: The Moravian Christians maintained their neutrality, but unconsciously leaned toward the Americans, owing to the harshness of the British in attempts at coercing them to the British cause; the Monsey clan, under Captain Pipe, had definitely repudiated the Americans; while the remainder of the non-Christian Delawares were veering ominously toward the British.



Realizing the seriousness of the situation, Col. Brodhead, commandant at Fort Pitt, prepared to act. In April, with 300 troops consisting of Regulars and Virginia Militia, he crossed the Ohio and proceeded to Goschongung, the Delaware headquarters, on the site of Coshocton. The inhabitants, taken by surprise, were captured, after which the town was looted, the newly-planted fields devastated, live-stock killed or driven off, and much property damaged or burned. Of the captured warriors sixteen of the leaders, singled out by Pekillon, a Delaware who had accompanied the Brodhead expedition, were condemned to die. With the approach of night they were led to the outskirts of the town where they were brutally and inhumanly tomahawked and scalped. The remaining captives, in charge of the militia of the raiding party, were billeted to be taken to Fort Pitt. The return march had not proceeded far, however, before the militiamen inaugurated a wanton carnival of bloodshed, in which some twenty warriors were shot down. Frightened and enraged, the Delawares hastily withdrew to the north and west, where they took their stand upon the Scioto and the Sandusky; and the Muskingum valley, except for the fortuitous Moravians, became for the time a "no-man's-land." Colonel Brodhead strongly urged the Missionaries and their converts to accompany him to Fort Pitt and thus avert the threatening vengeance of the non-Christian Indians, but with a few exceptions the Moravians chose to remain and face their destiny in their cherished homes.

#### *Exile of the Moravians*

The pathetic events which followed might have furnished a theme equally as promising as that upon which Longfellow based his immortal *Evangeline*; for while the Acadian exile involved a much greater number of individuals, the extra added feature of cold-blooded massacre perpetrated by those whom they had in every way befriended, gives to the Moravian atrocity the finishing touch of inhuman barbarity and the last word in tragedy and atrocity.

"Bearing a nation, with all its household gods, into exile,  
Exile without an end, and without an example in history."

The work of Brodhead had effectively alienated the non-Christian Delawares and adjacent tribes, who immediately flocked to the standard of the British. The time was ripe for the latter to act, and once for all break up the Moravian settlements, which they believed, under guise of neutrality, were aiding the American cause. No sooner had Brodhead finished his work and returned to Fort Pitt than the British plan of action was set moving. A force of approximately 150 men consisting of Wyandots under Dunquad (called by the Delawares Pomoacan); Delawares under Captain Pipe and Wingenund; small bands of Mingoes and Shawnee; and a few British and French from Detroit, — the latter under Captain Mathew Elliott, as commander of the expedition — made their appearance on the Tuscarawas. Elliott established his headquarters before Salem, while others of the party proceeded to Schoenbrunn and Gnadenhutten. The Moravian missionaries, as was customary, extended their hospitality to the visitors, despite the ominous import of their presence. They had not long to await an explanation, if in truth they already had not surmised it. Elliott, summoning the leaders from the several missions to his headquarters at Salem, over which floated the British flag, and hiding the mailed fist under friendly guise, delivered the inexorable decree of the British.

"Prisoners now I declare you; for such is his Majesty's pleasure."

The decision of the British was, in brief, that the Moravians either must espouse their cause, or failing in this, that they must be forcibly removed from the Tuscarawas to a part of the country where possibility of their collusion with the Americans would be minimized. The former not being acceptable to the Moravians, the alternative was carried out. The movable property and personal effects of the inhabitants of the three towns were appropriated and divided among the Indians. The Wyandots, dressing themselves in the clothing of their victims, vainly paraded themselves for the admiration of their fellows. As one man, the Indians gave themselves over to celebration and feasting, the means for which were ready at hand in the bounteous supplies of cattle, poultry, and products of the soil

which the Moravians had accumulated. For days this wild carnival continued, with "Midnight shout and revelry, Tipsey dance and jollity," while the involuntary hosts of the revelers were powerless to act.

Finally, on the 11th of September, 1781, the members of the three settlements, consisting of about 100 families, were forced to assume the march toward the north, leaving behind them "a Christian communion never equalled in the history of the Indians." The pathetic exodus from their homes of the ardent missionaries and their faithful converts, is eloquently summarized in the words of Edmund de Schweinitz, biographer of David Zeisberger:

"They were turning their back upon the scenes of more than eight years industry, and of a Christian community never equalled in the history of the Indians. They were leaving behind rich plantations, with five thousand bushels of unharvested corn, large quantities of it in store, hundreds of hogs and young cattle loose in the woods, poultry of every kind, gardens stocked with vegetables, three flourishing towns, each with a commodious house of worship, all the heavy articles of furniture and implements of husbandry — in short, their entire property, excepting what could be carried on pack horses or stowed in canoes." After a strenuous journey of three weeks, partly by canoe on the Tuscarawas and partly by land, the exiles reached the Sandusky river, in what is now south-eastern Wyandot county. Here they were abandoned by Dunquad and his Wyandot escort and allowed to shift for themselves. Near the juncture of Broken Sword creek with the Sandusky river they selected a site, and with sad hearts began the almost hopeless task of re-establishing themselves and their missions. Log huts for shelter and a rude structure for religious services were provided; but scarcely had this been accomplished before calamity again overtook them.

*Moravian Pilgrimage to Detroit.*

Late in October the Delaware chief Wingunund appeared at their village, called Captives' Town, bearing a summons from Governor de Peyster demanding that the Moravians appear at Detroit "for trial." After a perilous march through the wilder-

ness the little party, escorted by the Indian guides, reached Detroit and appeared before the commandant. At their hearing Captain Pipe was the principal witness, and to his credit be it said, testified favorably to the defendants, declaring that the Moravians were guiltless of wrong against the British. This circumstance throws a favorable light upon the character of Pipe, who though in the pay of the British, had from the first refused to indulge in any brutality against the Americans, either from humane motives or in fear of later punishment.

The Moravians, thus absolved from blame, were permitted to return to their pitiable settlement on the Sandusky, with the admonition that they abstain from friendly intercourse with the Americans. De Peyster, more humane than his predecessor, Henry Hamilton, furnished the pilgrims with needed clothing and supplies. Returning to Captives' town, the refugees, in a spirit of thankfulness for their acquittal and safe return, erected a "temple of worship," a rude structure of poles supported by upright stakes, the crevices stopped with moss.

The winter which followed was one of intense suffering for the little band of Christians, and starvation was with difficulty staved off. Remembering the bountiful supplies of unharvested corn left behind at their towns on the Tuscarawas, they obtained permission from Pomoacan, the Wyandot half-king, to avail themselves of the grain. Accordingly, in late February, 1782, about 150 of the more able-bodied of the inhabitants departed for the Tuscarawas. But it seemed that misfortune had marked the Moravians for its own. No sooner had they taken their departure than Simon Girty arrived from Detroit with a second order summoning their leaders again to appear for trial. At this point it would seem that the unfortunates, buffeted by the hand of fate, could withstand no more. Zeisberger, in his bitterness declared "If we were to be slain, it would be better, we should then be relieved of all our troubles; but now we seem to be reserved for many deaths."

But with faith and hope sustaining them, the missionaries sent out runners summoning their members to return to the village. Those who happened to be near at hand responded and returned to the town; but from the relief party who had gone

to the cornfields on the Tuscarawas, there was no response. A second summons was answered by a similar silence. This silence was explained when a Delaware Indian arrived at Captives' Town with the intelligence that the relief party had been massacred at Gnadenhutten! Stunned and heart-broken, Zeisberger, Heckewelder and their associate leaders and families, exhorting their faithful followers to "stand fast in the faith and endure to the end," departed with Girty for Detroit, to answer once more to the suspicion that they had had friendly correspondence with the Americans.

*The Moravian Massacre.*

The fate of the Moravian Indians was the fate that too often rewards the would-be peacemaker — ingratitude, distrust and malevolence on the part both of the British and the Americans of the border country, between whom they strove to ameliorate hostilities. We have seen their community harassed and despoiled by the British-Indian alliance, which like some great beast of prey had dragged them from their home on the Tuscarawas toward its lair to the northward; we shall now witness the completion of the despoliation — the ruthless tearing apart of the body religious — in a manner even more brutal, and by those who by every token should have been the friends and protectors of the Moravians. In fixing the blame for the inhuman massacre of the Moravian Indians at Gnadenhutten on March 8, 1782, the verdict of the historian finds the frontier settlers of the border county of Washington, Pennsylvania, "guilty, with recommendations for mercy."

*Motives for the Massacre.*

The very enormity and perversion of the crime demand that the convicted be given the benefit of the moderating clause of the verdict; in fact, it is in this alone that there is to be found the semblance of a motive for the massacre. Let us then inquire more closely into the situation with regard to the Moravians and the border settlers across the Ohio, as it existed at the time under consideration. We have gathered in a general

way something of the compromised position of the missionaries and their converts, especially with reference to the British and the pro-British tribesmen; namely, that the neutrality of the Moravians was looked upon as a cloak under which information was passed on to the Americans. The hostile Indians themselves regarded the Christian natives as traitors to their race, and lost no opportunity of embroiling them in the tangles of perversity with either side. The Americans, on their part, in so far as official and well-informed circles were concerned, realized that the Moravians were guiltless of wrong-doing; but among the frontiersmen of Pennsylvania and Virginia — the backwoodsmen along the Ohio river — there had developed an unfortunate and mostly ungrounded suspicion that the Moravian settlements on the Tuscarawas had much to do with the raids of the Ohio savages on their settlements. It is not strange, considering the times and the circumstances, that such should have been the case. The means of communication, and therefore of news distribution, were limited, and the frontiersmen were often ignorant and credulous. Raiding parties from the hostile Ohio tribes were at the time very much in vogue; and as the Moravian towns were directly on the route of these forays, and about midway thereof, they afforded a convenient stopping place for the raiders, both on the going and returning journeys. Their hospitality, extended either as a result of religious conviction or through inability on the part of the inhabitants to withhold the same, was freely made use of, and even abused, by the marauding bands; and it was only natural that the frontiersmen, in their ignorance and impulsiveness and constantly irritated by the dangers which beset their families and homes, should judge the Moravian settlements "by the company which they kept."

During the winter preceding the Gnadenhutten massacre, the Indian raids against the border settlements had been particularly alarming. In one instance a party of Ohio Indians crossed the river into Pennsylvania, burned the cabin of John Wallace and took captive his wife and three children. On their return, which took them through the Moravian towns, the Indians cruelly tomahawked the mother and her infant. It would appear that the savages while availing themselves of the friend-

liness of the Moravians, were all the while maliciously plotting to incur upon their hosts the vengeance of the whites, through these trails of blood, leading from the settlements of the one to the towns of the other. How well their plan succeeded, we shall see.

The Pennsylvania backwoodsmen, at last goaded to desperation and believing that they could not expect security for themselves as long as the Moravian towns were in existence took matters into their own hands and without seeking authority from council or congress, determined upon their destruction.

#### *Details of the Massacre.*

During the late winter of 1781-2, the work of raising the necessary volunteers for the contemplated enterprise was quietly carried on in Washington county, Pennsylvania, and by the first of March a force of about 100 men had been secured. Under the leadership of David Williamson, who had been elected captain, the raiding party crossed the Ohio and on the sixth of March, 1782, arrived before Gnadenhutten, their presence being unknown to the inhabitants. The following morning, after killing several of the inhabitants who had discovered their presence, Williamson's party entered the town without opposition.

The inhabitants of Gnadenhutten, Schoenbrunn and Salem at this time comprised a few Moravians who had escaped removal to the Sandusky river, and the relief party of 140 who had returned to their towns from Captives' Town to obtain corn. On the arrival of Williamson and his men, the Indians were quietly engaged in gathering and making ready the grain for the return trip to the Sandusky, where their families, almost upon the verge of starvation, anxiously awaited the promised supplies. Simulating a friendly attitude the frontiersmen, summoning the unsuspecting natives from their work in the fields, made known what they wished the converts to believe to be the purpose of their visit. They had come, they said, to offer the protection and friendship of the Americans, who, in view of the dangers to which the Moravians were subjected from the British and the hostile Indians, wished to convey them to Fort Pitt, for their safety and protection. In their credulity, the In-

dians surrendered their weapons to Williamson's men, "to be returned upon arrival at Pittsburg." A detachment was sent forward to Salem, which returned accompanied by the Moravians at that place; but those at Schoenbrunn, taking alarm, fled before the emissaries reached their town, and thus escaped the fate which awaited their fellows.

No sooner had the Indians been disarmed than all pretense at friendly intentions was thrown aside, and they were rudely thrust inside the larger buildings as prisoners. The question as to their fate then became a matter for discussion. A few of the backwoodsmen, partly recovered from the first excitement of the undertaking and realizing the innocence of the converts, favored their release; others, not quite so impetuous as at first but unwilling to abandon the enterprise, were in favor of removing the Indians to Fort Pitt and turning them over to the commandant there for disposal. Captain Williamson himself was inclined to be lenient with the captives, but his attitude and that of the more humane of his command were overruled by the greater number of those who demanded the blood of the converts. The question finally resolved itself into "Whether the Moravian Indians should be taken prisoners to Pittsburg, or put to death." Of the ninety Pennsylvanians, acting as a council of war, only one in five favored the former proposition. These more humane members of the party, eighteen in number, then withdrew from the scene to avoid witnessing the revolting procedure on the part of their comrades.

As between two suggestions as to the carrying out of sentence of death against the captives,—the one, that they be burned to death by setting fire to the buildings in which they were confined, and, the alternative, that they be tomahawked and scalped,—the latter was decided upon as the most desirable. Accordingly, the Indians were notified of their impending fate, and were given until the following morning in which to prepare to die.

The faith which had supported the Moravians through the trying times of oppression and persecution was not to desert them in their martyrdom. At the hands of the British-Indian allies and to a lesser extent from the Americans, they had suf-



ferred all but death; and now that the day fixed upon for their return to families and friends with the life-saving supplies of corn, was to be, instead, the day of their doom, they bravely and unhesitatingly prepared to meet death. In the words of Dr. Schweinitz, "As the hours wore away, and the night deepened,



INDIAN MONUMENT, GNADENHUTTEN.

and the end drew near, triumphant anticipations of heaven mingled with their hymns and prayers; converted heathens taught their Christian slayers what it means to die, as more than conquerors."

Early on the morning of March 8, 1782, the Moravian Indian captives signified their readiness for the ordeal. The men

and boys were led or dragged, two by two, to the nearby cooper shop, where with tomahawks, war clubs, spears, mallets and knives, they were quickly dispatched and scalped. The slaughter of the women and children followed in the same gruesome manner.

We shall not follow in detail the revolting scenes of the massacre; suffice it to say that of the ninety-eight Moravians held by the Williamson party, all were killed but two boys, who made their escape. Among the killed were Glikkikan, the Delaware chieftain, who several years previously had been converted and who was one of the ablest and most valued of the Moravian teachers; his wife, who on the occasion of the attack on Fort Henry, at Wheeling, rode all night through the wilderness to inform the military authorities at Fort McIntosh of the intended attack; and Captain Johnny, a Delaware chief and earnest Moravian teacher.

Their lust for blood being satiated, in so far as Gnadenhutzen was concerned, the raiders proceeded to Schoenbrunn, where they expected to repeat their orgies; but the inhabitants of Schoenbrunn had learned of their presence and had hastily departed from the town. After venting their disappointment by burning the houses and destroying property, the frontiersmen hastened eastward and across the Ohio into Pennsylvania. As a grand finale to their bloody foray, a detachment of Williamson's men proceeded to Smoky Island, opposite Fort Pitt, where they attacked and killed a number of Delawares residing there. The Smoky Island settlement consisted of a band of Ohio Delawares who, under Killbuck, or Gelelemand, and Chief Big Cat, at the invitation of the Fort Pitt officials, had taken refuge there, following the defection of a part of the tribe under Hopocan. Killbuck managed to escape death in the attack by Williamson's men, and later joined the Moravians on the Sandusky.

#### *Subsequent Career of Moravians.*

Before bidding farewell to the Moravians, it is fitting that we inquire as to their later career. We left Zeisberger and his assistants at the beginning of their second journey to Detroit, where they went in answer to a summons from De Peyster. We

need not concern ourselves with this pilgrimage of the great missionary, nor with the succeeding years of anxious waiting and precarious existence. It is sufficient to know that at the close of their hearing, the Moravians were barred from returning to their settlement at Captives' Town on the Sandusky. Under De Peyster's orders, either of two things was left them; to return to their original settlements in Pennsylvania, or to remain in the Michigan country under the protection of the British. They chose the latter and established a settlement known as New Gnadenhutten among the friendly Chippewas on the Huron river.

But the Moravians had left their hearts in the Ohio country, and in 1782, peace having been declared between England and the United States, they found their way to the Cuyahoga river, where they sojourned for about one year, and then took up their abode on the Huron river near the present town of Milan. Here for four years they prospered, and made many converts, among them the noted Captain Killbuck, who, always inclined to be friendly, now became a lasting and valued member of the church. But hostilities between the Ohio Indians and the American government disturbed their security and in 1789 they returned to Canada.

In the meantime, in passing the Ordinance of 1787 and in conducting the surveys of the lands thereunder, Congress granted the Moravian Indians a tract of 12,000 acres of land on the Tuscarawas river, adjoining and partly including their former settlements. To this land the pilgrims returned in 1789 and picking up the raveled ends of their pathetic career set themselves to restore the old order of peace and prosperity. For a time all went well and their dream seemed destined to become reality; but their leaders, Zeisberger and Heckewelder, had already left behind them their best years and strength in the fitful and checkered existence of their beloved mission. Zeisberger founded the little town of Goshen, about seven miles distant from Gnadenhutten, where he lived and labored until his death in 1808. Heckewelder re-established Gnadenhutten on the site of the infamous massacre, where he resided until 1810, when

he returned to Pennsylvania. Their leaders gone, and none among the converts being of a caliber to fill their places, the Moravian Brethren rapidly declined, and, as with others of their race, returned to the ways of their fathers.

CLOSING EVENTS OF THE REVOLUTION.

*Conflict Centers in Ohio Country.*

Before proceeding with the momentous events which, in addition to the Moravian massacre, characterized the memorable year of 1782 in the Ohio country, let us pause long enough to inquire into the progress of the Revolutionary war elsewhere. It will be recalled that in October of the preceding autumn General Cornwallis had been forced to surrender to Washington, at Yorktown, Virginia. This event, presaging American victory and the end of the war, was followed in March, 1782, by a vote in the British House of Commons, declaring that "Whoever should advise a continuance of the war, was an enemy to the king and country." Nevertheless, their hopes of victory blasted in the eastern front, the British commanders toward the west staked their last chance upon success in the territory north and west of the Ohio. From Detroit, in particular, where General De Peyster commanded, hostile actions against the Americans continued for a considerable time, aided by their Indian allies, especially the tribes of the lake region, and the Wyandots, Delawares, Shawnee and Mingoes of Ohio.

The British, operating from Detroit, were loath to abandon their dream of taking Fort Pitt, while the Americans, at the latter post, continued to realize the desirability of sacking Detroit. In the meantime, the Muskingum valley having been transformed into a "no-man's-land" through the removal of the Delawares to the Sandusky, the slaughter of the Moravians, and the voluntary withdrawal westward of other tribes, the principal center of Ohio Indian activity came to be the Sandusky river region, the home of the Wyandots, principal henchmen of the British in their operations against the Pennsylvania and Virginia border. The principal town of the Wyandots, at this time, known as Sandusky, or Sandusky Old Town, was located on the

west bank of the Sandusky river, about five miles north of the modern Upper Sandusky. Here, located on the great water route between Lake Erie and the Ohio river, (via the Sandusky river, across the portage and down the Scioto) at what was an important British trading post, the latter had established their supply depot, and recruiting headquarters for the purpose of facilitating their campaigns to the east and south. A few miles west of the Sandusky town, on Tymochtee creek, was located the town of the Delawares under Captain Pipe, or Hopocan, while to the eastward, in the present Crawford county, the Delaware war chief, Wingenund, with his following, made his home. With these numerous allies to draw upon—including practically the whole of the Ohio Indian population, with several hundred warriors at their command, and aided by the Girtys, Elliott and others of the white renegades,—De Peyster, at Detroit, early in 1782 presented a threatening aspect to the American colonies bordering the Ohio.

#### *Crawford's Sandusky Campaign.*

With this situation confronting them the Colonists, encouraged by the success, however questionable the methods employed, of Williamson against the Moravians, clamored for an expedition against the Sandusky stronghold. This public sentiment found expression in an army of 180 Pennsylvania and Virginia volunteers, which, on May 25, 1782, crossed the Ohio and proceeded toward the Wyandot towns. The expedition was in command of Colonel William Crawford, whom we have met in company with Dunmore on the Pickaway plains and elsewhere, while David Williamson, leader of the raid against the Moravians, was second in command.

But while Colonel Crawford and his command were slowly and cautiously making their way across the broken country of eastern Ohio, the British were not idle. De Peyster, through the vigilance of Simon Girty, had been apprised of the pending raid and laid his plan to meet it. Two companies of British Rangers and a band of Lake Indians, under Captain William Caldwell were immediately dispatched to Sandusky. Arriving there they were joined by the Wyandots under the half-king

Dunquod and Simon Girty; the Delawares, from Pipe's Town and Wingenund's village under Captain Pipe and George Girty; and bands of Shawnee and Mingoes, the whole of the Indian force being directly in command of Captain Mathew Elliott.

Arriving at a point just south of the Sandusky town, Crawford led his men carefully up the river and at what is known as Battle Island, three miles above the present Upper Sandusky, was confronted by the enemy. The Americans succeeded in gaining possession of the "island," a small piece of timber in the midst of the grassland, and with this advantage were able successfully to withstand the attack which followed and continued throughout the day. The following morning — June 5 — the British Indian allies were reinforced by the arrival of upward of 200 Shawnee warriors. Seeing his force greatly outnumbered Crawford decided to take advantage of the first opportunity to retreat. This opportunity came with nightfall of the fifth, when, after burying their dead, five in number, the Americans cautiously abandoned their friendly grove and under cover of darkness proceeded to retrace their course.

#### *Battle of Olentangy.*

But their retreat had been discovered and, with the Indians in hot pursuit, soon became a rout. The following afternoon the retreating force was overtaken and forced to give battle. The contest took place a few miles south-east of Upper Sandusky, on a fork of the Olentangy creek, from which the struggle takes its name, the Battle of Olentangy. Colonel Williamson, in the absence of Crawford, rallied his men to the attack with the result that after an hour's fighting and the loss of three men the Americans were completely successful and the attackers hastily beat a retreat.

Profiting by this temporary respite the Americans lost no time in quitting the Sandusky country, where such unexpected resistance had developed, and by June 13 had reached the Ohio river, which they crossed at Mingo Bottoms. The unsuccessful undertaking had cost the Colonists 70 men, in killed, captured and missing — and among the last named was Colonel William Crawford, the commander.

*Capture of Crawford.*

In carrying out the retreat from Battle Island, Colonel Crawford, in his solicitude for the safety of his men, and owing to the darkness, became separated from the command and in the confusion which followed was unable to rejoin them. With Colonel Crawford was Dr. Knight, the surgeon of the command. Knowing that their safety lay in a direction which would take them as far as possible from the hostile Indian camps, the two pursued their way stealthily but rapidly to the north-east. Following a circuitous course they were able on the following day to strike the trail of the retreating army, which they hoped to overtake and rejoin. But on the afternoon of the seventh they suddenly found themselves face to face with a party of Delawares who overpowered and conducted them to the camp of Chief Wingenund, nearby. Here they were joined by nine additional captives, who, like Crawford and Knight had become separated from their companions and taken prisoners by the Delawares.

Crawford and Knight realized that nothing short of death awaited them, and that no ordinary execution would satisfy the vengeance of the Delawares. The fact that the "Big Captain" of the Americans had fallen into their hands was a source of great satisfaction to the Indians and was celebrated by fiendish demonstrations of delight. The opportunity for revenge for past grievances and for setting a forceful example to the "Long Knives," as the Indians called the frontiersmen, was one they had hardly dared expect, and nothing short of burning at the stake with its accompanying savage tortures would suffice for their purpose.

The recent massacre of the Moravian Indians, who, while estranged from the Delawares, nevertheless were their kinsmen, strengthened the unfavorable sentiment against the Colonists. Captain Pipe, tireless in his support of the British cause and in his enmity for the Americans, needed no additional stimulus to evil-doing, while Dunquod or Pomoacan, had but recently lost two sons, killed by frontiersmen on the Ohio, and while the Wyandots had abandoned burning as a means of execution,

their chief in his bitterness might easily overlook this fact. The Shawnee still bore the scar of battle inflicted in the recent raids of the Kentuckians against their towns, while the Mingoes were not unmindful of the fact that it was Crawford who had razed their villages at the forks of the Scioto. At any rate, Pipe, or Hopocan had no difficulty in securing permission from, or at least acquiescence on the part of the Half-King, Dunquod, and his Wyandots for the carrying out of his fiendish plans, and the doom of Crawford and his party was thereby sealed.

Under escort of a party of Delaware warriors, the eleven captives, among them Crawford and Knight, started for the vicinity of Pipe's town on Tymochtee creek, which had been selected as the place of execution. En route, five of the captives were brutally tomahawked and mutilated by the squaws and boys of the escorting party.

The site selected by Captain Pipe for the torture and burning of Crawford was on the east bank of Tymochtee creek, near the present village of Crawfordsville, and within a short distance of Pipe's town. Here there had assembled about thirty Delaware warriors, besides some sixty squaws and Indian boys, with Captain Pipe, Wingenund and the renegade Simon Girty. Crawford appealed repeatedly to the latter for intercession in his behalf, but his entreaties were met with an amused indifference.

#### *Burning of Crawford.*

After having his face blackened and his clothing stripped from him Crawford was tied to a post, and a huge bonfire which had been prepared nearby was lighted. For three hours the doomed victim was subjected to every form of torture known to savage ingenuity, and all the while his friend and companion, Dr. Knight, was compelled to sit by and witness the agonies, that he might have a foretaste of what he in turn might expect.

After firing numerous charges of powder into Crawford's body, the tormentors cut off his ears. The squaws, more fiendish even than their braves, amused themselves by piercing his body with burning fagots and poles from the fire, and by carrying coals of fire and heaping them upon the victim's head and limbs. Crawford displayed marvelous endurance and fortitude in the



midst of his tortures, "exceeding in fiendish, ferocious, devilish cruelty and barbarity, anything recorded in savage annals."

Doctor Knight, while being held preparatory to burning at the stake, eluded his captors and escaped, as did also John Slover, the guide. The experiences of both were most hazardous, and their escape little short of miraculous. To Dr. Knight we are indebted for knowledge of the details of Crawford's burning, published by him after his return to Pittsburg. The fate of Colonel Crawford's son, John Crawford, his nephew, William Crawford, and William Harrison, his son-in-law who among others were separated from the command and captured, was never learned.

*The Indians and the Renegades.*

The closing events of the Revolutionary War, in the main, are familiar to our readers. Following the surrender of Cornwallis there was a general cessation of fighting between the armies proper, hostilities being confined to the southern and western frontiers. Communication and transportation, in so vast a territory without modern utilities, such as railroads, the telegraph and even highways, were necessarily slow and uncertain, and under such conditions much time was required to bring an end to so gigantic a conflict. Preliminary peace terms between England and the new-born American republic were agreed upon at Versailles, in November, 1782. In April of 1783, Washington disbanded his army of Continentals; the final peace was ratified in September following, and late in November all British troops embarked from New York for England.

But the last-named event did not serve entirely to put the Atlantic ocean between the American republic and the "mother country"; for by the terms of the treaty, England retained her possessions in Canada. Notwithstanding the provisions of the treaty for the withdrawal of garrisons from all posts in American territory, the British were reluctant to relinquish possession, with the result that such important posts as Fort Niagara, Fort Detroit, and posts at the mouths of the Sandusky and the Maumee rivers, continued in British possession until 1796. With the object of protecting their extensive and lucrative fur trade and in the belief that the American republic would prove a

failure, the British inaugurated a policy of instigating Indian hostility against the western settlements, which was to involve the Ohio country in more or less serious conflict for a dozen years to come, and which, in fact ended only with the War of 1812.

The British excitation of the Indians against the Americans was conducted, as previously, mainly from Detroit. The tribes of Ohio as we have seen, were strongly attached to the British, and following the unsuccessful raid of Colonel Crawford against the Sandusky towns, their elation and confidence knew no bounds. Scarcely had Crawford's defeated command returned across the Ohio than the warriors were clamoring for further victories over the settlers. Detroit and the Indian towns upon the Sandusky and Mad rivers became veritable bee-hives of hostile activity. The designs of the British-Indian allies embraced the settlers both of the Pennsylvania-Virginia border and those of Kentucky to the southward.

Under leadership of Simon Girty and Mathew Elliott, one of the largest Indian armies ever assembled in Ohio was brought together at Wapatomika, at the source of the Mad river, in Logan county. The warriors, eleven hundred strong, comprised the Wyandots, Delawares, Shawnee, Mingo, Ottawas and others. At the suggestion of Captain Snake, of the Shawnee, it was decided to direct the first of a series of raids against Fort Henry, at the site of Wheeling. De Peyster accordingly despatched a company of Rangers under Captain Bradt, and these together with the force under Captain Caldwell, fresh from their participation in the rout of Crawford's command, joined with the Indian forces. But at this point reports to the effect that the Kentuckians, under George Rogers Clark, were advancing against the Ohio towns led the assembled army to change their plans, and accordingly they marched southward to meet and intercept Clark's supposed raid. But the expected Kentuckians failed to appear; and disappointed, many of the warriors abandoned the campaign and returned to their towns.

#### *Battle of Blue Licks.*

With the remaining force, consisting of 300 Indians and 60 white rangers, Captain Caldwell in August proceeded to the Ohio

and crossing into Kentucky laid siege to Bryant's station. The stockade, however, was so stubbornly defended by the Kentuckians, among whom was Daniel Boone, that the siege was abandoned and Caldwell led his men back across the Ohio. The following day the Kentuckians, learning of the attack, gathered from far and near, and prepared to pursue the Indians into their own country. They came up with the enemy at the Blue Licks on Licking river, and disregarding the advice of Daniel Boone, impetuously charged directly into an ambuscade prepared for them by the Indians. The slaughter which followed was terrific, and the battle one of the bloodiest fought on Kentucky soil. One hundred of the Kentuckians were killed or captured, among them being Boone's son, Israel Boone. Hilarious over their success, the Indians and Rangers returned to Wapatomika and Sandusky.

*Kentuckians Strike Retaliatory Blow.*

But the spirited Kentuckians, typical frontiersmen that they were, refused to acknowledge themselves defeated or even humbled. They were made of sterner stuff, and the incursion of Caldwell and his warriors only served to rouse them to a keener realization of the necessity for checking the onslaughts of the Indians, which threatened the very existence of their settlements. No sooner had Caldwell departed the scene of his Blue Licks victory than volunteers began to assemble from all parts of the Kentucky country with the avowed determination of avenging the catastrophe and of striking a blow that once for all would convince the Ohio tribesmen that the country across the Ohio was anything but a promising field for pillage, plunder and conquest. Leadership of this supreme effort naturally fell upon George Rogers Clark, and the man who had inaugurated the first formidable blow at British dominance in the northwest, was now successfully to strike the final blow which would end forever the Indian forays against the Kentucky settlements.

By the last of October, 1782, volunteers to the number of more than one thousand mounted men had assembled at the mouth of the Licking river, opposite Cincinnati, and placed themselves under the command of Colonel Clark. The army, well equipped and provisioned, proceeded up the Miami river

and early in November reached the Indian towns about the headwaters of that stream. At Lower Piqua, Clark found "a peaceful people" whom he did not molest. Proceeding to Upper Piqua, he destroyed an Indian fort and proceeded thence to Loramie's trading post, on the portage between the Miami and Lake Erie, which shared a similar fate. This post, presided over by one Pierre Loramie, a Frenchman, was an important center of trade between the British and the Indians.

Ineffectual efforts were made by Clark to draw the Shawnee and their allies into battle, but the Indians, although urged on by the renegade white leaders, were too well acquainted with Clark's prowess and too deeply awed by the size of his army to risk an engagement. After burning the property and cabins of the Indian towns and destroying their supplies of corn and provisions, the Kentuckians marched triumphantly back to their settlements, fully vindicated, and, as time proved, having inflicted a lesson which would preclude further forays against their towns.

#### *Second Siege of Fort Henry.*

Having chastised the Kentuckians at Blue Licks, the allies began preparations for the deferred raid upon Fort Henry. Captain Bradt and his company of rangers and 200 Indians arrived at Fort Henry early in September, and began one of the most spectacular and historic sieges of the war. Fort Henry, at this time, was in command of Col. Ebenezer Zane, and was garrisoned by eighteen men, besides the families of the same, making in all some forty or fifty persons, men, women and children. Before the departure of Bradt and his command from Wapatomika, De Peyster, having been informed of the ending of hostilities, had despatched a courier into the Ohio country bearing instructions that further attacks against the frontiersmen should cease. The courier, however, arrived too late to intercept Bradt, who, appearing before Fort Henry with the British flag flying at the head of his troops, demanded its surrender in the name of the King of England. For two days and two nights the siege of the stockade continued with a fury perhaps never equalled in Indian warfare. The attackers stormed the fort from every conceivable angle and with reckless abandon. They

attempted to set fire to the palisades, and to shoot flaming arrows and firebrands onto the roof, while the unremitting crack of musketry found every crack and crevice in the walls of the stockade. The little garrison, in which the women played a spectacular part, returned the fire with a will, and met every attempt on the part of the attackers with equal courage and effect. Despairing of success, the Bradt party finally withdrew and returned to their towns.

The siege of Fort Henry greatly aroused the frontiersmen, particularly the border settlers of Pennsylvania and Virginia. Through the joint action of Congress and the Pennsylvania council, a general campaign against the hostile Indians was planned. This plan proposed three separate expeditions, one of which was to operate from Fort Pitt, under General Irvine, against the Ohio tribes on the Sandusky. However, plans for these campaigns were countermanded by General Washington following a manifesto issued by General Carleton, commander of the British forces in America, ordering a cessation of Indian incursions against the Americans. But, although Carleton's order put an end for the time being to British instigation and aid of Indian depredations, the Ohio tribesmen, on their own incentive, continued to molest the border settlers of Pennsylvania.

