THE UNDERGROUND RAILROAD

IN

SOUTH CENTRAL OHIO

A Thesis Presented for the
Degree of Master of Arts

by

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Chapter I.

Some Aspects of the Underground Railroad.

The Underground Railroad, contrary to misinformation, was neither under the ground, nor was it a railway. Rather it was a secret system or method of passing fugitive slaves from one abolitionist centre to another, generally at night, to aid them in their escape from their masters to some place of safety in the Northern states, but more especially in Canada. The slaves could flee to the free states and remain in some friendly locality for a time, but they were continually in danger of being seized and carried back to their masters. Hence by far the greater number became sooner or later permanent residents in the Dominion.¹ Those traveling through the New England states usually went to Montreal or to St. Johns, at the head of Lake Champlain; those passing through New York crossed the Niagara River to St. Catherines or some neighboring place; while those who journeyed through the states farther west went by boat from some lake port or crossed the Detroit River into "the promised land."

The origin of the term Underground Railroad is rather uncertain. There are several traditional accounts of how it came into use but these are not entirely satisfactory. According to one of these, a negro, Tice Davids, escaping from his master in Kentucky in 1831, was closely pursued when he reached the Ohio River opposite Ripley in Brown county. In order to avoid capture, the fugitive leaped into the river and swam across. His master lost some valuable time in finding a skiff, and when he landed on the Ohio shore a little later his quarry had mysteriously disappeared. After a hurried hunt in which he found not the slightest trace of the fugitive, he exclaimed in bewilderment, "that nigger must have gone off on an underground road." The aptness of the expression caused it to become current in that section, and it soon spread to others. With the development of steam travel, the term naturally became the "Underground Railroad." This seems to be the earliest and most probable explanation of the origin of the term.2

Another story is to the effect that a slave escaping from his masters to Southeastern Pennsylvania could usually be traced to Columbia without much difficulty, but there all traces were invariably lost. A baffled pursuer

on one occasion declared that "there must be an underground railroad somewhere," and this expression soon became common in that section and later spread elsewhere. Since the date assigned to this story was much earlier than the building of railroads in this country, it can only be regarded with probability.\(^3\)

The Ohio River, flowing in many curves along the southern border of Ohio, was the first great objective of the slaves escaping from the states to the southward. Once across the river, they were not only in free territory but had placed that river between themselves and their pursuers. More important than this, they were in a region where they usually could find both white and colored citizens who sympathized with their effort to escape. There were numerous points along this river through which branches of the Underground Railroad passed to the interior of the state and on northward. The most important of these points of entry in the central section of Ohio were Point Pleasant, Gallipolis, Burlington, Proctorville, Ironton, Hanging Rock, Wheelersburg, and Portsmouth.

A perfect network of branches of the Underground Railroad led from these places on up through the central counties. From some of these points the branches extended for a distance and then divided and subdivided, making it

\(^3\) Galbreath, Hist. of Ohio, II, p. 213.
very difficult to trace the courses accurately. In the northeastern part of the state, where the Quakers and New England settlers were numerous, there were many branches of the system. In the southwestern portion northeast of Cincinnati, where there were many Quaker pioneers, the same condition is evident. These branches led northward, to the shore of Lake Erie. The main ports reached by these branches were Conneaut, Ashtabula, Painesville, Cleveland, Lorain, Sandusky and Toledo. 4

From the Lake Erie shore the fugitive found passage by boat to Buffalo, Port Burwell, Port Stanley, Pelee's Point, and Detroit. These towns, with the exception of Buffalo and Detroit, were in Canada and those two were so close to the Dominion that the fugitives, once arriving there, were virtually at the end of their journey to Canada and freedom. 5

Wherever in Ohio were found Scotch Covenanters, Wesleyan Methodists, New England Congregationalists, Quakers, or communities of free colored people, there the trembling fugitive was sure to find the care and assistance he needed. The waiting rooms were empty hogsheads in old warehouses, lofts


5 Ibid.
over wagon-shops, belfries of churches, cellars whose entrances were trap-doors, haystacks, and the like. A German couple fitted up a snug little room back of their brick bake-oven. Near Zanesville a farmer had a wheat bin built in the centre of his barn, which looked like a huge square box. Slave hunters even poked their sticks into the wheat without discovering that the inside of the bin was made flaring, and that at the very time they were searching a dozen negroes were standing erect underneath the barn in the space left between the perpendicular outside wall and the flaring inside wall.

Great secrecy was always maintained, and seldom more than two or three persons at any station had any knowledge of the transfer of passengers. Farmers, preachers, merchants, carpenters, and men of various other occupations aided in the work, representing all shades of religious belief and various shades of political belief. Even democrats were known to furnish food and shelter to fleeing slaves, while at the same time denouncing the practice and the abolitionists, and yet the utmost harmony prevailed, because all were bound together by their sympathy for humanity and their belief in right and God. Still more remarkable, there is not a case on record of a runaway being betrayed by the agents of the road, who were conscience-bound to assist the refugees in every way in their power. The means of
transportation were varied. Private carriages, stage-coaches, farm-wagons, and even railroad coaches were frequently used. In various localities the operators had their connections with water-travel through the masters of steamboats, canalboats and ferryboats.6

A conservative estimate of the number of slaves that escaped through Ohio prior to the Civil War places the total at not less than 40,000. In all probability the number was much larger than that.7

The property loss to the South was greater, however, than the value of the escaping slaves. The insecurity of such property lowered the money value of those slaves who made no effort to escape. Especially was this true in the border states, where the loss thus occasioned was very great.

The moral effect of the Underground Railroad cannot be estimated in dollars and cents. It was a source of continual agitation in Ohio as well as in the other Northern states. Peaceable, law abiding citizens, who had no sympathy with slavery or with abolitionists, were not infrequently reminded right at home of the sad lot of the slave making a desperate effort to escape from bondage in a land dedicated to the proposition that all men are created free and equal. Such citizens were rudely

7 Siebert, The Underground Railroad, p. 346; Galbreath, Hist, of Ohio, II, p. 216.
brought face to face with the fact that while they might let slavery alone, slavery would not let them alone. Every rescue case made converts to the anti-slavery cause.

The suggestion that the Underground Railroad was "a safety value for slavery," that it helped to rid the South of the spirited and insubordinate slaves who were a source of trouble to their masters and potential leaders of servile insurrections, is perhaps worthy of consideration, but it certainly never appealed to slaveholders.

The feeling of the South toward those who were aiding slaves to escape can readily be understood. Believing that they had a right to their human chattels, they regarded the systematic efforts of those who would deprive them of this right without due process of law as rascals and thieves. The law was on their side. From the foundation of the government the constitution and certain laws had provided for the return of slaves to their masters. The directors of the Underground Railroad were violators of the law of the land and the nullifiers of the constitutional mandates. The answer of these believers in freedom to the charge was an appeal to the Declaration of Independence and the "higher law" that requires all men "to remember those in bonds as bound with them."

Had it been possible to enforce strictly the fugitive slave laws, the attempted secession of the Southern states would have been long postponed. The Underground Rail-
road was the chief agency that prevented such enforce-
ment and thereby helped greatly to precipitate secess-
ion and the Civil War. The activities of the Underground
Railroad in Ohio are of great historic interest and
national importance, since Ohio played a greater role than
any other state in the enterprise. 8

8 Siebert, The Underground Railroad, p.346; Galbreath, Hist.
of Ohio, II, p.216.
Chapter II.

The Fugitive Slave Laws.

In the constitutional convention at Philadelphia, in 1789, the Northern members felt obliged to make a concession to the South in regard to slavery. Accordingly, a provision was made for the recovery of fugitives in article IV, section 2, as follows: "No person held to service or labor in one state under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due." The vote on this article was unanimous, showing that it was acceptable to all parties concerned.¹

This provision of the constitution was not operative for several years. In 1791, the subject was brought to the attention of the public by the kidnapping of a slave in Washington, Pennsylvania. In order to give effect to the constitutional provision, Congress, in 1793, passed the first fugitive slave law. By this enactment the owner, his agent or attorney, was empowered to seize the

fugitive and take him before a United States circuit or district judge, or any county magistrate where the arrest was made. The owner was required to testify that the negro owed service to him, or to present an affidavit from a magistrate in the state from which he came. A warrant was then secured by the owner for removing the runaway to the state from which he had fled. A fine of $500. was imposed on anyone who hindered the arrest of the fugitive, or who rescued or harbored him after notice had been given that the person was a fugitive from labor.  

The operation of this law was never very effective, and various attempts at amendment were made by Congress, the first in 1796 and at intervals to 1850. In order to satisfy the complaints of the Southern states, several Northern states also passed fugitive slave laws. The laws passed by Pennsylvania and Ohio were the most important of these. Here, we are only concerned with the latter.  

In urging her claims for the rendition of fugitive slaves Kentucky became insistent. She sent a delegation to Columbus and boldly suggested the enactment of a law that would make it more difficult for slaves to escape into Ohio and thus put a more efficient brake on the "car of emancipation" running on the Underground Railroad. The delegation

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2 Siebert, The Underground Railroad, pp. 21, 22.
3 Ibid., p. 22.
found the Ohio Legislature pliant and disposed to yield to their wishes.

On February 28, 1839, only a little more than a month after the visit from the Kentucky delegation, the General Assembly enacted the fugitive slave law of 1839. The excuses for this act were set forth in the preamble which read as follows:

"Whereas, The United States Constitution states that no fugitive from labor shall escape from the service due, and,
"Whereas, The laws of Ohio are inadequate to carry out such provisions, and,
"Whereas, Those reaping the benefits of the United States Constitution are in duty bound to fulfill the obligations imposed upon them by that instrument, and,
"Whereas, It is the deliberate conviction of this General Assembly that the Constitution can only be sustained, as it was formed, by a spirit of just compromise, therefore-

Then followed the provisions of the law:

1. It was made the duty of any judge, justice of the peace or mayor of a municipal corporation, on application of a slave owner or his agent, to issue a warrant to any sheriff directing him to arrest the fugitive and bring him for trial before any judge of the county in which he should be arrested. If the claimant could satisfy the court that he had a legal right to the slave than a certificate should be forthwith issued for his removal from the state.
2. Any one preventing or hindering the execution of such warrant or aiding in the rescue or escape of a slave was liable to a fine of not exceeding $500 and imprisonment for not to exceed sixty days.

3. The same penalty was imposed upon anyone who would entice, advise or aid in any way a slave to escape.

The law gave wide discretion to the master in selecting the magistrate from whom to ask the warrant. If one magistrate should refuse to issue it, application could be made to others until he succeeded in getting the warrant.\(^4\)

However, this and other laws enacted by the Northern states were not successful in strengthening the fugitive slave law of 1793. The abolitionist sentiment in these states had begun to gather headway soon after 1830 and continued to increase steadily until the Civil War. By 1850 the North was well netted over with branches of the Underground Railroad. The activities of the system were then at their height, and the South was making loud protests on account of its enormous losses of slave property.