#### *Peace Council at Detroit.*

In order to end these forays, Congress, at the suggestion of the Pennsylvania Council, in June, 1783, sent Major Ephraim Douglas with a message to the Sandusky towns. This message, delivered by Douglas under a flag of truce, was to the effect that, since the war was terminated and the British had ceded to the United States "the back country," together with all forts therein, the Indians must discontinue their hostile demonstrations against the Americans, or be exterminated by the American armies. Douglas and his companion, Captain George Cully, were hospitably received at Sandusky by the Wyandots, under Dunquod, the Half-King; the Delawares, under Captain Pipe and Wingenund, and by the Shawnee. From Sandusky the emissaries and the Indians proceeded to Detroit, where with De Peyster's cooperation a great Indian council was held. Besides

the Ohio tribes, there were present representatives of the Indians of the lake region as well as those from farther west and north. Douglas impressed upon the assembled chiefs the fact that the war was over, and the necessity that the Indians conduct themselves accordingly, or suffer the consequences.

## V.

### THE INDIAN AND THE OHIO COMMONWEALTH.

#### POST REVOLUTIONARY CAMPAIGNS.

#### *White Settlers Invade Ohio Soil.*

We now have traced the story of the Indian in Ohio from its historic beginning to the close of the Revolutionary war. For a period of nearly half a century we have seen him, with varying fortune, engaged in conflict with European Colonists — French or English. Sometimes he has fought the one, and again the other; but always the main incentive to hostility has been the preservation of his land, and always the principal provocation thereto the determination of the white man to preëempt this land. At times the main issue has been clouded and lost sight of in the presence of minor considerations; for in the campaigns conducted by the French, English and Americans to secure his favor, the Indian has found it often difficult to determine which most threatened his domain. Indian cupidity for gain and desire to be aligned with the winner are not lost sight of; but in the end his resistance resolved itself into an effort to preserve his territory to himself.

We have witnessed, in the Nicolas Conspiracy, the resentment to threatened occupation by the French; in the Conspiracy of Pontiac, a similar protest against English encroachment; and in the later campaigns, a determination to hold back the tide of American settlement from east and south of the Ohio. For every blow struck at their title to the Ohio country, the Indians retaliated in kind.

Up to this point, the enmity of the Ohio Indian has been directed against the white man, non-resident of his territory; for through all the years of threatened occupation of his land, he has succeeded in retaining it intact. From this time forward, however, the situation is to assume a very different aspect. The long-repelled occupation of the Ohio country by Americans

finally gains a foothold in Ohio, and henceforth the stand of the Indian against the enemy, is to be mainly on his own soil.

With the Revolution at an end and American Independence achieved, the time had arrived when the status of the great country lying north and west of the Ohio must be defined. This Northwest territory, embracing what are now the states of Ohio, Indiana, Illinois, Michigan and Wisconsin, and ceded to the United States by England, was subject to charter claims on the part of the states of Virginia, Massachusetts, Connecticut and New York. By a provision of the Articles of Confederation, which united the several states as a commonwealth, the northwest territory was to be "disposed of for the common benefit of all the states, and the territory when ceded (by the claimant states) should be divided into new states and admitted into the Union as confederated states on equal footing with the original thirteen." One by one, though reluctantly, the several states waived their claims to the territory in question, and by the first of June, 1786, the Northwest territory had become "the public domain of the confederated states".

#### *Indian Land Titles Assailed.*

While these results were pending, and in anticipation thereof, Congress took action looking to the extinguishment of the Indian titles to the Northwest territory. A conference was called to meet at Fort Stanwix, N. Y., in October, 1784, at which a treaty was entered into with the Iroquois, in which the latter waived all claim to the territory north and west of the Ohio. It will be recalled that the Iroquois, since their great conquest of the western country, had held a proprietary claim thereto, and had continued to look upon the actual Indian inhabitants of that country merely as tenants under suffrage. But the Ohio tribes took a different view of the matter. They strongly maintained that the territory belonged to them alone, and denied the right of the Six Nations to make cession of their lands to the Americans. Thus, while the claims of the several states were in a fair way to be extinguished and the Iroquois already had waived proprietorship, the task of securing clear title to the Ohio



country was but half finished. For the purpose of an attempted settlement with these Ohio tribes, who had not been represented at Fort Stanwix and who were highly angered at the proceedings of that conference, a meeting was called at Fort McIntosh, in January, 1785. At this meeting a treaty was effected with the Delawares, Wyandots and Ottawas, in which these tribes agreed to confine themselves to certain sections of central-northern Ohio. A year later, at the mouth of the Great Miami, the Shawnee entered into a perfunctory agreement by which they were to occupy land mainly between the Great Miami and the Wabash rivers. Neither the Fort McIntosh nor the Shawnee treaty was effective, however, for the tribesmen, on the ground that no treaty was binding which was made without the consent of all the Ohio tribes, soon entirely ignored or disregarded them.

#### *Fort Harmar and Marietta.*

However, Congress proceeded with plans for surveying the lands ceded by the Iroquois, and in order to facilitate the work a stockade, known as Fort Harmar, was established late in 1785 at the mouth of the Muskingum river. This fort was garrisoned by Major John Doughty and a detachment of troops, and under its protection the work of laying off the land now comprised in southeastern Ohio was begun.

The famous Ordinance of 1787 was the outcome of the labored attempts to dispose of the Northwest territory. It provided that the territory should be temporarily considered as one single district, subject to later division. A governor was to be appointed by Congress, who should also be commander-in-chief of the militia, and should have power to establish temporary counties and townships as the Indian titles should be extinguished. The territory was to have a general assembly, composed of a house of representatives and a legislative council; and when any one of the prospective states, the boundaries of which were designated, should contain 60,000 free inhabitants it should be entitled to form a permanent constitution and state government.

Closely following the passage of the ordinance of 1787, Congress took like action in regard to the so-called ordinance of purchase, by which upwards of 6,000,000 acres of land, adjoining the Ohio river on the Muskingum, was sold to the Ohio company and the Scioto company. The former, composed principally of soldiers of the late Revolutionary war, to whom the government had promised restitution for their services and loss of fortune, owned the greater part of this land. In the spring of 1788, under command of Rufus Putnam, forty-seven members of the Ohio company, comprising the advance guard, reached



Gen. Arthur St. Clair.

Fort Harmar, at the mouth of the Muskingum river, and founded the city of Marietta. In the early days of July following, General Arthur St. Clair, who had been appointed by Congress as governor, arrived upon the scene, and Marietta became the capital city of the Northwest territory.

The tide of western immigration had now assumed irresistible proportions and each succeeding month witnessed an increasing number of flat-boats laden with settlers en route to the Ohio country. Late in 1789 the town of Losantiville, at the site of Cincinnati, was laid out by John Filson and Robert Patterson, and in the ensuing summer a stockade was erected for its protection. In the following autumn the stockade was occupied by General Harmar, and given the name of Fort Washington. At about the same time Governor St. Clair selected Losantiville as the seat of government for the Northwest territory, changing its name to that of Cincinnati.

#### *The Indian and the Immigrant.*

The matter of first concern to the governor of the Northwest territory was the Indian situation, which once more had grown threatening. Settlement of the Ohio country was now

in active progress, and the great highway of the emigrants en route to their new homes was the Ohio river. As far west as Fort Harmar, at the Muskingum, the route was comparatively safe, but beyond this point the voyagers were subjected to unwarranted danger from the hostile tribesmen. Centering their attacks upon the river traffic, the Indians would lie in wait for the appearance of the river boats and then fall upon them and their occupants. In this way, from the mouth of the Muskingum to the falls of the Ohio, at Louisville, many voyagers met with disaster at the hands of the natives. The force of 500 or 600 troops stationed in the Ohio posts was entirely insufficient to cope with this condition, and it was the concern of Governor St. Clair to meet the emergency.

The Indians completely ignored the treaties made with them at Fort McIntosh and Fort Finney, at the mouth of the Miami, and encouraged by the British at Detroit and the white renegades in British pay, resumed depredations with their old-time ardor. Their excuse for disregarding the treaties mentioned was, as we have seen, that the land belonged to the tribes in severalty, and that a treaty which was entered into without the consent and acceptance of all was necessarily void. Alarmed at the rapid progress of white settlement north of the Ohio despite their efforts to check it, the Ohio tribes, in the summer of 1788, met with representatives of the Six Nations at Detroit. At this meeting it developed that the Delawares and Wyandots and more northerly tribes were inclined to leniency toward the settlers along the Ohio, but that the Shawnee, Miami and western tribes were defiant in their attitude. But aside from showing the sentiment of the tribes, the Detroit council accomplished nothing.

General St. Clair, in his capacity as governor and military chief of the Territory, inaugurated his program for Indian control by calling all the tribes to assemble at Fort Harmar in the autumn of 1788. One more attempt at peaceful negotiations was to be made before sterner measures were adopted. As a result of this conference two treaties were ratified, in January, 1789, but like those which had preceded them they failed in

their purpose for the reason that the signers of each represented only a part of the tribes interested. One of these treaties was with the Iroquois, who confirmed the Ft. Stanwix treaty cessions; but the powerful Mohawk nation and its chief, Joseph Brant, who was aligned with the British, did not participate. A treaty was effected with the more northerly tribes, including the Wyandots, Delawares, Ottawas and others, who agreed to observe the provisions of the Ft. McIntosh treaty and to confine themselves to the territory along the lake, extending roughly from the Maumee to the Cuyahoga, and southward to the vicinity of the headwaters of the Scioto.

The tribal situation at this point, immediately preceding the important Ohio campaigns, is clearly reflected in the Ft. Harmar treaty. The Iroquois nations, with the exception of the Mohawks and Brant, were favorable to the Americans. Among the tribes of the Ohio country, a split had resulted in two distinct factions. Of these, the northern tribes, centering in the Wyandots, Delawares and Ottawas, and including the more northerly Chippewas, Pottawatomies and Sacs from the Michigan country, were inclined toward peace. The western tribes, however, particularly the Shawnee, the Miamis and kindred tribes to the west and north, refused to be reconciled to the Americans and showed unmistakably that they were aligned with the British. The latter faction refused to respond to General St. Clair's call, and were not present at the Fort Harmar conference.

#### *Governor St. Clair's Indian Policy.*

The hostile attitude of the western tribes — on the Miami and the Wabash — and their allegiance to the British, is forcefully shown in the next step taken by Governor St. Clair. In January, 1790, hoping to conciliate these tribes, he prepared and sent among them messages explaining his aims and purposes. These messages were delivered in person by Pierre Gamelin, a French trader favorably and widely known to the Indians and trusted by the whites. Gamelin everywhere was received with courtesy and hospitality but the tribal chieftains refused to commit themselves favorably in reply to St. Clair's advances. They unhesitatingly expressed their distrust of the settlers and

their motives and made no secret of their subservience to the British, whose commandant at Detroit they recognized as "father". Gamelin visited the Shawnee at Miamitown, on the headwaters of the Maumee, where their chief, Blue Jacket, clearly defined the attitude of the western tribes by declaring that the Shawnee were "in doubt as to the sincerity of the Big Knives, having clearly been deceived by them; a certain proof that they intend to encroach upon our lands in their new settlements on the Ohio". The Miamis and their kindred tribes on the Wabash—the Piankeshaws, Weas and the Kickapoos—gave similar response, and while declaring themselves anxious for peace made it plain that they could not commit themselves to action without first conferring with all other tribes and with the British commandant at Detroit.

Hoping to intimidate these hostile tribes and to impress upon them the folly of further resistance, several "raids" were made against them in the early days of 1789. One of these, under General Harmar, proceeded from Fort Washington (Cincinnati) to the Paint creek towns, in Ross county, and thence down the Scioto; another was launched from Vincennes, against the Weas on the Wabash; but in both instances the Indians fled before the raiders could attack them.

#### *General Harmar's Defeat.*

We now turn our attention to the first of three successive campaigns against the Ohio tribes—two of which were destined to end in complete failure on the part of the Americans. Acting under orders of President Washington, an army of 1500 men, mostly Kentucky and Pennsylvania militia, was assembled at Fort Washington and, under command of General Josiah Harmar, in the last days of September, 1790, took up the march toward the Miami center at the headwaters of the Maumee. The army, aside from a few regular troops, was a motley aggregation of untrained men and boys, poorly equipped and provisioned, and totally unfit for the arduous duties they had assumed.

On the 17th of October, after a weary march during which disorder, desertion and threatened mutiny were in evidence, the

army reached the principal Miami towns, at the junction of the St. Marys and St. Joseph rivers. The Indians, apprised of their approach, had deserted and were nowhere to be seen. Harmar's men, in default of an encounter, burned the cabins and wigwams and destroyed several thousand bushels of corn, while the soldiers appropriated what plunder there was to be had. On October 20, Colonel John Hardin, with a force of militia and regulars, encountered a force of about 100 warriors and in the battle which followed was badly defeated, his militia being unmanageable and no match for the Indians.

Discouraged at the failure of the campaign, due to the lack of morale and training of his men, General Harmar began the return march to Fort Washington; but after proceeding a few miles he decided upon an attempt to retrieve the defeat, and ordered Major John Wyllys and Colonel Hardin with a force of 400 regulars and picked militia to return to the scene of their reverse and surprise and defeat the Indians. The latter, in considerable numbers, were found at the site of the former engagement; but the militia, unmanageable and heedless of commands, allowed themselves to be ambushed, while the regulars, going to their rescue, met a similar fate. General Harmar had lost more than 200 killed and wounded, and the discomfited and defeated army made its way sullenly and dejectedly back to Fort Washington.

The Indians, in their resistance to the Harmar campaign, were led by the Miami chief, Little Turtle. The latter was greatly assisted by his adopted son, William Wells, a white man whom he had taken captive while still a young boy, from his home in Kentucky. Wells later married Sweet Breeze, the daughter of the great Miami chief.

#### *St. Clair's Campaign.*

As a result of the humiliating defeat of General Harmar's expedition, the Ohio Indians were greatly emboldened, while the settlers, Congress and the President were correspondingly depressed. The latter situation was due not alone to the decisive and continued successes of the Indians, but as well to the delicate position in which the government found itself involved as a

result of the slightly-veiled collusion therein by the British in Canada. The new Republic, not yet recovered from the debilitating effects of the Revolutionary struggle, was in no position to bring upon itself another conflict with the British; yet there was no alternative to a speedy and successful domination of the Indian menace.

The necessity for action was made more imperative when, during the very first week of 1791, a party of Delaware and Wyandot Indians attacked the Big Bottom settlement, thirty miles above Marietta on the Muskingum, and wantonly murdered fourteen of the inhabitants. Big Bottom, which was a branch settlement from Marietta, was occupied at the time by thirty-six persons. Only two of the number made their escape, those who were not killed outright being taken captive. To hide the crime the Indians set fire to the cabins, and, after placing the bodies of their victims therein, to the stockade, in process of building.

Despite the seriousness of the situation, President Washington was not dismayed. A gigantic thrust on a scale and under conditions to insure its success was planned. As a preliminary action to the proposed expedition, General Charles Scot, in May, led a force of volunteers against the Weas on the Wabash, which succeeded in destroying several of their towns, killed many Indians and destroyed the newly planted cornfields. In July, Colonel James Williamson, who had accompanied General Scot, proceeded from Fort Washington with 500 Kentuckians against the Miami and Kickapoo towns on Eel river, with similar results. These American successes only served to arouse the fury of the Ohio tribes and the Shawnee, under Blue Jacket, the Miamis, led by Little Turtle, and the Delawares, with their chief, Buckongahelas, formed an alliance for mutual offense and defense. They were aided and advised by the renegades, Simon Girty, McKee and Elliott of the British Indian department, which hastened to supply the Indians with arms and ammunition for the forthcoming contest.

Meantime, General St. Clair was preparing for his "irresistible" invasion, to be commanded by himself. The objective of the expedition was to be the Miami towns on the Maumee, against which General Harmar had unsuccessfully led his army.

By late September St. Clair's army, consisting of 2300 militia and regulars, had arrived at Fort Hamilton, at the site of the present city of Hamilton, Butler county. The fort had been erected by an advance detachment as a part of the plan for a chain of forts at intervals between the Ohio river and Lake Erie.

General St. Clair's army, hastily recruited, was a repetition of the unfitness and inefficiency of that of General Harmar, and the result of his carefully planned expedition was to be fully as disastrous. St. Clair himself was in ill health, as was General Richard Butler, his second in command. In addition to these unpropitious facts—the commander in ill health, the men untrained, dissipated and disorderly—the supplies and equipment of the army were entirely inadequate, particularly in the matter of food and clothing. But the army pushed forward from Fort Hamilton, and by the middle of October arrived at a point six miles south of Greenville, where the second of the chain of forts—Fort Jefferson—was erected. On November 3rd the army, now reduced by sickness, deaths and desertions to a scant 1400 men, went into camp on the east fork of the Wabash, in Mercer county.

The following morning, their presence all unsuspected by St. Clair, the Indian hordes burst from the surrounding forest and charged the camp, stampeding the militia and completely demoralizing the army. The officers were utterly unable to bring order out of the chaotic confusion, and the attack became a slaughter. The Indians, apprised of every movement of St. Clair's army, had deliberately effected an ambush and within a few hours' time had completely defeated the expedition. General St. Clair narrowly escaped death, several bullets passing through his clothing. General Butler fell mortally wounded. St. Clair, in order to save the remnant of his force, managed to effect a retreat, the fleeing soldiers escaping pursuit only because the great amount of booty left on the scene of battle was a greater inducement to the Indians. This plunder consisted of artillery, arms and ammunition; clothing, commissary supplies and wagons; 200 tents, 300 horses and 130 beef cattle. General St. Clair's loss exceeded 600 officers and men, while the



Indian loss, out of perhaps 1200 warriors participating, has been placed at 150 dead.

Little Turtle, at the head of his Miami warriors, was conspicuous in the battle. Simon Girty, at the head of the Wyandots, played a prominent part while Blue Jacket, Buckongahelas and other prominent chiefs aided in the encounter. In addition, there was present the famous Mohawk chief, Brant, with fifty warriors of that nation, besides a number of Canadians and half-breeds. In this encounter we obtain a first glimpse of the great Tecumseh, who at the time was a young man of 23 years of age. Tecumseh had been selected by the leaders of the Indian alliance to act as the head of a party of spies, whose duty it was to observe and report the movements and progress of St. Clair's army. So well did Tecumseh carry this out that Little Turtle and his aides were at all times aware of St. Clair's whereabouts, with the result as seen in his disastrous defeat.

*Indian Successes Depress Settlers.*

The days which followed the humiliating defeat of St. Clair's army — the second disastrous reverse for American arms on Ohio soil within as many years — were filled with gloomy foreboding to the success of the prospective state of Ohio. The settlers who were struggling for a foothold along the Ohio, particularly on the Muskingum and the Miami, were terror-stricken at the audacity and barbarity of the Indian attacks, and many of them sought refuge in the stockades. Moreover, the national government found itself in a trying situation, which was made the more difficult owing to a lack of confidence which had developed in many quarters. The increasing insolence of the British in Canada, who were now openly abetting the hostility of the Indians against the settlers; the no less alarming hostility of the Spanish authorities at the south, who in turn were inciting the southern Indians to depredations and outrages, were added causes for anxiety to Washington and the government.

But there was no faltering on the part of the president, who upon the resignation in April, 1792, of General St. Clair as military commander, appointed as his successor General "Mad" Anthony Wayne, of revolutionary fame. Rufus Putnam, sur-

veyor-general of the Northwest Territory and one of the leaders of the Ohio company settlement, was appointed to serve under General Wayne, and was given the title of brigadier general. General Wayne was instructed to proceed with the work of raising an army for another invasion of the Indian country, a task which he carried out quietly but most thoroughly.

In the meantime, during the year 1792 and well into 1793, every effort was made to pacify the hostile tribesmen and to avert further bloodshed. Several messengers sent among the Ohio and the Wabash tribes were murdered by the Indians. General Putnam, accompanied by the Moravian missionary, Heckewelder, proceeded to Fort Knox, where they conferred with the Wabash and Illinois tribes. They were hospitably received, but accomplished little. Other councils were held with the Iroquois, at Philadelphia; with the western tribes at Detroit, Sandusky, on the Miami, and elsewhere; but all efforts to appease the tribesmen were futile. The Ohio country remained the unsurmountable obstacle to a peaceful agreement, for while the Indians were as determined as ever that the Ohio river should be the boundary between their country and that of the white settlers, the latter were just as determined to possess themselves of the country to the north and west of the Ohio. The deadlock thus existing could be broken only by force of arms, and both sides hastened to prepare for the inevitable conflict.

*General Wayne Called to Command.*

General Wayne, profiting by the experiences of Harmar and St. Clair, well knew that no haphazard, inefficient and poorly equipped army could successfully carry out the purpose for which his expedition was created. During the summer of 1792, at Pittsburg, he organized an army of 2500 men who were divided into companies of cavalry, infantry and artillery. The fall and winter were spent in drilling and conditioning the men, who in the following April were transported down the Ohio to Cincinnati, where until October they were further carefully trained and disciplined. In October, all being in readiness for the invasion, Wayne's army began its northward march toward

the scenes where were to be enacted some of the most important events in the annals of the Ohio country.

Proceeding by the way of Fort Hamilton the invading army met with its first resistance near Fort St. Clair, at the present city of Eaton, Preble county. Here the watchful warriors, under command of Little Turtle, hoping to repeat their successes of the preceding campaigns against them, made a sudden and spirited attack on a detachment of the army. Lieutenant Lowry, commanding, and 13 of the 100 men composing the detachment, were killed, and their horses driven off by the attacking party. This incident served to redouble the already careful watch of the army against attack and surprise.



Gen. Anthony Wayne.

General Wayne proceeded northward and at the site of the city of Greenville, Darke county, he erected Fort Greenville, and went into winter quarters. The winter of 1793-4 was spent in carefully training the soldiers in the art of Indian warfare, every possible contingency of which was impressed upon them. As a measure insuring against surprise attacks, a corps of scouts, runners and spies was organized, the latter, seven in number, being led by William Wells, the son-in-law of Chief Little Turtle. Wells, a Kentuckian, taken captive when a boy by Little Turtle, had served the latter most ably in the preceding campaigns under Harmar and St. Clair, but later had returned to his people in Kentucky. His sympathies now being with the people of his own race, he had entered the service of General Wayne, whom he served most faithfully throughout the campaign.

Christmas day of 1795 was celebrated in a strange manner by a part at least of the army at Fort Greenville. General Wayne despatched a detachment under Captain Alexander Gibson to take possession of and occupy the scene of St. Clair's defeat. There the soldiers must have received a very forceful reminder

of what might await them should the expedition prove a failure. Hundreds of skulls and skeletons of St. Clair's men still littered the ground despite the fact that a detachment under Colonel James Wilkinson had been sent, following the massacre, to inter the dead. The field of battle was occupied by the troops from Wayne's army and a stockade, named Fort Recovery, was erected thereon.

*Forts Recovery and Defiance.*

Upon this fort and its garrison of 150 men under Major William McMahan, Little Turtle and his warriors, to the number of more than one thousand, made a spirited attack in June, 1794. For two days they besieged the little stockade with all their pent-up fury, but under General Wayne's careful preparation the site, which had yielded them so decisive a victory against St. Clair's expedition, withstood their every effort at capture. The fort indeed had justified its name—Ft. Recovery. The defending garrison sustained a loss of 22 men killed and about 30 wounded. The loss of the Indians was much greater, and the reverse not only perceptibly dampened their fighting spirit but served to check the ardor of the British, who by this time were actively aiding the tribesmen with arms, ammunition and men. Simon Girty, attached to the British Indian agency, was conspicuous among the warriors in their attack on Fort Recovery, the last battle against the Americans in which he took an active part. Alexander McKee, in charge of the British agency at the head of the falls of the Maumee, at the site of the modern town of Perrysburg, was distributing arms and provisions to the Indians; while nearby, at the foot of the rapids, on the north side of the river, the British from Canada had erected a stronghold which they named Fort Miami. This fort, which represented "an encroachment of nearly forty miles upon the American soil," was garrisoned by three companies of British soldiers. Thus it is seen that General Wayne's expedition faced the menace not only of the tribesmen but of the British as well.

Near the end of July Wayne's legion of regulars was joined by 1600 mounted Kentucky militia, under General Charles Scott, and the long-deferred forward movement against the Indians was begun. From Fort Greenville, the army moved slowly for-

ward, virtually hewing its way through the forests, constructing roads across the swamp lands or improvising bridges across the streams. On August 8th they reached the Maumee at the mouth of the Auglaize, at which highly important and strategic point General Wayne proceeded to erect Fort Defiance. The army now had arrived on the threshold of the populous Maumee Indian country, for from this point northeast to Lake Erie, the banks of the Maumee were dotted almost continuously with Indian camps and towns. In Wayne's own words, the region was "the grand emporium of the hostile Indians of the west". This rich valley, famed for its natural beauty and fertile soil, was at the time of Wayne's expedition a veritable garden-spot in the wilderness. Here the Indians had great fields of corn, which extended for miles along the Auglaize and the Maumee, attesting to the prosperity of the tribes who were so fortunate as to occupy so favored a spot. From this vantage point at Fort Defiance, Wayne invited the tribesmen to cease hostilities and enter into negotiations looking to the resumption of friendly relations; but the Indians, confident to the point of arrogance, and supported by the British, were evasive and unresponsive. Having done all in his power to avert the now inevitable conflict, Wayne and his army advanced from Fort Defiance and on the 18th of August reached a point 40 miles farther down the Maumee, and within a few miles of the British Fort Miami. Here, on the north side of the river, he erected a stockade as a depot for supplies, which he named Fort Deposit. Finding the Indians still defiant, Wayne lost no further time, but pushing rapidly forward arrived on August 20th at a place known as Fallen Timbers, from the fact that the ground was strewn with trees which had been uprooted and scattered by a tornado a few years previously.

#### *Battle of Fallen Timbers.*

Here, in close proximity to the encampment of the Indians and their Canadian allies, and almost under the guns of the British fort, General Wayne moved his army into line, and the greatest battle of Ohio Indian warfare was begun. The Indians, in full force, and numbering perhaps 2,000 warriors, were

drawn into three lines, extending for about two miles from and at right angles to the river. The densely littered ground, with its covering of fallen trees, was exactly suited to the Indian mode of fighting; but General Wayne had learned the arts of border warfare, and his men, perfectly trained and disciplined, were the equals of the Indians at their own game. As was their wont, the Indians began the battle with a heavy fusillade of firing, and then followed with an attempt to turn the flank of the attackers. But Wayne's plan of attack was so carefully calculated that the Indians quickly found themselves smothered by the fierceness of his charge and being completely outnumbered, took refuge in flight. They were pursued for several miles by a part of Wayne's command, less than one-half their own number. The stampeded Indians, in their flight, had expected to take shelter in the British fort, but in the moment of their misfortune they found its gates closed to them, and as an alternative fled precipitately into the surrounding forest, where they scattered and disappeared.

In the battle of Fallen Timbers the Americans lost 33 men killed and 100 wounded. The Indian losses are unknown, but the field of battle was strewn with their dead. The number of the latter participating has been estimated at from 1,400 to 2,000 Indians, with an unknown number of British Rangers and Canadian volunteers. Of the tribes participating, the Delawares numbered about 500 warriors; the Shawnee 150; Wyandots 300; Ottawas 250; and Miamis 200, beside small bands and scattering warriors from other tribes. Previous to the battle the Miami chief, Little Turtle, realizing the hopelessness of success for his people, had counselled peace rather than the risk of a battle. The Indians, he declared, could not expect to emerge victors from a contest with General Wayne, whom he characterized as "the chief who never sleeps." But Little Turtle's judgment was overruled by his fellow chiefs, particularly by Blue Jacket, the Shawnee, who is supposed to have been chief in command at the battle which followed.

As a finale to his unqualified victory, Wayne, disregarding the threats of the British commander of Fort Miami, laid waste the surrounding country, burned the Indian towns and British trading posts and destroyed the cornfields of the Indians. He

then leisurely retraced his march, by way of Fort Defiance, which was strengthened and garrisoned; thence to the site of the present city of Fort Wayne, Indiana, where Fort Wayne was erected; and thence back to Fort Greenville, where the army arrived on November 2, 1796. Here General Wayne decided to rest and await developments.

### *The Greenville Treaty.*

The calamitous defeat of the confederated tribes at Fallen Timbers and the destruction of their towns and cornfields which followed, left them in much the same state of confusion as that attending a swarm of bees driven from its hive and the hive destroyed. Consequently it was some time before the tribesmen were able to "find" themselves and to assume something like orderly intercourse and communication with one another. When the confusion had somewhat abated, sentiment was found to be divided as to the course to be pursued in repairing their damaged fortune. Some of the tribes, as the Wyandots and the Miamis and their respective chiefs, were in favor of seeking peace with General Wayne and his American army. Others, however, favored a continuation of the war, and, being assured of the further support of the British, believed they could yet dislodge Wayne from his stronghold and force the Americans back across the Ohio river. Chief Blue Jacket, of the Shawnee, encouraged by the British governor of Canada and the Mohawk chief, Brant, was insistent on further hostilities.

But General Wayne, resting on his laurels at Fort Greenville, early saw indications that the counsel of the peace faction was to prevail. The Wyandots from the Sandusky, the first to openly ask for peace, were followed shortly by the Ottawas, Miamis, and the Chippewas, Pottawatomies and Sacs from the Michigan country. Meanwhile, General Wayne had sent forth the intelligence among the tribesmen that he was expecting to hear from them, and the response was gratifying in the extreme. By the end of 1794 the desire for peace had reached a point where General Wayne felt justified in entering into negotiations with the tribes. In January, 1795, he entered upon preliminary negotiations with those already assembled at Greenville, which

provided for a grand conference in June for the purpose of concluding a treaty between all the hostile tribes and the Americans.

On June 15, 1795, the chiefs and representatives of the warring tribes having assembled at Greenville, the great council was formally opened. For many days the ceremonies incident to In-



Greenville Treaty Monument.

dian negotiations were carried on. The Indian orators, in their turns, set forth their positions and aired their grievances with all the ardor and eloquence of their race. They cited evidences of bad faith on the part of the Americans in former treaties and indicated their doubts as to the good intentions of their conquerors in the pending one; lamented the encroachments of the



whites upon their territory, and the consequent unfavorable outlook for their future welfare; in short, while realizing the hopelessness of their position as the inevitable recipients of a bad bargain, they strove by every diplomatic means to save to themselves as much as possible from the wreckage of defeat.

General Wayne, surrounded by his aides and interpreters, listened with patience and forbearance, and met each argument as it was presented. Interspersed between the routine proceedings or as a part of them, were the usual festivities — feasting, smoking, and the exchange of wampum, beads and belts. Finally, after more than six weeks' duration, the council culminated in an agreement as to the proposed treaty of peace, and among much smoking of the peace-pipe, or calumet, and attendant formalities, the ninety-odd chiefs and representatives of the Indians affixed their signatures to the document, after which General Wayne, his aides and interpreters as representatives of the Government, did likewise.

The Indian tribes represented at the council, and their respective numbers, were as follows: Delawares, 381; Pottawatomies, 240; Wyandots, 180; Shawnee, 143; Miamis, including Eel Rivers, 73; Ottawas, 45; and Chippewas, Weas, Piankeshaws, Kickapoos and Kaskaskias, 68; a total of 1,130. Among the principal chiefs taking an active part in the council, and whose names appear on the treaty documents, were Little Turtle, of the Miamis, Blue Jacket of the Shawnee; Tarhe, (The Crane,) of the Wyandots; and Buckongahelas, of the Delawares.

Among the more renowned signers for the Americans were, besides General Wayne, William Henry Harrison, of later fame; William Wells, the son-in-law of Little Turtle, a white captive from Kentucky; and Isaac Zane.

#### *Relics of Wayne's Campaign.*

In the Museum Building of the Ohio State Archaeological and Historical Society the visitor may look upon some interesting and cherished relics of the famous Greenville Treaty, by which "Indian dominance of the Northwest Territory was forever ended, and its soil thrown open to the advance of civilization". These relics consist of a photographic copy of the famous treaty

itself — showing the preamble, and the signatures of the representatives of both the whites and the Indians. The latter make an interesting study, the name of each signer being written out in its English form and followed by the rude totem or clan symbol of the signer. Of even greater interest, perhaps, is the famous Calumet or peace-pipe, smoked by General Wayne and the Indian chiefs in solemn witness of the vow to stand by the provisions of the treaty. To the Indian, the calumet ceremony was the equivalent of the legal oath or affirmation of the white man, and represented the most solemn vow of which the red man could conceive. Aside from these reminders of the great treaty, there are shown personal mementos of General Wayne, among them his spurs and gold watch-chain, worn and used during the memorable campaign. The calumet and other relics were given by General Wayne upon his return to Pennsylvania and shortly before his death, in 1796, to Captain Ezra Kendall, his aide, from whom they have been handed down as family heirlooms to his descendant, Alva Kendall Overturf, of Columbus.

The Greenville Treaty had for its purpose "to put an end to a destructive war, to settle all controversies and to restore harmony and friendly intercourse between the United States and the Indian tribes." It provided for the cessation of hostilities, the exchange of prisoners, establishment of boundary lines, immediate delivery to the tribesmen of goods to the value of \$20,000 and the annual payment of \$9,500 in goods thereafter. The boundary line, known as the Greenville treaty line, as defined, is shown on the accompanying map.

The Treaty of Greenville stands as one of the most remarkable agreements entered into between the native Indian race and the European settlers. Aside from the important results above referred to, it served greatly to diminish the British antipathy toward the Americans, and to clear the western country of Indian warfare for more than fifteen years. As for the Indians who signed the document, it is greatly to their credit that few or none of them failed to observe its provisions.

THE WAR OF 1812.

*Tecumseh, the Shawnee.*

It has been remarked that the history of a people is the history of its great men. This is particularly true of the story of the Indian race in Ohio, and that part of it subsequent to the treaty of Greenville we shall permit to center in the persons of three great leaders — Tecumseh, the Shawnee; his brother the Prophet, and Tarhe, chief of the Wyandots. Around this triumvirate of influential leaders, representative of the best and greatest of the native race, center the principal events of the ultimate period of Indian history in the state — the period which embraced the War of 1812, and witnessed the final struggle of the Red Man to withstand the irresistible wave of white settlement in his territory.

Following the Treaty of Greenville, as we have seen, the Ohio tribes and their chieftains, almost with one accord, submitted to the inevitable and acknowledged the supremacy of the Americans. But there was one among them who had refused to attend the peace councils and who consequently was not enrolled with his fellow tribesmen upon the treaty document which resulted therefrom. This man was the great Tecumseh, chief of the Shawnee, who is to hold the stage in the role of hero, or as heavy villain, according to the view of the spectator, during the last act of the Ohio Indian drama.

Up to this point we have had but casual glimpses of the man who was to become the recognized greatest leader of the Ohio Indians if not of his race. Tecumseh first appears prominently in history at the defeat of St. Clair's army, where we have seen him acting as scout for the Indian allies. At the battle of Fallen Timbers we learn that his ability was rapidly becoming recognized when we find him leading a band of his own tribe into the thickest of the fight. And now, before proceeding to consider his subsequent career, it is desirable that we inquire as to the facts and events of the earlier life of Tecumseh, and incidentally learn something of another illustrious member of his family — Elskwatawa, the Shawnee Prophet.

In recounting the expedition of George Rogers Clark against the Shawnee towns on the Little Miami and the Mad Rivers, in 1780, we witnessed the destruction of the Shawnee capital, Piqua, a few miles south of the present city of Springfield, in Clark county. Here, in the year 1768 was born Tecumseh, and a few years later, probably at the same place, his brother Elskwatawa. Tecumseh's father, Puckshenoah, a chieftain of note, was killed at the battle of Point Pleasant, and the youthful Tecumseh was placed in the keeping of an older brother, Cheseekau. The latter was subsequently killed in a battle with southern tribes, in which the Shawnee were engaged; but in the meantime the future great chieftain had been carefully trained to fill the part that was to be his.

We have already noted the attitude of Tecumseh toward the Treaty of Greenville, which he considered as an agreement forced upon his people and as without justice to the Indians' interests. In this frame of mind he continued until the time of his death to denounce it and to influence others of his people to disregard its provisions. Needless to add, his views were shared by his brother, the Prophet.

After General Wayne's victory at Fallen Timbers the Shawnee left their Miami settlements and took up their residence about the headwaters of the Auglaize, and upon the White river, in Indiana. In the early years of the Nineteenth century, the scattered bands began to congregate at the site of Greenville, where General Wayne had effected his notable treaty in 1795. From this point, operating in conjunction but along entirely different lines, the gifted brothers inaugurated a campaign which in spectacular interest excels anything in Ohio Indian annals. Briefly, the joint plan of action contemplated that while the Prophet, through the medium of a religious mania should engender the desired sentiment among the Ohio and adjacent tribes, Tecumseh should endeavor, by personal solicitation, to bring the nations to the south and west into a proposed offensive alliance. Through this federation of tribes the brothers hoped to abrogate the treaty of Greenville and to effect the repulse of the Americans from the Ohio country.

*Elskwatawa, the Prophet.*

It was at this point that the Prophet, whose original name was Laulewasikau, or "Loud Voice", assumed the name of Elskwatawa, the "Open Door", as significant of his mission as a means of restitution of his people. In order to inaugurate his religious doctrines and to establish his sacred character and supernatural claims, he fell into a trance so closely simulating death that it was only when the would-be mourners had assembled for the funeral that the supposed corpse returned to life. On emerging from his trance, the Prophet explained to his people that he had visited the Spirit World, where he had been permitted to "lift the veil of the past and the future" and that as a result he returned to them bearing revelations from the Master of Life. The burden of the Prophet's message was that the misfortunes of his people were the result of certain practices of witchcraft and medicine juggleries among the tribes, and of too close association with the pale-faced invaders. The result of his preachings against the supposed practice of witchcraft, we shall observe shortly in the pathetic death of Leatherlips.

Elskwatawa's impeachment of white influence upon the Indian tribes was in many respects of peculiar force and truthfulness. He condemned the firewater of the whites as "poison and accursed", and to its use he rightly attributed much of the misfortune which had befallen the tribesmen. He earnestly exhorted his followers to define sharply the line between the two races, particularly with respect to the intermarriage of Indian women with white men. Everything adapted from the white man, — his dress, implements, and even his customs — must be strictly discarded, and the tribes must return to the ways of their fathers. To those who would so do, the Prophet promised a return to divine favor and a restitution of former happiness and prosperity; but for those who continued to pattern after the white man, he could promise nothing better than continued misery and punishment after death.

The new religion found many adherents, and the Prophet continued to dream and receive revelations. The uncanny knowledge of the white man, so evident in the Prophet's methods, is strikingly shown by his prediction of an eclipse of the

sun, which occurred in the summer of 1806. Clearly the Prophet had taken advantage of advance notice of the event, secured from some white person, and that he turned the information to good account, is shown by the acclaim with which he was hailed as the true prophet and messenger of the Master of Life, following so evident a verification of claims to supernatural powers. Under the impetus of this seeming miracle, and others equally spectacular, the new religion spread rapidly, reaching the tribes of the north, west and south. Its teachings, or rather the excitement engendered thereby was later largely responsible for the so-called Creek war of 1813, which we have mentioned previously; and it was at this point that Tecumseh, seeing the advantages offered by the prevailing enthusiasm and excitement among the tribesmen, availed himself of the opportunity for effecting his ambitious scheme of federation.

In the meantime, the State of Ohio, from its capital at Chillicothe, was keeping close watch upon the "inscrutable ceremonies, half religious, half martial", which were being carried out at Greenville. Suspicion as to their real intent resulted in Tecumseh, Blue Jacket and others prominent in the movement being summoned to Chillicothe where, in 1807, they were called upon to explain their position. Tecumseh, in a speech of surpassing eloquence, disclaimed any hostile significance for the Greenville revival, and succeeded in allaying the uneasiness which was appearing among the settlers. The following year, (1808) Tecumseh and the Prophet removed their headquarters from Greenville to the Tippecanoe river, in Indiana, where their settlement, at the junction of that stream with the Wabash, was known as Prophet's town.

#### *Tragic Death of Leatherlips.*

We have referred to Leatherlips, a chief of the Wyandots, as one of the principal characters identified in the history of Indian activities during the period of the second war with England. In the pages immediately preceding, in which are discussed the religious teachings of the Shawnee Prophet, we learn that among certain practices of the tribesmen which they tabooed was that of witchcraft. It is not strange that the Indian, even

so intelligent a representative of the race as was the Prophet, should have believed in the existence of this imaginary power or influence. Witchcraft and the supernatural were a very part of the Indian mind, as they are of any uncivilized people; and it had not been so long since a similar belief had held sway among the New England Colonists. At any rate, we find the edict of the Prophet against the practice of witchcraft being carried out as vigorously as in the days of Roger Williams; and that it "covered a multitude of sins" and was used politically to further the plans of the Prophet and Tecumseh, is very evident.

The Ohio Wyandots, and particularly their chieftains, Tarhe and Leatherlips, did not look with favor upon the Shawnee enterprise. They had finished once and for all with intrigue against the settlers, and had so recorded themselves in the treaty of Greenville. Leatherlips especially was outspoken in his opposition, and as a result incurred the particular enmity of the Shawnee leaders. Accordingly, it was decreed that his adverse influence must be removed, and to accomplish this, a charge of witchcraft was placed against him. On the first day of June, 1810, a band of Wyandot warriors, who had been bribed to the traitorous act, arrived at the camp of Leatherlips, at the time temporarily located about twelve miles north of Columbus, on the Scioto river. After taking the aged chief captive and

pronouncing the sentence of death upon him, the captors hastily dug a shallow grave. Leatherlips was forced to kneel at the edge of this grave, and while engaged in prayer to the Great Spirit, was struck from behind with a tomahawk and killed. The body was hastily buried and the traitorous members of his tribe took their departure. Several white settlers who were present and who witnessed the execution attempted to save the chief's life, through payment of a ransom, but their efforts were unavailing.



Leatherlip's Monument.

Leatherlips was prominent at the Treaty of Greenville, where he signed the treaty in behalf of his tribe. His honorable character and friendship for the whites made him one of the most popular and trusted of his race.

The spot where Leatherlips was killed is located a short distance north of the town of Dublin, Franklin county, on the east bank of the Scioto river. It is marked by an appropriate monument, erected in 1888 by the Wyandot Club of Columbus.

#### *Tecumseh's Proposed Confederacy.*

At Prophet's Town, at the junction of the Tippecanoe and Wabash rivers, the religious "outbreak" reached its culmination; but the element of hostility and danger to the settlers had reached such menacing proportions that in August, 1810, Tecumseh and 300 of his warriors were called by Governor Harrison of Indiana to Vincennes to explain their actions. Tecumseh's wonderful oratory succeeded only in part in allaying suspicion, and the feeling persisted, on the part both of the Indians and the whites, that hostilities were imminent. While Tecumseh again disavowed any purpose of making war upon the United States, he was outspoken and unequivocal as to his position. This position Tecumseh defined by openly admitting that it was his purpose to effect a gigantic confederacy which should include every tribe and nation on the continent, if such were possible. The object of this confederacy, he declared, was to put a stop to the encroachment of the whites upon the territory north and west of the Ohio river, which he stoutly maintained was the natural and proper boundary line between the territory of the two races, and the only boundary which he would consent to acknowledge. Tecumseh once more presented the grievances of his people, and justified his course by declaring that the policy of the United States in purchasing land from the separate tribes was "a mighty water, ready to overflow his people", and that the confederacy which he was planning had for its purpose the prevention of the sale of land by individual tribes without the consent of all, which, he believed would be the dam that would resist the mighty flood of waters represented by white encroachment. The Americans, he declared, had driven the Indians from



the sea and now were threatening to push them into the lakes; and although he should prefer to enlist his warriors on the side of the Americans in the forthcoming war with England, he could not do so unless the Ohio river should be fixed upon as the boundary line between the Indian and the white countries. General Harrison in reply informed Tecumseh that it was very unlikely that the President, from whom such a decision must come, would consent to such a concession. Apparently the two great leaders, Tecumseh and General Wayne, parted "more in sorrow than in anger", for the Shawnee chieftain readily promised the governor that in event of hostilities he would endeavor to restrain his warriors from cruelty toward women and children and torture of prisoners. Thus the humane trait for which Tecumseh is justly so renowned, was displayed even in the great bitterness which he felt toward the whites at this time.

Following his conference with General Harrison, Tecumseh lost no time in his efforts to perfect the fabric of his confederacy. True to his name, the Indian translation of which signified "one who passes across intervening space, from one point to another", as a meteor, or shooting star, he began a series of most remarkable and speedy journeys, which took him among the tribes from the headwaters of the Mississippi river to the Gulf of Mexico and the southeastern Atlantic seaboard. In Florida he visited and incited the Seminoles, and then turned his attention to the Creeks in Alabama. The result of the latter visit was manifested in the bloody Creek war of 1813, of which we have spoken previously.

#### *The Battle of Tippecanoe.*

While Tecumseh was engaged in this campaign of amalgamation, affairs around the Tippecanoe headquarters, where he felt that his plans had been safely matured, were going badly. The settlers on the Ohio and Indiana border, frightened at the aspect of the Indian activities and seeing therein the hand of the British in exciting the Indians to hostilities against the Americans, petitioned the President for the dispersal of the Prophet's followers. Pursuant to this Governor Harrison, of Indiana, sought to restrain the highly frenzied tribesmen in their

warlike manifestations, but receiving a direct challenge from the Prophet, who openly announced himself as at war with the United States, he determined to resort to the force of arms.

On the fifth of November, 1811, with an army of 900 men, General Harrison marched from Vincennes and encamped a



Gen. W. H. Harrison.

short distance from the Prophet's Town. He was met by messengers from the Prophet with requests for a truce, to be followed by overtures for peace. This was granted by General Harrison who, however, took every precaution against possibility of deception and a surprise attack. His precautions were fully justified, for before daybreak on the morning of November 7, the Indians attacked the camp in force. The battle which followed was characterized by the recklessness and frenzy with which the Indians threw themselves into

the attack, utterly regardless of loss of life, and by the alacrity and spirit with which the Americans met the onslaught.

The Prophet had assured his warriors that in the forthcoming fray his supernatural powers would insure them victory. The Great Spirit, he had told them, would render the arms of the enemy unavailing, and that while the latter would fight in darkness, the Indians would have an abundance of light. But while the Indians, spurred on to superhuman effort by the assurances of their leader, fought with an abandon perhaps unequalled in their race, the havoc wrought by the deadly fire of the Americans could not long be withstood, and with the appearance of daylight, the baffled warriors, disillusioned and defeated, took refuge in flight. Denouncing the Prophet as an impostor, they departed from the Tippecanoe town and returned to their several tribes. As a result of this premature and ill-timed beginning of hostilities the glory that was the Prophet's disappeared forever, and the cherished plans of the great Tecumseh were sadly impaired.

In justice to the name of Elskwatawa, it should be stated that the remarkable religious revival which he inaugurated was not, to begin with, at least, a military movement. It had its origin rather in a realization of the inimical effects which contact with white men was exerting upon the Indian, and in a desire to restore his former prowess and efficiency by a return to primitive ways. Looked upon as such, the Prophet's scheme contained much that was admirable and remarkable, marking its originator as a man not only of keen perception and penetration, but as one of true patriotism and solicitude for his people. The fact that the Prophet himself made use of his prestige to the discomfiture of his personal opponents, and that Tecumseh early took advantage of the situation to further his plans for a great federation of tribes as an offensive against the Americans, can hardly be considered as detracting from the worthiness of the movement, at least from the Indian viewpoint.

*Tecumseh Espouses British Cause.*

Tecumseh, returning to the Tippecanoe, was greatly dismayed but not altogether disheartened. Early the following year we find him once more disclaiming any intention of warfare against the United States but very bitter against General Harrison whom, he claimed, had unjustly proceeded to the attack against the Prophet's Town during his absence. Tecumseh proposed to Harrison a visit to the President in the interest of a settlement of the difficulties, but General Harrison objected to the conditions under which the Shawnee chieftain desired to conduct his pilgrimage.

Following a declaration of war between the United States and England, and despairing of reconciling his views with those of the Americans and of realizing his hopes for a successful federation of the tribes, Tecumseh proceeded to Canada where, at Malden, opposite the site of Fort Detroit, he joined the British cause. With him were scattered bands of his followers and individual Indians from the Ohio country who chose to share the fortunes of their leader. Under the British standard Tecumseh hoped to accomplish, in part at least, the purpose for which

his memorable attempt at a country-wide confederation was made.

His first efforts under the British commander, General Brock, gave promise of a realization of his dreams. On August 5, in command of a force of Indians fighting with the British, Tecumseh intercepted and attacked near Brownstown, a detachment of General Hull's American army, then occupying Detroit, and inflicted upon them a severe defeat. Thus the disappointed Tecumseh had the satisfaction of commanding the victors of the first battle of the War of 1812. But a few days later, at Magauga, a few miles from Detroit, the valiant Tecumseh and his warriors were not so successful. A second detachment had been sent by General Hull from Detroit, and in a battle with these Tecumseh was wounded and his command badly defeated. At the historic surrender of Detroit to the British, in August following, Tecumseh was in command of the allied Indians fighting with General Brock. While no opportunity offered for further gratification of his enmity toward the Americans, since the surrender took place without fighting, he took great satisfaction in the humiliation of General Hull and his army.

With the exception of his reverse at Magauga, Tecumseh's success as a leader of the Indian warriors fighting with the British had been most gratifying. With the surrender of Detroit and the capture of Hull's army, the British-Indian allies were greatly encouraged. Tribesmen from far and near flocked to Tecumseh's standard, and it appeared that his dream of federation and conquest might yet be realized. By personal visits to the tribes of the country north and west of Ohio, he succeeded in augmenting his forces until several thousand Indians were at his command.

To counteract the danger of the Indian excitement following the failure of General Hull's campaign, and to continue the work of meeting the British aggression in the western theatre of the war a new army was recruited, which consisted of volunteers from Ohio, Kentucky, Virginia, Pennsylvania and the country to the westward. William Henry Harrison, governor of Indiana and hero of Tippecanoe, was commissioned as its commander.

In preparation for his campaign General Harrison, early in 1813, erected a stronghold at the rapids of the Maumee, near the scene of the memorable battle of Fallen Timbers. This redoubt was named Fort Meigs, in honor of the governor of Ohio.

*Siege of Fort Meigs.*

The commander of the Northwest army had not long to wait; for hardly had Fort Meigs been completed when, in April,



Tecumseh.

1813, General Proctor, who had succeeded Brock as commander of the British, and Tecumseh, with an army of about 1500 Canadians and an equal number of Indians, made their appear-

ance across the Maumee from the fort. Here they erected earthworks and having posted a force of Indians on the south side of the river, in the rear of the fort, began a siege which terminated only after two weeks of desperate attack and defense.

General Harrison at first had but 600 troops, but the garrison was augmented by the arrival of General Clay with 1500 Kentuckians. Of Clay's force, General Harrison ordered 800 under Colonel Dudley to cross to the north side of the river and there engage the British and Indians under Proctor and Tecumseh. Dudley's detachment succeeded in storming and taking the British batteries, but fell into an ambuscade prepared by Tecumseh. In their attempt to escape, Dudley and 600 of his men were mercilessly slain and scalped. At the same time, the remaining 700 troops of Clay's command, under Colonel Miller, were sent against the British and Indian force back of the fort, but were driven from the field with heavy losses in dead and wounded. But the Americans in their stronghold had the advantage, and Proctor was forced to a realization of his inability to capture the fort. Reluctantly he raised the siege and with his Canadians and Indians returned to his headquarters on the Canadian side.

During the siege of Fort Meigs Tecumseh's bravery, generalship and ability as a leader were impressively displayed. His generosity and humanity were no less in evidence. Coming upon the scene of Dudley's defeat and ensuing massacre, he threw himself between the infuriated Indians and their victims and in thundering tones commanded a cessation of cruelties, at the same time denouncing Proctor for his acquiescence in the slaughter.

In July following, having reorganized their commands, Proctor and Tecumseh returned to Fort Meigs. With an augmented army of 5,000 men of whom 3,000 were Indians, they again laid siege to the fort, now commanded by General Clay. But Clay refused to emerge from the security of the fort, and thus defeated Tecumseh's hopes of drawing the defenders into an ambuscade such as had resulted so disastrously to Dudley's detachment. Countered at every turn the besiegers, after many days of maneuvering, withdrew their forces.

Proctor's failure to encompass the downfall of Fort Meigs, after one of the bloodiest and fiercest contests in the annals of



Fort Meigs Monument.

Ohio history, was a severe blow to British prestige and a great disappointment to the Indian allies. To the Prophet, who participated in the siege, the British commander had promised the Territory of Michigan as compensation for his services. Tecumseh had stipulated that in the event of the capture of the fort, General Harrison should be turned over to him to dispose of as he saw fit. In the complete failure of the campaign both were deprived of their expected rewards, while the warriors from the tribes participating, disappointed and disgusted, began to desert and gradually to

return to their homes. With his army somewhat reduced but still practically intact, Proctor turned his attention to another quarter—the American stronghold on the Sandusky, known as Fort Stephenson. But before following the British-Indian allies to that place, let us revert a few weeks to an event which was transpiring at Franklinton (Columbus) during the interim between the first and second siege of Fort Meigs.

*Peace Council at Franklinton.*

After successfully withstanding the first siege of Fort Meigs, General Harrison, leaving the fort in command of General Clay, returned to Franklinton (Columbus) where he proceeded to dismiss the Ohio militia which had been hastily recruited by Governor Meigs for the purpose of relieving Fort Meigs. The danger in that quarter having been eliminated by

the raising of the siege, it was decided that the militia was not needed and that only regular troops should be employed in the continuance of the war. The decision to decline the services of the volunteer militia caused great disappointment, not only among the Ohio settlers, who were anxious to assist in combating the British, but among the friendly Indian tribesmen as well. These latter could not understand why they should not be permitted to fight with General Harrison, especially since a large percentage of the British army under Proctor were Indians.

While it was the policy of the government in its contest with the British to hold the Ohio tribes to a strict neutrality, General Harrison realized that it was entirely foreign to their natures not to participate on one side or the other and that the influence being brought to bear by Tecumseh threatened to enlist many of them on the side of the British. For the purpose of averting such an unfavorable occurrence and that he might inform himself as to the exact attitude of the Ohio tribes, he summoned their leaders to attend a council, which was held at Franklinton on the 21st of June, 1813. At this historic meeting we find Tarhe, the Crane, head chief of the Wyandots, as the dominant figure on the part of the Indians. There were present at the council, as participating tribes, the Shawnee, Wyandots, Delawares and Senecas. Of the fifty chiefs and sachems representing these, Tarhe acted as spokesman.

In his address explaining why they had been called together, General Harrison informed the Indians that the time had arrived for an understanding as to the intentions of the tribes. He referred to the attempts of the British to align them in the interest of that side, and declared that nothing short of a definite avowal of their position would satisfy his purposes. If the tribesmen were disposed to be friends of the Americans, they must show this either by moving with their families into the settlements, or that their warriors should accompany him in the ensuing campaign, and fight for the United States.

*Tarhe, the Wyandot Chief.*

To this, Tarhe, speaking for the assembled representatives, replied that the Indians continued to maintain the most indis-



soluble attachment for the American government, and a determination to adhere to the Treaty of Greenville. The warriors, he declared, wanted just such an opportunity to prove their allegiance to the President, and would gladly accompany General Harrison's army against the British.

In this council we have a forceful example of General Harrison's understanding of the Indian character and his consequent success in his dealings with them. Likewise, his humanity



Franklinton Council Monument.

as contrasted with the cruelty of the British commander is manifested. It will be recalled that Proctor had promised that in the event of the capture of Fort Meigs he would turn over to Tecumseh, to do with as he pleased, the person of General Harrison. Recalling this fact to the Indians present at the Franklinton council, Harrison insisted that the warriors who should accompany him should conform to humane methods and abstain from cruelty to women, children, prisoners and the aged and infirm. As to Proctor, he told them that in case he should be captured that he would be turned over to them provided they

would promise to avenge themselves by "putting a petticoat on him". This treatment, as we have seen in connection with the Delaware nation, was supposed to reduce the recipient to the rank of a squaw, and to be the most humiliating treatment possible to accord. In imposing this condition, General Harrison remarked that "none but a coward or a squaw would kill a prisoner".

While the Ohio tribes were not called, as such, to participate in the war, many of them as individuals and detached bands associated themselves with Harrison's army and rendered good service in the remainder of the campaign. Among these was Tarhe.

Tarhe, the Crane, was born at Detroit in 1742, and evidently came into Ohio with the Huron bands from that location, joining the Wyandots already settled in northern Ohio. Previous to the Greenville treaty, he lived at Solomonstown, Logan county. After the treaty he established a town near Lancaster, Fairfield county, called Tarhe's town, later removing with his tribe to Cranetown, near Upper Sandusky, in Wyandot county. Here he resided until his death in 1818.

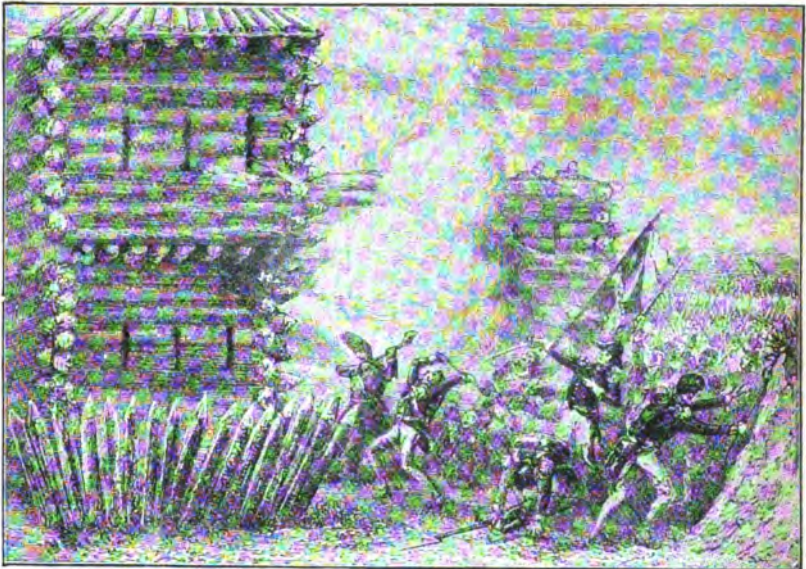
Tarhe was greatly respected and esteemed by those of his wide acquaintance among white people. General Harrison, at the close of the War of 1812, eulogized him as a "venerable, intelligent and upright man", and of the many Indian chiefs whom he had met, he designated Chief Crane as the noblest of them all. Tarhe was keeper of the calumet for the confederation of tribes north of the Ohio river, this office being vested in him as chief of his tribe, which tribe in turn was the dominant one of the several participating in the federation for mutual protection.

The Crane was conspicuous at the Battle of Point Pleasant, in 1774, and of thirteen Wyandot chiefs who opposed General Wayne at the Battle of Fallen Timbers, in 1794, he is said to have been the only one who escaped, although he was among the foremost of the fighters, and was severely wounded in the engagement. Tarhe is given credit for using his great influence in bringing about the Treaty of Greenville in the following year. He was the first signer of the treaty document, and from that

time until his death, more than 30 years later, he continued to look upon that act as binding him in unquestioned loyalty to the American cause. In this attitude, he strenuously opposed the policy of Tecumseh in siding with the British in the War of 1812, and bore out his convictions by accompanying General Harrison in his campaign against the British in Canada.

*Attack on Ft. Stephenson.*

At the site of the city of Fremont, Sandusky county, was located Fort Stephenson. It had been erected by a detachment of General Harrison's army at the time that Fort Meigs was



Attack on Ft. Stephenson.

built, and was the most northerly of the American northwestern outposts. Following their failure to reduce Fort Meigs, Proctor and Tecumseh, with their armies, proceeded to Fort Stephenson where they expected an easy victory, in partial reparation for their previous failures. Fort Stephenson at the time was

in command of Lieut. George Croghan and a garrison of 160 militiamen. The fort, little more than a stockade, was supplied with one mounted gun. But so courageously and tirelessly did the little band of frontiersmen defend the fort that their besiegers, outnumbering them 25 to one, found themselves completely outfought and demoralized. By dextrously maneuvering the one small cannon from port-hole to port-hole of their "forest Gibraltar", Croghan's men so devastated the ranks of the on-rushing attack that the Canadians and Indians fell back in disorder and dismay. Croghan had made good his reply to Harrison's suggestion that he abandon the stockade: "We have determined to maintain this place, and by heavens, we can". The British attacking force, numbering 2,000 Canadians and an equal number of Indians, departed the scenes of their failures and defeats, and took up the march toward their base at Malden, Canada.

*Tecumseh Foresees the End.*

The last chapter in the life of Tecumseh leads us to Canadian soil, whither we shall follow him briefly. The unfavorable outcome of the campaigns against Fort Meigs and Fort Stephenson had served completely to disillusion the great Shawnee leader, and he now realized that the cause for which he was so valiantly striving was hopeless of success. In fact for some time previous to the repulse of the British and Indians at Fort Stephenson, Tecumseh, in his keenly discerning mind had foreseen inevitable defeat and following the failure to reduce Fort Meigs had despaired of success against the "Long Knives". He had urged upon Proctor the idea of a bold offensive against the Americans in their territory south of the Maumee, but the timid British commander dared not risk such a campaign; and when instead the latter informed him of his purpose to retire to the Thames and from there conduct future operations, Tecumseh no longer could contain his bitter disappointment. To the warriors under his command he expressed his unwillingness longer to continue in a cause which was costing the lives of his people without the least hope of success, and proposed a withdrawal of Indian participation in the struggle. His immediate followers,

the Shawnee, Wyandots and Ottawas, favored his proposition; but many of the tribesmen from the western country, particularly the Sioux and the Chippewas, insisted that since he had induced them to enter the contest he continue in its prosecution. Feeling that their claim upon him was a matter of honor, he acquiesced and prepared for what he knew must be the beginning of the end.

It was now the early autumn of 1813. Proctor, under protest from Tecumseh, continued his dis-spirited retreat toward the Thames, while at the head of his Northwestern army General Harrison was pushing his way northward in pursuit. Tecumseh, realizing the folly of further retreat, finally prevailed upon Proctor to make a stand against the pursuing Americans, and on October 5, 1813, on the north side of the Thames river, near the town of Chatham, Ontario, was fought the historic Battle of the Thames.

By this time the Canadians, as well as the Indian warriors, fully realized the weakness and inefficiency of Proctor; and it was to Tecumseh, who already had won for himself the rank of brigadier general in the British army, that they looked for leadership in the pending conflict. Tecumseh, in full realization of its tragic ending, accepted the responsibility for the plan of battle, while Proctor, solicitous only for his own safety, took himself to a position of safety some distance away.

#### *Battle of the Thames.*

Tecumseh's prevision of the result of the battle is shown in these words, addressed to his followers: "Brother Warriors, we are now about to enter an engagement from which I shall never come out; my body will remain on the battlefield". He then unbuckled his sword and handed it to one of his subordinates, saying: "When my son becomes a noted warrior, give him this". Removing his British uniform, Tecumseh then assumed his place at the head of his warriors, clad only in the usual buckskin costume of his tribesmen. The explanation of this act is found in the following words, from Mr. Randall's "Tecumseh, the Shawnee Chief": "The sentiment of the true

patriot dominated the soul of this savage in the face of impending fate; to the ignominy of death in a failing cause on a foreign field, afar from the forest of his beloved native soil, he would not add the disgrace of wearing as his shroud the insignia of a nation professedly his friend, but really his treacherous foe".

We need not dwell upon the details of the battle which followed. General Harrison, with his army of 2,500 men so completely overwhelmed the British and Indians that General Proctor and his "red coats" fled precipitately, leaving the defense entirely in the hands of the one thousand warriors under Tecumseh. These, so greatly outnumbered, fought as perhaps Indians had never before fought, cheered on by the voice of their leader. But of a sudden the sustaining "Be brave, be brave" was heard no more; the voice of their leader had been silenced by death, and there was none to take his place. The warriors fled from overwhelming odds, and the arms of the white man had triumphed.

In taking leave of Tecumseh, we quote the following from the eloquent tribute of Mr. Randall: "The tongue that for years had called aloud at the council fires and 'neath the forest boughs, ever for justice to his people, was stilled forever, nor was there to be other voice to renew the summons to rise and repel the invading whites. For fifty years, a full half century, from the conspiracy of Pontiac to the confederacy of Tecumseh, the war for the possession of the Ohio country had been waged; the battle of the Thames was the culmination of that contest and with the death of the heroic Shawnee there vanished the last hope of the tribesmen that they might regain the lost lands of their wigwams and hunting grounds. From now on the irresistible tide of civilization was to sweep the savages across the Father of Waters and yet far beyond where they were to become the helpless wards of the conquering nation".

#### PASSING OF THE OHIO TRIBES.

##### *The Last of the Miamis.*

The victory of General Harrison at the Battle of the Thames ended the War of 1812 and restored to the United

States possession of Detroit and the Michigan peninsula. With the consequent passing of British influence and support, there remained to the Indian tribes of the Ohio country the choice of peaceful acceptance of conditions imposed by the state and nation or, as an alternative withdrawal to more congenial territory. The tribes which had favored the British, particularly the Shawnee and the Miamis, chose the latter while the friendly Wyandots, Ottawas and Delawares chose to remain for the time as they had been; but it was only a matter of a short time until they too yielded to the pressure of advancing civilization and passed westward and southward beyond the border of settlement. The career of the Indians as a race had terminated, in so far as Ohio was concerned; and it remains only to note briefly the final disappearance from the state of the tribes and their leaders whom we have followed as year by year they continued valiantly and courageously to play the losing game.

The Miamis, earliest of the historic tribes to make their appearance on Ohio soil, were the first to take their departure therefrom. At the close of the French and Indian war, as a result of the peace of 1763, the Miamis, as a tribe, removed from Ohio to Indiana, the Shawnee then occupying their lands. By 1827 they had sold most of their lands in Indiana and had moved to Kansas and thence to Indian territory, where the remnant of the tribe continues to live. One band however, continued in Wabash county, Indiana, until 1872, when their land was divided and apportioned among the individual representatives. The Miamis at the present time number about 400 in all, as compared with perhaps 1,500 persons at an earlier date. Despite their early disappearance as a tribe from Ohio, the Miamis figured in the last treaty concerning Ohio lands held by the Indians under the claim of original possession. By this treaty, held at St. Marys in October, 1818, the Miamis ceded to the state of Ohio a small tract on the St. Mary's river, in Mercer county. The remaining Indian lands were in the nature of reservations which they were permitted to occupy after the territory in which they were located had been relinquished

by cession. They were gradually ceded to the United States, the last being the Wyandot reservation at Upper Sandusky, in 1842.



Little Turtle.

Of the great Miami chieftain, Little Turtle, much could be deservedly added to what already has been said. We must part company with him, however, by recording that his pledge made in signing the Treaty of Greenville, when he declared "I am the last to sign it, and I will be the last to break it" was faithfully kept. Up until his death at Fort Wayne in 1812, he continued a staunch friend of the white man and proved himself worthy of the trust that had been placed in him.

#### *The Delawares and the Senecas.*

The Delawares, whose tempestuous career we have followed from the time they left their earlier home east of the Alleghenies, were next in point of time to relinquish their Ohio lands. As a people they disappeared from the state comparatively early, so of the many Delawares participating at the treaty of Greenville we find but few representatives of the tribe from Ohio. Their noted chief, Hopocan or Captain Pipe, had died a year previous to that event, at his town near Upper Sandusky, and the tribe, destined to continue a career perhaps more checkered than that of any other of the Ohio Indians, had become scattered and divided. The little reservation of nine square miles—the last of the Delaware lands in Ohio—was ceded to the United States in August, 1829. This reservation was located directly to the south of and adjoining that of the Wyandots at Upper Sandusky, and contained the town of Captain Pipe.

Just prior to the Revolutionary war the greater part of the Delawares removed to the country lying between the Ohio and the White rivers, in Indiana. From that place, after wandering through the country to the south, they arrived in Indian territory



and Oklahoma. Other bands found their way to Canada where they are known as the Moravians of the Thames, Munsees of the Thames, and so forth. At the present time the Delawares number close to 2,000, scattered throughout Indian territory (Oklahoma), Wisconsin, Kansas, and in Ontario, Canada.

The Senecas of the Sandusky, who occupied a reservation of 30,000 acres on the east side of the Sandusky river, in the county which bears their name, ceded their lands to the government early in 1831 as did also the so-called "mixed Senecas," affiliated with the Shawnee on the reservation at Lewistown, in Logan county. The two bands removed first to Kansas and in 1867 to Indian territory, where they now live. Their number at the present time is perhaps 400.

Within the Seneca reservation on the Sandusky, referred to above, was located Seneca town. This town was occupied principally by the remnant of Chief Logan's band of Mingoes, who, following the Dunmore war, fled from the middle Scioto and joined their kinsmen on the Sandusky. As we have seen, the Senecas and the Mingoes were the same people under different names. They were detached bands of Iroquois, mostly Senecas and Cayugas, who entered Ohio shortly before the Revolution. The Mingoes, as the bands on the middle Scioto were known, were not much in evidence after the Dunmore War and the death of Logan, which occurred in 1780.

#### *The Shawnee and Ottawas.*

Following the Battle of Tippecanoe the Shawnee, defeated and scattered, mostly departed from Ohio, some of them seeking less fortuitous existence in the south and others passing to the westward. The remnant of the tribe in August, 1831, ceded their remaining lands consisting of a tract ten miles square at Wapakoneta, and a smaller reserve of 25 square miles adjoining it on Hog Creek. They removed first to Kansas and thence to Indian Territory, where the descendants of the several bands, numbering about 1,400, continue to live. Of their great chiefs, Tecumseh and Cornstalk, we have spoken. Black Hoof, hardly less worthy, merits a parting word. He was a brilliant aide to Cornstalk at the Battle of Point Pleasant, and later an active

leader of his people in their campaigns against Generals Har-mar and St. Clair. After the victory of General Wayne, Black Hoof realized the hopelessness of the Indian cause and became an ardent advocate of peace and harmony between the two races. He died at Wapakoneta in 1831, his long life having spanned the entire period of the struggle between his people and the white man. He was present at the defeat of General Braddock in 1755, participated in all the active campaigns which followed, and passed away just as his tribe was quitting forever their Ohio hunting grounds.