It was also clamoring for a more effective measure for the return of its fugitives. To meet this demand the fugitive slave law of 1850 was incorporated as part of the Compromise of that year. The new law provided that a certificate for the arrest and removal of a fugitive slave could

be secured by the claimant from the United States commissioner, the courts, or the judge of the proper circuit, district or county. The fugitive could be brought before the commissioner or other official by the claimant if the arrest were made without process and the case determined there. If a United States marshal or his deputies refused to execute a commissioner's certificate, he was liable to a fine of $1,000. The marshal was also responsible for the value of the slave if he failed to prevent the escape of the negro after arrest. The commissioner or his deputies could summon any citizen of a county to assist in capturing the fugitive slaves. The testimony of the negro was not accepted as evidence. An affidavit of the claimant was sufficient to determine ownership, and the certificate then issued by the commissioner protected him from all molestation by any process issued by any court, judge, magistrate or other person. Any act meant to obstruct the claimant in his arrest of the fugitive, or any attempt to rescue, harbor or conceal the fugitive, made the guilty person liable to a fine not exceeding $1,000, and imprisonment not exceeding six months. Moreover such a person was liable for civil damages to the party injured in the sum of $1,000 for each fugitive so lost. The commissioner was paid a fee of ten dollars for his service in the cases which were brought before him. However, if the fugitive was discharged,
he was to receive only five dollars.

The fugitive slave law of 1850 was for the most part based on the law of 1793. However, it contained features which were meant to prevent the evasions that had been practiced under that law. The new features were insisted upon by the South as a part of the compromise. A large number of the people in the North considered the new law to be an invasion of their personal rights and were willing to take hazards to break it. Despite the severe penalties provided for offenders of the law, the work of aiding fugitive slaves in their escape increased. The new law proved to be an incentive rather than a deterrent. 5

Chapter III

Opinion's relating to the Fugitive Slave Laws.

Abolitionist sentiment did not begin to manifest itself in the Northern states in any marked way until about 1830. Before that time the spirit of liberty seemed to be paralyzed. Despite the concessions made to the slave interests in the constitution of the United States, the prevailing opinion of the people in the North was that the radical principles of human liberty announced in the Declaration of Independence would ultimately triumph. The general disposition was to be tolerant and patient, and slavery would run its course.

By 1830 it was becoming evident that slavery was getting firmly established as an institution and had become the foundation of the economic, social and political life of the Southern people. The evils of the system were no longer admitted by the section below Mason and Dixon's line; instead, the benefits were insisted upon and the system was defended.

About the same time a change of sentiment was noticeable in the North, due to the growing conviction that slavery was morally wrong. Some Southerners had emigrated to Ohio, Illinois and other Western states to get
away from the evils of slavery and many New Englanders clung tenaciously to the principles enunciated in the Declaration of Independence. These principles were applied to the holding of slaves by certain courageous individuals in the early decades of the nineteenth century, namely, the Quaker Benjamin Lundy, the Presbyterian clergyman John Rankin, and the agitator William Lloyd Garrison, all of whom advocated immediate emancipation and justified on scriptural grounds. Furthermore these men practiced what they preached. Lundy organized some of the earliest lines of the "Underground Railroad" in Illinois; Rankin's house on the hill back of Ripley, Ohio, was a famous station of that road overlooking the Ohio River; and a large closet in Garrison's printing office in Boston was a harboring place for some of the numerous fugitive slaves who reached that city. These early abolitionists attracted to themselves persons of like convictions and made converts among the open-minded. By their writings they stirred the conscience of the North and inculcated their conception of the "higher law", which was to be obeyed in preference to fugitive slave laws. ¹

After 1830 abolitionist sentiment developed rapidly in the North, as shown by the origin of anti-slavery societies in a great number of communities, until by 1850 it had become very strong. The agitation was increased by

¹ Mead, Ohio Church Soc. Papers, II, 33-34.
the repeated protests of Southern congressmen and senators against the losses sustained by slave owners of their human chattels through escape and abduction. Another phase of the agitation is to be seen in the vigorous objections of the Southerners to those laws enacted by the Northern states, including Ohio, which freed such slaves as were brought into those states by their masters. The Southern view was that slave owners traveling through a free state with one or more of their negro servants, or sojourning there for a time, should not be interfered with in their property rights. But the laws of Ohio and other Northern states provided that slavery should not exist there. In those states which had been carved out of the Northwest Territory it will be remembered that slavery had been excluded from the first by the Ordinance of 1787, although that document contained a clause providing for the reclamation of fugitive slaves who had escaped into the territory.2

The Southern planters claimed quite correctly that Northern people did not help them to recapture their runaways. The last paragraph of Sec. 2, Art. IV, of the Constitution of the United States declared that "No person held to service or labor in one State, under the laws thereof, escaping into another, shall in consequence of any law or regulation therein, be discharged from such service, or labor; but shall be delivered up on the claim of the party

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to whom such service or labor may be due." In 1793 Congress had enacted a law authorizing slave owners, their agents or attorneys to seize their fugitive slaves and take them before a United States circuit or district judge within the state where the seizures were made, or before any local magistrate within the county in which the arrests had occurred. The testimony of the claimant, or an affidavit from a magistrate of the state from which he came, must certify that the fugitives owed service as claimed. Having given such proof, the claimant secured a warrant for the removal of the runaways to the state or territory from which they had fled. Any person found guilty of hindering the arrest or of harboring or rescuing the fugitive or fugitives after notice had been given that he or they were runaways, was subject to a fine of $500.3

However, this law proved to be ineffectual in many communities as shown by the attempts made from time to time in Congress from 1796 down to 1850 to amend it. As we are dealing in this paper with a certain section of Ohio, it may be said that the legislature of this state enacted a law in 1839 for the recovery of slaves within its borders, as noted in another chapter.4

3 G. M. Stroud, Sketch of the Laws Relating to Slavery, pp.272-3; Siebert, The Underground Railroad [etc.], pp. 21-22.

4 Siebert, The Underground Railroad [etc.], p. 22.
Two years before the passage of this law the Presbyterians of Ohio in annual synod had been requested to answer the question whether a slave holder could retain "the mystery of the faith in a pure conscience."

The synod went so far as to say that it could "cordially unite in bearing testimony against slavery as practiced in the United States, believing it to be a great sin against God; but it added that it thought "the discussion of this subject at this time by the Synod, is uncalled for and unprofitable to our churches and to the world."

In 1844 a synod was held at Cincinnati in which the question of slavery again came up, "including those unequal and unjust laws which authorize the master to separate families and make merchandise of his slaves for gain." The synod declared all these practices to be "manifestly contrary to the principles of the gospel, and therefore sinful. Nevertheless it held that those members of the Presbyterian Church who stood in the relation of masters to slaves were for the time "under such peculiar circumstances" that they could not be justly charged with sin merely because of this relation."

Concerning the fugitive slave laws enacted by the several Northern states, the United States supreme

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court had declared them unconstitutional, evidently because they provided a legal modus operandi, including a hearing or trial of the claimant’s case. Such proceedings were held to be obstructions to the owner’s right to pursue and capture his slave as he would a stray horse or cow. Such a pronouncement opened wide the gates of opportunity to slave-hunters. They could enter a Northern community and seize negroes living there under the pretense that they were their property. The white residents could not be sure that the claimants were the real owners. They might be kidnappers. This was the argument set forth in a lengthy editorial in the Weekly Ohio State Journal of March 12, 1850. This editorial goes on to state that no doubt many of the people would have willingly aided the negroes to escape, but most of them desired to live up to their constitutional obligations. He might have added if he had known the facts that a widespread system of secret aid to fugitives developed in Ohio and other Northern states from 1815 on by which they could travel in comparative safety to freedom in Canada. The editorial writer states further that the law did not give the slave owner the right to call upon citizens to aid him in reclaiming his slaves. He thinks that no slave holder of any sense or decency would have expected or asked it, that the people of Ohio would not have consented to it, and that if they had been obliged to
aid in captures at the beck of a stranger they would have been little better than slaves themselves. He further argues that when a person was claimed as a runaway he should have been tried, but if he was considered as nothing more than an animal a trial would have been, of course, unnecessary. In the latter case there would have been no more justification for expecting assistance in recovering the fugitives than in the case of strayed domestic animals. In case the seized negro did not happen to be a slave, the seizure would have been an assault and battery, subjecting the claimant and his helpers to the penalties of the law. But to determine the facts would involve the holding of some sort of a trial. At any rate, a good many Northerners were not pleased with the situation, although they might not be required to interfere in behalf of the claimant. But if, as was proposed in the pending fugitive slave law of 1850, to demand the aid of citizens in helping to seize fugitive negroes they might reasonably have the right to know whether they were called upon to do a legal or an illegal act. In this light the editorial writer of the State Journal held that the people of Ohio could not be charged with disregard of the law or with unneighborly conduct. The difficulty lay in the nature of the case and was intrinsic. Slavery was a peculiar institution and gave rise to peculiar difficulties.
In the same newspaper of March 26, 1850, there is editorial comment on the clause of the United States constitution relating to "Fugitives from Labor", quoted in an early paragraph of the present chapter. The writer for the State Journal maintained that that clause was not intended to require the people in a free state to turn slave catchers for the benefit of the South, and that the framers of the constitution had not entertained such ideas. However, it was understood and substantiated by decisions of the state and federal courts that neither an individual nor a government had the right to obstruct in any way the owner in the pursuit of his fugitive slaves. In the Frigg case the United States supreme court decided that it was not the duty of the state officers to deliver slaves to their masters, since those officers were not responsible to the federal government but solely to that of the state. Nor did the law require runaways to be returned by private persons. If, however, an individual had a claimed slave in his possession he was obliged to permit the master to take him without any hindrance or obstruction. If he did not he was violating the constitution and the law and must stand the consequences.

While state officials were exempt from executing the fugitive slave law, all United States officials, such as postmasters, custom house officers, marshals, and others, could be compelled to deliver up fugitive slaves under the law of 1793. Application in such cases could be made to the
judges of the United States courts. The editorial writer of the State Journal questioned the propriety of giving the power of issuing warrants for the removal of fugitives to the federal officials, but he did not question the authority of Congress to bestow it. However, he believed that Congress had the right to prohibit United States justices and constables from returning fugitives under the same law.

The objective of the runaways was Canada, where they knew they were safe because no slave owner could take them from the Dominion. This was not the case in the states north of the Ohio River, which were not free, sovereign and independent in the same sense as a foreign country. In the Northern states the slave holder had a constitutional and legal right to pursue and take his fugitive slave. For this reason runaways could not consider themselves safe until they had passed beyond the northern boundary of the United States.

There was a very widespread opinion in the North early in 1850 that a new fugitive slave law should not be passed by Congress. The passage of such a law would seem to be a triumph for the South over the North. The agitation over the slavery question was already at a high pitch on account of the acquisition of territory from Mexico, and a

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Weekly Ohio State Journal, March 26, 1850.
new law for the reclamation of fugitives would add further cause for dispute.7

The Whig newspapers of the North stated that President Fillmore had serious doubts of the constitutionality of the compromise bill and took the opinion of Attorney-General Crittenden before he signed it. Nevertheless, he was known to have favored some sort of a compromise before the death of President Taylor. The papers supporting Mr. Fillmore took sides with those Whig congressmen who voted for the compromise and denounced those Whigs, Seward's faction, who opposed it. The former were called "national Whigs, while the latter were variously known as "abolition or secessionist Whigs" or "bolters" from their party. Some of the Whig papers announced their opposition to the measure as it stood. As Mr. Webster voted for the compromise, it is not surprising that President Fillmore gave him the highest office in his cabinet. Late in 1850 some Whigs predicted the collapse of their party that was manifest in Tyler's administration.

In the Weekly Ohio State Journal of October 22, 1850, an article voices the fundamental weakness of the constitutional provision for the rendition of escaped

7 Weekly Ohio State Journal, Apr. 30, 1850.
8 Daily Ohio Statesman, Oct. 17, 21, 1850.
slaves, as also of the law of 1793 by admitting that for many years the people of the South had been constantly annoyed by the systematic and, in many instances, successful attempts of the abolitionists to steal away their slaves and conduct them within the borders of the non-slave-holding states. The plain provisions of the constitution were set at naught, and the law of 1793, which was intended to carry out those provisions, proved wholly insufficient to protect the property of the slave owners, or to enable them to recapture their fugitives from service. The open violence indulged in on some occasions to prevent the recapture of slaves, were by no means unimportant elements in the mass of dissatisfaction which Northern fanaticism had engendered in the South. Repeated wrongs called for redress, and accordingly the chairman of the judiciary committee of the United State Senate reported a bill designed to remedy the defects of the old law and to carry out the guarantees of the constitution on this subject early in the session of 1850. After some revisions the bill was enacted by both Houses of Congress and became the fugitive slave law of 1850. In the Senate twenty-seven voted for the bill and twelve voted against it. In the House the vote stood one hundred and nine in the affirmative and seventy-six in the negative.

The new law was much more drastic than the one it supplanted. A certificate authorizing the arrest and removal of a fugitive slave was to be issued to the claimant by the
United States commissioner, courts, or judge of the proper circuit, district, or county. If the arrest was made without legal process the claimant took his chattel before the commissioner or other officials to determine the case in a summary manner. In case a United States marshal or his deputies refused to execute the commissioner's certificate directed to them, they could be fined $1,000. If the marshal failed to prevent the escape of the negro after arrest he became liable for the value of the slave. "All good citizens" were "commanded to aid and assist" the commissioner "in the prompt and efficient execution" of the law. The claimant had only to make affidavit of his ownership, and any person attempting to harbor, conceal, or rescue the fugitive was liable to a fine of not more than $1,000 and imprisonment not exceeding six months. He was also liable for "civil damages to the party injured" in the sum of $1,000 for each fugitive lost through his interference. In case the commissioner issued a warrant for the fugitive's arrest he was entitled to a fee of $10, but if the fugitive was discharged to only half that amount.

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Among the newspapers of central Ohio, one declared the measure manifestly wrong and arbitrary in many of its provisions, not to say unconstitutional, and predicted that the future would abundantly show that its adoption was unwise and injudicious. Another said that it afforded a wide scope for illegitimate kidnapping, as well as for the recapture of fugitive slaves. A third stated that many people in the North considered the passage of the new law an act of mistaken policy, and the act itself oppressive to sympathizers with the fugitives seeking their freedom. In fact, the fugitive slave law did not contribute to "compromise" between the Northern and Southern sections of the United States, but only served to widen the breach between them. The "fire-eaters" of the South, a minority it is true, were openly in favor of the dissolution of the Union because the California and Texas questions were not settled to their satisfaction. President Fillmore, by his support of the compromise, including the new fugitive slave law, divided his party so that the Whigs were left without a guide or compass in the midst of the great excitement. Most of the Free-soilers, especially in Ohio, became as strongly anti-Whig as the Democrats themselves on most of the provisions of the compromise. 10

The opinion gained currency in the North that the writ of habeas corpus was suspended by the new fugitive slave

law, but that was not the case. The writ was not in the least affected by that law. It refers only to the legality of the papers by virtue of which a person is held in custody. In case the officer has the proper warrant or certificate from the one having jurisdiction under the law the writ of habeas corpus is of no more effect than to enable the court issuing it to examine that fact. The judge can only discharge the prisoner from custody when the papers authorizing his being held are not legal or sufficient. 11

At the end of November, 1852, the Weekly Ohio State Journal referred to a slave case in New York which showed some of the intricacies involved in the administration of the fugitive slave law of 1850. A Mr. Lemmon had taken eight slaves from Virginia to New York City for the purpose of embarking for New Orleans and proceeding from thence to Texas. While in New York the chattels were taken under a writ of habeas corpus before Judge Kaine and after a hearing were set at liberty. The constitution of the state of New York declared that slavery and involuntary servitude, except as a punishment for crime, should not exist therein. No other state had the right to interfere with the operation of this provision. The federal constitution and the fugitive slave law of 1850 compelled the recognition of slavery in New York and the other free states only when a negro was claimed as a fugitive slave within their borders. As Mr. Lemmon had

voluntarily brought his slaves to New York, these provisions did not apply. Judge Paine had no option therefore but to free the chattels from Virginia. The law of Ohio and every other free state was the same, except in those instances where by positive statute the master was given the right to take his slaves through the state.\(^{12}\)

An exception to this interpretation was made at Cincinnati in the summer of 1853. A gentleman from Mississippi purchased three slaves in Virginia and put them in the care of an agent to be taken to his plantation. The agent took passage on an Ohio River steamboat and traveled down that stream as far as Cincinnati. His intention was to land the slaves at Covington, Kentucky, across from Cincinnati, but the water was so low on that side that he was forced to land them on the Ohio shore. This fact became known in Cincinnati, and the negroes were taken from the steamboat by virtue of a writ of habeas corpus and brought before Judge Flynn. The judge's decision, which remanded the slaves to the custody of the agent, was made on the ground that the act of disembarking them in Ohio was not voluntary. Hence the case was not one to which could be applied the acknowledged principle that the voluntary bringing of a slave to a free state conferred freedom.\(^{13}\)

\(^{12}\) *Weekly Ohio State Journal*, Nov. 30, 1852.

Many persons in Ohio, as in the other Northern states, opposed slavery as a moral evil. Not a few of them thought it was their duty as citizens and Christians to disregard the fugitive slave law and follow the injunctions of the higher law. Such people were the abolitionists and their fellow-humanitarians who operated the "Underground Railroad." The convictions of this class were the subject of much controversy. Those who opposed them pointed out such notions would be fatal to all law and order. If it was admitted that every person had the right to decide for himself what laws he would obey and what he would not, anarchy and confusion would result.¹⁴

According to the proponents of the higher law, its supremacy over statutes and constitutions was not seriously questioned by any one. The hue and cry raised over Senator Seward's appeal in Congress to a law higher than the constitution was the vociferation by some of his colleagues of their partisan view. If those gentleman had been asked whether their right to their negroes could be destroyed by laws and constitutions they would have upheld the rights of property as superior to legislation. This was their brand of higher law. In the same breath they would have denounced as treasonable the idea that the vastly dearer right of liberty was sacred above laws and constitutions.

¹⁴ Weekly Ohio State Journal, Aug. 19, 1851.
This doctrine of the higher law is ably set forth by an editorial writer in the Weekly Ohio State Journal of January 25, 1859. In his defense of the doctrine at considerable length he maintained that it did not follow that because diversities of opinion existed as to the precise boundary between the provinces of government and the higher law the boundary could not be defined and must be left to every man's conscience. In fact it did not depend upon conscience at all. If it was a law of conscience it could no more be defined than the consciences of men could be brought to a fixed standard. The higher law might have prescribed freedom in the North and slavery in the South, where it was customary to preach the latter as a divine institution. If the higher law could have been made a subject of statutes and constitutions then it would have ceased to exist as a higher law and been enacted as the will of the majority. But it existed independently of government, although not independent of its just exercise. Society might properly lay down certain general and imperative rules for its own preservation. If those could be defined then the precise limit of government and the boundary of the higher law would be reached. The sovereignty of the states is the higher law of the federal constitution; the sovereignty of the individual is the higher law for all government. But government is absolutely necessary to our existence as human beings and extends over everything that is requisite to obtain the object
of the state. In the protection of life, liberty, and
property the sphere of government is supreme. Beyond it is
the sole jurisdiction of the higher law, which declare the
natural rights of man, namely, life, liberty, and pursuit
of happiness. These rights exist independently of, and
supreme over, constitutions and laws, which have only power
to preserve them, not power over them. The just province of
government is perfectly consistent with the highest enjoy-
ment of individual freedom and sovereignty, preserving the
rights of the weak against the encroachments of the strong
and not depriving the latter of any natural rights, for one
man has no natural right to infringe on the liberty and
property of another. If the higher law depends upon the
character of society then it ceases to exist and becomes
merged in the constitution and statutes provided by society.

The higher law exists only on the principle that
there are natural, inherent rights which are supreme over
government. But if there are no such rights, and the govern-
ment is supreme, then there is no higher law. Although some
admit its existence as "the guardian of society against the
usurpations of government," nevertheless they place liberty
entirely in the power of government. If this right is
abandoned by the higher law there would be nothing left under
its jurisdiction. If there are natural human rights not de-
rived from government, and it is admitted that such exist,
then may not government protect them from violation without
acquiring the power to destroy them. If it protects the liberty of the weak from the violence of the strong does it thereby acquire the right to deprive the former of it altogether? Every slave was wrongfully deprived of his liberty and always has a right to assert it. The rights to life, liberty, and property are founded on immutable truth and are universally recognized. They are not subject to conscience, morals, or government. We admit this in theory, however much our legislation may vary from it. The higher law is fundamental truth and has no variableness or shadow of turning. The province of government is the protection of these natural human rights, and there it ceases. It has no control over the acts of man, except as they affect the rights of others, and cannot interfere to make him better or worse or save him from the consequences of his own independence. Such was the philosophy of the higher law as presented by the editorial writer in the Ohio State Journal.

Of course there were a good many people in the North who did not feel bound by the higher law and were not opposed to the enforcement of the fugitive slave law, which many distinguished lawyers regarded as constitutional. The view often expressed in the public press was that all good citizens were under obligation to support the whole of the constitution, including its fugitive slave clause. By so doing they would enable the evil of slavery to work out its
own remedy, and the "higher law" would become supreme much sooner than if forcible means were resorted to. 15

It was pointed out that the fugitive slave law of 1850 did not take from the enslaved any rights which they had possessed under the law of 1793, and that it was not to be expected that any law calculated to put a stop to the system of slave plunder so extensively carried on in the North would be acceptable to the plunderers. An outcry of this minority was to be taken for granted, but the mass of the people would not resist the law. However obnoxious it might be to the opinions of many good citizens, while it remained the law of the land it was their duty to acquiesce. If wrong it should be amended or repealed, but it should be fairly tried. Above all, nothing should be done to establish a precedent of resistance to law. This view was expressed by a writer in the Portsmouth (Ohio) Inquirer of October 28, 1850, who did not think that free negroes were in any danger of being carried off as captives. As for the fugitives, the North had no right to keep them. Good effects might be expected to follow from the enforcement of the law. This apologist believed that it would be obeyed and remain on the statute books. Although many evils were incident to slavery, the least would be found in adhering to the compromises of the constitution.