In August, 1831, the Ottawas ceded to the government a reservation five miles square on the Blanchard fork of the Auglaize, in Putnam county, and a smaller tract, a few miles farther west, on the Auglaize. In February, 1833, their remaining reservation, a tract of 34 square miles including the site of East Toledo and Presque Isle at the mouth of the Maumee, was ceded, and the tribe withdrew from the state. A remnant of the Ohio Ottawas now lives in Oklahoma, but the Ottawa tribe proper remained in Michigan, where they still reside.

#### *Wyandots Last to Leave Ohio.*

The Wyandots, entering the Ohio country as refugees from the Iroquois conquest, were to be the last to take their departure from its soil. They contributed to Indian history one of its most spectacular events, Nicolas' Conspiracy, and one of its greatest leaders, Tarhe, the Crane. The Wyandots, in March, 1842, ceded their large reservation of twelve miles square, of which Upper Sandusky was the center, and removed first to Wyandot county, Kansas, and then to Oklahoma, where they now are. The last of their great chiefs was the famous Half King, Pomoacan, or Dunquad, who died subsequent to the War of 1812.

The historic Wyandot reservation existed within the memory of men yet living, and from its size and the fact that it was the last to be relinquished is the best known of the Indian reservations of the state. In the Museum of the Ohio Archaeological and Historical Society there are preserved a

number of relics found on the site of the towns at Upper Sandusky.

It will be understood that the foregoing reservations were merely tracts reserved by the Indians within areas ceded to the United States. The treaties by which the areas themselves, comprising the great bulk of the land, were ceded, were as follows:

*Indian Land Cessions.*

The Greenville Treaty, 1795, by which the Indians ceded all land lying south and east of the Greenville Treaty line (shown on the map) and comprising practically two-thirds of the state.

A treaty at Fort Industry, (Toledo) in 1805, by which was ceded practically one-third of the remaining Indian lands, comprising the eastern portion thereof.

A treaty at Detroit, in November, 1807, by which was ceded the land lying north of the Maumee as far westward as the mouth of the Auglaize.

A treaty held at the Rapids of the Maumee, September, 1817, at which the Wyandots, and the Pottawatomies, Ottawas and Chippewas, ceded the remainder of the Ohio lands.

The cession by the Miamis of the small tract in Mercer county, already cited, completed the extinguishment of Indian title to all Ohio lands. There remained to the tribesmen only the reservations, from which we have seen them, one by one, take their departure.

The Indian as a people had now disappeared from Ohio. In all the wide expanse of their ancestral hunting grounds there remained only a few stragglers to represent the race which once had held undisputed sway.

*Opinions as to Indian Character.*

From the preceding pages the reader, it is hoped, will have obtained something approaching a concrete estimate of the Indian. We have touched upon the native race from the physical, mental and religious standpoints, and have learned something of his habits, customs, and arts. From these we are enabled to

form an intelligent conception as to what manner of man he was; but as between the two extremes of those who see in the Indian nothing more than a brutal savage and those to whom he appeals as "the noble Red Man", how shall we decide?

With this thought in mind, it seems appropriate before bidding farewell to the Indian of the historic period, to cite the opinions of a few of those who, through intimate contact with and knowledge of the Indian are best qualified to speak.

Judged from results obtained, no one better understood the Indian nor knew better how to deal with him than William Penn, the Quaker governor of Pennsylvania. Following his famous first treaty with the Indians at Shackamaxon, in 1683, he tersely characterized them as "a careless, merry people, yet in affairs of property strict in their dealings. In council they are deliberate, in speech short, grave and eloquent. I have never seen in Europe anything more wise, cautious and dextrous". This opinion, of course, was formed very early in Penn's acquaintance with the red man, and may have been somewhat modified later. However, the policy of the Quakers toward the natives was so just and humane that it was declared that "not a drop of Quaker blood was ever shed by an Indian".

Christian Frederick Post, the Moravian missionary, in reporting his historic mission to the Ohio Indians, in 1758, said:

"There is not a prouder, or more high minded people, in themselves than the Indians. They think themselves the wisest and prudentest men in the world; and that they can overpower the French and English when they please. They are a very distrustful people. Through their imagination and reason they think themselves a thousand times stronger than all other people".

#### *Zeisberger's Summary.*

The opinions of David Zeisberger, of Moravian Indian renown, must bear much weight, for having spent many years as one of them he was eminently qualified to judge of the character of the Indians. In his history of the Indians, he says: The \* \* \* Indians \* \* \* are by nature (I speak of savages) lazy as far as work is concerned. If they are at home and not engaged in the chase they lie all day on their britchen and

sleep; when night comes they go to the dance or wander about in disorderly fashion. \* \* \* They are proud and haughty, even a miserable Indian, capable in no respect, imagines himself to be a great lord. They hold themselves in high regard as if they were capable of great and wonderful things. \* \* \* They are masters in the art of deceit and at the same time are very credulous; they are given over to cheating and stealing and are not put to shame when caught. \* \* \* They are capable of hiding their anger readily, but await an opportunity to avenge themselves \* \* \* and this generally occurs secretly and quietly. \* \* \* They are courageous where no danger is to be found, but in the face of danger or resistance they are fearful and the worst cowards. \* \* \*

“Yet there are Indians, even among the savages, who maintain peaceful and orderly family life. The Indians have both capacity and skill for work, if they only had the inclination.”

Zeisberger, it will be noted, in thus speaking refers to the “savage” Indians and their natural attributes, which he uses to some extent as a contrast to the better nature of the natives as brought out under Christian teachings. Under the latter conditions he finds many good qualities, as set forth in his history.

We now turn to one whose fitness for judging the character of the Indian is most happy—William Henry Harrison. His career as a participant in the post-Revolution campaigns in the Ohio country, as governor of Indiana territory, superintendent of Indian affairs, commander of the Army of the Northwest in the War of 1812, and as president of the United States, afforded him a knowledge and understanding of the native race possessed by but few.

*General Harrison's Comment.*

From a discourse delivered at Cincinnati in 1839, by General Harrison we quote these excerpts:

“An erroneous opinion has prevailed in relation to the character of the Indians of North America. By many, they are supposed to be stoics, who willingly encounter deprivations. The very reverse is the fact; \* \* \* For no Indian will forego

an enjoyment or suffer an inconvenience, if he can avoid it. But under peculiar circumstances; when for instance, he is stimulated by some strong passion — but even the gratification of this he is ever ready to postpone, whenever its accomplishment is attended with unlooked for danger, or unexpected hardships. Hence, their military operations were always feeble — their expeditions few and far between, and much the greater number abandoned without an efficient stroke, from whim, caprice, or an aversion to encounter difficulties. \* \* \*

“Their bravery has never been questioned, although there was certainly a considerable difference between the several tribes, in this respect. With all but the Wyandots, flight in battle, when meeting with unexpected resistance, or obstacle, brought with it no disgrace. \* \* \* With the Wyandots it was otherwise. Their youth were taught to consider anything that had the appearance of an acknowledgement of the superiority of an enemy, as disgraceful. \* \* \*

“As it regards their moral and intellectual qualities, the difference between the tribes was still greater. The Shawnee, Delawares, and Miamis, were much superior to the other members of the confederacy. I have known individuals among them of very high order of talents, but these were not generally to be relied upon for sincerity. The Little Turtle, of the Miami tribe, was one of this description, as was the Blue Jacket, a Shawnee chief. I think it probable that Tecumseh possessed more integrity than any other of the chiefs, who attained to much distinction; but he violated a solemn engagement, which he had freely contracted, \* \* \* but these instances are more than counterbalanced by the number of individuals of high moral character, which were to be found amongst the principal, and secondary chiefs, of the four tribes above mentioned. This was particularly the case with Tarhe, or the Crane, the grand sachem of the Wyandots, and Black Hoof, the chief of the Shawnee.”

These instances are sufficient to show the liberal admixture of good and bad in the Indian character. To expect anything else would be unreasonable, since they were typically human judged by the standards of any time or people. “That he was a child of nature, none can deny. That he was a son-of-man,

linked to the human family by all the bonds of ethnologic law is patent to the superficial observer". The character of the average Indian might be summarized in the words of Mr. Randall, as applied to the career of an Ohio chief, as one of "crime, passion and occasional humanity". A transposition of the phraseology to read "humanity, passion and occasional crime" might perhaps describe that element of the native race, represented by such individuals as Tarhe, the Wyandot, and Tecumseh the Shawnee.

It is difficult to resist the desire to speak of many interesting and important details of Ohio Indian annals, necessarily slighted or altogether ignored in a sketch of this nature. The history of the State of Ohio weaves many fascinating and thrilling stories around the persons of the early frontiersmen, scouts and Indian fighters; the heroes and heroines of both the red and white race; the captive white men and women among the Indian tribes; the picturesque white renegades, and so forth. But having followed the Ohio tribes through the historic period of their career, we must now turn to their predecessors, the Indians and Mound Builders of the pre-historic Ohio.

## VI THE PRE-HISTORIC OHIO INDIAN

### HISTORY AND ARCHAEOLOGY

The history of a people may be defined as the story of its activities. If it has arrived at that point in human progress where the importance of preserving a record thereof becomes apparent, and has attained to the use of written language, it records its own history; or, this lacking, another people, observant of its existence and qualified for the task, may chronicle the events of its career. In the absence of these requirements its annals remain unwritten, at best but partially and unsatisfactorily preserved in tradition and folklore, awaiting the appearance of a historian competent to glean some facts therefrom.

We may summarize the achievements of the historian by saying that he has recorded the activities of his own people, and of others who have come to his attention, since first he became cognizant of the importance of the task and capable of its execution. As a result of his exertions the annals of civilized men, and to a great extent of contemporaneous uncivilized peoples, have been voluntarily recorded.

Written history carries the story of the human race backward to a very considerable antiquity. Through it we are apprised of such ancient civilizations as that of China, India, Egypt, Assyria, Greece and Rome, and others of the Levantine and Mediterranean countries. But beyond this point, history, in its generally accepted sense, fails to enlighten us. Its records become dim and uncertain, and finally altogether wanting. This is true (1) of all peoples of the earth preceding the advent of the historian; (2) of those eras in the lives of peoples which, while lying within the historic period, have escaped his attention; and (3) of the entire careers of certain peoples who have existed and disappeared without finding a chronicler of their activities.

In those remote periods preceding the historic beginnings of human activities, we surmise that there were races, peoples and



nations, and that at least some of them had attained to a considerable degree of advancement; and to meet our inquiry, history broadens her scope and summons the aid of her sister-science, archaeology.

Archaeology, the science of antiquities, is a very important part of history in its broader sense. It has been termed the "hand-maiden of history", and together with kindred sciences — geology, anthropology, ethnology and anatomy — has played an important part in extending the story of mankind backward beyond the so-called historic period.

It is the province of archaeology to consider the material relics strewn along the pathway of prehistoric human progress, to interpret their meaning, and to add the information so obtained to existing knowledge of past facts recorded in history. A people may exist without a written history, or even may disappear without leaving a voluntary record of its activities; but always there remain certain incidental evidences of its existence. Practically every habitable portion of the globe yields some evidence of habitation earlier than that recorded in history, or of later habitation which has remained unrecorded. Many cities and towns of the present, particularly in the Old World, are built upon the ruins of towns and villages of the past, which in turn not infrequently rest upon the debris of still earlier human habitations. Scattered over the countries of both hemispheres are structures of earth and stone, erected by peoples of prehistoric times as monuments to their dead, as adjuncts to their religious and social observances, and for domiciliary purposes. Wherever men live today, the existence of prehistoric inhabitants is demonstrated by the presence of ancient sites, marking the location of camp, village or town. On and about these are found innumerable objects of their arts and industries — implements, utensils and ornaments of stone, bone, metal, and other decay-resisting materials.

The archaeologist readily recognizes even the least conspicuous of these relics as being artificial in origin and character, and as pertaining to the handiwork of man. The smallest chip of flint or stone, the fragment of shell or bone, oftentimes furnishes a clue to the habitation site of a people whose existence

has escaped record in history. By following out this clue and studying the developments to which it leads, it often is possible to trace the story of a family, a tribe, or a people which otherwise never would have been preserved. The evidence offered by these "foot-prints of the past" is not always voluminous nor easily interpreted, but once extracted, it is at least truthful, unbiased and unprejudiced.

The prehistoric inhabitants of Ohio may be said to have been a people without a recorded history. While European adventurers and explorers found tribes of the native American race dwelling upon Ohio soil, and wrote much concerning them, it will be recalled that these tribes were not native to the territory, but were merely sojourners, recently arrived from other localities. The Shawnee, Miamis, Wyandots, Delawares and others of the historic period all had entered Ohio as a result of unsettlement resulting from European colonization of the country to the east and north. Their knowledge of the native Ohio tribes was little more than vague and indefinite tradition, of doubtful value from a historical viewpoint.

The nearest approach to definite knowledge of a native Ohio tribe was with respect to the Eries, or Cat Nation, formerly inhabiting the northern portion of the state, and extending along Lake Erie into Pennsylvania and New York. The claim of the Iroquois confederation that, about the year 1650, they had conquered and annihilated the Eries, is borne out in part by historic record; but of the Eries as a people, their habits, customs and culture, little is known. In brief, the tribes native to Ohio soil had disappeared before the arrival of the historian, and none could say how or whither they had gone.

The logical inference was that, in common with other sections of the continent, the Ohio of prehistoric times had been inhabited by tribes closely related to the Indians whom the Europeans observed everywhere about them. The wide distribution of these tribes and the unique character of their physical type and cultural attainments, bespoke a comparatively long residence in America, and it would have been unreasonable to suppose that during their prehistoric career they should have avoided so inviting a locality as Ohio — than which no spot on

earth was better adapted, by climate, geography and natural resources, to maintain a primitive population.

But perplexing evidence followed shortly upon a closer acquaintance with the territory in question. Early settlers, and even explorers before them, were made aware of the existence of numerous and extensive artificial structures of earth and stone. Many of these, judging from the fact that they were covered by mature forest trees, already were centuries old; and yet the existing tribes neither erected such structures, nor offered an explanation of their origin. These facts seemed to indicate that, in addition to the Indian tribes, Ohio once had been the home of another people who, after achieving a comparatively high degree of civilization, had mysteriously and completely disappeared. This strange vanished people, supposedly distinct in race and culture, was given the name Mound Builders, in recognition of the most apparent and impressive evidence of their existence. The task of unraveling the mystery — of discovering the identity of the Mound Builder, and his relationship to, or distinction from, the Indian — rested with the archaeologist.

#### OHIO EARTHWORKS AND EARLY EXPLORATION

The first serious attention given the Ohio mounds and other earthworks was in 1820, when the observations of Caleb Atwater were published by the American Antiquarian society. The author, who has been styled "Ohio's first historian", made surveys of a number of important works, principally in the Scioto valley, described their external features, and in several instances conducted examinations thereof. Following upon the work of Atwater, Col. Charles Whittlesey, of Cleveland, made important surveys of a number of the more prominent works of the state. It was not until 1847, however, that any pretentious exploration of the Ohio tumuli was attempted. In that year, E. G. Squier and E. H. Davis, then residing in Chillicothe, carried out extensive surveys and explorations, the results of which were published by the Smithsonian Institution. In their volume, they availed themselves of the efforts of Colonel Whittlesey.

The efforts of Atwater, Whittlesey, and Squier and Davis are noteworthy, especially since they labored under limitations imposed by lack of precedent and the general dearth of knowledge of the native race, both in its historic and prehistoric aspects.

Following these pioneers in Ohio archaeology, representatives of the Smithsonian Institution did a considerable amount of rather perfunctory work in the state, which netted them many interesting specimens. Professor Frederick W. Putnam, of Peabody Museum, Harvard University, a few years later conducted extensive explorations, principally in the southern and southern-western portions of the state. Professor Putnam's work was based upon scientific principles and added appreciably to the knowledge of the earthworks and their builders.

Acting in the interest of the commissioners of the World's Columbian exposition, Warren K. Moorehead, in 1893, conducted explorations at what are known as the Hopewell group of earthworks, in Ross county. The great number of artistically executed specimens secured by Mr. Moorehead awakened the archaeological world to a realization that the Ohio Mound Builders occupied a place in the human cultural scale hitherto unsuspected.

In the meantime, an organization which was to become the most potent factor in developing archaeological and historical research in Ohio was awakening to the importance of the task. For the purpose of making an Ohio archaeological exhibit at the Philadelphia centennial, in 1875, a state Archaeological Association was organized. Out of this, in 1885, grew the present Ohio State Archaeological and Historical Society, the aims and purposes of which are expressed in its name. During the first decade of its existence, the Society published much valuable information relating to the aborigines of the State, both historic and pre-historic; but owing to lack of funds, explorations of the earthworks, while gratifying in results, were on a limited scale. Subsequent to the year 1900, however, the investigations of the Society were to assume an importance unequalled by those of any other of the states, and to develop a field by far

the most interesting and responsive of any equal area within the United States.

In the interim between the explorations of Squier and Davis and the close of the century, the Mound Builders were the subject of very general and widespread consideration. With the settlement and development of the country, it became apparent that the area of habitation of this interesting people was by no means confined to the state of Ohio. Broadly speaking, they were found to have populated the Ohio and the Mississippi valleys, or such portions thereof as suited their purpose, and to have extended eastward from the Mississippi, south of the Alleghenies, over the Gulf states. But the center of their greatest activities and highest development was shown to have been in Ohio, particularly in the valleys of the Miamis, the Scioto and the Muskingum, tributary to the Ohio river.

As a result of consideration accorded the subject prior to 1900 by such agencies as the Smithsonian Institution, the Bureau of American Ethnology, the Peabody Museum of Harvard University, various state institutions and museums and by individuals, a basic knowledge of the prehistoric earthworks of Ohio and their contents had been attained. Progress in the direction of determining the racial status of the people themselves, however, was not so rapid. From an early date certain scientists had maintained that, racially considered, the Mound Builder and the historic Indian were a unit, basing their opinion mainly upon a comparison of skeletal remains and of relics found in the mounds, with those of existing or known tribes. Many students of the subject, unable to justify this view in their own minds, continued to argue separate and distinct racial affinities for the two peoples. In brief, the progress of Ohio archaeological research at the close of the first century of statehood may be summarized as follows:

The presence in Ohio during prehistoric times of earlier tribes of the American Indians, was accepted as an obvious fact.

The existence, within the territory comprising the state, of a prehistoric people who erected pretentious and numerous earthworks, presumably as monuments to their dead, as works

of defense, and as adjuncts to ceremonial and religious observances was fully recognized.

The principal ones of the earthworks had been located and described, many of them surveyed, and a sufficient number explored to afford a general understanding of their character and to show that at least two distinct culture groups had been responsible for their construction.

The relationship or distinction between the so-called Mound Builders and the historic Indians remained a matter of disagreement.

The activities of the Ohio State Archaeological and Historical Society are inseparably identified with the unraveling of the life-story of the prehistoric inhabitants of America, particularly as regards the great mound-building cultures of the Ohio and Mississippi valleys. Early realizing the importance of the study of the Mound Builders and the fact that the key to their mysterious career lay within the confines of its home state, the Society dedicated itself to the preservation and study of the ancient monuments which they had left behind them, and, through scientific exploration of these to the work of determining the facts pertaining to their life career.

The task of exploring the ruins and interpreting their mute records, to the end that data might be supplied for the history of a people who had vanished without leaving a voluntary record of its career, was assigned by the Society to its curator, Professor William C. Mills. Availing himself of the labors of the pathfinders in Ohio archaeological research and of those who preceded him in the field, Professor Mills began a series of explorations which have extended over a period of 18 years. The importance of the results obtained thereby will be obvious in the brief outline of the work as set forth in subsequent pages.

#### PROBLEMS OF THE MOUNDS

In the meantime, various agencies — national, state and individual — were engaged with the larger aspect of the problem of prehistoric man in America. It was early realized that the task was too great for any one person or institution to attempt, and that its successful prosecution depended upon specialization

of scientists in limited areas and the ultimate summing up of their several findings. The questions most urgently demanding answers were as follows:

Were the various cultures of prehistoric inhabitants—Mound Builders, Cliff Dwellers, Pueblos, and others of the United States, and the several groups in Mexico, Central and South America—representatives of several separate and distinct races, or were they merely diversified groups of a single great race? In either case, what was their relation to one another and to the modern or historic Indian?

Were the prehistoric inhabitants of America indigenous, or native, to the country? If not, from whence did they come, and how?

What of the antiquity, comparative or approximate, of the native race, or races?

From the introductory pages, in which is discussed the native American race as a whole, the reader will have noted the present status of scientific opinion regarding these problems. They are cited at this point merely as indicating the lines of investigation to be followed in the Ohio field, wherein lay the solution to the life-story of one of the great prehistoric culture groups—the Mound Builders of the Ohio and Mississippi valleys.

In Ohio, the problem of cultures and cultural distinctions had received considerable attention, but as yet remained unsolved. The work of earlier explorers, including that of Squier and Davis, Charles Whittlesey, Professor Putnam, Warren K. Moorehead and others, had shown a decided dissimilarity between certain mounds and their contents as compared with others of the Ohio tumuli. In the Mounds of Ross county and elsewhere, the first-mentioned explorers had unearthed many objects of a high order of workmanship, and exhibiting evidence of a far-reaching inter-tribal commerce. Professor Putnam, at the so-called Turner group of earthworks, in the lower valley of the Little Miami river, had duplicated these; while Moorehead, in examining the Hopewell group of Ross county, in 1893, had brought to light what up to that time represented the highest development of prehistoric man in Ohio. It was clearly evident that, while differing in minor and unimportant details, the ob-

jects found in these mounds might have been the products of a common workmanship and that the builders of the several works were of a common culture. But this analogy did not extend to the Ohio mounds and sites as a whole.

At the great Madisonville site, near Cincinnati, Professor Putnam found a very different culture, in which the relics of its occupants were distinct in character and workmanship. Moorehead, in his extensive explorations at Fort Ancient, Warren county, 1888-91, found the inhabitants of this great prehistoric site to have been members of the same group, with only minor and local deviations to be expected in the several communities of a primitive people. Other sites examined prior to 1900, with a few interesting exceptions, exhibited the same rather sharply defined characteristics of one or the other of these two distinctive prehistoric culture groups. But it was by no means certain that still another culture of mound-building peoples had not existed in Ohio. Certain instances of incomplete or unsatisfactory examination seemed to indicate that possibly a third group, or even two additional groups, conforming to neither of those recognized, were yet to be determined, while the question as to whether or not there had existed a prehistoric culture, or cultures, which were not mound-builders, presented itself to the inquiring mind.

A detailed description of the Society's explorations throughout the period under consideration is aside from the purpose of this review. Reference to the more important examinations and descriptions of a few typical instances, will serve to illustrate the manner in which certain conclusions have been reached. For complete and exhaustive details of field-work, the reader is referred to "Certain Mounds and Village Sites," published by the Society.

The more important of the Society's explorations, since the year 1900, are as follows:

The Adena mound, in central Ross county, in 1901; the Baum village site, western Ross county, 1902-03; the Gartner mound and village site, northern Ross county, 1904; the Edwin Harness mound, southern Ross county, 1906; the Seip mound, western Ross county, 1908; the Westenhaber mound, southern



Pickaway county, 1915; the Tremper mound, Scioto county, 1915; and the Feurt mounds and village site, Scioto county, 1916.

Of these, the Baum, Gartner and Feurt sites were found to be attributable to the low-culture peoples, as represented by the builders of Fort Ancient, Warren county, and the inhabitants of the Madisonville site, near Cincinnati; the Harness, Seip and Tremper mounds proved to have been erected by the high-culture group, as represented at Hopewell's, in Ross county; while the Adena and Westenhaver mounds apparently represented a group, or sub-culture intermediary between these two.

In recognition of the early exploration of Fort Ancient and Hopewells, and in view of the fact that they were the most nearly typical of their respective classes examined up to the time, Professor Mills has bestowed their names upon the two great aboriginal cultures which they represent. The intermediary group may be designated as the Adena, since the mound of that name was the first really typical site of its kind to be fully explored.

#### DISTRIBUTION AND CHARACTER OF THE MOUNDS

The accompanying map, taken from the Archaeological Atlas of Ohio, shows the distribution of the mounds and other earthworks of the state. The mounds are designated by dots, and the enclosures, fortifications and other major works by the character X. It will be noted that, for obvious reasons, the principal centers of habitation are located upon the more important streams. A few isolated sections owe their comparative importance to special conditions, as that of Jackson county, where the abundant supply of salt invited aboriginal visitors, and Licking county, where the great deposits of flint were drawn upon by tribes from far and near.

Perhaps no equal area in the world contains so many prehistoric earthworks as the territory comprised within the state of Ohio. The Ohio State Archaeological and Historical society, in its recently published Archaeological Atlas of Ohio, locates a total of 5396 prehistoric sites of the various classes. Of these, 3513 are mounds proper, 587 enclosures and fortifications, 354 village sites, 39 cemeteries, 5 effigy mounds, 17 petroglyphs, or

pictured rocks, and 35 rock shelters, or shelter caves. Besides these, 109 flint quarries, and many individual burials, stone graves, and other sites, are located.



Archaeological Map of Ohio.

A brief explanation of the uses and purposes of the various classes of prehistoric remains may be of value to the reader. The mounds, so-called, are the most abundant and the best known.

In form they are usually low, broad, flat-topped cones, some shapely and others irregular. In size, they vary from almost imperceptible elevations to imposing structures, 60 feet or more in height. Formerly the mounds were attributed to various uses, as look-out mounds, signal mounds, altar mounds, and burial mounds, but recent exploration has determined that almost without exception they served the last named purpose solely. In other words, the mounds are for the most part simply great tomb-stones or monuments erected over the resting-places of



The Miamisburg Mound.

the dead. The largest mound in Ohio is the Miamisburg mound, in Montgomery county, which is 67 feet in height.

The enclosures, so-called, are much less numerous than the mounds, and served more or less evident purposes. In form they are circular, crescent, rectangular or irregular, and vary in size from a few yards in diameter to those enclosing more than one hundred acres. With respect to purpose and location, the enclosures may be defined as follows: "Hill-top" enclosures, of irregular form, conforming to the topography of the ground on

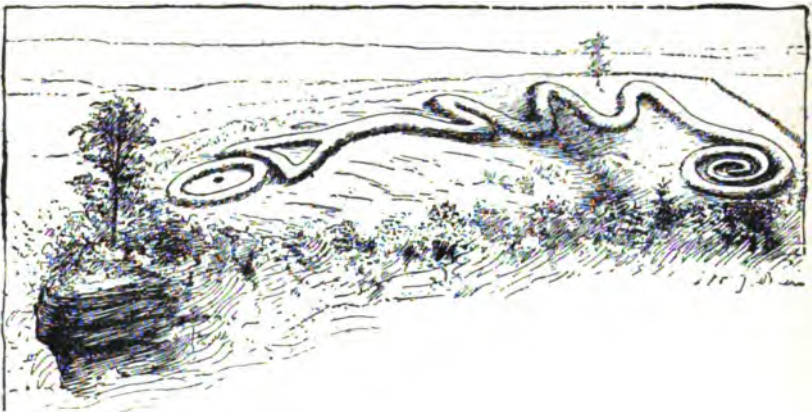
which they are situated and from the natural strategic advantages of their positions, suggesting a military, or defensive use; enclosures, of geometric forms, as the square, circle, crescent, or combinations of two or more of these, located on low or level ground, and probably partly defensive and partly social or religious in their origin; and enclosures partaking somewhat of the characteristics of each of the foregoing, but usually small and irregular in form, and located on high or low land, apparently with little regard to topography.

Of the first-named class of enclosures, the best example is Fort Ancient, in Warren county, which has been called the greatest prehistoric fortification in the world. As before noted, this impressive earthwork is attributable to the low-culture aborigines of Ohio, to whom it gives its name. Other examples of fortifications are Fort Hill, in Highland county; the Glenford Fort, Perry county, Spruce Hill, Ross county; Fortified Hill, Hamilton county, and numerous others. In connection with them there often occur village-sites and burial mounds, as at Fort Ancient.

Earthworks or enclosures of the second class are attributed mostly to the Hopewell culture of Mound Builders. They constitute the most impressive of the prehistoric monuments of the state, both on account of their size and the apparent geometric precision with which they are laid out. While many of them approximate true circles, squares, and other figures, it has been found that no exact system of measurement was responsible for their form. The purpose of these complex enclosures is undetermined, but apparently they had their origin in social and religious observances of their builders. Burial mounds, as at Hopewell's, Seip's, Tremper's and elsewhere, often occur in connection with the enclosures. Among the important enclosures of this class are the great earthworks at Newark, Licking county; the Marietta works; the Mound City group, on the land occupied by Camp Sherman, at Chillicothe; the Hopewell group, on the north fork of Paint Creek, Ross county; works formerly located at Circleville, from which the city takes its name; the Seip and the Harness groups, of Ross county, and the Portsmouth works, of Scioto county.

Enclosures of the third class are rather abundant but comparatively unimportant. They occur generally over the state, good examples being those near Norwalk, Huron county, and those of Ashland county. They probably pertain to the low-culture inhabitants.

Of the effigy mounds, the greatest is the Serpent Mound, of Adams county. This impressive work is attributable to the Fort Ancient culture, and like Fort Ancient, is the greatest monument of its kind in the world. Both of these masterpieces of the Ohio Mound Builders are now preserved as state parks, in the keeping of the Archaeological and Historical society. Near



The Serpent Mound, Adams County.

Granville, Licking county, is the so-called Opossum Mound which is second in importance only to the Serpent mound as a representative of the effigy mounds of Ohio, while in Warren county, a few miles south of Fort Ancient, is another Serpent mound, resembling that of Adams county.

In the matter of areas inhabited by the several mound-building cultures, it can be said that perhaps nine-tenths of those appearing upon the map are attributable to the Fort Ancient culture. These Spartans of the Mound Builders, while much more primitive than either the Hopewell or the Adena group, insofar as artistic and esthetic attainments are concerned, were clearly the dominant prehistoric inhabitants. The evidence in-

dicates that they were greatly superior to other cultures in number, eminently practical, and fitted to hold their own with their more highly civilized neighbors. Such monumental works as Fort Ancient, the Serpent Mound and numerous others scarcely less impressive, attest to their greatness.

The Hopewell culture appears to have confined its habitation to the central southern valleys of the Miamis, the Scioto and the Muskingum. Ross county, with its many mounds and pretentious and complicated earthworks, was the center of activity of this, Ohio's most highly civilized prehistoric people.

The Adena group appears principally in the central valleys of the Miami and the Scioto rivers. The great Miamisburg mound, the largest in Ohio, apparently is attributable to this group.

#### THE FORT ANCIENT PREHISTORIC CULTURE.

A brief review of the exploration of some typical sites of each class will acquaint the reader with the character of the several cultures.

The extensive occupation of prehistoric Ohio by the low-culture, or Fort Ancient people, is attested by the numerous mounds and village sites attributable to them. As is true in general of the aboriginal population of the state, they appear to have favored the southern portion, particularly the valleys of rivers tributary to the Ohio, but their mounds, village and camp sites are not wanting in other sections. An extensive area in northwestern Ohio was, in prehistoric times, too low and swampy to accommodate human habitation, while the hill lands of the southeastern and southern portions were avoided for obvious reasons. On the whole the favored areas, as will be seen on the map, were the valleys of the Miamis, the Scioto and the Muskingum, with their tributary streams.

In studying the Fort Ancient culture, it at once becomes apparent that they were essentially a village people. Within the area most favored by them, there is scarcely a square mile of territory that does not disclose to the interested observer some trace of their habitations. Many of these are of considerable extent, and evident long occupation. This fact indicates an agricultural people, with a comparatively high development of the

domestic arts, since a primitive people cannot long subsist in one location without these artificial aids to existence. While wild game, fruits and nuts — the sole subsistence of the hunter-fisher, or purely nomadic state — would continue to be an important and perhaps the chief source of food supply, they would soon cease to be adequate for an even moderately populous community, and their successful pursuit would be at ever-increasing distances from the base of consumption. To offset this, some degree of agriculture, or artificial propagation of food supplies, would be necessary. That this condition obtained with the Fort



View of Earthen Embankment, Fort Ancient, Warren County.

Ancient peoples will be shown in reviewing the explorations of their sites.

The Feurt mounds and village, of Scioto county, may be taken as a typical habitation site of the Fort Ancient culture. This site was explored for the Society in 1916 by Professor William C. Mills, assisted by the writer. It is situated five miles north of the city of Portsmouth, on the east side of the Scioto river, and occupies a picturesque and strategic location on the second terrace projecting promontory-like into the low ground comprising the river bottom. The Scioto bottoms at this point

are very broad, and the second terrace, extremely narrow, is terminated immediately on the east by the high hills characteristic of the county.

The site of this prehistoric village, comprising some four acres, had long been under cultivation. Its soil, of apparently inexhaustible fertility from the accumulated débris of human occupation, was filled with numerous bones of animals, occasional human skeletons turned up by the plow, broken potteryware,



Section of one of the Feurt Mounds, Showing Exposed Skeletons.

and implements, utensils and ornaments of flint, stone, bone and shell. Several excellent collections of these prehistoric relics had been gathered from the soil within the "plow line" by local collectors, aside from hundreds of specimens in the hands of individual finders, and to the casual observer nothing of interest remained to be found on the site. Little did the plowman dream that beneath the few inches of soil disturbed in the yearly routine of cultivation there reposed the life-story of a prehistoric Ohio people. But to the trained explorer, a certain primitive custom,



which will be referred to presently, encouraged the hope that this perfunctory disturbance of the surface had not obliterated the records of the human drama, as enacted by this aboriginal Ohio community.

In exploring the Feurt site, the Society's expedition had as its purpose the removal and examination of the soil and débris of human occupation and the securing of whatever artificial objects it might contain; the uncovering of the original surface level, as it was when first occupied, and of any sub-surface burials or deposits underlying it; and the examination of the three accompanying earthen mounds, with the object of ascertaining their purpose, contents, and relation to the village proper.

The work of uncovering, step by step, the site of this once populous village of a prehistoric Ohio people, afforded repeated glimpses of their intimate, every-day life and made possible a very accurate and detailed understanding of their customs, arts and industries. A force of workmen, with picks, shovels and trowels, was employed for several weeks in cutting down the accumulated soil, from its surface to the original level of the ground, or until all trace of human habitation disappeared. As this soil was removed it was closely examined, and everything of artificial origin carefully scrutinized for any possible information it might contain.

The reader perhaps might find a detailed account of this process somewhat tiresome, although every step thereof, to the explorers at least, proved fascinating and instructive. As of possibly greater interest, it is proposed to invite the reader to pay a visit to the village and its inhabitants, as they were at the time of their greatest prosperity, as seen through the eyes of the explorer, following his examination of their long-deserted village and interpretation of the evidence found therein. Such an imaginary visit, or let us say, sojourn—for it should be sufficiently prolonged to include the various activities of the inhabitants as influenced by the several seasons of the year—should be both interesting and instructive. The Fort Ancient aboriginal culture, besides being the most extensive and representative of the several which occupied the state, is also the best known; and a satisfactory impression of the Feurt village

and its inhabitants will afford an understanding of the great culture as a whole.

From the foregoing reference to its location, the reader can readily picture the site selected for the village and appreciate the natural advantages which it possessed. Thus happily situated, this capital of our Scioto county hosts has at its back door the extensive hill country with its forest products of game, fruit and nuts; in front and on either side of the promontory on which it lies are the great river bottoms, or Scioto floodplain, furnishing an ideal hunting ground and unsurpassed soil for the cultivation of corn and other products; while within easy access is the river itself, with its never-failing supply of water and its offerings of fish, mussels and waterfowl.

#### *The Feurt Pre-historic Village.*

Approaching the village, by way of the trail which flanks the high hills along the eastern side of the narrow second terrace on which it is located, we first note that it comprises a community of several hundred persons. These—men, women and children—are seen to be of average size and physique, and in all physical respects similar to the well-known Indian of historic times. Before giving attention to their costumes and other personal details, we are impatient to satisfy our curiosity as to their village, at which we now have arrived. It appears to be rather carelessly and unevenly laid out, yet with a semblance of streets or passageways. On either side of these are ranged tepees of skins and bark and rude huts, built of poles and bark, and apparently, in some instances “chinked” with clay and grass, forming a sort of wattlework. Within these domiciles, or immediately adjacent thereto, are the family fire-places, made basin-shaped, of puddled clay. They serve both for cooking and for supplying warmth. Everywhere, in and about these rude homes, are the residents of the village, variously occupied in their respective pursuits.

The costumes of the inhabitants are made from skins of wild animals, feathers, and coarse fabric or cloth, woven from vegetable fiber, grass and hair. The amount of clothing worn varies from practically nothing in hot weather to heavy gar-

ments, made principally from the furs of native wild animals, in the colder seasons. As ornaments, men, women and children alike are profusely adorned with necklaces, bracelets and arm-bands of beads, made from shell, bone or stone.

As in the case of other primitive peoples, we find that the arts and industries of the Feurt village inhabitants center about three distinct purposes, or usages; namely, the securing of food, the preparation of food for consumption, and amusement or recreation. As we turn with interest to observe how these are



Fire-place, of Puddled Clay; the Feurt Village Site.

effected under such primitive conditions, we are quickly impressed with the fact that with these people the three most serviceable materials in the manufacture of implements, utensils and ornaments are wood, stone, and bone. The first-named serves a wide range of usefulness, from the construction of tepees and the kindling of fires for warmth and cooking, to the manufacture of bows and arrows, spears, and innumerable other objects. In various kinds of stone, they find their nearest ap-

proach to metal for the manufacture of cutting, scraping, pounding and perforating implements, and in its disintegrated product — clay — the material for their potteryware. Bone of differing kinds (including antler and shell) is employed in making fish-hooks, awls, perforators, needles, arrow and spear points, scrapers, hoes, chisels, and ornaments, as beads, pendants and so forth.

We are not surprised to note the extensive use of wood,



Stone Celt, or Hatchet; Feurt Village Site.

but the employment of stone and bone draws our attention to the work of certain individuals, who appear to be especially engaged in the manufacture of articles from these materials. On the one hand, we pause to observe a workman who is fashioning various tools and implements from granite, sandstone and other hard stones. The most abundant type of implement from the workshop of this particular artisan is a wedge-shaped, or

thick chisel-like tool shaped something after the manner of an axe-blade. These are mounted in wooden handles, and used as axes, hatchets, or tomahawks, serving the purposes of those implements, not only in the chase and the domestic routine, but in warfare, if such should prevail; or, held in the hand, as a chisel, they serve for skinning game and dressing hides. Other implements are the hand hammer, usually a natural water-worn stone, of convenient size and shape to be held readily in the hand, and sometimes modified to conform to that purpose, used in cracking nuts, in pounding grain, in breaking bones, and in the multiplicity of purposes which the hammer serves in civilized communities; mortars, or metates, made from a convenient slab of sandstone, one face of which is ground out, basin-shaped, to be used in grinding corn into meal; and gaming stones, made usually of sandstone, fashioned into disks, from the size of a silver dollar to that of a biscuit. These latter often bear designs, graved upon their surfaces, and are used in a pitching game, somewhat resembling our game of horseshoes, or quoits, and also in gambling or gaming, after the fashion of dominoes and chess.

While all the material used in the manufacture of the objects described is obtained on the site or from the nearby river banks, we find that for the manufacture of certain articles, the inhabitants find it necessary to resort to a distant source of supply. This is true of flint, which is obtained to some degree locally but mostly from the flint deposits across the Ohio river in Kentucky and from Flint Ridge, in Licking and Muskingum counties. As we turn our attention to the flint-chipper, we find that his is one of the most highly developed arts of the village. We find him seated on the ground beside a supply of flint, in rough blocks, secured at considerable cost of time and labor through special journeys to the source of supply. With a stone hammer, the workman fractures the block of flint in such a way that he obtains large and comparatively thin and regular flakes therefrom. Then, by means of simple pencil-shaped implements of bone and antler, he skillfully forces off secondary flakes, or chips, by means of concentrated pressure, applied at the edges of the flake, and in such a way as to take advantage

of the grain or cleavage of the flint. Among his finished products are beautifully wrought arrow and spear points, triangular in outline; blades used as knives and scrapers, and drills, for boring wood, stone, bone and other materials.

Nearby sits the pipe-maker of the community, likewise supplied with material suitable to his purpose. Much of this is a variety of pipe-stone, of fine grain and texture, and varying in color from almost white, through the various subdued grays,



Pottery Vessel of Burned Clay; from the Gartner Village Site.

tans and browns, to flesh, pink and even red. This material is secured on the crest of the high hills to the east of the village. The workman, using first his stone hammer, then a tough stone or flint, for pecking, and finally the ever-present whetstone of gritty sandstone for rubbing and polishing, turns out his finished products. These are usually plainly oval in shape, but sometimes L-shaped or otherwise, and not infrequently decorated with pleasing conventional carvings or the images of animals, birds, or the human face.

Perhaps as important as any other of the village industries, is that of pottery-making. Selecting a supply of tough clean clay, the potter first tempers it by liberal admixture with powdered mussel shells. It is deftly formed into vessels, often decorated with incised designs, and then is baked in the fireplaces. The vessels are used for containing water, for storing food and in cooking.

We note at a glance that the inhabitants of the Feurt village are in the so-called stone age of human development; and yet, from the extensive use of bone as a material for fashioning implements and ornaments, the designation of a bone-age people would not be far amiss.

At various places throughout the village workmen are engaged in the manufacture of objects of bone in great profusion. Principal of these are awl-like implements, or perforators, made mostly from the leg-bones of the deer and the wild turkey, although suitable bones of other animals and birds are not slighted. These leg-bones are first cut or broken in two at the center, and the inner end then ground to a sharp point, by rubbing upon or with a grinding stone of gritty sandstone. These awls are used in perforating hides and leather in making clothing and moccasins, and for other similar purposes. They likewise play an important part in eating, by serving as forks for removing meat and other foods from the common dinner kettle, and in

extracting marrow from bones. Besides the awls, the workmen are producing implements resembling the carpenter's drawing knife, by beveling and sharpening one face of the leg-bones of the deer and elk; chisel-like implements, used in cutting and scraping; and long bodkin-shaped objects, sometimes decorated with incised de-



Bone Fish Hooks; Gartner Village.

signs, worn in the hair as ornaments or hair-pins. From deer antler, they fashion small cylindrical instruments for chipping flint, and from the hollow wing bones of the eagle, owl, and other birds, they cut tubular sections to be worn as beads. Certain close-grained sections of bone are selected and made into fish-hooks, much the same in size and shape as those with which we are acquainted, except that their makers have not learned the importance of the barb, or retaining point.

In working bone, the artisan resorts to numerous expedients, such as breaking, by means of his hand-hammer; cutting, with a flint knife; burning, until the action of the fire has so weakened the material that it can be broken; and finally, by grinding and polishing on the whetstones or grindstones of gritty rock.

#### *Primitive Agriculture and Food Sources.*

Below the terrace on which the village stands is a busy group of workers, mostly women and girls. They are "tending" their gardens, or truck-patches, in which have been planted their staple cereal, Indian corn, or maize. Besides corn, there is a variety of beans, a sort of squash or pumpkin, and perhaps a few other vegetables. Second only in importance to corn is the crop of tobacco, a very important adjunct to the life of the village. The loose rich soil selected for the growing crops needs but little cultivation. Rude hoes, made from mussel-shells or shoulder-blades of the deer, supplied with wooden handles, and sharpened sticks, are the tools used in working the soil. The products of the garden are consumed as they become available, and any surplus is dried and preserved for winter use. For the storage of these supplies of corn and other products, pits are dug in the ground and lined with bark.

Having satisfied our curiosity as to the manner in which food supplies are obtained by artificial propagation or cultivation, we are glad to have the opportunity of observing how the natural or spontaneous products of nature are utilized. A party of hunters has just returned from the chase. They are armed with bows and arrows, spears, and various traps and weapons. They bring with them a bear, a deer, wild turkey, and numerous smaller animals and birds, as well as fish and mussels, taken



from the river. Wild fruits and nuts, in season, are also a part of the bounty. Arrived in the village, the successful hunters turn over their supplies to the women, who dress and prepare the game for food.

The repast ready, the hungry hunters and their families squat upon the ground around the common kettle in which has been cooked a mixture of whatever may have been available. With their bone forks, used spear-like, they help themselves to its contents.

After the feast there is much smoking of tobacco, and although the weed, as produced in the village gardens, and smoked in the rude pipes of wood or stone, would hardly meet the requirements of civilized taste in tobacco, evidently it quite satisfies our hosts. Recreation is provided in the way of games, in which the stone disks which we have seen manufactured are used. Some are engaged in pitching these, quoits-like, while others are engrossed in a game of chance, in which the disks, bearing marks signifying their relative import or value, are used as counters.

We of course are properly sympathetic when we learn that a member of the community has died, but are not averse to learning the use of the heaps of earth, or mounds, in connection with the village, which, we already have guessed, hold some relationship to burial. After the usual ceremonies incident to such occasions, which, in the case of uncivilized peoples usually are very marked and pretentious, the body of the deceased is conveyed to one of the mounds. There it is laid on the ground, hurriedly covered with bark, grass and roughly woven fabric, and then with earth, carried from the surface of the village wherever conveniently obtainable. No regard is paid to direction in placing the body, which is deposited in the position it assumed when life became extinct.

On inquiry, we learn that others already have been similarly buried in or on the mound, and that still others will find their last resting-place in the same manner. While burials are sometimes made in ordinary graves elsewhere throughout the village, not infrequently within the very teepees where the departed had lived, the mounds are the designated and usual

places of burial, and their sole function lies in providing a resting-place for and a monument to the departed dead. From the modern, or civilized point of view, we are inclined to wonderment that the usual method of burial in graves dug beneath the surface is not generally practiced, especially since we learn that the Feurt inhabitants knew and used this method to a considerable extent. But upon further reflection, we conclude that after all the mound burial has its advantages, since it not only results in interring the bodies beneath the ground but at the same time



A Double Burial; Feurt Village Site.

also provides for them a fitting and a lasting monument. The mound burial, apparently so different from the usual grave burial, but really very similar, consists in reversing the operation of excavating a receptacle beneath the surface level, by heaping the covering of earth above the surface. Thus, the mound burial of the Feurt inhabitants, we conclude, may be termed an "inverted" burial.

While the Feurt residents are both to acquaint us with the details of their social and religious customs and rites, we

are able to gather sufficient evidence to convince us that they bear out the rule of marked similarity as among various uncivilized peoples of a similar degree of advancement. This assumes a considerable degree of social order, in which the family and the tribe exert a restraining influence; a conception of right and wrong, and therefore of morality; and government of the limited sort necessary for so primitive a community. Their religion consists mainly in a reverence for, or fear of, natural objects and phenomena, in which they vest magic powers for good and evil, and in propitiating which they indulge the usual ceremonies and superstitious rites.

A feature of the life of these primitive villagers which perhaps is the least pleasing of any we have observed, is the method employed in maintaining a semblance of public sanitation. While the accumulation of debris and garbage from the chase, the kitchen and other domestic activities, in and around their domiciles, is to be expected in an uncivilized people, it would seem that the Feurt villagers are determined to outdo all others in this respect. Instead of collecting and removing this garbage, they prefer the much more laborious method, when the accumulation becomes so great as to be unbearably obnoxious, of carrying earth and covering over or burying the debris where it lies scattered about. As a result of this, it is apparent that the level of the village already has been raised at some points as much as several feet above the original surface of the ground.

The only apparent justification that occurs to us, as we contemplate this peculiar proceeding, is that, should the archaeologist, at some far distant date, chance upon the site where this village once had stood, and choose to explore its ruins, what a gratifying record of its erstwhile activities he would find!

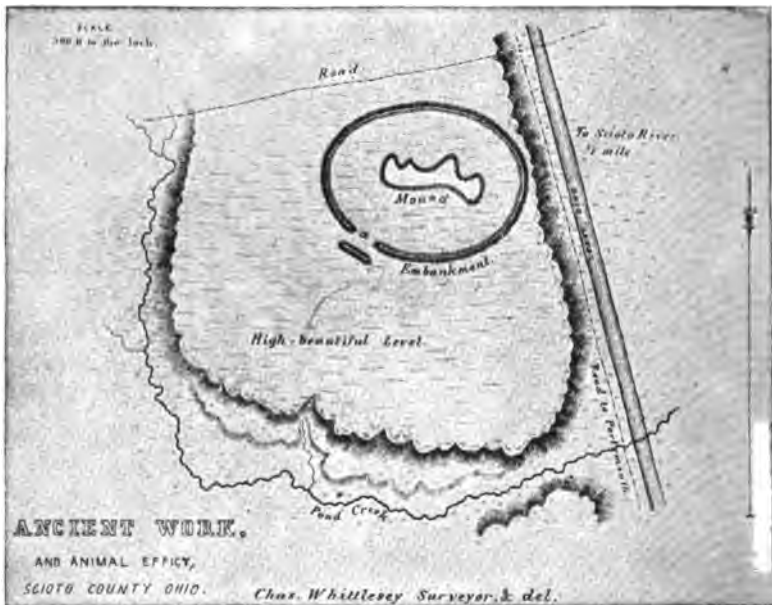
#### THE HOPEWELL CULTURE.

With this brief visit to the Fort Ancient culture at the Feurt village, let us turn our attention to the people of the Hopewell culture, passing, for the time being, the intermediary or Adena group. We have but to proceed westward from the Feurt site, immediately across the Scioto river, to locate a site which is typical in every essential respect of this remarkable

culture of Ohio aborigines. This site is the Tremper mound, so named from the owner of the land on which it is located — Senator William D. Tremper, of Portsmouth. The geographical description of the Feurt site applies equally to the Tremper mound, with the difference that the two are situated upon opposite sides of the river.

### *The Tremper Mound.*

The Tremper mound, as a result of its peculiar form, for many years was considered as an effigy mound, and was sup-



The Tremper Mound and Earthwork; Scioto County.

posed to represent in outline the image of an animal. It was variously called the Elephant Mound, the Tapir Mound, and otherwise, according to the individual impressions of observers and writers. By Squier and Davis, the first to describe the mound, it was accredited to the so-called effigy mounds, found abundantly in Wisconsin and adjacent states of the northwest,

and in origin and purpose attributable to religious observance on the part of their builders. A few similar mounds, to be referred to presently, occur in Ohio, and in the light of knowledge obtaining at the time, it is not strange that early writers should have identified the Tremper mound as one of that class.

Subsequent exploration, however, disclosed much that was new respecting the prehistoric earthworks of the state. Among other things demonstrated was that exploration of the so-called effigy mounds is barren of results in so far as relics of their builders are concerned. From this fact, it is obvious that exploration of the Tremper mound, provided it were of the effigy class, would not be justified; but after careful examination, the curator of the Society decided, on evidence which will appear shortly, that it was not effigy in character, but in reality was a great sepulchral mound which would yield valuable information respecting the Hopewell group of Ohio aborigines. Accordingly, in 1915, he undertook the work of its exploration, assisted by the writer and a force of workmen.

As is characteristic of mounds of this culture, as shown in the Hopewell, the Seip, the Edwin Harness and others previously explored, the Tremper mound was found to cover the site of a building or structure of a sacred nature. This building, which might be termed the temple of those responsible for its construction, clearly served as a place wherein were celebrated the sacred rites and ceremonies which enter so largely into the lives of primitive peoples. It requires no stretch of imagination to picture the observance of religious—and perhaps social—functions of this prehistoric tribe or community living in the fertile and picturesque valley of the Scioto. Given some previous knowledge of the culture, the examination of this, their sacred edifice, is almost as illuminating as though actors and play were projected upon the screen of the modern picture theatre. Chiefs and councils; priests and portents; and medicine men and magic, appear noiselessly upon the scene, not sharply defined, it is true, but none the less realistic and life-like. Visualized in this light, the sacred structure of the Hopewell people strongly suggests the council-house and the long-house of the Iroquois Nations of historic fame. But it was much more. In addition

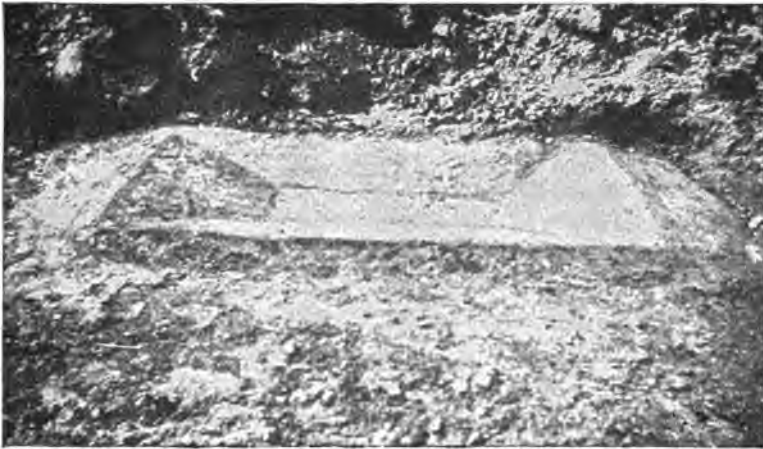
to staging the religious and probably the social functions of the tribe or community, it served as a place for cremation of the dead, deposition of their ashes in prepared receptacles or depositories, and observance of the obsequies incident thereto. In this respect, it might be likened to the church and its accompanying graveyard of present-day rural communities. With the disposal of the dead and the holding of the accompanying ceremonies an important function of each, the Tremper site differed mainly in that instead of burial in conventional graves, the dead usually were cremated.

The building, over the site of which the Tremper mound had been erected, originally had been in the form of an oval enclosure, to which additions had been made from time to time. It had consisted of a framework of upright posts set into the ground with the interstices filled by wattlework and clay, thus forming the walls. Portions of the structure apparently had been roofed or thatched, while interior partitions had divided it into several distinct compartments. The floor had been prepared by levelling and firming the natural surface, and strewing it with fine sand. Several doors gave entrance from without and between the various compartments or rooms.

Considering for the moment the Tremper mound from the view-point of early writers, that is, as representing the figure of an animal, it will be noted that it faces to the southeast, toward the junction of the Scioto and the Ohio river. Description of the floor-plan of the structure will readily explain its purposes and use, its resemblance to the figure of an animal, and why the Society's representatives decided that this resemblance was purely unintentional in so far as its builders were concerned.

The main portion of the mound, comprising the supposed body of the animal, represented the original structure—an oblong oval building or apartment, approximately 200 feet long and 100 feet wide. Previous examination of mounds of this culture had shown that in almost every instance the original structure, after prolonged usage, became inadequate for the continuation of the rites to which it was consecrated. The only alternative to abandonment, in such an event, was the building of supplemental apartments or additions, which in the Tremper

mound as in most others of its class, had been done, not once but successively. It was found that three large additions had been erected at the south-east end of the main structure, and at right angles thereto, and that these compartments corresponded to the head and trunk of the elephant or tapir. Smaller additions, along the north side of the main building, occupied the places of the feet and tail respectively. The reader thus will readily perceive how, in erecting the mound over the site of this compound structure, and desiring to cover all portions thereof with a minimum of effort, the completed earthwork would result in a figure suggesting the outline of an animal.



Depository for Cremated Remains; the Tremper Mound.

In addition to the post-molds and their charred remains of posts, by which the outline or walls of the structure and its compartments and partitions were traced, there were found the mutely eloquent evidences of human activities of centuries past. These consisted of crematories, or basin-shaped depressions on the earthen floor, in which the bodies of the dead were cremated; depositories, or trough-like receptacles, formed of puddled clay, hardened by burning, in which the ashes from the crematories were deposited; an extensive deposit or offering, of various objects, placed on or about a shrine, and apparently comprising the

personal possessions of the dead; and minor evidences of the activities of the occupants, scattered throughout the structure and the mound overlying it.

While these various evidences, particularly the crematories and the depositories, were not confined to any one portion of the structure, their arrangement and position was such as to suggest special usages for its several compartments. From its great size, the principal compartment might be designated as the audience room, and it was here, judging from the preponderance of crematories, that cremation and the ceremonies at-



Tobacco Pipe, Representing the Quail, from the Tremper Mound.

tending it were observed. In a smaller compartment, which might be considered as the principal vault, there was located a great communal depository, more than ten feet in length, in which were human ashes representing probably several hundred cremations. This receptacle in appearance might be compared to a great trough of cement, with its rounded edges projecting several inches above the surface of the floor upon and below which it rested.

A third compartment, the shrine room, contained a remarkable collection of articles which plainly had been cherished per-



sonal possessions of those whose remains reposed in the nearby depositories, or objects placed there by friends as offerings to their departed companions. These comprised a great number of stone tobacco pipes, some of plain design, but mostly made in the images of birds and animals native to the locality. In addition to the pipes, there were many ornaments and implements of stone, flint, bone, copper, mica, pearl and other materials, all displaying the same ingenious skill.



Pipe representing the Indian Dog, from the Tremper Mound.

Another compartment plainly had served as a kitchen and workroom. The bones of various animals and birds, used for food, and fragments of burned clay vessels, were strewn about the floor, while the presence of mica, flint and other materials suggested the manufacture of implements and ornaments.

Within the compartments dedicated to the great depository for ashes and the offering of personal artifacts, were located highly specialized fire-places, built basin-shaped upon the floor,

from carefully puddled and troweled clay. These were filled with ashes and charred wood, and the ground beneath them was burned to a considerable depth. Their location and appearance suggested that they were used for perpetual sacred fires, which play so important a part in the ceremonial observances of primitive peoples, and which often are kept burning continuously.

The sculptural art displayed in the pipes taken from the Tremper mound represents the highest esthetic attainment of the Hopewell culture, and probably never has been surpassed by any people in the stone-age period of its existence. The technique displayed in the portrayal of life forms is not more admirable than the faculty of the artist for observing and appreciating the habits and peculiar characteristics of the birds and animals with which he was familiar. The forms depicted in the pipes represent more than thirty varieties of birds and animals.

Examination of the Tremper mound showed that, as is true of others of its kind, it had been in use by its builders for many years, and that, when it no longer sufficed for its purpose or when for some reason it was abandoned, it was intentionally burned to the ground and the great mound of earth heaped up over its site, to serve as a lasting and impressive monument to those whose ashes it covered and protected. .

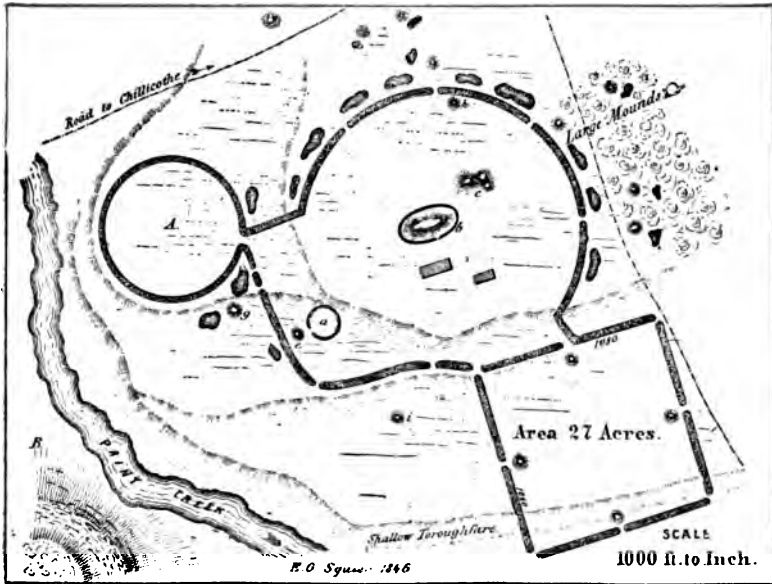
#### *The Cultures Contrasted.*

The casual student hardly would expect to find two prehistoric cultures, separated by less than two miles, so radically different in degree of civilization; and his surprise would increase on learning that they actually were co-existent in their habitation. That this is true, nevertheless, was demonstrated by the finding in the site of each of certain objects pertaining unmistakably to the other, and evidently obtained in the course of common contact, either through barter, exchange, or conquest. In the Feurt site were found several ornaments of copper — a metal which they, as a people did not possess — of forms typical of the Hopewell culture, while from the Tremper mound there were taken implements of stone foreign to its builders but common to the Fort Ancient peoples. The same evidence has been noted in other sites, particularly at Fort Ancient, where a great

cache of highly specialized ornaments of copper, typically Hopewell, was found.

Thus it is shown that for a time, at least, the occupation of the common territory was contemporaneous by the two cultures; but whether this was for an extended time, or whether one or the other was more remote or more recent in its occupation, is unknown.

We cannot so readily visualize the Hopewell peoples, par-



A Typical Work of the Hopewell Culture—the Seip Group, Ross County.

ticularly as regards their every-day home life, as we have done the Fort Ancient inhabitants at the Feurt village. Notwithstanding that their high development indicates a sedentary mode of life, strangely enough no well-defined village sites of the culture have been located, with the possible exception of that at Hopewell's, the extent and importance of which has not been fully determined. Future exploration doubtless will discover the

Hopewell culture sites and acquaint us with the intimate details of their life-stories. In the meantime, we may be assured that they possessed everything enjoyed by the Fort Ancient peoples, and in many respects had out-distanced the latter to a surprising degree. Fortunately, the custom of placing with the remains of the dead a great profusion of personal possessions of the more artistic and esthetic phases of their activities, more than atones for the lack of the homelier relics of domestic life which the absence of village sites entails. We may look upon the Fort Ancient culture as confining its source of raw materials, used in the arts and industries, to its immediate vicinity, or to nearby localities within easy distance from their habitations. These materials consisted of various kinds of clay and earths, stone, flint, and pipe-stone; wood, bark, and fibers; plants and their products; animals, birds and fish, and their bones, skins and other products, all from the immediate or nearby localities. In addition to these we find from the deposits within the great sacred structures, unearched from beneath the mounds covering them, that the Hopewell peoples enjoyed many materials secured from afar, obtained either through special journeys or through trade and barter with other tribes. Principal of these substances was copper, of which they made extensive use. This metal they obtained from the Lake Superior copper district, where it occurred abundantly in nugget form, and almost free from admixture. Although they never learned to melt and cast copper, using it rather as a malleable stone, which they cold-forged into thin sheets and other desired forms, the Hopewell peoples became extremely skilful in its use. In the Tremper mound, and in those formerly explored were found many objects of copper, such as thin plates worn on the chest and head, often worked into artistically curved forms; spool-shaped ear-ornaments; necklaces of beads; axes and chisels, bracelets, fingers rings and other forms.

Another material profusely employed was mica, secured from the south-eastern seaboard, and used for decoration, ornamentation, mirrors, and other purposes. They obtained great numbers of pearls from the fresh-water clam, which were perforated and used as beads in necklaces. But the art in which

the Hopewell culture excelled was that of sculpture and carving. Their depiction of life forms, as displayed in the tobacco pipes of stone, and the carvings of conventional and emblematic designs on bone, shell, and cut from sheet mica, are remarkable examples of artistic conception and execution, and would not be unworthy of the efforts of the modern artist. Their superior skill is further evinced in the finely made pottery vessels, textiles and cloths, found in their ruins. This high artistic development,



Conventional Designs, cut from Mica; the Harness Mound.

together with the custom of erecting sacred structures and cremating the dead, will convince the reader that the Hopewell and the Fort Ancient peoples were widely separated in point of cultural development and advancement.

In the preceding pages we have referred to local deviations obtaining among the various communities of a given culture group. In connection with the Hopewell people, an instance of this is of so great importance as to demand particular mention. In connection with the Tremper mound, we have seen that its

builders had developed the communal idea to a point where, instead of constructing individual graves for the ashes of their dead, a single common depository sufficed for all. The same condition, in so far as can be determined from its rather perfunctory examination, obtained in one of the mounds of the Mound City group, of Ross county, explored by Squier and Davis.

In other mounds of this culture, however, which have been explored by the Society, this highly developed communal custom did not prevail. Instead of the common depository, such mounds as the Seip and the Edwin Harness showed that their builders had employed separate graves for the ashes of their individual dead. As a result of this procedure, the floor space of the sacred structures was exhausted much sooner than under the plan as used at the Tremper and the Mound City works. The advantage of the latter plan is readily apparent, in that much less space would be required for burial purposes, and consequently, the usefulness of the structure greatly prolonged.

#### THE ADENA GROUP — ADENA MOUND

In considering the Adena type of mounds and their builders, it should be understood that they have not authoritatively been assigned a place as a separate culture group of the Ohio Mound Builders. Future exploration may demonstrate that they are but variations of the Hopewell culture; but the evidence up to the present time seems to justify their classification as a sub-culture, at the very least, since those examined have shown such marked individual characteristics. The more important mounds of this class explored by the Society are the Adena mound, of Ross county, which may be accepted as the type, and the Westenhaver mound, of Pickaway county. A brief review of the examination of the Adena mound will illustrate the characteristic features of the group, and serve as a comparison thereof with the works of the Fort Ancient and the Hopewell peoples.

The Adena mound was located upon the estate of Thomas Worthington, one of Ohio's early governors, just north of the city of Chillicothe, and was explored by the Society in 1901. It stood some 26 feet in height, measured 140 feet in diameter

at the base, and was unusually shapely in form. While the mounds of the Hopewell culture often are irregular in shape, those of the Adena type usually are distinguished by their symmetry, often approaching as nearly to the figure of a cone as is practical to construct from loose earth. In this respect the mounds of the Fort Ancient peoples are intermediate, their form being conical, but as a rule they are not so carefully constructed as the Adena mounds.

From its graves and their contents, examination of the Adena mound showed that its builders in many respects resembled the peoples of the Hopewell group, yet with many distinc-



Copper Bracelets, Slate Ornament, and Human Arm Bones;  
from the Adena Mound.

tive characteristics of their own. The abundant possession and use of copper, mica, and other materials procured from a distance, and their skill in weaving fabrics and in carving stone, bone, and so forth, indicates that they were but little inferior to the latter. On the other hand, the absence of the sacred structures and of the practice of cremation suggest affinity with the Fort Ancient peoples; yet, while their graves were not the carefully prepared receptacles of puddled clay, they were far more distinctive than the crude and careless methods of the low culture inhabitants. In fact, very pretentious graves were the rule. These were constructed of logs, laid up in log-cabin

fashion to form vaults or sepulchers. Within these the bodies were placed, usually enveloped in wrappings of woven cloth and accompanied by personal ornaments and implements. A tier of logs was then placed over the grave as a covering, after which the earth was heaped above it.

Objects found with burials of the Adena mound comprised many finely wrought ornaments and implements of copper, such

as bracelets, finger rings, awls and perforators; beads, necklaces and other ornaments of bone and shell; flint knives, arrow-points and spear-points; stone and slate ceremonial ornaments; and a remarkable stone tobacco pipe, made in the image of a human being.

While a sufficient number of the Adena type of mounds have not been examined to determine definitely the status of their builders, exploration of the Adena and the Westenhaver mounds, and other minor ones of the same class indicate the following characteristics:

Non-cremated burial, in log sepulchres, with cremation occasionally resorted to, as in the case of the central grave of the Westenhaver mound; burial made below, as well as above and upon the surface-level or base-line of the mound, the central or most important grave often being in the first-named position; in culture and artistic development, inter-



Flint Spear-point; the Adena Mound.

mediary between the Fort Ancient and the Hopewell group, but inclining strongly toward the latter.



MINOR CULTURES OR GROUPS

In addition to these sharply-defined groups of mound-building peoples, it seems possible if not probable that several minor and less important ones existed within the state. Whether or not these are distinctive, or merely variations of the recognized cultures will be determined only by future exploration.

It would be a mistaken idea to imagine that all prehistoric inhabitants of Ohio were mound-building peoples. While the custom apparently was widespread and natural among the aborigines of the state, its practice doubtless ranged from those tribes and communities which had most highly developed the art, to those which, as with the tribes of historic times, seldom or never erected such structures. That there were extensive cultures throughout the territory which were only occasionally, if at all, given to erecting mounds, is indicated by the great abundance of relics of certain types, found scattered over the surface of the soil, but very rarely found in the mounds or upon the village sites of the mound-building peoples. These relics, comprising such objects as grooved stone axes, certain forms of flint arrow and spear-points, and bell-shaped pestles, apparently pertained to the nomadic tribes inhabiting the Ohio country just prior to its exploration, and corresponding to the historic Indian tribes. They no doubt were closely related to, if not actually descended from, the builders of the mounds and earthworks.

ORIGIN, ANTIQUITY AND DISAPPEARANCE

With this hasty survey of the Ohio earthworks and their builders, we turn for a moment to the significance of exploration and study thereof with respect to the questions of origin, antiquity, disappearance and race. The first of these resolves itself into the broader question of the origin of the American Indian, or the native American race, of which, as will be shown, the Ohio aborigines were a part. When it is recalled that the origin of any particular race, and its history, beyond a certain period, are matters mostly of conjecture, we should not be surprised to find that the same is true of the native American race. The reader thus is permitted to choose between two theories; that

the American race is indigenous, or native, in its strict sense, to America; or, as the alternative, that it originated elsewhere and eventually found its way into America. The latter theory, from the evidence obtaining, seems the more tenable.