15 Circleville Herald, Nov. 8, 1850.
Some Northern newspapers considered the fugitive slave law of 1850 to be a measure of justice and constitutional right for the South, in compliance with an implied pledge of the federal compact. The situation had afforded an opportunity of arousing the prejudices of the people of the North against the South, which had been immediately seized by the abolitionist leaders, who, by falsifying and misrepresenting the provisions of the law, had created no little opposition to it in many parts of Ohio. In the northern part of the state especially many meetings had been called to oppose its execution. At those meetings the dissolution of the Union had been openly advocated, the fugitive slave law had been denounced as a compact with the devil and a league with hell, and a demonstration of the unjust, inhuman, God-defying, and God-denying character of the American constitution and Union. The determination had been avowed to disregard its provisions and resist its enforcement, even to violence and blood, and to treat the government from which it had emanated with abhorrence and execration and to encourage and aid slaves to escape from their masters by offering them shelter, protection, concealment, and every other aid in their power to bestow. Such insane and fanatical movements could only be regarded as immoral and treasonable, worthy of condemnation by all good citizens.
This defender of the fugitive slave law in the Lancaster Ohio Eagle of December 19, 1850, went on to say that the old fashioned antislavery men should be warned against the dangerous doctrines of their assumed leaders. They should not confuse abstract principles with the measures of fanatics, or suffer their sympathies for the slave to array them against the principles of honesty, patriotism, and the laws of their country. This glorious Union might be dissolved; fire and sword might ravage the country; but the slaves would never be set free, except by the voluntary action of the slaveholders themselves. As a prophet this writer was a dismal failure.

However, he had the grace to say that no apology needed to be made for slavery, which was commonly regarded as the greatest of evils. Neither was it necessary to defend the fugitive slave law in all its details. The constitution recognized slaves as property and guaranteed to the owner the right to reclaim such as escaped from service. Hence a law to enforce that right was necessary and proper. But however much slavery might be opposed and whatever opinions might exist as to the wisdom and expediency of some of the features of the fugitive slave law, our duty to our fellowman and our obligation to the Union and the constitution should not be forgotten so far as to sanction such unlawful demonstrations, not only against the laws but even against the constitution. It should not be forgotten that the conduct of the abolitionists
had done more to rivet the chains of the slaves than anything else; that had it not been for their fanatical acts Virginia, Maryland, Kentucky, and perhaps other slave states would have voluntarily emancipated their slaves long ago. This writer seems not to have heard of the effect of Whitney's cotton-gin in making cotton a profitable crop for slave labor.

However, he was quite sure that the slavery question had been settled by the framers of the constitution and that the constitutionality of the fugitive slave law could not be doubted. Without this compromise in the constitution the Union of the states could not have been formed. That compromise had guaranteed to the South the right to reclaim its fugitive slaves. The law had been enacted to enforce this right, and, notwithstanding the efforts made to bring it into disrepute, it could be confidently hoped that the constitution and the laws would be fully maintained by the people.

Meanwhile, throughout the free states from Iowa to Maine a multiplicity of lines of the Underground Railroad were in energetic operation, helping thousands of slaves to escape every year.
Chapter IV
The Routes of the Underground Railroad
in
South Central Ohio.

The district of south central Ohio within which I shall trace the routes of the Underground Railroad comprises the counties of Fairfield, Franklin, Gallia, Hocking, Jackson, Lawrence, Perry, Pickaway, Pike, Ross, Scioto and Vinton.

The most easterly of these routes was in Gallia county. The Kanawha valley was the usual outlet into Ohio for many slaves escaping from North Carolina and Virginia. After crossing the Ohio River from Point Pleasant, West Virginia, the most direct route led ten miles northwest to Porter by way of Bethel church.1 Sometimes the crossing was made farther south at Gallipolis. Some colored people maintained a depot of the Underground Railroad at Gallipolis, but there were also stations in and near Gallipolis conducted by white people. From this place the route also led northeast to Porter, where it connected with

1 Letter of M. B. Sisson of Pine Grove P. O., Porter, Gallia co., Sept. 16, 1894.

the main line. If the crossing was made north of Point Pleasant the route went to Kygenville and on east to Porter. 3 A branch line was also opened from Porter through Kygenville to Albany by way of Rutland. The slave hunters were aided by some people near Porter, who would hold the slaves for them in order to receive a reward. Several slaves were captured in this way near Porter. For this reason the branch was opened, and the slave hunters were deceived for sometime, as they did not think their slaves would turn from Porter directly toward the river. 4

The route from Porter led six miles northwest to Vinton and then north and northeast six miles to Wilkesville, in Vinton County. The next station was at Albany, Athens County, and from there the line led to Hubbards and on to Athens. 5 From Athens the fugitive travelers passed north by the Athens and Zanesville road, just touching the edge

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3 Letter of N. B. Sisson.


5 Letter of E. J. Holcomb; Galbreath, Hist. of O., p. 215.
of Perry County. Deavertown, in Morgan County, which is just over the line from Perry County, was the place two lines from the south converged. The most important of these was the one running by way of Pennsville, in Morgan County, which was a Quaker settlement. The other came from Athens and followed the Athens and Zanesville road. The latter route passed through Portersville in Perry County, where John Ball's home was a stopping place for the fugitives. Slaves were also harbored at New Lexington, although only stragglers probably reached there. The next station was just south of Deavertown and was the home of David H. Deaver. This station was known as Station D.

In Deavertown the home of Thomas L. Gray was the principal resort. The basement of the Methodist church in Deavertown was also an important hiding place. The route extended from Deavertown to Zanesville. Roseville, in Muskingum County, which is on the main highway, was not considered a safe place because of the pro-slavery sentiment there, and the fugitives kept to the right of that place on their way to Zanesville.

There also seems to have been a branch from Athens to Lancaster along the Hocking River valley. There was a strong pro-slavery feeling in and around Lancaster and the

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7 Clement L. Martzoloff, Hist. of Perry Co., Columbus, 1902, pp. 135-136.
few sympathizers had to carry on their work in absolute
secrecy. This route led almost directly north to Gran-
ville, which was an important center and connected with
the route leading up the Ohio Canal. In either case the
fugitives found their way to Oberlin, which was noted for
its anti-slavery activities.8

Ironton, in Lawrence County, was an important
center of Underground activities. Most of the fugitives
who crossed the river there and at other places in Lawrence
County made their way north or northeast and finally met
and followed the route from Gallipolis to Zanesville. Slaves
were also received at Hanging Rock, Burlington, and Proctor-
ville along the Ohio River in Lawrence County.9 The line
which was followed most frequently from Ironton led directly
north along the track of the Ironton Railroad to its ter-
minus at Center Station.10 Olive Furnace, which is about
eight miles northeast of Center Station, was the first
station from Ironton. Slaves coming from Ironton were
usually taken either to Olive Furnace, or seven miles farther
to the Poke Patch colored settlement on Dirty Face Creek, in
Greenfield Township, Gallia County. Some, however, were con-
ducted directly north from Olive Furnace to Jackson or Berlin

8 Letter of E. J. Holcomb; Letter of S. J. Wright of Lan-
caster, Fairfield Co., Aug. 25, 1894.

9 Interview with Gabe Johnson of Ironton, Lawrence Co.,
Sept. 30, 1894.

10 Ibid.
Cross Roads in Jackson County. The Poke Patch settlement was on the edge of Lawrence County, but most of it was in Gallia. Some colored people by the name of Stewart were the most important operators there. Fugitives were also brought from Hanging Rock, Burlington, and Proctorville to the Poke Patch settlement. The operators of this route have estimated that about 200 travelers made their way to the Poke Patch settlement on their way to freedom.

The main route from the Poke Patch settlement led north to Oak Hill and on to Berlin Cross Roads in Jackson County. Some fugitives were also taken to Franklin and Jackson in Jackson County, whence anti-slavery men took them farther on their way. From Berlin Cross Roads the route led twelve miles almost directly east to Wilkesville, thus connecting with the Gallipolis-Zanesville route. Some of

11 Interview with Catherine Cummings of Ironton, Lawrence Co., Dec. 23, 1893.
12 Interview with Gabe Johnson; Interview with Hiram Campbell of Ironton, Lawrence Co., Sept. 30, 1893.
13 Interview with Gabe Johnson.
14 Ibid.
15 Interview with Wilson Hawks of Berlin Cross Roads, Jackson Co., June 8, 1895.
the slaves from the Poke Patch settlement were directed through Gallia County to Rio Grande and met the Gallipolis-Zanesville route in Morgan Township, north of Porter. 16

Another important route started from the Ohio River at Portsmouth, in Scioto County. This route followed the towpath of the Ohio Canal to Columbus. 17 Several station-keepers are known to have operated in Portsmouth. 18 Slaves who crossed the river near Wheelersburg or at other places in Scioto County always made their way to Portsmouth. 19. Piketon, which is about 24 miles from the Ohio River, was the first important station to the northward. At Fee-Fee, which was about 37 miles from Portsmouth, were several colored families who harbored the escaping negroes. From Fee-Fee the slaves were probably taken to Bainbridge, in Ross County, then finally to Columbus by a circuitous route. Richmond, in the southeast corner of Ross County, was another stopping place. Both white and colored families aided in the work here. 20

16 Interview with Gabe Johnson.


18 Letter of J. J. Minor, Sr. of Portsmouth, Scioto Co., Dec. 5, 1892.

19 Interview with Catherine Cummings.

Chillicothe was not a regular stopping place for the fugitives, since it was not an anti-slavery town. It had been largely settled by people from Virginia and Kentucky, some of whom had brought their slaves with them and emancipated them. Thus a colored settlement had grown up in the town. Because of the pro-slavery attitude of the people, Chillicothe was usually avoided by the fleeing slaves as they followed along the canal. Stragglers sometimes appeared in the town, and in such cases there was danger that the town marshal would arrest and hold them until their owners arrived. But if the fugitives succeeded in finding shelter among the colored population they would be protected and helped on to more reliable stations.

The trail led north along the canal to Circleville, the county seat of Pickaway County, where several people engaged in the work. A safer place of resort was at Yellow Bud, a few miles southwest of Circleville where the May family were the regular operators. Just above Circleville, the main branch of the Ohio canal ran northeast to Cleveland. By following the canal the fugitives could easily reach Oberlin or go all the way to Cleveland.

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22 Interview with John Ward of Columbus, Franklin Co., June 15, 1892.


at Columbus for rest and further directions. Although there was an important station among the colored people of south Columbus, the fugitives usually went farther north because of the Democratic sentiment in that part of town. There were several other hiding places in Columbus, the managers being Dr. Coulter, the merchant James Westwater, and two colored men, the Rev. James Poindexter and John Ward. Most of these arriving at Columbus were directed to the home of Jason Bull in Clintonville, who concealed them behind the piles of hickory wood in the rear basement of a little church across High Street, opposite his house. On east Main (then Friend) Street, near Alum Creek, was an old barn in which fugitives were sheltered and fed who were on their way up to the Alum Creek Quaker settlement. From Clintonville, the slaves were usually taken to the home of Ozem Gardner, who lived three miles north of Worthington, although there were also places of refuge in Worthington. The fugitives were taken northward into Delaware County, where other anti-slavery men were ready to aid them. There were several stations in,

25 Interview with John Ward.

26 Letter of Samuel Chamberlain of Columbus, Franklin Co., Apr. 18, 1892.


and around, Delaware, but most of the blacks made their way to the Alum Creek settlement of Quakers in Morrow County, where the Benedict family harbored them. From there several branches led northward. 29

In order to throw the slave hunters off the track the fugitives were sometimes taken to stations in Westerville. Some of the fugitives were conducted from there to Ozem Gardner's, but most of them passed on directly northward through Delaware County. The next station north of Westerville was in a little village called Africa, which derived its name from the negro slaves who passed through in the night. This route followed along an old trail which parallels Alum Creek and led to Delaware, or to the Quaker settlement on Alum Creek. 30

Some of the fugitives who were taken to Westerville were sent along another route on their way to Canada. The old Lee homestead at Central College, four miles southeast of Westerville, was the first station along this line. This place was an ideal hiding place, as the house was

29 Conversations with several members of the Benedict family.
31 Ibid.; Also article in Columbus Dispatch, Sunday, Mar. 4, 1928.
located in the valley of Big Walnut Creek, about one-fourth of a mile from the main highway. From here the trail led eastward to Granville and connected with a route from the south leading to Oberlin.

Not all of the slaves who reached Columbus were sent directly north. The Southern planters were very anxious to discover the lines of underground travel by which their slaves escaped and sent fictitious fugitives along the routes. In order to evade such slave hunters a route was opened up between Columbus and Granville and from there to Oberlin. This soon became the usual route for fugitives who came to Columbus from Ripley or other places to the west. Truro, a colored settlement six miles east of Columbus, was a safe hiding place on this line of travel. In fact many of the fugitives missed Columbus entirely, probably because of the pro-slavery attitude of some people on the south side of the town, and went east to Truro. There were several people in Reynoldsburg who were engaged in the concealment of fugitive slaves. From Reynoldsburg, the route led northeast to Granville, and from there to Mansfield, Iberia, and Oberlin.

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32 Article in the Columbus Dispatch, Sun. Mar. 4, 1928.
33 Letter of Samuel Chamberlain.
34 Ibid.
35 Letter of A. W. Livingston.
Many fugitives who crossed the Ohio River at Ripley, or other places west of Portsmouth, made their way to lines running into Columbus.\textsuperscript{36} The routes in this region were largely determined by waterways, but even more so by the location of church communities, especially those of the Presbyterians and Quakers. Many of the roads through the Adams, Brown, and Highland Counties followed the trails of the old Moundbuilders, which were also used by the Indians and finally became the highways of the white settlers.\textsuperscript{37}

One of the most important of these routes was a long Kenton's trace, which ran from Manchester, in Adams County, on the Ohio River up through West Union to Sinking Springs, which is on the edge of Ross County. Cynthiana was the next station and the first in Ross County. North of Cynthiana the Scioto valley was reached through the gap of Rocky Fork and entered Paint Creek valley at the Point, which is about two miles west of Bainbridge. The usual route then followed up the valley to the mouth of Buckskin, below Greenfield, thence to South Salem, across to Frankfort, and on to Bloomingburg, in Fayette County.\textsuperscript{38} However, some of the slaves were taken from Frankfort to Circleville and then followed the Scioto river or the Ohio Canal to Columbus.\textsuperscript{39}

\textsuperscript{36} Letter of Dr. G. A. Harmon of Lancaster, O., Aug. 20, 1894.
\textsuperscript{37} Interview with Hugh Fullerton of Columbus, O., May 3, 1932.
\textsuperscript{38} Ibid.
\textsuperscript{39} Letter of J. P. Stewart.
There were also two other lines running from Bainbridge and leading ultimately to Bloomingburg. One of these followed the Paint Creek valley from the Point to Bainbridge and on to Bownsville. From Bownsville the trail led across to South Salem. From this place to Bloomingburg a more direct route was by way of Good Hope, and this was often used in preference to the South Salem, Frankfort, and Bloomingburg route.\footnote{40} Slaves were also taken from Bainbridge directly to Frankfort, which was twenty-two miles away.\footnote{41}

There was another route which led from Ripley into Ross County from the west and on to northeastward to Hillsboro, the county seat of Highland County. Some of the fugitives were sent from Hillsboro to Rainesboro, while others found their way to New Petersburg. Those reaching Rainesboro were usually sent north to Greenfield, although it is probable that some went to Bainbridge or to South Salem.\footnote{42} The slaves who arrived at New Petersburg were sent either to South Salem or Greenfield. In either case they eventually reached Bloomingburg. Washington Court House was not an abolitionist center, and the fugitives usually steered clear of it on their way to Bloomingburg.\footnote{43}

\footnote{40} Interview with Hugh Fullerton.  
\footnote{41} Letter of J.P. Stewart.  
\footnote{42} Letter of Robert A. Scott of South Salem, Ross Co. (no date).  
\footnote{43} Interview with Hugh Fullerton.
After reaching Bloomingburg, the fugitives were taken to Columbus or other points to the north. The most direct route from Bloomingburg to Columbus led through Madison Mills and Harrisburg. Stations were known to have been operated at both of these places. 44 Another route led from Bloomingburg to South Charleston, London, and so to Columbus. 45

44 Interview with Hugh Fullerton; Letter of F.W. Sifrit of Harrisburg, Franklin Co., Aug. 12, 1895.
Chapter V.
The Activities of the Underground Railroad in South Central Ohio.

A. On the Gallipolis-Zanesville Route.

The experiences of the operators of the Underground Railroad were varied and exciting. They were always dangerous in the sense that if caught helping fugitives the station-keepers and conductors were liable to prosecution, imprisonment, and heavy fines. The danger added zest to the activities of the road, gave those engaged in them the satisfaction of doing good deeds under trying circumstances, and sometimes of outwitting slave hunters and officers of the law. Many of the incidents were only known locally and, with the lapse of time, have been entirely forgotten. Some, however, have been rescued from oblivion and give an idea of the dangers and difficulties of this traffic prior to 1860. An account of some of the most prominent operators and their methods in south central Ohio is in place here. A list of the men who are known to have aided fugitives in the district under consideration is appended at the end of this discussion.

Gallia County had the most easterly underground route of south central Ohio and not a few "agents" in the cause of secret emancipation.\(^1\) The colored people of

\(^1\) Letter of E. J. Holcomb of Vinton, Gallia Co., Aug. 15, 1894.
Gallipolis always helped the fugitives when they crossed the Ohio at that place. Porter, the next station on the route, was the converging point of several lines from the Ohio River. There were many station-keepers in and around Porter, but Dr. Julius A. Bingham, a strong Whig and abolitionist, George J. Payne, and Frederick Hanger were probably the best known. 2 Frederick Hanger lived two miles north of Porter on the road to Vinton. Hanger had made a haystack which was hollow, so that fugitives could be hidden there until the bloodhounds had lost the scent. 3

The following incident serves to show the intensity of conviction of the people in the neighborhood. About the year 1847 it was learned by slave hunters that a fugitive was at the house of John Glenn, on Little Raccoon Creek in Huntington Township, Gallia County. They went to the house when the men were absent. At the gate they stopped and asked if there was a colored woman in the house and, being answered evasively and negatively, said they would search the place, whereupon they were informed they could not and should not do so. There being 3 or 4 women present and two loaded guns in the house, two of them took positions at the door and, with guns leveled, said: "The first man that comes through that gate is a dead man." After talking a short

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3 Ibid.
time, the leader decided that those women were dangerous persons to deal with and spoke aside to his fellows: "Boys let us leave, those d--- fools will shoot."

At Vinton, the next station north of Porter, Hiram Davis, the Holcombs, and the Glanns were the principal station-keepers. E. J. Holcomb was postmaster at Vinton during the period of the Underground Railway. One day five negro hunters of low character from Virginia came to his office seeking information concerning some fugitives. Since Holcomb was a government official, they thought he would supply them with knowledge concerning the ones they sought. The slave hunters were asked how long it had been since the negroes had run away. The answer was two days, whereupon they were told that it only took two days to reach Canada from Vinton, and that the negroes were probably safely there. Upon learning this, the slave hunters were thoroughly disappointed and returned to Virginia.

Abram Morris and Henry Ogle were the best known keepers at Wilkesville. At Kygenville, David Tate kept the most important station.

4 Letter of N.D. Sisson of Pine Grove P.O. Porter, Gallia Co., Sept. 16, 1894.
5 Letter of N.D. Ross; letter of E.J. Holcomb.
6 Ibid.; letter of N.S. Sisson.
7 Letter of N. S. Sisson.
The greatest period of activity along this road was from 1845 to 1858. It is estimated by operators that 200 persons followed this route each year during the latter part of the period. Although most of the fugitives were sent on foot from one station to the next, some were taken on horseback, or in wagons, or other vehicles. The slaves were instructed to give the password "Handle with tongs" when they arrived at the next station. They were concealed in many different places, such as woods, cornfields, caves, cellars, barns, and in holes under the floors of houses.

B. On the Ironton-Albany Route.

The activities along this route were almost entirely within Lawrence and Jackson Counties. The only exception to this were the lines through Gallia and Vinton Counties which made connections with the Gallipolis-Zanesville route. Almost all of the slaves who crossed the river into Lawrence County were received at Ironton and the neighboring town of Hanging Rock. The work of forwarding fugitives was in progress here before 1840, when the site of Ironton was still a cornfield, and it continued until the time of the Civil War. The moving spirits in the enterprise in this region were John Campbell and his nephew, Hiram Campbell. The former was a Methodist preacher, who was also the owner of twenty-two

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8 Letter of N. S. Sisson; letters of E. J. Holcomb and N. D. Ross.
iron furnaces in the neighborhood. He was a staunch abolitionist and, because of his befriending the fugitives, was known as the "Black Man's Friend". He had a big barn close to the railroad station and the Presbyterian church in Ironton. He kept a covered wagon and four horses just for the purpose of transporting his black passengers. Sometimes fourteen or fifteen negroes were harbored in his barn at one time. They were conveyed to Oliva Furnace, or other places in Lawrence County, and then to the Poke Patch settlement in Gallia County.

The first systemized routes in Lawrence County were established by Gabe Johnson and Joseph Ditcher, two colored residents of Ironton. Johnson was a barber, but that did not prevent him from taking a very active part in the operations. He took care of many of the incoming slaves and aided in transporting them northward. The crossing at Ironton was made in skiffs and jet boats furnished by sympathizers on the other side of the river. Johnson and Ditcher did not confine their activities to Ironton, but operated along the river as far as Burlington. There Philip Lynch, a colored man, the Rev. Mr. Beaman and Dr. Cornelius Hall, both Presbyterians, and Stephen Wilson, a Methodist,

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9 Interview with Hiram Campbell of Ironton, Lawrence Co., Sept. 30, 1894; interview with Catherine Cummings of same place, Dec. 23, 1893; interview with Gabe Johnson of same place, Sept. 30, 1894.
were the men who aided the most. Although various persons were prominent here, it was necessary to maintain strict secrecy due to the many Democrats in the community.