Again, the antiquity of the Ohio aborigines may be said to be merged in the question of the antiquity of the aborigines of the country as a whole. As in many others of the states, certain evidence has been adduced pointing to the existence of human beings in Ohio, during or preceding the great glacial epoch, estimated to have obtained some ten thousand years ago. This evidence, however, in the nature of rude stone implements, found in apparently undisturbed glacial drift, is considered as too meager and uncertain to be accepted as proof. Conditions prevailing in the mounds and village sites of the state indicate that many of them were constructed or used to within a very short time preceding exploration and settlement. Their evidence is to the effect that prehistoric occupation extended from a period of perhaps two thousand or three thousand years ago and that the custom of building mounds, in some instances, prevailed until and possibly after the discovery of America.

Taking into consideration the histories of human races, nations and peoples, the disappearance of the Mound Builders should not present a particularly strange nor incomprehensible phenomenon. When the stories of the nations of the world are considered, it is found that many, if not most of them reached certain stages of development and then as such, ceased to exist. The causes leading to their downfall are many and varied, but when set forth in recorded history are plainly apparent. The stories of some of these are plainly told, while those of others, which lie beyond the historic horizon, are but dimly discernible.

In all the pages of history, there are but few nations that survive from great antiquity. Under this law, those best fitted to cope with untoward conditions imposed both by nature and by their fellow men, survive and continue their careers, while the weaker or less resistant nations succumb and make way for their stronger competitors. Unsuccessful warfare, followed by annihilation, subjugation and assimilation by victorious op-

ponents; decadence following social and moral depravity; and other lesser causes contribute to the downfall of nations.

In the case of the Ohio Mound Builders, any of these causes may have played its part. Again, they may have gradually retrograded until the practice of building mounds was abandoned with the loss of their erstwhile cultural ascendancy; or they may have voluntarily and gradually migrated to other parts of the country. Many authorities however, see in the mound-building peoples the direct ancestors of the historic Indians who occupied in general the country included within the mound-building area. They believe that the Mound Builders, as a class, were not so superior to some of the historic tribes—for example, the Iroquois Nations, the Cherokee and others—and that they were merely the earlier representatives of the same peoples of which the modern tribes were the historic descendants.

#### THE QUESTION OF RACE

The question of race, as applying to the Ohio Mound Builders and Indians, is of particular interest, not alone from the fact that it has been definitely answered, but in that the long period of discussion and disagreement in regard thereto appears to have rested upon nothing more substantial than a trivial misunderstanding or oversight.

Before examining the evidence leading to the solution of the problem, let us consider the meaning of the word race, and of kindred terms used in connection therewith. Race, strictly defined, means those persons descended from a common ancestor, and thus construed may embrace many tribes, peoples or nations of widely differing degrees of civilization. As an illustration, the Caucasian, or White race, has embraced such varied peoples as the ancient Egyptians and Ethiopians, of the Hamitic family; the Babylonians, the Hebrews and the Arabs, of the Semitic family, and the Greeks, Romans, Britons, Scandinavians, Poles and others, from which the modern Europeans mostly have descended. The peoples of the world formerly were classified under five distinct divisions with regard to ancestry and origin—the White, the Black, the Brown, the Yellow and the Red races. Later authorities comprised all hu-

man-kind under three divisions — the White, the Black and the Yellow races, the American aborigines being classified with the last-named. Thus it is seen that the term race, while limited and exclusive in its use, is very broad and comprehensive in its application. The term people, on the other hand, refers to the body of persons composing a nation, tribe, or community irrespective of race, ancestry or origin, and is usually interchangeable with those terms.

With these distinctions in mind, it will be readily seen that those who maintain that the Mound Builders and the historic Indians were distinct and different peoples, nations or tribes, are manifestly in the right; but what shall we say of those who have maintained that the two represented distinct and separate racial entities? It appears to the writer that the disagreement is due in great part to careless interpretation or loose construing of the word race, on the one hand, and of people and its kindred terms, on the other, rather than to actual disparity of opinion. Those who hold the latter view, while in error on the basis of strict interpretation of the word race, probably for the most part really hold to the correct view — namely, that the Ohio aborigines, while comprising many distinct peoples, nations and tribes, were of a single distinctive race.

#### *Significance of Mound-building*

In the assumption of this theory of a single race, comprising alike the various mound-building cultures and the so-called Indians, the reader naturally will demand the evidence adduced from the earthworks and their contents. In the first place, then, it may be asked, does the fact that a people built mounds prove or even indicate that it was of a race distinct from others? This query necessitates a further inquiry as to the practice and extent of mound-building as a human custom. If we find that this custom was limited to the Ohio aborigines or to territory which they may have populated, then it will bear appreciable evidence in the assumption of a distinct racial affinity. Unfortunately for this theory, we find that the practice of mound-building not only obtained throughout the Ohio and Mississippi valleys, but that, generally speaking, it was world-wide in its extent. Investiga-

tion discloses that the practice, in some form, has obtained in practically every country on earth and in almost every stage of human development. It appears to be instinctive with the human family to erect some sort of monument to its dead, and in the less advanced stages of human progress the most natural and most easily constructed memorial is a simple mound of earth or stones. Nothing so readily suggests itself to the savage mind, is easier of accomplishment or more enduring. As their builders advance in the scale of progress, the simple heaps of earth or stone become more elaborate and of greater size, and, passing through corresponding stages of development, eventually evolve into the pretentious and artistic monuments of granite and marble — the present-day representatives of the primitive mounds of the savage.

Aside from the great pyramids of Egypt — themselves highly developed sepulchral mounds — and their almost equally impressive structures of Central and South America, practically every country of Europe and Asia is dotted with the monuments of its earlier inhabitants, constructed either as memorials to the dead or as adjuncts to religious observances. Thus it is apparent that, as proof of separate race-hood, the building of mounds is not even indicative.

Furthermore, we must take into account the fact that instances of mound-building have been noted within historic times, and that in certain instances objects of white men's manufacture have been found in the tumuli. Several of the early explorers recorded the use and erection of mounds by the historic tribes. De Soto, in his journey through the Gulf states in 1540-41 found this to be true of the Creeks, Chickasaws, Natchez, and the Indians of Arkansas. There is also evidence that the Texas Indians, the Shawnee and the Cherokee were mound-builders, and it is held as not improbable that the latter two may have been the authors of some of the Ohio mounds.

An instance which came to the personal attention of the writer may be significant in this connection. While engaged in field-work in the Little Miami valley, a certain mound not far distant from Fort Ancient became the subject of inquiry. An aged resident vouched the information that his father, a pioneer

of the vicinity, often had related the fact that at certain seasons of the year, usually about corn-planting time, the squaws of the Shawnee Indians resident in the district would repair to the mound and indulge in certain ceremonies. These consisted, in so far as the witness could ascertain or understand, in carrying earth either in baskets or in their apron-like buckskin skirts, and to the accompaniment of much wailing and other evidences of mourning, in heaping it upon the top and sides of the mound. These visits, according to the narrator, occurred annually or oftener and were continued until the departure of the Indians from the vicinity.

Again, we have observed that among the mound-building peoples of Ohio, there existed at least two distinct culture groups. Granting that between the highest of these and the historic Indian there existed a very marked difference, it will hardly be denied, after consideration of the evidence, that the difference was not greater than that between the highest and the lowest of the Mound Builders. Then, if we persist in identifying the high-culture Mound Builders with a race distinct from the Indian, shall we assume that the remaining mound-building cultures and sub-cultures represented still other races, or that they were of the same race, yet exhibiting even greater differences than that between the Hopewell culture and the modern Indian? And what of the Pueblos, the Cliff Dwellers, the Aztec, the Toltec, the Inca and numerous others of North and South America?

To complete the solution of the problem, we turn to further evidence of the contents of the mounds and village sites. Comparison of the human skeletons taken from sites of the several mound-building cultures, with those of the modern Indian, show all to belong to a single race—the native American race, the Red race, or the American Indian, as one may choose to denominate it.

#### *Conclusions as to Race*

In brief, while it might be interesting to find that the aboriginal population of Ohio and of America pertained to several distinct races of mankind, we are forced to conclude that in truth they pertained solely to a single great race, which

in itself is distinct from any other. The deviation in cultural attainments was not greater than naturally would occur, all conditions considered, nor than has occurred in the development of other races.

The Mound Builder — as with others, as the Pueblo, and the comparatively highly advanced peoples of Mexico, Central and South America — must be regarded merely as a stock of the native race, which, under favorable environment and enjoyment of a period of peace and plenty, found time to develop its arts, industries, and social, governmental and religious institutions. The innate instinct of human kind to erect mounds of earth as monuments to their dead and as expressions of religious sentiment was developed in a correspondingly high degree.

#### THE ACHIEVEMENTS OF ARCHAEOLOGY

Passing from this hasty survey of the Ohio earthworks and their builders, let us summarize the results of archaeological research in the state and the conclusions to be drawn therefrom.

That the reader may appreciate the importance of these, it should be borne in mind that less than a century ago the problem of the aboriginal inhabitants of the state had not even been considered, much less solved. It was surmised — if any took the trouble to accord it a thought — that the Ohio country had sheltered a prehistoric population. The only material evidence supporting this supposition were the earthworks and minor relics which at the time were just beginning to attract attention. Such a thing as definite knowledge regarding their builders and users was entirely non-existent, and their story as yet lay wholly within the pale of speculation.

Beginning with no records other than these mute and apparently unresponsive relics of a vanished people, archaeology has written a history of the prehistoric inhabitants of Ohio, which, in most essential respects, is as complete as that of many another early people whose annals appear in the pages of history. From this story we learn that the Ohio of prehistoric times supported an extensive and active population, and that, while its territory was occupied as a whole, certain sections were particularly favored. We know just where these favored sec-

tions are located, and why they were more densely populated than others. It has been shown that these primitive peoples had developed the custom of erecting earthen mounds as monuments to their dead, earthworks as places of defense, and complicated earthen structures as accessories to their social and religious observances. The examination of these sites has disclosed the fact that their builders pertained to at least two, and possibly three distinct culture groups, showing marked differences one from another, and to several sub-groups, of minor importance. We have been enabled to picture these denizens of the Ohio wilderness with respect to physical appearance, clothing and ornamentation, arts and industries, social and religious customs, village and domestic life, and agriculture and food resources.

Ordinarily, this array of facts would be considered as comprising an adequate description of a people lying wholly beyond the dawn of historic record, and few readers would demand more. Certainly they comprise the more important information; but in the case of the Ohio Mound Builders, it has become customary to be more exacting. The essential facts are accepted as a matter of course, and then follow the usual questions as to origin, antiquity, disappearance and race. The first-named of these is a part of the question as to the origin of the race as a whole, and as yet has not been definitely answered; the second and third queries have been satisfied in a general way, and in the only way in which questions relating to the remote past can be answered, since specific dates and statements are not to be expected; while the matter of race has been definitely set at rest.

The importance of archaeological research and of the archaeological museum as educational factors long has been recognized throughout Europe and in the older established communities of this country. In the more recently settled states, however, there is a tendency to question the value of their services. This is a perfectly natural attitude of mind, in newly settled communities, where time and energy are fully utilized in establishing and fostering the arts and industries necessary to human comfort; but with increasing prosperity and conse-



quent opportunity, the public mind arrives at a keener appreciation of educational institutions, and, therefore, of the museum and the research which makes it possible. The more enlightened the community, the greater is the realization that civilized man is justified in expecting more from life than the mere requisites of existence. The lower animals, and savage man, as we have seen, demand from nature but three things — food, water and shelter; and with nothing more than these, man would have remained forever a savage.

It is doubtful whether any agency has produced so much new knowledge, from original sources, at so small an outlay in money, time and effort, as that given to the world through archaeological research as conducted in the State of Ohio. Furthermore, the material so secured, in the form of relics of prehistoric man, has made possible a great museum, which for all time will serve as a source of information and entertainment for untold thousands of interested spectators.

Why do we leave our quest for daily bread  
To seek for relics of the savage dead?

\* \* \* \* \*

Some sense of common comradeship and kin  
For human life, wherever it has been —  
There lies the answer; and therein we find  
Enlargement for the human heart and mind.

THE OHIO SOCIETY AND ITS MUSEUM

The story of the Indian in Ohio would be incomplete without some further reference to the Ohio State Archaeological and Historical Society, and its Museum. The origin and early accomplishments of the Society have been noted in the preceding pages. Its annual Publications, dealing exhaustively and in the minutest detail with Ohio archaeology and history, and allied subjects, now number 26 volumes. Aside from these, a number of separate books have been published, among which are an "Archaeological History of Ohio", by Gerard Fowke; "Ohio Centennial Celebration," by E. O. Randall; "History of the Northern American Indians", by David Zeisberger; a History of the Ohio Canals; the "Archaeological Atlas of Ohio", by William

C. Mills, and "Certain Mounds and Village Sites in Ohio", in 3 Volumes, which comprise the field explorations of William C. Mills, as curator of the Society.

The Publications of the Society, under the able editorship of Professor E. O. Randall, its secretary-editor, hold a high place in the literary world, while the Museum, for many years in direct charge of Professor William C. Mills, its curator, is the greatest of its kind to be found anywhere.

The Society is a membership organization, fostered by the State. Membership, available at a nominal sum, is either Annual or Life. The former entitles the holder thereof to the current publications of the Society, and the latter to the complete set.

A number of important historic and prehistoric sites, which have come into the keeping of the State of Ohio, have been placed in the custody of the Society. Among these are Spiegel Grove, Fremont, the home of President Rutherford B. Hayes, where an impressive Memorial Building has been erected; the old Campus Martius, at Marietta; the site of Ft. Laurens, Tuscarawas county; the famous Logan Elm, in Pickaway county; and the site of the Big Bottom Massacre, Morgan county. Fort Ancient, in Warren county, and the Serpent Mound, Adams county, have been converted into State parks, and thus will be preserved to the people of Ohio for all time.

The Museum of the Society occupies a stately edifice located on the grounds of the Ohio State University, at Columbus. The structure, which is shown as the frontispiece of this volume, was erected in 1915, through funds appropriated for the purpose by the Ohio legislature. It contains the finest display of material pertaining to the great mound-building cultures in existence, with the result that scientists and students who wish to study these prehistoric aborigines must come to Ohio for information. These unequalled exhibits are free to the public every day in the year.

Aside from its archaeological exhibits, the Museum contains important and interesting pioneer and historical displays, and an excellent reference library of some ten thousand volumes, based upon history, archaeology and allied subjects.

*Officers and Trustees of the Society*

The officers of the Society are:

G. Frederick Wright, President.  
George F. Bareis, First Vice President.  
Daniel J. Ryan, Second Vice President.  
Emilius O. Randall, Secretary and Editor.  
Edwin F. Wood, Treasurer.  
William C. Mills, Curator and Librarian.  
Henry C. Shetrone, Assistant Curator.

Trustees elected by the Society:

George F. Bareis, Canal Winchester.  
Edwin F. Wood, Columbus.  
Henri E. Buck, Delaware.  
Lewis P. Schaus, Columbus.  
Daniel J. Ryan, Columbus.  
Francis W. Treadway, Cleveland.  
G. Frederick Wright, Oberlin.  
William O. Thompson, Columbus.  
Webb C. Hayes, Fremont.

Trustees appointed by the Governor:

Emilius O. Randall, Columbus.  
Benjamin F. Prince, Springfield.  
Waldo C. Moore, Lewisburg.  
William H. Cole, Sabina.  
William P. Palmer, Cleveland.  
James E. Campbell, Columbus.

## BIBLIOGRAPHY

The following list comprises a few of the many books concerning the native American race, the historic Indian period in Ohio, and the prehistoric period, or archaeology, of the state. These, and others relative to the subject, may be found in the Library of the Ohio State Archaeological and Historical Society, and many, if not all, of them in other libraries available to the reader and student. Those enumerated will furnish a fairly broad and comprehensive course of reading, and will suggest further lines of study, if desired.

## BOOKS DEALING WITH THE NATIVE RACE, IN WHOLE OR IN PART:

- Publications of the Bureau of American Ethnology.
- Handbook of American Indians—Bureau of American Ethnology.
- The North American Indians—Catlin.
- The North Americans of Yesterday—Dellenbaugh.
- Indian Tribes of the United States—Schoolcraft.
- Prehistoric America—Nadailac.
- The Aboriginal Races of North America—Drake.
- Antiquity of the Red Race in America—Wilson.

## BOOKS TREATING WHOLLY, OR IN PART, OF THE OHIO INDIANS:

- Ohio Archaeological and Historical Publications.
- History of Ohio—Randall and Ryan.
- History of the Northern American Indians—Zeisberger.
- The Conspiracy of Pontiac—Parkman.
- Life of Tecumseh—Drake.
- History of the Shawnee Indians—Harvey.
- History of the Girtys—Butterfield.
- The Wilderness Trail—Hanna.
- Indian Thoroughfares—Hulbert.

## OHIO ARCHAEOLOGY (MOUND BUILDERS—PRE-HISTORIC INDIANS):

- Certain Mounds and Village Sites in Ohio—Mills.
- Archaeological History of Ohio—Fowke.
- Archaeological Atlas of Ohio—Mills.
- Ohio Archaeological and Historical Publications.

THIRTY-THIRD ANNUAL MEETING OF THE OHIO STATE  
ARCHAEOLOGICAL AND HISTORICAL  
SOCIETY.

SOCIETY BUILDING,

COLUMBUS, OHIO. September 25, 1918.

The meeting was called to order by President G. Frederick Wright. There were present:

G. Frederick Wright,  
George F. Bareis,  
W. H. Cole,  
B. F. Prince,  
W. L. Curry,  
E. F. Wood,  
Mrs. Howard Jones,  
J. S. Roof,  
J. E. Campbell,  
H. F. Burket,  
D. J. Ryan,  
A. M. Schlesinger,  
J. M. Henderson,  
William Walker,

E. O. Randall,  
D. H. Gard,  
W. C. Mills,  
H. C. Shetrone,  
L. P. Schaus,  
J. M. Dunham,  
W. C. Moore,  
C. W. Justice,  
E. H. Darby,  
Byron R. Long,  
F. W. Treadway,  
Almer Hegler,  
Harry L. Goodbread.

President Wright made the following opening address:

As I have been honored during the last ten years by being chosen president of your Society during all that period, and as I have passed my eightieth birthday and desire to relieve myself of some of the responsibilities, heretofore borne, I feel it my duty and privilege to decline further election to the office, that its privileges and duties may be left to fall upon a younger man.

The occasion renders it an appropriate time briefly to review the work of the Society and to take a look into the future. Unfortunately, I was not one of the charter members of the Society on its organization in 1885; (of which, I believe, Mr. D. H. Gard and Prof. S. C. Derby, are the only living members) but, like our secretary E. O. Randall, I became actively connected with it during the first year of its existence—both of us having extended papers in the first volume of our QUARTERLY containing the proceedings of 1886; and I am advertised as one of the editorial committee of the first volume. In 1887 I was appointed a

committee to visit, at my own expense, the various earthworks of the State and report upon their conditions. In obedience to this request I made an extensive tour of the State in company with Judge C. C. Baldwin in 1888, thirty years ago. My report is found in the first volume of the *Quarterly*, pages 341-348.

Referring to this report it appears that at that time nothing had been done to preserve the prehistoric monuments of the State except those in Marietta and Newark, which were under the partial protection of local societies. Fort Ancient, and the Serpent Mound in Adams county, were then overrun with briars and thorns so that it was with difficulty that a visitor could examine them. But since then both these remarkable and world-renowned relics of prehistoric time have come into possession of our Society and are carefully prepared to welcome the thousands of visitors who come to them annually. But there are other prehistoric earthworks, to which attention was called in my report, which should come under the protection of the Society. Among these we make special mention of the largest mound of the state, and the largest but one in the Ohio Valley, found at Miamisburg on the highlands to the southeast of the town. There is also an extensive earthwork near Carlisle Station, (3,600 feet in length, and inclosing 15 acres) which is readily accessible to tourists. This is partly in Montgomery county and partly in Warren county. Another is "Fortified Hill," in Ross county, situated upon a bluff about 250 feet above the Big Miami. This incloses about 16 acres, and is being rapidly destroyed by cultivation and the waste of the elements. Another most important earthwork is in Hamilton county, in the extreme southwestern portion, between the Miami and Ohio rivers. This was not far from the home of President William Henry Harrison, who regarded it as evincing extraordinary military skill. Fort Hill, a few miles north of the Serpent Mound in Adams county, is one of the most remarkable and best preserved of all the fortifications in the state and as such should be under our protection.

Of the many mounds in the valley of the Scioto and of Paint Creek we are glad to say that they are being explored with the most gratifying results as fast as the Society has means at its disposal to carry on the work. So much attention is directed to them that doubtless in due time they will all be explored; and I trust the state will not be wholly diverted from interest in this work even by the exigencies forced upon us by the present war. The exploration of the Tremper Mound at Rushville, a few miles north of Portsmouth, has yielded results which are gratifying in the extreme. Before the exploration of that mound the best collection of Mound Builder's relics was to be found in the Blackmore Museum, Salisbury, England, where was preserved the great Mound Builder's collection made by Squier and Davis seventy-five years ago; but as the result of our Curator's investigation of the Tremper Mound, our museum now more than duplicates everything in the Squier and Davis

collection. Our museum now, by all odds, contains the best collection in existence of Mound Building records in the Mississippi Valley.

The preservation of the historical sites of Ohio is of special importance for the promotion of the patriotic sentiments of our population. Much has been done by local societies. At Greenville, in Darke county, the numerous stirring events in pioneer history which occurred there have been properly honored by monuments erected by the local citizens. Fort Meigs, at Perrysburg, on the banks of the Maumee, eight miles from Toledo, is controlled by a local society which keeps it in good order and has erected upon it a noble monument. Fort Stephenson, so gallantly defended by Major Groghan in the War of 1812, is duly cared for by the citizens of Fremont; and Perry's victory is honored by a noble monument at Put-in-Bay, erected by the various states whose citizens had a part in that epochal event. The massacre of Christian Indians at Gnadenhutten; the Copus massacre near Mansfield; the scene of the burning of Col. Crawford and the camping place of Johnny Appleseed, are all duly marked by appropriate monuments.

Four Presidents of the United States are buried in Ohio. To two of these, noble monuments have been erected by private enterprise, viz., to President Garfield, in Cleveland, and to President McKinley in Canton; but the burial place of William Henry Harrison is in a deplorable condition of decay, reflecting seriously upon the patriotism of the state. The memory of President Hayes is the only one which has been fitly perpetuated by the State. In obtaining possession of Spiegel Grove, in which is picturesquely situated the late residence of President Hayes, and in the erection of a beautiful fireproof building to contain his library, our Society has come into possession of one of the most valuable properties in the state, which is worth scarcely less than a quarter of a million of dollars.

Other historical sites which, through the benevolence of the legislature, have come into the possession of our Society, are the original site of Fort Laurens, the first to have been erected by the Americans in the state, and Big Bottom Park, in the southeast corner of Morgan county, where occurred the massacre of sixty settlers in 1790. We hope to secure, at Marietta, the space between the Muskingum and Ohio rivers which was occupied by the original settlers of that historic town.

Among the other sites which it is desirable for the state to preserve, we would mention Fort Miami, a short distance below Fort Meigs, which was established by the British in 1776; and the Warren County Serpent Mound, near South Lebanon, which is of special importance in comparison with the Serpent Mound in Adams county.

The growth of our Society in the last thirty years is most gratifying. Whatever interference with our work may arise from the unsettled conditions forced upon us by the world war in which we are engaged, the past, at least, is secure. In this noble building with its magnificent

museum, and in the beautiful Hayes Memorial Building in Fremont with its invaluable library of American history, and its unique collection of historical relics, both the state, the country, and the world at large has occasion to rejoice. In the Hayes Memorial Library we have one of the best collections in existence for the study of American history, and we have in connection with it an endowment of \$50,000, the income of which is to be used in the purchase of books to complete the library and keep it up to the times. This is already partly catalogued, so as to be available to scholars who wish to study in any line of American history. Eventually the library must become so valuable that it will attract scholars from the ends of the earth to delve in its treasures. Our library in the Central Building is in its infancy, but it is rapidly growing through our exchanges and the gifts of its friends; but it demands more attention from the Society, and I would suggest that in its development it be supplementary to that of the Hayes Memorial Library and not merely a parallel repetition.

Finally, we may refer to our QUARTERLY as a thing whose "past is secure." In the 27 volumes already published, excluding various separate publications relating to the history and institutions of the state, we have a collection of material of greatest importance to the students of the history of our commonwealth, and we may add that it is as interesting as it is important. Our QUARTERLY is recognized everywhere, as, on the whole, the most successful of such publications, and by exchange secures for us a large number of similar publications which could not be obtained except by a considerable expenditure of money. The history which the sons of Ohio are now making in the war which is raging upon another continent will naturally be recorded in future publications of this Society. We bespeak, therefore, for it liberal appropriations by the legislature, and to secure this we must ourselves have an intelligent appreciation of the value of its mission. To obtain such an appreciation it is only necessary that you turn the pages of the past volumes and read those portions of them which will specially attract your attention.

In retiring from the presidency of your Society, I wish again to thank you for the honor and the privileges conferred upon me during the past ten years; for, it has been one of the great privileges of my life to cooperate with you in your noble endeavors, and I assure you that my interest in the work of the Society will not in any degree be diminished after retiring to the private ranks. I wish also to urge upon the Society that it continue to magnify its calling and not unduly slacken its work, even in such troublous times as the present; for it is such work as we are doing which lies at the basis of patriotism. We are reaping the fruits of the self-denying labors of the patriotic pioneers who laid the firm foundation of our body politic. The memory of their heroic deeds should never fade from our minds, but should ever be fostered in the rising generation.



Mr. E. F. Wood stated that the president's splendid report should not pass without notice, and moved that the report be received, and the secretary be authorized to publish it in full in the *QUARTERLY*. The motion was duly seconded, put to a vote and unanimously carried.

#### SECRETARY'S REPORT.

Secretary Randall stated that the proceedings of the Society in its last annual meeting appear in condensed form in volume twenty-six of the *Annals*. The full record appears in the type-written copy of the Secretary's Minutes. All members of the Society have the *QUARTERLY* and can refer to it, and following the usual custom it is suggested that the minutes of that meeting be approved by this meeting.

Owing to the conditions which have prevailed the past year of the Society, the Secretary's report is necessarily exceedingly brief. We have had no meetings of the Board of Trustees, for the reasons, first, that there was no urgent necessity for calling the same because the matters looked after by the Society were almost entirely of a routine nature, and could be discharged by the officers of the Society or the standing committees; and, second, the appropriation for traveling expenses of the officers and trustees was so limited that the Society could hardly afford to have such meetings, and moreover it has been the policy, and indeed injunction, of the state authorities to conserve every dollar in each department of the state. The work of the Society, however, has progressed smoothly and satisfactorily in all respects, and its activities along the lines of its chief work have not been lessened. The Secretary's report will be largely made by the separate and specific reports of the different committees, to be made at this meeting.

For reasons satisfactory to himself, the Governor did not appoint the trustees under his authority so to do, either in February, 1917, or in February, 1918. In February, 1917, the terms of Prof. B. F. Prince and your secretary, E. O. Randall, expired; nothing being done as to their successors they continued in office under the rule that they should do so until their successors were appointed and qualified. In February, 1918, the appointive terms of Waldo C. Moore and W. H. Cole expired. On July 11, 1918, Governor Cox reappointed the four gentlemen in question, Messrs. Randall and Prince to serve for three years from the time of the expiration of their previous appointments; their present terms will expire February 18, 1920; the terms of Waldo G. Moore and W. H. Cole, whose terms expired in February, 1918, will continue until February 18, 1921. The Governor treated this matter with due courtesy, however.

conferring with your secretary in regard to it, and stating that this was no special neglect as to our Society, as he had pursued the same policy in regard to the trustees or officials of many other state institutions.

In February, 1918, Governor Cox appointed the Historical Commission of Ohio; the purpose and personnel of this commission will be explained by the chairman of this commission, Professor A. M. Schlesinger, who is a life member of our Society and Professor of American History in Ohio State University, author of a recently published work entitled "The Colonial Merchants and the American Revolution," for the authorship of which Columbia University conferred upon Mr. Schlesinger the degree of Ph. D.

It goes without saying that our Society has, in addition to those matters, given its influence and aid in every way possible to activities in connection with the war. A branch of the Red Cross for Surgical Dressings, Mrs. G. W. Knight, chairman, which had quarters in one of the churches in this part of the city, was obliged to vacate and seek quarters some where on the college campus. This will be reported by Curator Mills.

As to acquisitions by the Society, we have to report that the title to Fort Laurens, in Tuscarawas county, has been transferred to the state of Ohio, in the custody of our Society. We came very near losing that acquisition, through the difficulty which the committee of the legislature had in securing title, there being many heirs scattered throughout various parts of the country. The deed was brought in to the Secretary only about two days before the time for the expiration of the appropriation, but it is now ours. Curator Mills and your Secretary visited and inspected this property in the summer of 1917, and conferred with the members of the local committee who had charge of the securing of title, and who acted in cooperation with the legislative committee. This acquisition is a very important and desirable one. It is the greatest historical spot, in some respects, in Ohio, representing Ohio's part in the American Revolution. It was a veritable Valley Forge in the confines of the Buckeye state to be.

The legislature in its last session, winter of 1917, it will be recalled, appropriated the sum of \$16,000 for the purchase of the Campus Martius, at Marietta. The acquisition of that property has never been consummated. Curator Mills and your Secretary visited Marietta last year, but no definite action resulted therefrom. The legislative committee who are to secure the title have not yet completed their work. It is understood however, that the owners, Miss Minna Tupper Nye and Mrs. Lucy Davis, are ready to deed this property to the State at any time.

The matters thus mentioned cover those, perhaps, outside of the regular committees. I wish to speak briefly of some of the committees. What I will say will be supplemented by the further reports of the different chairmen.

The Finance Committee will report through Treasurer Wood. As to publications, the appropriation of \$11,500.00 by the present legislature for the republication of the annuals of the Society, was properly expended, the books were printed, including volumes 1 to 26, and were distributed according to the authority of the legislature, each member of the general assembly receiving his quota, with more than the usual interest and appreciation. It also should be noted that more than ever, and almost uniformly, the members of the legislature distributed these books to the schools and public libraries, and very few were given to private individuals. This is as it should be. In this connection I wish to report that Prof. E. F. Warner, of Bellevue, one of the High School Inspectors of the State, acting under the approval of the Superintendent of Public Instruction, Prof. F. B. Pearson, with considerable labor prepared, from the 26 volumes, an index of all the subjects concerning Ohio historical localities having more or less intimate relationship with American history. This index is for the ready reference and use of the teachers and students of American history in the high schools. Prof. Warner contributed his services in this respect, the work being admirably done. The expense of the publication was paid by our Society, but the distribution was made, and the expense attendant therewith paid, by the Department of the Superintendent of Public Instruction. These pamphlets are being distributed to the teachers of history in the high schools; there are about a thousand high schools in the state, and they average probably two history teachers to the school, so that about two thousand of these pamphlets will go to the teachers. Already we have heard from many of them, the teachers expressing great delight over the same, and many of them are thereby for the first time made acquainted with the work of our Society. It is a great source of publicity for the work we are doing, and will bring to our Society a close and influential relationship with these teachers and schools.

The *QUARTERLIES* for January, April and July have been published, and are of uncommon value and interest. The January and April issues comprise a history of the legislation in Ohio on the subject of Education—the result of several years investigation and study by Prof. E. A. Miller, Oberlin College. It is pronounced the most complete and valuable record of what Ohio has done, officially, for education, and it is regarded of such importance that the University of Chicago has already made arrangements with our Society to reprint this article in book form and make it one of the series of the publications of Chicago University on the subject of public education in this country. That is not only a great compliment to our Society, but will add immensely to the standing of our Society throughout the country. In these publications the Chicago University give due and full credit to our Society for the preparation and publication of this work. The July *QUARTERLY* deserves special mention, because it is the product of the study and work of our Assistant Curator, H. C. Shetrone. It is by all odds the best summary of the

Mound Builders and Indian history in Ohio. It is an admirable piece of work not only historically but literarily.

As to the library committee, of which the Secretary is chairman, there is little to say except that the work has gone on quietly and effectively so far as the funds for that purpose would permit. There have been many acquisitions to the library, all carefully selected and of the most valuable nature, pertinent to either Ohio history specifically or the Northwest Territory in general.

Concerning Logan Elm, the chairman of which committee is Mr. Frank Tallmadge, who is absent in the east, I have simply to say that I have made two or three visits to Logan Elm since our last meeting, one in June last, at the annual meeting of the Cresap Association, in which members of the Cressap family to the number of about thirty, representing some eight or ten states, including Kansas, Virginia, New York and Ohio, were present. It proved to be a very interesting occasion. The association has remodeled and removed the Cresap monument from its former position near the Boggs monument, to another locality in the park. In this connection you will recall the appearance here at our last annual meeting of Messrs. Sharp and Wilson, who represent a voluntary committee of the people living in the neighborhood of Logan Elm, who propose to erect a monument to Chief Logan. They have already collected more than a thousand dollars for that purpose.

As to the publication of the Hayes Dairies. The members are aware that, through the courtesy of Col. Webb C. Hayes, we have temporary possession of the diaries of President Rutherford B. Hayes. They are in the hands of Professor Charles R. Williams, at Princeton, N. J., and he is editing them. The last news received from Prof. Williams was that it was hoped that before the end of this year the manuscript, with the annotations, would be in our hands. We first had them copied by expert stenographers, and the original and the copies were forwarded to Mr. Williams.

On motion the Secretary's report was received and approved.

Mr. Wood then made his report as Treasurer, as follows:

ANNUAL REPORT OF THE TREASURER FOR THE YEAR  
ENDING JUNE 30, 1918.

RECEIPTS.

|                                  |            |
|----------------------------------|------------|
| Cash on hand July 1st, 1917..... | \$2,964 17 |
| Life Membership Dues.....        | 39 50      |
| Active Membership Dues.....      | 98 00      |
| Freight Refund .....             | 3 00       |
| Supplies sold .....              | 13 96      |
| Interest .....                   | 70 83      |

Thirty-Third Annual Meeting.

519

|  |                    |
|--|--------------------|
| Books sold .....                                   | 311 38             |
| Subscriptions .....                                | 33 25              |
| Interest on Permanent Fund.....                    | 674 10             |
| Cash advanced by Webb C. Hayes.....                | 200 00             |
| From State Treasurer on Sundry Appropriations..... | 31,576 18          |
| <b>Total .....</b>                                 | <b>\$35,979 37</b> |

DISBURSEMENTS.

|  |                    |
|--|--------------------|
| Salaries .....   | \$12,275 00        |
| Wages .....  | 194 15             |
| General Plant Supplies.....  | 140 99             |
| Publications .....   | 2,992 54           |
| Museum Equipment.....  | 592 78             |
| Equipment .....  | 1,016 00           |
| Repairs and Upkeep.....  | 94 01              |
| Water .....  | 91 77              |
| Light, Heat and Power.....   | 765 86             |
| Express, Freight and Drayage.....  | 89 95              |
| Expense of Trustees and Committees.....  | 186 00             |
| Telephones .....   | 74 20              |
| Sundry Expense .....   | 54 50              |
| Field Work.....  | 306 15             |
| Insurance .....  | 248 65             |
| Logan Elm Park.....  | 143 00             |
| Serpent Mound Park.....  | 375 28             |
| Ft. Ancient Park.....  | 193 27             |
| Postage .....  | 104 00             |
| Extra Salaries and Supplies advanced by Webb C. Hayes<br>for Hayes Memorial Library..... | 357 88             |
| Duty on collection for Hayes Memorial Library in part.....                               | 178 58             |
| Reprinting Publications.....   | 11,500 00          |
| Repairs Hayes Memorial Library Bldg.....   | 63 99              |
| Supplies Hayes Memorial Library Bldg.....  | 74 75              |
| Office Supplies .....  | 67 05              |
| Library Equipment .....  | 473 94             |
| Transferred to Permanent Fund.....   | 715 00             |
| Cash on hand July 1st, 1918.....   | 2,670 58           |
| <b>Total .....</b>   | <b>\$35,979 37</b> |
| Amount of Permanent Fund July 1, 1918.....   | \$14,030 00        |

Respectfully submitted,

(Signed) E. F. Wood,  
Treasurer."

Treasurer Wood then read the report of the Auditors, as follows:

COLUMBUS, OHIO, August 15, 1918.

*The Ohio Archaeological and Historical Society, Hon. E. O. Randall, Secretary, Columbus, Ohio.*

DEAR SIR:—

At the request of your treasurer, Mr. E. F. Wood, for the annual audit of the Books of Account of your Society for the fiscal year ending June 30, 1918, we have completed same and herewith present our findings in the form of statements and schedules as follows:

- Page 1 — Post Closing Trial Balance as at June 30, 1918.  
 Page 2 — Summary of Cash Receipts and Disbursements for Year.  
 Page 3 — Statement of Appropriations for the Period, — Balances, Amounts Appropriated, Amounts Lapsed and Amounts Withdrawn.  
 Page 4 — Schedule of Amounts Appropriated by the Legislature for the Fiscal Year 1917-1918.  
 Page 5 — Balance Sheet as at June 30, 1918.  
 Page 6 — Suggestive Entries for Incorporating Inventories Into Accounts of the Society.

We have examined the vouchers covering disbursements and find them correct and properly distributed. The cash balance has been reconciled with the bank as shown on page 2. The certificates of deposit in the hands of the Treasurer have been inspected and found regular in form and amount. Your Permanent Fund is represented by Ohio State Savings Association Certificate No. 76092 in amount \$14,030.00.

The balance of your Permanent Fund at July 1, 1917 was... \$13,315 00  
 This has been increased during the year by the following additions:—

|                         |          |
|-------------------------|----------|
| Interest .....          | \$674 10 |
| Life Memberships .....  | 39 50    |
| From Current Funds..... | 1 40     |

Total additions ..... 715 00

Balance June 30, 1918, as above..... \$14,030 00

The Balance of Current Funds at July 1, 1917, was..... 2,964 17

The total receipts during the year from all sources amounted to..... \$1,439 02  
 and the amount drawn against appropriations and paid by the Treasurer of State was..... 31,576 18

Total ..... \$33,015 20

The disbursements for the year, including the amount transferred to Permanent Fund, amounted to ..... \$33,308 79  
 an excess of disbursements over receipts of..... \$298 59  
 which reduces the balance of Current Funds to..... \$2,670 58  
 at June 30, 1918.

We are pleased to note that our previous suggestions as to an appraisal of the property of the Society have been complied with. Copy of the Inventory Summaries, as submitted to us, is appended to this report as supplementary pages 7, 8, 9 and 10. These inventories have been classified as far as the data furnished would permit and the totals embodied in a Balance Sheet which is presented on page 5. This Balance Sheet shows the resources of the Society to consist of:—

|                      |                     |
|----------------------|---------------------|
| Current Funds .....  | \$2,670 58          |
| Permanent Fund ..... | 14,030 00           |
| Property .....       | 565,713 75          |
| <b>Total .....</b>   | <b>\$582,414 33</b> |

with no indebtedness.

On page 6 is the draft of an entry for incorporating the inventory into the accounts. At the close of each fiscal year the various property accounts should be changed with an amount equal to the amount invested therein during the year, the entire capital outlay being credited to "Society's Property Investment."

Respectfully submitted,

JOHN J. MCKNIGHT,  
 Certified Public Accountant.

By W. D. WALL,  
 C. P. A.

POST CLOSING TRIAL BALANCE JUNE 30, 1918.

| Ledger Folio.                       | Dr.        | Cr.    |
|-------------------------------------|------------|--------|
| 4 State Treasurer .....             | \$2,721 82 |        |
| 26 Janitors A-2 .....               |            | 115 85 |
| 29 Office Supplies C-4.....         |            | 19 21  |
| 33 General Plant Supplies C-11..... |            | 24 14  |
| 35 Equipment E-2 .....              |            | 4 00   |
| 190 Equipment E-8 .....             |            | 26 06  |
| 36 Equipment E-9 .....              |            | 7 97   |

|       |  |             |             |
|-------|--|-------------|-------------|
| 200   | Contract & Open Order Service General Repairs F-1 .....    |             | 12 20       |
| 202   | Contract & Open Order Service Water F-3.. .....            |             | 43 23       |
| 204   | Contract & Open Order Service Light, Heat & Power F-4..... |             | 1,634 64    |
| 206   | Contract & Open Order Service Transportation F-6 .....     |             | 119 51      |
| 208   | Contract & Open Order Service Communication F-7 .....      |             | 18 80       |
| 45    | Contract & Open Order Service Field Service F-9 .....      |             | 523 85      |
| 31    | Contract & Open Order Service Publications F-9 .....       |             | 7 46        |
| 48    | New Structural Improvements.....                           |             | 164 90      |
| 57    | E. F. Wood, Treasurer.....                                 | 2,670 58    | .....       |
| 116   | Cash .....   |             | 2,670 58    |
| <hr/> |  |             |             |
| 150   | Investments .....  | 14,030 00   | .....       |
| 151   | Permanent Fund .....                                       |             | 14,030 00   |
| <hr/> |  |             |             |
|       |  | \$19,422 40 | \$19,422 40 |

SUMMARY OF CASH RECEIPTS AND DISBURSEMENTS FOR PERIOD  
(CURRENT FUNDS) JULY 1, 1917, TO JUNE 30, 1918.

Balance July 1, 1917..... \$2,964 17

RECEIPTS.

|   |           |             |
|---|-----------|-------------|
| Life Membership Dues.....                   | \$39 50   |             |
| Active Membership Dues.....                 | 93 00     |             |
| Subscriptions .....                         | 33 25     |             |
| Books Sold .....                            | 311 38    |             |
| Interest—General Fund .....                 | \$70 83   |             |
| Permanent Fund .....                        | 674 10    |             |
|   | <hr/>     | 744 93      |
| Supplies Sold .....                         | 13 96     |             |
| Cash advanced by Webb C. Hayes.....         | 200 00    |             |
| Freight Rebates .....                       | 8 00      |             |
|   | <hr/>     | \$1,439 02  |
| From State Treasurer on Appropriations..... | 31,576 18 | 33,015 20   |
|   |           | <hr/>       |
|   |           | \$35,979 37 |



*Thirty-Third Annual Meeting.*

523

DISBURSEMENTS.

|  |          |                   |
|--|----------|-------------------|
| Transferred to Permanent Fund for Care and Improvement ..... |          | \$715 00          |
| Logan Elm Park.....  | \$143 00 |                   |
| Serpent Mound .....  | 375 28   |                   |
| Fort Ancient .....   | 193 27   |                   |
|  |          | <hr/> 711 55      |
| Salaries .....   |          | 12,409 15         |
| Supplies:—   |          |                   |
| Office .....   | \$67 05  |                   |
| General Plant .....  | 140 99   |                   |
|  |          | <hr/> 208 04      |
| Publications .....   |          | 2,992 54          |
| Library Equipment .....                                      |          | 473 94            |
| Museum Equipment .....                                       |          | 592 78            |
| Repairs and Upkeep of Building.....                          |          | 94 01             |
| Equipment .....  |          | 1,016 00          |
| Water Rentals .....  |          | 91 77             |
| Light, Heat & Power.....                                     |          | 765 36            |
| Express, Freight & Drayage.....                              |          | 89 95             |
| Expense of Trustees & Committees.....                        |          | 186 00            |
| Telephone Rentals .....                                      |          | 74 20             |
| Sundry Expense:—   |          |                   |
| Auditing .....   | 37 50    |                   |
| Premium on Treasurer's Bond....                              | 15 00    |                   |
| Box Rent .....   | 2 00     |                   |
|  |          | <hr/> 54 50       |
| Field Work .....   |          | 306 15            |
| Insurance .....  |          | 248 55            |
| Postage .....  |          | 104 00            |
| Reprinting Publications .....                                |          | 11,500 00         |
| Hayes Memorial Library Building—Salaries, etc.               |          | 536 46            |
| Hayes Memorial Library Building—Repairs....                  |          | 63 99             |
| Hayes Memorial Library Building—Supplies....                 |          | 74 75             |
|  |          | <hr/> \$33,908 79 |
| Balance June 30, 1918.....                                   |          | 2,670 58          |
|  |          | <hr/> \$35,989 37 |
| Balance as per Pass Book the Capital City Bank..             | \$695 58 |                   |
| Less check No. 2241 outstanding.....                         | 25 00    |                   |
|  |          | <hr/> \$670 58    |
| Ohio State Savings Association Certificate.....              | 2,000 00 |                   |
|  |          | <hr/> \$2,670 58  |

STATEMENT OF APPROPRIATIONS FOR PERIOD JULY 1, 1917, TO  
JUNE 30, 1918.

| APPROPRIATION FOR:—  | Balance<br>July 1,<br>1917. | Amount<br>Appropri-<br>ated During<br>Year. | Total<br>Appropri-<br>ation. |
|--|-----------------------------|---|------------------------------|
| Personal Service—  |                             |   |                              |
| A-1 Salaries .....   | \$35 00                     | \$12,175 00                                 | \$12,210 00                  |
| A-2 Wages .....  |                             | 250 00                                      | 250 00                       |
| Maintenance—   |                             |   |                              |
| C Supplies C-4 Office .....  |                             | 250 00                                      | 250 00                       |
| C-11 General Plant Supplies..                                      | 19                          | 175 00                                      | 175 19                       |
| E Equipment E-2 Household.....                                     |                             | 120 00                                      | 120 00                       |
| E-8 Educational .....  | 76                          | 500 00                                      | 500 76                       |
| E-9 General Plant Equipment.                                       | 28                          | 1,500 00                                    | 1,500 28                     |
| F Contract and Open Order Ser-<br>vice—                            |                             |   |                              |
| F-1 Repairs .....  | 1 30                        | 600 00                                      | 601 30                       |
| F-3 Water .....  |                             | 135 00                                      | 135 00                       |
| F-4 Light, Heat & Power....  | 1,057 25                    | 2,400 00                                    | 3,457 25                     |
| F-6 Transportation .....   | 470 55                      | 400 00                                      | 870 55                       |
| F-7 Communication .....  | 20 25                       | 93 00                                       | 113 25                       |
| F-8 Contingencies .....  | 21                          |   | 21                           |
| F-9 General Plant Service—   |                             |   |                              |
| Publications .....   |                             | 3,000 00                                    | 3,000 00                     |
| Explorations .....   | 35                          | 750 00                                      | 750 35                       |
| Republishing Archae-<br>ological and Histori-<br>cal Reports ..... |                             | 11,500 00                                   | 11,500 00                    |
| H-7 Insurance .....  | 60                          |   | 60                           |
| G Additions and Betterments—                                       |                             |   |                              |
| G-2 Shelterhouse Serpent<br>Mound .....                            |                             | 200 00                                      | 200 00                       |
| G-3 Gateways .....   |                             | 250 00                                      | 250 00                       |
|  | \$1,586 74                  | \$34,298 00                                 | \$35,884 74                  |
|  |                             | Cash<br>Drawn<br>From                       |                              |
|  | Amount<br>Lapsed.           | State<br>Treasurer.                         | Total<br>Deductions.         |
| APPROPRIATION FOR:—  |                             |   |                              |
| Personal Service—  |                             |   |                              |
| A-1 Salaries .....   | \$35 00                     | \$12,175 00                                 | \$12,210 00                  |
| A-2 Wages .....  |                             | 134 15                                      | 134 15                       |

|  |          |            |             |
|--|----------|------------|-------------|
| <b>Maintenance —</b>                                     |          |            |             |
| C-4 Office .....   |          | 230 79     | 230 79      |
| C-11 General Plant Supplies..                            | 19       | 150 86     | 151 05      |
| <b>E Equipment —</b>                                     |          |            |             |
| E-2 Household .....                                      |          | 116 00     | 116 00      |
| E-8 Educational .....                                    | 76       | 473 94     | 474 70      |
| E-7 General Plant Equipment.                             | 28       | 1,492 03   | 1,492 31    |
| <b>F Contract and Open Order Service —</b>               |          |            |             |
| F-1 Repairs .....  | 11 30    | 587 80     | 589 10      |
| F-3 Water .....  |          | 91 77      | 91 77       |
| F-4 Light, Heat and Power..                              | 1,057 25 | 765 36     | 1,822 61    |
| F-6 Transportation .....                                 | 470 55   | 280 49     | 751 04      |
| F-7 Communication .....                                  | 20 25    | 74 20      | 94 45       |
| F-9 Contingencies .....                                  | 21       |            | 21          |
| <b>F-9 General Plant Service —</b>                       |          |            |             |
| Publications .....                                       |          | 2,992 54   | 2,992 54    |
| Exploration .....  | 35       | 226 15     | 226 50      |
| Republishing Archaeological and Historical reports ..... |          | 11,500 00  | 11,500 00   |
| H-7 Insurance .....                                      | 60       |            | 60          |
| <b>G Additions and Betterments —</b>                     |          |            |             |
| G-2 Shelterhouse Serpent Mound .....                     |          |            |             |
|  |          | 200 00     | 200 00      |
| G-3 Gateways .....                                       |          | 85 10      | 85 10       |
|  |          | <hr/>      | <hr/>       |
|  |          | \$1,586 74 | \$31,576 18 |
|  |          |            | \$33,162 92 |

Balance  
June 30,  
1918.

**APPROPRIATION FOR:—**

|  |  |          |
|--|--|----------|
| <b>Personal Service A-1 Salaries —</b>     |  |          |
| A-2 Wages .....                            |  | \$115 85 |
| <b>Maintenance —</b>                       |  |          |
| C Supplies C-4 Office.....                 |  | 19 21    |
| C-11 General Plant Supplies.....           |  | 24 14    |
| <b>E Equipment E-2 Household.....</b>      |  |          |
|  |  | 4 00     |
| E-8 Education .....                        |  | 26 06    |
| E-9 General Plant Equipment.....           |  | 7 97     |
| <b>F Contract and Open Order Service —</b> |  |          |
| F-1 Repairs .....                          |  | 12 20    |
| F-3 Water .....                            |  | 43 23    |

## Ohio Arch. and Hist. Society Publications

|  |             |
|--|-------------|
| F-4 Light, Heat & Power.....                             | 1,634 04    |
| F-6 Transportation .....                                 | 119 51      |
| F-7 Communication .....                                  | 18 80       |
| F-8 Contingencies .....                                  |             |
| F-9 General Plant Service—                               |             |
| Publications .....                                       | 7 40        |
| Exploration .....  | 523 85      |
| Republishing Archaeological and Historical reports ..... |             |
| H-7 Insurance .....                                      |             |
| G Additions and Betterments—                             |             |
| G-2 Shelterhouse Serpent Mound.....                      |             |
| G-3 Gateways .....                                       | 164 90      |
|  | <hr/>       |
|  | \$2,721 82  |
| RECAPITULATION OF TOTALS.                                |             |
| Balance July 1, 1917.....                                | \$1,586 74  |
| Appropriations as per Schedule.....                      | 34,298 00   |
|  | <hr/>       |
| Total appropriations .....                               | \$35,884 74 |
| Amount lapsed during year.....                           | \$1,586 74  |
| Cash drawn from State Treasurer.....                     | 31,576 18   |
|  | <hr/>       |
| Total Deductions .....                                   | 33,162 92   |
|  | <hr/>       |
| Balance as above.....                                    | \$2,721 82  |

SCHEDULE OF APPROPRIATIONS JULY 1, 1917, TO JUNE 30, 1918,  
LAWS OF OHIO 107, PAGES 197 AND 344 — H. B. NO. 584.

## PERSONAL SERVICE:—

## A-1 Salaries:—

|                                     |             |
|-------------------------------------|-------------|
| Treasurer .....                     | \$300 00    |
| Secretary .....                     | 1,000 00    |
| Curator .....                       | 2,500 00    |
| Assistant Curator .....             | 1,500 00    |
| Two Assistant Librarians.....       | 1,340 00    |
| Stenographer .....                  | 720 00      |
| Superintendent of Building.....     | 900 00      |
| Two Janitors .....                  | 1,420 00    |
| Four Care-takers .....              | 1,345 00    |
| Bookkeeper .....                    | 150 00      |
| Author "Ohio in the Civil War"..... | 1,000 00    |
|                                     | <hr/>       |
|                                     | \$12,175 00 |

A-2 Wages .....

250 00

---

\$12,425 00

MAINTENANCE:—

C Supplies:—

|                          |          |        |
|--------------------------|----------|--------|
| C-4 Office .....         | \$250 00 |        |
| C-11 General Plant ..... | 175 00   |        |
|                          |          | 425 00 |

E Equipment:—

|                         |          |          |
|-------------------------|----------|----------|
| E-2 Household .....     | \$120 00 |          |
| E-3 Educational .....   | 500 00   |          |
| E-9 General Plant ..... | 1,500 00 |          |
|                         |          | 2,120 00 |

F Contract and Open Order Service:—

|   |           |           |
|---|-----------|-----------|
| F-1 Repairs .....   | \$600 00  |           |
| F-3 Water .....   | 135 00    |           |
| F-4 Light, Heat & Power.....                                | 2,400 00  |           |
| F-6 Transportation .....                                    | 400 00    |           |
| F-7 Communication .....                                     | 93 00     |           |
| F-9 General Plant:—   |           |           |
| Publications .....  | 3,000 00  |           |
| Explorations .....  | 750 00    |           |
| Republishing Archaeological and<br>Historical reports ..... | 11,500 00 |           |
|   |           | 18,878 00 |

G Additions and Betterments:—

|                                  |          |        |
|----------------------------------|----------|--------|
| G-2 Structures and Betterment—   |          |        |
| Shelter House Serpent Mound..... | \$200 00 |        |
| G-3 Non-structural Improvements— |          |        |
| Gateways .....                   | 250 00   |        |
|                                  |          | 450 00 |

Total Appropriations ..... \$34,298 00

BALANCE SHEET AS AT JUNE 30, 1918.

ASSETS.

|                               |              |            |
|-------------------------------|--------------|------------|
| Cash—Checking Account .....   |              | \$670 58   |
| Certificate of Deposit:—      |              |            |
| Current Fund .....            | \$2,000 00   |            |
| Permanent Fund .....          | 14,030 00    |            |
|                               |              | 16,030 00  |
| Real Estate:—                 |              |            |
| Land .....                    | \$107,135 00 |            |
| Buildings and Structures..... | 186,360 00   |            |
|                               |              | 293,495 00 |

## Equipment and Exhibits:—

|   |             |              |
|---|-------------|--------------|
| House Furniture and Furnishings.....        | \$32,347 00 |              |
| Library and Museum Equipment.....           | 29,439 50   |              |
| Archaeological and Historical Exhibits..... | 180,050 00  |              |
| Books .....                                 | 28,382 25   |              |
| Paintings .....                             | 2,000 00    |              |
|   |             | 272,218 75   |
|   |             | \$582,414 33 |

## CONTRA.

|   |              |
|---|--------------|
| Current Fund—E. F. Wood, Treasurer..... | \$2,670 58   |
| Permanent Fund Invested.....            | 14,030 00    |
| Society's Property Investment.....      | 565,713 75   |
|   | \$582,414 33 |

ENTRY FOR INCORPORATING INVENTORY TOTALS INTO ACCOUNTS  
OF THE SOCIETY — JUNE 30, 1918.

|  | Dr.          | Cr.          |
|--|--------------|--------------|
| Sundries to Society Property—  |              |              |
| Investment .....   |              | \$565,713 75 |
| For incorporating into the accounts of the Society<br>the total valuation of its property as per de-<br>tailed appraisal on file with the Librarian— |              |              |
| Real Estate—Land .....   | \$107,135 00 |              |
| Real Estate—Buildings and Structures.....  | 186,360 00   |              |
| House Furniture and Furnishings.....   | 32,347 00    |              |
| Books .....  | 28,382 25    |              |
| Archaeological and Historical Exhibits.....  | 180,050 00   |              |
| Paintings .....  | 2,000 00     |              |
| Library and Museum Equipment.....  | 29,439 50    |              |

COLUMBUS, OHIO, May 13, 1918.

MR. E. F. WOOD,  
44 East Broad Street,  
City.

## MY DEAR MR. WOOD:

As per your suggestion I have completed the inventory of the Museum and Library making a fair estimate of the value of the building and its equipment together with the specimens on exhibition in the Museum as well as the books in the library. In making this inventory I have used the price paid for equipment and if this equipment was to be purchased at the present time it would cost from one-third to one-half more than

when we purchased it. Following is the total of the inventory and I am keeping the itemized inventory in the vault so that it can be examined by the Trustees at any time.

|  |                     |
|--|---------------------|
| The total value of equipment which includes showcases and all paraphernalia used in the Museum for exhibiting specimens, all the chairs, desks, typewriters, bookcases, camp outfit, printing press equipment, fire fighting paraphernalia including innumerable things used in taking care of the building, etc., total cost.....                                     | \$16,701 00         |
| The total amount of publications on hand including sets of our publications, volumes 1-26, Fowke's Archaeological History of Ohio, Ohio Centennial, Poems on Ohio, History of the Andersons, History of Coshocton County, History of Knox County, Zeisberger's Indians, Mound Builders, Serpent Mound, Mills' Archaeological Atlas, and the QUARTERLIES amount to..... | 3,300 25            |
| Value of the archaeological collections on the second floor of the building also in the basement numbering upward of 200,000 specimens, estimated value.....   | 150,000 00          |
| Value of the historical collections including the specimens from the relic room at the state house numbering in all 25,000 specimens, estimated value.....   | 25,000 00           |
| Value of building, including electric lights and lamps on hand, elevator and power sweeper.....  | 100,000 00          |
| Value of the sidewalks both front and rear.....  | 325 00              |
| Value of 8,588 volumes now in the Library at the low estimate of \$1.50 per volume.....  | 12,882 00           |
| Total value of 1500 volumes of Mr. D. H. Gard's library low estimate .....   | 1,500 00            |
| <b>Total .....</b>   | <b>\$309,708 25</b> |

Respectfully submitted,

(Signed) Wm. C. MILLS,  
Curator and Librarian.

VALUE OF STATE PROPERTY AT FORT ANCIENT, OHIO.

|                            |                    |
|----------------------------|--------------------|
| Land .....                 | \$23,000 00        |
| House .....                | 2,000 00           |
| Barn and outbuildings..... | 500 00             |
| Shelter House .....        | 500 00             |
| <b>Total .....</b>         | <b>\$26,000 00</b> |

B. F. PRINCE as Chairman on For Ancient.

## SUMMARY OF INVENTORY

made by Wm. C. Mills, Curator and Librarian, on Property Belonging  
to the Ohio State Archaeological & Historical Society in  
Fremont, Ohio, in June, 1918.

|   |              |
|---|--------------|
| 25 Acres known as Spiegel Grove (conservative).....           | \$75,000 00  |
| Hayes Memorial Building.....                                  | 45,000 00    |
| Residence and Garage.....                                     | 35,000 00    |
| Paintings, draperies, rugs, furniture, etc., in residence.... | 32,327 00    |
| Books in residence.....                                       | 700 00       |
| Family relics .....   | 5,000 00     |
| Library cases in Memorial Building.....                       | 3,130 00     |
| 6,600 volumes in Memorial Building.....                       | 10,000 00    |
| Paintings in Memorial Building.....                           | 2,000 00     |
| Furniture and Fixtures and relics in Memorial Building.....   | 9,578 50     |
| <hr/>   |              |
| Total Appraisement .....                                      | \$217,735 50 |

14 page detailed appraisal is in the vault of Main Building on  
O. S. U. grounds—6-20-18.

## INVENTORY OF THE SERPENT MOUND PARK.

|   |            |
|---|------------|
| 70 Acres of land, well improved by roads, walks, fences,<br>with proper planting of trees, etc., costing..... | \$8,000 00 |
| House, barn, and outbuildings.....  | 1,000 00   |
| Shelter house and Museum.....   | 320 00     |
| Museum cases, six.....  | 30 00      |
| Museum specimens estimated.....   | 50 00      |
| 1 large 1 power mower.....  | 5 00       |
| 1 2-horse wagon.....  | 5 00       |
| 1 cookstove .....   | 5 00       |
| Knives, forks and dishes.....   | 5 00       |
| <hr/>   |            |
| Inventory made June 21, 1918.   | \$9,420 00 |

## LOGAN ELM PARK — INVOICE.

|                                  |            |
|----------------------------------|------------|
| Land, 4 7/10 acres at \$200..... | \$940 00   |
| Boggs Monument .....             | 1,000 00   |
| Cresap Memorial .....            | 400 00     |
| Cabin .....                      | 250 00     |
| Outbuilding .....                | 65 00      |
| Well and Pump.....               | 60 00      |
| Fencing .....                    | 135 00     |
| <hr/>                            |            |
| Total .....                      | \$3,850 00 |



SUMMARY OF INVENTORIES — JUNE 30, 1918.

| Location.                         | Land.               | Buildings.          | House Furni-<br>ture and<br>Furnishings |
|-----------------------------------|---------------------|---------------------|---|
| Fremont, Ohio.....                | \$75,000 00         | \$80,000 00         | \$32,327 00                             |
| Serpent Mound Park.....           | 8,000 00            | 1,320 00            | 20 00                                   |
| Ohio State University Campus..... | .....               | 100,325 00          | .....                                   |
| Fort Ancient .....                | 23,000 00           | 3,000 00            | .....                                   |
| Logan Elm Park.....               | 1,135 00            | 1,715 00            | .....                                   |
|                                   | <u>\$107,135 00</u> | <u>\$186,380 00</u> | <u>\$32,347 00</u>                      |

| Location.                         | Books.             | Archaeological<br>and His-<br>torical Ex-<br>hibits. | Paintings.        |
|-----------------------------------|--------------------|--|-------------------|
| Fremont, Ohio .....               | \$10,700 00        | \$5,000 00   | \$2,000 00        |
| Serpent Mound Park.....           | .....              | 50 00  | .....             |
| Ohio State University Campus..... | 17,682 25          | 175,000 00   | .....             |
|                                   | <u>\$28,382 25</u> | <u>\$180,050 00</u>                                  | <u>\$2,000 00</u> |

| Location.                         | Library and<br>Museum<br>Equipment. |
|-----------------------------------|-------------------------------------|
| Fremont, Ohio .....               | \$12,708 50                         |
| Serpent Mound Park.....           | 30 00                               |
| Ohio State University Campus..... | 16,701 00                           |
|                                   | <u>\$29,439 50</u>                  |

The above inventory of property omits the realty of Fort Laurens site, Tuscarawas County, cost of purchase \$5,500 and Big Bottom Park, Morgan County, valued at \$2,000.00 — E. O. R. Secretary.

The reports of the Treasurer and Auditor were ordered accepted and placed on file.

## CURATOR'S REPORT.

Curator Mills read his report, as follows:

During the past year many changes have been made both in the personnel of the Library and Museum and the additions of new cases and collections to the Museum and Library.

November 1, 1917, Miss Minnie Bushfield, assistant librarian, resigned to accept a position with the Western Reserve Historical Society, Cleveland. Miss Helen H. Mills was appointed her successor. March 1, 1918, Miss Grace Harper, stenographer, resigned to accept a government position in Washington, D. C. Miss Margaret Frey was appointed her successor. In the course of a few months the entire personnel of the Library was changed and it required some time to acquaint the new appointees with their respective duties. About the same time new cases that had been purchased came in and were installed, causing an entire shifting of the books in the Library, requiring several weeks of practically our entire force to effect the proper arrangement. Shortly after the shifting of the books was completed Governor Cox appointed "The Historical Commission of Ohio," as the official agency of the state for the collection and preservation of the records of Ohioans in connection with the Great War. Dr. Arthur M. Schlesinger, one of our life members, was appointed chairman of this Commission and Dr. E. O. Randall, secretary of our Society, was appointed as a member of the Commission. The Trustees granted the use of the Trustees' Room for the Commission, and the Library and any other available part of the building for storage of the many papers and documents containing records of the part Ohio is playing in this struggle, and I wish to assure you every available space is being utilized and the Commission is being hampered in its work by not having the proper room to store their valuable material and the necessary help to care for it when it comes into the building, although our library force has given practically all of its time to the care of this material, since no provision was made for the Commission to secure help to do this work.

The collections in the Museum have been augmented by many additional collections from various parts of the state, and in many instances collections containing foreign material were replaced by collections from Ohio. As a matter of fact, we should have additional room to display our new material coming in from every section of our state. We should have at the present time a room as large as any one of our exhibition rooms to display our flint collections alone. We have the most comprehensive collection of flint, together with the primitive tools used in quarrying same of any museum in the country, and we hope when we complete our work at Flint Ridge we will be able to identify at a moment's glance the exact source of any specimen coming to our notice. At the present time we have made fifteen separate and

distinct examinations of ledges of flint exposed in the primitive quarries. From them we secured the primitive quarrying mauls, many in perfect condition, but for the most part the mauls were broken. When we attempted to quarry the flint with modern steel tools, beginning where primitive man left off, we were able to appreciate the skill and perseverance required in wresting from a six foot vein of flint the raw material he so much needed for arrow and spear heads, knives and scrapers. In examining these quarries we found that here is presented the strength and persistence of the forces underlying human development and we hope by our examination to bring to light many interesting phases of this development.

During the year the visitors to the Museum have increased, on account of the location of the Government Aviation Ground School at the University. Practically all of the men in this branch of the service are college men and interested as a rule in some branch of science, and the Museum afforded them a place to spend their unoccupied time. State Fair week this year, more people from out of the city visited the Museum than at any previous Fair.

During the second semester of the college year the Curator gave a course of lectures on Ohio Archaeology, an elective course in the University, to a class of nine Juniors and Seniors and three Professors. During the year the Curator gave many lectures to various classes in the University, as well as to classes in the public schools of Columbus, and frequently conducted classes through the Museum.

The first of April the Trustees assigned the Audience Room in the basement to the use of the Red Cross, where surgical dressings and other paraphernalia are constantly being made. The furniture formerly in the Audience Room has been stored. During the year the main rotunda has been cleaned and redecorated, and the floor in North Archaeological Exhibition Room repainted. The floors in the rotunda, Early Settler's Room, and the Red Cross room in the basement have all been repainted. Many cases in the various exhibition rooms on the first and basement floors have been repaired, as many of them were old.

On May 1st, Mr. C. E. Spindler was elected Superintendent of Building, replacing John Gill, resigned. Mr. Spindler is a mechanic and a man versed in the care of a building. Mr. Elmer Hart has been giving about half time to the bindery and care of daily papers from the Historical Commission. Mr. Edward C. McMullen has devoted more time than usual to the lawn, as during the early summer the drouth caused especial care in watering the lawn and shrubbery.

Last November I installed an archaeological collection at Serpent Mound Park. This collection represents practically all the types of arrow and spear points found in Ohio as well as the types of grooved axes, hammers, celts, pestles and ceremonial objects. The collection fills six walnut floor cases. The cases were a part of the Graham Brothers collection, and made very suitable cases for the Serpent Mound exhibit.

During the early summer Mr. C. C. Willoughby, successor to Prof. F. W. Putnam of the Peabody Museum, Harvard University, visited the Serpent Mound Park, and I had the pleasure of joining him there. Mr. Willoughby will make an effort to secure replicas of the specimens taken by Prof. Putnam during his explorations of Serpent Mound Park, to place in the Museum, which will greatly enhance the value of the collection at the Park.

Early in June the Trustees directed me to go to Spiegel Grove and make an inventory of the property there, for the benefit of the State Auditor. I made the inventory in four days, the amount of property involved was \$217,735.50. In going over the Memorial Building I found it to be badly in need of repairs, as the heavy snows of last winter had greatly damaged the dome of the building. I at once communicated with our Secretary and the Trustees directed me and Trustee Schaus to visit Fremont, and inspect the difficulty. The work is now completed and I carefully went over it last Monday, with the contractor, and consider the building in a good state of repair.

On May 10 I commenced an inventory of the Museum and Library, which required several weeks' time. The amount of the inventory was \$309,708.25, making a total for the two properties (Spiegel Grove and Columbus Buildings) of \$527,443.75.

Many new features have been added to the Museum during the year. Among the most interesting is our display of guns. We were able to secure four new gun cases and now have guns from the early match-lock type made in 1650, through the various stages of gun development to our modern army rifles. The Philippines collection has been greatly increased by placing on exhibition the collection of Capt. I. N. Gardner. To the Modern Indian collection has been added the collection of Harold McCracken, the Alaskan explorer. Many artifacts from old village sites of the early historic Indians in Ohio have been added to the collections. The original case containing the old "Coon Skin Library" has been fitted up by removing the solid wood panels and replacing with glass.

Perhaps one of the most interesting objects we have in the Museum is a portion of the original electroplate of the five-cent blue Confederate stamp altered to ten. This plate was identified by Mr. Frank Baptist, of Richmond, Va., who printed the stamps for the Confederate States of America. Fifty-six years later he printed from the same plate copies of the stamp for the book of Mr. August Deitz, "Story of the Postage Stamps of the Confederate States of America." Mr. Deitz says, as far as he knows, this is the only known plate in existence today. Many additional specimens of historical and archaeological interest have been received at the Museum, as follows:

- Charles Filbert, Miamisburg, historical specimens.
- Dr. Albert Cooper, Columbus, archaeological specimens.
- Mrs. Francisco Copley, Medina county, Indian relics.

Mr. Almer Hegler, additions to his collection.

Mr. Albert Hope, Paint P. O., archaeological specimens.

Mr. W. R. Kenan, Bourneville, rare stone mortar.

William B. Mills, Chillicothe, presented his large collection of archaeological specimens, and many historical and pioneer objects.

L. Radebush, Clermont county, small collection of stone relics.

C. H. Maelik, Columbus, art objects from India.

Dr. E. C. Sherman, Columbus, specimens from Alaska.