Joseph Ditcher was the principal conductor on the trips to the Poke Patch settlement. He aided about seventy-five runaways to reach that place and on several occasions was followed closely by pursuers. Ditcher was called "The Red Fox" of the Underground Railroad, as he was tall and thin, had an Indian complexion, and resorted to many tricks and ruses in order to throw the "nigger catchers" off the trail. His main route to the north was to Center Station and on to Poke Patch, but sometimes he took them directly to Berlin Cross Roads, or to other places, to fool his pursuers. The last runaways through Poke Patch were brought there by Ditcher in 1859 or 1860. As he, in company with James C. Stewart of Poke Patch, were taking these fugitives, a boy and a girl, north from Poke Patch, they were overtaken by some slave hunters, who seized the fugitives and carried them back to Virginia. Of the two hundred fugitives who passed through Poke Patch these were the only ones who were ever captured.\(^\text{10}\)

Another very active antislavery man at Ironton was the Rev. Joseph Chester, a Presbyterian minister. He often aided in conveying the runaways northward, as did a

\(^{10}\) Interview with Gabe Johnson.
colored man by the name of Madison Black, who cooperated with Gabe Johnson. A horse belonging to the Rev. Mr. Chester was always at the service of the escaped negroes. John Peters of Ironton also furnished horses for transporting them.11

The goal of practically all of the slaves who passed through Lawrence County was the Poke Patch colored settlement in Gallia County. Once there, the negroes were safe, as no slave hunters ever dared to search for them in that locality. The first fugitives were run through the settlement in the spring of 1844. Of the total number harbored and aided here during the existence of the station John J. Steward helped about one hundred of the runaways on their way to freedom. He taught school at Macedonia Hill, on the Ohio River, and together with the Rev. Wm. Stewart, who preached to the colored people at Macedonia and Burlington, assisted many slaves to escape from Kentucky to the Poke Patch settlement. Jacob, James C., and John S. Stewart, the numerous Cokers, Henry Harvey, Charles Crosland, and Benjamin Holey were other leading spirits in the Poke Patch settlement.12

11 Interview with Gabe Johnson; interview with Catherine Cummings; interview with Hiram Campbell.

12 Interview with Hiram Campbell.
Some of the slaves were taken directly north from Ironton or Olive Furnace to Jackson County and did not go to Poke Patch. At Olive Furnace, John Matthews, a colored man, was engaged in the work, as was William McGugin, one of the owners of the furnaces there. A neighboring station was kept by Charlie Nirviss, an iron worker at Buckhorn Furnace. Wm. Chavis, who lived in Washington Township, Lawrence County, cooperated with the colored people at Poke Patch. When the fugitives were directed from Poke Patch to the vicinity of Porter, in Gallia County, they often were harbored by Joseph Cousins in Rio Grande.

Most of the negroes who went through Poke Patch were sent north to Jackson County. There was a strong anti-slavery sentiment in the town of Jackson, and many were quartered there. Berlin Cross Roads, however, was more important. Here, a large number of colored people had settled and cooperated with the folks of Poke Patch. The principal operator at this place was Noah Nooks, a colored man who owned a farm near the town. Nooks and his son, George, would take the slaves on horseback to Wilkesville, which was about twelve miles east.

13 Interview with Gabe Johnson; interview with Catherine Cummings.
14 Interview with Gabe Johnson.
15 Interview with Hiram Campbell.
16 Letter of Wilson Hawks of Berlin Cross Roads, Jackson Co., June 8, 1895.
Wilkesville had been settled largely by abolitionists, and the negroes did not lack aid there. Abram Morris received and sent on to Athens most of those who came to Wilkesville. Morris was the mail carrier from Berlin Cross Roads to Wilkesville. In July 1863, Morgan's men passed over this road on their way to the Ohio River. At Wilkesville they arrested Morris and took him with them to the hotel. Morris gained the confidence of Morgan's cook, who was a colored man, and they slipped out of the hotel. When Morgan and his companions became aware that they were missing a search was made, but neither could be found. 17

17 Letter of Wilson Hawks.
Chapter VI
The Activities of the Underground Railroad up
the Scioto Valley.

The underground activities up the Scioto
Valley include those which took place in the counties
of Scioto, Pike, Ross, Pickaway, and Franklin. The
Scioto River, which flows south through the center of
these counties, was the natural channel followed by
many of the fugitives escaping northward. Some of them
kept close to the Ohio Canal, which paralleled the right
bank of the river through those counties.

Portsmouth was the center of activities along
the river in Scioto County. Ovian Gould of Wheelersburg
was a great horseman and hid slaves in his stables. He
conveyed them either to Jackson or to points farther north.
George Davis, who owned a big distillery at Portsmouth, was
also of service to the slaves.1 Milton Kennedy and his
brother-in-law, Joseph Ashton, were actively engaged in the
work, operating along the Ohio border from Portsmouth west-
ward.2 When fugitives came to J. J. Minor's house in the
daytime, he would hide them under the bed. Then at night
he would take them seven miles up the Chillicothe pike to
Dan Lucas or Joseph Love, who were both colored. The
latter would then transport them in a wagon to the colored

1 Interview with Catherine Cummings.
2 Letter of Henry Hall of Portsmouth, O., Dec. 5, 1892.
settlement at Pee Pee, in the northern part of Pike County, to the Munns and Baretts. 3

Waverly, the county seat of Pike County, does not seem to have been engaged in the work, although the Ohio Canal passed through there. At an early date some negroes had settled on the outskirts of the town. These negroes were of the worst sort, and friction developed with the townspeople. This feeling became so intense that the negroes were finally driven from the neighborhood. This race hatred continued, and so no help could be expected there. In the years following the Civil War Waverly was distinguished from other towns due to the fact that no negroes lived there. 4

Despite the proslavery attitude of the people at Chillicothe, there were several operators there. The Presbyterian ministers of that town were strong abolitionists and were the most active organizers and members of an anti-slavery society at Chillicothe. The Rev. James H. Dickey was one of these men. In 1853 he and others emancipated quite a number of slaves whom they had inherited. Wm. Dickey and Samuel Crothers were other Presbyterians who were active in the antislavery movement. 5 The colored people

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5 Jas. H. Dickey, account from the Presbyterian Historical Almanac, Vol. II, Apr. 19, 1892.
of Chillicothe also kept a station for fugitives. Richard Chancellor and his son, Robert Chancellor, John and Jesse Fidler, and a man named Redmond were the principal colored people who helped the fugitives, usually taking them to a colored settlement in Columbus. But there were several men in Chillicothe who helped owners to recover their slaves. George Baker, the marshal of Chillicothe in the late fifties, and a man named Mike Harley were known to have done so. Baker once tried to give a slave, harbored by Dr. Robert L. Lansing, back into the possession of his master, but the antislavery people rescued him. An old fellow by the name of McAllister was known as a "nigger catcher" and returned many fugitives to the South.

Circleville does not seem to have been an important station, although the Rev. William Hanby and William Doddridge, a merchant, were station-keepers. Two miles east of Circleville were several families of Disbrocks, who were active, Jonathan Disbrock being the principal one.

The south end of Columbus had a considerable colored population. Shephard Alexander, who lived between Livingston Avenue and Columbus Street on the east side of High, had a

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6 Interview with John Ward of Columbus, Franklin Co., June 15, 1892.
team which he used in conveying fugitives. They were brought
to his place by the colored people of Chillicothe. Many
others in the colored community also aided, among these be-
ing Rev. James Poindexter and John Ward, for a long time
janitor of the city hall. 9 Louis Washington, a colored
man who came to Columbus from Richmond, Virginia, and
later bought his freedom, was another important operator.
He had wagons and teams and used these in taking the run-
aways north.

Another who openly and actively espoused the
cause of the slaves was Mr. James Westwater. He maintained
a station on Chestnut Street near Fourth. A half-hidden
tallow candle burning at the back window of an old smoke
house was the beacon light which enabled the slaves to
recognize the place. 11

An old barn located on property in the rear of the
Pauline Home for the Aged, on Main Street, was once a refuge
for runaway slaves. This building still stands. 12 Mr.
Warner at the Ohio Penitentiary was also known to harbor
escaped negroes. 13 The home of Dr. Coulter, still standing

9 Interview with John Ward.
11 Memorial on the Death of James M. Westwater, adopted by the
Columbus Board of Trade, March 8, 1894.
12 Article in the Columbus Evening Dispatch, May 28, 1925.
on North Third Street near Long, was the scene of many meet-
ings of abolitionists who were energetic in getting slaves
to freedom. His house was always open to those who had es-
caped, and he was one of the leaders in the work in Columbus. 14
The cellar under the Ohio State Journal office was one of the
underground stations in Columbus.

Many of the passengers from the capital city of Ohio were
sent from station to station until they reached Perrysburg,
on the Maumee River, near Lake Erie. A building not far
from the river received many of the underground travelers,
and there they found rest and safety for a brief time prior
to being conducted by a narrow passageway from the rear
end of the structure to a swift sailing little yacht that
lay at anchor in the river waiting to sail for Malden,
Canada. 15

A colored family named Williams occupied a house
on the hill west of the wheel factory at Perrysburg. They
had been made free by a generous master and spent many a
night in piloting some of their more unfortunate fellow-be-
ings across the border. There were three men in the family,
and in the summer time they worked at ferrying to one of
the islands in the river above Perrysburg. Quite frequently
they would fail to appear for work at the usual hour in the

14 Ohio Miscellany (A book of newspaper clippings in the State
Library, Columbus, 0.), p. 37.
15 Ibid., p. 61.
morning, and when they did come they gave evidence of
great fatigue. To their employer, who knew their habits,
they would explain that they had been out "coon hunting"
the night before, and the good hearted man, whose soul
revolted at slavery, needed no further information. He
knew a black man had been assisted toward Canada, and if
a slave hunter failed to find his way back to his planta-
tion in the South it may have been because he had encounter-
ed the Williams boys while "coon hunting". Those who knew
about it said nothing, while those who wished to know dared
not inquire. 16

In a little cabin located on the alley just back
from Front Street, on Mulberry street, Perrysburg, lived
"Old Joe" Langford, another free black man. "Old Joe"
worked in the shipyards in Perrysburg by daytime, but his
eyes saw many strange sights at night. He knew where the
North star pointed, and many a black man was guided by him
to the much coveted shores of Canada.

It was in the summer of 1845, when the propellor
Superior was being built in the Perrysburg yards, that a
poor black man who had reached Perrysburg had been overtaken
by the slave hunters. At that time Squire Huntington was a
justice of the peace and held his court in a building which
stood on the site now occupied by the Citizens' Bank.

16 Ohio Miscellany, p. 37.
Shibneh Spink, who was then practicing law, defended the negro. He hated slavery as did the good Squire Huntington, before whom the trial was held, but both of those gentlemen knew there was no chance for the poor slave. The trial was delayed because of a supposed error in the slave hunter's papers. "Old Joe" went down to the shipyards and told the ship carpenters the situation and asked their help to get the slave out of the court room and mount him on his pony, which he would have standing in front of the door. This pony was very fleet of foot, and made many a trip to the Canadian shore, and would return home as soon as released. About forty men went into the court room, and during the heated argument made by Mr. Spink they crowded between the slave and his captors. At a signal from "Old Joe" the slave rushed for the open door followed by the citizens, who crowded into the narrow doorway in such a manner that the hunters could not get out. As the negro passed out of the building he mounted the waiting pony, and "Old Joe", slapping the animal on his flank, shouted "a free niggah or a dead hoss", and the frightened slave galloped up Front Street to the old wooden toll bridge across the river and was soon out of sight. As soon as the officers could get out of the building they secured their horses and started in pursuit, but when they sought to pass over the bridge the gates were closed and locked, and
Joshua Chappel, the gate keeper, had much difficulty in understanding the great haste of the gentlemen who sought to pass the gates and was very slow in unlocking and permitting them to pass. The third day after the escape, the pony came back to "Old Joe," and it was learned that the officers returned to the South without their slave.\(^{17}\)

In 1835 an incident occurred to some fugitive who had made their way north after being harbored in Columbus. A slave-owner, on his way to Missouri from West Virginia, camped on the bank of the Sciota River, near Franklinton. With him were a slave mother and her three children. Some colored citizens of Columbus abducted these negroes and took them to the farm of Osem Gardner, three miles north of Worthington. Mr. Gardner then conveyed the slaves to the home of Daniel Benedict at the Alum Creek settlement, Peru Township, Morrow County. The owner was able to trace his chattels to the settlement, and succeeded in recovering two of the slave boys. Daniel Benedict was entertaining some Friends when this happened, and the owner and his two helpers were stopped by them. The justice of the peace was summoned and read the law on kidnapping to the slave-owner and to a large group of Friends who had been attracted to the scene. When the two assistants of the owner learned of the heavy fine for

\(^{17}\) *Ohio Miscellany*, p. 37.
forcibly taking colored people from the state without proving them to be in a condition of servitude, they fled to the nearby woods. After some discussion with the slave-owner, Mr. Benedict informed him that he would be permitted to leave if he promised not to molest the mother and her children again. The owner readily consented and departed. One of the owner's helpers made the statement in a neighboring town that he "didn't know where all thos Quakers came from, unless they came out of the ground." 18

The passage of the fugitive slave law of 1850 created much excitement among the colored people of Columbus, who feared for the safety of some of their number. A large and enthusiastic meeting of the colored citizens was held in the Second Baptist Church on October 7 to consider the situation. A committee was appointed to draft resolutions expressive of the sentiment of the meeting which were promptly adopted.

The resolutions denounced the law as unconstitutional because it deprived persons of the right of trial by jury and "suspended" the writ of habeas corpus. It was resolved that the colored people should resist the law by every means in their power and aid in preventing fugitives from being taken from among them. All colored citizens were advised to go armed in order to protect themselves and resist attempts

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against their brethren. All fugitives were advised to flee to Canada for safety. A committee was appointed to organize a vigilance committee in Columbus to see that negro citizens were not kidnapped by slaveholders, their agents, or attorneys.

Numbers of the fugitive slaves arriving in Columbus were sent on to the Rev. Jason Bull, minister. Bull was minister of the Methodist church at Clintonville, who usually concealed them in the basement of his little church. Thence they were taken by Edward L. Sebring or some other conductor of Clintonville to Ozem Gardner's farm north of Worthington. The signal given at Gardner's was three raps on the door. There would be no response at first, but the second signal was answered by a light in the window and the opening of the door to the slaves.

Besides Edward L. Sebring, Dr. Thomson Bull, Lawson Bull, John Smith, and Archie Young were co-workers with Jason Bull in Clintonville.

The town of Worthington was settled by a group of men from Connecticut and was an abolitionist center from the beginning. Colonel James Kilbourne was one of its founders and the principal man in the settlement during its early years. He


served as a justice of the peace and in that capacity could intervene in fugitive slave cases. During his term as a justice a fugitive was captured at Delaware and brought to Worthington by a man on a horse with the negro tied to a rope and running behind. The citizens congregated and stopped the captor. During the parley, a Worthington man cut the rope. Colonel Kilburne then held court and decided that the negro should have his freedom. The War of 1812 was in progress at the time, and Worthington was headquarters for supplies for the United States troops then operating near Sandusky. Government wagons were going northward, and the negro was sent on in one of these. The slave-catcher then secured a warrant at Franklinton, and the negro was brought back to Worthington for another hearing. However, he was again cleared and sent back to Sandusky. 21

In March, 1836, an antislavery society was organized in Worthington. A constitution was drawn up, and meetings were held once each week for some years, at the homes of the members. By July, 1837, the society had a membership of sixty-seven, among them being several of operators of the Underground Railroad, including Ozem Gardner, John Mattoon, and others. Some of the members lived in the country outside the bounds of Worthington. 22

21 Letter of Robert McCrory of Marysville, O., Sept. 30, 1898.
22 Copied from the Original Record Book of the Antislavery Society of Worthington, loaned by Alberta Williams, Columbus, Ohio.
Three miles north of Worthington was the well known station conducted by Ozem Gardner. He came from New York in 1817 and settled near Worthington. How early he began to harbor runaway slaves is not known, but he was doing so in 1836 and thereafter. In 1840 he voted the abolitionist ticket when Birney only received two votes in Sharon Township. More than two hundred slaves were sheltered at Gardner’s on their way to Canada. Sometimes the fugitives were kept in the house, but generally they were put in the barn. No slave-hunters ever came to his farm, and it is claimed that no slave who was under his care was ever captured. From Gardner’s the slaves were directed to stations in Delaware and the Quaker settlement on Alum Creek, in Morrow County.

In and near to Westerville were several stations. John Mattoon and his five sons, who lived a quarter of a mile south of the town, were all staunch abolitionists and reliable underground agents. The old brick house where they lived is still standing. In Westerville the building which is now


the headquarters of the World League against Alcholism was also a station. George W. Stover drove a stagecoach through the town, and took care of all the escaped negroes sent to him. In 1841 the house became the home of the Rev. Lewis Davis, the first president of Otterbein College. He was an outspoken antislavery man and harbored slaves in his house. Matthew Westerville and Garret Sharp with his sons also harbored fugitives in Westerville. The old Lee homestead, near Central College, was one of the stopping places on the way to Granville.

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When runaways were sent from Columbus to Granville, they stopped first at the colored settlement at Truro, then passed on to Reynoldsburg, where several men kept stations. Among these were the Rev. John W. Thompson, John Rees, Archibald Cooper, Samuel Chamberlain, Priest Little, and several Grahams.27

26 Columbus Dispatch, June 13, 1926.

Chapter VII.

Activities on the Ripley-Columbus Route.

This route extended from Ripley and Manchester on the Ohio River up through Brown, Highland, and Fayette Counties into Ross. As the county last named is the only one lying within the district with which this dissertation is concerned, no attempt will be made to tell of the activities in the first three.

The operations from Sinking Springs to Bloomingburg were largely a family affair. The Stewarts (or Stuarts) seem to have been the moving spirits and were aided by their relatives by blood and marriage. A station at Cynthiana was kept by a Presbyterian minister named Dunham, who had married a Stewart. At New Petersburg another relative of the Stewarts, Miller by name, operated. At South Salem the principal promoters of escape were the Rev. Hugh Stuart Fullerton of the Presbyterian church, John Sample, Satterfield Scott, and Robert Scott, all of whom were related to the Stewarts. Robert Scott was once ordered by a United States marshal to help capture a fugitive, known to be near South Salem. He refused, despite the threats of the marshal to prosecute him under the fugitive slave law of 1850. The marshal succeeded in getting assistance from other men in the town, but their efforts were not successful. Later the fugitive sent a letter from Canada informing his friends in South Salem of his safe arrival in the
land of freedom.\textsuperscript{1}

The running slaves who reached the Rev. Hugh S. Fullerton's house were usually hidden in a basement room, which had been walled off in such a way that it could not be detected from the main cellar. The only entrance into this hiding place was by means of a trap-door from the room above, the trap-door being concealed under a table and rug. Another place of concealment was the dark attic of the house, through the knotholes of which the inmates watched for slave catchers.\textsuperscript{2}

The chief underground center in Ross County was at Frankfort, Hugh Stewart, the head of the clan, had his mansion across the creek from the town. His son Robert, a large land owner who lived two miles from Frankfort, was one of the principal "black abolitionists" of that region. On the Stewart place was a negro settlement, Roxabel, where fugitive slaves were harbored. The slave-hunters often watched Robert Stewart's house, as it was known that he was a station-keeper. Once twelve slaves ran away from Kentucky, and a reward of $10,000 was offered for their capture and return. They were cared for by Stewart and sent on to a cabin

\textsuperscript{1} Interview with Hugh S. Fullerton, Jr., of Columbus, O., May 3, 1932; letter of Robert A. Scott of South Salem, Ross Co. (no date).

\textsuperscript{2} Interview with Hugh S. Fullerton, Jr.
near Bloomington, in Fayette County, where they were in hiding on the day that the slave-hunters arrived at Stewart's. That night the fugitives were moved farther north in a wagon driven by George Gillespie and William Ustick, as it was known that the pursuers were near. When the slaves arrived in Cleveland, their masters were waiting for them, but were not permitted to see them get aboard the boat for Canada. Before the steamboat started the hunted fugitives became much perturbed when they saw their masters on the wharf watching for them. The captain told them to lie low, and they would be safe. As the boat began to move he paraded them on deck and had them wave goodbyes to their owners, who called out: "Yonder's my niggers. For God's sake stop them!" Needless to say, the boat did not stop. 3

Another important station-keeper at Frankfort was John Harmon. A black man named Harrison Valentine led the travelers or drove the team behind which they rode to Bloomington, where the fugitives were usually taken, or to Circleville. Valentine and Harmon had an understanding by which the former took the needed horses from the latter's barn without asking. The trip to Bloomington was usually made at night. Others who aided at Frankfort were Isaac Claypool, Erasmus Tulley, James Jackson, Joseph Anderson, and Dr. Robert Galbraith. 4

3 Interview with Hugh S. Fullerton; letter of J.P. Stewart of Champaign, Ill., Feb. 16, 1896.

Sometimes the fugitives were moved from South Salem to Bloomingburg by way of Good Hope, where they were in the charge of Mr. Dickey, one of the Eusticks, another of the Stewart tribesmen, and a Mr. Byers. Other Stewarts and the Boises, of whom William Boise, a Presbyterian minister was very active, harbored the fugitives at Bloomingburg.\(^5\)

The passenger traffic over the South Salem and Frankfort route was good, the period of greatest activity being from 1840 to 1850. The parties requiring transportation consisted of men, women, and children and ranged in number from one up to a score. Most of the operators were farmers, who were free to take horses from one another's pastures as occasion required. Wagons and carriages were the usual means of conveyance.\(^6\)

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\(^5\) Interview with Hugh S. Fullerton.

\(^6\) Letters of Robert Scott and J. P. Stewart.
Chapter VIII.

Fugitive Slave Cases in
South Central Ohio.

Early in the history of Ohio it became evident that the clause of the constitution of the United States and the fugitive slave law of 1793 were obnoxious to many people in the state. Ohio being contiguous to slave states, the escape of bondmen into her territory was easy and frequent, and bitter contests often took place between the claimants and the abettors of the fugitives. This is shown notably in the Jerry Finney and Rosetta cases, the most famous occurring in this part of Ohio.

On the night of March 21, 1846, Jerry Finney, a colored man who had lived in Columbus for fifteen months with his wife and family, was decoyed to the office of William Henderson, justice of the peace in Franklinton. At the request of Jacob Armitage, a penitentiary guard, Finney brought a trunk to Henderson's office upon the representation that a couple were to be married at the magistrate's office after they had eloped. On arriving with the trunk, Finney found no light in the office except from the stove. As he stepped to the door, he was seized by Henderson and some other men who were waiting for him. After he had been
securely tied and handcuffed, he was informed that he was seized for reclamation as a fugitive slave from Kentucky. He then demanded to be taken back to his wife and family and to be given a fair trial. He also asked for certain witnesses, who could prove he was entitled to his freedom. Justice Henderson replied that the necessary papers had been made out for him, whereby a trial by jury was not needed. The papers had been brought to Henderson by Alexander C. Forbes of Kentucky, who was an attorney for Mrs. Bathsheba D. Long of Frankfort, Ky. After Forbes had sworn that Finney was the man he sought and the necessary papers had been signed, Finney was delivered to Forbes, who took him back to Frankfort. ¹

When Finney had taken the trunk to Henderson's office, a colored boy was with him and is said to have been detained several hours to allow the kidnappers time to escape with their victim. As soon as he was released, he gave the alarm, and a pursuing party was organized and started after the kidnappers on fleet horses. The abductors had gone to Xenia and taken the train for Cincinnati, and were on their way to the latter before the party reached the former. The pursuers went on to Cincinnati but reached that city too late to prevent Finney's

being taken across the river into Kentucky. 2

There was much excitement among the people of Columbus after the disappointed pursuers returned. The popular feeling against Justice Henderson and others who had aided in the seizure was unbounded. The justice was asked why witnesses had been denied to Finney when he had asked for them. He answered that no witnesses were necessary, as Forbes had brought a power of attorney and depositions to show his authority and had proved that Finney was a slave. In reply to an inquiry as to why Finney had been decoyed to Franklinton at night to have a hearing without witnesses, and why he was not arrested in Columbus where there were magistrates, Henderson replied that the Columbus magistrates were "a set of damned abolitionists" and would not give the slave owners justice.