J. L. Oldham, by bequest, fine collections of historical and archaeological specimens.

Mrs. Edna Eckenrode, Ellsworth Sta., crystals from Crystal Hill.

H. W. McCracken, Columbus, ethnological specimens, Alaska and India.

Mrs. R. J. Gardner, Columbus, pioneer and historical specimens.

Mrs. Forest Loy, Dayton, Russian and American time fuses.

Mr. Paul Smith, Upper Sandusky, presented specimens from his father's collection of archaeological specimens.

Mr. McMurray, O. S. U., presented a rare stone implement.

Miss Marks, O. S. U., pioneer and historical specimens.

Charles Wolfe, Columbus, presented Columbian half dollar.

Miss Harriet L. Abbot, Bethel, piece of workbench of Jesse Grant.

James K. Faller, Thornville, pioneer specimens.

John H. Shetrone, Millersport, set of pioneer carpenter planes.

H. F. Burket, Findlay, specimens from prehistoric village site.

Harry J. Thompson, Dayton, specimens from Indian grave.

Mr. W. H. Marlatt, Cleveland, prehistoric stone pipe.

Jacob Opp, Chillicothe, presented, through Wm. B. Mills, a very rare prehistoric stone image found on the Judge Goldsberry farm.

Miss Rachel Trimble, Columbus, photographs of old Indian Mission at Upper Sandusky; also of Indian chiefs.

N. B. C. Love, Perrysburg, saddlebags and photographs of Bishop W. L. Harris.

Mrs. Clara Russell Burns, Wilmington, copy of Life of Corwin, by her uncle, A. P. Russell.

H. F. Bawden, Granville, presented the Judson Tuttle collection of Asiatic butterflies.

H. C. Reed, Blanchester, archaeological specimens.

Dr. P. H. Moore, Warsaw, bequest, archaeological collection.

S. E. Shotts, Ross county, through W. B. Mills, carved stone image.

Dr. W. J. R. Akeroyd, Dresden, large collection illustrating archaeology of Muskingum county.

Mr. H. W. Loy, Pleasant Hill, arrowheads found near old Fort Loramie.

Mr. B. U. Rupp, Brownsville, an extremely fine spearpoint, made from typical Flint Ridge material.

John Laughman, Brownsville, flint specimens, Flint Ridge.

J. Clark, Brownsville, iron tomahawk and flint specimens, found on Flint Ridge.

James Boyer, Pleasant Hill, crystals and implements, Flint Ridge.

Albert Garner, Pleasant Hill, stone and flint specimens, Flint Ridge.

George W. Fisher, Pleasant Valley, burrstone, of Flint Ridge flint, from a factory on his farm where they were made at an early date; also an old French burrstone, brought to that place at a very early date.

D. S. Gray, Beavertown, a rare archaeological specimen.

Walter B. Norris, Columbus, silk menu of 1888 Loyal Legion banquet.

Ernest Warther, Dover, presented models of engines, carved from wood and bone, the one representing a modern railway locomotive, and the other the historic "General"; also other specimens representing his skill as a wood carver.

Professor A. M. Schlesinger reported for the

#### OHIO HISTORICAL COMMISSION.

The Historical Commission of Ohio was appointed by Governor James M. Cox in February, 1918, as the official agency of the state for the collection and preservation of records and materials pertaining to Ohio's part in the present war. The following were designated as members of the Commission: Elbert J. Benton, Western Reserve University; John E. Bradford, Miami University; Glenn D. Bradley, Toledo University; Isaac J. Cox, University of Cincinnati; George A. Cribbs, Mt. Union College; Elizabeth Crowther, Western College for Women; Martha L. Edwards, Lake Erie College; George C. Enders, Defiance College; K. S. Latourette, Granville, Thomas N. Hoover, Ohio University; Walter D. Niswander, Ohio Northern University; William F. Peirce, President Kenyon College; Benjamin F. Prince, Wittenberg College; Emilius O. Randall, Secretary Ohio State Archaeological and Historical Society; A. S. Root, Oberlin College; Arthur M. Schlesinger, Ohio State University; Charles Snively, Otterbein College; Richard T. Stevenson, Ohio Wesleyan University; John I. Stewart, Muskingum College; Elizabeth A. Thompson, Municipal University of Akron; Mary A. Young, Oxford College for Women; Rev. Francis W. Howard, Holy Rosary Church, Columbus, Secretary General of the Catholic Educational Association of the United States.

The Commission proceeded at once to effect a co-operative arrangement with the Ohio State Archaeological and Historical Society, according to which the headquarters of the Commission were established at the Society's building, the facilities of the building were placed at the disposal of the Commission, and an agreement was reached, with the consent of the Governor's Office, that the collections of the Commission should be lodged in the library of the Society. The Ohio State University also co-operated with the Commission to the extent of releasing

the Chairman from one-half of his teaching duties during the second semester of the year 1917-1918 and of assisting in providing office supplies.

At the outset the Commission decided that it would endeavor to build up a great centralized collection of war records of all kinds, civilian and military, which would represent the activities of the people of the state with reference to the present war. To explain the scope of the proposed collection a bulletin was published for free distribution to every interested person. Pursuant to the purpose agreed upon, the work of the Commission during the seven months of its existence has consisted of two phases:

(1) The appointment of Chairman of county branches of the Historical Commission. Up to the present time sixty-three County Chairmen have been appointed, besides a special representative in Camp Sherman. It is the business of each County Chairman to collect the documents, reports and other records which show how the war has affected the life of his community in all its aspects. This material he is directed to send to the central office when a sufficient amount had been accumulated.

(2) The collecting of material. A vast amount of Ohio's war records has already been collected and tentatively classified. A detailed enumeration would be out of place here; but perhaps it may be in order to submit a brief characterization of the general classes of material.

a. Pictorial material. The pictorial records of the present war are unique as compared with those of any other war in which the United States has been engaged. The Commission has collected 240 large paper posters and an even greater number of lithographs, representing the many phases of activity of the federal and local governments and of the non-official war service agencies. When proper supplies are obtained for the purpose, all the posters will be mounted on cloth to insure permanent preservation. At the present time sixty-three of them have been so cared for. The R. E. Wagner Co., official photographers at Camp Sherman, have presented the Commission with a large collection of exceptionally fine panoramic views of the camp while the 83rd Division was there. The Commission has acquired two sets of motion picture films, one being the six reel film entitled "The Remaking of a Nation." This film, which is more than a mile in length, was presented by Major General Edwin F. Glenn and depicts a draftee's life at Camp Sherman from the time of his first arrival until he is turned out a finished product. Another item of interest is an autographed photograph of our War President, Woodrow Wilson.

b. Printed material. The printed records of Ohio's part in the war are of many kinds and only a few classes can be mentioned here. The Commission is receiving 139 newspapers representing most of the counties in the state. The newspapers of certain of the leading counties are being bound up; and those from the rural counties are being

clipped for all references to local war activities and the clippings placed in scientifically planned scrapbooks. In addition to newspapers of the ordinary kind the Commission has made a special effort to gather newspapers and magazines printed in camps and elsewhere wherever Ohio soldiers are to be found in large numbers. Besides possessing one of the few absolutely complete files of the Camp Sherman News, the Commission has files of two other papers from Camp Sherman, four papers from Camp Sheridan, three from Wright Field, the Ohio Rainbow Reveille printed "Somewhere in France," and other papers of a similar character.

The many war service instrumentalities which have sprung into existence to meet the needs created by the war have also been responsible for a large crop of printed periodicals and mimeographed publicity matter. As an example of such printed periodicals the Commission has files of the Ohio Food Bulletin, the Lake Division News, and the Central Liberty Loan Committee Bulletin (Cleveland). With reference to publicity material the Commission has established points of contact with practically every governmental or non-governmental war agency in operation in Ohio and is receiving regularly all literature prepared for the use of newspapers, as well as other publications issued.

In order to have a record of how the war has affected the religious and industrial life of the people the Commission is receiving a fairly complete list of the religious periodicals of Ohio and also a representative list of Chamber of Commerce publications, labor newspapers, agricultural periodicals, trade papers, and house (industrial corporation) organs. The collection of the Commission contains much other printed material of a varied character which reflects religious and economic activities within the state in their relationship to the war.

The racial contributions of Ohio to the war are represented by collections of German, Slavonic, Roumanian and negro newspapers. Under the supervision of Mr. Carl Wittke of the Ohio State University all references to German-American activities and opinions in connection with the war have been clipped and mounted in scrapbooks; and it is not too much to say that this series of books will hold a unique value for future students of history. One product of the activity of the Commission along this line has been the gift by Mrs. Bertha H. Krauss, Major Gustav Hirsch and Mr. Ralph Hirsch, of Columbus, of 260 bound volumes of the EXPRESS AND WESTNOTE, covering the important historical period from 1843 down to the present time. Through the agency of the federal authorities in the state the Commission has obtained a number of interesting examples of anti-war propaganda used in Ohio.

c. Written records. The Commission has the substantial nucleus of a collection of soldiers' letters and diaries, the most important acquisition being a collection of several hundred letters received by Prof. Wendell Paddock of the Ohio State University from former students



in many branches of the service. The Commission also possesses a number of patriotic addresses in written or typed form and also some accounts written by public officials of their activity in war service, such as, for instance, the account of the fuel crisis in Ohio during the winter of 1917-1918 written by Mr. E. D. Leach, former Assistant State Fuel Administrator.

d. Emblematical material. This portion of the collection consists of badges and buttons representative of the many branches of war service carried on in the state, of medals presented by counties and municipalities for patriotic service, and of banners and flags symbolic of wartime celebrations or patriotic achievement.

e. Relics. The Commission has made little progress in the collection of relics of the European battle fields, believing that this is a function which can be better performed by the Curator of the Museum. However, the Commission has encouraged the collection of relics and expects to co-operate in every way with the Curator in this work.

However tedious the foregoing enumeration may have seemed, I desire to state again that it is merely suggestive of the work performed and is in no sense a complete statement of it. Surely enough has been said to suggest the vast possibilities of the work in which the Historical Commission is engaged and the solemn responsibility which rests upon the State of Ohio to collect war records which will show our American boys overseas that their splendid work is being appreciated now and being commemorated for all time to come. Ohio has neglected this work in the case of former wars; she is one of the foremost states in this work now and will have no excuse for not carrying it through properly.

Those of you who are skillful in reading between lines have already guessed that such progress as the Historical Commission has already made would have been impossible without the material assistance and wise counsel given to the Commission through the good offices of the Secretary of the Ohio State Archaeological and Historical Society, Dr. E. O. Randall. Such financial aid was indispensable in view of the fact that the Historical Commission was created between sessions of the General Assembly. To Dr. Randall the Commission and the interests represented by the Commission cannot be too grateful. However, it should be evident that the Historical Commission cannot properly accomplish the purposes for which it was created without funds of its own; and as an affiliated branch of the Ohio State Archaeological and Historical Society, I believe that the Society will wish to see that generous provision is made by the General Assembly for the performance of this work.

Among the more pressing needs are the following: An office staff is required for the making and indexing of scrapbooks and for the classification of material as it comes in. Funds are needed for traveling expenses to enable representatives of the Commission to pay necessary visits to Camp Sherman and to all other points where valuable records

can be obtained by someone on the spot. Money is needed for the purchase of certain kinds of war records. Many records may be acquired without purchase, as the account I have read shows, but some exceedingly valuable material can be obtained only through the expenditure of money. I have in mind, for instance, a collection of 1,000 photographs covering many phases of activity of Ohio during the war from 1914 to the present time, which can be acquired only by purchase. The Commission should be in position to offer money for valuable war records when such expenditure is necessary. Another need is either a very large appropriation for binding expenses or else additional equipment for a bindery in the building large enough to bind newspapers, together with the regular employment of a man assigned to this work and to the mounting of posters. The latter arrangement would be the more economical. Finally, may I suggest that the influx of material through the Historical Commission has raised very urgently the question of enlarging the library facilities. My experience has convinced me that the assistant librarian should have a trained cataloguer to assist her and that the present library, already overcrowded before the creation of the Historical Commission, is totally inadequate to house the collections of the Historical Commission. Adequate stack space should immediately be provided by the General Assembly.

Respectfully submitted,

ARTHUR M. SCHLESINGER,  
*Chairman.*

On motion the report was accepted.

MR. RANDALL: Some ten years ago this Society achieved a long cherished ambition. For many years your Secretary, when appearing before the Finance Committees of the House and Senate, advocated an appropriation for a building. Finally, under the administration of good Governor Harmon, and the chairmanship of the Finance Committee of the House of Mr. Harry Goodbread, we received the appropriation which has given us the splendid building we now occupy, and that put us on our feet so that nothing can stop us now. Mr. Goodbread is present. I move that he be invited to come forward and say a few words.

HON. HARRY L. GOODBREAD: Mr. President, I was little anticipating an invitation to make remarks. I came here to be an interested listener—I have been thus far. I feel that I should rather apologize for not having attended some of the meetings since being elected a life member, because I was very

much pleased when I received notice of such election, but other matters have constantly interfered. This is my first opportunity to be with you.

It was perhaps not quite as much a gratification to me as to Dr. Randall to be able to get the appropriation for this building through, but I had become very much interested in the project, and felt my share of gratification. It was not without sore difficulty — our good Governor Harmon was after us constantly to cull that appropriation bill, and I think perhaps on my last consultation with him he said he was not going to tell us where to cut, but said we had got to cut about four hundred thousand dollars out of that bill. There were only two or three buildings in the bill, but we saved this one. I thank you for having called on me. (Applause).

PRESIDENT WRIGHT: State Auditor Donahey assures me that the financial management of this Society is more satisfactory than any other institution in the state.

Mr. Cole then read the report of the committee on

#### SERPENT MOUND.

as follows:

The general conditions at the Park have been, in the main, satisfactory, though a lack of funds has prevented the making of some necessary improvements.

The great Serpent Effigy has attracted a large number of visitors — more than six thousand having registered, while a large number do not care to register. It is quite within the bounds of probability to say that more than eight thousand persons have visited the Park during the past year.

While the committee is still working out the scheme of reforesting the plateau, thus justifying more fully the name "Park" we have been obliged to be content with having our Custodian do what he can in transplanting native trees from the neighboring forests. Within the past two or three years we have been able to set about 200 trees.

The committee last year asked an appropriation of \$500 for the purpose of building a shelter house for the protection and comfort of visitors to the Park. By dint of hard work we got \$200 appropriated by the legislature. After a good deal of planning and combining with this some of the funds for the general upkeep, the committee was able to build a substantial structure, 20 x 40 feet, and to put it in shape for use.

Your committee believing that much good might be done, and greater local interest awakened in archaeological study by establishing a Museum at the Park, without in any way interfering with the shelter house idea, we have partitioned off twenty feet of the building and installed a Museum, using some cases that came into the possession of the Society through the purchase of the Graham Brothers' collections.

The results of this branch Museum have amply justified the experiment, as the collection has been very largely examined by the numerous visitors at the Park during the past year.

During the year our Custodian, Mr. Guy Wallace, has been called to the colors, and his younger brother, Denver, has been appointed to succeed him. As Denver will be twenty-one years of age in December, it is possible that he may also be called, which might make it necessary for the Society to appoint another Custodian.

As to the future, your committee is very much in need of funds to complete the shelter house and enlarge the Museum, to increase the water supply at the Park by the improvement of the two springs on the grounds; to improve the road leading up from the public highway to the plateau, besides for the general upkeep of the Park, and it is urged that the Finance Committee make a strong plea to the legislature to make the necessary appropriation of funds to provide these necessary improvements.

Respectfully submitted,

W. H. COLE,  
*Chairman.*

The Committee on Nomination of Trustees, appointed by the president reported that they recommended the election of George F. Bareis, Canal Winchester, and E. F. Wood, Columbus, to succeed themselves, and Beman G. Dawes, Marietta. On motion, duly seconded, the action of the committee was approved, and Messrs, Bareis, Wood and Dawes were elected for the term of three years.

Mr. Prince then read the report of the committee on

#### FORT ANCIENT,

as follows:

Your committee on Fort Ancient met at the Fort on the 29th of March, last. Sec'y. E. O. Randall and Curator W. C. Mills were also present.

The principal object of the meeting was to prepare for the erection of stone posts at the entrance to the Fort, with suitable gate. A new location for the entrance was also planned.

The chairman was directed to secure bids for the above named purpose. In the latter part of last year a sufficient number of boulders were secured for the posts.

To find a mason of the required skill for the contemplated work was not an easy matter. Finally Mr. Thomas A. Denley, of Yellow Springs, was secured, who during the first of August erected the posts and installed the gates. At the completion of the work the committee was called to accept the same, if satisfactory, but only Dr. J. M. Dunham and the chairman were present. We were well pleased with the appearance and workmanship of the posts.

The expense of the gateway so far is as follows:

|                            |          |
|----------------------------|----------|
| Boulders .....             | \$35 10  |
| Erection of the Posts..... | 186 00   |
| Gates .....                | 40 00    |
| Freight .....              | 78       |
|                            | <hr/>    |
|                            | \$261 88 |

These bills have been paid.

At the meeting in March rules were adopted regulating the time for opening and closing the gates.

From the boulders that were gathered for the erection of the posts, there are almost enough left to build the contemplated wings. A load or two of larger boulders will be all that is needed. Our next appropriation from the state should contemplate this addition. A larger sum for repairs is also needed, also enough funds for making the new roadway from the new entrance to the present roadway through the Fort.

B. F. PRINCE, *Chairman*.

Mr. Randall stated that the Committee on Civil War History, of which Col. Curry is chairman, had no written report, but as Col. Curry was present he would make an oral report.

CIVIL WAR HISTORY.

COL. CURRY: Mr. President, as perhaps you are all aware, there has been no appropriation since last December, or any salary, or stenographer; but I have continued the work on my own motion, to collect material for this purpose, and have only been off on vacation the month of July. I propose to continue this work, although without any salary and without funds for stenographic help. I might say in addition to the general history, in which work I have a great deal of correspondence with

the War Department, that I have taken up correspondence with counties. That has never been done before. Of course, we have some county histories, but they are unsatisfactory. I am in correspondence with seventy counties, and in some counties stenographers have to be paid. I am continuing that work and propose to continue it if I am spared, although there has been no appropriation since last December for salary or stenographer. Of course, the greatest embarrassment is the lack of a stenographer, as I have any amount of material. I have been collecting, not only in this place, but for years before, when I was assistant adjutant general under McKinley. Of course I have been interrupted a great deal; having been appointed on the Administrative Board for Patriotic Service by the Governor, the students at the University after that considered this a recruiting station, and I might say with a little pride that one of the prominent National Guard officers of Ohio has stated I have done more than any one citizen to induce men to enlist.

#### SPIEGEL GROVE.

Shortly after the annual meeting last year Colonel and Mrs. Hayes left for service abroad, Mrs. Hayes going into the Red Cross work at Paris and Colonel Hayes now being upon General Pershing's staff as Regional Director of Labor. As a result, the residence at Fremont has been closed during the greater part of the year.

Members of the committee have visited Fremont at different times, and on September 20th, President Wright and I went to Fremont and inspected the Museum, residence and grounds. We found conditions, on the whole, excellent and the property and grounds are in as good condition as when Colonel Hayes was resident there. Their absence, however, has necessitated a practical closing of the homestead during the year. The caretakers are living there but, except at intervals, it has not seemed practicable to permit public visiting. Regular admission hours are maintained at the Museum and during the past summer 1757 visitors have registered there.

Last spring an inventory of the property was made by Mr. Mills, which is referred to and included in the treasurer's report. At that time he found that the water running down from the dome and frost during the winter had broken the mortar and the stone had been blackened to quite an extent. In one or two places the water had leaked through into the building. Report was made and Mr. Schaus, one of the trustees of the Society, went up and looked over the building. He reported that there was but one remedy and that was to provide down spouting that

would drain the water away from the building, and this has been done at the very low expense of \$62.00. Had conditions been allowed to go on through the winter, it is likely that serious damage to the dome and building would have been done.

Progress is being made upon the transcription of President Hayes' diaries, which was authorized by the Society a year ago, and report upon that and other matters we understand will be covered by Mr. Randall's report upon the general activities of the Society. The fifty-six cases in the Museum have been catalogued during the year, giving in detail every item exhibited, and an inspection of the catalogue convinces one of the immense value of the collection there on exhibition.

At the time of President Wright's and my visit to Fremont we were much impressed with the service flags which are hung in the Museum building. There is one flag with four stars, representing the four sons of Birchard Hayes, and three other flags with one star each, representing Mrs. Hayes and the sons of Mrs. Fannie Hayes Smith and Rutherford B. Hayes. With characteristic modesty there is no flag or star representing Colonel Hayes, though just before our visit President Wright had a letter from him dated at Fez, Morocco, where he had proceeded upon a mission from General Pershing.

One thing that impressed us, and the committee desire to recommend, is that there should be placed upon the Spiegel Grove Committee some person resident in Fremont, aside from Colonel Hayes. This is very important at the present time, when he is away, and the Society should be assured that there is someone in Fremont with judgment and discretion who can and will keep in daily or weekly touch with the premises and affairs of the Society there.

Respectfully submitted,

F. W. TREADWAY,  
*Acting Chairman.*

LOGAN ELM.

Mr. Frank Tallmadge, chairman of the Logan Elm Committee, being unavoidably absent, Mrs. Howard Jones, second member of the committee, was called upon for a report. She made a verbal and impromptu statement of the history, in brief, of the securing of the property, to the effect that Mr. Frank Tallmadge had first attempted to purchase, or cause to be purchased, the park, but having failed in that turned the effort over to the Pickaway County Historical Society, of which she was the President. She succeeded in securing, through Miss Elizabeth Ruggles, the funds for the purchase of the park, the title of which was placed in the Ohio State Archaeological and His-

torical Society. This is all fully recorded in the previous minutes of the latter Society. Mrs. Jones recited the work done by the Cresaps in erecting a monument upon which were placed two tablets, one recording the event of Dunmore's Treaty, with a list of the leading participants in that Treaty; the other giving a statement of the participation by the Cresaps in the Treaty, and the statement that Logan, in his speech, was mistaken in attributing the murder of his family to Michael Cresap. She also mentioned the securing of the cabin, an original one, which was purchased by the State Society and re-erected upon the grounds of the Park. She said that a surprising number of people visit the place every day, and that it had become widely known and a favorite resort not only for people from that vicinity, but from all parts of this country. She alluded to the fact that, of course, history has exonerated Cresap personally of the charge made against him, but that Logan felt aggrieved over his treatment by the white people, that he would not participate in the treaty. She stated that there was quite a strong sentiment locally, to the effect that the erection of the so-called Cresap Monument might have been elsewhere, rather than on the Park, as the Park itself was for the commemoration of Logan's speech, originally read under the tree; that the Cresap Society had offered to the local committee the privilege of placing on the same monument another tablet, reciting Logan's speech, but that was not met with approval by the members of the local Logan Elm Committee; the people in the vicinity of Logan Elm Park were engaged in the effort to raise a fund for the purpose of erecting a separate monument to Logan, which would perpetuate his famous speech. Messrs. J. T. Sharp and John A. Wilson represented that committee, and had secured by subscription some twelve hundred dollars, and had already contracted for a monument and plans were drawn for the monument, which plans would be exhibited at this meeting.

Mr. Wilson then exhibited the drawing for the monument, and made a brief statement as to the work of his committee. He seemed to be in some doubt about the authority of the Society to grant the privilege to them for the erection of this monument, and there had been some misunderstanding as



to who had authority to grant such privilege. They had secured Mr. A. P. Barnhart, of Chillicothe, to furnish the monument. It only remained, then, for the proper parties to select the site.

Mr. J. S. Roof, another member of the Logan Elm Committee, made brief remarks, criticising some of the names which had been placed upon the Cresap monument. He thought that no monument should be erected in the Park, except a monument to Logan.

Secretary Randall stated there had been some misunderstanding between the Society's Logan Elm Committee and the local Logan Elm Committee, which was entirely unnecessary; the Cresaps were the first ones to take an interest in the Park after it was secured, and had spent several hundred dollars in the erection of their monument, and the improvement of the Park, which had been done with the full knowledge and approval of the Trustees of the State Society. As to the proposition of the local Logan Elm Committee, nearly two years ago, in answer to a written petition from Messrs. Sharp and Wilson, the Trustees, or the Executive Committee of the Trustees, had granted them permission to erect such monument, subject to the approval of the plans and designs and location by the State Society, and twice within the last two years the Secretary has written them, officially, that consent, and there was no opportunity for any misunderstanding between them and the Society. The Society was greatly pleased at this proposition, and had expressed, time and again, its willingness to co-operate. All parties have been given full credit by the Society, first, Mrs. Jones for securing the property; second, the Cresaps for erecting their monument; and third, the local Committee for its efforts thus far in the project of erecting a monument to Logan, and it was hoped that the latter would be perfected without further delay. The Secretary added, facetiously, that there was no necessity for a repetition of the Cresap War, which originally occurred a century and a half ago. It is well known that history repeats itself but some times an encore is superfluous.

The Cresap monument adds to the interest of the Park; a monument to Logan will complete the historic record and the proper justice to Logan; there should be another monument, one

to Cornstalk, whose headquarters for years were nearby, who was the chief Indian at the treaty and who was one of the noblest and most influential chiefs in Ohio history.

This closed the proceedings of the Annual Meeting, and upon motion it was adjourned.

#### ANNUAL MEETING OF THE TRUSTEES.

SOCIETY BUILDING,  
SEPTEMBER 25, 1918.

Present: Messrs. Wright, Campbell, Randall, Wood, Prince, Ryan, Bareis, Moore, Treadway, Schaus and Cole.

Absent: Messrs. Thompson, Hayes, Buck and Palmer.

The meeting was called to order by President Wright.

Secretary Randall read the minutes of the last annual meeting, which were approved as read.

#### ELECTION OF OFFICERS.

MR. RANDALL: In view of the President's statement declining election to the presidency for another term, and as we wish to retain him in the capacity of counsellor, I move that Dr. Wright be elected President Emeritus of this Society. The motion was seconded and unanimously carried.

DR. WRIGHT: I thank you very much for this honor.

Mr. Ryan nominated Hon. James E. Campbell for the position of President. The election was made unanimous.

GOVERNOR CAMPBELL: I haven't anything to say, except that I am perfectly aware that I have not anything like the experience or knowledge of archaeology and local history that my predecessor has, but I will try to imitate him. I'll try to be a near-president, as it were. I thank you for the compliment, and assure you I will draw my "salary" with commendable promptness!

The remaining officers elected were:

George F. Bareis First Vice President.

Daniel J. Ryan Second Vice President.

Emilius O. Randall Secretary.\*  
Edwin F. Wood Treasurer.  
William C. Mills Curator.

PRESIDENT CAMPBELL: There are a number of standing committees to be appointed. It has been customary to permit the President to take that under consideration and appoint them subsequently.

The incumbent officers and employes were retained for the coming year, caretakers, bookkeepers and all.

MR. WOOD: I think it would be well for this Board to refer the preparation of the coming legislative budget to the Finance Committee, and recommend an endeavor to secure an advance in pay for the employes. I make that in the form of a motion. Seconded. Carried.

On motion of Secretary Randall a resolution was offered:

"That this Board of Trustees affirm the previous action of the Society in granting permission to the local Logan Elm Committee to erect a monument in Logan Elm Park, subject to the approval of the plans and designs by the Logan Elm Committee of this Society, and that the site of such monument be located by the joint action of the Logan Elm Committee of this Society and the local Logan Elm Committee."

MR. WOOD: I move that the Secretary be requested to forward a copy of the resolution just adopted to the local Logan Elm Committee, at once, for their guidance and information. Carried.

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\*During the proceedings of the Annual Meeting Secretary Randall was frequently designated as "Doctor," in acknowledgment of the fact that on June 20th (1918) Ohio University, Athens, conferred upon him the honorary title of Doctor of Laws, LL. D. This title was bestowed, as President Alston Ellis stated, at the commencement proceedings, in recognition of Mr. Randall's service to the state and the public in the line of historical research and authorship, especially as to Ohio, and also in the legal field as writer of legal text books, professor of Law, and official reporter of the Ohio Supreme Court. Mr. Randall had formerly received the degrees of Ph. B., in course, at Cornell University; of LL. B. and LL. M., in course from Ohio State University.

MR. WOOD: Mr. Treadway referred to the fact that there were some service flags in the Memorial Building at Fremont, containing stars, but that no star appears for Col. Hayes. We know now that Col. Hayes is engaged in war work, and as stated, I also received a card from Fez, Morocco, where he is sent as Agent for Labor. It seems to me that the Society ought to see that one is placed there, and I move that the Committee on Spiegel Grove be requested to see that a proper service star appears on the flag, for Col. Hayes. Carried.

PRESIDENT WRIGHT: The lady who gave the money for the purchase of Logan Elm is still living. It would seem to me we ought to make her a life member.

MR. RANDALL: That is Miss Elizabeth Ruggles.

MR. RYAN: I move that Miss Elizabeth Ruggles be elected, and be sent a certificate of life membership. Carried.

MR. TREADWAY: I move that it is also the sense of this Board that there be created an honorary life membership, and that the fee be fixed at one hundred dollars. I believe there are a lot of wealthy men in this state — who, if asked to do it, would be willing to put down one hundred dollars.

MR. WOOD: I notice that the constitution as now printed refers to an executive committee. I would like to remind the Board that, since the reduction of the Board to fifteen the executive committee has been abolished. I, therefore, request that the Secretary be requested to have new copies of the constitution printed, and authorize him to strike out the words "executive committee" wherever they appear, and insert in lieu thereof "Board of Trustees." The motion was carried.

In accordance with the election just held the officers of the Society for the ensuing year, 1919, are as follows:

- President Emeritus, G. Frederick Wright, Oberlin.
- President, Hon. James E. Campbell, Columbus.
- First Vice President, George F. Bareis, Canal Winchester.
- Second Vice President, Hon. Daniel J. Ryan, Columbus.
- Secretary, Hon. E. O. Randall, Columbus.
- Treasurer, E. F. Wood, Columbus.
- Curator, W. C. Mills, Columbus.

TRUSTEES.

Elected by the Society.

Terms expire as indicated.

|   |                |
|---|----------------|
| L. P. Schaus, Columbus.....             | February, 1919 |
| D. J. Ryan, Columbus.....               | February, 1919 |
| F. W. Treadway, Cleveland.....          | February, 1919 |
| G. F. Wright, Oberlin.....              | February, 1920 |
| W. O. Thompson, Columbus.....           | February, 1920 |
| Webb C. Hayes, Fremont.....             | February, 1920 |
| George F. Bareis, Canal Winchester..... | February, 1921 |
| E. F. Wood, Columbus.....               | February, 1921 |
| Beman G. Dawes, Columbus.....           | February, 1921 |

Appointed by the Governor.

Terms expire as indicated.

|                                   |                |
|-----------------------------------|----------------|
| William F. Palmer, Cleveland..... | February, 1919 |
| James E. Campbell, Columbus.....  | February, 1919 |
| E. O. Randall Columbus.....       | February, 1920 |
| B. F. Prince, Springfield.....    | February, 1920 |
| Waldo G. Moore, Lewisburg.....    | February, 1921 |
| W. H. Cole, Sabina.....           | February, 1921 |

STANDING COMMITTEES.

1918-1919.

FINANCE: Messrs. James E. Campbell, L. P. Schaus, Daniel J. Ryan, George F. Bareis and E. F. Wood.

PUBLICATIONS: Messrs. Daniel J. Ryan, E. F. Wood and E. O. Randall.

MUSEUM: Messrs. W. C. Mills, George F. Bareis, Dr. J. M. Henderson, Almer Hegler, T. D. Hills and Harry L. Goodbread.

LIBRARY: Messrs. E. O. Randall, Daniel J. Ryan, H. C. Hockett, A. M. Schlesinger and W. H. Seibert.

HISTORICAL SITES: Messrs. C. Frederick Wright, Byron R. Long, F. H. Darby.

SPIEGEL GROVE: Messrs. F. W. Treadway, Webb C. Hayes, Daniel J. Ryan, W. J. Sherman and Irvin T. Fangboner.

FORT ANCIENT: Messrs. B. F. Prince, W. C. Moore, J. M. Dunham and H. C. Shetrone.

LOGAN ELM PARK: Mr. Frank Tallmadge, Mrs. Dr. Howard Jones, Messrs. H. J. Booth, J. S. Roof and O. F. Miller.

SERPENT MOUND: Messrs. W. H. Cole and W. C. Mills.

BIG BOTTOM PARK: Messrs. C. W. Justice and C. L. Bozman.

HARRISON MEMORIAL: Messrs. James E. Campbell, Daniel J. Ryan and E. O. Randall.

FORT MIAMI, FORT MEIGS AND FALLEN TIMBERS: Messrs. W. J. Sherman, G. Frederick Wright and F. W. Treadway.

WARREN COUNTY SERPENT MOUND: Messrs. G. Frederick Wright, F. H. Darby and Charles H. Hough.

FORT LAURENS: Messrs. Byron R. Long, W. L. Curry and E. O. Randall.

CAMPUS MARTIUS: Messrs. Wm. W. Mills, E. O. Randall and L. P. Schaus.

GREAT WAR HISTORY: Messrs. A. M. Schlesinger, W. L. Curry and H. C. Hockett.

## INDEX TO VOLUME XXVII.

### EXPLANATORY NOTE.

With the exception of a few pages, Volume Twenty-six is made up of two articles, "History of Educational Legislation in Ohio," by Prof. Miller, and "The Indians in Ohio," by H. C. Shetrone. These articles are so foreign to each other that few of the subjects treated are identical; hence an index covering both would possess no special advantage. Besides, these articles are of such value in themselves that there will be undoubtedly a demand for their publication separately. In this event each should have its own index, which would prove a great advantage to those interested in either subject and no real disadvantage to the general reader.

Accordingly, the index comprises three parts: First, a general index for such small part of the contents not contained in the two articles; second, index to Prof. Miller's article; third, index to Mr. Shetrone's article.

C. L. M.

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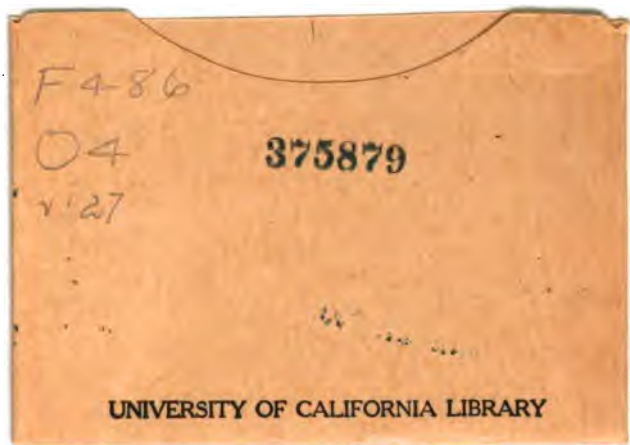
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