A preliminary hearing was conducted by Aaron F. Perry, prosecuting attorney for the state, with Fitch James Matthews and Albert D. Bultles representing those accused of aiding in the kidnapping, including Justice Henderson, Jacob Armitage, Henry Henderson, Daniel A. Porter, and Daniel Zinn. They were brought before the court of common pleas and in default of bail were committed to the county jail.

2 Weekly Ohio State Journal, Apr. 1, 1846.
An immense public meeting was held at the Town Street Methodist Episcopal church, at which spirited addresses were delivered by Samuel Galloway, the Rev. Granville Moody, and others. Resolutions were adopted fiercely denouncing Finney's abduction and all connected with it, and a determination was expressed "to rescue him from the scoundrels who stole him from his family". Meantime, Colonel Minor of Cincinnati and Messrs. Cowles and Bartol of Columbus proceeded at once to Frankfort to see what could be done for Finney's release. Awaiting the results of their efforts, a purse of $500 was raised by the citizens of Columbus to be added to a like sum to be offered by the governor for the purpose of bringing the kidnappers to justice.3

By an affidavit before Alexander Patton, a justice of the peace in Columbus, in April 1846, Forbes and Armitage were charged with violating the laws of Ohio in forcibly seizing and abducting Finney. A requisition was issued by Mordecai Bartley, governor of Ohio, upon the governor of Kentucky, demanding their surrender to William Johnson, Esq., as agent and counsel for Ohio, to be brought back to this state as fugitives from justice. They were arrested on the warrant of the governor of Kentucky and taken before Mason Brown, a circuit judge in that commonwealth, for inquiry as to their guilt or innocence under the Kentucky statute of 1820

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3 Weekly Ohio State Journal, Apr. 8, 1846; Columbus, Ohio, Its Hist. (etc.), pp. 46-47.
in relation to fugitives from justice. This statute provided that in case of proof of ownership the persons abducting a runaway slave, whether principal owner or his agent, should be discharged from custody. Forbes and Armitage were discharged under that statute, although counsel for Ohio contended that the Kentucky statute was contrary to the constitution of the United States, and that slavery, being contrary to natural law, existed only by state law, and being thus local and confined to the territorial limits within which it was sanctioned, a slave once free was always free. Therefore Finney, having been brought to Ohio by the consent of his Kentucky owner, was a free man.4

In July, 1846, the grand jury of Franklin County indicted Forbes for the seizure and abduction of Finney without first taking him before a magistrate in the county and establishing his identity and ownership, and proving the authority of Forbes to act as required by the laws of the United States and of Ohio. Armitage, Henderson, and the others were put on trial. A. F. Perry, Esq., was the prosecuting attorney and was assisted by William Dennison, Jr., who was appointed by the state. The defendants were represented by Noah H. Swayne, John Brough, and Fitch James Matthews.5

4 Weekly Ohio State Journal, Apr. 8, 15, 29, 1846; Hist. of Columbus (by A. E. Lee), pp. 599-601.
The case occupied several days, and much interest was manifested by those who were acquainted with the defendants and with Jerry. After impaneling the jury, the giving of testimony occupied a week or more, and the arguments of counsel and charges of the court occupied a day or two more. During the progress of the trials, one of the jurors, Dr. George Richey, was taken sick and was unable to attend further at court. At this juncture of the case all of the defendants as well as the counsel of the state agreed to proceed with the eleven remaining jurors. The case was ably conducted on both sides, and a large number of bills of exception were taken by the defendants' counsel to the rulings of the court. The jury retired, and, after deliberating seven hours, returned a verdict finding Henderson guilty, while the other defendants were acquitted due to the fact that they were ignorant of the law and also of the facts concerning Finney. Those acquitted were discharged from custody, but Justice Henderson was committed to jail to await sentence. However, sentence was suspended until the next term, when judgment of imprisonment in the penitentiary was entered against him.

The attorneys for Henderson then took the case before the supreme court. A transcript of the docket entries

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of the proceedings in Finney's case was presented by the defense and a bill of exceptions was secured. The state claimed that Henderson had not acted in good faith in filing the bill of exceptions, which included the conduct of the trial before eleven jurors, to which he had agreed. Upon the exceptions a writ of error was prosecuted before the supreme court.

The decision of the court was made in January, 1847, holding: 1. That a juror could not be withdrawn by consent in a criminal case and the trial proceed. 2. That Henderson as justice of the peace acted in a judicial capacity and had jurisdiction in the case of an escaping slave, and that consequently his proceedings could not be called in question for not acting in good faith, as he would be protected by the doctrine of judicial immunity.
3. That in consequence of this judicial immunity he would not be liable to an indictment, but could be called in question only by impeachment. Henderson was discharged on the basis of the decision.7

By the authority of the Ohio Legislature, Wm. Johnson, a distinguished lawyer and resident of Cincinnati, was employed to institute proceedings in the Kentucky courts for the purpose of settling certain legal questions, which it was claimed, would result in the liberation of Jerry from bondage. Mr. Johnson appeared before the Kentucky

7 Critchfield, in Hist. of Columbus (by A.E. Lee), pp.599-601.
court and argued his case with masterful ability, but the
decision was against him. This closed all the legal pro-
ceedings of the case. Jerry remained in Kentucky for some
months as a slave until $500. was raised by subscription to
purchase his freedom. He then returned to his family in
Columbus. However, he soon wasted, sickened, and died of
consumption. 8

Another very important case was that of Rosetta
Armstead, which was made a test case. Rosetta originally
belonged to John Tyler, former President of the United
States, who gave her to his daughter, the wife of the Rev.
H. M. Dennison, an Episcopal clergyman living in Louisville.
This gentleman placed Rosetta in charge of a Dr. Miller,
then on a visit to Kentucky, who was about to return to
Virginia. It was planned that Rosetta should later serve
as a nurse for the baby girl left by Mrs. Dennison. 9

Early in March, 1855, Dr. Miller with Rosetta
started by boat from Louisville on his way to Wheeling.
Arriving at Cincinnati, a boat to continue the journey
could not be found, so he decided to proceed to Columbus
and on to Wheeling by railroad. He took that route on
Saturday night under the impression that the cars ran
directly through. When informed that the train would stop

8 Critchfield, in Hist. of Columbus (by A.E. Lee), pp.599-601.
at Zanesville over Sunday, he decided to stay in Columbus, as he had formerly lived there and expected less trouble from abolitionists there than in the former town. Soon after he had found lodgings in the capital, he and his charge were discovered by some colored women. They made application to Judge Joseph R. Swan of the supreme court of Ohio for a writ of habeas corpus in order to bring Rosetta before him for inquiry regarding the legality of her detention. The writ was executed by the sheriff, and, although Rosetta was a slave in Kentucky, she had been brought into Ohio by her owner's consent, and thereby became a free person and was set free by Judge Swan.

As she was a minor, L. G. Van Slyke was appointed her guardian. Her former master, the Rev. Mr. Dennison, visited her and told her that he had come for her, but if she wished she could remain free. She chose the latter alternative and was placed by her guardian in the family of Dr. J. H. Coulter of Columbus.10

Late in March two men appeared at Dr. Coulter's home and said they wished to consult him professionally. As they appeared to be gentlemen, Dr. Coulter readily answered their questions concerning his practice and showed them through his house.

10 Hist. of Columbus (by A. E. Lee), pp. 602-603.
In passing through one of the rooms, they discovered Rosetta, and one of them immediately spoke to her. She recognized him as a person she had seen in Louisville and engaged in conversation with him. The other gentleman then produced a paper, which was said to be a warrant issued by a United States commissioner for the arrest of Rosetta as a fugitive slave. Dr. Coulter was asked if he intended to resist their taking Rosetta with them. He said he would resist until he had time to consult with his friends. He then left the house to give the alarm, whereupon the two men hurried Rosetta to a carriage which they had in waiting. She had on neither bonnet, shawl, or other protection from the weather. The carriage was driven directly to the railway station, and Rosetta was transferred to the cars that were about ready to start for Cincinnati.

Meanwhile, the alarm spread and several citizens arrived at the depot before the train started. The persons having her in possession claimed to have legal authority and showed by their general demeanor and the presentation of revolvers that they were determined to take her with them. So no rescue was attempted. However, Mr. Van Slyke and Doctor W. E. Ide accompanied the girl and her captors to Cincinnati and defeated the plans of the latter to take her before the United States commissioner, who had issued the warrant. This was accomplished by the advice of Solomon P. Chase, who had just completed his term in the United States Senate. Rosetta was brought before Judge Parker of the court
of common pleas, where Mr. Chase appeared for her. Chase was aided by Judge Timothy Walker, a distinguished lawyer, and by R. B. Hayes, a promising young lawyer of Cincinnati. George E. Pugh, who succeeded Mr. Chase in the Senate, and Judge Jacob Flynn of Cincinnati appeared in behalf of Mr. Dennison.

The case occupied several days and was accompanied by much argument by counsel. Judge Parker finally held that as Rosetta had been brought from Kentucky into Ohio by her master or his agent, she was free and should be delivered to the custody of Mr. Van Slyke, her guardian. In order to prevent the possibility of seizure by the United States marshal, Mr. Chase applied to Judge Parker for an order that the sheriff should conduct the girl to some safe place where she might be surrendered to her guardian. The order was secured, and Rosetta was taken to the Woodruff home in Cincinnati and there restored to Mr. Van Slyke.

However, Rosetta was soon arrested by a United States marshal and taken before the United States commissioner, but the latter sustained Judge Parker's decision, and Rosetta was discharged from the marshal's custody. While this hearing was going on, Judge Walker and Mr. Chase procured process against the marshal for re-arresting the girl, and he was taken into custody by the sheriff. The marshal then applied to Judge McLean of the United States supreme court for a writ of habeas corpus and was discharged from the custody of
the sheriff on the ground that a state court or judge had no jurisdiction to discharge any person held as a fugitive slave under process authorized by the fugitive slave act. Meanwhile Rosetta was at liberty and remained in the custody of Mr. Van Slyke, who took her back to Columbus. A wealthy woman from New England had been visiting in Columbus at the time Rosetta was abducted and became much interested in the girl. It was soon arranged with the consent of Rosetta and Mr. Van Slyke that the former should accompany this woman back to New England. Rosetta was very intelligent, and the woman had her educated in one of the best seminaries of the country.

As an appreciation of Mr. Van Slyke's kindness and efforts on behalf of Rosetta, the colored people of Columbus presented him with a silver pitcher. The occasion was attended with much ceremony at the city hall, including earnest and eloquent speeches and songs of rejoicing by the colored people.

In recognition of the labors of Mr. Van Slyke in the cause of abolition, Mr. Chase, when he became governor of Ohio, made him warden of the penitentiary, an office that was in those days more of an honor than today. Up to the time of Mr. Van Slyke's death Mr. Chase and he were the warmest and most confidential of friends.

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